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## City of Visalia

315 E Acequia Avenue

Visalia, CA 93291

### SECTION I: CEQA Review Process

#### Project Title: Kelsey–Hurley Industrial Park

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An application for the proposed Kelsey–Hurley Industrial Park (Project) has been submitted to the City of Visalia (City) Planning Division for discretionary review. The City, as Lead Agency, has determined that the Project is subject to the California Environmental Quality Act (CEQA), and that the preparation of an Initial Study is required.

This Initial Study (IS) evaluates the potential environmental effects that could result from the construction, implementation, and operation of the Project. This Initial Study has been prepared in accordance with CEQA (Public Resources Code Section 21000 *et seq.*) and the State CEQA Guidelines (Title 14, California Code of Regulations, Section 15000 *et seq.*). The City uses Appendix G of the State CEQA Guidelines as thresholds of significance. Based on the analysis provided within this Initial Study, the City has concluded that the Project may result in significant impacts on the environment and the preparation of an Environmental Impact Report (EIR) is required. This Initial Study (and the forthcoming EIR) are intended as informational documents, which are ultimately required to be considered and certified by the decision-making body of the City prior to approval of the Project.

#### 1.1. Purpose of an Initial Study

CEQA was enacted in 1970 with several basic purposes, including (1) to inform governmental decision makers and the public about the potential significant environmental effects of proposed projects; (2) to identify ways that environmental damage can be avoided or significantly reduced; (3) to prevent significant, avoidable damage to the environment by requiring changes in projects through the use of feasible alternatives or mitigation measures; and (4) to disclose to the public the reasons behind a project's approval even if significant environmental effects are anticipated.

An Initial Study is a preliminary analysis conducted by the Lead Agency, in consultation with other agencies (responsible or trustee agencies, as applicable), to determine whether there is substantial evidence that a project may have a significant effect on the environment. If the Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, the Lead Agency shall prepare a Negative Declaration. If the Initial Study identifies potentially significant effects but revisions have been made by or agreed to by the applicant that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, a Mitigated Negative Declaration is appropriate. If the Initial Study concludes that neither a Negative

Declaration nor Mitigated Negative Declaration is appropriate, an EIR is normally required. It is noted that the IS is a preliminary assessment of potential impacts and following evaluation in the EIR, agency feedback (i.e., comments) and public comments; the preliminary assessment may change.

## **1.2. CEQA Process**

Below is a general overview of the CEQA process. The CEQA process is guided by the CEQA statutes and guidelines.

### **a. Initial Study**

At the onset of the environmental review process, the City has prepared this Initial Study to determine if the Project may have a significant effect on the environment. This Initial Study determined that the Project may have a significant effect(s) on the environment and an EIR will be prepared.

A Notice of Preparation (NOP) is prepared to notify public agencies and the general public that the Lead Agency is starting the preparation of an EIR for the proposed project. The NOP and Initial Study are circulated for a 30-day review and comment period. During this review period, the Lead Agency request comments from agencies and the public on the scope and content of the environmental information to be included in the EIR. After the close of the 30-day review and comment period, the Lead Agency continues the preparation of the Draft EIR and any associated technical studies, which may be expanded in consideration of the comments received on the NOP.

### **b. Draft EIR**

Once the Draft EIR is completed, a Notice of Completion and Notice of Availability are prepared to inform public agencies and the general public of the availability of the document and the locations where the document can be reviewed. The Draft EIR and Notice of Availability are circulated for a 45-day review and comment period. The purpose of this review and comment period is to provide public agencies and the general public an opportunity to review the Draft EIR and comment on the document, including the analysis of environmental effects, the mitigation measures presented to produce potentially significant impacts, and the alternatives analysis. The mitigation measures proposed in this draft can be revised or modified prior to approval or adoption/certification of the EIR. After the close of the 45-day review and comment period, responses to comments on environmental issues received during the comment period are prepared.

**c. Final EIR**

The Lead Agency prepares a Final EIR, which incorporates the Draft EIR or a revision to the Draft EIR, comments received on the Draft EIR and list of commenters, and responses to significant environmental points raised in review and comment process.

The decision-making body then considers the Final EIR, together with any comments received during the public review process and may certify the Final EIR and approve the project. In addition, when approving a project for which an EIR has been prepared, the Lead Agency must prepare findings for each significant effect identified, and a statement of overriding considerations if there are significant impacts that cannot be mitigated as well as adopt a mitigation monitoring and reporting program.



## City of Visalia

315 E Acequia Avenue

Visalia, CA 93291

### SECTION 2: Project Description

#### Project Title: Kelsey-Hurley Industrial Park

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#### 2.1. Lead Agency

- Lead Agency: City of Visalia
- Address: 707 W. Acequia Avenue, Visalia, CA 93291
- Contact Person: Brandon Smith
- Phone Number: (559) 713-4636

#### 2.2. Project Sponsor

- Project Sponsor: Steve Etchegaray
- PO Box 964, Visalia, CA 93292

#### 2.3. Project Description

The Kelsey-Hurley Industrial Park Project proposes the development of approximately 123-acre site in western Visalia. The Project includes five industrial buildings, a fast-food restaurant with drive-through lane, commercial strip center, self-storage facilities, and stormwater detention basin. New roads will be constructed within the industrial park to facilitate internal circulation, and the Project proposes approximately 1,852 auto and approximately 656 trailer parking stalls to accommodate employees, visitors, and fleet vehicles. Landscaping, lighting, and signage will be integrated throughout the Project site. The Project is intended to support regional logistics, manufacturing, and commercial needs at a site near State Route 198 for efficient transportation logistics. The Kelsey-Hurley Industrial Park Project includes the following components:

##### Industrial Buildings:

- Total Building Area: 1,748,900 square feet
  - Building 1: Approximately 251,200 square feet
  - Building 2: Approximately 251,200 square feet
  - Building 3: Approximately 348,300 square feet
  - Building 4: Approximately 341,100 square feet
  - Building 5: Approximately 557,100 square feet

##### Fast-Food Restaurant with Drive-Through:

- 3,000 square feet building

Commercial Pad Development:

- Total Area: 26,600 square feet
  - Pad 3: 5,500 square feet
  - Pad 4: 3,200 square feet
  - Pad 5: 3,200 square feet
  - Pad 6: 3,300 square feet
  - Pad 7: 5,800 square feet
  - Pad 8: 5,600 square feet

Self-Storage Facilities:

- Area: 21,584 square feet, distributed across multiple storage buildings.

Phasing

The development of the Project is planned over four phases. In Phase 1, two industrial buildings will be constructed, along with a drive-thru facility in the northwestern portion of the Project site, and a stormwater basin to manage runoff and ensure proper drainage across the Project site will be constructed in the southern portion of the Project site. Phase 2 will involve the construction of two additional industrial buildings and the development of commercial pads for flexible use, providing space for retail or service-based businesses in the northeastern portion of the Project site. Phase 3 will include the construction of one more industrial building in the southern portion of the Project site. Finally, Phase 4 will include the development of a storage facility near the southeastern portion of the Project site, just north of the proposed stormwater basin.

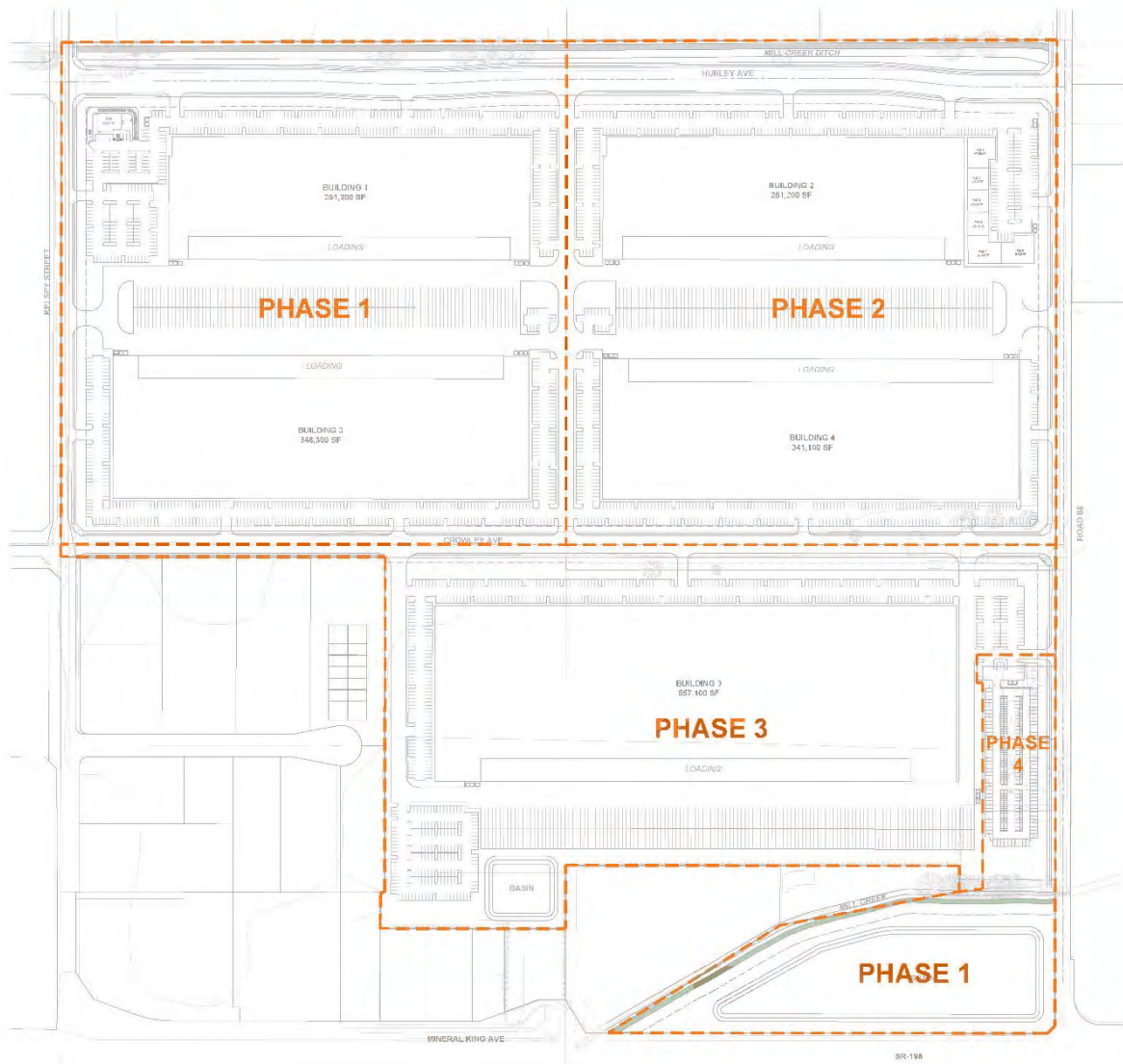


Figure 2-1. Phasing Map

#### Infrastructure:

Stormwater connections for the Project will be developed during the first three phases of construction. The system will include pipelines running along Kelsey Street, Road 88, Crowley Avenue, and between the industrial buildings to efficiently capture and convey runoff. All stormwater will be directed to a designated storm basin located in the southeast corner of the Project site, ensuring effective drainage and flood control for the development.

Sewer infrastructure for the Project will connect to the existing main along Kelsey Street. The Project will extend sewer lines from Kelsey Street to provide sewer services and wastewater management to the site. The proposed sewer system will connect with the existing municipal sewer network.

Water infrastructure for the Project will connect to existing lines at the intersection of Kelsey Street and Crowley Avenue. From this point, water connections will be extended throughout the site to provide service to industrial, commercial, and self-storage areas.

#### Off-Site Improvements:

The Project includes off-site improvements consisting of upgrades to existing streets per the City's street standards. Improvements will include widening Hurley Avenue, Road 88, and Kelsey Street to enhance their capacity for increased traffic volumes and improved connectivity to major arterials and highways. The integration of pedestrian and bicycle infrastructure will also be incorporated, where appropriate, to support multimodal accessibility.

#### Anticipated Construction Schedule

Construction is estimated to take place immediately after the project entitlements are approved and anticipated to take approximately 18-24 months to complete.

### **2.4. Project Location**

The Kelsey-Hurley Industrial Park Project encompasses approximately 123 gross acres of land near the intersection of Kelsey Street and Hurley Avenue within an industrial corridor in western Visalia. The Project site includes three parcels: APN 081-040-001, 081-071-020, and 081-071-042. Specifically, the site is bounded by Road 88 to the east, Kelsey Street to the west, Hurley Avenue to the north, and State Route 198 to the south. The Project site's proximity to State Route 198 provides access to regional transportation networks.

### **2.5. General Plan Designation**

The Project site is in unincorporated Tulare County and is designated by the Tulare County General Plan as Exclusive Agriculture (AE-20). The Project site is proposed for annexation into the City of Visalia, and the City's General Plan designates the Project site as Industrial.

### **2.6. Zoning**

The Project site is in unincorporated Tulare County and is zoned by Tulare County as AE-20 (Exclusive Agriculture with 20-acre minimum). The Project site is proposed for annexation into the City of Visalia, and upon annexation, the Project site will be pre-zoned as I (Industrial Zone).

### **2.7. Existing Conditions and Surrounding Land Uses**

The Project site currently supports agricultural land use, with a flat topography and an average elevation of approximately 295 feet above mean sea level. Historical topographic maps and aerial photographs confirm the site's use for agricultural purposes for over 100 years. The

surrounding land uses include agricultural fields to the south and east and existing industrial and residential developments to the north and west.

The land uses surrounding the Project site are summarized as follows:

*To the north:*

- Existing Land Use: Agricultural Uses / Industrial
- Zoning: AE-20 - Exclusive Agricultural Zone, 20 Acre Minimum (*County Land*) / I-Industrial (*Visalia City Zoning*)
- General Plan Designation Use: Industrial (*2030 City of Visalia General Plan*)

*To the south:*

- Existing Land Use: Service Commercial / Highway 198
- Zoning: C-S - Service Commercial (*City of Visalia Zoning*)
- General Plan Designation: Commercial Service (*2030 City of Visalia General Plan*)

*To the east:*

- Existing Land Use: Agricultural Uses / Rural Residential
- Zoning: AE-20 - Exclusive Agricultural Zone, 20 Acre Minimum (*County Land*)
- General Plan Designation: Residential Very Low Density (*2030 City of Visalia General Plan*)

*To the west:*

- Existing Land Use: Vacant
- Zoning: BRP- Business Research Park (*City of Visalia Zoning*)
- General Plan Designation: Business Research Park (*2030 City of Visalia General Plan*)

## **2.8. Other Permits and Approvals**

- Pre/Rezone: The property is proposed to be rezoned for industrial use, consistent with the General Plan.
- Site Plan Review (SPR): Detailed review and approval of site development plans to ensure consistency with zoning and design standards.
- Conditional Use Permit (CUP): To allow a planned development, including flexibility in lot sizes, the creation of parcels without direct public street frontage, and the development of retail uses such as a fast-food restaurant with drive-through lane.
- Tentative Parcel Map (TPM): To subdivide the Site into parcels accommodating the proposed industrial buildings, retail spaces, and supporting infrastructure. The parcel map will ensure that the subdivision aligns with the City of Visalia's development standards and zoning requirements.
- Annexation: To annex the Project Site into the City of Visalia, consistent with the City's General Plan and Sphere of Influence. Annexation will facilitate city services, infrastructure connections, and proper zoning for industrial and light industrial uses.

The following non-discretionary approvals are required for the proposed Project:

- San Joaquin Valley Air Pollution Control District (SJVAPCD). The proposed Project is within the jurisdiction of the SJVAPCD and will be required to comply with all applicable Air District Rules, including but not limited to VIII, 2010, 3135, 4101, 4002, 4102, 4601, 4641, and 9510.
- Central Valley Regional Water Quality Control Board, SWPPP. The proposed Project site is within the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB). The Central Valley RWQCB will require a Storm Water Pollution Prevention Plan (SWPPP) to prevent impacts related to stormwater because of Project construction.

### **2.9. Tribal Consultation (AB 52 Compliance)**

In accordance with Public Resources Code § 21080.3.1 and § 21080.3.2:

The City of Visalia initiated formal AB 52 consultation on [insert date] by sending notification letters to California Native American tribes traditionally and culturally affiliated with the project area, as identified by the Native American Heritage Commission. The following tribes were contacted:

- Tachi Yokut Tribe
- Santa Rosa Rancheria Tachi Yokut Tribe

As of 05/08/2025 no requests for consultation were received Consultation was conducted to identify potential impacts to tribal cultural resources and to avoid or mitigate such impacts to the extent feasible.

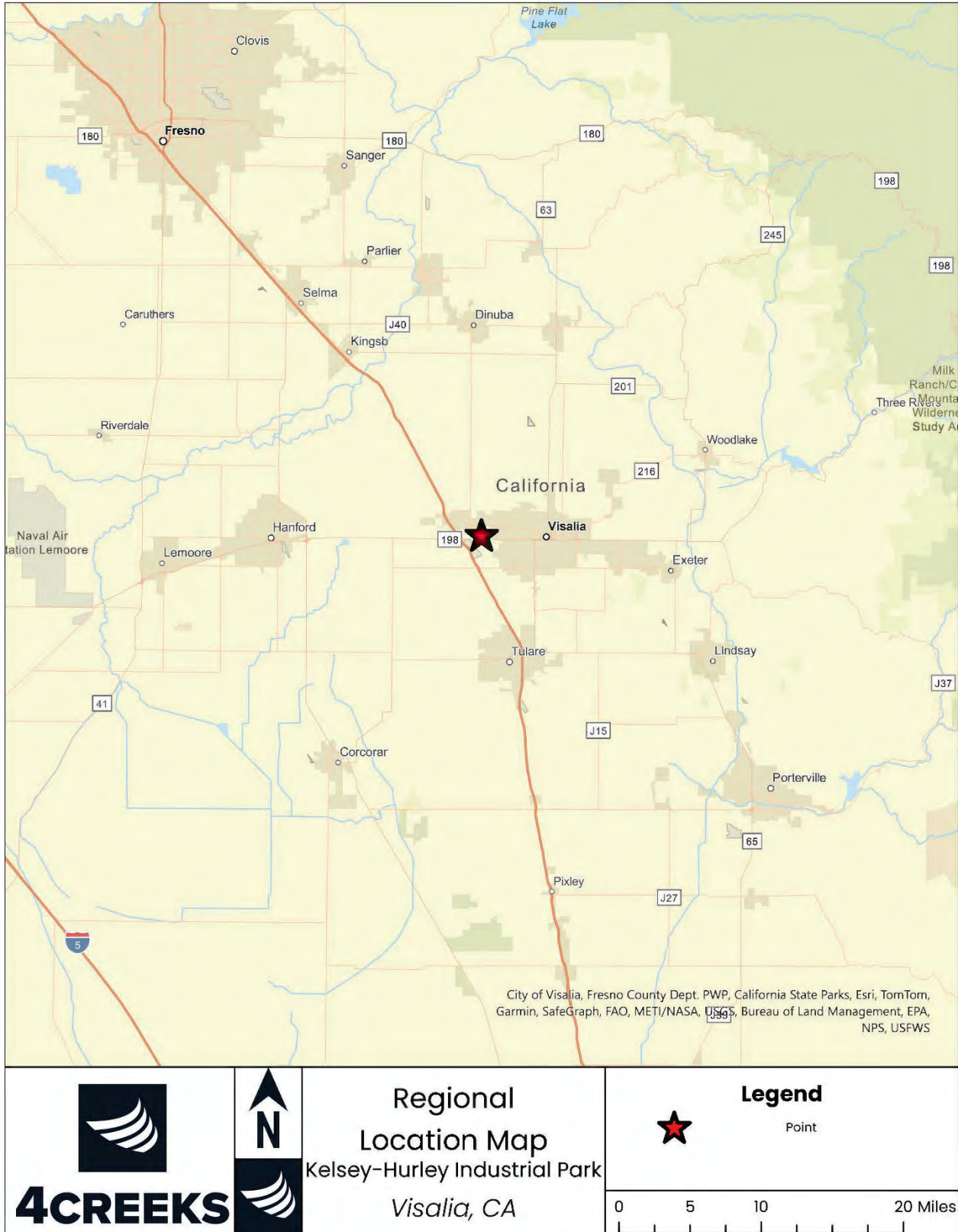


Figure 2-2. Regional Location Map

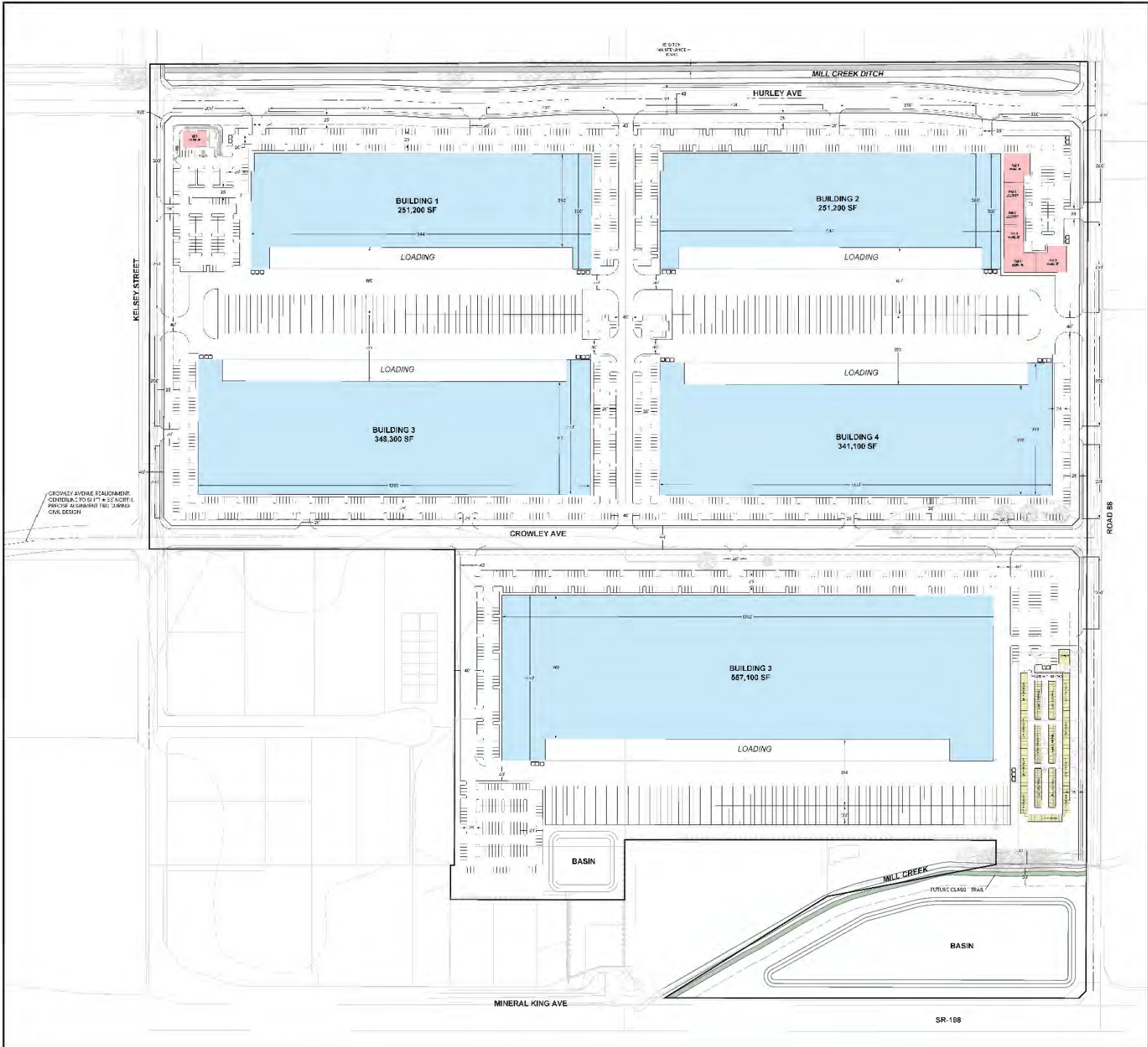


Figure 2-3. Site Plan

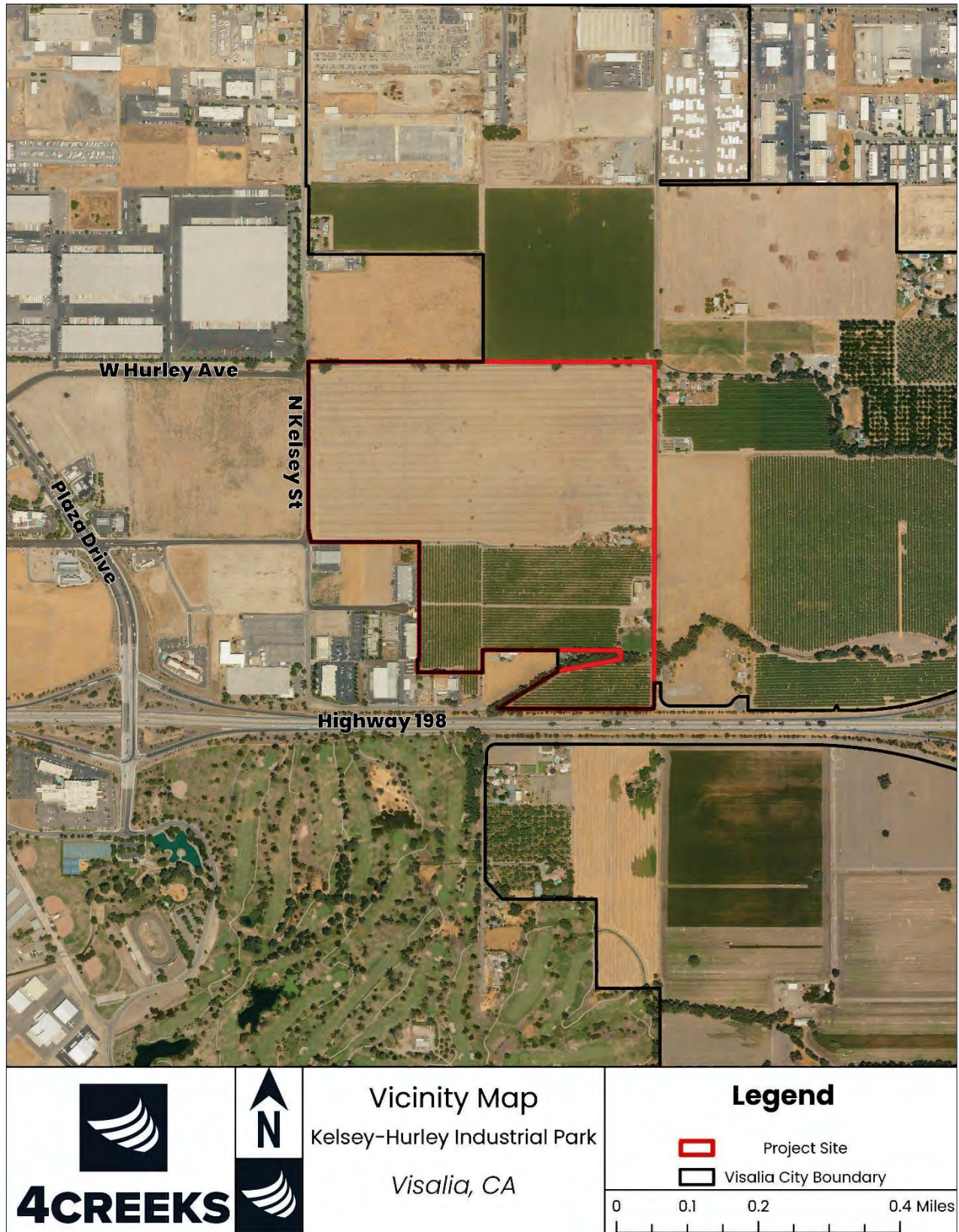


Figure 2-4. Vicinity Map



## City of Visalia

315 E Acequia Avenue

Visalia, CA 93291

### SECTION 3: Evaluation of Environmental Impacts

#### Project Title: Kelsey-Hurley Industrial Park

### 3.1 EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites, in the parentheses following each question. A “No Impact” answer is adequately supported if the reference information sources show that the impact simply does not apply to Projects like the one involved (e.g., the Project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on Project-specific factors as well as general standards (e.g., the Project will not expose sensitive receptors to pollutants, based on a Project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as Project-level, indirect as well as direct, and construction as well as operational impact.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3)(D). In this case, a brief discussion should identify the following:
  - Earlier Analysis Used. Identify and state where they are available for review.

- Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated.” Describe and mitigation measures which were incorporated or refined from the earlier document and the extent to which they address Site-specific conditions for the Project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

### **3.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

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

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics                       | <input checked="" type="checkbox"/> Greenhouse Gas Emissions      | <input checked="" type="checkbox"/> Public Services                    |
| <input checked="" type="checkbox"/> Agriculture and Forest Resources | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation                                    |
| <input checked="" type="checkbox"/> Air Quality                      | <input checked="" type="checkbox"/> Hydrology and Water Quality   | <input checked="" type="checkbox"/> Transportation                     |
| <input checked="" type="checkbox"/> Biological Resources             | <input checked="" type="checkbox"/> Land Use and Planning         | <input checked="" type="checkbox"/> Tribal Cultural Resources          |
| <input checked="" type="checkbox"/> Cultural Resources               | <input type="checkbox"/> Mineral Resources                        | <input checked="" type="checkbox"/> Utilities and Service System       |
| <input checked="" type="checkbox"/> Energy                           | <input checked="" type="checkbox"/> Noise                         | <input type="checkbox"/> Wildfire                                      |
| <input checked="" type="checkbox"/> Geology/Soils                    | <input type="checkbox"/> Population and Housing                   | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

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

On the basis of this initial evaluation:

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

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

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

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

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

---

SIGNATURE

DATE

---

PRINTED NAME

TITLE

### 3.3 ENVIRONMENTAL ANALYSIS

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

#### **I.AESTHETICS**

<b>Would the Project result in:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the Site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### **Environmental Setting**

##### **Scenic Resources**

Scenic resources include landscapes and features that are visually or aesthetically pleasing. They contribute positively to a distinct community or region. These resources produce a visual benefit to communities. The City of Visalia has a visual character of a mix of rural and built environments. Visalia is surrounded by natural open space agricultural land, characterized by uses such as grazing, open space, and cultivated agriculture. Downtown Visalia is the physical, cultural, and economic center, with historic homes surrounding the downtown. St. John's River flows along the north side of Visalia's City limits, along with smaller creeks and ditches throughout the city. Valley Oak trees, both individually and in groves, also provide an essential scenic feature and link to the natural setting of the San Joaquin Valley. The goal of Visalia's General Plan regarding visual resources is to preserve and re-establish the City's natural waterway system and Valley Oak tree groves with parks, conservation areas, and trailways.

