

COUNTY OF TULARE
RESOURCE MANAGEMENT AGENCY



5961 South Mooney Boulevard
Visalia, CA 93277

Initial Study/Negative Declaration

Allensworth Community Plan Update
(SCH #)

March 2026

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

INITIAL STUDY CHECKLIST

- 1. Project Title:** Allensworth Community Plan Update (GPA 25-006 & SPA 25-001)
- 2. Lead Agency:** County of Tulare
Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277
- 3. Contact Persons:** Emily Gage, Planner III, Project Processing Division (Project Planner) – 559-624-7083
Gary Mills, Chief Planner, Environmental Planning Division – 559-624-7199

Project Location: The boundary subject to the Allensworth Community Plan Update generally includes the approximately 5.9 sq. mile area south of Avenue 56, west of State Route 43 and the railroad, north of Avenue 24, and east of the planned California High Speed Rail line. It is approximately 3.6 miles east of the Community of Alpaugh, 7 miles west of the Community of Earlimart, and approximately 6 miles northwest of the City of Delano.

USGS 7.5 Minute Quadrangle(s): Allensworth, Alpaugh, and Delano West

APN(s): All within the proposed Project boundary

PLSS: Sections 4, 5, 8, 9, 15, 16, and 17, Township 24 South, Range 24 East, MDB&M. and Sections 31 and 32 of Township 23 South, Range 24 East, MDB&M.

- 4. Applicant:** County of Tulare
Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277
- 5. Owners:** N/A
- 6. General Plan Designation:** Valley Agricultural (VA) and Mixed Use (MU)
- 7. Zoning:** N/A
- 8. Description of Project:** The Tulare County Board of Supervisors passed Resolution 2022-0342 on April 19, 2022, approving the General Plan Initiation No. GPI 22-001 to authorize the Allensworth Community Plan Update to provide a roadmap for building on the existing cultural, ecological, and social assets of Allensworth to develop a beautiful and climate-resilient rural community that provides a safe place to live, learn, work, play, and prosper and attracts community-minded residents, including families, veterans, and retirees.

The boundary subject to the Allensworth Community Plan Update (General Plan Amendment No. GPA 25-006 and Specific Plan Project No. SPA 25-001) generally includes the approximately 5.9 sq. mile area south of Avenue 56, west of State Route 43 and the railroad, north of Avenue 24, and east of the planned

California High Speed Rail line. The area within the boundary would be subject to the proposed Community Districts to designate particular character areas within Allensworth. The proposed plan's goals and objectives are consistent with the Tulare County General Plan 2030 Update's (2012) Planning Framework Element, Land Use Element, Environmental Resources Management, Open Space Element, Water Resources Element, Transportation and Circulation Element, Healthy and Safety Element, and the Environmental Justice Element.

The UDB Modification proposed through General Plan Amendment No. GPA 25-006 would modify the existing Allensworth Hamlet Development Boundary by adding approximately 2,794 acres to the proposed community Urban Development Boundary to encompass a total of approximately 3,845 acres. The GPA would also change the existing "Valley Agriculture" land use designation of the acreage currently within the RVLP to the "Mixed Use" land use designation. This modification would refine the Tulare County General Plan and increase the probability of receiving grant funding for the community.

The Specific Plan, Project No. SPA 25-001, proposed "Community Districts," which will direct future development in Allensworth. The proposed Community Districts are as follows: Town Center and Future Town Center Area, State Park and State Park Expansion Area, High Value Farm & Garden Area, Allensworth Community Savannah, and Historic Properties District. Each proposed district is defined in the Community Plan and lists consistent General Plan land use designations that will be used to guide future development. **Figure 7**, located in the Land Use and Planning Checklist item below, shows proposed Community Districts.

- 9. Surrounding land uses and setting (Brief description):** The community of Allensworth is located on the east side of the San Joaquin Valley, and is a census-designated places located in the southwest portion of Tulare County. Allensworth encompasses 3.1 square miles of land, just east of Kings County. It is bounded by Avenue 24 in the south, Attocks Avenue in the north, and Road 76 in the west; State Route (SR) 43 runs east of and parallel to the Burlington Northern-Santa Fe Railroad tracks and serves as a physical boundary in the east, however there is no station currently operating. Allensworth is located in Section 05, 08, 09, 15 & 16, Township 24 South, Range 24 East MDB&M, and can be found within the Dinuba West, United States Geological Survey 7.5 minute topographic quadrangle. Allensworth is located at an elevation of 213 feet above sea level. The coordinates of Allensworth are: Latitude 35.8655516 and Longitude 119.384694.

The Pixley National Wildlife Refuge (managed by US Fish & Wildlife Service) was established in 1959 by an executive order to provide wetland habitat for migratory waterfowl and shorebirds. Most of the acreage of Pixley National Wildlife Refuge is located from 3-66 miles north of Allensworth, and "satellite" portions of the Refuge continue in non-contiguous parcels farther north, northwest, east, and southeast.

- 10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):** N/A
- 11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that include, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc?** Pursuant to AB 52 and SB 18, a Sacred Land File request was submitted to the Native American Heritage Commission on June 25, 2025, and was returned with negative results. On June 26, 2025 tribal consultation notices were sent to eight (8) tribal contacts representing five (5) Native American tribes. The County received no responses from the tribes within the ninety (90)-day response time.

Figure 1 Vicinity Map

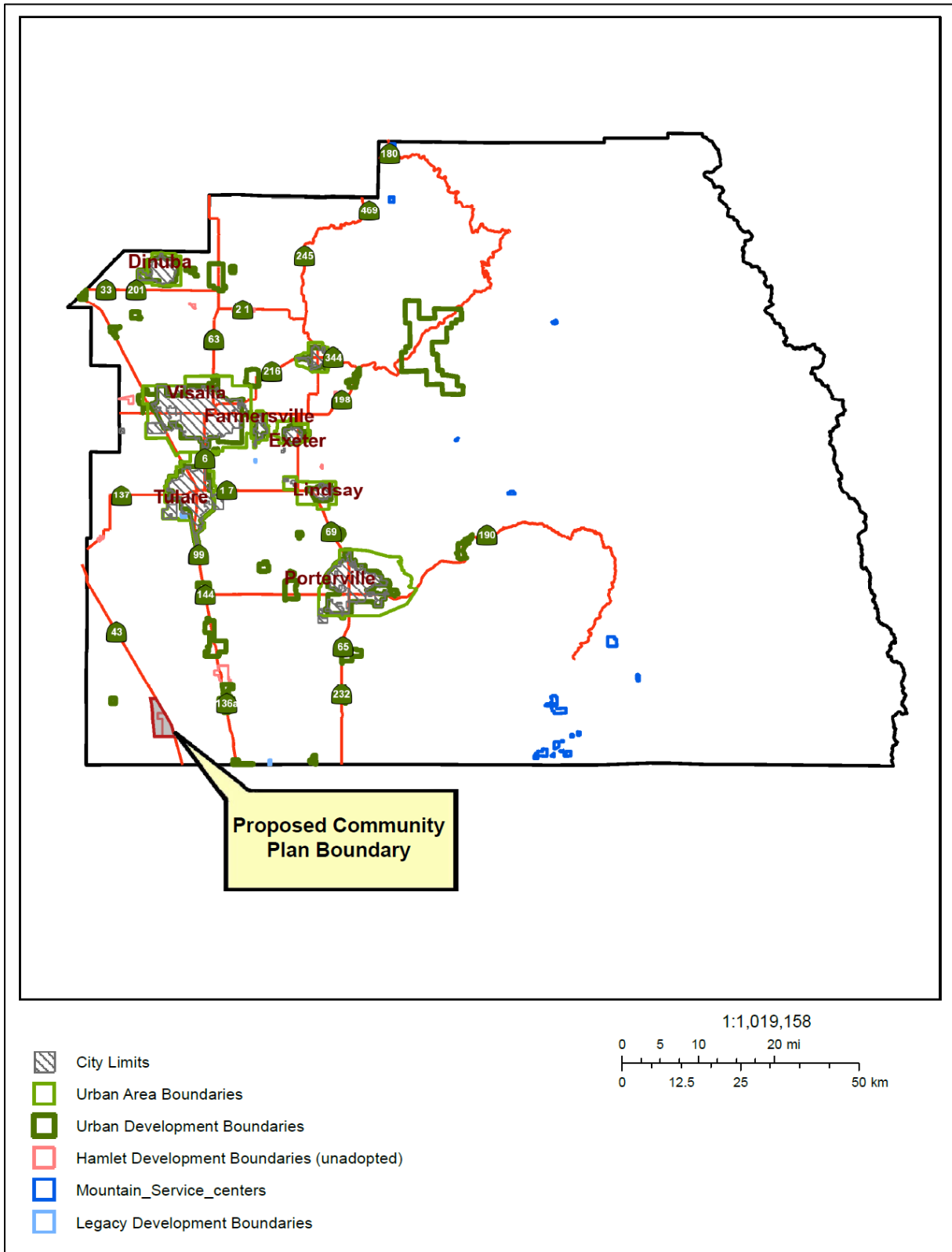


Figure 2 Existing Land Use Designation

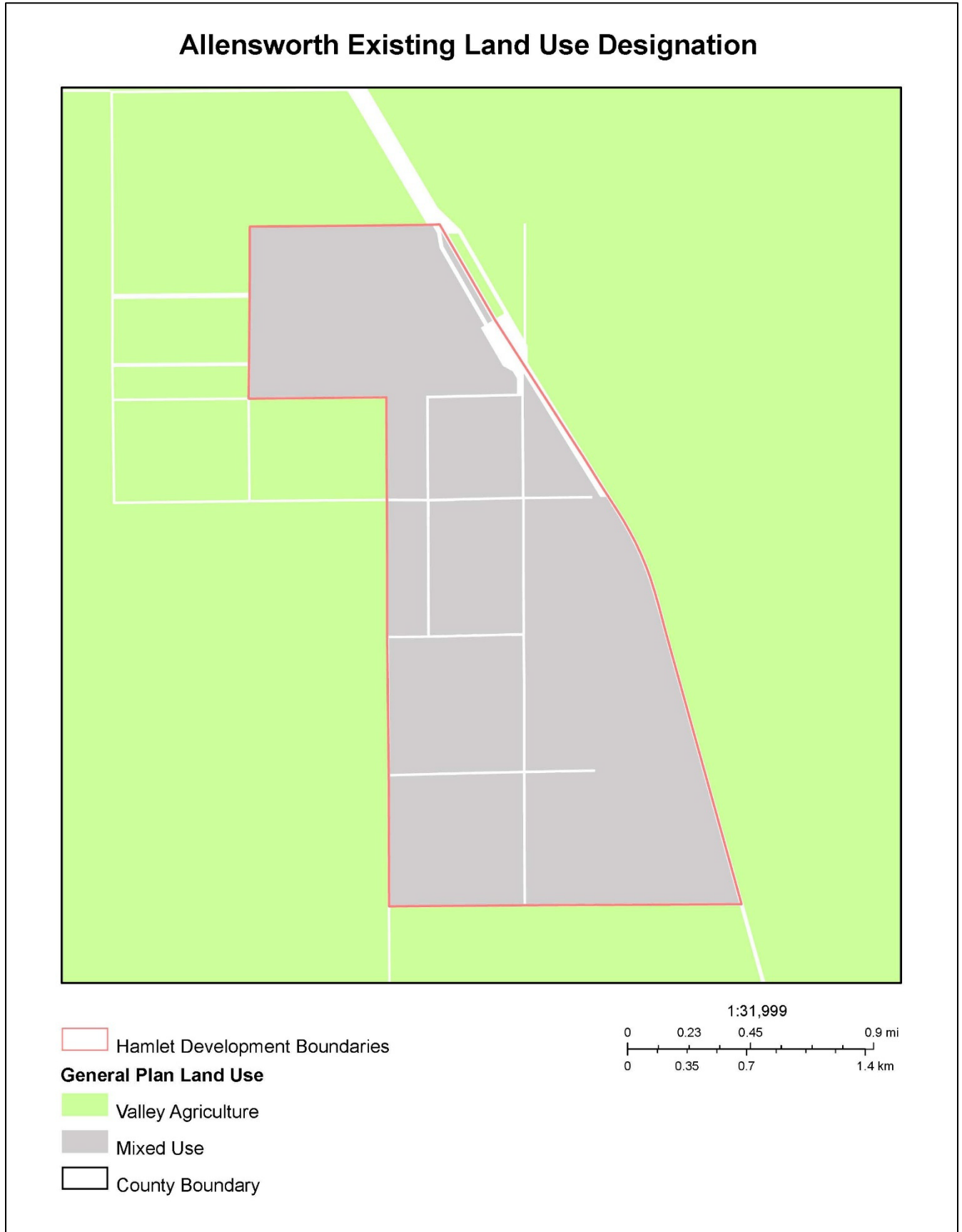
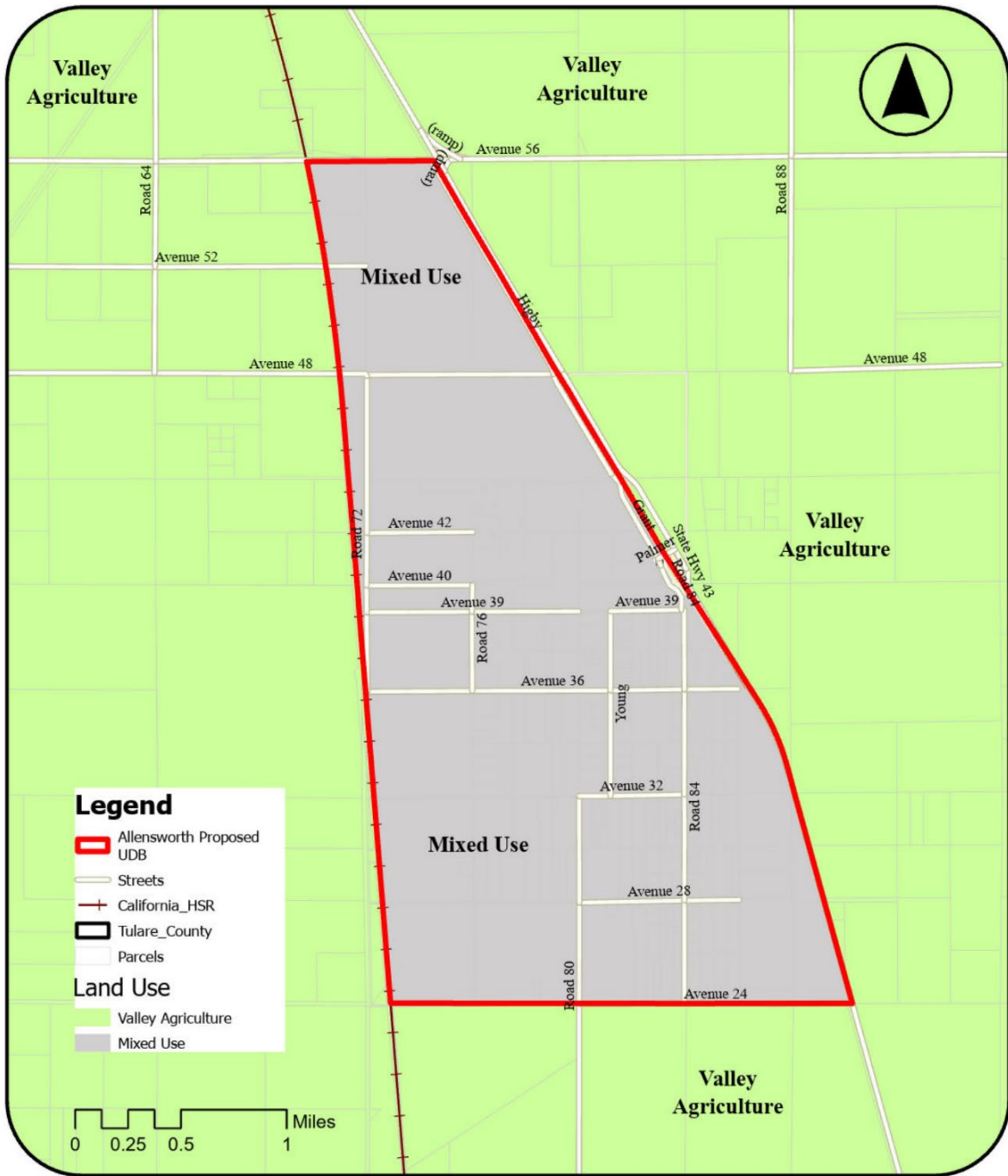


Figure 3 Proposed Land Use Designation



Allensworth Community Proposed Land Use

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Evaluation of Environmental Impacts

- a) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- b) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- c) 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.
- d) “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).
- e) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- f) 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.
- g) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- h) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- i) The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significance.