##### **Scenic Vistas**

The Visalia General Plan identifies the Sierra Nevada mountains to the east and agricultural lands surrounding the City as scenic vistas surrounding Visalia.

### **Existing Visual Character**

The following photos demonstrate the aesthetic character of the Project area. As shown, the proposed Project Site area is in a relatively flat area characterized by agricultural uses.



*Photo 1: East Side Boundary (Facing West) Source: Google Maps September 2022*



*Photo 2: West Side Boundary (Facing East) Source: Google Maps October 2022*

## **Regulatory Setting**

### **State Scenic Highways**

The State Scenic Highway Program is implemented by Caltrans and was developed to preserve the aesthetic quality of certain highway corridors. Highways included in this program are designated as scenic highways. A highway is designated as scenic based on how much of the natural landscape is visible to travelers, the quality of that landscape, and the extent to which development obstructs views of the landscape.

According to the California Department of Transportation mapping of State Scenic Highways, the City of Visalia does not have officially designated State Scenic Highways; however, the City has one eligible State Scenic Highway, a 44-mile stretch of State Route 198 from State Route 99 to Sequoia National Park. This stretch of highway is a designated scenic corridor in the City's General Plan. This portion of the highway is less than 100 feet south from the proposed Site.

### **City of Visalia Valley Oak Ordinance**

The City's Valley Oak Ordinance (Visalia Municipal Code Chapter 12.24) provides basic standards, measures, and compliance requirements for the preservation and protection of native Valley oak trees and landmark trees. The Ordinance prohibits the destruction of oak trees except with an oak tree removal permit. A permit may be granted only if it is found that the oak tree is in danger of falling on a structure or is a host for a plant, pest, or disease endangering other species; if removal is necessary to allow the reasonable enjoyment of private property; or if urban forestry or land management practices warrant removal. If a tree removal permit is granted, the tree must either be replaced by new oak trees on the same property or paid mitigation fees to be used to establish new oak trees on other properties.

### **West Highway 198 Corridor Open Space Buffer**

In April 2010, the Visalia City Council approved the establishment of a 200-foot open space buffer on both sides of Highway 198, creating a scenic corridor between Highway 99 and Central Visalia. The scenic corridor setback was incorporated into the City of Visalia 2030 General Plan Policies PSCU-P-11 and PSCU-P-12 and the General Plan's land use map.

### **City of Visalia General Plan**

The 2030 General Plan includes the policies related to aesthetic resources that correlate to the proposed Project:

- LU-P-28: Continue to use natural and man-made edges, such as major roadways and waterways within the City's Urban Area Boundary, as urban development limit and growth phasing lines.
- LU-P-34: Work with Tulare County to prevent urban development of agricultural land outside of the current growth boundaries and to promote the use agricultural preserves, where they will promote orderly development.

- LU-P-39: Improve tree planting, landscaping, and site design standards to minimize the visual impact of large parking lots and buildings, to enhance and promote natural characteristics compatible with urban form, to minimize heat gain and promote energy conservation, and to improve stormwater infiltration.
- LU-P-40: Where possible, through the Site Plan Review process, retain native trees as landscape elements and for shading.
- LU-P-42: Develop scenic corridor and gateway guidelines that will maintain the agricultural character of Visalia at its urban fringe.
- LU-P-43: Work with utilities and transportation companies to landscape power line and railroad rights-of-way throughout the community and to underground utilities where possible.
- LU-P-59: Ensure that natural and open space features, such as Valley Oak trees and community waterways, are treated as special site amenities as part of any residential development.
- LU-P-72: Ensure that noise, traffic, and other potential conflicts that may arise in a mix of commercial and residential uses are mitigated through good site planning, building design, and/or appropriate operational measures.
- LU-P-100: Establish zoning standards to assure high-quality design and site planning for large-scale industrial development.
- LU-P-106: Develop performance standards to supplement and augment design standards to minimize the negative impacts (glare, signage, noise, dust, traffic) associated with the establishment of new or expansion of existing service commercial and industrial development.
- OSC-P-10: Ensure that building and vehicle service areas, loading docks, trash enclosures and storage areas are setback back from waterways and/or screened from view from the creek corridor to minimize environmental and visual impacts.
- OSC-P-13: In new neighborhoods that include waterways, improvement of the waterway corridor, including preservation and/or enhancement of natural features and development of a continuous waterway trail on at least one side, shall be required.
- OSC-P-17: Require that new development along waterways maintain a visual orientation and active interface with waterways. Develop design guidelines to be used for review and approval of subdivision and development proposals to illustrate how this can be accomplished for different land uses in various geographic settings.
- OSC-P-28: Protect significant stands of Valley Oak woodlands from further development by designating them for Conservation, creating habitat management plans, where needed, and undertaking restoration activities as appropriate.
- OSC-P-34: Enhance views and public access to Planning Area waterways and other significant features such as Valley Oak groves consistent with flood protection, irrigation water conveyance, habitat preservation and recreation planning policies.

- T-P-57: Amend the Zoning Ordinance to include updated off-street parking and loading area design standards that have multiple benefits and reduce environmental impacts. Strategies may include, but are not limited to:
  - Require parking and loading to be provided on the side of or behind buildings, where feasible;
  - Promote the use of time and/or motion sensitive parking lot and security lights, where feasible;
  - Establish specific standards for perimeter landscaping for parking lots and structures;
  - Separate pedestrian pathways from car lanes where feasible;
  - Promote the use of porous pavement and low impact drainage features, as appropriate to the site; and
  - Restrict use of vacant lots as vehicle parking and outdoor storage of commercial equipment, construction equipment, and similar unless screened from public view.
- PSCU-P-11: Develop a system of natural corridors and greenways, consistent with the Parks and Open Space diagram (Figure 5-1). These corridors will have biking and walking trails offering recreational opportunities and links between neighborhoods, parks and Downtown. The system of corridors will include waterway corridors as well a linear landscaped corridors to create natural gateways, parkways or buffer areas. More specifically, this system is envisioned to include:
  - Greenway corridor along the St. Johns River, including broader areas to the northwest to accommodate open space areas, large group picnic facilities, a nature center, or other uses;
  - Greenway corridors along Mill, Packwood and Cameron Creeks, and segments of other waterways, with sufficient width to protect riparian habitat and accommodate a multi-use trail;
  - A landscaped corridor on both sides of Highway 198 providing a scenic gateway into Visalia from the west; and
  - A landscaped buffer zone or parkway along Shirk Road separating industrial from residential areas, and a greenway along Road 148 marking the eastern edge of the City, both accommodating a multi-use trail.
- PSCU-P-12 The City shall establish a scenic corridor setback along the West 198 Highway corridor. The setback shall measure at least 200 feet from the north and south sides of the Highway 198 right of way between Road 86 and 1/4-mile west of Akers Street. The northerly setback shall follow the Mill Creek alignment as depicted in the Land Use Diagram. The lands in the identified setback area shall be acquired and dedicated for open space uses in perpetuity by the City through market value purchases, dedications by affected property owners, transfers of development rights, or other means. The acquisition and maintenance of the scenic corridor will require significant and ongoing

City investment. At the same time, there will be significant increases in potential income to the City in the form of impact fees from urban development on lands near the West 198 Scenic Corridor that were not previously designated for urban development prior to the adoption of this General Plan. Proceeds from the impact fee program from these lands and from other development within the City will need to be commensurate with the cost of acquiring land and creating open space amenities for the West 198 Scenic Corridor. As such, the City's existing development impact fee program as it relates to parks and open space facilities shall be reviewed and updated to reflect this additional land acquisition commitment upon adoption of this General Plan.

## **Discussion**

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

**Less than Significant Impact:** A scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. The Sierra Nevada mountains to the east and agricultural lands surrounding the city are the primary scenic vistas within this region. The Site is mostly surrounded by similar industrial uses, while the Sierra Nevada foothills are approximately 20 miles east of the Project Site. Existing agricultural land still exists to the east of the Project. However, the addition of the Project would not significantly alter views overall from the surrounding community because of the existing industrial development in the area.

Given the Project's location and the existing surrounding development, the Project would not obstruct or degrade any designated scenic vistas. Therefore, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact*.

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

**Less than Significant Impact:** No officially designated State Scenic Highways are located in the City of Visalia or near the site. Highway 198, less than 100 feet south of the Site, is eligible to become a State Scenic Highway. However, development will be approximately 500 feet from the highway, as the area near the highway will be the stormwater basin. Landscaping within the setback areas will maintain consistency with the City of Visalia General Plan and preserve the greenspace and sense of country characteristics along the corridor. Additionally, no Valley Oak trees will be impacted, as they will be required to be protected and preserved per the City's Oak Preservation requirements. The proposed addition to the Project would not damage any scenic resources within a state scenic highway. The information contained in the EIR will demonstrate a preliminary assessment that there would be a *Less than Significant Impact*.

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

**Less than Significant Impact:** The proposed Project proposes a high degree of visual character through a high-quality, consistent architectural theme, landscaping, building facades, signage, and other amenities. The Project elements will be integrated and carried throughout the architecture of the entire development. The proposed addition to the Project will comply with all applicable zoning and other scenic quality regulations. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in there is a *Less than Significant Impact*.

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

**Potentially Significant Impact:** The proposed Project would introduce new sources of lighting, including interior and exterior illumination from industrial and commercial buildings, parking areas, street lighting, and security lighting throughout the 123-acre site. While the City of Visalia's development and design standards regulate lighting intensity and light trespass—limiting errant lighting at property lines and public rights-of-way to 0.50 lumens—implementation of these measures will be confirmed at the building permit stage. Given the scale of development, including five large industrial buildings, a commercial center, and a drive-through restaurant operating during evening hours, the cumulative light emissions could result in substantial changes to existing nighttime lighting conditions, especially when contrasted with current agricultural uses characterized by minimal illumination. The surrounding area includes agricultural and rural residential land uses that are sensitive to increased lighting. As such, the Project may result in a potentially significant impact related to new sources of light or glare that could adversely affect day or nighttime views. Further analysis and mitigation may be required to reduce these impacts to a less-than-significant level. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact with Mitigation*.

**II. AGRICULTURE AND FOREST RESOURCES:**

<b>Would the Project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forestland or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

Central California is one of the world’s premier growing regions. Agriculture is a vital economic resource for Visalia and the surrounding areas. 39,518 acres, or 65 percent, of the Visalia Planning Area, is farmland producing fruit and nut crops, vegetables, nursery products (trees), apiary products (honey), seed crops (cotton), industrial crops (timber), field crops (alfalfa, barley, corn), and livestock. The proposed Project Site is located within the Visalia Planning Area.

The proposed Project Site is not under a Williamson Act or Farmland Security Zone Contract. The proposed Site is designated Farmland of Local Importance and Urban and Built-Up Land under the Important Farmland Mapping and Monitoring Program (FMMP). The Site is within the Visalia City Limits and is designated for Business Research Park.

## **Regulatory Setting**

### **California Land Conservation Act of 1965**

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, allows local governments to enter into contracts with private landowners to restrict the activities on specific parcels of land to agricultural or open space uses. The landowners benefit from the contract by receiving greatly reduced property tax assessments. The California Land Conservation Act is overseen by the California Department of Conservation; however local governments are responsible for determining specific allowed uses and enforcing the contract. The City of Visalia General Plan states that the City encourages the use of Williamson Act contracts on parcels located outside the urban development boundary.

### **Right to Farm Ordinance**

Tulare County adopted a "Right to Farm Ordinance" to protect the rights of commercial farming operations while promoting a "good neighbor policy" between these uses. Under this ordinance, property owners and residents are made aware that they may experience inconveniences due to commercial agricultural operations.

### **Visalia Municipal Code Chapter 18.04**

Agricultural Land Preservation Program Chapter 18.04 of the Visalia Municipal Code details the Agricultural Land Preservation Program (Program) in Visalia. The agricultural land preservation program intends to establish a process for the required preservation of agricultural land by acquiring agricultural conservation easements or paying an in-lieu fee for projects. The program is only mandatory for certain properties within the Tier II and Tier III Urban Development Boundaries.

### **USDA Natural Resources Conservation Service (NRCS) Soil Classification System**

The United States Department of Agriculture (USDA) Natural Resources Conservation Service manages the nationwide classification and mapping of soils through its Soil Survey program. The USDA uses a hierarchical system called Soil Taxonomy to categorize soils based on measurable soil properties that reflect their formation processes, physical and chemical characteristics, and potential uses. This classification system aids in understanding soil suitability for agriculture, development, conservation, and other land uses.

The NRCS also develops Soil Mapping Units, which are used to delineate and describe soils on maps such as those available from the Web Soil Survey. Mapping units may include phases

that describe slope, drainage, and other variations relevant to land use planning. The Project Site includes the following NRCS soil map units, which reflect local soil conditions and agricultural potential (Figure 3-1):

- Nord fine sandy loam: The Nord series consists of very deep, well drained soils that formed in mixed alluvium dominantly from granitic and sedimentary rocks and has slopes of 0 to 2 percent. It is well drained; has negligible to low runoff; and has moderate permeability but is moderately slow in saline-sodic phases.
- Akers, Saline Sodic: The Akers series consists of very deep, well drained soils formed in alluvium derived from granitic rock. Akers soils are on terraces and has slopes of 0 to 2 percent. It is well drained; has negligible to low runoff; and has moderate permeability. Saline-sodic phases have moderately slow permeability.
- Colpien Loam: The Colpien series consists of very deep, moderately well drained soils formed in alluvium derived mainly from granitic rocks. Colpien soils are on terraces and has slopes of 0 to 2 percent. Colpien soils are moderately well drained; runoff is negligible to low; moderately slow permeability due to high content of mica in the soil.

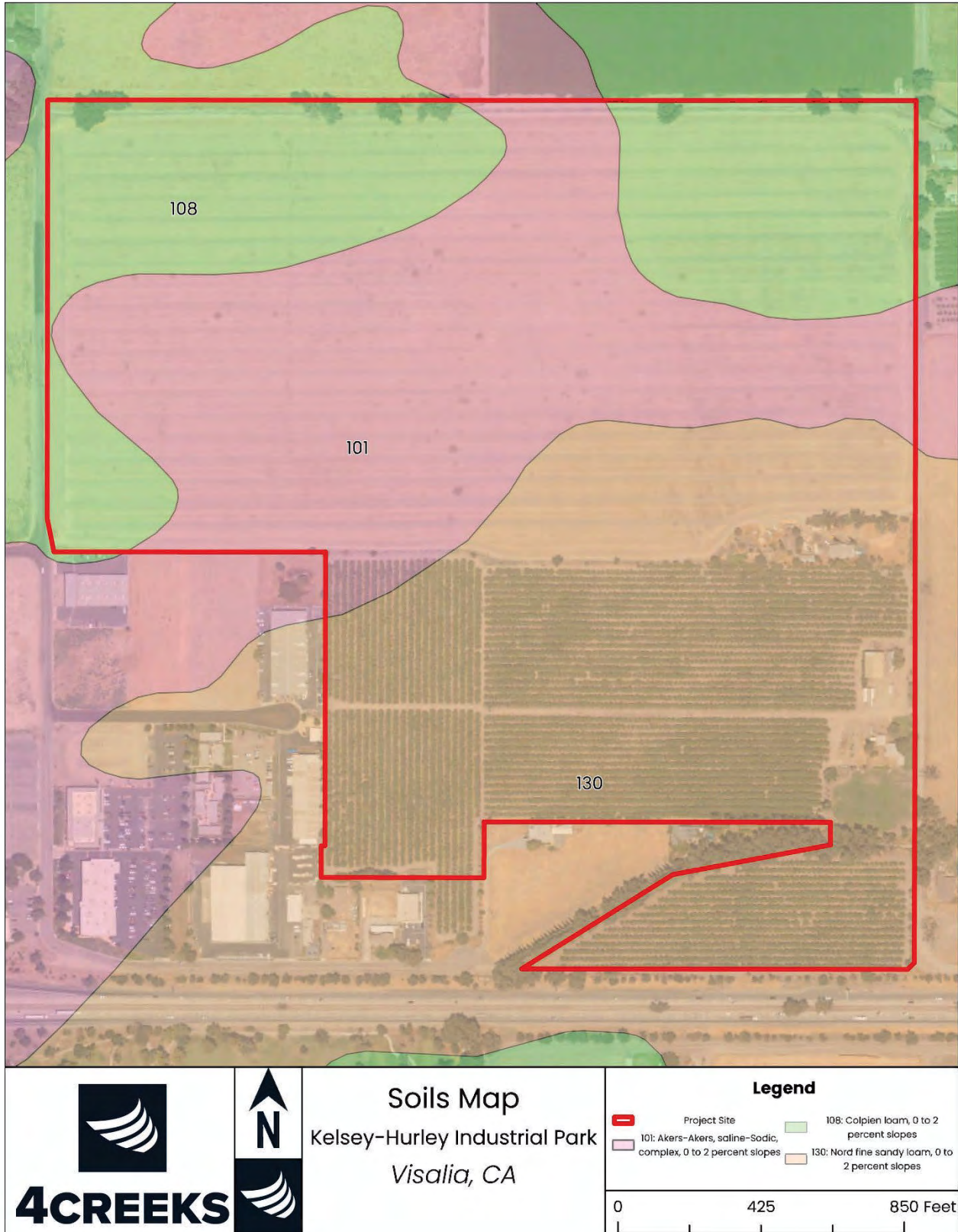


Figure 3-1: Project Soils

### **California Farmland Mapping and Monitoring Program (FMMP)**

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

- **Prime Farmland** has the ideal physical and chemical composition for crop production. It has been used for irrigated production four years before classification and can produce sustained yields.
- **Farmland of Statewide Importance** has been used for irrigated production four years before classification and is only slightly poorer quality than Prime Farmland.
- **Unique Farmland** has been cropped four years before classification and does not meet the Prime Farmland or Farmland of Statewide Importance criteria, but it has produced specific crops with high economic value.
- **Farmland of Local Importance** encompasses farmland that does not meet the criteria for the previous three categories. These may lack irrigation, produce major crops, be zoned as agricultural, and/or support dairy.
- **Grazing Land** has vegetation that is suitable for grazing livestock.
- **Urban and Built-up Land** is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

### **City of Visalia General Plan**

The 2030 General Plan includes the policies related to agricultural resources that correlate to the proposed Project:

- LU-P-14: Recognize the importance of agriculture-related business to the City and region, and support the continuation and development of agriculture and agriculture related enterprises in and around Visalia by:
  - Implementing growth boundaries and cooperating with the County on agricultural preservation efforts;
  - Accommodating agriculture-related industries in industrial districts;
  - Facilitating successful farmers' markets;

- Helping to promote locally grown and produced agricultural goods, and the image of Visalia and Tulare County as an agricultural region.
- LU-P-19: Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan’s phased growth strategy.
- LU-P-21: Allow annexation and development of residential, commercial, and industrial land to occur within the Tier II UDB and the Tier III Urban Growth Boundary consistent with the City’s Land Use Diagram, according to the stated phasing thresholds.
- LU-P-30: Maintain greenbelts, or agricultural/open space buffer areas, between Visalia and other communities by implementing growth boundaries and working with Tulare County and land developers to prevent premature urban growth north of the St. Johns River and in other sensitive locations within the timeframe of this General Plan.
- LU-P-31: Promote the preservation of permanent agricultural open space around the City by protecting viable agricultural operations and land within the City limits in the airport and wastewater treatment plant environs.
- LU-P-32: Continue to maintain a 20-acre minimum for parcel map proposals in areas designated for Agriculture to encourage viable agricultural operations in the Planning Area.
- OSC-P-27: To allow efficient cultivation, pest control and harvesting methods; require buffer and transition areas between urban development and adjoining or nearby agricultural land.
- OSC-P-28: Require new development to implement measures, as appropriate, to minimize soil erosion related to grading, site preparation, landscaping, and construction.

### **Tulare County General Plan**

The 2030 Tulare County General Plan contains the following goals related to agricultural resources that correlate to the proposed project:

- AG-1.1: 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-1.6: 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: 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: 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 §51233.
- AG-1.10: 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: 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.
- LU-1.8: The County shall encourage and provide incentives for infill development to occur in communities and hamlets within or adjacent to existing development in order to maximize the use of land within existing urban areas, minimize the conversion of existing agricultural land, and minimize environmental concerns associated with new development.
- LU-2.1: 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.
- PF-1.2: The County shall ensure that urban development only takes place in the following areas:
  - Within incorporated cities and CACUDBs

- Within the UDBs of adjacent cities in other counties, unincorporated communities, planned community areas, and HDBs of hamlet
  - Within foothill development corridors as determined by procedures set forth in Foothill Growth Management Plan
  - Within areas set aside for urban use in the Mountain Framework Plan and the mountain sub-area plans; and
  - Within other areas suited for non-agricultural development, as determined by the procedures set forth in the Rural Valley Lands Plan.
- PF-1.3: The County shall encourage those types of urban land uses that benefit from urban services to develop within UDBs and HDBs. Permanent uses which do not benefit from urban services shall be discouraged within these areas. This shall not apply to agricultural or agricultural support uses, including the cultivation of land or other uses accessory to the cultivation of land provided that such accessory uses are time-limited through Special Use Permit procedures.
  - PF-1.4: The County shall encourage urban development to locate in existing UDBs and HDBs where infrastructure is available or may be established in conjunction with development. The County shall ensure that development does not occur unless adequate infrastructure is available, that sufficient water supplies are available or can be made available, and that there are adequate provisions for long term management and maintenance of infrastructure and identified water supplies.



Figure 3-2: Important Farmlands Map

## **Discussion**

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

**Potentially Significant Impact:** The Project Site is currently in agricultural use and supports approximately 3.2 acres of Farmland of Local Importance and 118.8 acres of Prime Farmland. Implementation of the proposed Project would result in the permanent conversion of this farmland to industrial, commercial, and infrastructure uses.

Although the Project Site is located within the Tier 1 Development Boundary and is designated as Industrial in the Visalia 2030 General Plan, the conversion of 118.8 acres of Prime Farmland represents a significant loss of an important agricultural resource. This conversion would result in a 0.35 percent reduction in the Important Farmland inventory and a 0.28 percent reduction in the Prime Farmland inventory in the Visalia Planning Area. While these percentages may appear relatively minor in the broader regional context, the permanent loss of highly productive farmland—particularly Prime Farmland—remains a potentially significant environmental impact under CEQA, given the cumulative and irreversible nature of such conversions.

The Project Site is located within the Tier 1 Development Boundary, as defined by the City of Visalia. Pursuant to Visalia Municipal Code Chapter 18.04 (Agricultural Land Preservation Program), areas in Tier 1 are exempt from compliance with the requirements of this Ordinance. Therefore, the Project is not subject to the agricultural mitigation ratios or preservation requirements that would otherwise apply to farmland conversion under this local ordinance.

Due to the permanent conversion of designated Prime Farmland and the need for further analysis to assess the adequacy of proposed mitigation measures, this impact is considered potentially significant. The information contained in the EIR will demonstrate a preliminary assessment that there is a *potentially Significant impact*.

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

**Less than Significant with Mitigation:** The Project Site is currently zoned AE-20 (Exclusive Agriculture, 20-acre minimum) under Tulare County jurisdiction, which permits agricultural uses. Although the Site is within the City of Visalia's Planning Area and Tier 1 Development Boundary and designated as Industrial under the Visalia 2030 General Plan, the proposed Project would convert land currently zoned for agriculture to industrial, commercial, and infrastructure uses. The City's long-term land use plan anticipates this transition through annexation and pre-zoning to Industrial; however, until annexation and rezoning are finalized,

the Project could be viewed as conflicting with current agricultural zoning designations in Tulare County.

According to Tulare County's official land conservation records, Williamson Act Contract #9794 (Preserve 3382) and Contract #10351 (Preserve 3509) are both in Non-Renewal status. A Notice of Non-Renewal has been filed for each contract, and they are currently in the process of removing the Williamson Act Contract rather than actively renewing. This is confirmed by the county's Williamson Act GIS data which classifies the parcels under these contract numbers as "Nonrenewal" rather than active. Thus, neither contract #9794 nor #10351 is actively indefinitely-renewing at present; both have been formally non-renewed and are set to expire after the remaining term.

Therefore, considering the Non-Renewal status of these Williamson Act Contracts, the Project would result in a *less than significant impact with mitigation*. Appropriate mitigation measures addressing the wind-down period and eventual expiration of these contracts, including agricultural land preservation measures consistent with local policies, will be detailed further within the Environmental Impact Report.

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

**No Impact:** The Project Site is not zoned for forest land, timberland, or timberland Production. There is no forest land located on the Site, and the Project does not involve any activities related to forest resources. Therefore, the Project would not conflict with existing zoning for, or cause rezoning of, forest land or timberland. The information contained in the EIR will demonstrate a preliminary assessment that *no impacts* would occur.

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

**No Impact:** The Project Site does not contain any forestland as defined under Public Resources Code section 12220(g) or Government Code. The Site is currently used for agricultural purposes and is planned for industrial development. Therefore, the Project would not result in the loss of forestland or the conversion of forest land to non-forest use. The information contained in the EIR will demonstrate a preliminary assessment that there will be *no impacts*.

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

**Less than Significant Mitigation:** The Project would result in substantial changes to the existing environment by introducing industrial and commercial development on a current agricultural site. While the Visalia 2030 General Plan concentrates new growth within and around existing urban areas—including the Project Site—these changes would still contribute to the ongoing loss of farmland in the region. The conversion of approximately 123 acres of agricultural land to non-agricultural uses may indirectly influence adjacent farmland by increasing development pressure, altering drainage patterns, or introducing land use conflicts that affect long-term agricultural viability nearby.

Although the Project does not involve the direct conversion of forestland to non-forest uses, and no forested areas exist on-site, the broader environmental changes stemming from the Project's scale and location could contribute to cumulative farmland conversion trends within Tulare County. These effects require further evaluation to determine the extent of potential indirect or growth-inducing impacts on surrounding agricultural lands. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant impact* with mitigation.

### **III. AIR QUALITY**

<b>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the Project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable Federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### **Environmental Setting**

#### **San Joaquin Valley Air Basin**

The Project lies in western Tulare County, within the San Joaquin Valley Air Basin. The San Joaquin Valley Air Basin is bordered by the Sierra Nevada Mountains to the east, Coastal Ranges to the west, and the Tehachapi Mountains to the south. These mountain ranges restrict air movement and prevent the dispersal of pollution in the Valley below.

The San Joaquin Valley Air Pollution Control District is comprised of the San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and Tulare Counties and the Valley portion of Kern County and has jurisdiction over most air quality matters in the San Joaquin Valley Air Basin (SJVAB). Due to topographic features and the prevalence of agriculture in the region, the San Joaquin Valley Air Basin (SJVAPCD) has one of the most severe air pollution problems in the State of California and the nation. Air pollution is hazardous to health, reduces visibility, degrades or soils materials, and can damage native vegetation. State and national ambient air quality standards were created to protect health and welfare, and to minimize other impacts. The ambient air quality standards are outlined in the Regulatory Setting section.

The SJVAPCD has developed a Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) to act as an advisory document for addressing air quality in environmental documents. The GAMAQI was used as a guide for addressing air quality impacts in this report.

### **Air Pollutants of Concern**

Criteria air pollutants are defined as pollutants for which the federal and state governments have established ambient air quality standards for outdoor concentrations. The federal and state standards have been set at levels above which concentrations could be harmful to human health and welfare. These standards are designed to protect the most sensitive persons such as children, pregnant women, and the elderly, from illness or discomfort. Criteria air pollutants include ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), particulate matter 2.5 microns or less in diameter (PM<sub>2.5</sub>), particulate matter ten microns or less in diameter (PM<sub>10</sub>), and lead (Pb). Note that reactive organic gases (ROGs), which are also known as reactive organic compounds (ROCs) or volatile organic compounds (VOCs), and nitrogen oxide (NO<sub>x</sub>) are not classified as criteria pollutants. However, ROGs and NO<sub>x</sub> are widely emitted from land development projects and participate in photochemical reactions in the atmosphere to form O<sub>3</sub>; therefore, NO<sub>x</sub> and ROGs are relevant to the proposed Project and are of concern in the air basin and are listed below along with the criteria pollutants. As shown in Table 3-1, the SJVAB is in nonattainment for several pollutant standards.

**Ozone:** Ozone is not emitted directly into the environment but is generated from complex chemical reactions between reactive organic gases (ROG), or non-methane hydrocarbons, and oxides of nitrogen (NO<sub>x</sub>) that occur in the presence of sunlight. ROG and NO<sub>x</sub> generators in Tulare County include motor vehicles, recreational boats, other transportation sources, and industrial processes.

**PM<sub>10</sub>:** PM<sub>10</sub>, or particulate matter, is a complex mixture of primary or directly emitted particles, and secondary particles or aerosol droplets formed in the atmosphere by precursor chemicals.

**Carbon Monoxide:** Carbon Monoxide (CO) is a colorless, odorless, and poisonous gas produced by incomplete burning of carbon in fuels. When CO enters the bloodstream, it reduces the delivery of oxygen to the body's organs and tissues. Health threats are most serious for those who suffer from cardiovascular disease, particularly those with angina or peripheral vascular disease. Exposure to elevated CO levels can cause impairment of visual perception, manual dexterity, learning ability and performance of complex tasks. The primary source of carbon monoxide is automobile use.