1. AESTHETICS

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal Agencies and Regulation

State Agencies and Regulation

Creation of Glare or Impacts on Nighttime View

Title 24 Outdoor Lighting Standards indicate, the 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code.¹ Title 24 Outdoor Lighting Standards were adopted by the State of California Energy Commission (Commission) (Title 24, Parts 1 and 6, Building Energy Efficiency Standards (Standards) went into effect on January 1, 2020. The significant changes for outdoor lighting systems in the 2019 update to the Energy Standards include:

- Changes to outdoor lighting power allowances with the allowance values based on LED lighting technologies. Revisions to the general hardscape lighting values in Tables 140.7-A and the specific lighting application values in Table 140.7-B for all Lighting Zones (LZ) – Lighting Zone 1 thru Lighting Zone 4.
- Add separate lighting power allowance values for concrete-surfaced and asphalt-surfaced hardscape lighting application in Table 140.7-A.

¹ California Energy Commission (CEC). Accessed December 2025 at: <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency>

- Add new lighting power allowances for narrow band spectrum light sources used in applications for minimizing outdoor lighting impacts on professional astronomy and nocturnal habitat. (Table 140.7-A)
- Revision and streamlining outdoor lighting control requirements. (§130.2(c))
- Healthcare facilities overseen by the California Office of Statewide Health Planning and Development (OSHPD) have to comply with the Energy Standards including the outdoor lighting requirements for all outdoor areas of healthcare facilities.²

Outdoor Lighting Zones

“The basic premise of the Energy Standards is to base allowable outdoor lighting power on the brightness of the surrounding conditions. The Energy Standards contain lighting power allowances for new lighting installations and specific alterations that are dependent on the lighting zone in which the project is located. Five categories of outdoor lighting zones are defined, and they are LZ0, LZ1, LZ2, LZ3 and LZ4. Lighting zones with lower numbers are darker from LZ0 which is in national parks and other areas intended to be very dark at night to LZ4 for high intensity nighttime use, such as entertainment or commercial districts or areas with special security considerations requiring very high light levels. The eyes adapt to darker surrounding conditions, and less light is required to properly see; when the surrounding conditions get brighter, more light is needed to see.”³

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

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

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

Scenic Highway Program

The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been officially designated. The state laws governing the scenic highways program are found in The Streets and Highways Code Sections 260-263.⁴ In Tulare County, portions of State Routes 180, 190, and 198 are designated as state scenic highways.⁵

² CEC. Outdoor Lighting – Overview. 6.1. Overview. What’s new for the 2019 California Energy Code. Page 6-1 Accessed December 2025 at: [Outdoor Lighting \(ca.gov\)](https://www.energy.ca.gov/energy-standards/outdoor-lighting)

³ Ibid. Outdoor Lighting Zones. 6-4.

⁴ California Department of Transportation (Caltrans). Scenic Highway Program. Frequently Asked Questions. Accessed December 2025 at: [Scenic Highways - Frequently Asked Questions | Caltrans](https://www.caltrans.ca.gov/scenic-highways-frequently-asked-questions)

⁵ County of Tulare. Tulare County General Plan 2030 Update. Goals and Policies Report. Designated Candidate Scenic and County Scenic Routes Figure 7-1. Page 7-5. Accessed December 2025 at: <http://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf>

Local Policy & Regulations

Scenic Landscapes

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

“The scenic landscapes in Tulare County will continue to be one of the County’s most visible assets. The Tulare County General Plan emphasizes the enhancement and preservation of these resources as critical to the future of the County. The County will continue to assess the recreational, tourism, quality of life, and economic benefits that scenic landscapes provide and implement programs that preserve and use this resource to the fullest extent.”⁶

Scenic Roadways

“Tulare County’s existing General Plan identifies State designated scenic highways and County designated eligible highways. There are three highway segments designated as eligible by the State. These include State Route 198 from Visalia to Three Rivers, State Route 190 from Porterville to Ponderosa, and State Route 180 extending through Federal land in the northern portion of Tulare County. State Route 198 closely follows around Lake Kaweah and the Kaweah River, while State Route 190 follows around Lake Success and the Tule River. Both Scenic Highways travel through agricultural areas of the valley floor to the foothills and the Sierra Nevada Range.”⁷

Tulare County General Plan Policies

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

PF-1.6 Appropriate Land Uses by Location: The County shall utilize the Land Use Element and adopted CAC General Plans, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, or Area Plans to designate land uses and intensities that reflect and maintain the appropriate level of urbanized development in each CAC General Plan, Community Plan, Hamlet Plan, Planned Community, Corridor Area, or Area Plan

PR-6.7 Public Outreach: The County shall continue its practice of effective citizen participation and outreach, using a variety of techniques with activities held at different times and days, and with language interpretation as necessary to involve as many people as possible in the outreach.

PF-7.3 Maintaining Planning Consistency: The County shall review and revise all applicable County documents to ensure consistency with the General Plan. The County shall maintain and shall collect a General Plan, Unincorporated Community Plan, and Code Maintenance fee at building permit issuance as established by the Board of Supervisors, to ensure that the resources are available to fund the required updates of the General Plan.

AG-1.14 Right-to-Farm Noticing: The County shall condition discretionary permits for special uses and residential development within or adjacent to agricultural areas upon the recording of a Right-to-Farm Notice (Ordinance Code of Tulare County, Part VII, Chapter 29, Section 07-29-1000 and following) which is an acknowledgment that residents in the area should be prepared to accept the

⁶ Ibid. C. Environment. Environmental Landscapes. Concept 1: Scenic Landscapes. C-1.

⁷ Background Report Tulare County General Plan. Page 11-14. 2010. Accessed December 2025 at: [Tulare County General Plan Background Report](#)

inconveniences and discomfort associated with normal farming activities and that an established agricultural operation shall not be considered a nuisance due to changes in the surrounding area.

LU-1.10 Roadway Access: The County shall require access to public roadways for all new development.

LU-3.1 Residential Developments: The County shall encourage new major residential development to locate near existing infrastructure for employment centers, services, and recreation.

LU-4.1 Neighborhood Commercial Uses: The County shall encourage the development of small neighborhood convenience and grocery facilities to meet the everyday shopping and personal needs of immediately surrounding residential land uses in communities and hamlets.

LU-5.6 Industrial Use Buffer: Unless mitigated, the County shall prohibit new heavy industrial uses to a minimum of 500 feet from schools, hospitals, or populated residential areas (more than 10 dwelling units within a quarter mile diameter area). The buffer area may be used for activities not creating impacts to adjoining sensitive land uses for uses accessories to heavy industrial use. The establishment of a buffer may not be required when mitigated or may not apply to industrial uses that do not impact adjoining uses identified herein. The buffer area shall be landscaped and maintained.

LU-6.1 Public Activity Centers: The County shall encourage the development of centrally located public activity centers that include parks, schools, libraries, and community centers in communities via accessible, multiple modes of travel.

LU-7.1 Distinctive Neighborhoods: The County shall encourage development of diverse and distinctive neighborhoods that build on the patterns of the natural landscape and are responsive in their location and context and to the lifecycle needs of the residents.

LU-7.2 Integrate Natural Features: The County shall emphasize each community's natural features as the visual framework for new development and redevelopment

LU-7.4 Streetscape Continuity: The County shall ensure that streetscape elements (e.g., street signs, trees, and furniture) maintain visual continuity and follow a common image for each community.

LU-7.6 Screening - The County shall require landscaping to adequately screen new industrial uses to minimize visual impacts.

LU-7.8 Building Abatement: The County shall continue its abatement program of assisting private property owners who are looking to remove unsightly trailers, signage, and trash. The County shall also focus on abatement of dilapidated buildings and structures.

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

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

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

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

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

6. Include signage that is compatible and in character with the location and building design

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

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

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

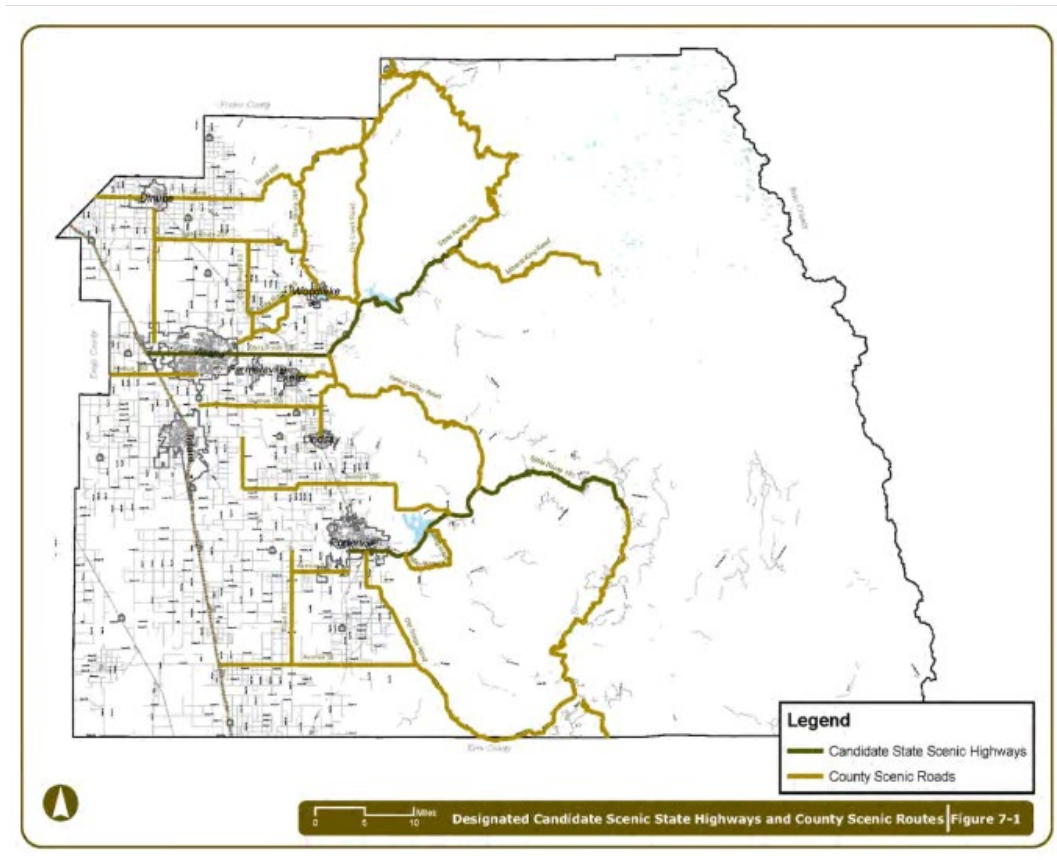
1. Requiring development within existing eligible State scenic highway corridors to adhere to land use and design standards and guidelines required by the State Scenic Highway Program,
2. Supporting and encouraging citizen initiatives working for formal designation of eligible segments of State Highway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

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

ERM-5.19 Night Sky Protection: Upon demonstrated interest by a community, mountain service center, or hamlet, the County will determine the best means by which to protect the visibility of the night sky.

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

Figure 4 Scenic Highways and Tulare County Scenic Routes



Impact Analysis

- Would the project have a substantial adverse effect on a scenic vista?
- Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

For the purposes of this proposed Project, a scenic vista is defined as an area that is designated, signed, and accessible to the public for the purpose of viewing and sightseeing. The Project site is located in the Southwest corner of Tulare County, which is not near any county scenic roads or candidate state scenic highways. Therefore, there would be **no impact** with respect to any scenic vistas and resources in Tulare County.

- In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? In urbanized areas, would the project conflict with applicable zoning and other regulations governing scenic quality?

As a historical site and the site of a State Park, Allensworth is notable for its “rural character,” which is marked by its sparse, flat, landscape and particular, period architecture. The Community has made an intention to protect and preserve this quality through the Allensworth Community Plan Land Use,

Development & Design Review Commission. The Commission is tasked with ensuring that “community character is maintained” and that “the unique visual and community character and natural environment”⁸ are preserved as development comes to the Community. The commission has specific guidelines, which include architectural, landscape, and aesthetic standards.

Nonetheless, there are no developments proposed or authorized by the Community Plan. All future developments would have to comply federal, state, and local standards with respect to aesthetics. As future projects are reviewed on a case by case basis, they would need to prove consistency with the Tulare County General Plane. Therefore, impacts with respect to this checklist item would be ***less than significant***.

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

The Allensworth Community Plan Land Use, Development & Design Review Commission has particular guidelines around light, which state:

“Lighting in any new commercial or multifamily residential development must be Dark Sky Rated; must be shielded and shine downward; and must be limited during nighttime hours to indirect, non-glaring lighting. The International Dark Sky Association Model Ordinance can assist the community to establish lighting standards and guidelines to minimize light pollution, glare, and light trespass.”⁹

Nonetheless, there are no developments proposed or authorized by the Community Plan. All future developments would have to comply with Tulare County General Plan and be consistent with state and local standards regarding aesthetics. Therefore, impacts with respect to this checklist item would be ***less than significant***.

⁸ Allensworth Community Plan. Page 72.

⁹ Ibid.

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agriculture use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources code 12220(g), timberland (as defined in Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land 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 forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulations

Farmland Protection Policy Act (FPPA)

The FPPA is intended to minimize the impact Federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. It assures that to the extent possible federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland. Federal agencies are required to develop and review their policies and procedures to implement the FPPA every two years. The FPPA does not authorize the Federal Government to regulate the use of private or nonfederal land or, in any way, affect the property rights of owners. For the purpose of FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance.

Farmland subject to FPPA requirements does not have to be currently used for cropland. It can be forest land, pastureland, cropland, or other land, but not water or urban built-up land. Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency.¹⁰

US Forest Service

The [U.S. Department of Agriculture](#), U.S. Forest Service is a Federal agency that manages public lands in national forests and grasslands. The Forest Service is also the largest forestry research organization in the world and provides technical and financial assistance to [state and private forestry](#) agencies to protect and manage non-federal forest and associated range and watershed lands. The Forest Service mission is to sustain the health, diversity, and productivity of the nation's forests and grasslands to meet the needs of present and future generations.¹¹

State Agencies & Regulations

California Department of Conservation: Farmland Mapping and Monitoring Program

The California Department of Conservation (DOC), under the Division of Land Resource Protection, has developed the Farmland Mapping and Monitoring Program (FMMP), which monitors the conversion of the state's farmland to and from agricultural use. Data is collected at the county level to produce a series of maps identifying eight land use classifications using a minimum mapping unit of 10 acres. The program also produces a biannual report on the amount of land converted from agricultural to non-agricultural use. The program maintains an inventory of state agricultural land and updates the "Important Farmland Series Maps" every two years (Department of Conservation, 2000).¹²

Williamson Act: California Land Conservation Act of 1965

The California Land Conservation Act (CLCA) of 1965, Sections 51200 et seq. of the California Government Code, commonly referred to as the "Williamson Act", enables local governments to restrict the use of specific parcels of land to agricultural or related open space use. Landowners enter into contracts with participating cities and counties and agree to restrict their land to agriculture or open space use for a minimum of ten years. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market (speculative) value. Local governments receive an annual subvention of forgone property tax revenues from the state via the Open Space Subvention Act of 1971.¹³

California Department of Forestry and Fire Protection (CAL FIRE)

CAL FIRE's mission emphasizes the management and protection of California's natural resources; a goal that is accomplished through ongoing assessment and study of the State's natural resources and an extensive CAL FIRE Resource Management Program. CAL FIRE oversees enforcement of California's forest practice regulations, which guide timber harvesting on private lands. Reviews and inspections ensure protection of watershed and wildlife, as well as renewal of timber resources. Department foresters and

¹⁰ Federal Farmland Protection Act. Accessed December 2025 at: <https://www.ecfr.gov/current/title-7/subtitle-B/chapter-VI/subchapter-F/part-658>

¹¹ U.S. Forest Service, "About Us – Meet the Forest Service". Accessed December 2025 at: <https://www.fs.usda.gov/about-agency/meet-forest-servicehttp://www.fs.fed.us/aboutus/meetfs.shtml>

¹² Tulare County General Plan 2030 Update Background Report. Page 4-12.