**Nitrogen Dioxide:** Nitrogen Dioxide (NO<sub>2</sub>) is a brownish, highly reactive gas that is present in all urban atmospheres. NO<sub>2</sub> can irritate the lungs, cause bronchitis and pneumonia, and lower resistance to respiratory infections. Nitrogen oxides are an important precursor both to ozone (O<sub>3</sub>) and acid rain and may affect both terrestrial and aquatic ecosystems.

The major mechanism for the formation of NO<sub>2</sub> in the atmosphere is the oxidation of the primary air pollutant nitric oxide (NO). NO<sub>2</sub> plays a key role, together with VOCs, in the atmospheric reactions that produce O<sub>3</sub>. NO<sub>2</sub> forms when fuel is burned at hot temperatures. The two major emission sources are transportation and stationary fuel combustion sources such as electric utility and industrial boilers.

**Sulfur Dioxide:** Sulfur Dioxide (SO<sub>2</sub>) affects breathing and may aggravate existing respiratory and cardiovascular disease in high doses. Sensitive populations include asthmatics, individuals with bronchitis or emphysema, children, and the elderly. SO<sub>2</sub> is also a primary contributor to acid deposition, or acid rain, which causes acidification of lakes and streams and can damage trees, crops, historic buildings, and statues. In addition, sulfur compounds in the air contribute to visibility impairment in large parts of the country. This is especially noticeable in national parks. Ambient SO<sub>2</sub> results largely from stationary sources such as coal and oil combustion, steel mills, refineries, pulp, and paper mills and from nonferrous smelters.

Pollutant	Designation/Classification	
	Federal Standards	State Standards
Ozone – One hour	No Federal Standard <sup>f</sup>	Nonattainment/Severe
Ozone – Eight hour	Nonattainment/Extreme <sup>e</sup>	Nonattainment
PM 10	Attainment <sup>c</sup>	Nonattainment
PM 2.5	Nonattainment <sup>d</sup>	Nonattainment
Carbon Monoxide	Attainment/Unclassified	Attainment/Unclassified
Nitrogen Dioxide	Attainment/Unclassified	Attainment
Sulfur Dioxide	Attainment/Unclassified	Attainment
Lead (Particulate)	No Designation/Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment

<sup>a</sup> See 40 CFR Part 81  
<sup>b</sup> See CCR Title 17 Sections 60200-60210  
<sup>c</sup> On September 25, 2008, EPA redesignated the San Joaquin Valley to attainment for the PM10 National Ambient Air Quality Standard (NAAQS) and approved the PM10 Maintenance Plan.  
<sup>d</sup> The Valley is designated nonattainment for the 1997 PM2.5 NAAQS. EPA designated the Valley as nonattainment for the 2006 PM2.5 NAAQS on November 13, 2009 (effective December 14, 2009).  
<sup>e</sup> Though the Valley was initially classified as serious nonattainment for the 1997 8-hour ozone standard, EPA approved Valley reclassification to extreme nonattainment in the Federal Register on May 5, 2010 (effective June 4, 2010).  
<sup>f</sup> Effective June 15, 2005, the U.S. Environmental Protection Agency (EPA) revoked the federal 1-hour ozone standard, including associated designations and classifications. EPA had previously classified the SJVAB as extreme nonattainment for this standard. 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.

Table 3-1: San Joaquin Valley Attainment Status. Source: SJVAPCD

## Ambient Air Quality

Ambient air quality in Visalia can be inferred from ambient air quality measurements conducted at nearby air quality monitoring stations. Existing levels of ambient air quality and historical trends and projections in the vicinity of Visalia are documented by measurements made by the SJVAPCD, which also maintains air quality monitoring stations which process ambient air quality measurements.

The purpose of the monitoring station is to measure ambient concentrations of pollutants and determine whether ambient air quality meets the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS). Ozone and particulate matter (PM10 and PM2.5) are pollutants of particular concern in the SJVAB. The monitoring station located closest to the proposed Project site and most representative of air quality near the proposed Project site is the Visalia – W. Ashland Ave station, located at 2005 West Ashland Avenue, Suite G, which is approximately 3.8 miles southeast of the Project site. Ambient emission concentrations vary due to localized variations in emissions sources and climate and should be considered “generally” representative of ambient concentrations near the Project site. Air monitoring data was retrieved from the W. Ashland Avenue location to provide data from the years 2021 to 2023. Data that was not available at the W. Ashland Avenue station was replaced with data from San Joaquin Air Basin Data. Refer to Table 3-2, W. Ashland Ave Air Monitoring Station Data for more information.

\*Data from Visalia air monitoring stations not available, San Joaquin Air Basin measurements used.

Pollutant	Averaging Time	Item	Standard	2021	2022	2023
Ozone	1 Hour	Max 1 Hour (ppm)	0.09 ppm	0.125*	0.114	0.100
		Days > State Standard (0.09 ppm)	--	23*	8	3
	8 Hour	Max 8 Hour (ppm)	0.070 ppm	0.100*	0.099	0.087
		Days > State Standard (0.070 ppm)	--	80*	64	30
		Days > National Standard (0.070 ppm)	--	77*	62	27
		Days > National Standard (0.075 ppm)	--	53*	26	8
PM 2.5	24-Hour	Max 24 Hour Average Concentration (µg/m³)	--	129.2*	48.3	42.9
		Days > National 24-Hour Standard	--	53.0*	18.5	6.1
	Annual	Annual average Concentration (µg/m³)	12 µg/m³	20.7*	14.8	11.6
PM 10	24-Hour	Max 24 Hour Average Concentration (µg/m³)	50 µg/m³	439.1*	125.2	107.5
		Days > State 24-Hour Standard	--	151.7*	171.2*	108.5
		Days > National 24-Hour Standard	--	16.3*	3.8*	0
	Annual	Annual Average Concentration (µg/m³)	20 µg/m³	52.8*	54.9*	39.1

Table 3-2. W. Ashland Avenue Air Monitoring Stations Data Source: California Air Resources Board Air Quality Statistics – iADAM tool

California and National Air Quality Standards have been included in Table 3-3 below, California and National Ambient Air Quality Standards.

Pollutant	Averaging Time	California Standards	National Standards	
		Concentration <sup>3</sup>	Primary	Secondary
Ozone (O3)	1 Hour	0.09 ppm (180 µg/m³)	--	Same as Primary Standard
	8 Hour	0.070 ppm (137 µg/m³)	0.075 ppm (147 µg/m³)	
Respirable Particulate Matter (PM10)	24 Hour	50 µg/m	150 µg/m³	Same as Primary Standard
	Annual Arithmetic Mean	20 µg/m3	--	
	24 Hour	--	35 µg/m³	

Pollutant	Averaging Time	California Standards	National Standards	
		Concentration <sup>3</sup>	Primary	Secondary
Fine Particulate Matter (PM <sub>2.5</sub> )	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	15 µg/m <sup>3</sup>	Same as Primary Standard
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m <sup>3</sup> )	35 ppm (40 mg/m <sup>3</sup> )	--
	8 Hour	9.0 ppm (10 mg/m <sup>3</sup> )	9 ppm (10 mg/m <sup>3</sup> )	--
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m <sup>3</sup> )	--	--
Nitrogen Dioxide (NO <sub>2</sub> ) <sup>8</sup>	1 Hour	0.18 ppm (339 µg/m <sup>3</sup> )	100 ppb (188 µg/m <sup>3</sup> )	--
	Arithmetic Mean	0.030 ppm (57 µg/m <sup>3</sup> )	53 ppb (100 µg/m <sup>3</sup> )	Same as Primary Standard
Sulfur Dioxide	1 Hour	0.25 ppm (655 µg/m <sup>3</sup> )	75 ppb (196 µg/m <sup>3</sup> )	--
	3 Hour	--	--	0.5 ppm (1300 µg/m <sup>3</sup> )
	24 Hour	0.04 ppm (105 µg/m <sup>3</sup> )	0.14 ppm (for certain areas)	--
	Annual Arithmetic Mean	--	0.030 ppm (for certain areas)	--
Lead <sup>10,11</sup>	30 Day Average	1.5 µg/m <sup>3</sup>	--	--
	Calendar Quarter	--	1.5 µg/m <sup>3</sup> (for certain areas)	Same as Primary Standard
	Rolling 3-Month Average	--	0.15 µg/m <sup>3</sup>	
Visibility Reducing Particles <sup>12</sup>	8 Hour	See Footnote 1	No National Standards	
Sulfates	24 Hour	25 µg/m <sup>3</sup>		
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m <sup>3</sup> )		
Vinyl Chloride <sup>10</sup>	24 Hour	0.01 ppm (26 µg/m <sup>3</sup> )		

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

### Toxic Air Contaminants

In addition to the criteria pollutants discussed above, toxic air contaminants (TACs) are another group of pollutants of concern. TACs are considered either carcinogenic or noncarcinogenic based on the nature of the health effects associated with exposure to the pollutant. For regulatory purposes, carcinogenic TACs are assumed to have no safe threshold below which health impacts would not occur, and cancer risk is expressed as excess cancer cases per one million exposed individuals. Noncarcinogenic TACs differ in that there is generally assumed to be a safe level of exposure below which no negative health impact is believed to occur. These levels are determined on a pollutant-by-pollutant basis.

There are many different types of TACs, with varying degrees of toxicity. Sources of TACs include industrial processes, such as petroleum refining and chrome-plating operations; commercial operations, such as gasoline stations and dry cleaners; and motor vehicle exhaust. Public exposure to TACs can result from emissions from normal operations, as well as from accidental releases of hazardous materials during upset conditions. The health effects associated with TACs are quite diverse and generally are assessed locally, rather than regionally. TACs can cause long-term health effects such as cancer, birth defects, neurological damage, asthma, bronchitis, or genetic damage, or short-term acute effects such as eye watering, respiratory irritation (a cough), running nose, throat pain, and headaches.

To date, CARB has designated 244 compounds as TACs. Additionally, CARB has implemented control measures for a number of compounds that pose high risks and show potential for effective control. The majority of the estimated health risks from TACs can be attributed to a relatively few compounds. CARB identified diesel particulate matter (DPM) as a TAC. DPM differs from other TACs in that it is not a single substance but rather a complex mixture of hundreds of substances. Diesel exhaust is a complex mixture of particulates and gases produced when an engine burns diesel fuel. DPM is a concern because it causes lung cancer; many compounds found in diesel exhaust are carcinogenic. DPM includes the particle phase constituents in diesel exhaust. The chemical composition and particle sizes of DPM vary between different engine types (heavy-duty, light-duty), engine operating conditions (idle, accelerate, decelerate), fuel formulations (high/low sulfur fuel), and the year of the engine. Some short-term (acute) effects of diesel exhaust include eye, nose, throat, and lung irritation, and diesel exhaust can cause coughs, headaches, lightheadedness, and nausea. DPM poses the greatest health risk among the TACs. Almost all diesel exhaust particle mass is 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 lung.

### **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 cardiovascular diseases. Residential areas are considered sensitive receptors to air pollutions 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. Children are considered more susceptible to health effects of air pollution due to their immature immune systems and developing organs. As such, schools are also considered sensitive receptors, as children are present for extended durations and engage in regular outdoor activities. 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.

### **Regulatory Setting**

## **Regional Attainment Status**

The state and federal standards for the criteria pollutants are presented in Section 8.4 of The San Joaquin Valley Unified Air Pollution Control District's 2015 "Guidance for Assessing and Mitigating Air Quality Impacts". These standards are designed to protect public health and welfare. The "primary" standards have been established to protect public health. The "secondary" standards are intended to protect the nation's welfare and account for air pollutant effects on soils, water, visibility, materials, vegetation, and other aspects of general welfare. The U.S. EPA revoked the national 1-hour ozone standard on June 15, 2005, and the annual PM<sub>10</sub> standard on September 21, 2006, when a new PM<sub>2.5</sub> 24-hour standard was established.

The California Environmental Quality Act (CEQA) requires lead agencies to determine if each Project of a certain threshold has an impact on the air quality of the area. The Air Quality standards and Greenhouse Gas guidance measures are used to establish levels of air quality impact of a Project. The following regulatory background represents global, federal, state, and local standards and guidance that have been reviewed in this study.

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

**California Clean Air Act:** California Air Resources Board (CARB) coordinates and oversees both state and federal air pollution control programs in California. As part of this responsibility, the California Air Resources Board monitors existing air quality, establishes California Ambient Air Quality Standards, and limits allowable emissions from vehicular sources. Regulatory authority within established air basins is provided by air pollution control and management districts, which control stationary-source and most categories of area-source emissions and develop regional air quality plans. The Project is located within the jurisdiction of the San Joaquin Valley Air Pollution Control District.

CARB has adopted regulations specifically addressing diesel emissions from vehicles, including:

- **Truck and Bus Regulation:** Requires fleets operating in California to reduce diesel emissions through upgrades to newer, cleaner vehicles and the use of particulate filters.

- **Idling Emission Regulation:** Limits idling of diesel-powered commercial motor vehicles to five minutes to reduce exposure to diesel exhaust emissions, improving air quality and protecting public health.
- **Off-Road Diesel Vehicle Regulation:** Limits emissions from diesel-powered construction equipment by requiring fleets to reduce emissions through retrofits, replacements, or repowering with cleaner engines.
- **Advanced Clean Trucks Regulation:** Requires truck manufacturers to transition from diesel trucks and vans to zero-emission trucks, including battery-electric and hydrogen fuel-cell trucks, beginning with the 2024 model year.
- **Portable Equipment Registration Program:** Regulates emissions from portable engines and equipment such as generators, compressors, and other mobile equipment used during construction or operational activities.
- **In-Use Off-Road Diesel-Fueled Fleets Regulation:** Reduces particulate matter and nitrogen oxides emissions from existing off-road diesel vehicles used in construction, industrial, and commercial activities.
- **Low Carbon Fuel Standard:** Encourages the use of cleaner, renewable fuels, and electricity to lower carbon intensity in transportation fuels.

**San Joaquin Valley Air Pollution Control District (SJVAPCD):** The SJVAPCD is responsible for enforcing air quality standards in the Project area. The following SJVAPCD rules and regulations applicable to the proposed Project may include, but not be limited to:

- **Rule 2010:** Permits Required. The purpose of this rule is to require any person constructing, altering, replacing, or operating any source operation which emits, may emit, or may reduce emissions to obtain an Authority to Construct or a Permit to Operate. This rule also explains the posting requirements for a Permit to Operate and the illegality of a person willfully altering, defacing, forging, counterfeiting, or falsifying any Permit to Operate.
- **Rule 3135:** Dust Control Plan Fee. All Projects which include construction, demolition, excavation, extraction, and/or other earth moving activities as defined by Regulation VIII (Described below) are required to submit a Dust Control Plan and required fees to mitigate impacts related to dust.
- **Rule 4002:** National Emission Standards for Hazardous Air Pollutants. This rule incorporates the National Emission Standards for Hazardous Air Pollutants from Part 61, Chapter I, Subchapter C, Title 40, Code of Federal Regulations (CFR) and the National Emission Standards for Hazardous Air Pollutants for Source Categories from Part 63, Chapter I, Subchapter C, Title 40, Code of Federal Regulations (CFR).

- **Rule 4101:** Visible Emissions. District Rule 4101 prohibits visible emissions of air contaminants that are dark in color and/or have the potential to obstruct visibility.
- **Rule 4102:** Nuisance. The purpose of this rule is to protect the health and safety of the public.
- **Rule 4601:** Architectural Coatings. The purpose of this rule is to limit VOC emissions from architectural coatings. This rule specifies architectural coatings storage, cleanup, and labeling requirements.
- **Rule 4641:** Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations. The purpose of this rule is to limit VOC emissions from asphalt paving and maintenance operations. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.
- **Rule 4662:** District Rule 4662 was developed to help reduce emissions of volatile organic compounds (VOC) and hazardous air pollutants produced from degreasing operations, in which an enclosure or device is used for removing dirt, oil, grease and other contaminants.
- **Rule 4663:** District Rule 4663 was developed to limit the emissions of volatile organic compounds (VOCs) from organic solvent cleaning and from the storage and disposal of solvents and waste solvent materials.
- **Rule 9510:** Indirect Source Review (ISR). This rule reduces the impact PM10 and NOX emissions from growth on the SJVB. This rule places application and emission reduction requirements on applicable development Projects in order to reduce emissions through onsite mitigation, offsite SJVAPCD administered Projects, or a combination of the two. This Project will submit an Air Impact Assessment (AIA) application in accordance with Rule 9510's requirements.
- **Regulation VIII:** Fugitive PM10 Prohibitions. Regulation VIII is composed of eight rules which together aim to limit PM10 emissions by reducing fugitive dust. These rules contain required management practices to limit PM10 emissions during construction, demolition, excavation, extraction, and/or other earth moving activities.

## **Discussion**

### **Thresholds of Significance**

The impact analysis provided in Chapter 2.6 is based on the application of the following California Environmental Quality Act (CEQA) Guidelines Appendix G, which indicates that a project would have a significant impact on air quality if it would:

1. *Conflict with or obstruct implementation of any applicable air quality plan.*

2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard.
3. Expose sensitive receptors to substantial pollutant concentrations.
4. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

The significance criteria established by the applicable air quality management or air pollution control district (SJVAPCD) may be relied upon to make the above determinations. According to the SJVAPCD, an air quality impact is considered significant if the proposed Project would violate any ambient air quality thresholds, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The SJVAPCD has established thresholds of significance for air quality for construction and operational activities of land use development projects, which is shown in Table 3-4. – SJVAPCD Thresholds of Significance for Criteria Pollutants.

Pollutant/Precursor	Operational Emissions		
	Construction Emissions Emissions (tpy)	Permitted Equipment and Activities Emissions (tpy)	Non-Permitted Equipment and Activities Emissions (tpy)
<b>CO</b>	100	100	100
<b>NOx</b>	10	10	10
<b>ROG</b>	10	10	10
<b>SOx</b>	27	27	27
<b>PM10</b>	15	15	15
<b>PM2.5</b>	15	15	15

Table 3-4. Regional Thresholds for Construction and Operational Emissions; Source: SJVAPCD 2015. Guidance for Assessing and Mitigating Air Quality Impacts.

SJVAPCD has also established the following thresholds of significance for risk exposure to toxic air contaminants to nearby sensitive receptors to the Project site, shown below in Table 3-5.

<b>Carcinogens</b>	Maximally Exposed Individual risk equals or exceeds 20 in one million
	Acute: Hazard Index equals or exceeds 1 for the Maximally Exposed Individual
	Chronic: Hazard Index equals or exceeds 1 for the Maximally Exposed Individual
<b>Non-Carcinogens</b>	

Table 3-5. Thresholds of Significance for Toxic Air Contaminants (TAC's); Source: SJVAPCD

## CO Hotspot Analysis

In addition to the daily thresholds listed above, the proposed Project area would also be subject to the ambient air quality standards, through an analysis of localized CO impacts. The California 1-hour and 8-hour CO standards are:

- 1-hour = 20 parts per million (ppm)
- 8-hour = 9 parts per million (ppm)

The significance of localized impacts depends on whether ambient CO levels in the vicinity of the Project site are above state and federal standards for carbon monoxide. Carbon monoxide concentrations in the San Joaquin Air Basin currently meets the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS) for carbon monoxide (CO).

## Methodology

Air pollution emissions can be estimated by using emission factors and examining the level of activity occurring. Emission factors are the emission rate of a pollutant given the activity over time; for example, grams of NO<sub>x</sub> per horsepower hour. The ARB has published emission factors for on-road equipment and vehicles in the OFFROAD emission model. An air emissions model (or calculator) combines the emission factors and the various levels of activity and outputs the emissions for the various pieces of equipment.

An Air Quality, Greenhouse Gas, and Health Risk Assessment Technical Report will be prepared as part of the Project's Environmental Impact Report (EIR) to evaluate potential emissions and identify appropriate mitigation measures to reduce air quality impacts. The analysis will quantify emissions using the California Emissions Estimator Model (CalEEMod), Version 2022.1.1. This statewide land use emissions model estimates direct emissions from construction and operations (including vehicle usage) and indirect emissions from energy consumption, water use, solid waste, and vegetation changes.

Specific assumptions for the CalEEMod modeling will be based on the land uses proposed in the Kelsey-Hurley Industrial Park Project, including industrial, commercial, and infrastructure uses. Adjustments will be made to account for location-specific parameters, construction schedules, equipment lists, and fleet mixes. Electricity service will be provided by Southern California Edison.

The full CalEEMod Report will be included in the Technical Report and appended to the EIR.

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

**Less than Significant with Mitigation:** The San Joaquin Valley Air Pollution Control District (SJVAPCD) has prepared a series of State Implementation Plans (SIPs) to address criteria pollutants within the San Joaquin Valley Air Basin. These plans collectively form the applicable air quality plan for the region. The most recent SIP is the 2024 Plan for the 2012 PM<sub>2.5</sub> Standard, which targets compliance with the annual PM<sub>2.5</sub> standard of 12 micrograms per cubic meter, originally set in 2012, and aims to improve regional air quality by 2030 through a combination of emissions reduction strategies.

The SJVAPCD has adopted quantitative thresholds for evaluating both construction-related and operational emissions of criteria pollutants. A project is considered consistent with the applicable air quality plan if it does not result in emissions that exceed these established thresholds, cause new violations, delay timely attainment of standards, or increase the severity of existing violations.

Due to the size and intensity of the proposed Kelsey-Hurley Industrial Park Project, which includes over 1.7 million square feet of industrial space, high volumes of vehicle and truck traffic, and extensive construction activities, the potential for the Project to exceed SJVAPCD thresholds for criteria pollutants is considerable. Consequently, there is a need for further detailed analysis to assess consistency with the applicable air quality plan.

An Air Quality, Greenhouse Gas, and Health Risk Assessment Technical Report will be prepared as part of the Project's Environmental Impact Report to evaluate potential emissions and identify appropriate mitigation measures to reduce air quality impacts. This analysis will include modeling of short-term construction and long-term operational emissions and will assess compliance with SJVAPCD thresholds. Although mitigation is expected to reduce impacts, given the scale and intensity of the Project, there is a likelihood that impacts could remain significant and unavoidable. The information contained in the EIR will demonstrate a preliminary assessment that the Project would result in a *Less than Significant Impact with Mitigation*.

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

**Less than Significant with Mitigation:** The San Joaquin Valley Air Basin, which includes the Project site in Tulare County, is designated as non-attainment for several criteria pollutants under both federal and state ambient air quality standards, including ozone and fine particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>). The SJVAPCD is responsible for implementing air quality plans and significance thresholds to bring the region into compliance with these standards.

While the SJVAPCD's thresholds are intended to limit contributions to regional air quality degradation, the Kelsey-Hurley Industrial Park Project's scale—including extensive grading,

construction activities, vehicle and heavy-duty truck traffic, and long-term industrial operations—has the potential to generate emissions of criteria pollutants that may be cumulatively considerable. This is relevant given the region’s existing non-attainment status, where even small increases in emissions can contribute to worsening air quality conditions.

Although the Project will be required to comply with all applicable SJVAPCD rules and regulations, a detailed emissions analysis is necessary to evaluate construction and operational emissions against SJVAPCD thresholds and to determine whether the Project may contribute to cumulative air quality impacts.

An Air Quality, Greenhouse Gas, and Health Risk Assessment Technical Report will be prepared in conjunction with the Project’s Environmental Impact Report to quantify emissions, assess cumulative contributions, and identify mitigation measures to reduce potential air quality impacts. Although mitigation is expected to reduce emissions below applicable thresholds, the scale of the Project and the region’s existing nonattainment status present the potential for significant and unavoidable impacts. The EIR will provide a preliminary assessment that the Project would result in a *Less than Significant Impact with Mitigation*.

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

**Less than Significant with Mitigation:** The proposed Kelsey–Hurley Industrial Park Project includes land uses that have the potential to generate substantial pollutant concentrations during both construction and long-term operation. These include diesel particulate matter (DPM) from heavy-duty truck traffic and equipment, fugitive dust from site grading, and emissions from on-site stationary sources such as backup generators or HVAC systems.

Sensitive receptors—such as existing residential areas located north and east of the Project site—could be exposed to elevated levels of air pollutants, particularly fine particulate matter (PM<sub>2.5</sub>) and DPM, both of which are associated with adverse health effects, especially for children, the elderly, and individuals with respiratory conditions.

To assess this potential impact, an Air Quality, Greenhouse Gas, and Health Risk Assessment Technical Report will be prepared as part of the Project’s Environmental Impact Report. The technical report will evaluate potential exposure of sensitive receptors to localized concentrations of pollutants using dispersion modeling and health risk assessment methodologies consistent with guidance from the California Office of Environmental Health Hazard Assessment (OEHHA) and the San Joaquin Valley Air Pollution Control District (SJVAPCD). This analysis will conclude whether mitigation is needed to reduce pollutant exposure to less-than-significant levels. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact*.

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

**Less than Significant:** The Project may result in short-term emissions of odors during construction activities, including diesel exhaust from heavy equipment, asphalt paving, and architectural coatings. Although these emissions are temporary, they may adversely affect nearby sensitive receptors, particularly residences immediately adjacent to the site.

During long-term operation, the Project's industrial and commercial components—such as warehouse activities, delivery vehicle circulation, and the operation of a quick-serve restaurant with a drive-through—may generate localized odors associated with equipment use, vehicle idling, food preparation, and waste handling. These sources are not expected to result in widespread or persistent objectionable odors but could produce localized effects during certain operational conditions.

The Health Risk Assessment (HRA) prepared for the Project concluded that long-term operations are not anticipated to generate odors at levels that would adversely affect surrounding receptors. Additionally, the Project will be required to comply with SJVAPCD regulations, which include provisions for odor control and nuisance prevention.

Although the presence of nearby residences and the scale of the proposed development warrant consideration, existing regulatory controls and the implementation of standard best management practices during construction and operation are expected to minimize potential odor impacts. Based on preliminary analysis, the Project is not anticipated to result in odors that would affect a substantial number of people or require additional mitigation. Therefore, the impact would be considered a *Less than Significant Impact*.

**IV. BIOLOGICAL RESOURCES**

<b>Would the Project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through director removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery Sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## **Regulatory Setting**

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

**The Federal Migratory Bird Treaty Act (FMBTA: 16 USC 703–712):** The Migratory Bird Treaty Act (MBTA) implements international treaties between the United States and other nations devised to protect migratory birds, any of their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. As authorized by the MBTA, the USFWS issues permits to qualified applicants for the following types of activities: falconry, raptor propagation, scientific collecting, special purposes (rehabilitation, education, migratory game bird propagation, and salvage), take of depredating birds, taxidermy, and waterfowl sale and disposal. The regulations governing migratory bird permits can be found in 50 CFR part 13 General Permit Procedures and 50 CFR part 21 Migratory Bird Permits. The State of California has incorporated the protection of birds of prey in §§ 3800, 3513, and 3503.5 of the California Fish and Game Code.

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

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

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

**California Fish and Game Code Sections 3503, 3503.5, and 3513 – Bird Protections:** These sections protect nesting birds, including raptors and migratory species, by prohibiting the take, possession, or destruction of nests and eggs. Section 3503.5 specifically protects birds of prey (e.g., hawks, owls, eagles), while Section 3513 aligns with federal MBTA protections for migratory birds.

**California Native Plant Protection Act (NPPA):** The NPPA (Fish and Game Code §§ 1900–1913) prohibits the unauthorized taking of rare and endangered plants in California. CDFW maintains a list of protected plant species and may require mitigation or conservation measures for impacts on these resources.

**California Fish and Game Code Section 4799.06–4799.12 – Oak Woodlands Conservation Act:** The Oak Woodlands Conservation Act, administered by the California Wildlife Conservation Board, provides funding incentives for the conservation and management of oak woodlands throughout the state. Under this Act, landowners, conservation organizations, and public agencies may apply for funding to preserve or enhance oak woodlands in conjunction with voluntary conservation easements or management plans. While this Act does not regulate

private development directly, it supports voluntary conservation efforts and can complement CEQA mitigation strategies for oak tree removal or habitat loss.

**California Fish and Game Code Sections 2080 and 3503 – Protection of Nesting Birds and**

**Habitat:** Even when not formally listed under the California or Federal Endangered Species Acts, native birds and their nesting habitats are protected under Sections 3503, 3503.5, and 3513 of the California Fish and Game Code. These sections prohibit the take, possession, or destruction of birds, their nests, and eggs, including those nesting in oak trees. Section 2080 also prohibits the unauthorized take of species listed as threatened or endangered in California, which may include species that use oak woodland habitat. As such, project-related tree removal or trimming must consider timing restrictions and biological surveys to avoid impacts to nesting birds.

**City of Visalia Municipal Code Chapter 12.24 – Oak Tree Preservation Ordinance:** Chapter 12.24 of the Visalia Municipal Code establishes regulations to protect native oak trees (genus *Quercus*) within City limits. The ordinance applies to any Valley Oak (*Quercus lobata*) or other native oak species with a diameter at breast height (DBH) of six inches or greater. The removal, relocation, or pruning of protected oak trees requires a permit from the City of Visalia, and permit issuance is contingent on findings that the action is necessary and that impacts are minimized. Replacement planting or in-lieu fees may be required as mitigation for removal, based on tree size and species. The ordinance further mandates that development projects avoid disturbance to protected oak trees where feasible, incorporate tree protection zones into project design, and implement protective fencing and arborist-approved practices during construction. The ordinance supports broader urban forestry goals and contributes to the conservation of native habitat, aesthetic values, and ecosystem services within the City.

**Discussion**

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

**Less than Significant with Mitigation:** The Project Site is currently in agricultural use but may contain habitat features that support special-status species, including foraging or nesting opportunities. Because the presence or potential for such species cannot be ruled out without further analysis, this impact will be evaluated in detail in the Biological Evaluation being prepared as part of the Project's Environmental Impact Report (EIR). The study will determine whether special-status species are present and assess potential adverse effects. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact with mitigation*.

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

**Less than Significant with Mitigation:** Although the Project Site is largely disturbed and historically used for agriculture, the presence of any sensitive natural communities or riparian habitat must be confirmed. The Biological Evaluation being prepared for the EIR will assess the presence or absence of such habitats and evaluate potential impacts. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact with Mitigation*.

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

**Less than significant with mitigation:** While the Project area is predominantly agricultural, it may contain features such as drainage ditches or low-lying areas that could qualify as jurisdictional wetlands or waters. A formal assessment is required to determine the presence and regulatory status of these features. This issue will be addressed in the Biological Evaluation prepared for the EIR. Therefore, the information contained in the EIR will determine whether the project will result in a *Less than significant impact with Mitigation*.

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

**Potentially Significant Impact:** The potential for the Project Site to function as a movement corridor or to support migratory species will be evaluated in the Biological Evaluation prepared for the EIR. While the site is in a partially urbanizing area, agricultural lands can provide limited habitat connectivity. Therefore, impacts on wildlife movement cannot be ruled out without further analysis. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact*.

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

**Potentially Significant Impact:** The Project will be evaluated for consistency with applicable biological resource policies under the City of Visalia's General Plan and other relevant ordinances, particularly the City of Visalia's Oak Tree Preservation Ordinance and the City's Street Tree Ordinance. The Biological Evaluation will identify any biological resources subject to local policy protections and assess the potential for conflicts. The information contained in the

EIR will demonstrate a preliminary assessment that the project would result in a *Less Than Significant Impact*.

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

**Potentially Significant Impact:** The Project area is located within Tulare County, which may be subject to regional conservation planning efforts. The Biological Evaluation prepared for the EIR will determine whether any adopted Habitat Conservation Plans or similar plans apply to the site and whether the Project would conflict with their provisions. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant with Mitigation Impact*.

**V.CULTURAL RESOURCES**

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

**Environmental Setting**

The Kelsey-Hurley Industrial Park Project site, located in western Visalia, Tulare County, is situated within a historically agricultural region in the San Joaquin Valley. The region has long been used for farming and ranching, a pattern that began intensifying after European American settlement in the mid-19th century. Visalia was formally settled in 1852, the same year Tulare County was established. The Southern Pacific Railroad’s expansion into the area in 1872 significantly advanced agricultural development and urbanization.

The 123-acre Project area is relatively level, situated at approximately 295–299 feet above mean sea level. Historically, the southern portion of the site has been cultivated as fruit orchards, while the northern portion is characterized by overgrown grasses and scattered valley oak trees along the Mill Creek Ditch. The Site is bordered by Road 88 (east), North Kelsey Street (west), and State Route 198 (south), with Mill Creek defining its northern edge.

**Cultural Resources Summary**

A Phase I Cultural Resources Assessment, prepared in March 2025 by Soar Environmental Consulting, included archival research, a records search, a pedestrian survey, and consultation with the Native American Heritage Commission (NAHC) Key findings include:

- Records Search: Conducted through the Southern San Joaquin Valley Information Center (SSJVIC), which identified one previously recorded cultural resource (a 1970s–1980s building) mapped within the Project area. However, field verification showed this resource lies outside the Project boundary, and no cultural resources were identified within the site itself.

- Previous Surveys: Two prior cultural resources surveys had been conducted within the site, and ten more within a 0.5-mile radius.
- Sacred Lands File Search: The NAHC search yielded no known sacred or tribal cultural sites within the Project area. Outreach to local tribal representatives was initiated by Tulare County, but no responses were received as of the report's completion.
- Field Survey: An intensive pedestrian survey on February 19, 2025, using transects spaced 50 feet apart, identified no surface cultural resources within the Project boundary. The southern portion had high visibility due to active agriculture, while the northern portion was largely overgrown.
- Historical Structures: Three structures mapped historically within the area were determined to lack sufficient integrity and significance for listing in the California Register of Historical Resources (CRHR) or the National Register of Historic Places (NRHP).

While no cultural resources were identified during the records search or field survey, the potential remains for the accidental discovery of subsurface cultural or tribal cultural resources during construction. In the event of such a discovery, all ground-disturbing activities will be halted in the immediate area, and a qualified archaeologist shall evaluate the find in accordance with CEQA Guidelines §15064.5 and Public Resources Code §5097.98. The County Coroner and NAHC procedures will be followed if any human remains are encountered.

### **Regulatory Setting**

This report defines "cultural resources" as prehistoric or historical archaeological Sites and historical objects, buildings, or structures. Following 36 Code of Federal Regulations (CFR) §60.4, "historical" in this report applies to cultural resources at least 50 years old. The significance or importance of a cultural resource is dependent upon whether the resource qualifies for inclusion at the local level in a local register of historical resources, at the state level in the California Register of Historical Resources (CRHR), or the Federal level in the National Register of Historic Places (NRHP). Cultural resources that are determined to be eligible for inclusion in the CRHR are called "historical resources" (California Code of Regulations [CCR] 15064.5[a]). Under this statute, the determination of eligibility is partially based on the consideration of the criteria of significance as defined in 14 CCR 15064.5(a)(3). Cultural resources eligible for the NRHP are deemed "historic properties."

### **National Historic Preservation Act**

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

**Assembly Bill 52 (AB 52) – Tribal Consultation Requirements:** Assembly Bill 52 established a new category of environmental resources under CEQA known as Tribal Cultural Resources (TCRs). AB 52 also expanded the process for consulting with California Native American tribes during CEQA review and mandated early tribal consultation for certain types of projects.

Under AB 52, a lead agency must notify any California Native American tribe that has previously requested notification of projects within the agency's jurisdiction. The notification must be provided within 14 days of determining that a project application is complete or a decision is made to undertake a project. Tribes have 30 days from receipt of the notification to request formal consultation.

Tribal Cultural Resources are defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe that are either:

- Listed or eligible for listing in the California Register of Historical Resources; or
- Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or
- Determined by the lead agency, in its discretion and supported by substantial evidence, to be significant to a California Native American tribe.

Through consultation, the lead agency and the requesting tribe evaluate whether the project may have a significant impact on TCRs and, if so, identify feasible mitigation measures to avoid or minimize that impact. Mitigation measures agreed upon through consultation may include avoidance, preservation in place, or other culturally appropriate actions.

If consultation is not requested or if consultation concludes without agreement, the lead agency must still consider whether the project may cause a significant impact to Tribal Cultural Resources under CEQA, and must include appropriate mitigation if such impacts are identified.

AB 52 is intended to foster early and meaningful dialogue between lead agencies and tribes to protect cultural heritage and ensure that tribal knowledge informs project planning and environmental review.

### **California Environmental Quality Act**

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

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

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

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

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

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

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

#### **Health and Safety Code, Section 7050.5**

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

#### **City of Visalia General Plan**

The General Plan includes the following goals, objectives, and policies that are potentially applicable to the proposed Project:

- LU-P13.15 Architectural Heritage. The City shall encourage expressions of its cultural and historic heritage in key central area architectural and other physical design elements (such as murals and/or community art), as well as through encouragement of related cultural events and celebrations.

**Goal COS-5 To manage and protect sites of cultural and archaeological importance for the benefit of present and future generations.**

- COS-P5.1 Archaeological Resources. The City shall support efforts to protect and/or recover archaeological resources.
- COS-P5.2 Evaluation of Historic Resources. The City shall use appropriate State and Federal standards in evaluating the significance of historical resources that are identified in the city.
- COS-P5.3 Historic Preservation. The City shall encourage the preservation of historic residences and neighborhoods wherever appropriate.
- COS-P5.4 Historic Buildings. The City shall encourage the preservation and adaptive use of historic buildings, particularly in the downtown.
- COS-P5.5 Historic Structures and Sites. The City shall support public and private efforts to preserve, rehabilitate, and continue the use of historic structures, sites, and districts. 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 Building.
- COS-P5.6 Protection of Resources with Potential State or Federal Designations. The City shall encourage the protection of cultural and archaeological sites with potential for placement on the National Register of Historic Places and/or inclusion in the California 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.
- COS-P5.7 State Historic Building Code. The City shall utilize the State Historic Building Code for designated properties.
- COS-P5.8 Design Compatibility with Historic Structures. The City shall ensure design compatibility of new development within close proximity to designated historic structures and neighborhoods.
- COS-P5.9 Discovery of Archaeological Resources. In the event that archaeological/paleontological resources are discovered during site excavation, grading, or construction, the City shall require that work on the site be suspended within 100 feet of the resource until the significance of the features can be determined by a qualified archaeologist/paleontologist. If significant resources are determined to exist, an archaeologist shall make recommendations for protection or recovery of the resource. City staff shall consider such recommendations and implement them where they are feasible in light of project design as previously approved by the City.
- COS-P5.10 Discovery of Human Remains. Consistent with Section 7050.5 of the California Health and Safety Code and CEQA Guidelines (Section 15064.5), if human remains of Native American origin are discovered during project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). If any human remains are discovered or recognized in any location on

the project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- The Tulare County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; an
- If the remains are of Native American origin,
  - The descendants of the deceased Native Americans have made a timely recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Code Section 5097.98.
  - The Native American Heritage Commission was unable to identify a descendant, or the descendant failed to make a recommendation within 24 hours after being notified by the commission, or
  - The landowner or his or her authorized representative rejects any timely recommendations of the descendent, and mediation conducted by the Native American Heritage Commission has failed to provide measures acceptable to the landowner.
- COS-P5.11 Impact Mitigation. If preservation of cultural/historical resources is not feasible, the City shall make every effort to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records.
- COS-P5.12 Mitigation Monitoring for Historical Resources. The City shall develop standards for monitoring mitigation measures established for the protection of historical resources prior to development.
- COS-P5.13 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. The City shall permit development 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.
- COS-P5.14 Education Program Support. The City shall support local, state, and national education programs on cultural and archaeological resources.
- COS-P5.15 Solicit Input from Local Native Americans. The City shall 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.
- COS-P5.16 Confidentiality of Archaeological Sites. The City shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect resources that are determined to exist. An archaeologist/paleontologist shall make recommendations for protection or recovery of the resource. City staff shall consider such recommendations and implement them where they are feasible in light of project design as previously approved by the City.

- COS-P5.17 Cooperation of Property Owners. The City shall 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.
- COS-P5.18 Archaeological Resource Surveys. Prior to project approval, the City shall require project applicant to have a qualified archaeologist conduct the following activities: (1) conduct a record search at the Regional Archaeological Information Center located at California State University Bakersfield and other appropriate historical repositories, (2) conduct field surveys where appropriate, and (3) prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archaeological Resource Management Reports).

## **Discussion**

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

**Less Than Significant Impact with Mitigation:** A records search and field survey identified three buildings over 45 years old mapped within or near the Project site. However, each of these structures was found to lack sufficient integrity and significance under the criteria set forth in CEQA Guidelines Section 15064.5 and are not eligible for listing on the California Register of Historical Resources (CRHR) or the National Register of Historic Places (NRHP). No historical resources were identified within the Project boundary.

However, due to the potential for previously undiscovered historical resources to be encountered during ground-disturbing activities, Mitigation Measure CUL-1 will be implemented. This measure requires that all work cease within a 50-foot radius if any potential historical resource is discovered during construction. A qualified historical resources specialist will evaluate the discovery and recommend appropriate treatment in accordance with CEQA and the City's General Plan. If the resource is determined to be a unique historical resource, measures such as preservation in place, capping, or recovery excavation will be considered, and no further work will proceed until the Lead Agency approves a protection plan.

With the implementation of Mitigation Measure CUL-1, the Project is not expected to result in a substantial adverse change to any known historical resources. Therefore, the impact would be *Less than Significant with Mitigation Incorporated*.

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

**Less Than Significant Impact with Mitigation:** A comprehensive cultural records search and pedestrian field survey found no known archaeological resources within the Project site. Nonetheless, due to the potential for undiscovered subsurface archaeological materials,

Mitigation Measure CUL-1 will be implemented. This measure includes procedures for halting construction in the event of a find, and requires evaluation by a qualified archaeologist following CEQA Guidelines Section 15064.5.

With these standard protocols in place, the Project is not expected to cause a substantial adverse change in the significance of any archaeological resource. The impact is *Less than Significant with Mitigation Incorporated*.

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

**Less Than Significant Impact with Mitigation:** The cultural resources assessment included a Sacred Lands File search conducted by the Native American Heritage Commission (NAHC), which yielded no known sacred sites or burial grounds within the Project area. In addition, no human remains or burial-related features were identified during the field survey.

To address this possibility, the Project will implement Mitigation Measure CUL-2, which requires that all work immediately stop upon the discovery of human remains. The County Coroner will be notified in accordance with California Health and Safety Code Section 7050.5. If the remains are determined to be of Native American origin, the NAHC will be contacted and consultation with a Most Likely Descendant will occur as required under Public Resources Code Section 5097.98. No further disturbance will occur in the vicinity of the remains until appropriate treatment and disposition are agreed upon.

With implementation of Mitigation Measure CUL-2, the potential impact related to the disturbance of human remains would be *Less than Significant with Mitigation Incorporated*.

**Mitigation Measures for Impacts on Cultural Resources**

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

If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoiding or capping, incorporating the Site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the discovery area

until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person capable of providing long-term preservation to allow future scientific study. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken.

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

**VI.ENERGY**

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

**Environmental Setting**

**Electricity**

According to the U.S. Energy Information Administration, California used approximately 255,224 gigawatt hours of electricity in 2018 (EIA 2024a). By sector in 2017, commercial uses utilized 46% of the state’s electricity, followed by 35% for residential uses and 19% for industrial uses (EIA 2024a). Electricity usage in California for different land uses varies substantially by the types of uses in a building, type of construction materials used in a building, and the efficiency of all electricity-consuming devices within a building. Due to the state’s energy efficiency building standards and efficiency and conservation programs, California’s electricity use per capita in the residential sector is lower than any other state except Hawaii (EIA 2024b).

Southern California Edison (SCE) provides electricity to the Project. SCE, a subsidiary of Edison International, serves approximately 180 cities in 11 counties across central and Southern California. SCE receives electric power from a variety of sources. According to the 2022 SCE Power Content Label, renewable energy accounts for 33.2% of the overall energy resources, with geothermal resources at 5.7%, wind power at 9.8%, eligible hydroelectric sources at 0.5% and solar energy at 17% (SCE 2022).

**Natural Gas**

According to the U.S. Energy Information Administration, California used approximately 2,154,030 million cubic feet of natural gas in 2019 (EIA 2024a). Natural gas is used for cooking, space heating, generating electricity, and as an alternative transportation fuel. The majority of California’s natural gas customers are residential and small commercial customers (core customers), which accounted for approximately 35% of the natural gas delivered by California utilities in 2018 (CPUC n.d.). Large consumers, such as electric generators and industrial

customers (noncore customers), accounted for approximately 65% of the natural gas delivered by California utilities (CPUC n.d.). The CPUC regulates California natural gas rates and natural gas services, including in-state transmission and distribution pipeline systems, storage, procurement, metering, and billing. Most of the natural gas used in California comes from out-of-state natural gas basins. Biogas (e.g., from wastewater treatment facilities or dairy farms) is just beginning to be delivered into the gas utility pipeline systems, and the state has been encouraging its development (CPUC n.d.). In 2019, PG&E delivered approximately 4.9 billion therms of natural gas to the region, with 3 billion therms for non-residential use and 1.9 billion therms for residential use (CEC 2020a, 2020b). No natural gas usage is proposed during the operational phase of the Kelsey-Hurley Industrial Park development.

## **Petroleum**

According to the U.S. Energy Information Administration, California used approximately 681 million barrels of petroleum in 2018, with the majority (584 million barrels) used for the transportation sector (EIA 2024b). This total annual consumption equates to a daily use of approximately 1.9 million barrels of petroleum. There are 42 U.S. gallons in a barrel, so California consumes approximately 78.4 million gallons of petroleum per day, adding up to an annual consumption of 28.7 billion gallons of petroleum. Petroleum usage in California includes petroleum products such as motor gasoline, distillate fuel, liquefied petroleum gases, and jet fuel. California has implemented policies to improve vehicle efficiency and to support use of alternative transportation, which are described below. As such, the CEC anticipates an overall decrease of gasoline demand in the state over the next decade (CEC 2018).

## **Regulatory Setting**

### **Federal**

**Federal Energy Policy and Conservation Act:** In 1975, Congress enacted the Federal Energy Policy and Conservation Act, which established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act, the National Highway Traffic Safety Administration is responsible for establishing additional vehicle standards. In 2012, new fuel economy standards for passenger cars and light trucks were approved for model years 2017 through 2021 (77 FR 62624–63200). In 2020, the Trump Administration sought to lower CAFE standards issued by the Obama Administration to require, for example, a fleet average of 40 mpg by 2026 instead of 55 mpg by 2025. On April 1, 2022, the Department of Transportation updated CAFE standard back up near Obama Administration levels, with a new fleet average of 49 mpg by 2026. Fuel economy is determined based on each manufacturer's average fuel economy for the fleet of vehicles available for sale in the United States.

**Energy Independence and Security Act of 2007:** On December 19, 2007, the Energy Independence and Security Act of 2007 (EISA) was signed into law. In addition to setting increased corporate average fuel economy standards for motor vehicles, the EISA includes the following other provisions related to energy efficiency:

- Renewable Fuel Standard (RFS) (Section 202)
- Appliance and lighting efficiency standards (Sections 301–325)
- Building energy efficiency (Sections 411–441)

The RFS requires ever-increasing levels of renewable fuels to replace petroleum (EPA 2024). The U.S. Environmental Protection Agency (EPA) is responsible for developing and implementing regulations to ensure that transportation fuel sold in the United States contains a minimum volume of renewable fuel. The RFS program regulations were developed in collaboration with refiners, renewable fuel producers, and many other stakeholders.

The RFS program was created under the Energy Policy Act of 2005 and established the first renewable fuel volume mandate in the United States. As required under the Energy Policy Act, the original RFS program (RFS1) required 7.5 billion gallons of renewable fuel to be blended into gasoline by 2012. Under the EISA, the RFS program was expanded in several key ways that laid the foundation for achieving significant reductions of greenhouse gas (GHG) emissions through the use of renewable fuels, for reducing imported petroleum, and for encouraging the development and expansion of our nation’s renewable fuels sector. The updated program (RFS2) includes the following:

- EISA expanded the RFS program to include diesel, in addition to gasoline.
- EISA increased the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022.
- EISA established new categories of renewable fuel and set separate volume requirements for each one.
- EISA required the EPA to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

Additional provisions of the EISA address energy savings in government and public institutions, promoting research for alternative energy, additional research in carbon capture, international energy programs, and the creation of “green” jobs.

### **State**

**Warren–Alquist Act:** The California Legislature passed the Warren–Alquist Act in 1974, which created the CEC. The legislation also incorporated the following three key provisions designed to address the demand side of the energy equation:

- It directed the CEC to formulate and adopt the nation’s first energy conservation standards for buildings constructed and appliances sold in California.

- The act removed the responsibility of electricity demand forecasting from the utilities, which had a financial interest in high demand projections, and transferred it to a more impartial CEC.
- The CEC was directed to embark on an ambitious research and development program, with a particular focus on fostering what were characterized as non-conventional energy sources.

**State of California Energy Action Plan:** The CEC and CPUC approved the first State of California Energy Action Plan in 2003. The plan established shared goals and specific actions to ensure the provision of adequate, reliable, and reasonably priced electrical power and natural gas supplies; it also identified cost-effective and environmentally sound energy policies, strategies, and actions for California’s consumers and taxpayers. In 2005, the CEC and CPUC adopted a second Energy Action Plan to reflect various policy changes and actions of the prior 2 years. At the beginning of 2008, the CEC and CPUC determined that it was not necessary or productive to prepare a new energy action plan. This determination was based, in part, on a finding that the state’s energy policies have been significantly influenced by the passage of Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006 (discussed below). Rather than produce a new energy action plan, the CEC and CPUC prepared an “update” that examines the state’s ongoing actions in the context of global climate change.

**Assembly Bill 32 (2006) and Senate Bill 32 (2016):** In 2006, the State Legislature enacted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020. In 2016, the Legislature enacted Senate Bill (SB) 32, which extended the horizon year of the state’s codified GHG reduction planning targets from 2020 to 2030, requiring California to reduce its GHG emissions to 40% below 1990 levels by 2030. In accordance with AB 32 and SB 32, the California Air Resources Board (CARB) prepares scoping plans to guide the development of statewide policies and regulations for the reduction of GHG emissions. Many of the policy and regulatory concepts identified in the scoping plans focus on increasing energy efficiencies, using renewable resources, and reducing the consumption of petroleum-based fuels (such as gasoline and diesel). As such, the state’s GHG emissions reduction planning framework creates co-benefits for energy-related resources.

**California Building Standards:** Part 6 of Title 24 of the California Code of Regulations (CCR) was established in 1978 and serves to enhance and regulate California’s building standards. Part 6 establishes energy efficiency standards for residential and nonresidential buildings constructed in California to reduce energy demand and consumption. Part 6 is updated periodically to incorporate and consider new energy efficiency technologies and methodologies. The current Title 24, Part 6 standards, referred to as the 2019 Title 24 Building Energy Efficiency Standards, became effective on January 1, 2020. In general, single-family residences built to the 2019 standards are anticipated to use approximately 7% less energy due to energy efficiency measures than those built to the 2016 standards; once rooftop solar electricity generation is factored in, single-family residences built under the 2019 standards

use approximately 53% less energy than those under the 2016 standards (CEC 2019). Nonresidential buildings built to the 2019 standards are anticipated to use an estimated 30% less energy than those built to the 2016 standards (CEC 2019). Title 24 also includes Part 11, the California Green Building Standards (CALGreen). CALGreen establishes minimum mandatory standards and voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and interior air quality. The 2019 CALGreen standards are the current applicable standards. For nonresidential projects, some of the key mandatory CALGreen 2019 standards involve requirements related to bicycle parking, designated parking for clean air vehicles, electric vehicle charging stations, shade trees, water conserving plumbing fixtures and fittings, outdoor potable water use in landscaped areas, recycled water supply systems, construction waste management, and excavated soil and land clearing debris (24 CCR Part 11).

## Local

**City of Visalia General Plan:** The 2030 General Plan includes the following policies related to energy use and efficiency in the Air Quality and Greenhouse Gases Element and the Circulation Element:

- T-P-41 - Integrate the bicycle transportation system into new development and infill redevelopment. Development shall provide short term bicycle parking and long-term bicycle storage facilities, such as bicycle racks, stocks, and rental bicycle lockers. Development also shall provide safe and convenient bicycle and pedestrian access to high activity land uses such as schools, parks, shopping, employment, and entertainment centers.
- T-P-53 - Develop flexible parking requirements in the zoning ordinance for development proposals based on “best practices” and the proven potential to reduce parking demand.
- AQ-P-12 - Support the implementation of Voluntary Emissions Reduction Agreements (VERA) with the San Joaquin Valley Air Pollution Control District (the District) for individual development projects that may exceed District significance thresholds.
- AQ-P-16 - Support State efforts to reduce greenhouse gases and emissions through local action that will reduce motor vehicle use, support alternative forms of transportation, require energy conservation in new construction, and energy management in public buildings, in compliance with AB 32.

## Thresholds and Methodology

The impact analysis provided in this section is based on the application of the following California Environmental Quality Act (CEQA) Guidelines Appendix G, which indicates that a Project would have a significant impact on energy use if it would:

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

An Air Quality, Greenhouse Gas, and Health Risk Assessment Technical Report will be prepared as part of the Project's EIR to evaluate potential emissions and identify appropriate mitigation measures to reduce air quality impacts. The analysis will quantify emissions using the California Emissions Estimator Model (CalEEMod), Version 2022.1.1. This statewide land use emissions model estimates direct emissions from construction and operations (including vehicle usage) and indirect emissions from energy consumption, water use, solid waste, and vegetation changes.

For this industrial project, the methodology applied to assess the Project's potential energy related impacts involved use of CalEEMod. Construction phase energy use is primarily attributed to worker commute trips and operation of diesel and gasoline powered construction equipment. Project-specific equipment assumptions will be used based on comparable industrial development projects.

Operational energy use will result from vehicle trips associated with industrial operations and commercial activity, as well as electricity consumption from facility lighting, HVAC, equipment, and general use. CalEEMod default assumptions were used to estimate mobile source energy use, including vehicle trip lengths and trip counts associated with the industrial and commercial uses.

Electricity use associated with the operation of the Project would result in indirect emissions from fossil-fuel power plants, which are regulated stationary sources subject to federal and state air quality regulations. While criteria air pollutants are managed at the source, GHG emissions from electricity generation are more difficult to regulate individually, and the most effective method to reduce GHG emissions is through energy efficiency in buildings and equipment.

The Project will comply with the provisions of Part 6 of the Title 24 California Code of Regulations, also known as the Building Energy Efficiency Standards (Energy Code). The current applicable code is the 2022 Energy Code, which took effect January 1, 2023, and applies to all newly constructed nonresidential buildings.

## **Discussion**

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

**Less than Significant with Mitigation:** The Project would involve substantial energy use during both construction and operation, including fuel consumption for construction equipment and vehicles, as well as long-term electricity and natural gas usage associated with industrial operations, commercial activity, and site-wide lighting and HVAC systems. Given the Project's scale—over 1.7 million square feet of industrial development and associated infrastructure—there is potential for inefficient or unnecessary energy use without proper design, controls, and mitigation.

The Air Quality, Greenhouse Gas, and Health Risk Assessment Technical Report being prepared for the Environmental Impact Report (EIR) will include an evaluation of the Project's energy demand and efficiency practices. This analysis will help determine whether energy usage would be consistent with applicable regulations and energy conservation goals or whether impacts could be significant. The information contained in the EIR will demonstrate that a preliminary assessment of the project would result in a *Less than Significant Impact with mitigation as applicable*.

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

**Less than Significant with Mitigation:** The Project must be evaluated for consistency with applicable state and local plans aimed at increasing renewable energy use and improving energy efficiency, including the California Energy Code (Title 24), the Renewable Portfolio Standard (RPS), and local greenhouse gas reduction strategies. Due to the Project's size and potential demand for electricity, natural gas, and fuel, it may conflict with energy efficiency targets if not designed and operated in a manner that aligns with these policies.

This issue will be addressed in the Air Quality, Greenhouse Gas, and Health Risk Assessment Technical Report prepared for the EIR, which will assess whether the Project would obstruct implementation of any state or local energy plans or objectives. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant with Mitigation Impact*.

**VII. GEOLOGY AND SOILS**

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

## **Environmental Setting**

### **Geologic Stability and Seismic Activity**

- **Seismicity**

The Visalia Planning Area has no known major fault systems within its boundaries. There are minor faults in the Southern San Joaquin Valley, approximately 30 miles away, though none are known to be active. The most significant potential for seismic activity in Visalia Planning Area is posed by the San Andreas Fault, approximately 75 miles away from the site, or the Owens Valley Fault Group, located approximately 125 miles from the Project site.

- **Liquefaction**

Liquefaction occurs when unconsolidated and/or near-saturated soils lose cohesion and are converted to a fluid state due to severe vibratory motion. The relatively rapid loss of soil shear strength during strong earthquake shaking results in temporary, fluidlike soil behavior, which can result in landslides and lateral spreading. Soil liquefaction causes ground failure, damaging roads, pipelines, underground cables, and buildings with shallow foundations. Liquefaction hazards may exist in and around wetland areas and creeks, though soil types are generally too coarse or too high in clay content and not likely to be subject to sufficient acceleration to cause liquefaction.

- **Landslides**

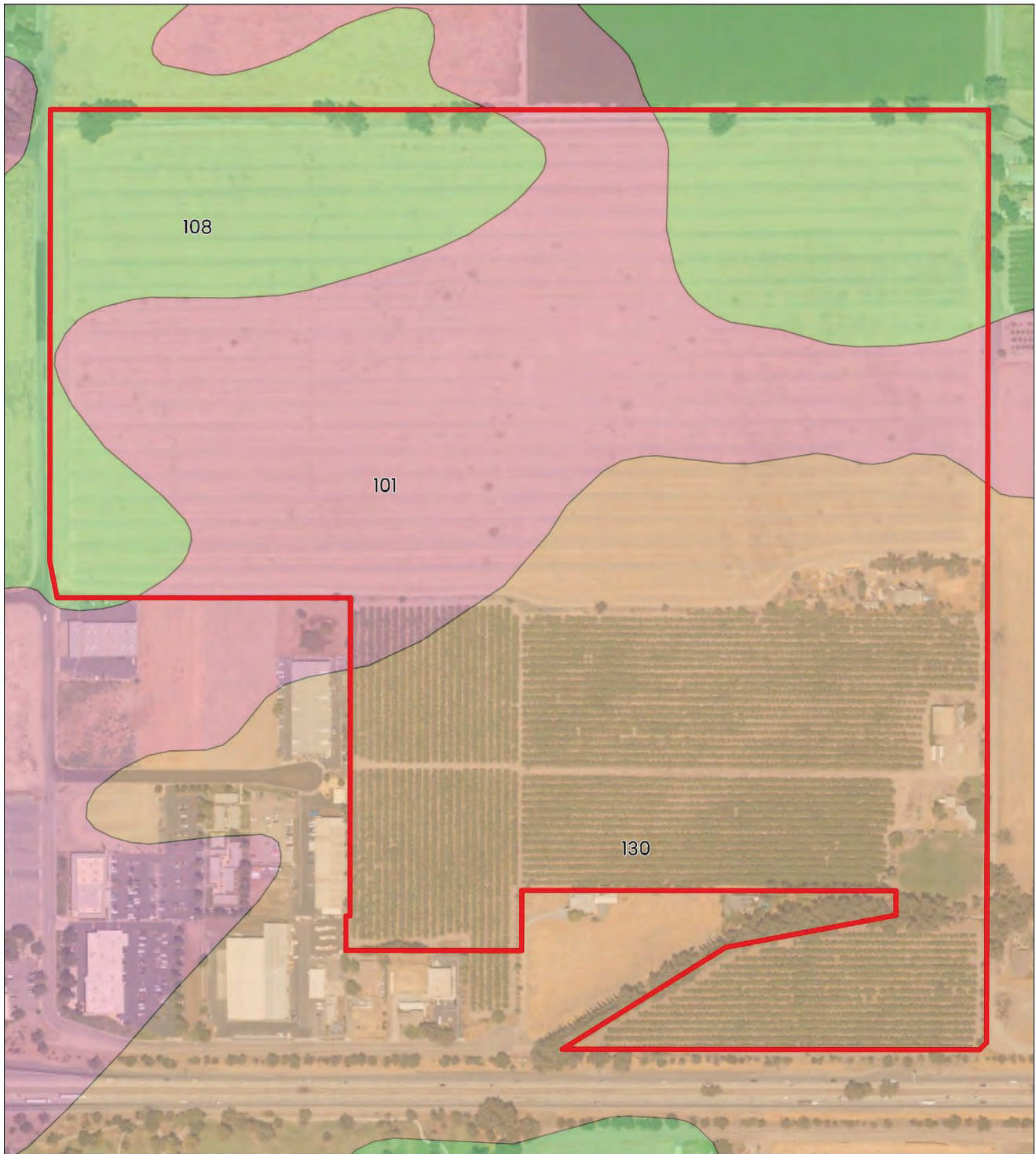
Landslides refer to various processes that result in the downward and outward movement of soil, rock, and vegetation under gravitational influence. Natural and human-induced slope stability changes cause landslides and often accompany other natural hazard events, such as floods, wildfires, or earthquakes. Due to little elevation changes throughout the planning area, including the proposed Project Site, it is considered a low landslide hazard area.