¹³ Ibid. 4-13.

fire personnel work closely to encourage and implement fuels management projects to reduce the threat of uncontrolled wildfires. CAL FIRE Foresters promote conservation and the importance of our trees and forests to Californians of all ages.

CAL FIRE manages fourteen Demonstration State Forests which serve as a living laboratory for how to care for California's timberlands for multiple benefits—wood products and timber production, recreation, watershed protection and habitat restoration. Additional forestry programs include Urban and Community Forestry, Cultural Resources Management, Forest Entomology and Pathology, etc.¹⁴

Local Policy & Regulations

Rural Valley Lands Plan

For the unincorporated valley portions of Tulare County, growth is guided by the land use policies in the Rural Valley Lands Plan (RVLP)¹⁵ and Planning Framework Element¹⁶ of the Tulare County General Plan 2030 Update. Tulare County has identified land for urbanization according to four categories: 1) lands in and around incorporated cities, 2) lands in and around unincorporated communities, 3) lands in foothill development corridors, and 4) lands that qualify under the RVLP. The county is legally responsible for the planning and regulation of all lands that fall outside incorporated city limits, even though cities adopt their own general plans for the incorporated area and a portion of surrounding unincorporated area.¹⁷

The RVLP applies to about 773,500 acres of the valley portion of the County, outside the planned Urban Development Boundaries (UDB) and generally below the 600-foot elevation contour line along the foothills of the Sierra Nevada Mountain Range. The purpose of the RVLP is to protect and maintain the agricultural viability of rural valley areas by establishing requirements for exclusive agricultural zoning (containing minimum parcel sizes) appropriate to sustain agriculture and implementing a policy that utilizes resource information to determine the suitability of rural lands for nonagricultural uses. The goal of the RVLP is to "sustain the viability of Tulare County agriculture by restraining division and use of land which is harmful to continued agricultural use." The RVLP utilizes five exclusive agriculture (AE) zones, each requiring a different minimum parcel size (ranging from five to eighty acres). These zones are as follows: AE, AE-10, AE-20, AE-40, and AE-80. The number designation on each zone generally reflects the minimum acres of land needed to productively farm a certain crop at a commercial level.¹⁸

In order to grant an exception for the use of the AE zone on properties that have minimal or no agricultural value, a point system is used to evaluate property suitability. Points are awarded for various factors such as parcel size, available public services, and surrounding land uses. Parcels determined to be more suitable for nonagricultural uses may be zoned (discretionary review required) for urban/suburban uses. Parcels that do not meet the requirements for rezoning are not allowed to rezone and must remain agriculturally zoned. The RVLP point system [is used] to determine whether a site is suitable to rezone from an agricultural zone on the Valley floor to an urban zone. The county shall not allow re-zoning of parcels that accumulate 17 or more points according to the RVLP Development Criteria. If the number of points accumulated is 11 or less, the parcel may be considered for nonagricultural zoning. A parcel receiving 12 to 16 points shall be determined to have fallen within a "gray" area in which no clear cut decision is readily apparent. In such

¹⁴ California Department of Forestry and Fire Protection. About Us. Accessed December 2025 at: <https://www.fire.ca.gov/what-we-do/natural-resource-management>

¹⁵ Tulare County General Plan 2030 Update, Part II – Area Plan Policies. Chapter 1 – Rural Valley Lands Plan

¹⁶ Tulare County General Plan 2030 Update, Part I – Goals and Policies Report. Chapter 2 – Planning Framework

¹⁷ Tulare County General Plan 2030 Update Background Report. Page 3-6.

¹⁸ Ibid. 3-13.

instances, the Planning Commission and Board of Supervisors shall make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by this system.

Tulare County Agricultural Conservation Easement Program

The Tulare County Agricultural Conservation Easement Program (ACEP) was established to allow the use of agricultural easements to reduce or mitigate any significant impacts resulting from the conversion of certain agricultural land to non-agricultural uses. Resolution 2016-0323, adopted by the Tulare County Board of Supervisors on May 3, 2016, requires the use of farmland conservation easements or other farmland conservation mechanisms for projects requiring County discretionary land use entitlements and the conversion of five (5) or more acres of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses.

CRITERIA FOR AN EASEMENT: A "Farmland conservation easement" means for the purposes of this ACEP, an easement over agricultural land for the purpose of restricting its use for the term set forth in this resolution for primarily agricultural and agricultural-compatible uses. Any easement offered or used under this program shall, at a minimum, meet these criteria:

1. Preferably the easement will be located in Tulare County but other suitable land may be encumbered subject to approval by the Board of Supervisors.
2. The easement will include Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.
3. The land placed under the easement must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated.
4. The land placed under the easement must be at a minimum of a one to one (1:1) ratio or its functional equivalent to the loss of defined agricultural lands mitigated.”¹⁹

Tulare County General Plan

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

AG-1.1 Primary Land Use: The County shall maintain agriculture as the primary land use in the valley region of the County, not only in recognition of the economic importance of agriculture, but also in terms of agriculture’s real contribution to the conservation of open space and natural resources.

AG-1.2 Coordination: The County shall coordinate its agricultural policies and programs with State and federal regulations to preserve agricultural lands.

AG-1.3 Williamson Act: The County should promote the use of the California Land Conservation Act (Williamson Act) on all agricultural lands throughout the County located outside established UDBs and HDBs. However, this policy carries with it a caveat that support for the Williamson Act as a tax reduction component is premised on continued funding of the State subvention program that offsets the loss of property taxes.

AG-1.6 Conservation Easements: The County shall consider developing an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including “Important Farmlands”), as defined in this Element. This program may require payment of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for conservation of important agricultural land to non-agricultural use. If available, the ACEP shall be used for replacement lands determined to be of statewide significance (Prime or other Important Farmlands), or sensitive and

¹⁹ Tulare County Agricultural Conservation Easement Program. Pages 6 to 7.

necessary for the preservation of agricultural land, including land that may be a part of a community separator as part of a comprehensive program to establish community separators. The in-lieu fee or other conservation mechanism shall recognize the importance of land value and shall require equivalent mitigation.

AG-1.7 Preservation of Agricultural Lands: The County shall promote the preservation of its agricultural economic base and open space resources through the implementation of resource management programs such as the Williamson Act, Rural Valley Lands Plan, Foothill Growth Management Plan or similar types of strategies and the identification of growth boundaries for all urban areas located in the County

LU-1.8 Encourage Infill Development: 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 Agricultural Lands: The County shall maintain agriculturally-designated areas for agriculture use by directing urban development away from valuable agricultural lands to cities, unincorporated communities, hamlets, and planned community areas where public facilities and infrastructure are available.

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

ERM-5.15 Open Space Preservation: The County shall preserve natural open space resources through the concentration of development in existing communities, use of cluster development techniques, maintaining large lot sizes in agricultural areas, discouraging conversion of lands currently used for agricultural production, limiting development in areas constrained by natural hazards, and encouraging agricultural and ranching interests to maintain natural habitat in open space areas where the terrain or soil is not conducive to agricultural production.

RVLP-1.3 Tulare County Agriculture Zones: In order to protect and maintain the agricultural viability of the valley area, the County shall maintain several exclusive agricultural zones, each containing a different minimum parcel size. The County shall apply such zones to lands located outside adopted UDBs and HDBs, where such boundaries have been adopted, generally below and west of the 600-foot elevation contour line as it occurs in Tulare County, except where otherwise designated by the Land Use Element of the Tulare County General Plan (Part II-Figure 1-1). The County recognizes that there may be unique circumstances under which parcels as small as ten (10) acres in size may be agricultural in nature. The County further recognizes that twenty (20) acre, forty (40) acre, and eighty (80) acre minimum parcel sizes are necessary to maintain and protect the agricultural viability of significant portions of the County. A determination as to the most appropriate minimum parcel size for a particular area shall be made on the basis of factors relevant to the protection and maintenance of existing and/or potential agricultural uses of land including, but not limited to, factors such as existing land use patterns, land capability ratings for agriculture, and the occurrence of agricultural preserves. Nothing herein is intended to prevent the application of exclusive agricultural zones developed pursuant to this policy to lands located outside the above described area.

Impact Analysis

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?**

b) **Would the project conflict with existing zoning for agriculture use, or a Williamson Act contract?**

The Allensworth Community Plan includes an update to the defined urban development boundary that expands its borders further north and west. The expanded boundary incorporates the Colonel Allensworth State Park and stretches out west until the implied border created by the California High Speed Rail. The area of Allensworth specified by the community plan contains no prime or unique farmland, but it does have some land designated as Farmland of Statewide Importance. Located in the southwestern corner of the development area, there are two contiguous pieces of land, altogether containing 554.62 acres distributed over 11 parcels, that fall under this category. As such, future development within those portions will be required to provide farmland conservation easements pursuant to the Tulare County Agricultural Conservation Easement Program (ACEP).

Loss of important farmlands within unincorporated areas of the County which lie outside of Urban Development Boundaries (UDBs) is mitigated by the Rural Valley Lands Plan (RVLP) on a localized level. The RVLP requires projects outside of UDBs to undertake an additional regulatory checklist (evaluation) that results in most projects deemed undevelopable outside the UDB's unless agriculturally related. However, mitigation, in the form of farmland conservation easements, are available for projects outside of UDBs which are deemed unsuitable for developable per the RVLP checklist. The northern and western parts incorporated in the plan but outside of the current UDB of Allensworth are part of the RVLP. But as the Plan is adopted and the UDB of Allensworth is accordingly adjusted, these lands will no longer be subject to the RVLP, and as a result, any development that would take place would not need to be assessed through the respective procedure.

The expanded boundary of the Allensworth development boundary does include lands with Williamson Act contracts. Located in the southern half of the Community, there are approximately 536.09 acres of non-prime land covered by Williamson Act contracts. In addition, there are four parcels of land under contracts that have initiated non-renewals, foretelling eventual non-agricultural land use in the future. These 38.61 acres of land, which are wedged between parcels under contract, are located in southeastern portion of the Community.

The updated Allensworth Community Plan would remain consistent with the policies outlined by the Tulare County General Plan and it does not authorize any new development. The Plan does not involve changes in zoning that would convert Farmland, nor does it facilitate any development that proposes to convert Farmland to non-agricultural use. In addition, the Plan does not present any conflicts with existing zoning for agricultural use or Williamson Act contracts. Impacts would be ***less than significant***.

c) **Would the project conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?**

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

Within the community of Allensworth, there are no zones with forest land, timber land, or timberland zoned Timberland Production. Due to these zones not existing within the planning area, there will be **no impacts** caused by the planning project.

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 forest land to non-forest use?

The community of Allensworth, alongside their history of agriculture, has over 50% of lands zoned as agriculture within their boundaries. The project site and surrounding areas are located in the Valley portion of Tulare County. The project area consists of a variety of land use designations and zoning, including residential, commercial, industrial, public, and agricultural uses. The project area contains no lands zoned or identified as forest land and, as such, will not result in the loss of forest land or conversion of forest land to non-forest use, nor will it involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use. During the 15-year planning period of this Community Plan, the project could result in conversion of farmland to future non-agricultural use (industrial, commercial, and residential). However, the project does not include specific development proposals. Therefore, a **less than significant impact** related to this Checklist Item would occur.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

Regulatory Setting

Federal Agencies & Regulations

At the federal level, the United States Environmental Protection Agency (EPA) has been charged with implementing national air quality programs. The EPA's air quality mandates are drawn primarily from the federal Clean Air Act (CAA). The federal CAA was first signed into law in 1963. Congress substantially amended the federal CAA in 1970, 1977, and 1990.

The EPA deals with global, international, national, and interstate air pollution issues. Their primary role at the state level is one of oversight of state air quality programs. The EPA sets federal standards for vehicle and stationary sources and provides research and guidance in air pollution programs.

The federal CAA required the EPA to set National Ambient Air Quality Standards (NAAQS) for several problem air pollutants on the basis of human health and welfare criteria. Two types of NAAQS have been established: primary standards, which protect public health, and secondary standards, which protect public welfare (e.g., crops, forests, materials, visibility, etc.). Primary NAAQS have been established for the following criteria air pollutants:

- Carbon monoxide (CO)
- Ozone (O3)
- Respirable particulate matter (PM₁₀)
- Fine particulate matter (PM_{2.5})
- Nitrogen dioxide (NO₂)
- Sulfur dioxide (SO₂)
- Lead (Pb)

All of the above, except CO, also have some form of secondary standard. The primary NAAQS standards are intended to protect, within an adequate margin of safety, those persons most susceptible to respiratory

distress, such as people suffering from asthma or other illness, the elderly, very young children, or others engaged in strenuous work or exercise.

The EPA designates areas with air quality not meeting federal standards as “nonattainment.” The federal CAA further classifies nonattainment areas based on the severity of the nonattainment problem, with marginal, moderate, serious, severe, and extreme nonattainment classifications for ozone. Nonattainment classifications for PM range from marginal to serious.

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

In addition to setting health-based standards for air pollutants, the EPA also oversees state and local actions to improve air quality. The following list provides a brief explanation of important regulations set forth by EPA:

Federal Clean Air Act

The Federal Clean Air Act (CAA), adopted in 1970 and amended twice thereafter (including the 1990 amendments), establishes the framework for modern air pollution control. The act directs the Environmental Protection Agency (EPA) to establish ambient air standards, the National Ambient Air Quality Standards (NAAQS) for six pollutants: ozone, carbon monoxide, lead, nitrogen dioxide, particulate matter (less than 10 microns in diameter [PM10] and less than 2.5 microns in diameter [PM2.5]), and sulfur dioxide. The standards are divided into primary and secondary standards; the former are set to protect human health with an adequate margin of safety and the latter to protect environmental values, such as plant and animal life.

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

SIPs are not single documents. They are a compilation of new and previously submitted plans, programs (such as monitoring, modeling, permitting, etc.), district rules, state regulations and federal controls. The California SIP relies on the same core set of control strategies, including emission standards for cars and heavy trucks, fuel regulations and limits on emissions from consumer products. California State law makes the California Air Resources Board (CARB) the lead agency for all purposes related to the SIP. Local air districts and other agencies, such as the Bureau of Automotive Repair and the Department of Pesticide

Regulation, prepare SIP elements and submit them to CARB for review and approval. The CARB forwards SIP revisions to the EPA for approval and publication in the Federal Register.²⁰

Visibility Protection.

One of the goals of the CAA is to protect visibility in Class 1 areas. To implement this goal, the EPA has created Regional Haze Regulations for Protection of Visibility in National Parks and Wilderness Areas.

State Agencies & Regulations

California Clean Air Act

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

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

The air quality attainment plan requirements established by the California CAA are based on the severity of air pollution caused by locally generated emissions. Upwind air pollution control districts are required to establish and implement emission control programs commensurate with the extent of pollutant transport to downwind districts.²¹

Valley Fever

Valley Fever, or coccidioidomycosis, is a pulmonary infection of human and other mammals caused by inhalation of the spores of the fungus *Coccidioides immitis*, which grows in the soil of the Southwestern United States. The fungus is very prevalent in the soils of California's San Joaquin Valley including Tulare County. Transmission of Valley Fever occurs mostly through naturally occurring winds, as well as dust storms blowing "infected" dust (dust containing Valley Fever fungus spores) from the surrounding foothills into cities. *Coccidioides immitis* is most prevalent in undisturbed soils. Since the valley portion of Tulare County is preponderantly disturbed agricultural land, the risk of infection due to developments on agricultural land are considered low. Identification of spores in the soil is very difficult. Most research to identify areas with Valley Fever spores rely on identifying suitable habitat conducive the life cycle of the organism. Exposure to Valley Fever spores can be reduced by the controlling fugitive dust during soil disturbing activities through compliance with SJVAPCD fugitive dust regulations.²²

²⁰ Tulare County General Plan 2030 Update RDEIR, pages 3.3-1 to 3.3-2

²¹ Tulare County General Plan 2030 Update RDEIR, page 3.3-1

²² California Department of Public Health. Epidemiologic Summary of Valley Fever (*Coccidioidomycosis*) in California, 2020-2021. Accessed December 2025 at:

California Air Resources Board

The CARB is responsible for establishing and reviewing the State ambient air quality standards, compiling the California State Implementation Plan (SIP) and securing approval of that plan from the U.S. EPA. As noted previously, federal clean air laws require areas with unhealthy levels of ozone, inhalable particulate matter, carbon monoxide, nitrogen dioxide, and sulfur dioxide to develop SIPs. SIPs are comprehensive plans that describe how an area will attain NAAQS. The 1990 amendments to the Federal CAA set deadlines for attainment based on the severity of an area's air pollution problem. State law makes CARB the lead agency for all purposes related to the SIP. The California SIP is periodically modified by the CARB to reflect the latest emission inventories, planning documents, and rules and regulations of various air basins. The CARB produces a major part of the SIP for pollution sources that are statewide in scope; however, it relies on the local air districts to provide emissions inventory data and additional strategies for sources under their jurisdiction. The SIP consists of the emission standards for vehicular sources and consumer products set by the CARB, and attainment plans adopted by the local air agencies as approved by CARB. The EPA reviews the air quality SIPs to verify conformity with CAA mandates and to ensure that they will achieve air quality goals when implemented. If EPA determines that a SIP is inadequate, it may prepare a Federal Implementation Plan for the nonattainment area, and may impose additional control measures. 3.3 Air Quality Tulare County General Plan 2030 Update 3.3-7 ESA / 207497 Recirculated Draft Environmental Impact Report February 2010 In addition to preparation of the SIP, the CARB also regulates mobile emission sources in California, such as construction equipment, trucks, automobiles, and oversees the activities of air quality management districts and air pollution control districts, which are organized at the county or regional level. The local or regional air districts are primarily responsible for regulating stationary emission sources at industrial and commercial facilities within their jurisdiction and for preparing the air quality plans that are required under the Federal CAA and California CAA. The CARB is the lead agency as identified by AB 32 for determining programs and regulations that will help California reduce its greenhouse gas emissions.²³

Local Policy & Regulations

San Joaquin Valley Air Pollution Control District

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is made up of eight counties in California's Central Valley: San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare and the San Joaquin Valley Air Basin portion of Kern.

The SJVAPCD is primarily responsible for regulating stationary source emissions within Tulare County and preparing the air quality plans (or portions thereof) for its jurisdiction. SJVAPCD's primary approach of implementing local air quality plans occurs through the adoption of specific rules and regulations. Stationary sources within the jurisdiction are regulated by the SJVAPCD's permit authority over such sources and through its review and planning activities. For example, the SJVAPCD adopted its Regulation VIII-Fugitive Dust Control, on October 21, 1993 and amended it on several occasions since then. This regulation consists of a series of emission reduction rules intended to implement the PM10 Maintenance Plan. The PM10 Maintenance Plan emphasizes reducing fugitive dust as a means of achieving attainment of the federal standards for PM10. Regulation VIII specifically addresses the following activities:

- Construction, demolition, excavation, extraction;
- Handling and storage of bulk materials;

²³ California Air Resources Board. Air Quality & Emissions, iADAM: Air Quality Data Statistics, Accessed December 2025 at: <https://www.arb.ca.gov/adam/>.

- Landfill disposal sites;
- Paved and unpaved roads; and,
- Vehicle and/or equipment parking, shipping and receiving, transfer, fueling, and service areas.

The SJVAPCD has limited authority to regulate transportation sources and indirect sources that attract motor vehicle trips.

- SJVAPCD Rule 9510 (Indirect Source Review) requires developers to mitigate project emissions through:
 1. on-site design features that reduce trips and vehicle miles traveled,
 2. controls on other emission sources, and
 3. with reductions obtained through the payment of a mitigation fee used to fund off-site air quality mitigation projects. Rule 9510 requires construction related NOx emission reductions of 20 percent and PM10 reductions of 45 percent. Rule 9510 requires a 33 percent reduction in operational NOx emissions and a 50 percent reduction in PM10. The reductions are calculated by comparing the unmitigated baseline emissions and mitigated emissions from the first year of project operation. The SJVAPCD recommends using the URBEMIS model to quantify project emissions and emission reductions. Rule 9510 was adopted to reduce the impacts of development on SJVAPCD's attainment plans

Other SJVAPCD Rules and Regulations that affect development in Tulare County include:

- SJVAPCD Rule 2201 (New and Modified Stationary Source Review): This rule requires new and modified stationary emission sources to implement best available control technology and to offset emissions exceeding thresholds contained in the rule. The rule implements the federal Title V permitting program for the San Joaquin Valley Air Basin.
- SJVAPCD Rule 4002 – National Environmental Standards for Hazardous Air Pollutants (NESHAPs). The NESHAPs regulation applies primarily to projects involving the demolition of existing structures. If there are asbestos-containing materials (ACM) to be removed from the structures, the removal may be subject to Rule 4002. Project applicants are required to determine if the structures are considered 'regulated facilities' under NESHAP by contacting the SJVAPCD. If there are regulated facilities to be demolished, the facilities must be inspected to determine if any ACM is present. If ACM is present, the project must follow the SJVAPCD requirements, and potentially, Cal-OSHA and Cal-EPA regulations.
- SJVAPCD Rule 4102 (Nuisance): The purpose of this rule is to protect the health and safety of the public, and applies to any source operation that emits or may emit air contaminants or other materials.
- SJVAPCD Rule 4601 (Architectural Coatings): The purpose of this rule is to limit Volatile Organic Compounds (VOC) emissions from architectural coatings. Emissions are reduced by limits on VOC content and providing requirements on coatings storage, cleanup, and labeling.
- SJVAPCD 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. If asphalt paving will be used, then the paving operations will be subject to Rule 4641.
- SJVAPCD Rule 4901 (Woodburning Fireplaces and Woodburning Heaters): The purpose of this rule is to reduce carbon monoxide (CO), and PM10 from the installation and use of wood burning fireplaces (open-hearth fireplace), and wood burning heaters. The rule limits the sale of certain woodburning devices and limits the installation of fireplaces and wood burning heaters per acre. The rule includes a woodburning curtailment program that goes into effect on days with unhealthful air quality. Areas not served by natural gas are exempt from the rule requirements.
- SJVAPCD Rule 9410 (Employer Based Trip Reduction): The purpose of this rule is to reduce vehicle miles traveled by employees that commute to their worksites. The rule applies to employers with

100 employees or more during specified time frames. Employers will be required to implement an Employer Trip Reduction Plan and to prepare commute verification reports on an annual basis.

The SJVAPCD's Governing Board has also recently adopted the 2008 PM2.5 Plan. This plan highlights a variety of measures designed to achieve all the PM2.5 standards - the 1997 federal standards, the 2006 federal standards, and the state standard - as soon as possible.

The district has published a Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) (SJVAPCD, page 1, 2002), an advisory document that provides lead agencies, consultants, and project applicants with uniform procedures for addressing air quality in environmental documents. A major part of the GAMAQI includes a discussion of air quality control measures that are recommended for use in mitigating construction and operation-related impacts. The district has also published Air Quality Guidelines for General Plans (SJVAPCD, page 1-1, 2005), which provides guidance to local officials and staff on developing and implementing local policies and programs to be included in local jurisdictions' general plans.²⁴

Tulare County General Plan

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

AQ-1.3 Cumulative Air Quality: Impacts The County shall require development to be located, designed, and constructed in a manner that would minimize cumulative air quality impacts. Applicants shall be required to propose alternatives as part of the State CEQA process that reduce air emissions and enhance, rather than harm, the environment.

AQ-1.5 California Environmental Quality Act (CEQA) Compliance: The County shall ensure that air quality impacts identified during the CEQA review process are consistently and reasonable mitigated when feasible

AQ-3.3 Street Design: The County shall promote street design that provides an environment which encourages transit use, biking, and pedestrian movements.

AQ-3.4 Landscape: The County shall encourage the use of ecologically based landscape design principles that can improve local air quality by absorbing CO₂, producing oxygen, providing shade that reduces energy required for cooling, and filtering particulates. These principles include, but are not limited to, the incorporation of parks, landscaped medians, and landscaping within development.

AQ-4.2 Dust Suppression Measures: The County shall require developers to implement dust suppression measures during excavation, grading, and site preparation activities consistent with SJVAPCD Regulation VIII – Fugitive Dust Prohibitions. Techniques may include, but are not limited to, the following:

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

²⁴ San Joaquin Valley Unified Air Pollution Control District. Ambient Air Quality Standards & Valley Attainment Status. Accessed August 2025 at: <https://ww2.valleyair.org/air-quality-information/ambient-air-quality-standards-valley-attainment-status/>

²⁵ Tulare County General Plan 2030 Update. Accessed August 2025 at: <http://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf> or <http://generalplan.co.tulare.ca.us/documents.html>

Impact Analysis

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

As noted earlier, the San Joaquin Valley Air Basin (SJVAB) is designated nonattainment of state and federal health-based air quality standards for ozone and PM_{2.5}. The SJVAB is designated nonattainment of state PM₁₀. To meet Federal Clean Air Act (CAA) requirements, the San Joaquin Valley Air Pollution Control District (SJVAPCD or Air District) has adopted multiple Air Quality Attainment Plans, including: 2004 Extreme Ozone Attainment Demonstration Plan; 2007 Ozone Plan; 2007 PM10 Maintenance Plan; 2008 PM2.5 Plan; 2009 RACT SIP; 2012 PM2.5 Plan; 2013 Plan for the Revoked 1-Hour Ozone Standard; 2014 RACT SIP; 2015 Plan for the 1997 PM2.5 Standard; and the 2016 Ozone Plan for the 2008 8-hour Ozone Standard.

A measure of determining if the project is consistent with the AQPs is if the Project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQPs. The SJVAB is in attainment for the federal PM₁₀ standards. Because of the Air Basin's nonattainment status for ozone (state and federal standards), PM_{2.5} (state and federal standards), and PM₁₀ (state standards), if project-generated emissions of either of the ozone precursor pollutants (ROG and NO_x), PM₁₀, or PM_{2.5} would exceed the Air District's significance thresholds and were not included in the AQP's growth forecast, then the project may be considered to conflict with the AQP.

As previously noted, there are no development projects proposed with the Allensworth Community Plan. Future development projects will be subject to additional CEQA review. As future development proposals are received within the Community, each will be evaluated on a case-by-case basis and Tulare County will consult with the Air District on individual projects to determine if screening or modeling (i.e., an ambient air quality analysis) would be required to identify, and if necessary mitigate, potential significant impacts. Therefore, the Plan would not result in an increase in the total amount (i.e., acreage) of land actually developed by the AQP's attainment year. As such, the project would not conflict with the assumptions made in the AQPs. As such, **Less Than Significant Project-specific Impacts** related to this Checklist Item will occur.

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?

The San Joaquin Valley Air Basin, as noted earlier, is designated nonattainment of state and federal health based air quality standards for ozone and PM_{2.5} and designated nonattainment of state standards for PM₁₀. Ozone is a secondary pollutant that is formed in the atmosphere sometimes miles away from the source of emissions through reactions of ROG and NO_x emissions in the presence of sunlight. Hence, a project can contribute to the exceedance of ozone standards not only if it emits ozone, but if it emits the precursors to ozone.

The cumulative air quality analysis prepared for the Project follows guidance from the Air District. In general, to result in a less than significant impact, the following must be true:

1. Emissions analysis: Emissions of nonattainment pollutants must be below the Air District's project level significance thresholds. This is an approach recommended by the Air District in its GAMAQI.
2. Summary of projections: The Project must be consistent with current air quality attainment plans including control measures and regulations. This is an approach consistent with Section 15130(b) of

the CEQA guidelines which identifies the elements necessary for an adequate discussion of cumulative impacts. These two elements are:

- a. A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or
- b. A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulate effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan.
- c. Cumulative health impacts: The Project must result in less than significant cumulative health effects from the nonattainment pollutants.

As previously noted, there are no development projects proposed with the Allensworth Community Plan. Future development projects will be subject to additional CEQA review. As future development proposals are received within the Community, each will be evaluated on a case-by-case basis and Tulare County will consult with the Air District on individual projects to determine if screening or modeling (i.e., an ambient air quality analysis) would be required to identify, and if necessary mitigate, potential significant impacts. As such, the project would not result in a considerable net increase in a criteria pollutant for which the As such, ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.”

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

Sensitive receptors are those individuals who are sensitive to air pollution and include children, the elderly, and persons with pre-existing respiratory or cardiovascular illness. The Air District considers a sensitive receptor to be a location that houses or attracts children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Examples of sensitive receptors include schools, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential dwelling units. In addition to sensitive receptors, the Air District considers potential impacts on worker receptors when evaluating a project’s potential health risks. Worker receptors are those workers that are employed in adjacent or nearby business that can be exposed to emissions during construction and/or operations from another nearby source.

Ambient air quality standards are the levels at which criteria pollutant levels considered safe for the public. The Air District’s GAMAQI contains screening thresholds that were established for determining whether a project could potentially violate AAQS. "When assessing the significance of project-related impacts on air quality, it should be noted that the impacts may be significant when on-site emission increases from construction activities or operational activities exceed the 100 pounds per day screening level of any criteria pollutant after implementation of all enforceable mitigation measures." As such, projects that emit less than 100 pounds per day of criteria pollutants would not result in an ambient air quality standard violation or a significant health risk and would not require an Ambient Air Quality Assessment (AAQA).

The Community Plan Update establishes the planning guidelines for the anticipated growth of the community. As the Community Plan Update planning area is built out, the potential exists for exposure to substantial pollutant concentrations during both construction-related activities and the daily operations of new residential, commercial, industrial, facilities. The Tulare County General Plan includes Policies AQ-1.1 through AQ-1.4, AQ-3.1 through AQ-3.6, LU-1.1 through LU-1.4, and LU-1.8, which were specifically designed to address potential impacts from siting incompatible uses in close proximity to each other. These policies would be implemented for future development projects.

As previously noted, there are no development projects proposed with the Allensworth Community Plan. Future development projects will be subject to additional CEQA review. As future development proposals are received within the Community, each will be evaluated on a case-by-case basis and Tulare County will consult with the Air District on individual projects to determine if screening or modeling (i.e., an ambient air quality analysis) would be required to identify, and if necessary mitigate, potential significant impacts. Accordingly, project-specific impacts would be evaluated at the time of submittal of application for entitlements. Thus, impacts with regards to exposing sensitive receptors to substantial pollutants would be *less than significant*.

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

Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, schools, etc., warrant the closest scrutiny, but consideration should also be given to other land uses where people may congregate, such as recreational facilities, worksites, and commercial areas. Two situations create a potential for odor impact. The first occurs when a new odor source is located near an existing sensitive receptor. The second occurs when a new sensitive receptor locates near an existing source of odor.

According to the Air District's GAMAQI, analysis of potential odor impacts should be conducted for the following two situations:

1. Generators: projects that would potentially generate odorous emissions proposed to locate near existing sensitive receptors or other land uses where people may congregate, and
2. Receivers: residential or other sensitive receptor projects or other projects built for the intent of attracting people locating near existing odor sources.

For a project locating near an existing source of odors, the project should be identified as having a significant odor impact if the project is proposed for a site that is within the distances recommended by the Air District for that source type or, if the existing odor source has received any of the following:

1. More than one confirmed complaint per year averaged over a three-year period, or
2. Three unconfirmed complaints per year averaged over a three-year period.

The Community Plan does not include approval or intentions for creation or expansion of activities that would serve as a potential source of pervasive odor. Additionally, as previously discussed, there are no development projects included in this project. As future development proposals are received within the Community, each will be evaluated on a case-by-case basis and Tulare County will consult with the Air District on individual projects to determine if screening or modeling (i.e., an ambient air quality analysis) would be required to identify, and if necessary mitigate, potential significant impacts. Thus, impacts with regards to other emissions or odors would be *less than significant*.