- **Subsidence**

Land Subsidence refers to the vertical sinking of land because of manmade or natural underground voids. Subsidence has occurred throughout the Central Valley because of groundwater, oil, and gas withdrawal. The Kaweah Subbasin that underlies the Planning Area is in overdraft on an average long-term basis. According to the most recent Urban Water Management Plan (UWMP), groundwater elevations have declined to 50 feet between 1990 and 2010. While groundwater recharge efforts are in progress, groundwater levels will continue to decline unless recharge is increased.

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

- **Nord fine sandy loam:** The Nord series consists of very deep, well drained soils that formed in mixed alluvium dominantly from granitic and sedimentary rocks and has slopes of 0 to 2 percent. It is well drained; has negligible to low runoff; and has moderate permeability but is moderately slow in saline-sodic phases.
- **Akers, Saline Sodic:** The Akers series consists of very deep, well drained soils formed in alluvium derived from granitic rock. Akers soils are on terraces and has slopes of 0 to 2 percent. It is well drained; has negligible to low runoff; and has moderate permeability. Saline-sodic phases have moderately slow permeability.
- **Colpien Loam:** The Colpien series consists of very deep, moderately well drained soils formed in alluvium derived mainly from granitic rocks. Colpien soils are on terraces and has slopes of 0 to 2 percent. Colpien soils are moderately well drained; runoff is negligible to low; moderately slow permeability due to high content of mica in the soil.

















		<p><b>Soils Map</b> Kelsey-Hurley Industrial Park Visalia, CA</p>	<p><b>Legend</b></p> <table border="0"><tr><td></td><td>Project Site</td><td></td><td>108: Colpien loam, 0 to 2 percent slopes</td></tr><tr><td></td><td>101: Akers-Akers, saline-Sodic, complex, 0 to 2 percent slopes</td><td></td><td>130: Nord fine sandy loam, 0 to 2 percent slopes</td></tr></table> <p>0                      425                      850 Feet</p>		Project Site		108: Colpien loam, 0 to 2 percent slopes		101: Akers-Akers, saline-Sodic, complex, 0 to 2 percent slopes		130: Nord fine sandy loam, 0 to 2 percent slopes
	Project Site		108: Colpien loam, 0 to 2 percent slopes								
	101: Akers-Akers, saline-Sodic, complex, 0 to 2 percent slopes		130: Nord fine sandy loam, 0 to 2 percent slopes								

Figure 3-3: Soils Map

## **Regulatory Setting**

### **California Building Code**

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

### **City of Visalia Municipal Code (California Building Code)**

The City of Visalia Municipal Code has incorporated and adopted the CBC, 2013 Edition, as promulgated by the California Building Standards Commission, which incorporates the adoption of the 2012 edition of the International Building Code, as amended with necessary California amendments and the 2012 International Building Code of the International Code Council.

### **Federal Clean Water Act – Section 402(p): National Pollutant Discharge Elimination System Permit Program**

Section 402 of the Clean Water Act established the National Pollutant Discharge Elimination System (NPDES) permit program, which regulates point source discharges of pollutants into waters of the United States. Under Section 402(p), stormwater discharges associated with construction activities that disturb one acre or more of soil are required to obtain coverage under a General NPDES Construction Permit. This permit is administered by the State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCBs).

To obtain permit coverage, project applicants must prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP outlines Best Management Practices (BMPs) that will be used to prevent sediment and other construction-related pollutants from entering stormwater runoff. Compliance with the SWPPP is mandatory throughout the construction phase and subject to monitoring and reporting requirements. The goal of the SWPPP is to protect water quality by minimizing pollutant discharges to receiving waters, consistent with the federal Clean Water Act and state water quality standards.

### **City of Visalia General Plan**

The 2030 General Plan includes the policies related to geology and soils that correlate to the proposed Project:

- OSC-P-28: Require new development to implement measures, as appropriate, to minimize soil erosion related to grading, Site preparation, landscaping, and construction.

## **Discussion**

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

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

**No Impact:** Although the Project is in an area of relatively low seismic activity, the Site has a low chance of being affected by ground shaking from distant faults. The potential for strong seismic ground shaking on the Project Site is not a significant environmental concern due to the infrequent seismic activity of the area and the distance to the faults. The Project does not propose any components which could cause substantial adverse effects in the event of an earthquake. Additionally, the Project has no potential to cause the rupture of an earthquake fault indirectly or directly. As such, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in *no impact* related to the risk of loss, injury, or death involving a rupture of a known earthquake fault.

**ii. Strong seismic ground shaking?**

**Less Than Significant Impact with Mitigation:** Although the Project Site is in an area of low seismic activity, ground shaking from regional seismic events could still occur and potentially affect future structures developed on-site. The proposed Project does not include any activities or components that could feasibly cause strong seismic ground shaking, either directly or indirectly. However, given the potential for regional seismic events and the Project's scale, appropriate engineering measures are necessary to ensure structural safety and minimize risks associated with ground shaking.

Mitigation Measure GEO-1 shall be implemented, requiring that a site-specific Geotechnical Evaluation be conducted prior to issuance of grading permits. The evaluation shall identify any soil conditions or geological constraints that could exacerbate ground shaking hazards and shall recommend appropriate design measures in accordance with the California Building Code and the Seismic Design Criteria applicable to the site. All recommendations from the geotechnical evaluation shall be incorporated into the final grading and construction plans and verified by the City as part of the plan check process. With implementation of Mitigation Measure GEO-1, potential impacts related to strong seismic ground shaking would be reduced to a less than significant level. There is a *Less than Significant Impact with Mitigation*.

**iii. Seismic-related ground failure, including liquefaction?**

**Less Than Significant Impact:** The risk of liquefaction within the Visalia Planning Area, outside wetland areas, is low because the soil types are generally unsuitable for liquefaction. The area's low potential for seismic activity would further reduce the likelihood of liquefaction occurrence. Because the Site is within an area of low seismic activity, and the soils associated with the Project area are unsuitable for liquefaction, The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact*.

#### **iv.Landslides?**

**No Impact:** The Planning Area of Visalia is considered at an insignificant risk of small landslides. Additionally, the Project Site is generally flat, and the area has no slopes. No geologic landforms exist on or near the Site that would result in a landslide event. As a result, there is a very low potential for landslides. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in *no impact*.

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

**Less Than Significant Impact:** Although the Project Site is relatively flat and the potential for erosion is low, construction-related activities—including grading, excavation, and site preparation—could temporarily expose soils to wind and water erosion. The removal of vegetation and movement of topsoil during site development increases the potential for sediment discharge and loss of topsoil if not properly managed.

To address these risks, the Project will be required to implement Mitigation Measure HYD-2, which includes preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) consistent with the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities. The SWPPP must identify erosion and sediment control Best Management Practices (BMPs), including but not limited to fiber rolls, silt fences, stabilized construction entrances, and temporary cover measures. Additionally, an erosion control plan will be required and reviewed by the City of Visalia Engineering Division prior to the issuance of grading permits to ensure consistency with City standards for on- and off-site drainage and sediment control.

Implementation of the SWPPP and erosion control plan will ensure that construction-related erosion is effectively managed and that post-construction stormwater flows do not result in long-term erosion or sedimentation impacts. With these measures in place, the potential for substantial soil erosion or loss of topsoil would be reduced to a *Less than Significant with Mitigation Incorporated*.

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

**Less than Significant Impact:** The Project Site is located in an area with relatively flat topography and soils that are generally considered stable, with a low potential for landslides, lateral spreading, liquefaction, subsidence, or collapse. Regional soil data indicate that the Visalia area is underlain by alluvial soils with low clay content and minimal expansion potential. No major faults or unstable geologic units have been mapped in the immediate vicinity of the Site.

However, construction activities such as grading, excavation, and loading of structures could locally alter soil stability and increase geotechnical risks if subsurface conditions vary across the site. To ensure that potential soil instability is adequately addressed, Mitigation Measure GEO-1 will be implemented. This measure requires a site-specific Geotechnical Evaluation prior to the issuance of grading permits, which will identify any site-specific geologic or soil constraints and recommend engineering design measures to reduce the risk of instability, in accordance with the California Building Code.

The recommendations from the geotechnical evaluation will be incorporated into the Project's grading and building plans, and construction will be monitored to verify implementation. With incorporation of these design measures, the Project would not be expected to result in unstable conditions or expose people or structures to substantial risks related to landslides, liquefaction, lateral spreading, or collapse.

Therefore, with implementation of Mitigation Measure GEO-1, impacts related to soil stability would be reduced to *Less than Significant with Mitigation Incorporated*.

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

**Less Than Significant Impact with Mitigation:** Soils within the Visalia area generally have low clay content and an expansion index ranging from 0 to 20, which is considered to represent a very low potential for expansion. Based on regional soil data, the Project Site is not known to contain expansive soils that would pose significant risks to structures or infrastructure.

However, expansive soil characteristics can vary within a project site, and localized areas of moderately expansive soils may still be present. To address this potential variability and ensure that any site-specific conditions are properly accounted for, the Project will implement Mitigation Measure GEO-1, which requires a site-specific Geotechnical Evaluation prior to the issuance of grading permits.

The geotechnical report will evaluate soil expansion potential in accordance with the California Building Code and Uniform Building Code standards and recommend foundation designs or other engineering controls as needed to mitigate any identified risks. All recommendations will

be incorporated into final construction plans and verified through plan check and on-site inspections.

With implementation of Mitigation Measure GEO-1, the potential for substantial direct or indirect risks to life or property due to expansive soils would be reduced to *Less than Significant with Mitigation Incorporated*.

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

**No Impact:** The proposed changes to the Project would not include septic tanks or alternative wastewater disposal systems. The proposed buildings will tie into Visalia's existing sewer services. As such, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in *no impact*.

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

**Less Than Significant Impact with Mitigation:** There are no known unique geologic features or documented paleontological resources within the Project area. The site consists of previously disturbed agricultural land, and the likelihood of encountering significant paleontological resources is considered low.

While the potential exists for accidental discovery of previously unknown subsurface resources during ground-disturbing activities, compliance with standard inadvertent discovery protocols will ensure that any such finds are properly managed. Following mitigation measures CUL-1 and CUL-2, the Project is not expected to directly or indirectly destroy a unique paleontological resource or geologic feature. The information contained in the EIR will demonstrate a preliminary assessment of the project that would result in a *Less than Significant Impact with Mitigation*.

**Mitigation Measures for Impacts on Geology and Soils**

**Mitigation Measure GEO-1: Preparation and Implementation of a Geotechnical Evaluation**

Prior to the issuance of any grading permits, the project applicant shall retain a qualified geotechnical engineer to prepare a site-specific Geotechnical Evaluation for the proposed Project Site. The Geotechnical Evaluation shall assess subsurface conditions, including soil properties, seismic ground shaking potential, liquefaction susceptibility, and other geologic hazards as applicable. The evaluation shall be conducted in accordance with the most recent edition of the California Building Code, the Seismic Design Criteria for the region, and any applicable guidelines of the City of Visalia.

## **VIII. GREENHOUSE GAS EMISSIONS**

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

### **Environmental Setting**

Climate Change is a change in the average weather of the earth that may be measured by alterations in wind patterns, storms, precipitation, and temperatures. These changes are assessed using historical records of temperature changes occurring in the past, such as during previous ice ages. Many of the concerns regarding climate change use this data to extrapolate a level statistical significance, specifically focusing on temperature records from the last 150 years, the Industrial Age, which differ from previous climate changes in rate and magnitude. The United Nations Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHG needed to stabilize global temperatures and climate change impacts. The IPCC predicted that global mean temperatures change from 1990 to 2100, given six scenarios, could range from 1.1 degree Celsius (°C) to 6.4°C. Regardless of analytical methodology, global average temperatures and sea levels are expected to rise under all scenarios (IPCC 2007). In California, climate change may result in consequences such as the following form (CCCC 2006 and Moser et al. 2009).

1. A reduction in the quality and supply of water to the State from the Sierra snowpack.
2. Increased risk of large wildfires.
3. Reduction in the quality and quantity of certain agriculture products.
4. Exacerbation of air quality problems.
5. A rise in sea levels resulting in the displacement of coastal businesses and residences.
6. Damage to marine ecosystems and their natural environment.
7. An increase in infections, disease, asthma, and other health-related problems.
8. A decrease in the health and productivity of California's forest. (CCCC 2006 and Moser et al. 2009)

Greenhouse Gases (GHG) are gases that trap heat in the atmosphere and the presence of GHGs in the atmosphere affects the earth's temperature. The effect is equivalent to the way a

greenhouse retains heat. Natural processes and human activities emit greenhouse gases. Common GHGs include water vapor, carbon dioxide, methane, nitrous oxide, ozone, chlorofluorocarbons, hydro chlorofluorocarbons, hydro fluorocarbons, per fluorocarbons, sulfur, and hexafluoride. Human activities, such as electricity production and vehicle use, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. Some greenhouse gases can remain in the atmosphere for over hundreds of years. Some GHGs have a greater impact on climate change than others. In order to accurately compare GHG emissions, a Global Warming Potential (GWP) has been calculated for each greenhouse gas based on how long it remains in the atmosphere, on average, and how strongly it absorbs energy. Gases with a higher GWP absorb more energy, per pound, than gases with a lower GWP, and thus contribute more to global warming. For example, one pound of methane is equivalent to twenty-one pounds of carbon dioxide.

In regard to the quantity of these gases in the atmosphere, we first must establish the amount of particular gas in the air, known as Concentration, or abundance, which are measured in parts per million, parts per billion and even parts per trillion. To put this measurement in more relatable terms, one part per million is equivalent to one drop of water diluted into about thirteen gallons of water, roughly a full tank of gas in a compact car. Therefore, it can be assumed larger emission of greenhouse gases lead to a higher concentration in the atmosphere. GHGs as defined by AB 32 include the following gases: carbon dioxide, methane, nitrous oxide, hydrocarbons, perfluorocarbons, and sulfur hexafluoride. GHGs as defined by AB 32 and sources are summarized in Table 3-6.

Greenhouse Gas	Description and Physical Properties	Lifetime	GWP	Sources
Methane (CH <sub>4</sub> )	A flammable gas; is the main component of natural gas	12 years	21	Emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices and by the decay of organic waste in municipal solid waste landfills.
Carbon dioxide (CO <sub>2</sub> )	An odorless, colorless, natural greenhouse gas.	30-95 years	1	Enters the atmosphere through burning fossil fuels (coal, natural gas and oil), solid waste, trees and wood products, and also as a result of certain chemical reactions (e.g., manufacture of cement). Carbon dioxide is removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.

Chloro-fluorocarbons	Gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are non-toxic nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the earth's surface).	55-140 years	3,800 to 8,100	Were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. They destroy stratospheric ozone.
Hydrofluoro-carbons	A man-made greenhouse gas. It was developed to replace ozone-depleting gases found in a variety of appliances. Composed of a group of greenhouse gases containing carbon, chlorine and at least one hydrogen atom.	14 years	140 to 11,700	Powerful greenhouse gases that are emitted from a variety of industrial processes. Fluorinated gases are sometimes used as substitutes for stratospheric ozone-depleting substances. These gases are typically emitted in smaller quantities, but because they are potent greenhouse gases.
Nitrous oxide (N <sub>2</sub> O)	Commonly known as laughing gas, is a chemical compound with the formula N <sub>2</sub> O. It is an oxide of nitrogen. At room temperature, it is a colorless, non-flammable gas, with a slightly sweet odor and taste. It is used in surgery and dentistry for its anesthetic and analgesic effects.	120 years	310	Emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste.
Pre-fluorocarbons	Has a stable molecular structure and only breaks down by ultraviolet rays about 60 kilometers above Earth's surface.	50,000 years	6,500 to 9,200	Two main sources of pre-fluorocarbons are primary aluminum production and semiconductor manufacturing.
Sulfur hexafluoride	An inorganic, odorless, colorless, and nontoxic nonflammable gas.	3,200 years	23,900	This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing and as a tracer gas.

Table 3-6. Greenhouse Gases; Source: EPA, Intergovernmental Panel on Climate Change

Each of the designated gases described above can reside in the atmosphere for different amounts of time, ranging from a few years to thousands of years. All of these gases remain in the atmosphere long enough to become well mixed, meaning that the amount that is measured in the atmosphere is roughly the same all over the world regardless of the source of the emission.

### **Regulatory Setting**

Climate changes is a global, national, state, and local issue involving greenhouse gas emissions from all around the world; therefore, countries around the world, including the United States, have established regulations to assist in the emissions of GHGs. Tables 3-7 through 3-10 give a brief explanation of international, national, state, and local regulations.

<b>Regulation</b>	<b>Adopted</b>	<b>Protocol</b>
Intergovernmental Panel on Climate Change	1998	The United Nations and the World Meteorological Organization established the Intergovernmental Panel on Climate Change to assess the scientific, technical and socio-economical information relevant to understanding the scientific basis of risk of human-induced climate change and its potential impacts.
United Nations Framework Convention on Climate Change	March 21, 1994	Governments gather and share information on GHG emissions, national policies and best practices; launch national strategies for addressing GHG emissions and adapting to expected impacts.
Kyoto Protocol	Adopted: December 1, 1997 Entered into Force: February 16, 2005	Sets binding targets for 37 industrialized countries and the European community for reducing GHG emissions at an average of 5% against 1990 levels over the five-year period of 2008-2012
Paris Climate Agreement	Adopted: December 12, 2015. Entered into Force: November 4 2016	The Paris Climate Agreement is an agreement within the United UNFCCC to limit global temperature rise to 2 degrees Celsius above preindustrial levels. Under the agreement, each country determines, plans, and regularly reports its own contribution to mitigate global warming. The agreement is voluntary and is not legally binding.

*Table 3-7. International Greenhouse Gas Regulations*

<b>Regulation</b>	<b>Adopted</b>	<b>Protocol</b>
Greenhouse Gas Endangerment	December 7, 2009	The EPA Administrator signed two distinct findings regarding GHG emissions under section 2029(a) of the Clean Air Act. 1. Endangerment Finding: The Administrator finds that the current and Projected concentrations of the six key well-mixed greenhouse gases – carbon dioxide (CO <sub>2</sub> ), methane (CH <sub>4</sub> ), nitrous oxide (N <sub>2</sub> O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF <sub>6</sub> )

		2. Cause or Contribute Finding: The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.
Corporate Average Fuel Economy (CAFE)	Adopted: 1975 Revised: July 29, 2011	An agreement between thirteen large automakers (accounting for 90% of all vehicles sold in the United States), the United Auto Workers, and the State of California to increase fuel economy to 54.5 miles per gallon for cars and light-duty trucks by model year 2025.
Greenhouse Gas Reporting Program	September 22, 2009	Requires reporting of GHG emissions from large sources and suppliers in the United States. Any facility that emits 25,000 metric tons or more per year of GHG emissions are required to submit annual reports to the EPA.
New Source Review	May 13, 2013	Tailors the requirements of the Clean Air Act permitting programs to limit which facilities will be required to obtain Prevention of Significant Deterioration and Title V permits.
Standards of Performance for GHG Emissions for New Stationary Sources: Electrical Utility Generating Units	March 27, 2012	The EPA proposed new performance standards for emissions of carbon dioxide for new affected fossil fuel-fired electrical utility generated units. New sources greater than 25 megawatts would be required to meet an output-based standard of 1,000 pound of carbon dioxide per megawatt-hour, based on the performance of widely used natural gas combined cycle technology
Western Climate Initiative Partner	Yet to be formally adopted	Jurisdictions have developed a comprehensive initiative to reduce regional GHG emissions to 15 percent below 2005 levels by 2020. The partners are California, British Columbia, Manitoba, Ontario, and Quebec. Its cap-and-trade program is estimated to be fully implemented by 2012

*Table 3-8. Federal Greenhouse Gas Regulations*

<b>Regulation</b>	<b>Adopted</b>	<b>Protocol</b>
Title 24	Adopted: 1978 2008 Standards Effective: January 1, 2010	California's Energy Efficiency Standards for Residential and Non-Residential Buildings. Their standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods
California Green Building Standards	January 12, 2010	A comprehensive and uniform regulatory code for all residential, commercial and K-14 school buildings.
Pavley Regulations, AB 1493	July 22, 2002	Reduce GHG emissions in new passenger vehicles from 2009 through 2016. These amendments are part of California's commitment toward a nation-wide program to reduce new passenger vehicle GHGs from 2012 through 2016. ARB's September amendments will cement California's enforcement of the Pavley rule starting in 2009 while providing vehicle manufacturers with new compliance flexibility.

Low Carbon Fuel Standard- Executive Order S-01-07	January 18, 2007	Calls for a reduction of at least 10 percent in the carbon intensity of California's transportation fuels by 2020. It instructed the California Environmental Protection Agency to develop and propose a draft compliance schedule to meet the 2020 target.
SB 1368	2006	The law limits long-term investments in base load generation by the state's utilities to power plants that meet an emissions performance standard (EPS).
SB 97	February 16, 2010	The Natural Resources Agency adopted Amendments to the CEQA Guidelines for greenhouse gas emissions.
AB 32	2006	Set the 2020 greenhouse gas emissions reduction goal into law. It directed the California Air Resources Board to begin developing discrete early actions to reduce greenhouse gases while also preparing a scoping plan to identify how best to reach the 2020 limit. The reduction measures to meet the 2020 target are to be adopted by the start of 2011.
SB 375	August 30, 2008	Enhances California's ability to reach its AB 32 goals by promoting good planning with the goal of more sustainable communities. Sustainable Communities requires ARB to develop regional greenhouse gas emission reduction targets for passenger vehicles. ARB is to establish targets for 2020 and 2035 for each region covered by one of the State's 18 metropolitan planning organizations
Executive Order S-13-08	2009	A comprehensive "Climate Adaptation Strategy" that would identify the state's vulnerabilities and plan accordingly. State agencies will take this report into account, due in December 2010, when planning new infrastructure such as roads, bridges, and water treatment facilities. The executive order noted that the country's longest continuously operating sea level gauge, San Francisco Bay's Fort Point, recorded a seven-inch rise in sea level over the 20th century.
SB 1078, SB 107, and Executive Order S-14-08	September 12, 2002	Requires California to generate 20% of its electricity from renewable energy by 2017. SB 107 then changes the 2017 deadline to 2010. Executive Order S-14-08 required that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020.
CEQA Guidelines Update	Adopted: April 13, 2009 Updated: May 2011	These Thresholds are designed to establish the level at which the District believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on the Air District's website and included in the Air District's updated CEQA Guidelines
Executive Order B-30-15	April 20, 2015	Establishes a California GHG reduction target of 40 percent below 1990 levels by 2030.
AB 398	July 17, 2017	Extended the California Cap and Trade program through 2030.

Table 3-9. State Greenhouse Gas Regulations

Regulation	Adopted	Protocol
San Joaquin Valley Air Pollution Control District		The San Joaquin Valley Air Pollution Control District is made up of eight counties in California's Central Valley: San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and Kern. The Valley Air District is governed by a Governing Board consisting of representatives from the Board of Supervisors of all eight counties, one Health and Science member, one Physician, and five Valley city representatives.
SJVAPCD–Climate Change Action Plan	August 2008	<p>The SJVAPCD adopted its Climate Change Action Plan (CCAP) to address the growing concerns of GHG emissions within the San Joaquin Valley. The CCAP serves as a strategic framework aimed at assisting local land-use agencies, businesses, and permitting authorities in managing GHG emissions, particularly in the context of the CEQA process. Key Objectives of the CCAP:</p> <ol style="list-style-type: none"> <li>1. Development of CEQA Guidance: The CCAP directed the Air Pollution Control Officer to create guidance documents to aid in assessing GHG emissions during the CEQA review process. This includes establishing significance thresholds, analytical methodologies, and mitigation measures for GHG emissions.</li> <li>2. GHG Emissions Inventory Enhancement: The plan emphasizes enhancing the existing emissions inventory process to incorporate GHG emissions reporting, aligning with state requirements such as those outlined in Assembly Bill 32 (AB 32).</li> <li>3. Voluntary Emission Reduction Agreements: The CCAP proposes the development and administration of voluntary GHG emission reduction agreements to mitigate proposed GHG increases from new projects.</li> <li>4. Investigation of a GHG Banking Program: The plan includes exploring the establishment of a greenhouse gas banking program, which would allow for the trading and crediting of GHG emission reductions within the Valley.</li> </ol>
SJVAPCD CEQA Greenhouse Gas Guidance	December 2009	The SJVAPCD approach is intended to streamline the process of determining if Project specific GHG emissions would have a significant effect. Best Performance Standards would be established according to performance-based determinations.
San Joaquin Valley Carbon Exchange	November 2008	Intended to quantify, verify, and track voluntary GHG emissions reductions generated within the San Joaquin Valley
Rule 2301	January 19, 2012	Emission Reduction Credit Banking. Provided an administrative mechanism for sources to bank GHG emissions, mechanism for sources to transfer GHG reductions to other users and defines eligibility standards, quantitative and procedures.

<p>TCAG 2022 Regional Transportation Plan and Sustainable Communities Strategy</p>	<p>August 2022</p>	<p>This long-range planning document outlines the region's strategy for investing in transportation infrastructure over a 20+ year horizon, with a focus on reducing greenhouse gas (GHG) emissions through integrated land use and transportation planning.</p> <p>Key Objectives of the 2022 RTP/SCS:</p> <ol style="list-style-type: none"> <li>1. GHG Emission Reduction Targets: In alignment with Senate Bill 375 (SB 375), the 2022 RTP/SCS sets forth strategies to achieve per capita GHG emission reductions of 13% by 2020 and 16% by 2035 from 2005 levels.</li> <li>2. Sustainable Land Use Planning: The plan promotes a development pattern that accommodates future population, housing, and employment growth while reducing VMT. This includes encouraging higher-density, mixed-use developments and enhancing access to transit options.</li> <li>3. Transportation Investments: The RTP/SCS identifies a suite of transportation projects aimed at improving multimodal connectivity, including investments in public transit, active transportation infrastructure, and roadway improvements that support efficient movement of people and goods.</li> <li>4. Public Engagement and Equity: TCAG conducted extensive public outreach to ensure that the RTP/SCS reflects the needs and priorities of diverse communities within Tulare County. The plan emphasizes equitable access to transportation options and considers the impacts on disadvantaged communities.</li> </ol>
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Table 3-10. Regional Greenhouse Gas Regulations

**City of Visalia General Plan**

The 2030 General Plan includes the policies related to Greenhouse Gasses that correlate to the proposed Project:

- T-P-41: Integrate the bicycle transportation system into new development and infill redevelopment. Development shall provide short-term bicycle parking and long-term bicycle storage facilities, such as bicycle racks, stocks, and rental bicycle lockers. Development also shall provide safe and convenient bicycle and pedestrian access to high activity land uses such as schools, parks, shopping, employment, and entertainment centers.
- T-P-53: Develop flexible parking requirements in the zoning ordinance for development proposals based on “best practices” and the proven potential to reduce parking demand. *These could include projects that integrate transit facilities, incorporate a mix of uses with differing peak parking demand periods (e.g., residential and office), incorporate shared parking or common area parking, or incorporate other Transportation Demand Management (TDM) Strategies for residents or tenants (car-sharing, requiring paid parking, etc.).*

- A-P-15: Support State efforts to reduce greenhouse gases and emissions through local action that will reduce motor vehicle use, support alternative forms of transportation, require energy conservation in new construction, and energy management in public buildings, in compliance with AB 32. *By proposing compact development, mixed use centers, walkable neighborhoods, green building technology, and jobs-housing balance, the City will be helping to implement many of the strategies and programs in the San Joaquin Valley 2007 Ozone Plan.*

### **City of Visalia Climate Action Plan (2014)**

In October 2014, the City of Visalia adopted its Climate Action Plan (CAP) as part of the comprehensive update to the Visalia General Plan. The CAP serves as a strategic framework to guide the City in reducing greenhouse gas (GHG) emissions and addressing climate change impacts through 2030. It aligns with California's statewide climate goals, including those established by Assembly Bill 32 (AB 32) and Senate Bill 375 (SB 375), by setting local emissions reduction targets and outlining implementation strategies.

The CAP integrates policies from the General Plan and focuses on key sectors contributing to GHG emissions: land use and transportation, energy efficiency, renewable energy, water conservation, waste reduction, and community engagement. Notable initiatives include promoting infill development to reduce vehicle miles traveled, enhancing public transit and active transportation infrastructure, retrofitting municipal facilities for energy efficiency, expanding solar energy installations, and implementing water conservation measures.

By incorporating the CAP into the General Plan, the City ensures that climate considerations are embedded in land use planning and development decisions. This integration supports the City's commitment to sustainable growth and provides a roadmap for achieving long-term environmental and public health benefits.