4. BIOLOGICAL RESOURCES

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input 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, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input 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 direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulations

Federal Endangered Species Act

“The U.S. Fish and Wildlife Service (USFWS) administers the Federal Endangered Species Act (16 USC Section 153 et seq.) and thereby has jurisdiction over federally listed threatened, endangered, and proposed species. Projects that may result in a "take" of a listed species or critical habitat must consult with the USFWS. "Take" is broadly defined as harassment, harm, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collection; any attempt to engage in such conduct; or destruction of habitat that prevents an endangered species from recovering (16 USC 1532, 50 CFR 17.3). Federal agencies that propose, fund, or must issue a permit for a project that may affect a listed species or critical habitat are required to consult with the USFWS under Section 7 of the Federal Endangered Species Act. If it is determined that a federally listed species or critical habitat may be adversely affected by the federal action, the USFWS will issue a "Biological Opinion"

to the federal agency that describes minimization and avoidance measures that must be implemented as part of the federal action. Projects that do not have a federal nexus must apply for a take permit under Section 10 of the Act. Section 10 of the Act requires that the project applicant prepare a habitat conservation plan as part of the permit application (16 USC 1539).”

“Under Section 4 of the Federal Endangered Species Act, a species can be removed, or delisted, from the list of threatened and endangered species. Delisting is a formal action made by the USFWS and is the result of a determined successful recovery of a species. This action requires posts in the federal registry and a public comment period before a final determination is made by the USFWS.”²⁶

Habitat Conservation Plans

“Habitat Conservation Plans (HCPs) are required for a non-federal entity that has requested a take permit of a federal listed species or critical habitat under Section 10 of the Endangered Species Act. HCPs are designed to offset harmful effects of a proposed project on federally listed species. These plans are utilized to achieve long-term biological and regulatory goals. Implementation of HCPs allows development and projects to occur while providing conservation measures that protect federally listed species or their critical habitat and offset the incidental take of a proposed project. HCPs substantially reduce the burden of the Endangered Species Act on small landowners by providing efficient mechanisms for compliance with the ESA, thereby distributing the economic and logistic effects of compliance. A broad range of landowner activities can be legally protected under these plans (County of Tulare, 2010 Background Report, pages 9-6 and 9-7, 2010a). There are generally two types of HCPs, project-specific HCPs which typically protect a few species and have a short duration and multi-species HCPs which typically cover the development of a larger area and have a longer duration.”²⁷

There are six habitat conservation plans and three recovery plans that apply in Tulare County:

1. U.S. Fish and Wildlife’s *Recovery Plan for the California Condor* (1996), in which Tulare County is one of the six counties identified as critical habitat range for the species;²⁸
2. Kern Water Bank Authority’s *Habitat Conservation Plan/Natural Community Conservation Plan* (1997), which applies to an area in Allensworth;²⁹
3. U.S. Fish and Wildlife’s *Recovery Plan for Upland Species in the San Joaquin Valley* (1998), which includes sensitive species in the San Joaquin Valley, several of which may be found in Tulare County;³⁰
4. U.S. Fish and Wildlife’s *Kern and Pixley National Wildlife Refuges Final Comprehensive Conservation Plan* (2005), which guides management of lands to protect and enhance habitat within the Pixley Wildlife Refuge;³¹
5. U.S. Fish and Wildlife’s *Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon* (2005), which includes sensitive species throughout California, many of which may be found in Tulare County;³² and

²⁶ Tulare County 2030 General Plan RDEIR. Page 3.11-1. Accessed August 2025 at: [Tulare County General Plan Recirculated Draft EIR](#)

²⁷ Ibid. 3.11-2.

²⁸ U.S. Fish and Wildlife. *Recovery Plan for the California Condor* (1996). Accessed August 2025 at: https://ecos.fws.gov/docs/recovery_plan/960425.pdf

²⁹ Kern Water Bank Authority. *Habitat Conservation Plan/Natural Community Conservation Plan* (1997). Accessed August 2025 at: <https://www.kwb.org/files/541b3798b/habitat-conservation-plan.pdf>

³⁰ U.S. Fish and Wildlife. *Recovery Plan for Upland Species in the San Joaquin Valley* (1998). Accessed August 2025 at: https://ecos.fws.gov/docs/recovery_plan/980930a.pdf

³¹ U.S. Fish and Wildlife. *Kern and Pixley National Wildlife Refuges Final Comprehensive Conservation Plan* (2005). Accessed August 2025 at: <https://iris.fws.gov/APPS/ServCat/Reference/Profile/1444>

³² U.S. Fish and Wildlife. *Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon* (2005). Accessed August 2025 at: https://ecos.fws.gov/docs/recovery_plan/Vernal%20Pool%20Ecosystem%20Final%20Recovery%20Plan.pdf

6. Pacific Gas and Electric's *PG&E San Joaquin Valley Operation & Maintenance Habitat Conservation Plan* (2006), which applies only to PG&E activities and PG&E-owned facilities, lands, easements throughout the San Joaquin Valley.³³

Of these six plans, the *Recovery Plan for the Upland Species in the San Joaquin Valley*, *Habitat Conservation Plan/Natural Community Conservation Plan* and *Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon* apply to the Project area. In addition, Allensworth is located in close proximity to the Pixley National Wildlife Refuge.

Migratory Bird Treaty and Bald and Golden Eagle Protection Act

"The Migratory Bird Treaty Act (MBTA, 16 USC Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668) protect certain species of birds from direct "take". The MBTA protects migrant bird species from take by setting hunting limits and seasons and protecting occupied nests and eggs. The Bald and Golden Eagle Protection Act (16 USC Sections 668-668d) prohibits the take or commerce of any part of Bald and Golden Eagles. The USFWS administers both acts, and reviews federal agency actions that may affect species protected by the acts."³⁴

Clean Water Act - Section 404

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

"Wet areas that are not regulated by this Act do not have a hydrologic link to other waters of the U.S., either through surface or subsurface flow and include ditches that drain uplands, swales or other erosional features. The USACE has the authority to issue a permit for any discharge, fill, or dredge of wetlands on a case-by-case basis, or by a general permit. General permits are handled through a Nationwide Permit (NWP) process. These permits allow specific activities that generally create minimal environmental effects. Projects that qualify under the NWP program must fulfill several general and specific conditions under each applicable NWP. If a proposed project cannot meet the conditions of each applicable NWP, an individual permit would likely be required from the USACE."³⁵

State Agencies & Regulations

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

"The California Department of Fish and [Wildlife] ([CDFW]) regulates the modification of the bed, bank, or channel of a waterway under Sections 1601-1607 of the California Fish and Game Code. Also included are modifications that divert, obstruct, or change the natural flow of a waterway. Any party who proposes an activity that may modify a feature regulated by the Fish and Game Code must notify [CDFW] before project

³³ Pacific Gas and Electric. *PG&E San Joaquin Valley Operation & Maintenance Habitat Conservation Plan* (2006). Accessed August 2025 at: https://ecos.fws.gov/docs/plan_documents/thcp/thcp_838.pdf

³⁴ Tulare County 2030 General Plan RDEIR. Op Cit. 3.11-3

³⁵ Ibid. 3.11-1

construction. [CDFW] will then decide whether to enter into a Streambed Alteration Agreement with the project applicant either under Section 1601 (for public entities) or Section 1603 (for private entities) of the Fish and Game Code.”³⁶

California Native Plant Society

The California Native Plant Society (CNPS) is a statewide non-profit organization of amateurs and professionals with a common interest in California's native plants. “The mission of the CNPS Rare Plant Program (The Program) is to develop current, accurate information on the distribution, ecology, and conservation status of California's rare and endangered plants, and to use this information to promote science-based plant conservation in California. The Program, since its inception in 1968, has developed a reputation for scientific accuracy and integrity. The Program’s data are widely accepted as the standard for information on the rarity and endangerment status of the California flora. For this reason, The Program’s primary responsibility is the maintenance of the CNPS *Inventory of Rare and Endangered Plants of California* (the CNPS Inventory), which tracks the conservation status of hundreds of plant species.”³⁷

California Endangered Species Act

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

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

“All State lead agencies must consult with [CDFW] under the California Endangered Species Act when a proposed project may affect State-listed species. [CDFW] would determine if a project under review would jeopardize or result in taking of a State-listed species, or destroy or adversely modify its essential habitat, also known as a "jeopardy finding" (Fish and Game Code Sec. 2090). For projects where [CDFW] has made a jeopardy finding, [CDFW] must specify reasonable and prudent alternatives to the proposed project to the State lead agency (Fish and Game Code Sec. 2090 et seq.).”³⁸

Natural Communities Conservation Planning Act

“The Natural Communities Conservation Planning Act allows a process for developing natural community conservation plans (NCCPs) under [CDFW] direction. NCCPs allow for regional protection of wildlife diversity, while allowing compatible development. [CDFW] may permit takings of State-listed species whose

³⁶ Ibid. 3.11-3

³⁷ California Native Plant Society, Rare Plant Program. Website: <http://www.cnps.org/cnps/rareplants/>. Accessed December 2025.

³⁸ Tulare County 2030 General Plan RDEIR. Op Cit. 3.11-3

conservation and management are provided in a NCCP, once a NCCP is prepared (Fish and Game Code Secs. 2800 et seq.).”³⁹

Federally and State-Protected Lands

“Ownership of California’s wildlands is divided primarily between federal, state, and private entities. State-owned land is managed under the leadership of the Departments of Fish and [Wildlife] ([CDFW]), Parks and Recreation, and Forestry and Fire Protection (CDF [now CAL FIRE]). Tulare County has protected lands in the form of wildlife refuges, national parks, and other lands that have large limitations on appropriate land uses. Some areas are created to protect special status species and their ecosystems.”⁴⁰

Porter-Cologne Water Quality Control Act

“The Porter-Cologne Water Quality Control Act regulates the discharge of waste into waters of the State. The Regional Water Quality Control Board (RWQCB) administers this regulation. Water Code Section 13260 requires “any person discharging, or proposing to discharge waste, within any region that could affect the waters of the State to file a report of discharge.” A report of waste discharge (“RWD”) is essentially an application for waste discharge requirements (“WDRs”). WDRs contain conditions imposed on a given discharge by the appropriate RWQCBs for the purpose of protecting the beneficial uses of the waters of the State. Upon receipt of a RWD, the RWQCB may issue WDRs imposing conditions on the proposed discharge, or it may waive the requirement for WDRs.”⁴¹

California Wetlands Conservation Policy

“The California Wetlands Conservation Policy’s goal is to establish a policy framework and strategy that will ensure no overall net loss and achieve a long-term net gain in the quantity, quality, and permanence of wetlands acreage and values in California. Additionally, the policy aims to reduce procedural complexity in the administration of State and federal wetlands conservation programs and to encourage partnerships with a primary focus on landowner incentive programs and cooperative planning efforts. These objectives are achieved through three policy means: statewide policy initiatives, three geographically based regional strategies in which wetland programs can be implemented, and creation of interagency wetlands task force to direct and coordinate administration and implementation of the policy. Leading agencies include the Resources Agency and the California Environmental Protection Agency (Cal/EPA) in cooperation with Business, Transportation and Housing Agency, Department of [Food] and Agriculture, Trade and Commerce Agency, Governor’s Office of Planning and Research, Department of Fish and [Wildlife], Department of Water Resources, and the State Water Resources Control Board.”⁴²

Birds of Prey

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

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

This includes any construction disturbance which could lead to nest abandonment, which is considered a “taking” by the CDFW.

³⁹ Ibid. 3.11-4

⁴⁰ Ibid. 3.11-4.

⁴¹ Ibid. 3.11-4.

⁴² Ibid. 3.11-4.

Local Policy & Regulations

Tulare County General Plan Policies

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

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

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

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

ERM-1.5 Riparian Management Plans and Mining Reclamation Plans: The County shall require mining reclamation plans and other management plans to include measures that protect, maintain, and restore riparian resources and habitats.

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

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

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

ERM-1.9 Coordination of Management on Adjacent Lands: The County shall work with other government land management agencies (such as the Bureau of Land Management, US Forest Service, National Park Service) to preserve and protect biological resources, including those within and adjacent to designated critical habitat, reserves, preserves, and other protected lands, while maintaining the ability to utilize and enjoy the natural resources in the County.

ERM-1.10 Appropriate Access for Recreation: The County shall encourage appropriate access to resource-managed lands

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

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

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

ERM-2.7 Minimize Adverse Impacts: The County will minimize the adverse effects on environmental features such as water quality and quantity, air quality, flood plains, geophysical characteristics, biotic, archaeological, and aesthetic factors.

ERM-5.8 Watercourse Development: The County, in approving recreational facilities along major watercourses, shall require a buffer of at least 100 feet from the high-water line edge/bank and screening vegetation as necessary to address land use compatibility issues. The establishment of a buffer may not be required when mitigated or may not apply to industrial uses that do not impact adjoining uses identified herein.

According to maps provided by the California Natural Diversity Data base, there are 9 special status species whose habitats/occurrences intersect with the expanded urban development boundary of Allensworth. They are the Tipton Kangaroo Rat (*Dipodomys nitratoide nitratoide*), San Joaquin Kit Fox (*Vulpes macrotis mutica*), Nelson’s Antelope Squirrel (*Ammospermophilus nelson*), Blunt-Nosed Leopard Lizard (*Gambelia Sila*), Western Spadefoot (*Spea Hammondii*), Burrowing Owl (*Athene cunicularia*), American Badger (*Taxidea taxus*), Kern Mallow (*Eremalche kernensis*), San Joaquin Pocket Mouse (*Perognathus inornatus*).

Tipton Kangaroo Rat	<i>Dipodomys nitratoide nitratoide</i>	FE, CE	Occupies underground burrows in valley saltbush scrub and valley sink scrub habitats in the southern San Joaquin Valley.
San Joaquin Kit Fox (SJKF)	<i>Vulpes macrotis mutica</i>	FE, CT	Frequents desert alkali scrub and annual grasslands and may forage in adjacent agricultural habitats. Utilizes enlarged (6 to 10 inches in diameter) ground squirrel burrows as denning habitat.
Nelson’s Antelope Squirrel	<i>Ammospermophilus nelson</i>	CT	Occurs in the San Joaquin Valley in broken terrain with small gullies and washes. Suitable habitats include widely spaced alkali scrub and annual grassland.
Blunt-Nosed Leopard Lizard (BNLL)	<i>Gambelia sila</i>	FE, CE, CFP	Occurs in semiarid grasslands, alkali flats, and washes. Avoids densely vegetated areas. Inhabits the San Joaquin Valley and adjacent valleys and foothills north to southern Merced County.
Western Spadefoot	<i>Spea hammondii</i>	CSC	Mainly occurs in grasslands of San Joaquin Valley. Vernal pools or other temporary wetlands are required for breeding. Aestivates in underground refugia such as rodent burrows, typically within 1,200 ft. of aquatic habitat.
Burrowing Owl	<i>Athene cunicularia</i>	CSC	Frequents open, dry annual or perennial grasslands, deserts, and scrublands characterized by low growing vegetation. Dependent upon burrowing mammals, most notably the California ground squirrel, for nest burrows.
American Badger	<i>Taxidea taxus</i>	CSC	Uncommon resident statewide; most abundant in drier open stages of most shrub, forest, and herbaceous habitats.
Kern Mallow	<i>Eremalche kernensis</i>	FE	Occurs in arid flats, hillsides, as well as San Joaquin grassland and saltbush scrub.
San Joaquin Pocket Mouse	<i>Perognathus inornatus</i>	CT	Occurs in grassland, semi-desert, and desert of San Joaquin Valley.

Impact Analysis

- 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 and Game or U.S. Fish and Wildlife Service?**

The Allensworth UDB encompasses land with some agricultural production, open space, and limited development clustered around a centralized corridor. It is also home to the Allensworth State Park as well as in close proximity to the Pixley National Wildlife Refuge. Nine special status species, including one plant species, 1 reptile species, 1 amphibious species, 1 bird, and 5 mammals have habitats located within the expanded UDB. In addition, the eastern portion of Allensworth is immediately adjacent to land designated as critical habitat for the vernal pool fairy shrimp.

CDFW recommends focused habitat assessments and protocol-level surveys by a qualified biologist prior to construction to determine presence/absence of each special-status species with potential to occur. Survey timing should follow established protocols (e.g., Swainson's Hawk Technical Advisory Committee 2000 guidelines; USFWS 2003 CTS protocol; 2012 Staff Report on Burrowing Owl Mitigation; 2023 CDFW Crotch's Bumble Bee survey considerations). If surveys confirm presence, avoidance and minimization measures will be implemented, including seasonal work windows, preconstruction clearance surveys, biological monitoring, and establishment of no-disturbance buffers (e.g., 0.5-mile buffer for active Swainson's hawk nests, adjusted only in consultation with CDFW).

If the survey determines that avoidance is not feasible, the applicant will seek incidental take authorization under the California Endangered Species Act (Fish & G. Code § 2081(b)) and, where applicable, the federal Endangered Species Act, and will implement compensatory mitigation consistent with agency requirements (e.g., habitat preservation/restoration at approved ratios).

There are no specific developments proposed or authorized as part of this Project Plan. All future development in the Community would be subject to the County's development review process, which includes site-specific analysis if development is proposed on lands including special status species. All future development would be required to demonstrate compliance with applicable federal, state, and local regulations aimed at protecting biological resources, including those in the County's General Plan. Future developments with potential to significantly impact any items on this checklist will mitigate their impacts through mitigation measures. Consequently, implementation of the proposed project would not conflict with any local policies or ordinances protecting biological resources, and ***less than significant impacts*** would occur with project implementation

- 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 U.S. Fish and Wildlife Service?**

"...[T]he USFWS often designates areas of "critical habitat" when it lists species as threatened or endangered. Critical habitat is a specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. Designated critical habitat is absent from the proposed Plan. However, critical habitat for the vernal pool fairy shrimp occurs on the Pixley National Wildlife Refuge, directly adjacent to the eastern border of the Allensworth development boundary.

“Natural communities of special concern are those that are of limited distribution, distinguished by significant biological diversity, home to special status species, etc. CDFW is responsible for the classification and mapping of all natural communities in California. Natural communities are assigned state and global ranks according to their degree of imperilment. Any natural community with a state rank of 3 or lower (on a 1-5 scale) is considered of special concern. Examples of natural communities of special concern in the vicinity of the PPSA include vernal pools.

There are no specific developments proposed or authorized as part of this Project Plan. All future development in the Community would be subject to the County’s development review process, which includes site-specific analysis if development is proposed on lands including sensitive natural communities. All future development would be required to demonstrate compliance with applicable federal, state, and local regulations aimed at protecting biological resources, including those in the County’s General Plan. Future developments with potential to significantly impact any items on this checklist will mitigate their impacts through mitigation measures. Consequently, implementation of the proposed project would not conflict with any local policies or ordinances protecting biological resources, and *less than significant impacts* would occur with project implementation.

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 direct removal, filling, hydrological interruption, or other means?

The Allensworth development boundary encompasses and is adjacent to vernal pools, which are seasonal wetlands that emerge and recede with precipitation and evaporation. Vernal pools constitute areas of conservation emphasis and are considered terrestrial significant for the survival and reproduction of key species of concern. In particular, the vernal pools in and around Allensworth are considered a critical habitat for vernal pool fairy shrimp, which are listed as Federally Threatened.

There are no specific developments proposed or authorized as part of this Project Plan. All future development in the Community would be subject to the County’s development review process, which includes site-specific analysis if development is proposed on lands including wetlands. All future development would be required to demonstrate compliance with applicable federal, state, and local regulations aimed at protecting biological resources, including those in the County’s General Plan. Future developments with potential to significantly impact any items on this checklist will mitigate their impacts through mitigation measures. Consequently, implementation of the proposed project would not conflict with any local policies or ordinances protecting biological resources, and *less than significant impacts* would occur with project implementation.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The Plan site incorporates open space, agricultural land, rural residences, and associated infrastructure. No natural streams, wetlands, or native habitat corridors occur on-site. Hence, there are now migratory fish or aquatic creatures that the plan potentially impedes with. In addition, the relative lack of trees means that the prevalence of birds nests is low, and future development is less likely to interfere with nesting.

There are no specific developments proposed or authorized as part of this Project Plan. All future development in the Community would be subject to the County’s development review process, which includes site-specific analysis if development is proposed on lands including wildlife corridors. All future development would be required to demonstrate compliance with applicable federal, state, and

local regulations aimed at protecting biological resources, including those in the County's General Plan. Future developments with potential to significantly impact any items on this checklist will mitigate their impacts through mitigation measures. Consequently, implementation of the proposed project would not conflict with any local policies or ordinances protecting biological resources, and ***less than significant impacts*** would occur with project implementation

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

The Plan site is located in unincorporated Tulare County. Tulare County does not have a tree preservation ordinance or other adopted local policy specifically regulating the removal of individual native trees on private property outside designated scenic or conservation areas. The County's General Plan includes policies to protect sensitive biological resources and habitats, including riparian areas, wetlands, and special-status species habitat, and to require avoidance or mitigation where feasible. Though the site is home to and adjacent to vernal pools, and there are potentially sensitive natural communities in the vicinity, it does not contain riparian habitats, and no locally protected native trees or heritage trees.

There are no specific developments proposed or authorized as part of this Project Plan. All future development in the Community would be subject to the County's development review process, which includes site-specific analysis if development is proposed on lands including sensitive natural communities, special status species, wetlands, wildlife corridors, or timberland preserves. All future development would be required to demonstrate compliance with applicable federal, state, and local regulations aimed at protecting biological resources, including those in the County's General Plan. Future developments with potential to significantly impact any items on this checklist will mitigate their impacts through mitigation measures. Consequently, implementation of the proposed project would not conflict with any local policies or ordinances protecting biological resources, and ***less than significant impacts*** would occur with project implementation

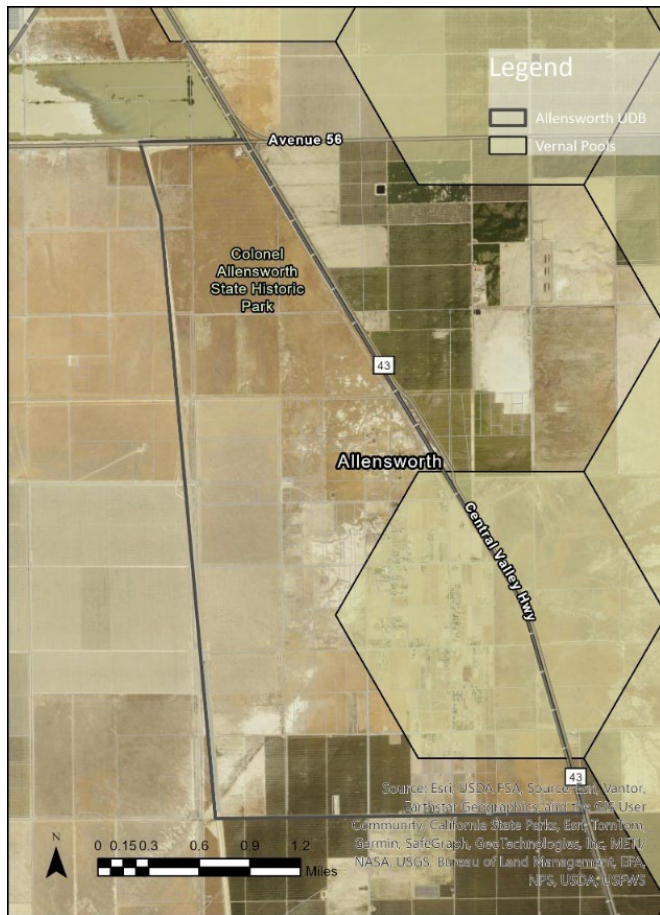
f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

As mentioned earlier, there are three habitat conservation plans that are relevant to the area proposed in the Allensworth Community Plan. They are:

1. *Recovery Plan for the Upland Species in the San Joaquin Valley*
 - a. The Kern Mallow, Tipton Kangaroo Rat, Blunt Nosed Leopard Lizard, San Joaquin Kit Fox, and the San Joaquin Antelope Squirrel are all mentioned in the report.
2. *Habitat Conservation Plan/Natural Community Conservation Plan*
3. *Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon*

There are no specific developments proposed or authorized as part of this Project Plan. All future development in the Community would be subject to the County's development review process, which includes site-specific analysis if development threatens to conflict with an approved conservation plan. All future development would be required to demonstrate compliance with applicable federal, state, and local regulations aimed at protecting biological resources, including those in the County's General Plan. Future developments with potential to significantly impact any items on this checklist will mitigate their impacts through mitigation measures. Consequently, implementation of the proposed project would not conflict with any local policies or ordinances protecting biological resources, and ***less than significant impacts*** would occur with project implementation

Figure 5 Vernal Pools in Allensworth



5. CULTURAL RESOURCES

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulations

National Historic Preservation Act (NHPA) and National Environmental Policy Act (NEPA)

“The majority of applicable federal regulations concerning cultural resources have been established to comply with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) of 1966, as amended (Public Law 102-575). The NHPA established guidelines to "preserve important historic, cultural, and natural aspects of our national heritage, and to maintain, wherever possible, an environment that supports diversity and a variety of individual choice." The NHPA includes regulations specifically for federal land-holding agencies, but also includes regulations (Section 106) which pertain to all projects that are funded, permitted, or approved by any federal agency and which have the potential to affect cultural resources. All projects that are subject to NEPA are also subject to compliance with Section 106 of the NHPA and the NEPA requirements concerning cultural resources. Provisions of NHPA establish a National Register of Historic Places (The National Register) maintained by the National Park Service, the Advisory Councils on Historic Preservation, State Historic Preservation Offices, and grants-in-aid programs.”⁴³

American Indian Religious Freedom Act and Native American Graves and Repatriation

“The American Indian Religious Freedom Act recognizes that Native American religious practices, sacred sites, and sacred objects have not been properly protected under other statutes. It establishes, as national policy, that traditional practices and beliefs, sites (including right of access), and the use of sacred objects shall be protected and preserved. Additionally, Native American remains on federal lands are protected by the Native American Graves and Repatriation Act of 1990.”⁴⁴

Secretary of the Interior’s Standards

⁴³ Tulare County 2030 General Plan RDEIR. Page 3.12-1. Accessed August 2025 at: [Tulare County General Plan Recirculated Draft EIR](#)

⁴⁴ Ibid. 3.12-2.

“The Secretary of the Interior is responsible for establishing professional standards and providing guidance related to the preservation and protection of all cultural resources listed in, or eligible for, listing in the National Register of Historic Places. The Secretary of the Interior’s Standards for the Treatment of Historic Properties apply to all grant-in-aid projects assisted through the National Historic Preservation Fund, and are intended to be applied to a wide variety of resource types, including buildings, structures, sites, objects, and districts. The treatment standards, developed in 1992, were codified as 36 CFR 68 entitled, “The Secretary of the Interior’s Standards for Historic Preservation Projects.” The standards address four treatments:

- Preservation focuses on the maintenance and repair of existing historic materials and retention of a property’s form as it has evolved over time (protection and treatment are also considered under this treatment).
- Rehabilitation as a treatment focuses on the repair and replacement of deteriorated features; when alterations or additions to the property are planned for a new or continued use; and when a depiction of a property at a particular point in time is not appropriate.
- Restoration is the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time through the removal of features from other periods in its history and reconstruction of missing features from the reconstruction period.
- Reconstruction addresses those aspects of treatment necessary to re-create an entire nonsurviving building with new material.”⁴⁵

Certified Local Government Program (CLG)

“The Certified Local Government (CLG) Program is a national program designed to encourage the direct participation of a local government in the identification, registration, and preservation of historic properties located within the jurisdiction of the local government. A local government may become a CLG by developing and implementing a local historic preservation program based on federal and State standards.

The CLG program encourages the preservation of cultural resources by promoting a partnership among local governments, the State of California, and the National Park Service (NPS). Becoming a CLG can provide local staff and commissions with the tools, technical training, and more meaningful leadership roles in the preservation of a community’s cultural heritage. Local interests and concerns are integrated into the official planning and decision-making processes at the earliest possible opportunity.

According to a list provided by the California Office of Historic Preservation dated June 4, 2009, Tulare County is not a Certified Local Government.”⁴⁶

Other Federal Legislation

Historic preservation legislation was initiated by the Antiquities Act of 1966, which aimed to protect important historic and archaeological sites. It established a system of permits for conducting archaeological studies on federal land, as well as setting penalties for noncompliance. This permit process controls the disturbance of archaeological sites on federal land. New permits are currently issued under the Archeological Resources Protection Act (ARPA) of 1979. The purpose of ARPA is to enhance preservation and protection of archaeological resources on public and Native American lands. The Historic Sites Act of 1935 declared that it is national policy to "preserve for public use historic sites, buildings, and objects of national significance.”⁴⁷

⁴⁵ Ibid. 3.12-2.

⁴⁶ Ibid. 3.12-3.

⁴⁷ Ibid. 3.12-4.

State Agencies & Regulations

California Environmental Quality Act (CEQA)

Section 15064.5 of the CEQA Guidelines requires that lead agencies determine whether projects may have a significant effect on archaeological and historical resources. This determination applies to those resources which meet significance criteria qualifying them as a “unique archaeological resources” or a “historically or culturally significant resource”. Although not the sole consideration, if the resource is listed on the California Register of Historical Resources (CRHR), or is eligible for listing on the CRHR, it is presumed be historically significant resource. If the agency determines that a project may have a significant effect on a significant resource, the project is determined to have a significant effect on the environment, and these effects must be addressed. If an archaeological or historical resource is found not to be significant or unique under the qualifying criteria, it need not be considered further in the planning process.

CEQA emphasizes avoidance of archaeological and historical resources as the preferred strategy of reducing potential significant environmental effects resulting from projects. If avoidance is not feasible, an excavation program or some other form of mitigation must be developed to mitigate the impacts. In order to adequately address the level of potential impacts, and thereby design appropriate mitigation measures, the significance and nature of the cultural resources must be determined. The three phases of cultural resource studies under CEQA are:

1. Phase I – Inventory of Cultural Resources. At this point, the following is completed: records search through the Regional Archaeological Information Center, field survey, and a written report of findings. It is also recommended that consultation with the Native American Heritage Commission be conducted.
2. Phase II – Evaluation of Cultural Resources. The purpose of this phase is to determine if a cultural resource is significant. If the resource is not significant according to the criteria outlined in Section 15064.5 of the California Environmental Quality Act, there will be no significant environmental effect, requiring no additional work. If the resource is significant, then impacts to the resource must be mitigated.
3. Phase III – Treatment of Impacted, Significant Cultural Resources. If Phases I and II (inventory and evaluation) determine that no significant cultural resources are present within the project area, then no further work is needed. A Negative Declaration can be issued for cultural resources.

If significant resources are identified, there are several ways to treat and mitigate impacts to these resources, including: avoidance; site capping (in those instances where avoidance is not feasible, it is often possible to cover burials or other important discoveries with a protective layer of earth or other material); creation of conservation easements; and/or data recovery.

Section 15064.5 of the CEQA Guidelines states: “Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings shall be considered as mitigated to a level of less than a significant impact on the historical resource.”⁴⁸

Native American Consultation

“Senate Bill 18 (SB 18) requires local governments to consult directly with Native American tribes before making certain planning decisions and to provide notice to tribes at certain key points in the planning

⁴⁸ Ibid. 3.12-3

process. The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual sitespecific, project-level, land use designations are made by a local government. The consultation requirements of SB 18 apply to general plan or specific plan processes proposed on or after March 1, 2005. The following are the contact and notification responsibilities of local governments:

Prior to the adoption or any amendment of a general plan or specific plan, a local government must notify the appropriate tribes (on the contact list maintained by the Native American Heritage Commission [NAHC]) of the opportunity to conduct consultations for the purpose of preserving, or mitigating impacts to, cultural places located on land within the local government’s jurisdiction that is affected by the proposed plan adoption or amendment. Tribes have 90 days from the date on which they receive notification to request consultation, unless a shorter timeframe has been agreed to by the tribe (Government Code §65352.3).

Local government must send a notice of a public hearing, at least 10 days prior to the hearing, to tribes who have filed a written request for such notice (Government Code §65092).