### **3.4 Thresholds and Methodology**

The impact analysis provided in Chapter 2.6 is based on the application of the following California Environmental Quality Act (CEQA) Guidelines Appendix G, which indicates that a project would have a significant impact on greenhouse gas emissions if it would:

1. *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.*
2. *Conflict with an applicable plan, policy or regulations adopted for the purpose of reducing the emissions of greenhouse gas emissions.*

GHG emissions and climate change were evaluated in accordance with Appendix G of the 2024 CEQA Guidelines. CEQA Guidelines Section 15064.4 states that, when making a determination with respect to the significance of a project's GHG emissions, a lead agency shall have

discretion to determine whether to: (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use; and/or (2) Rely on a qualitative analysis or performance-based standards. Section 15064.4 also states that a lead agency should consider the following factors when assessing the significance of the impact of GHG emissions on the environment: (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting; (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and (3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

GHG emissions were calculated in the same CalEEMod model used to determine the proposed project's criteria air pollutant emissions. Consistent with SJVAPCD recommendations, construction emissions were amortized over a thirty-year period and added to the annual operational emissions to determine the proposed Project's annual GHG emissions.

The 2022 Scoping Plan establishes a framework to achieve carbon neutrality by 2045, as required by Executive Order B-55-18 and in support of the emission reduction targets set in SB 32, which mandates a 40 percent reduction in GHG emissions below 1990 levels by 2030. The 2022 Plan emphasizes transitioning to clean energy, decarbonizing transportation and buildings, and supporting climate-smart land management.

To evaluate consistency with the 2022 Scoping Plan, the Project's GHG emissions were compared against a recommended project-level efficiency threshold. For industrial and non-residential development, efficiency thresholds are generally expressed in terms of metric tons of carbon dioxide equivalent per service population (MT CO<sub>2</sub>e/SP/year) or per square foot, depending on the use type and available data. Although the 2017 Scoping Plan included a threshold of 6.7 MT CO<sub>2</sub>e/year per capita for residential projects, the 2022 Scoping Plan does not provide an updated numerical threshold. Therefore, GHG significance must be evaluated in terms of the Project's consistency with the Plan's strategies and objectives—such as reliance on electric infrastructure, compliance with Title 24 building standards, and reduced reliance on fossil fuels.

The Project will comply with the 2022 Energy Code (Title 24, Part 6), encourage transportation electrification, and incorporate energy-efficient building systems and infrastructure. By implementing these strategies and relying on electrification consistent with the state's decarbonization roadmap, the Project would be considered consistent with the CARB 2022 Scoping Plan.

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

**Potentially Significant Impact:** The proposed Project would generate greenhouse gas (GHG) emissions during both construction and operation, including emissions from construction equipment, vehicle trips (automobiles and heavy-duty trucks), energy consumption, and potential industrial processes. Given the Project's size—over 1.7 million square feet of industrial development, commercial uses, and extensive parking and circulation infrastructure—there is the potential for GHG emissions to exceed applicable thresholds or contribute substantially to cumulative global climate change impacts.

An Air Quality, Greenhouse Gas, and Health Risk Assessment Technical Report is being prepared as part of the Project's Environmental Impact Report (EIR). This report will quantify direct and indirect GHG emissions and evaluate their significance based on applicable thresholds and consistency with state and local climate action goals. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant with Mitigation Impact*.

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

**Potentially Significant Impact:** The Project's consistency with state and local plans aimed at reducing greenhouse gas emissions—such as the California Scoping Plan, SB 32, and any applicable City of Visalia or regional Climate Action Plans—must be evaluated. Given the scale and land use components of the Project, there is potential for conflict if the Project does not incorporate sustainable site design, transportation demand management, or energy efficiency strategies that align with those plans.

This issue will be assessed in the Air Quality, Greenhouse Gas, and Health Risk Assessment Technical Report being prepared for the EIR, which will determine whether the Project would conflict with or impede implementation of applicable GHG reduction strategies. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant with Mitigation Impact*.

**IX. HAZARDS AND HAZARDOUS MATERIALS**

<b>Would the Project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a Site which is included on a list of hazardous materials Sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard or excessive noise to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The proposed Project Site is approximately 0.66 miles west of the nearest school, Hurley Elementary School. It is approximately 0.8 miles northeast of the nearest public airport, Visalia

Municipal Airport. The nearest private airport, Gilbert Aviation Heliport, is located 8.1 miles to the northeast.

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

### **Regulatory Setting**

#### **Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. Code [U.S.C.] §9601 et seq.).**

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or the Superfund Act) authorizes the President to respond to releases or threatened releases of hazardous substances into the environment.

#### **Occupational Safety and Health Administration.**

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

#### **Toxic Substances Control Act of 1976 (15 U.S.C. §2601 et seq.).**

The Toxic Substance Control Act was enacted by Congress in 1976 and authorized the EPA to regulate any chemical substances determined to cause an unreasonable risk to public health or the environment.

#### **Hazardous Waste Control Law, Title 26.**

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

- Identification and classification;
- Generation and transportation;
- Design and permitting of recycling, treatment, storage, and disposal facilities;
- Treatment standards;
- Operation of facilities and staff training; and
- Closure of facilities and liability requirements.

#### **California Code of Regulations, Title 22, Chapter 11.**

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

### **California Emergency Services Act**

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

### **Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan**

The Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP) is a comprehensive framework developed to identify and mitigate risks associated with natural and human-made hazards within Tulare County. The most recent update to the MJLHMP was adopted by the Tulare County Board of Supervisors on March 14, 2023. The MJLHMP serves multiple purposes:

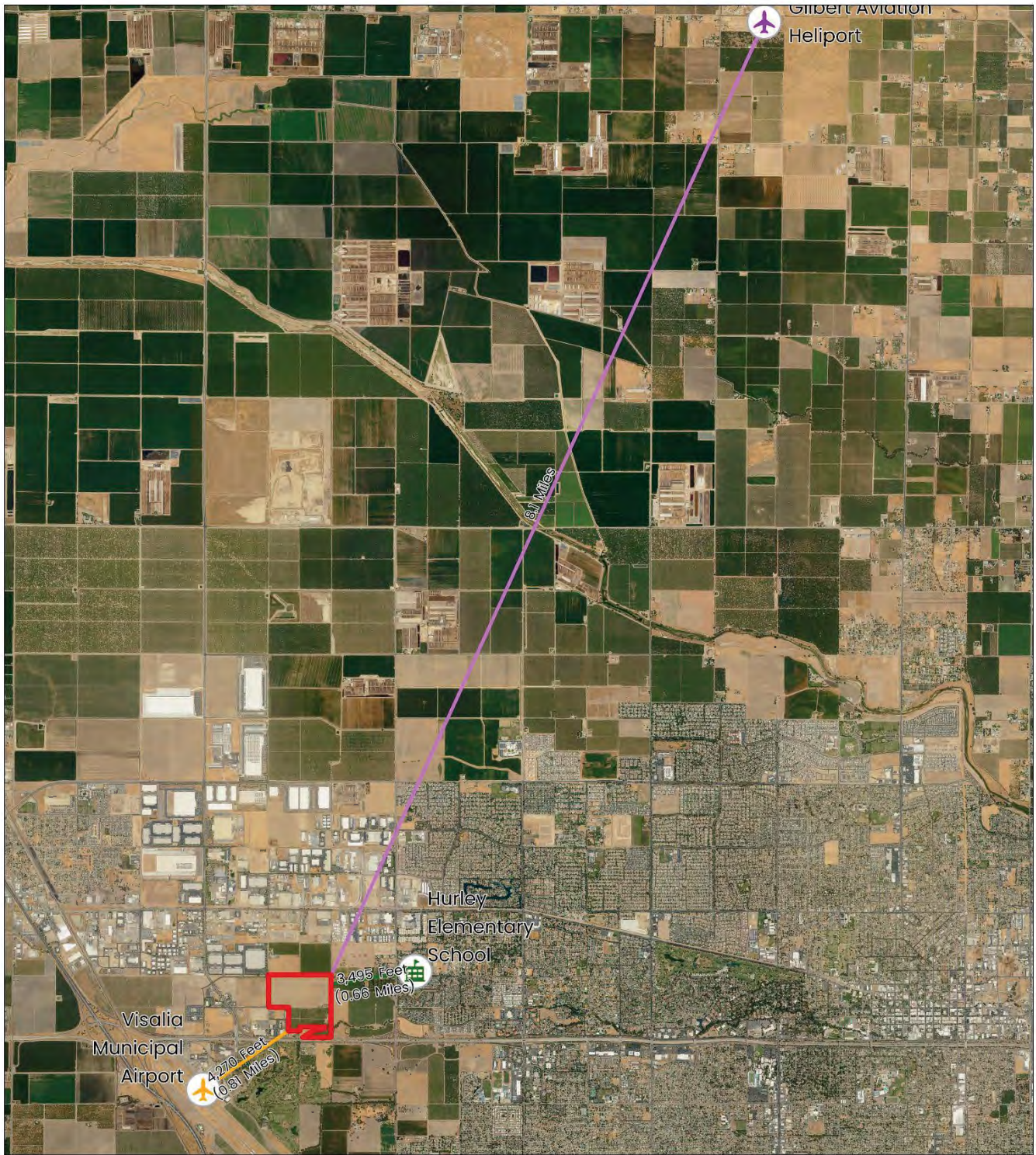
- **Risk Assessment:** It provides a detailed analysis of potential hazards, including earthquakes, floods, wildfires, droughts, and hazardous material incidents, assessing their likelihood and potential impacts on the community.
- **Mitigation Strategies:** The plan outlines specific actions and projects aimed at reducing or eliminating the long-term risk to human life and property from identified hazards.
- **Regulatory Compliance:** By maintaining an up-to-date hazard mitigation plan, Tulare County ensures eligibility for federal disaster relief and mitigation funding programs, such as those administered by FEMA.
- **Community Engagement:** The development and updates of the MJLHMP involve collaboration with local jurisdictions, stakeholders, and the public to ensure that the plan reflects the community's needs and priorities.

### **City of Visalia General Plan**

The 2030 General Plan includes the policies related to Hazards and Hazardous Materials that correlate to the proposed Project:

- S-P-15: Require remediation and cleanup of sites contaminated with hazardous substances. The level of remediation and cleanup will be determined based on the intended use and health risk to the public. At the minimum, remediation will be in compliance with federal and State standards. Clean up shall be required in conjunction with new development, reconstruction, property transfer of ownership, and/or continued operation after the discovery of contamination.
- S-P-17: Ensure that all specified hazardous facilities conform to the Tulare County Hazardous Materials Business Plan.
- S-P-21: Develop a community wildfire mitigation plan that identifies and prioritizes areas for hazard fuel reduction treatments, and recommend the types of methods of treatments.
- S-P-22: Manage vegetation in areas within and adjacent to public rights-of-way and in close proximity to critical facilities in order to reduce the risk of tree failure and property damage and avoid creation of wind acceleration corridors within vegetated areas.

- S-P-30: Integrate the Tulare County Hazard Mitigation Plan, in particular the hazard analysis and mitigation strategy sections, into the development review process, the emergency operations plan, and capital improvement program, as appropriate.






 <b>4CREEKS</b>	 N	<p>Distance to Schools and Airports Kelsey-Hurley Industrial Park Visalia, CA</p>	<p><b>Legend</b></p> <p> Project Site</p> <p>0 1 2 Miles</p>
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Figure 3-4: Distance to Schools and Airports

## **Discussion**

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

**Less than significant with mitigation:** The Project includes industrial and commercial uses that may involve the routine use, storage, or transport of hazardous materials, including fuels, solvents, cleaning agents, or manufacturing-related substances. The extent and nature of such activities will vary based on future tenants. While regulatory compliance is expected, there is a potential for significant hazards during Project operation. This issue will be evaluated in the Phase I and Phase II Environmental Site Assessments (ESAs) being prepared for the Environmental Impact Report (EIR) to determine the potential for routine hazardous material use to pose risks to the public or environment. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact with Mitigation*.

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

**Potentially Significant Impact:** Construction activities and industrial operations could result in accidental releases of hazardous materials, such as fuel spills, chemical leaks, or soil contamination. Additionally, any historical contamination from past agricultural or industrial uses may pose a risk if uncovered during construction. The Phase I and II ESAs being prepared for the EIR will evaluate the presence of existing hazardous materials on-site and assess the risk of future accidental releases. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact with Mitigation*.

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

**Less than Significant Impact:** The Project is located approximately 0.66 miles from an existing school. During construction, the contractor will use fuel trucks to refuel onsite equipment and may use paints and solvents to a limited degree. The storage, transport, and use of these materials will comply with Local, State, and Federal regulatory requirements. There is the potential for small leaks due to refueling of construction equipment, however standard construction Best Management Practices (BMPs) included in the SWPPP will reduce the potential for the release of construction related fuels and other hazardous materials by controlling runoff from the Site and requiring proper disposal or recycling of hazardous materials. The operational aspect of the Project does not involve the use or storage of hazardous substances other than insignificant amounts of pesticides, fertilizers, and cleaning

agents required for normal maintenance of structures and landscaping. The Project would not emit hazardous emissions or involve the handling of acutely hazardous materials or waste. Therefore, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact*.

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

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

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

**Less than Significant with Mitigation:** The Project site is located approximately 0.8 miles northeast of the Visalia Municipal Airport and falls within the Airport Influence Area identified in the Tulare County Airport Land Use Compatibility Plan (ALUCP). While existing noise contour maps indicate that the site is outside the 65 dB CNEL noise contour—suggesting a less-than-significant impact from airport noise—the site overlaps with a future safety zone as outlined in long-term planning for the airport.

Given the Project's proposed industrial and commercial uses, including structures with potential for high employee occupancy and outdoor activity areas, further analysis is required to assess compatibility with ALUCP's safety policies. In particular, the Project's consistency with safety zone policies related to building density, height restrictions, and potential for hazards to aviation (e.g., glare, plume emissions, or wildlife attractants) must be evaluated in detail.

Elevating this issue to the EIR provides an opportunity to consult with the Airport Land Use Commission (ALUC) and address any potential comments, as well as to incorporate any recommended conditions or mitigation measures to ensure compliance with airport safety policies. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant with Mitigation Impact*.

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

**Less than Significant with Mitigation:** The Project will introduce new buildings, internal roadways, and increased vehicle and truck traffic, which could affect local circulation and

emergency access routes. The potential for interference with adopted emergency response or evacuation plans will be assessed as part of the EIR, informed in part by the Phase I and II ESAs, which will identify any on-site hazardous conditions that could affect emergency planning. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant with Mitigation*.

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

**No Impact:** Although the Project site is located in an urbanizing area of western Visalia and is primarily agricultural, the potential for wildland fire risk must still be evaluated, particularly during dry seasons when vegetative fuel may be present. The Phase I and II ESAs, along with other assessments included in the EIR, will help determine whether the Project poses a risk related to wildland fires. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in no impact.

## **X.HYDROLOGY AND WATER QUALITY**

<b>Would the Project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise sustainably degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the Site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would:				
(i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones risk the release of pollutants due to Project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater movement plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **Environmental Setting**

**Hydrologic System:** The proposed Project Site is in the Tulare Lake Hydrologic Region, which encompasses 10.9 million acres south of the San Joaquin River. Specifically, the Site is situated within the San Joaquin Valley Groundwater Basin, which is divided into seven sub-basins. The Site falls within the Kaweah Subbasin, bordered by the Kings Groundwater Subbasin to the north, the Tule Groundwater Subbasin to the south, the Tulare Lake Subbasin to the west, and

the Sierra Nevada foothills' crystalline bedrock to the east. The area predominantly consists of lands within the Kaweah Delta Water Conservation District. The major rivers in this subbasin are the St. Johns and lower Kaweah Rivers, with the Kaweah River serving as the primary surface water source for groundwater recharge.

**Groundwater:** The Project will be supplied groundwater by California Water Service (Cal Water), which serves much of the City of Visalia and its surroundings. Cal Water sources its water supply entirely from groundwater wells distributed throughout the Visalia District. The system includes a network of deep wells, storage tanks, and a distribution infrastructure designed to meet residential, commercial, and industrial demands.

Cal Water operates 23 active wells, a 125,000-gallon water storage tower, two 2-million-gallon concrete storage tanks, one 1.5-million-gallon concrete storage tank, 7 well sites equipped with granulated activated carbon (GAC) treatment filters, 277 miles of water transmission and distribution mains, and over 2,500 fire hydrants.

Additionally, the City of Visalia, City of Visalia, and the Tulare Irrigation District have formed a Joint Power Authority (JPA) to establish the Mid-Kaweah Groundwater Sustainability Agency (GSA). Under this JPA, the Board of Directors is responsible for developing, adopting, and implementing a Groundwater Sustainability Plan, as mandated by the Sustainable Groundwater Management Act of 2014.

**Surface Waters:** The City of Visalia does not use surface water for its potable water supply. However, it purchases surface water from the Tulare Irrigation District for groundwater recharge purposes.

**Stormwater Drainage:** The Project includes a stormwater retention pond. The stormwater pond will have a capacity of 11.5 acre-feet (AF). The Site was calculated to require a total of 11 AF of stormwater drainage.

### **Regulatory Setting**

**Clean Water Act:** The federal Clean Water Act (33 U.S.C. §1251 et seq.) was enacted in 1972 to restore and maintain the chemical, physical, and biological integrity of the nation's waters. It provides the framework for regulating pollutant discharges into surface waters of the United States. Key sections applicable to the proposed Project include:

- **Section 303 – Water Quality Standards and TMDLs:** Requires states to develop water quality standards for all surface waters and to establish Total Maximum Daily Loads (TMDLs) for pollutants in impaired water bodies. These standards serve as the regulatory basis for controlling discharges to ensure that water quality objectives are maintained.

- **Section 401 – Water Quality Certification:** Requires applicants for any federal permit or license (e.g., a Section 404 permit from the U.S. Army Corps of Engineers) that may result in a discharge into navigable waters to obtain a Water Quality Certification from the applicable state authority. In California, this authority is the Regional Water Quality Control Board (RWQCB). Section 401 certification ensures that proposed activities will comply with state water quality standards and beneficial uses.
- **Section 402 – National Pollutant Discharge Elimination System (NPDES):** Establishes the NPDES permit program, which regulates point source discharges of pollutants into waters of the United States. The Project will disturb more than one acre and is therefore required to obtain NPDES coverage under the State Water Resources Control Board's General Construction Permit. A Stormwater Pollution Prevention Plan (SWPPP) must also be prepared and implemented to reduce construction-related stormwater discharges.
- **Section 404 – Discharges of Dredged or Fill Material:** Administered by the U.S. Army Corps of Engineers, this section regulates the discharge of dredged or fill material into waters of the United States, including wetlands. If the Project involves any placement of fill into jurisdictional features (such as canals, wetlands, or drainages), a Section 404 permit may be required, along with a corresponding Section 401 certification.

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

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

**Central Valley RWQCB:** Because the proposed Project will disturb more than one acre of land, it is subject to NPDES permitting requirements overseen by the Central Valley RWQCB. As part of the NPDES General Construction Permit process, a site-specific Stormwater Pollution Prevention Plan (SWPPP) will be required. The SWPPP must identify best management practices (BMPs) to prevent sediment, construction materials, and other pollutants from entering stormwater runoff.

**City of Visalia General Plan:** The City of Visalia General Plan contains the following goals and policies related to water resources:

- LU-P11.3 System Expansion. The City shall require new development be responsible for expansion of existing facilities such as water systems, sewer systems, storm drainage systems, parks and other capital facilities made necessary to serve the new development.
- LU-P11.4 Water Supply System. The City shall require that water supply systems be adequate to serve the size and configuration of land developments. Standards as set forth in the subdivision ordinance shall be maintained and improved as necessary.
- LU-P11.5 Water Supply for New Development. For all new development, prior to the approval of any subdivision applications, the developers shall assure that there is sufficient available water supply to meet projected buildout.
- LU-P11.6 Adequate System Maintenance. The City shall require maintenance funding for streets, storm drainage, and ponding basins for new development.
- LU-P11.7 Adequate Infrastructure Capacity. The City shall only approve new development when it can be demonstrated by the applicant that adequate system capacity in the service area is or will be available to handle increases related to the project.
- LU-P11.9 Adequate City Service Capacity. The City shall only approve new development when it can be demonstrated by the applicant that adequate public service capacity in the area is or will be available to handle increases related to the project. School capacity will be discussed in the review of each development, and the City will ensure early coordination with the school districts serving the site. School capacity will be addressed as allowed under State law.
- LU-P11.17 Fair Share Improvements. The City shall ensure new development is required to participate on a fair-share basis in the completion of improvements to the existing sewer system, and/or the construction of new sewer trunk lines as described in the City's adopted Sewer Master Plan.
- COS-P1.1 Regional Groundwater Protection. The City shall work with Tulare County and special districts to help protect groundwater resources from overdraft by promoting water conservation and groundwater recharge efforts.
- COS-P1.8 Water Conservation. The City shall promote efficient water use and reduced water demand by:
  - Requiring water-conserving design and equipment in new construction.
  - Encouraging water-conserving landscaping and other conservation measures; and
  - Encourage retrofitting existing development with water conserving devices.
  - Providing public education programs.
  - Distributing outdoor lawn watering guidelines.
  - Promoting water audit and leak detection programs.
  - Enforcing water conservation programs.
- COS-P1.11 Water for Irrigation. Whenever possible, the City shall require new development to use recycled or non-potable water for irrigation in landscaped areas.

## **Discussion**

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

**Less than Significant with Mitigation Incorporated:** The Kelsey-Hurley Industrial Park Project would result in temporary impacts to water quality due to construction-related activities across the approximately 123-acre site. Site preparation—including excavation, grading, and construction of infrastructure and buildings—has the potential to generate polluted runoff during storm events. Exposed soil, construction equipment, and materials may contribute sediment, oils, chemicals, and other pollutants to stormwater runoff if not properly managed. Additionally, ongoing operations may involve the use of cleaning agents, fuels, or other substances that could affect water quality if discharged improperly.

To minimize these impacts, the Project will implement Mitigation Measures HYD-1 and HYD-2, which require compliance with stormwater permitting and best management practices (BMPs) during construction.

With implementation of these mitigation measures, potential water quality impacts will be effectively minimized, and the Project will comply with all applicable stormwater regulations and waste discharge requirements. Therefore, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact with mitigation incorporated*.

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

**Less than Significant Impact with Mitigation Incorporated:** The proposed Kelsey-Hurley Industrial Park Project would introduce a mix of industrial, commercial, and support uses over a 123-acre site, significantly increasing water demand relative to existing agricultural operations. Water use would be required for domestic, landscape, industrial, and commercial purposes, and could place additional strain on regional water supplies, including groundwater resources.

Additionally, the construction of large impervious surfaces—such as buildings, roads, and parking areas—could reduce opportunities for on-site groundwater recharge by limiting infiltration. Given that the Project is located within a region subject to the Sustainable Groundwater Management Act (SGMA), any substantial increase in groundwater demand or reduction in recharge potential must be carefully evaluated in the context of the long-term sustainability of the groundwater basin.

A Water Supply Assessment is currently being prepared and will be included with the Environmental Impact Report (EIR). This analysis will quantify the Project's projected water demand, evaluate available water supplies, assess the Project's reliance on groundwater, and determine whether

implementation could interfere with the sustainable management of groundwater resources. Therefore, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact with mitigation incorporated*.

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

**i. Result in substantial erosion or siltation on- or off-site?**

**Less than Significant Impact with Mitigation:** The proposed Project involves the construction and operation of an industrial park on approximately 123 gross acres. Construction activities, including site grading, excavation, and the introduction of impervious surfaces, may temporarily increase the potential for erosion or siltation, particularly during storm events.

To address this risk, Mitigation is expected to be required to ensure that the building contractor prepares and submits a Storm Water Pollution Prevention Plan (SWPPP) to the City at least 45 days prior to the start of work. The SWPPP must comply with the State Water Resources Control Board's Construction General Permit and will include BMPs such as dust control, sediment basins, erosion control blankets, silt fencing, and soil stabilization. The SWPPP also requires regular site monitoring and special measures during extreme weather or inactivity periods to further limit erosion and sedimentation.

Implementation of the SWPPP will ensure compliance with applicable water quality regulations and reduce potential erosion and siltation impacts to a less-than-significant level. There is a *Less than Significant Impact with Mitigation*.

**ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?**

**Less than Significant Impact:** Because the Project would result in an increase of impervious surfaces within the Project Site, an increase in surface runoff may occur. However, all stormwater runoff will be routed and contained in an onsite basin. The applicant will be required to provide appropriate stormwater management measures, ensuring that there will not be substantial flooding on or off the Site. Therefore, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact*.

**iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

**Less than Significant with Mitigation Incorporated:** The proposed Kelsey-Hurley Industrial Park Project involves the development of approximately 123 acres, including five large industrial

buildings, commercial areas, a self-storage facility, roads, and parking areas. These improvements will result in a substantial increase in impervious surfaces across the site, which will in turn generate increased volumes of stormwater runoff. Pollutants commonly associated with industrial and commercial uses—such as oils, greases, heavy metals, and sediments—may be carried into the stormwater system during rain events.

To manage runoff, the Project includes the construction of an on-site stormwater detention basin in the southeastern portion of the site. The Project also proposes new stormwater infrastructure, including pipelines along Kelsey Street, Road 88, Crowley Avenue, and internal routes, designed to collect and convey runoff efficiently to the basin. While the infrastructure has been planned to accommodate anticipated flows, proper maintenance and post-construction controls are essential to ensure long-term capacity and water quality compliance.

While the drainage system is designed to accommodate anticipated stormwater volumes, long-term effectiveness will depend on proper operation and maintenance of the detention basin and associated features. Mitigation is expected to be required to ensure that post-construction stormwater facilities function as intended. Such measures may include the preparation and implementation of an operations and maintenance plan, routine inspections, sediment and debris removal, and adherence to best management practices (BMPs) for water quality protection.

With the incorporation of future mitigation measures that ensure proper management of stormwater infrastructure and pollutant controls, the Project's contribution to runoff volumes and pollutant loads is expected to be reduced to a less-than-significant level. Therefore, the impact is *less than significant with mitigation incorporated*.

#### **iv. Impede or redirect flood flows?**

**Less than Significant Impact:** The Project Site is generally flat and not located near any major rivers or streams. However, according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM), a small portion of the Project Site—primarily within Assessor's Parcel Number (APN) 081-071-020, and to a lesser extent APN 081-040-001—is located within a Special Flood Hazard Area (Zone AE), which is subject to a 1% annual chance of flooding (100-year flood).

The Project will be required to comply with City of Visalia floodplain management regulations, including elevation and design standards for structures within the AE zone, in accordance with Chapter 14.16 of the Visalia Municipal Code and applicable FEMA requirements. These regulations are intended to ensure that new development does not impede or redirect flood flows or exacerbate flood risks on or off site.

With implementation of standard design measures and adherence to applicable floodplain regulations, the proposed Project is not expected to result in significant changes to existing

drainage patterns or redirect floodwaters in a way that would increase flood risk. Therefore, the impact would be considered *Less than Significant*.

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

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

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

**No Impact:** The Project will not conflict with or obstruct the implementation of any water quality control plan. The Project will be subject to the requirements of the National Pollutant Discharge Elimination System (NPDES) Stormwater Program and will be required to comply with a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP will identify all potential sources of pollution that could affect stormwater discharges from the Project Site and specify Best Management Practices (BMPs) to prevent significant impacts related to stormwater runoff.

The Project Site is within the jurisdiction of the Mid-Kaweah Groundwater Sustainability Agency (GSA). The Groundwater Sustainability Plan (GSP) was adopted by the Mid-Kaweah GSA in December 2019. The plan was reviewed for consistency with the Project, and it was determined that the Project does not conflict with and would not obstruct the implementation of the GSP. Therefore, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in *no impact*.

**Mitigation Measures for Impacts on Hydrology and Water Quality**

**Mitigation Measure HYD-1:** Prior to the issuance of any construction/grading permit and/or the commencement of any clearing, grading, or excavation, the Applicant shall submit a Notice of Intent (NOI) for discharge from the Project site to the California SWRCB Storm Water Permit Unit.

- Prior to issuance of grading permits for Phase I the Applicant shall submit a copy of the NOI to the City.
- The City shall review noticing documentation prior to approval of the grading permit. City monitoring staff will inspect the site during construction for compliance.

**Mitigation Measure HYD-2:** The Applicant shall require the building contractor to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City 45 days prior to the start of

work for approval. The contractor is responsible for understanding the State General Permit and instituting the SWPPP during construction. A SWPPP for site construction shall be developed prior to the initiation of grading and implemented for all construction activity on the Project site in excess of one (1) acre, or where the area of disturbance is less than one acre but is part of the Project's plan of development that in total disturbs one or more acres. The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to storm water and shall include specific BMPs to control the discharge of material from the site. The following BMP methods shall include, but would not be limited to:

- Dust control measures will be implemented to ensure success of all onsite activities to control fugitive dust;
- A routine monitoring plan will be implemented to ensure success of all onsite erosion and sedimentation control measures;
- Provisional detention basins, straw bales, erosion control blankets, mulching, silt fencing, sand bagging, and soil stabilizers will be used;
- Soil stockpiles and graded slopes will be covered after two weeks of inactivity and 24 hours prior to and during extreme weather conditions; and,
- BMPs will be strictly followed to prevent spills and discharges of pollutants onsite, such as material storage, trash disposal, construction entrances, etc.

**Mitigation Measure HYD-3:** A Development Maintenance Manual for the Project shall include comprehensive procedures for maintenance and operations of any stormwater facilities to ensure long-term operation and maintenance of post-construction stormwater controls. The maintenance manual shall require that stormwater BMP devices be inspected, cleaned, and maintained in accordance with the manufacturer's maintenance conditions. The manual shall require that devices be cleaned prior to the onset of the rainy season (i.e., mid-October) and immediately after the end of the rainy season (i.e., mid-May). The manual shall also require that all devices be checked after major storm events. The Development Maintenance Manual shall include the following:

- Runoff shall be directed away from trash and loading dock areas;
- Bins shall be lined or otherwise constructed to reduce leaking of liquid wastes;
- Trash and loading dock areas shall be screened or walled to minimize offsite transport of trash; and,
- Impervious berms, trench catch basin, drop inlets, or overflow containment structures nearby docks and trash areas shall be installed to minimize the potential for leaks, spills or wash down water to enter the drainage system.

**XI. LAND USE AND PLANNING**

<b>Would the Project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

The proposed Project Site is in the Visalia Planning Area, just outside of the city limits. The Site is approximately 4 miles west of the Visalia downtown. The Project Site is not currently in Visalia city limits and is therefore zoned AE-20 (Exclusive Agriculture, 20 acre minimum) by Tulare County (Figure 3-5). Following annexation into Visalia, the proposed zoning for the Site is Industrial.

The 2030 City of Visalia General Plan has designated the proposed Project Site as Industrial, with the lower section that will be used as the stormwater basin is designated as Conservation.

The Site currently contains agriculture uses. The Site is topographically flat and is bounded by agricultural uses to the north and east, and single-family residential to the south and east. The agricultural land to the east is designated as Low Density Residential, Very Low Density Residential, Neighborhood Commercial, and Parks/Recreation by the Visalia General Plan.

**Regulatory Setting**

**Tulare County LAFCO**

The Tulare County Local Agency Formation Commission (LAFCO) is a state-mandated agency responsible for overseeing the orderly formation and development of local governmental agencies within Tulare County, including cities, special districts, and service areas. LAFCO’s authority derives from the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.), which seeks to discourage urban sprawl, encourage the efficient provision of services, and preserve agricultural and open space lands. LAFCO’s principal responsibilities include:

- Reviewing and approving or denying proposals for annexations, detachments, incorporations, and sphere of influence (SOI) amendments.
- Establishing and updating Spheres of Influence for cities and special districts to define the probable future boundaries and service areas.

- Encouraging efficient and logical patterns of urban development while protecting prime agricultural and open space resources.

For projects proposing to annex land into the City of Visalia, such as the proposed Project, Tulare County LAFCO approval is required to:

- Amend the City's Sphere of Influence, if necessary.
- Approve the annexation of the Project Site into the City limits.

LAFCO evaluates annexation proposals based on several criteria, including consistency with adopted General Plans, service availability (water, sewer, police, fire), impacts to agriculture and open space, and the ability of the local agency to provide efficient public services. Approval by LAFCO ensures that growth occurs in a planned and sustainable manner in coordination with regional land use goals.

### **City of Visalia General Plan**

The proposed Project Site is designated as Industrial.

- The Industrial designation allows primary manufacturing, processing, refining, and similar activities including those with outdoor facilities. It also accommodates warehousing and distribution with supporting commercial services and office space. Retail is not permitted. Maximum FAR for this designation is 0.6; buildout is assumed at 0.15.

The 2030 General Plan includes policies related to land use that correlate to the proposed project:

- LU-P-19: Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy.
- LU-P-21: Allow annexation and development of residential, commercial, and industrial land to occur within the Tier II UDB and the Tier III Urban Growth Boundary consistent with the City's Land Use Diagram, according to the following phasing thresholds:
  - Tier II: The expansion criteria for land in Tier II to become available for annexation and development is that such annexation and development shall only occur if it does not result in excess of a 10-year supply of undeveloped residential land within the new Tier I. This is intended to be consistent with LAFCO policies discouraging residential annexations exceeding a 10-year housing inventory. Thus, the "inner" tier is distinguished from the GPURC-recommended Tier I in that it is not based on projected capacity and need, but rather on a requirement to be able to demonstrate that less than a ten year inventory of residential land exists.
- LU-P-25: Provide planning and technical support for the relocation of agricultural operations currently located in the city to compatible locations in the Planning Area or the County.

- LU-P-28: Continue to use natural and man-made edges, such as major roadways and waterways within the city's Urban Area Boundary, as urban development limit and growth phasing lines.
- LU-P-47: Establish criteria and standards for pedestrian, bicycle, and vehicle circulation networks within new subdivisions and non-residential development.
- LU-P-71: Ensure that noise, traffic, and other potential conflicts that may arise in a mix of commercial and residential uses are mitigated through good site planning, building design, and/or appropriate operational measures.

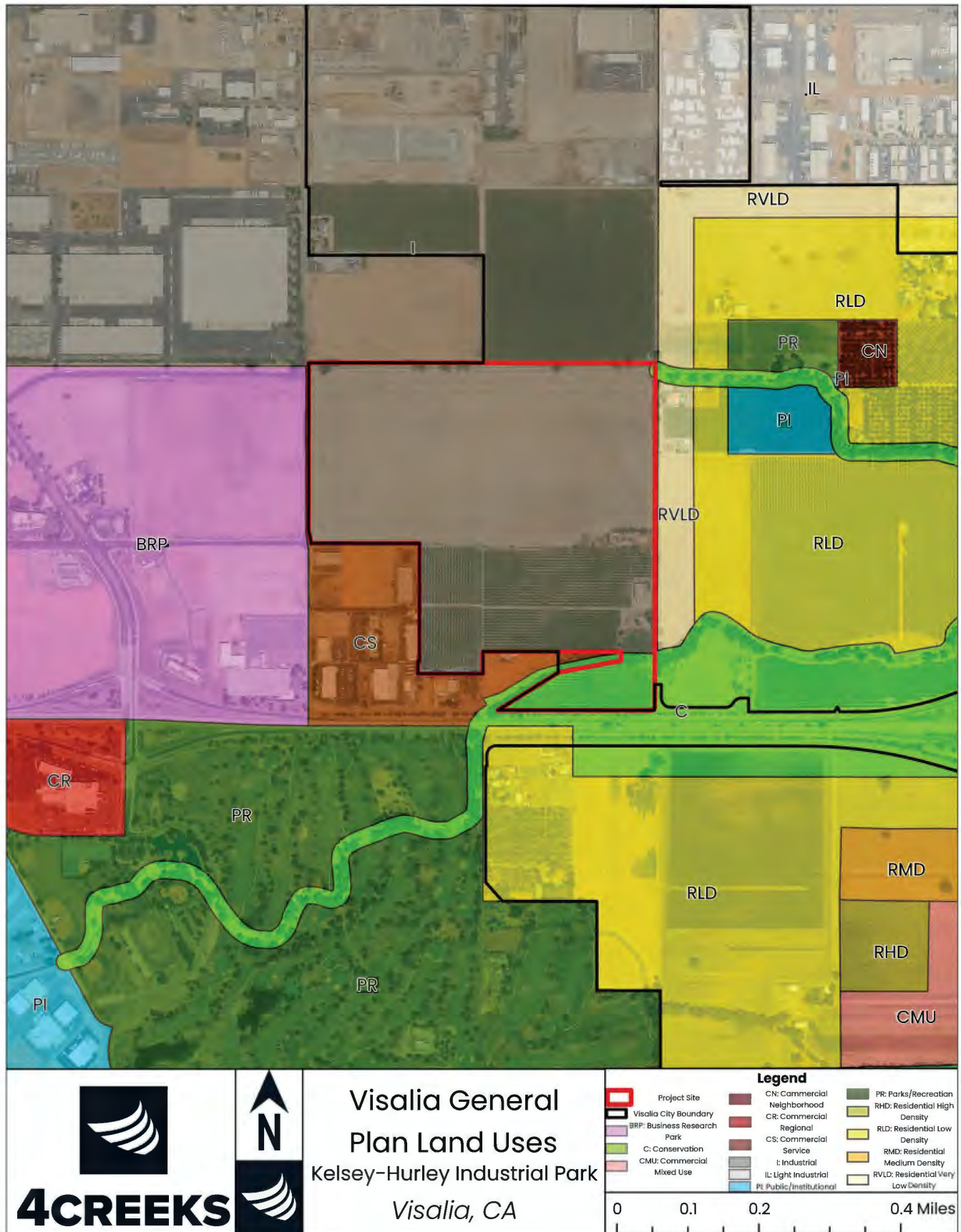


Figure 3-5: General Plan Land Use Map

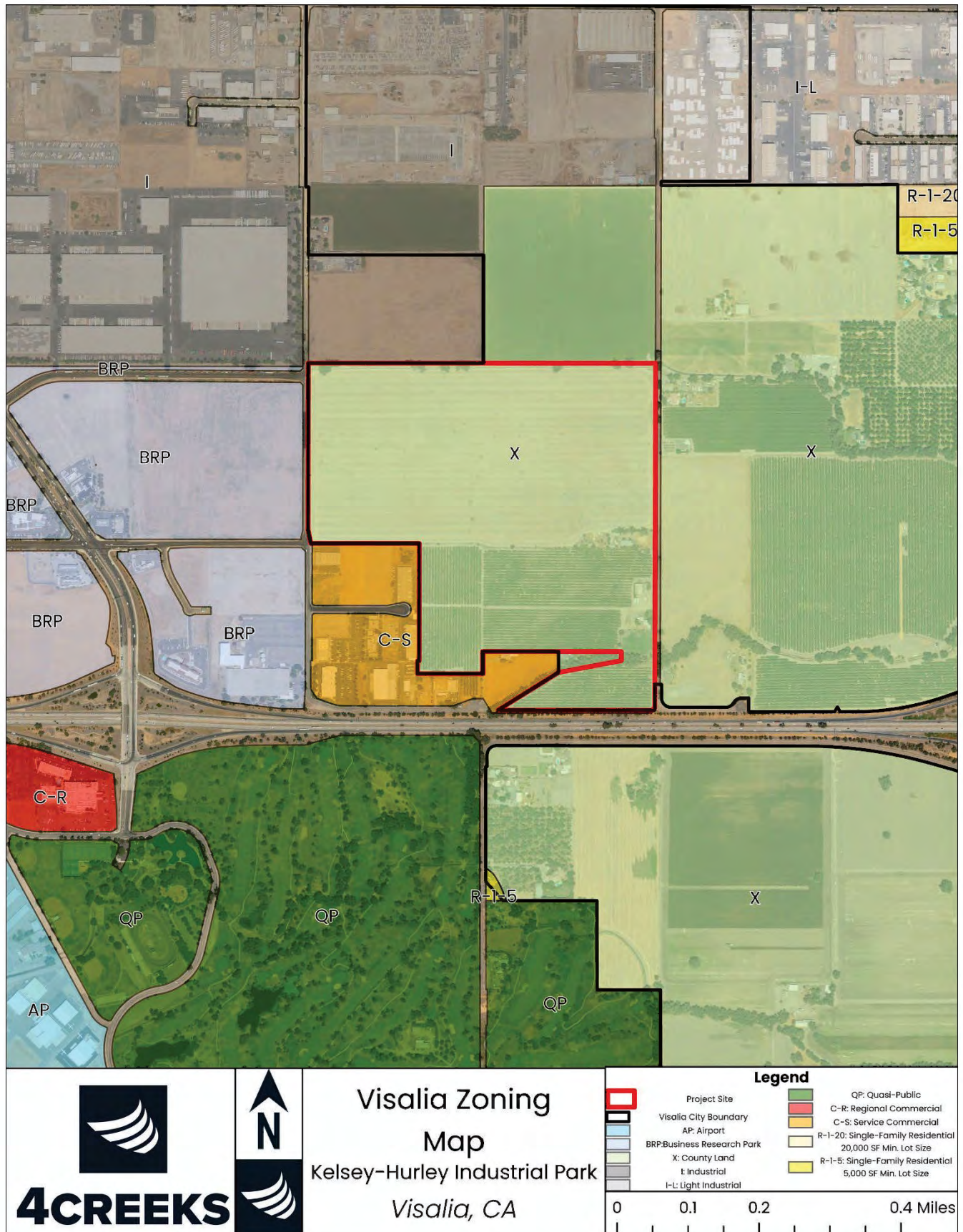


Figure 3-6: Visalia Zoning Map

## **Discussion**

### **a) Would the Project physically divide an established community?**

**No Impact:** The proposed Project will not physically divide an established community. The proposed Project Site is designated Industrial by the Visalia General Plan and the Project is consistent with this land use designation. The Project would continue to operate as the same designation following Project implementation. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in *no impact*.

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

**Less than Significant Impact:** The Kelsey-Hurley Industrial Park Project proposes the conversion of approximately 123 acres of agricultural land to industrial, commercial, and infrastructure uses. The Project site is currently located in unincorporated Tulare County, with a General Plan designation of Exclusive Agriculture (AE-20) and is proposed for annexation into the City of Visalia, where it would be pre-zoned Industrial under the Visalia General Plan.

While the Project generally aligns with the City's long-term vision for industrial development within its Tier 1 Development Boundary, it involves changes to land use designations, zoning, and jurisdictional authority. These changes raise the potential for conflicts with existing land use plans, policies, or regulations—particularly those adopted for environmental protection, such as agricultural preservation, air quality management, habitat conservation, and groundwater sustainability.

Given the scale, intensity, and visibility of the Project, a detailed and comprehensive land use consistency analysis is warranted. The Environmental Impact Report (EIR) will provide a full evaluation of the Project's consistency with applicable local, regional, and state policies, including the City of Visalia General Plan, Tulare County General Plan, LAFCO policies on annexation, and any applicable resource management plans. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact*.

## **XII. MINERAL RESOURCES**

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

### **Environmental Setting**

Tulare County contains mineral resources of sand, gravel, and crushed stone, found in alluvial deposits and hard rock quarries. Most of this mining takes place along rivers and at the base of the Sierra foothills. However, the Visalia Planning Area currently contains three former sand and gravel mines, but no currently operating mines and no designated Mineral Resource Zones.

### **Regulatory Setting**

#### **California State Surface Mining and Reclamation Act**

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

### **Discussion**

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

**No Impact:** The Project Site has no known mineral resources that would be of value to the region and the residents of the state, therefore the proposed Project would not result in the loss of or impede the mining of regionally or locally important mineral resources. There is *no impact*.

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

**No Impact:** There are no known mineral resources of importance to the region and the Project Site is not designated under the City's or County's General Plan as an important mineral resource recovery site. For that reason, the proposed Project would not result in the loss of availability of known regionally or locally important mineral resources. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in *no impact*.

### **XIII. NOISE**

<b>Would the Project result in:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground-borne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a Project located within the vicinity of a private airstrip or, an airport land use plan or, where such a plan has not been adopted, within two miles of public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### **Environmental Setting**

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

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

Vibration is seismic waves that radiate along the earth's surface and downward into the earth. The operation of heavy construction equipment, particularly pile driving and other impact devices such as pavement breakers, creates this vibration.

#### **Sensitive Receptors**

Noise level allowances for different land types reflect the varying noise sensitivities associated with those uses. Residences, hotels/motels, hospitals, schools, and libraries are some of the

most sensitive types of noise intrusion. Therefore, these have more stringent noise level allowances than most commercial or agricultural uses that are not subject to impacts such as sleep disturbance. The nearest sensitive receptors to the Project are the single-family homes to the east of the Site.

## **Regulatory Setting**

### **City of Visalia Noise Ordinance**

The City of Visalia Noise Ordinance (Visalia Municipal Code Chapter 8.36) provides noise level standards for land use compatibility. Exterior and interior noise levels may not exceed any of the categorical noise level standards shown in Table 3-11. The standards are shown in A-weighted decibels (dBA). For Single Family Residential, the exterior noise during the daytime is to be below 70 dBA, and the indoor noise during the daytime is to be below 55 dBA.

<i>Category</i>	<i>Cumulative number of minutes in any one hour time period</i>	<i>Evening and daytime (6:00 a.m. to 7:00 p.m.)</i>	<i>Nighttime (7:00 p.m. to 6:00 a.m.)</i>
<b>Exterior Levels</b>			
1	30	50	45
2	15	55	50
3	5	60	55
4	1	65	60
5	0	70	65
<b>Interior Levels</b>			
1	5	45	35
2	1	50	40
3	0	55	45

*Table 3-11: City of Visalia Noise Standards. Source: City of Visalia Noise Ordinance*

### **California Building Code – Noise Insulation Standards**

The California Building Code (CBC), codified in Title 24, Part 2 of the California Code of Regulations, includes noise insulation standards that are particularly relevant to the construction of residential buildings. Chapter 12, Section 1207 of the CBC requires that interior noise levels attributable to exterior sources not exceed 45 dBA CNEL (Community Noise Equivalent Level) in any habitable room of new residential dwellings, hotels, motels, dormitories, or other sleeping quarters. These standards are mandatory for residential projects located within airport noise contours or near major transportation sources such as highways and railroads. The CBC requires design features such as enhanced wall assemblies, sound-rated windows, and mechanical ventilation systems when necessary to achieve compliance with these indoor noise limits. Compliance with these provisions is enforced through the building permit process.

### **City of Visalia General Plan**

The current noise element of the City's General Plan establishes goals and policies intended to limit community exposure to excessive noise levels. Visalia's current General Plan identifies noise sources such as roadways, rails, and airports within the city and includes land use compatibility guidelines.

- N-P-3: Establish performance standards for noise reduction for new housing that may be exposed to community noise levels above 65 dB DNL/CNEL, as shown on the Noise Contour Maps, based on the target acceptable noise levels for outdoor activity levels and interior spaces in Tables 8-2 and 8-3. Noise mitigation measures that may be considered to achieve these noise level targets include but are not limited to the following:
  - Construct façades with substantial weight and insulation;
  - Use sound-rated windows for primary sleeping and activity areas;
  - Use sound-rated doors for all exterior entries at primary sleeping and activity areas;
  - Use minimum setbacks and exterior barriers;
  - Use acoustic baffling of vents for chimneys, attics, and gable ends;
  - Install a mechanical ventilation system that provides fresh air under closed window conditions.

### **Discussion**

#### **a) Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

**Less than Significant with Mitigation:** The proposed Kelsey-Hurley Industrial Park Project involves substantial grading, infrastructure improvements, and construction of large-scale industrial and commercial facilities. These activities will generate elevated temporary noise levels from construction equipment such as graders, backhoes, and trucks. These temporary increases may exceed noise limits set forth in the City of Visalia's General Plan and Noise Ordinance, particularly during peak grading and paving operations.

To reduce construction-related noise impacts, the Project will incorporate standard best practices such as limiting construction activities to allowable daytime hours, maintaining equipment in good condition, and employing on-site noise control measures like mufflers and temporary barriers as needed.

Long-term operational noise sources may include heavy truck traffic, warehouse loading and unloading operations, mechanical equipment (e.g., HVAC systems), and vehicular circulation within the Project site. These activities could contribute to increased ambient noise levels in the vicinity.

An Acoustical Analysis is being prepared for the Project and will be included as part of the EIR. The study will analyze both short-term construction and long-term operational noise levels, evaluate consistency with applicable noise thresholds, and recommend project-specific mitigation measures, if necessary.

Based on the Project's scale and anticipated activities, and pending implementation of feasible mitigation as identified in the forthcoming Noise Study, the Project would result in a *Less than Significant Impact with Mitigation Measures*.

Type of Equipment	dBA at 50 feet
Air Compressors	81
Excavators	81
Concrete/Industrial Saws	76
Cranes	83
Forklifts	75
Generators	81
Pavers	89
Rollers	74
Dozers	85
Tractors	84
Loaders	85
Backhoes	80
Graders	85
Scrapers	89
Welders	74

Table 3-12. Noise levels of noise-generating construction equipment at various distances. Source: FHA Construction Noise Handbook (dBA at 50 feet). Noise levels beyond 50 feet were estimated using the inverse square law based on given values for dBA at 50 feet.

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

**Less than Significant Impact:** Although Project operations would not include uses or activities that typically generate excessive groundborne vibration or groundborne noise levels, Project construction could introduce temporary groundborne vibration to the Project Site and the surrounding area. Sources that may produce perceptible vibrations are provided in Table 3-13.

Equipment	Peak Particle Velocity (inches/second) at 25 feet	Approximate Vibration Level (LV) at 25 feet
Pile driver (impact)	1.518 (upper range)/0.644 (typical)	112/104

Pile driver (sonic)	0.734 (upper range)/0.170 (typical)	105/93
Clam shovel drop (slurry wall)	0.202	94
Hydromill (slurry wall)	0.008 in soil/0.017 in rock	66/75
Vibratory Roller	0.210	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

Table 3-13. *Vibration Levels Generated by Construction Equipment. Source: Transit Noise and Vibration Impact Assessment, Federal Transit Administration, September 2018.*

The primary source of vibration during Project construction would likely be from a bulldozer (tractor), which would generate 0.089 inch per second PPV at 25 feet with an approximate vibration level of 87 VdB. Vibration from the bulldozer would be intermittent and not a source of continual vibration. There are no adopted City standards or thresholds of significance for vibration. The evaluation of potential impacts related to construction vibration levels is based on the published data in the 2018 FTA Guidelines. At 25 feet, the buildings most susceptible to vibration could be impacted at 0.12 inch/second. Because vibrations generated by Project construction would not exceed 0.12 inch/second, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact*.

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

**Less than Significant Impact:** The proposed Project is located approximately 0.8 miles northeast of the nearest public airport (Visalia Municipal Airport). However, according to the Airport Master plan, the Project Site would not be impacted by the airport. Noise contours developed for 2019 show that the airport would produce less than 65 dB. All land uses located outside of the 65 dB contours are considered less than significant. Implementation of the proposed Project would not result in a safety hazard for people residing or working in the Project area. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact*.

**XIV. POPULATION AND HOUSING**

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

**Environmental Setting**

The United States Census Bureau estimated the population in the City of Visalia to be 143,966 as of July 2022. This is an increase from the 2010 Census, which counted the population in the City of Visalia to be 124,442. Factors that influence population growth in Visalia include job availability, housing availability, and the capacity of proposed and existing infrastructure.

**Regulatory Setting**

The City of Visalia population size is controlled by the development code and Housing Element of the General Plan. These documents regulate the number of dwelling units per acre allowed on various land uses and establish minimum and maximum lot sizes, which has a direct impact on the City’s population size.

**City of Visalia 2030 General Plan Land Use Element**

The 2030 General Plan includes the policies related to population and housing that correlate to the proposed project:

- LU-P-50: Provide development standards to ensure residential development is not negatively affected by adjacent non-residential land uses.
- LU-P-71: Ensure that noise, traffic, and other potential conflicts that may arise in a mix of commercial and residential uses are mitigated through good site planning, building design, and/or appropriate operational measures.

**Discussion**

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

**No Impact:** The Project does not include any residential units. There will be no changes in the population growth. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in *no impact*.

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

**Less Than Significant Impact:** The Project Site contains three existing housing units that would be removed as part of site development. However, these units represent a minimal number of residences and do not constitute a substantial number of housing units or population that would require replacement housing under CEQA thresholds. The displacement would be limited in scale and would not result in significant pressure on regional or local housing markets.

As such, while the Project would result in the removal of a small number of housing units, it would not displace a substantial number of people or necessitate the construction of replacement housing elsewhere. Therefore, the impact would be considered *Less Than Significant*.

**XV. PUBLIC SERVICES**

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

**Environmental Setting**

**Fire**

Visalia and Project Site is served by The Visalia Fire Department (VFD), which operates six fire stations within the City of Visalia. The VFD will continue to provide fire protection services to the proposed Project Site following Project implementation. VFD Fire Station #55 is nearest to the Site (approximately 2 miles to the northeast).

**Police**

Law enforcement services are provided to the Project Site via The Visalia Police Department (VPD). The VPD will continue to provide police protection services to the proposed Project Site following Project implementation. The VPD headquarters are located approximately 4.3 miles east of the proposed Project Site.

**Schools**

The proposed Project Site is located within the Visalia Unified School District (VUSD or District) from kindergarten through 12th Grade. The District includes 26 elementary schools, five middle schools, four traditional high schools, and alternative education programs. The nearest school is approximately 0.66 miles east (Hurley Elementary School).

## **Regulatory Setting**

### **California Fire Code**

The California Fire Code (Title 24, Part 9 of the California Code of Regulations) establishes regulations to safeguard against hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout the State of California. The Fire Code includes regulations regarding fire resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services features such as fire apparatus access roads, means of egress, fire safety during construction and demolition, and wildland-urban interface areas.

### **City of Visalia Fire Department Plan Check and Hydrant Ordinance**

Visalia's requirements for new construction include provisions for the Fire Department to review building and Site plans before the issuance of any permit. The Fire Department ensures that proposed projects will be adequately served by water and accessible to emergency vehicles. The Department also enforces the City's Hydrant Ordinance, which states that subdividers are responsible for the installation of water mains and hydrants and determines the minimum spacing for fire hydrants. Street dimensions are scrutinized to ensure that space will be preserved for ladder trucks to stabilize and emergency vehicles to turn around. Basic requirements in the City's subdivision ordinance include 52-foot minimum right-of-way widths and a 53-foot turning radius for cul-de-sacs.

## **Discussion**

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

**i. Fire protection?**

**Less than Significant Impact:** Current fire protection facilities are located at Visalia Station 55 and can adequately serve the Site without needing alteration. As applicable, City of Visalia Impact fees will be paid to mitigate the Project's proportionate impact on these facilities.

The timing of when new fire service facilities would be required, or details about their size and location, cannot be determined until such facilities are planned and proposed. Any attempt to analyze impacts to a potential future facility would be speculative at this time. As new or

expanded fire service facilities become necessary, construction or expansion projects would be subject to their own separate California Environmental Quality Act (CEQA) review to identify and mitigate any potential environmental impacts. Therefore, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact*.

ii. **Police protection?**

**Less than Significant Impact:** Current police protection facilities can adequately serve the site without alteration. As applicable, City of Visalia Impact fees will be paid to mitigate the Project's proportionate impact on these facilities.

The timing of when new police service facilities would be required, or details about size and location cannot be known until such facilities are planned and proposed, and any attempt to analyze impacts to a potential future facility would be speculative. As new or expanded police service facilities become necessary, construction or expansion projects would be subject to their own separate CEQA review to identify and mitigate potential environmental impacts. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact*.

iii. **Schools?**

**Less than Significant Impact:** The Project will not directly generate new students. To address indirect impacts, the Project will be required to pay non-residential impact fees as determined by VUSD. These fees are conclusive mitigation for indirect impacts. Current school facilities can adequately serve the Site without a need for alteration. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact*.

iv. **Parks?**

**Less than Significant Impact:** The changes to the Project do not include any residential units requiring park space. Current park and recreation facilities can adequately serve the Site without needing alteration. Since the proposed Project would contribute its fair share to park facilities and any development fees, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact*.

v. **Other public facilities?**

**Less than Significant Impact:** The proposed Project would be required to pay a development impact fee for Public Facilities as determined by the City of Visalia, including for the civic center, corporation yard, and libraries. Fees for transportation, water, wastewater, and general

government are based on building square footage and will be calculated prior to the issuance of building permits. Fees for groundwater recharge and storm drainage are based on site acreage. While the payment of development fees could result in the construction of new or altered public service facilities, no specific projects have been identified at this time. As new or expanded public service facilities become necessary, construction or expansion projects would be subject to their own separate CEQA review in order to identify and mitigate any potential environmental impacts. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact*.

**XVI.RECREATION**

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

**Environmental Setting**

There are 42 parks and facilities totaling 678 acres within the Visalia Planning Area. The City of Visalia provides diverse types of parks and open space facilities, or park types, to meet the community's park and open space recreation needs. Park types include:

- Pocket Parks: A park typically between one-half and two acres in size intended to serve the needs of a specific neighborhood within a half-mile radius. There are currently 17 pocket parks in Visalia.
- Neighborhood Parks: A park typically 2 to 5 acres in size that provides basic recreation activities for one or more neighborhoods. There are currently 19 neighborhood parks in Visalia.
- Community Parks: A park typically ranging from 5 to 12 acres in size or larger, intended to serve the recreational needs of a larger city area. There are currently four community parks in Visalia.
- Large City Parks: A park generally larger than 40 acres in size intended to serve the recreational needs of all city residents and to create opportunities for contact with the natural environment. These parks may include a concentration of sports fields, golf courses, and areas for picnicking and passive enjoyment of open space. There are currently two large city parks in Visalia.
- Natural Corridors and Greenways: A network of greenways of varying size intended to serve the recreational needs of city residents. These parks may include facilities such as bikeways, walkways, and riding trails, and are primarily developed along the city's waterways. There is a total of 196 acres of natural corridors and greenways.

The Visalia Planning Area additionally contains two county parks and a public golf course. The golf course is not counted to the total amount of parkland. The Visalia General Plan states a total parkland standard of five acres of city parkland per 1,000 residents.

### **Regulatory Setting**

#### **Quimby Act**

The 1975 Quimby Act (California Government Code section 66477) authorized cities and counties to pass ordinances requiring that developers set aside land, donate conservation easements, or pay fees for park improvements. The Act states that the dedication requirement of parkland can be a minimum of three acres per thousand residents or more and up to five acres per thousand residents if the existing ratio is greater than the minimum standard. Revenues generated through in-lieu fees collected and the Quimby Act cannot be used to operate and maintain park facilities. In 1982, the Act was substantially amended. The amendments further defined acceptable uses of or restrictions on Quimby funds, provided acreage/population standards and formulas for determining the exaction, and indicated that the exactions must be closely tied (nexus) to a project's impacts as identified through studies required by the California Environmental Quality Act (CEQA).

#### **City of Visalia General Plan**

The 2030 General Plan includes the policies related to parks and recreation that correlate to the proposed Project:

- PSCU-P-2: Strive to achieve and maintain a citywide standard of at least five acres of neighborhood and community parks per 1,000 residents.
- PSCU-P-7: Promote development of small pocket parks or play lots dispersed throughout new neighborhoods and in existing neighborhoods, where needed, on a voluntary basis in coordination with new infill development, consistent with the following planning guidelines:
  - Size: 0.5 to 2 acres; and
  - Facilities: the specific features of pocket parks should address the anticipated needs of nearby residents and/or workers. In a residential environment, the needs of small children and seniors should be emphasized. In mixed-use or commercial areas, lunchtime use by office workers and shoppers should be facilitated.