Recent consultation with the NAHC, as part of the County’s current update to its General Plan, indicated the presence of cultural places within the Tulare County Planning Area, including the Tulare side of the Williamson, Whitney, Kaweah, and Triple Divide peaks. While the specific locations of these or other cultural places in the County are confidential in nature, a copy of all correspondence with the NAHC and Native American representatives is on file with the County.”⁴⁹

State Laws Pertaining to Human Remains

“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. 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 is within the jurisdiction of the Native American Heritage Commission.”⁵⁰

Local Policy & Regulations

Tulare County General Plan:

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

ERM-6.1 Evaluation of Cultural and Archaeological Resources: The County shall participate in and support efforts to identify its significant cultural and archaeological resources using appropriate State and Federal standards.

ERM-6.2 Protection of Resources with Potential State or Federal Designations: The County shall protect cultural and archaeological sites with demonstrated potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation’s California Points of Interest and California Inventory of Historic Resources. Such sites may be of Statewide or local significance and have anthropological, cultural, military, political, architectural,

⁴⁹ Ibid. 3.12-4.

⁵⁰ Ibid. 3.12-5.

economic, scientific, religious, or other values as determined by a qualified archaeological professional.

ERM-6.3 Alteration of Sites with Identified Cultural Resources: When planning any development or alteration of a site with identified cultural or archaeological resources, consideration should be given to ways of protecting the resources. Development can be permitted in these areas only after a site specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and mitigation measures proposed for any impacts the development may have on the resource.

ERM-6.4 Mitigation: If preservation of cultural resources is not feasible, every effort shall be made to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records

ERM-6.6 Historic Structures and Sites: The County shall support public and private efforts to preserve, rehabilitate, and continue the use of historic structures, sites, and parks. Where applicable, preservation efforts shall conform to the current Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.

ERM-6.7 Cooperation of Property Owners: The County should encourage the cooperation of property owners to treat cultural resources as assets rather than liabilities, and encourage public support for the preservation of these resources.

ERM-6.8 Solicit Input from Local Native Americans: The County shall continue to solicit input from the local Native American communities in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance.

ERM-6.9 Confidentiality of Archaeological Sites: The County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts.

ERM-6.10 Grading Cultural Resources Sites: The County shall ensure all grading activities conform to the County's Grading Ordinance and California Code of Regulations, Title 20, § 2501 et. seq.

FGMP-7.1 Information on Historical Sites: The County may require the developer to provide information at time of application submittal regarding any historical site and/or building that occupies the project area that is worthy of historical preservation.

FGMP-7.2 Information on Archaeological Sensitive Areas: The County may require the developer to provide information at time of application submittal regarding possible archeological sites if a project is located in proximity to archeological sensitive areas such as hilltops, buttes, watercourses, etc.

FGMP-7.3 Protection of Historical or Archaeological Sites: The County shall protect significant historical or archaeological sites, such as the one located on Rocky Hill, from development through maintenance of the site in open space. This policy shall not preclude development on adjacent property even though such property may be under the same ownership as the site to be protected

Impact Analysis

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

A historical resource is defined in Section 15064.5(a) of the CEQA Guidelines as a resource listed in or eligible for listing in the California Register of Historical Resources (CRHR); a resource included in a local register of historical resources; or any object, building, structure, site, area, place, record or

manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California. Allensworth has received both national and state standing as a cultural resource. Allensworth Historic District (National Register #72000263) contains thirty seven contributing buildings on 60 acres in the San Joaquin Valley. Colonel Allensworth State Historic Park is a 240 acre public park containing what remains of the original townsite of Allensworth and an adjacent agricultural buffer. The park contains twenty-one historic buildings and three historic building sites. Buildings in the park have been, or are planned to be, restored or reconstructed to a 1908-1918 period of significance. The landscape is an agrarian one characterized by its flatness, lack of adornment, and scarcity of trees. Streets are on a north-south and east-west grid, except where the grid is intersected at a diagonal by railroad tracks and State Highway 43. The Historic District is registered into the National Register of Historic Places, and the Town Site is listed as a California Historical Landmark.

In addition to the registered cultural landmarks, community members have also identified additional sites as places of significant historical and cultural importance:

- The Allensworth Historical Cemetery lies 1.5 miles outside Allensworth State Historic Park bounds. Established in 1918 as a five-acre plot, the Cemetery is believed to contain at least 60 burials dating from 1911 and includes many of Allensworth's original settlers. In 2020, the Allensworth Community Services District (ACSD) was approved to own and operate the Cemetery but without any resources necessary for its protection. From the 1970s until the mid-1990s, adjacent agricultural operations encroached on cemetery grounds. In addition to direct agricultural cultivation of grains and cotton, current disturbances to the site such as plowing and cattle grazing have desecrated the site and erased the extents of the burial sites. The need for site surveying and planning for protection is thus severely urgent to ensure this sacred site can be preserved as an integral and necessary part of the rich storytelling of Allensworth.
- For the past number of years, the APA has been operating out of the Allensworth Community Center, situated on Young Road, across from the Allensworth Elementary School in a relocated 1942 Army barracks. The community center has served as a hub for information exchange, gathering and food distribution. It is the location for monthly Cafecitos and other community events, as well as the headquarters for APA staff. During the March 2023 flooding, the building became the "command post" for emergency needs and services.
- Young Road is at the heart of the community and will continue as its civic, cultural and commercial core. The community center, elementary school and Allensworth Christian Church currently provide three institutional anchors that centralize many resources and extend just south of the State Park, offering great potential for increased physical connection and flow between the park and community. The road is already home to many businesses that residents run out of their homes to provide basic amenities, such as a general store, salon and mechanic. These existing assets provide a foundation for Young Road to be a community, commercial and cultural hub of Allensworth.
- The Allensworth Christian Church has a significant history as the initial central gathering hub in the community. The building was originally the Church of God and served as a worship space in Bakersfield before Zedore Francisco bought the church and had it relocated to Allensworth on a site that would become part of the CASHP. The church remained until the historic Baptist Church was built after which, in 2000, the congregation, led by Allensworth "Mayor" and a church founder, Ms. Nettie Morrison, raised the funds enough to buy two acres of land south of the park and the state donated the building and paid for its relocation to where it now sits on Young Road (the county waived the special-use permit fees).

Because the historic site and architecture of Allensworth has been preserved by the creation of a State Park, it is not vulnerable to adverse effects associated with future development in Allensworth. In

addition to the conservation of the original buildings, the Allensworth Community Plan establishes a Design Commission that is tasked with making sure that the new development in the area is consistent with the rural character of the land and complements the existing historical architecture. This kind of oversight suggests that future development will enhance the architectural and cultural integrity of the historic town even as it expands.

There are no specific developments proposed or authorized as part of this Project Plan. All future development in the Community would be subject to the County's development review process, which includes site-specific analysis if development threatens to alter a historical resource. All future development would be required to demonstrate compliance with applicable federal, state, and local regulations aimed at protecting cultural resources, including those in the County's General Plan. Consequently, implementation of the proposed project would not conflict with any local policies or ordinances protecting cultural resources, and *less than significant impacts* would occur with project implementation.

- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?**
- c) Would the project disturb any human remains, including those interred outside of formal cemeteries?**

There are no known archaeological resources in Allensworth outside the established historic cemetery. The Allensworth Community Plan enhances protections to the historic cemetery by marking it as a cultural resource and identifying a site for future cemetery.

The California Historical Resources Information Systems (CHRIS) records search of site files and maps was conducted at the Southern San Joaquin Valley Archaeological Information Center (Center), California State University, Bakersfield. The CHRIS research was completed in January 2026 wherein the results letter states, "According to the information in our files, there are two recorded cultural resources within the project area: P-54-004052 and P-54-005317, Allensworth Historic District and a cemetery, respectively. There are two recorded cultural resources within a one-half mile radius: P-54-004346 and P-54-004347, an historic area foundation and two historic era trash scatters."⁵¹

The Native American Heritage Commission (NAHC) provided a response letter dated June 25, 2025. The NAHC indicated that, "The result of the Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative."⁵² within the Project area. Also as noted earlier, as there have been no changes to the physical landscape since the SLF search, the search results remain valid.

There are no specific developments proposed or authorized as part of this Project Plan. All future development in the Community would be subject to the County's development review process, which includes site-specific analysis if development threatens to alter a historical resource. All future development would be required to demonstrate compliance with applicable federal, state, and local regulations aimed at protecting cultural resources, including those in the County's General Plan. Consequently, implementation of the proposed project would not conflict with any local policies or

⁵¹ California Historical Resources Information Systems (CHRIS). Southern San Joaquin Valley Archaeological Information Center. California State University, Bakersfield. Record Search 26-026.

⁵² State of California. Native American Heritage Commission. Native American Consultation, Pursuant to Senate Bill 18 (SB18), Government Codes §65352.3 and §65352.4, as well as Assembly Bill 52 (AB52), Public Resources Codes §21080.1, §21080.3.1 and §21080.3.2,

ordinances protecting cultural resources, and ***less than significant impacts*** would occur with project implementation.

6. ENERGY

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulations

Federal Regulations for Greenhouse Gas Emissions from Passenger Cars and Trucks and Corporate Average Fuel Economy Standards

In October 2012, the USEPA and National Highway Traffic Safety Administration (NHTSA), on behalf of the United States Department of Transportation (USDOT), issued final rules to further reduce greenhouse gas (GHG) emissions and improve corporate average fuel economy (CAFE) standards for light-duty vehicles for model years 2017 and beyond. NHTSA's CAFE standards have been enacted under the Energy Policy and Conservation Act since 1978. This national program requires automobile manufacturers to build a single light-duty national fleet that meets all requirements under both federal programs and state standards. would increase fuel economy to the equivalent of 54.5 miles per gallon (mpg), limiting vehicle emissions to 163 grams of carbon dioxide (CO₂) per mile for the fleet of cars and light-duty trucks by the model year 2025. In January 2017, USEPA Administrator Gina McCarthy signed a Final Determination to maintain the current GHG emissions standards for model year 2022-2025 vehicles. However, on March 15, 2017, USEPA Administrator Scott Pruitt and USDOT Secretary Elaine Chao announced that USEPA intends to reconsider the Final Determination. On April 2, 2018, USEPA Administrator Scott Pruitt officially withdrew the January 2017 Final Determination, citing information that suggests that these current standards may be too stringent to the Energy Policy and Conservation Act of 1975 and Corporate Average Fuel Standards due to changes in key assumptions since the January 2017 Determination. According to the USEPA, these key assumptions include gasoline prices and overly optimistic consumer acceptance of advanced technology vehicles. The April 2, 2018 notice is not USEPA's final agency action, it intends to initiate rulemaking to adopt new standards. Until that rulemaking has been completed, the current standards are to remain in effect.

Energy Policy and Conservation Act

The Energy Policy and Conservation Act of 1975 sought to ensure that all vehicles sold in the United States would meet certain fuel economy goals. Subsequently, Congress established the first fuel economy standards for on-road motor vehicles in the U.S. Pursuant to the Act, the NHTSA, which is part of the U.S. DOT, is responsible for establishing additional vehicle standards and for revising existing standards. Since 1990, the fuel economy standard for new passenger cars has been 27.5 mpg and since 1996, the fuel economy standard for new light trucks (gross vehicle weight of 8,500 pounds or less) has been 20.7mpg. Heavy-duty vehicles (i.e., vehicles and trucks over 8,500 pounds gross vehicle weight) are not currently

subject to fuel economy standards. Compliance with federal fuel economy standards is determined based on each manufacturer's average fuel economy for the portion of its vehicles produced for sale in the U.S. The CAFE program, administered by USEPA, was created to determine vehicle manufacturers' compliance with the fuel economy standards. USEPA calculates a CAFE value for each manufacturer based on city and highway fuel economy test results and vehicle sales. Based on the information generated under the CAFE program, the U.S. DOT is authorized to assess penalties for noncompliance.

Energy Policy Act of 1992

The Energy Policy Act of 1992 (EPAct) was passed to reduce the country's dependence on foreign petroleum and improve air quality. EPAct includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas. It requires certain federal, state, and local government and private fleets to purchase a percentage of light-duty AFVs capable of running on alternative fuels each year. In addition, financial incentives are included in EPAct. Federal tax deductions will be allowed for businesses and individuals to cover the incremental cost of AFVs. States are also required by the act to consider a variety of incentive programs to help promote AFVs.

Energy Policy Act of 2005

The Energy Policy Act of 2005⁵³ was intended to establish a comprehensive, long-term energy policy and is implemented by the U.S. Department of Energy. This act addressed energy production in the U.S., including oil, natural gas, coal and alternative forms of energy, and energy efficiency and tax incentives. The energy efficiency and tax incentive programs include credits for the construction of new energy-efficient homes, production or purchase of energy efficient appliances, and loan guarantees for entities that develop or use innovative technologies that avoid production of greenhouse gases (GHGs). Some of these programs have expired. Solar tax credits for residential and commercial systems are 26% in 2020, 22% in 2021, and 10% for commercial systems only from 2022 onwards.

State Agencies & Regulations

The Warren-Alquist Act of 1975

The Warren-Alquist Act established the California Energy Resources Conservation and Development Commission, now known as the California Energy Commission (CEC). The Act established a State policy to reduce wasteful, uneconomical, and unnecessary uses of energy by employing a range of measures. The California Public Utilities Commission (CPUC) regulates privately-owned utilities in the energy, rail, telecommunications, and water fields.

Assembly Bill 2076: Reducing Dependence on Petroleum

Pursuant to Assembly Bill (AB) 2076 (Chapter 936, Statutes of 2000), the CEC and CARB prepared and adopted a joint agency report in 2003, *Reducing California's Petroleum Dependence*. Included in this report are recommendations to increase the use of alternative fuels to 20 percent of on-road transportation fuel use by 2020, and 30 percent by 2030, significantly increase the efficiency of motor vehicles, and reduce per capita VMT.⁶¹ Furthermore, a performance-based goal of AB 2076 was to reduce petroleum demand to 15 percent below 2003 demand by 2020.

⁵³ Energy Policy Act of 2005. H.R. 6, Public Law No. 109-58. Accessed August 2025 at: <https://www.congress.gov/bill/109th-congress/house-bill/6> and <https://www.govinfo.gov/content/pkg/BILLS-109hr6enr/pdf/BILLS-109hr6enr.pdf>.

Energy Action Plan

The first Energy Action Plan (EAP) emerged in 2003 from a crisis atmosphere in California's energy markets. The State's three major energy policy agencies (CEC, CPUC, and the Consumer Power and Conservation Financing Authority [established under deregulation and now defunct]) came together to develop one high level, coherent approach to meeting California's electricity and natural gas needs. It was the first time that energy policy agencies formally collaborated to define a common vision and set of strategies to address California's future energy needs and emphasize the importance of the impacts of energy policy on the California environment.

In the October, 2005 EAP II, CEC and CPUC updated their energy policy vision by adding some important dimensions to the policy areas included in the original EAP, such as the emerging importance of climate change, transportation-related energy issues, and research and development activities. The CEC adopted an update to the EAP II in February 2008 that supplements the earlier EAPs and examines the State's ongoing actions in the context of global climate change.

Assembly Bill 1007: State Alternative Fuels Plan

AB 1007 (Chapter 371, Statutes of 2005) required CEC to prepare a state plan to increase the use of alternative fuels in California. CEC prepared the State Alternative Fuels (SAF) Plan in partnership with CARB and consultation with other State, federal, and local agencies. The SAF Plan presents strategies and actions California must take to increase the use of alternative non-petroleum fuels in a manner that minimizes the costs to California and maximizes the economic benefits of in-state production. The SAA Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuel use, reduce GHG emissions, and increase in-state production of biofuels without causing significant degradation of public health and environmental quality.

Executive Order S-06-06

EO S-06-06, signed on April 25, 2006, establishes targets for the use and production of biofuels and biopower and directs state agencies to work together to advance biomass programs in California while providing environmental protection and mitigation. The EO establishes the following target to increase the production and use of bioenergy, including ethanol and biodiesel fuels made from renewable resources: produce a minimum of 20 percent of its biofuels within California by 2010, 40 percent by 2020, and 75 percent by 2050. The EO also calls for the State to meet a target for use of biomass electricity. The Bioenergy Action Plans developed by the CEC to identify those barriers and recommend actions to address them so that the State can meet its clean energy, waste reduction, and climate protection goals. The 2012 Bioenergy Action Plan provides a detailed action plan to achieve the following goals:

- increase environmentally and economically-sustainable energy production from organic waste;
- encourage the development of diverse bioenergy technologies that increase local electricity generation, combined heat and power facilities, renewable natural gas, and renewable liquid fuels for transportation and fuel cell applications;
- create jobs and stimulate economic development, especially in rural regions of the state; and
- reduce fire danger, improve air and water quality, and reduce waste.