### **Discussion**

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

**No Impact:** The changes to the Project will not generate new residents and, therefore, will not directly increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be

accelerated. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in no impact.

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

**No Impact:** The proposed project does not include recreational facilities and would not increase environmental impacts beyond those associated with the proposed project. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in no impact .

## **XVII. TRANSPORTATION**

<b>Would the Project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with the CEQA guidelines Section 15064.3, Subdivision (b)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### **Regulatory Setting**

#### **Senate Bill 743**

Senate Bill 743, signed into law in 2013, significantly changed the way transportation impacts are analyzed under CEQA. As of July 1, 2020, SB 743 requires public agencies to transition from evaluating transportation impacts based on Level of Service (LOS) to Vehicle Miles Traveled (VMT). VMT measures the amount and distance of vehicle travel associated with a project rather than intersection delay or congestion. Under SB 743, a project may have a significant transportation impact if it results in a substantial increase in VMT compared to existing conditions or applicable thresholds. The intent of SB 743 is to align transportation impact analysis with the State's greenhouse gas reduction goals and to encourage infill, mixed-use, and transit-oriented development.

#### **Tulare County Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS)**

The Tulare County Association of Governments (TCAG) adopted its 2022 RTP/SCS to provide a long-range vision for regional growth, mobility, and sustainability. The RTP/SCS integrates transportation investment planning with land use strategies to reduce per capita GHG emissions, consistent with SB 375. It promotes compact development, transit-oriented design, and multimodal transportation options that reduce reliance on single-occupancy vehicles. Projects consistent with the RTP/SCS generally support regional VMT and GHG reduction goals and may be considered less likely to result in significant VMT-related impacts under CEQA.

### **City of Visalia Vehicle Miles Traveled Thresholds and Implementation Guidelines**

To comply with SB 743, the City of Visalia adopted its VMT Thresholds and Implementation Guidelines in 2021, developed by LSA Associates. These guidelines establish local VMT significance thresholds and screening criteria for land use and transportation projects. Projects that fall below certain size or location thresholds, or that are located in low-VMT areas, may be presumed to result in a less than significant impact under CEQA. For projects not screened out, a full VMT analysis is required, and mitigation may include measures such as enhanced transit service, pedestrian/bike infrastructure improvements, TDM programs, and mixed-use development design. The guidelines ensure consistency in how VMT is measured and mitigated within the City's jurisdiction.

### **City of Visalia 2030 General Plan Land Use Element**

The 2030 General Plan includes the policies related to Transportation that correlate to the proposed project:

- T-P-3: Design and build future roadways that complement and enhance the existing network, as shown on the General Plan Circulation Diagram, to ensure that each new and existing roadway continues to function as intended.
- T-P-4: Where feasible, space traffic signals no closer than one-quarter mile along two way arterials except in unusual circumstances. The intersections of arterial and collector streets and access driveways to major traffic generators that are signalized shall be located so as to maintain this spacing.
- T-P-5: Take advantage of opportunities to consolidate driveways, access points, and curb cuts along existing arterials when a change in development or a change in intensity occurs or when traffic operation or safety warrants.
- T-P-9: Maintain acceptable levels of service for all modes and facilities, as established in General Plan Tables 4-1, Intersection Level of Service Definitions and 4-2, Level of Service Criteria for Roadway Segments.
- T-P-11: Update the City of Visalia Engineering and Street Design Standards to ensure that roadway and streetscape design specifications are in accordance with the Complete Streets concept and other policies in the General Plan. *Updated design standards must allow flexibility to accommodate retrofitting streets with limited right-of-way. In order to accommodate all travel modes, adjustments may be made to median, travel lane, and bike lane widths; alternate bikeway routes on parallel facilities may also be considered.*
- T-P-12: Require or provide adequate traffic safety measures on all new and existing roadways. *These measures may include, but shall not be limited to: appropriate levels of maintenance, proper street design, traffic control devices, street lights, and coordination with school districts to provided school crossing signs and protection.*
- T-P-23: Require that all new developments provide right-of-way, which may be dedicated or purchased, and improvements (including necessary grading, installation

of curbs, gutters, sidewalks, parkway/landscape strips, bike and parking lanes) other city street design standards. Design standards will be updated following General Plan adoption. *Developments must also dedicate or sell necessary rights-of-way when subdivision or development of property adjacent to Circulation Element streets is proposed.*

- T-P-26: Require that future commercial developments or modifications to existing developments be designed with limited points of automobile ingress and egress, including shared access, onto major streets.
- T-P-29: Require, where possible, that arterials and collectors form four-leg, right-angle intersections. Jogged, offset, and skewed intersections at major streets in near proximity shall be avoided, where possible.
- T-P-30: Give high priority to public transportation systems that are responsive to the needs of commuters, the elderly, persons with disabilities, the youth, and low income citizens. Continue to work with transit providers to expand services to these populations and to underserved areas of the City.
- T-P-39: Develop bikeways consistent with the Visalia Bikeway Plan and the General Plan's Circulation Element.
  - Provide Class I bikeways (right-of-ways for bicyclists and pedestrians separated from vehicles) along the St. Johns River, Cameron Creek, Packwood Creek, Mill Creek, Modoc Ditch, the Santa Fe Railroad right-of-way and the San Joaquin Railroad right-of-way;
  - Provide Class II bikeways (striped bike lanes) along selected collector and arterial streets; and
  - Provide Class (shared-use bike routes) along selected local, collector, and arterial III bikeways streets.
  - New bikeway segments should be designed to fit together with existing bikeways to create a comprehensive, safe system including scenic routes for recreational use.
- T-P-41: Integrate the bicycle transportation system into new development and infill redevelopment. Development shall provide short term bicycle parking and long term bicycle storage facilities, such as bicycle racks, stocks, and rental bicycle lockers. Development also shall provide safe and convenient bicycle and pedestrian access to high activity land uses such as schools, parks, shopping, employment, and entertainment centers.

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

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

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

- (2) Transportation Projects. Transportation Projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity Projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, a lead agency may tier from that analysis as provided in Section 15152.
- (3) Qualitative Analysis. If existing models or methods are not available to estimate the vehicle miles traveled for the particular Project being considered, a lead agency may analyze the Project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many Projects, a qualitative analysis of construction traffic may be appropriate.
- (4) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a Project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a Project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the Project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

### **Discussion**

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

**Less than Significant with Mitigation:** The Kelsey-Hurley Industrial Park Project would generate an increase in vehicle and truck trips due to its proposed industrial and commercial uses. This increase in traffic has the potential to impact the surrounding circulation system, including local roads, intersections, transit routes, and existing or planned bicycle and pedestrian infrastructure. The Project also proposes off-site improvements to surrounding roadways, which must be evaluated for consistency with the City of Visalia General Plan Circulation Element, street standards, and active transportation policies.

A Traffic Impact Study is being prepared for the Environmental Impact Report (EIR) and will assess potential conflicts with adopted transportation plans, identify necessary improvements, and recommend mitigation measures. As such, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant impact with mitigation*.

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

**Less than Significant with Mitigation:** Under CEQA Guidelines Section 15064.3(b), transportation impacts must be evaluated based on Vehicle Miles Traveled (VMT) rather than level of service (LOS). The Project proposes significant industrial and commercial development, which may result in high employee and freight-related travel demand. This increase in VMT could be inconsistent with thresholds established by the City of Visalia, Tulare County Association of Governments (TCAG), or Office of Planning and Research (OPR) guidelines for VMT reduction.

A VMT Assessment is being prepared in conjunction with the Traffic Study for inclusion in the EIR, which will evaluate whether the Project would result in a significant transportation impact under CEQA based on VMT generation and consistency with local thresholds. As such, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant impact with mitigation*.

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

**Less than Significant with Mitigation:** The Project proposes new internal circulation infrastructure and upgrades to surrounding streets, including Hurley Avenue, Road 88, and Kelsey Street. These design changes must accommodate large trucks, increased vehicle traffic, and potential pedestrian and bicycle movements. If not properly designed, new or modified intersections, driveways, or circulation features may introduce hazards or conflicts with existing traffic patterns. The Project area also borders agricultural land, raising potential concerns about interactions with farm equipment or rural road configurations.

The Traffic Impact Study being prepared for the EIR will assess geometric design features and potential traffic hazards, including turning movements, sight distance, and circulation design. As such, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact with Mitigation*.

**d) Would the Project result in inadequate emergency access?**

**Less than Significant with Mitigation:** The scale of development and the proposed network of new roads and access points within the Kelsey-Hurley Industrial Park may affect emergency response routes and access times. Additionally, increased traffic volumes and potential congestion at key intersections could impact emergency vehicle movement. Emergency access requirements must be evaluated in coordination with the City of Visalia Fire Department and other emergency response agencies.

The Traffic Impact Study and EIR will evaluate emergency access in detail, including turning radii, driveway spacing, and access point design to ensure compliance with fire and safety regulations. As such, the information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant Impact with Mitigation*.

**XVIII. TRIBAL CULTURAL RESOURCES**

<b>Would the Project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a Site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision(c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

Of the main groups inhabiting the Tulare County area, the Southern Valley Yokuts occupied the largest territory. The Yokuts numbered about 25,000 and were clustered into about fifty independent local subtribes. Historians believe approximately 22 villages stretched from Stockton northerly to the Tehachapi Mountains southerly, although most were concentrated around Tulare Lake, Kaweah River, and its tributaries. As a result, numerous cultural resource sites have been identified in Tulare County.

**Cultural Resources Record Search and Native American Consultation**

A Sacred Lands File search was requested from the Native American Heritage Commission (NAHC), and the results are pending. However, this does not rule out the presence of cultural resources, and consultation with local tribes was recommended.

**Tribal Consultation**

The AB 52 process has not been completed prior to the release of this document. The draft EIR will contain AB 52 results.

**Regulatory Setting**

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

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

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

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

**Native American Reserve (NAR):** This designation recognizes tribal trust and reservation lands managed by a Native American Tribe under the United States Department of the Interior’s

Bureau of Indian Affairs over which the County has no land use jurisdiction. The County encourages the adoption of tribal management plans for these areas that consider compatibility and impacts upon adjacent area facilities and plans.

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

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

**Assembly Bill 52 (AB 52) – Tribal Consultation Requirements:** Assembly Bill 52, established a new category of environmental resources under CEQA known as Tribal Cultural Resources (TCRs). AB 52 also expanded the process for consulting with California Native American tribes during CEQA review and mandated early tribal consultation for certain types of projects.

Under AB 52, a lead agency must notify any California Native American tribe that has previously requested notification of projects within the agency's jurisdiction. The notification must be provided within 14 days of determining that a project application is complete or a decision is made to undertake a project. Tribes have 30 days from receipt of the notification to request formal consultation.

Tribal Cultural Resources are defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe that are either:

- Listed or eligible for listing in the California Register of Historical Resources; or
- Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or
- Determined by the lead agency, in its discretion and supported by substantial evidence, to be significant to a California Native American tribe.

Through consultation, the lead agency and the requesting tribe evaluate whether the project may have a significant impact on TCRs and, if so, identify feasible mitigation measures to avoid or minimize that impact. Mitigation measures agreed upon through consultation may include avoidance, preservation in place, or other culturally appropriate actions.

If consultation is not requested or if consultation concludes without agreement, the lead agency must still consider whether the project may cause a significant impact to Tribal Cultural Resources under CEQA, and must include appropriate mitigation if such impacts are identified.

AB 52 is intended to foster early and meaningful dialogue between lead agencies and tribes to protect cultural heritage and ensure that tribal knowledge informs project planning and environmental review.

**City of Visalia General Plan:** The City of Visalia General Plan includes the following goals and policies pertaining to Tribal Cultural Resources:

- OSC-O-11: Preserve and protect historic features and archaeological resources of the Visalia planning area including its agricultural surrounding for aesthetic, scientific, educational and cultural values.
- OSC-P-42: Establish requirements to avoid potential impacts to sites suspected of being archeologically, paleontologically, or historically significant or of concern, by:
  - Requiring a records review for development proposed in areas that are considered archaeologically or paleontologically sensitive;
  - Determining the potential effects of development and construction on archaeological or paleontological resources (as required by CEQA);
  - Requiring pre-construction surveys and monitoring during any ground disturbance for all development in areas of historical and archaeological sensitivity (defined as areas identified according to the National Historic Preservation Act as part of the Section 106 process); and
  - Implementing appropriate measures to avoid the identified impacts, as conditions of project approval.

*In the event that previously unidentified historical, archaeological, or paleontological resources are discovered during construction, grading activity in the immediate area shall cease and materials and their surroundings shall not be altered or collected. A qualified archaeologist or paleontologist must make an immediate evaluation and avoidance measures or appropriate mitigation should be completed, according to CEQA Guidelines. The State Office of Historic Preservation has issued recommendations for the preparation of Archaeological Resource Management Reports that will be used as guidelines.*

## **Discussion**

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

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

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

**Less than Significant Impact with Mitigation:** A Sacred Lands File search was requested by the Native American Heritage Commission (NAHC) for the Project and results are pending. However, in accordance with Assembly Bill (AB) 52, the City of Visalia—as the lead agency—has initiated formal notification and consultation with tribes traditionally affiliated with the area. As of the time of drafting, consultation is still ongoing, and no determination has yet been made regarding the presence or significance of any tribal cultural resources.

Under AB 52, a tribal cultural resource may be considered significant even if it is not formally listed in the California Register or a local historic register, so long as it holds cultural value to a California Native American tribe and meets criteria under Public Resources Code Section 5024.1(c). Until tribal consultation is complete and the results are analyzed, the potential exists for the Project to cause a substantial adverse change in the significance of a tribal cultural resource. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Less than Significant impact with mitigation*.

**XIX. UTILITIES AND SERVICE SYSTEMS**

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

**Environmental Setting****Wastewater**

Sewer services will be provided to the Site by the City of Visalia. The City owns a Water Conservation Plant (WCP) to treat wastewater. The WCP's permitted capacity, as established by the Regional Water Quality Control Board (RWQCB), is 20 million gallons per day (mgd). A planned upgrade will increase the capacity to 26 mgd. The WCP currently has a daily flow of 13 mgd. The City of Visalia operates a sewer system divided into eight service areas. The system currently has over 468 miles of sewer pipe.

**Solid Waste**

The City of Visalia provides residential waste pickup but has contracts with companies for other aspects. Sunset Waste Systems collects waste for commercial uses and processes recyclable material—Tulare County Compost and Biomass processes green waste.

The Tulare County Resource Management Agency manages solid waste disposal. Programs include household hazardous waste disposal, electronics recycling, tire recovery, yard waste recycling, metal recycling, and appliance recovery programs. The county landfills approximately 300,000 tons of waste annually, equivalent to about 5 pounds per person per day or one ton per county resident yearly. The County operates three disposal sites: the Visalia Disposal Site, northwest of Visalia, and the Woodville Disposal Site, southeast of Tulare. These sites have a remaining capacity of 23,115,774 cubic yards, totaling 30,555,116 cubic yards.

**Water**

The California Water Service Company (Cal Water) distributes groundwater supply. Cal Water's Visalia District supply wells extract groundwater from the Kaweah Groundwater Subbasin. The Cal Water 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. The system includes two elevated 300,000-gallon storage tanks, an ion exchange treatment plant, four granular activated carbon filter plants, and one nitrate blending facility.

The system can pump 100,829 acre-feet per year (AFY), all from groundwater. This will be able to supply a growing population, in 2010, 31,762 AF was needed. By 2030, the City is expected to use 43,002 AFY.

**Stormwater**

Stormwater from the Project Site will be managed through an on-site drainage system designed to comply with City of Visalia Engineering Standards and the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activities. The Project includes the construction of new paved surfaces, rooftops, and roadways, which will increase impervious area and require stormwater detention and treatment infrastructure to manage runoff and prevent downstream impacts.

A stormwater detention basin will be constructed on Parcel 10 on the southernmost point of the site to provide flood control, detention, and sedimentation treatment prior to stormwater discharge. In addition, bioswales and landscaped infiltration areas will be integrated throughout the industrial park to facilitate natural filtration and infiltration of runoff. These facilities will be designed to accommodate runoff from both on-site surfaces and any redirected off-site flow, consistent with City requirements.

As required under Mitigation Measure HYD-2, the applicant will prepare a Storm Water Pollution Prevention Plan prior to construction, which will identify erosion control measures and best management practices to minimize pollutant discharge during grading and building activities.

The SWPPP will be submitted to the State Water Resources Control Board for coverage under the NPDES Construction General Permit. Permanent post-construction BMPs will be incorporated to address long-term water quality objectives.

The overall drainage design will ensure that post-development stormwater flows do not exceed pre-development conditions, and that potential impacts to downstream properties and waterways are avoided through effective management, detention, and water quality treatment.

### **Regulatory Setting**

#### **CalRecycle**

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

#### **Central Valley RWQCB**

The Central Valley RWQCB requires a Stormwater Pollution Prevention Plan (SWPPP) for projects disturbing more than one acre of total land area. Because the project is greater than one acre, a SWPPP to manage stormwater generated during project construction will be required.

The Central Valley RWQCB regulates Wastewater Discharges to Land by establishing thresholds for discharged pollutants and implementing monitoring programs to evaluate program compliance. This program regulates approximately 1500 dischargers in the region.

The Central Valley RWQCB is also responsible for implementing the federal program, the National Pollutant Discharge Elimination System (NPDES). The NPDES Program is the federal permitting program that regulates discharges of pollutants to surface waters of the U.S. Under this program, a NPDES permit is required to discharge pollutants into Waters of the U.S. There are 350 permitted facilities within the Central Valley Region.

#### **Cal Water Urban Water Management Plan (UWMP) – Visalia District**

The UWMP describes the 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.

### **Senate Bill 610 and Senate Bill 221 (Water Supply Assessment and Verification Requirements)**

SB 610 (Water Code § 10910 et seq.) and SB 221 (Government Code § 66473.7) require land use agencies to evaluate whether sufficient water supplies are available to serve large-scale development projects. SB 610 applies to projects requiring an Environmental Impact Report (EIR) under CEQA and mandates the preparation of a Water Supply Assessment (WSA) by the local water provider. SB 221 requires written verification of sufficient long-term water supply for residential subdivisions of more than 500 units before approval. While SB 221 typically applies to residential projects, the water availability principles are relevant to industrial and commercial developments in areas with constrained water supply.

### **Sustainable Groundwater Management Act (SGMA)**

Enacted in 2014, SGMA (Water Code § 10720 et seq.) requires local agencies to develop and implement Groundwater Sustainability Plans (GSPs) for high- and medium-priority groundwater basins, such as the Kaweah Subbasin, which underlies the Visalia area. The law aims to achieve sustainable groundwater management by 2040. Local Groundwater Sustainability Agencies (GSAs) must monitor groundwater use, prevent overdraft, and ensure long-term groundwater reliability. Development projects that rely on groundwater may be subject to review for consistency with the applicable GSP.

### **Assembly Bill 939 (Integrated Waste Management Act of 1989)**

AB 939 requires California cities and counties to divert at least 50% of solid waste from landfills through recycling, composting, and source reduction programs. Each jurisdiction must prepare and implement a Source Reduction and Recycling Element and report annual progress to CalRecycle. Development projects must comply with local waste diversion ordinances and include provisions for construction and operational recycling.

### **Senate Bill 1383 (Short-Lived Climate Pollutants Reduction Strategy)**

SB 1383 mandates statewide targets to reduce organic waste disposal by 75% (from 2014 levels) and recover at least 20% of edible food for human consumption by 2025. The law also requires local jurisdictions to implement mandatory organic waste recycling programs for residents and businesses. Construction projects may be subject to local ordinances that require space allocation for organic waste collection and compliance with organics diversion standards during both construction and long-term operation.

### **City of Visalia General Plan**

The 2030 General Plan includes the objectives and policies related to utilities and service systems that correlate to the proposed project:

- PSCU-O-14: Provide for long-range community water needs by adopting best management practices for water use, conservation, groundwater recharge and wastewater and stormwater management.

- PSCU-P-46: Adopt and implement a Water Efficient Landscaping Ordinance for new and/or refurbished development that exceeds mandated sizes, and ensure that all new City parks, streetscapes, and landscaped areas conform to the Ordinance's requirements. The Ordinance should include provisions to optimize outdoor water use by:
  - Promoting appropriate use of plants and landscaping; Establishing limitations on use of turf including size of turf areas and use of cool season turf such as Fescue grasses, with exceptions for specified uses (e.g., recreation playing fields, golf courses, and parks);
  - Establishing water budgets and penalties for exceeding them;
  - Requiring automatic irrigation systems and schedules, including controllers that incorporate weather-based or other self-adjusting technology;
  - Promoting the use of recycled water; and
  - Minimizing overspray and runoff.
- PSCU-P-59: Require new developments to incorporate floodwater detention basins into Project designs where consistent with the Stormwater Master Plan and the Groundwater Recharge Plan.
- PSCU-P-60: Control urban and stormwater runoff and point and non-point discharge of pollutants. As part of the City's Stormwater Management Program, adopt and implement a Stormwater Management Ordinance to minimize stormwater runoff rates and volumes, control water pollution, and maximize groundwater recharge. New development will be required to include Low Impact Development features that reduce impermeable surface areas and increase infiltration. Such features may include, but are not limited to:
  - Canopy trees or shrubs to absorb rainwater;
  - Grading that lengthens flow paths over permeable surfaces and increases runoff travel time to reduce the peak hour flow rate;
  - Partially removing curbs and gutters from parking areas where appropriate to allow stormwater sheet flow into vegetated areas;
  - Use of permeable paving in parking lots and other areas characterized by significant impervious surfaces;
  - On-Site stormwater detention, use of bioswales and bioretention basins to facilitate infiltration; and
  - Integrated or subsurface water retention facilities to capture rainwater for use in landscape irrigation and other non-potable uses.

### **Discussion**

**a) Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or**

**telecommunications facilities, the construction or relation of which could cause significant environmental effects?**

**Potentially Significant Impact:** The Project will require significant infrastructure improvements, including new water and wastewater connections, an on-site stormwater drainage system with off-site pipeline extensions, and new utility connections for electric power, natural gas, and telecommunications. These improvements may involve trenching, utility relocation, and construction of new infrastructure within or adjacent to the Project site, potentially resulting in temporary and permanent environmental impacts.

Given the size and intensity of the proposed development, the potential environmental effects associated with infrastructure construction and relocation must be evaluated in detail in the Environmental Impact Report (EIR). The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Potentially Significant Impact*.

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

**Potentially Significant Impact:** The Kelsey–Hurley Industrial Park Project would result in a substantial and sustained increase in water demand due to its proposed industrial, commercial, and support uses across a 123-acre site. Water will be required for domestic use, landscape irrigation, and potentially for industrial operations. Given regional water supply challenges, including ongoing drought conditions and requirements under the Sustainable Groundwater Management Act (SGMA), it is essential to determine whether sufficient water supplies are available not only to serve the Project but also to accommodate cumulative growth within the City of Visalia’s service area.

A Water Supply Assessment (WSA) is currently being prepared and will be included with the Project’s Environmental Impact Report (EIR). The WSA will evaluate water demand under normal, dry, and multiple dry year conditions and determine whether existing and planned sources can reliably serve the Project without impairing long-term supply sustainability or affecting other users. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Potentially Significant Impact*.

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

**Potentially Significant Impact:** The Project will connect to the City of Visalia’s existing municipal wastewater system and will generate wastewater from industrial, commercial, and support uses. Depending on the final tenants, wastewater flows could include varying volumes

and concentrations, which must be evaluated for compatibility with existing treatment capacity and system capabilities.

A formal assessment of system capacity and service availability will be conducted and presented in the Environmental Impact Report (EIR). This will include consultation with the City's Public Works Department to confirm whether the wastewater treatment system has adequate capacity to accommodate the Project's demands without impacting service to other users. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Potentially Significant Impact*.

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

**Potentially Significant Impact:** The Project will generate solid waste during both construction and long-term operations, including demolition debris, packaging materials, industrial waste, and commercial refuse. Depending on the types of businesses operating on-site, waste volumes may exceed typical levels and may include materials requiring special handling or diversion from landfills.

The ability of local facilities—including transfer stations and landfills—to accommodate the Project's waste stream in compliance with State solid waste diversion laws (e.g., AB 939 and SB 1383) will be evaluated in the Environmental Impact Report (EIR). The analysis will also assess whether the Project aligns with the City's solid waste management goals and infrastructure capacity. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Potentially Significant Impact*.

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

**No Impact:** The Project will be able to meet the applicable regulations for solid waste. Removing debris from construction will be subject to the City's waste disposal requirements. Therefore, the information contained in the EIR will demonstrate a preliminary assessment that the proposed Project would have *no impact* on solid waste regulations.

**XX. WILDFIRE**

<b>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

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

**Regulatory Setting****City of Visalia General Plan Safety Element**

The City of Visalia's 2025 Safety Element serves as a planning document to protect public health and safety by identifying natural and human-caused hazards and establishing policies for hazard mitigation, response, and resilience. Fire hazards—including both wildland and urban fires—are specifically addressed in Objective S-O-4: Fire Hazards, which outlines strategies to reduce fire risk and improve preparedness.

Although the City of Visalia is not located within a designated State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone (FHSZ), the Safety Element acknowledges that neighboring areas to the east of the city are expected to experience an increasing wildfire risk due to prolonged drought, extreme temperatures, and other climate change-related impacts. These conditions may indirectly affect Visalia through reduced air quality, heightened strain on regional emergency response systems, and the potential for structural fires at the wildland-urban interface. Key policies and strategies from the Safety Element include:

- S-P-22: Manage vegetation in areas within and adjacent to public rights-of-way and in close proximity to critical facilities in order to reduce the risk of tree failure and property damage and avoid creation of wind acceleration corridors within vegetated areas.
- S-P-24: Require that all buildings and suites/units have visible street addressing and signage in accordance with City of Visalia's Addressing Policy
- S-P-25: Working with city water provider, ensure availability of adequate water supplies to meet public health and safety needs, and for resource protection, by maintaining the following order of priority for water use:
  - Potable water supply, fire protection, and domestic use
  - Resource protection and preservation
  - Industrial, irrigation, and commercial uses
  - Water-oriented or water-enhanced recreation
  - Air conditioning

The Safety Element also aligns with California's Climate Adaptation strategies, recognizing that climate change is increasing the frequency and severity of wildfire events across the San Joaquin Valley and surrounding foothill regions. The City supports regional emergency preparedness and participates in Tulare County's Multi-Jurisdictional Local Hazard Mitigation Plan, which further enhances fire response coordination and resource allocation.

Though wildfire risk within the city is currently considered low, Visalia's policy framework emphasizes proactive fire prevention, emergency access planning, and resilience-building to mitigate future threats.

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

### **Discussion**

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

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

**No Impact:** The changes to the Project would not substantially impair an adopted emergency response or evacuation plan. The Visalia Fire Department will review the Project to ensure that the Project does not impair emergency response or evacuation. The proposed Project Site is not located within an SRA or a Very High FHSZ. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in *No Impact*.

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

**No Impact:** The Project is located on a flat agricultural and urban land area with little risk of fire. The proposed Project Site is not located within an SRA or a Very High FHSZ. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in *No Impact*.

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

**No Impact:** The Project's construction involves adding new and relocated utilities. Utilities such as emergency water sources and power lines would be included as part of the proposed development, however, all improvements would be subject to City standards and Fire Chief approval. The proposed Project would not exacerbate fire risk as the information contained in the EIR will demonstrate a preliminary assessment that the project would result in there will be *No Impact*.

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

**No Impact:** The Project Site is not located in an area designated as a Fire Hazard Severity Zone, and lands associated with the Project Site are relatively flat. Therefore, the Project would not be susceptible to downslope, downstream flooding, or landslides due to postfire instability or drainage changes. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in *No Impact*.

## **XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

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

### **Discussion**

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

**Potentially significant impact:** The Project would convert approximately 123 acres of primarily agricultural land to industrial and commercial development. While the site is currently disturbed and lacks significant natural habitat, there is the potential for sensitive biological or

cultural resources to be present below the surface or in remnant habitat features. Impacts to special-status species, native habitat, or unknown cultural or paleontological resources cannot be ruled out without further investigation.

These issues will be analyzed in detail in the Environmental Impact Report (EIR). Based on the scale of ground disturbance and development intensity, the potential for degradation of environmental quality or loss of important natural or cultural resources is considered potentially significant. The information contained in the EIR will demonstrate a preliminary assessment that the project would result in a *Potentially Significant impact*.

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

**Less than Significant Impact:** The Project represents a large-scale industrial and commercial development in Visalia, within a region experiencing ongoing urbanization and agricultural land conversion. While individual impacts may be mitigated, the Project’s contribution to cumulative effects—such as the loss of farmland, increased vehicle emissions, regional traffic congestion, groundwater use, and air quality degradation—must be considered in combination with other past, present, and reasonably foreseeable projects.

The EIR will include a cumulative impact analysis for all relevant resource areas to determine whether the Project’s incremental effects would be cumulatively considerable when assessed alongside regional development trends. The information contained in the EIR will demonstrate that the project may result in a *Less than Significant impact with mitigation*.

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

**Less Than Significant Impact:** The Project may result in environmental effects that could directly or indirectly affect human health or quality of life. These may include exposure to construction-related noise, air emissions (including diesel particulate matter), traffic safety hazards, and potential groundwater or soil contamination. In addition, the Project’s proximity to existing residential neighborhoods raises concerns about compatibility, nuisances, and indirect health risks.

These potential effects will be fully analyzed in the Environmental Impact Report (EIR), including air quality, health risk, traffic safety, and noise impact assessments. The information contained in the EIR will demonstrate that the project may result in a *Less than Significant impact with mitigation*.

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**City of Visalia**

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Visalia, CA 93291

**SECTION 4: List of Preparers**

**Project Title: Kelsey-Hurley Industrial Park**

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**List of Preparers**

**4-Creeks Inc.**

- Joshua McDonnell, Planning Group Director
- Nate Anteenko, Associate Planner

**Persons and Agencies Consulted-To Be Completed**

The following individuals and agencies contributed to this Initial Study:

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- Megan Flight, B.A., Archaeologist