In 2019, 2.87 percent of the total electrical system power in California was derived from biomass (CEC 2020).

Assembly Bill 32: Climate Change Scoping Plan and Update

In October 2008, CARB published its Climate Change Proposed Scoping Plan, which is the State's plan to achieve GHG reductions in California as required by AB 32. This initial Scoping Plan contained the main

strategies to be implemented to achieve the target emission levels identified in AB 32. The Scoping Plan included CARB-recommended GHG reductions for each emissions sector of the state's GHG inventory. The largest proposed GHG reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementing the Low Carbon Fuel Standard Program, implementation of energy efficiency measures in buildings and appliances, the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

CARB approved the initial Scoping Plan on December 11, 2008; the Plan is updated every five years. The first update of the Scoping Plan was approved on May 22, 2014; it looked past 2020 to set mid-term goals (2030-2035) on the road to reaching the 2050 goals (ARB 2014). The most recent update is the 2017 Climate Change Scoping Plan, which CARB released in November 2017. The measures identified in the 2017 update have the co-benefit of increasing energy efficiency and reducing California's dependency on fossil fuels.

Advanced Clean Cars Program

In January 2012, CARB approved the Advanced Clean Cars Program which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The new rules strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program's zero emission vehicle regulation requires battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15 percent of California's new vehicle sales by 2025. The program also includes a clean fuels outlet regulation designed to support the commercialization of zero-emission hydrogen fuel cell vehicles planned by vehicle manufacturers by 2015 by requiring increased numbers of hydrogen fueling stations throughout the state. The number of stations will grow as vehicle manufacturers sell more fuel cell vehicles. By 2025, when the rules will be fully implemented, the statewide fleet of new cars and light trucks will emit 34 percent fewer global warming gases and 75 percent fewer smog-forming emissions than the statewide fleet in 2016.

Senate Bill 350: Clean Energy and Pollution Prevention Reduction Act of 2015

The Clean Energy and Pollution Reduction Act of 2015 (SB 350) requires the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources to be increased to 50 percent by December 31, 2030. This act also requires a doubling of the energy efficiency savings in electricity and natural gas for retail customers through energy efficiency and conservation by December 31, 2030.

Senate Bill 32 and Assembly Bill 197 of 2016

SB 32 was signed by Governor Brown on September 8, 2016. The bill effectively extends California's GHG emission-reduction goals from the year 2020 to the year 2030. This new emission-reduction target of 40 percent below 1990 levels by 2030 is intended to promote further GHG reductions in support of the State's ultimate goal of reducing GHG emissions by 80 percent below 1990 levels by 2050. SB 32 also directs CARB to update the Climate Change Scoping Plan to address this interim 2030 emission-reduction target.

Senate Bill SB 100

SB 100, The 100 Percent Clean Energy Act of 2018, which sets a State policy that eligible renewable energy and zero-carbon resources supply 100 percent (%) of all retail sales of electricity in California by 2045.

Executive Order B-48-18: Zero-Emission Vehicles

In January 2018, Governor Brown signed EO B-48-18 which required all State entities to work with the private sector to put at least 5 million zero-emission vehicles on the road by 2030, as well as install 200 hydrogen fueling stations and 250,000 zero-emissions chargers by 2025. In addition, State entities are also required to continue to partner with local and regional governments to streamline the installation of zero emission vehicle infrastructure. Furthermore, all State entities are to support and recommend policies and actions to expand infrastructure in homes, through the Low-Carbon Fuel Standard.

Executive Order B-55-18

Establishes a new statewide goal “to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter.

Senate Bill 375

SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt a sustainable communities strategy (SCS) or alternative planning strategy (APS) that will address land use allocation in that MPOs regional transportation plan (RTP). ARB, in consultation with MPOs, establishes regional reduction targets for GHGs emitted by passenger cars and light trucks for the years 2020 and 2035. These reduction targets will be updated every eight years but can be updated every four years if advancements in emissions technologies affect the reduction strategies to achieve the targets. CARB is also charged with reviewing each MPO’s SCS or APS for consistency with its assigned targets. If MPOs do not meet the GHG reduction targets, funding for transportation projects may be withheld.

Senate Bill 1078: California Renewables Portfolio Standard Program

Senate Bill (SB) 1078 (Public Utilities Code Sections 387, 390.1, 399.25, and Article 16) addresses electricity supply and requires that retail sellers of electricity, including investor-owned utilities and community choice aggregators, provide a minimum of 20 percent of their supply from renewable sources by 2017. This SB will affect statewide GHG emissions associated with electricity generation. In 2008, Governor Schwarzenegger signed Executive Order (EO) S-14-08, which set the Renewables Portfolio Standard (RPS) target to 33 percent by 2020. It directed state government agencies and retail sellers of electricity to take all appropriate actions to implement this target. EO S-14-08 was later superseded by EO S-21-09 on September 15, 2009. EO S-21-09 directed CARB to adopt regulations requiring 33 percent of electricity sold in the State to come from renewable energy by 2020. Statute SB X1-2 superseded this EO in 2011, which obligated all California electricity providers, including investor-owned utilities and publicly owned utilities, to obtain at least 33 percent of their energy from renewable electrical generation facilities by 2020.

California Building Code

The CBC contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvements to real property. The CBC is adopted every three years by the Building Standards Commission (BSC). In the interim, the BSC also adopts annual updates to make necessary mid-term corrections. The CBC standards apply statewide; however, a local jurisdiction may amend a CBC standard if it makes a finding that the amendment is reasonably necessary due to local climatic, geological, or topographical conditions.

Green Building Standards

In essence, green building standards are indistinguishable from any other building standards; they are contained in the CBC, and regulate the construction of new buildings and improvements. Whereas the focus

of traditional building standards have been in the protection of public health and safety, the focus of green building standards are to improve environmental performance. The recently updated 2022 Building Energy Efficiency Standards, which were approved in December 2021, encourage efficient electric heat pumps, establish electric-ready requirements when natural gas is installed, support the future installation of battery storage, and further expand solar photovoltaic and battery storage standards. These standards extend solar PV system requirements, as well as battery storage capabilities for select land uses, including high-rise multi-family and non-residential land uses, such as office buildings, schools, restaurants, warehouses, theaters, grocery stores, and more. Depending on the land use and other factors, solar systems should be sized to meet targets of up to 60 percent of the structure's loads. These new solar requirements will become effective on January 1, 2023, and contribute to California's goal of reaching a net-zero carbon footprint by 2045.

Local Policy & Regulations

Tulare County General Plan Policies

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

ERM-4.1 Energy Conservation and Efficiency Measures: The County shall encourage the use of solar energy, solar hot water panels, and other energy conservation and efficiency features in new construction and renovation of existing structures in accordance with State law.

ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation: The County shall promote the planting and maintenance of shade trees along streets and within parking areas of new urban development to reduce radiation heating.

ERM-4.3 Local and State Programs: The County shall participate, to the extent feasible, in local and State programs that strive to reduce the consumption of natural or man-made energy sources.

ERM-4.4 Promote Energy Conservation Awareness: The County should coordinate with local utility providers to provide public education on energy conservation programs

ERM-4.6 Renewable Energy: The County shall support efforts, when appropriately sited, for the development and use of alternative energy resources, including renewable energy such as wind and solar, biofuels and co-generation.

ERM-4.8 Energy Efficiency Standards: The County shall encourage renovations and new development to incorporate energy efficiency and conservation measures that exceed State Title 24 standards. When feasible, the County shall offer incentives for use of energy reduction measures such as expedited permit processing, reduced fees, and technical assistance.

AQ-3.5 Alternative Energy Design: The County shall encourage all new development, including rehabilitation, renovation, and redevelopment, to incorporate energy conservation and green building practices to maximum extent feasible.

LU-7.12 Energy Conservation: The County shall encourage the use of solar power and energy conservation building techniques in all new development.

Impact Analysis

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Future development projects would be designed and constructed in accordance with the County's latest adopted energy efficiency standards, which are based on the California Title 24 energy efficiency standards. Title 24 standards include a broad set of energy conservation requirements that apply to the structural, mechanical, electrical, and plumbing systems in a building. For example, the Title 24 Lighting Power Density requirements define the maximum wattage of lighting that can be used in a building base on its square footage. Title 24 standards are widely regarded as the most advanced energy efficiency standards, would help reduce the amount of energy required for lighting, water heating, and heating and air conditioning in buildings and promote energy conservation.

There are no specific development projects associated with the Allensworth Community Plan, and therefore, no construction would result from the adoption of the Plan. The Community Plan includes ideas designed to specifically address energy production and consumption. Namely, it alludes to future projects that would install and run on solar energy, the promotion of electric vehicles, and incorporation of passive heating and cooling strategies. Future developments would be evaluated on a project-by-project basis and applicable Community Plan, and County General Plan policies will be implemented. Impacts would be ***Less than Significant***.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

There are no specific development projects associated with the Allensworth Community Plan, and therefore, no construction would result from the adoption of the Plan. Future projects that could be developed by-right under the proposed Project may, over time, incrementally contribute to impacts on energy resource demand and conservation when considering the cumulative impact of concurrently planned projects. However, future by-right developments will be required to comply with local, regional, state, and federal policies designed to reduce wasteful energy consumption, and improve overall energy conservation and sustainability. For instance, all projects involving the development of new buildings must be designed to conform to the latest CALGreen Code, the Energy Code, and their equipment must comply with applicable Federal and California Title 22 requirements. Energy-consuming equipment typically has a limited life, and with ever-improving equipment energy efficiency standards, energy consumption is expected to decrease over time. Furthermore, any future discretionary actions requiring agency approval will also be required to comply with local, regional, state, and federal policies and undergo additional CEQA review. As such, it is not anticipated that the Project's contribution to cumulative impacts generated with projects, would conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, the proposed Project would result in ***Less than significant*** impacts with respect to energy conservation.

7. GEOLOGY/SOILS

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 No. 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulations

There are no federal regulations pertaining to geologic, soil, seismic, or mineral resources that are relevant to the proposed project.

State Agencies & Regulations

Alquist-Priolo Earthquake Fault Zoning Act

“The Alquist-Priolo Earthquake Fault Zoning Act (formerly the Alquist-Priolo Special Studies Zone Act), signed into law December 1972, requires the delineation of zones along active faults in California. The purpose of the Alquist-Priolo Act is to regulate development on or near active fault traces to reduce the hazards associated with fault rupture and to prohibit the location of most structures for human occupancy across these traces. Cities and counties must regulate certain development projects within the zones, which includes withholding permits until geologic investigations are conducted in order to demonstrate that development sites are not threatened by future surface displacement. Surface fault rupture is not necessarily restricted to the area within an Alquist-Priolo Zone.”⁵⁴

Seismic Hazards Mapping Act, 1991

“The Seismic Hazards Mapping Act (et. seq.) was developed to protect the public from the effects of strong groundshaking, liquefaction, landslides, or other ground failure/hazards caused by earthquakes. This act requires the State Geologist to delineate seismic hazard zones and requires cities, counties, and other local permitting agencies to regulate certain development projects within these zones. Before a development permit is granted for a site within a seismic hazard zone, a geotechnical investigation of the site has to be conducted and appropriate mitigation measures incorporated into the project design.”⁵⁵

California Building Code

“Code The California Building Code is another name for the body of regulations known as the California Code of Regulations (CCR), Title 24, Part 2, Section 101 et seq. which is a portion of the California Building Standards Code. Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. Under State law, all building standards must be centralized in Title 24 or they are not enforceable. Published by the International Conference of Building Officials, the Uniform Building Code is a widely adopted model building code in the United States. The California Building Code incorporates by reference the Uniform Building Code with necessary California amendments. About one-third of the text within the California Building Code has been tailored for California earthquake conditions.”⁵⁶

California Health and Safety Code

“The California Health and Safety Code, Section 1250(et seq.), define essential facilities as those structures which are necessary for emergency operations subsequent to a natural disaster. These facilities include hospitals and other medical facilities having surgery and emergency treatment areas, fire and police stations, tanks or other structures containing water or other fire-suppression materials, emergency vehicle shelters and garages, structures and equipment in emergency-preparedness centers, standby power-generating equipment for essential facilities, and structures and equipment in government communication centers and other facilities required for emergency response. These facilities are subject to more stringent design and construction standards, as prescribed in Title 24, Chapter 23 of the California Code of Regulations, thus minimizing potential damage. Chapter 23 also applies to skilled nursing facilities, public schools and State-owned or State-leased essential services buildings regulated by the Office of Statewide Health Planning and Development and the Office of the State Architect, Structural Safety Section.”⁵⁷

California Department of Transportation (Caltrans)

⁵⁴ Tulare County General Plan 2030 Update: Background Report. Page 8-3. Accessed August 2025 at: [Tulare County General Plan Background Report](#)

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid. Page 8-4.

“Caltrans has developed roadway design standards including those for seismic safety. Consideration of earthquake hazards in roadway design is detailed in the 2006 Highway Design Manual published by Caltrans. Modifications to local highways and roads would be required to adhere to Caltrans engineering standards to minimize settlement.”⁵⁸

Local Policy & Regulations:

Tulare County General Plan:

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

HS-1.11 Site Investigations: The County shall conduct site investigations in areas planned for new development to determine susceptibility to landslides, subsidence/settlement, contamination, and/or flooding

HS-1.2 Development Constraints: The County shall permit development only in areas where the potential danger to the health and safety of people and property can be mitigated to an acceptable level.

HS-1.3 Hazardous Lands: The County shall designate areas with a potential for significant hazardous conditions for open space, agriculture, and other appropriate low intensity uses.

HS-1.4 Building and Codes: Except as otherwise allowed by State law, the County shall ensure that all new buildings intended for human habitation are designed in compliance with the latest edition of the California Building Code, California Fire Code, and other adopted standards based on risk (e.g., seismic hazards, flooding), type of occupancy, and location (e.g., floodplain, fault).

HS-1.5 Hazard Awareness and Public Education: The County shall continue to promote awareness and education among residents regarding possible natural hazards, including soil conditions, earthquakes, flooding, fire hazards, and emergency procedures

HS-2.1 Continued Evaluation of Earthquake Risks: The County shall continue to evaluate areas to determine levels of earthquake risk.

HS-2.2 Landslide Areas: The County shall not allow development on existing unconsolidated landslide debris.

HS-2.4 Structure Siting: The County shall permit development on soils sensitive to seismic activity permitted only after adequate site analysis, including appropriate siting, design of structure, and foundation integrity.

HS-2.5 Financial Assistance for Seismic Upgrades: The County shall request Federal and State financial assistance to implement corrective seismic safety measures required for existing County buildings and structures.

HS-2.7 Subsidence: The County shall confirm that development is not located in any known areas of active subsidence. If urban development may be located in such an area, a special safety study will be prepared and needed safety measures implemented. The County shall also request that developments provide evidence that its long-term use of ground water resources, where applicable, will not result in notable subsidence attributed to the new extraction of groundwater resources for use by the development.

HS-2.8 Alquist-Priolo Act Compliance: The County shall not permit any structure for human occupancy to be placed within designated Earthquake Fault Zones (pursuant to and as determined by the Alquist-Priolo Earthquake Fault Zoning Act; Public Resource code, Chapter 7.5) unless the specific provision of the Act and Title 14 of the California Code of Regulations have been satisfied.

FGMP-4.1 Identification of Environmentally Sensitive Areas: The County shall identify and protect those environmentally sensitive areas in the foothill development corridors which should be maintained as open space, such as areas characterized by floodplains, steep slopes (30 percent or greater),

⁵⁸ Ibid.

unstable geology, unique archaeological/historical sites, habitat of special status species, and scenic vistas.

ERM-7.1 Soil Conservation: The County of Tulare shall establish the proper controls and ordinances for soil conservation.

ERM-7.2 Soil Productivity: The County shall encourage landowners to participate in programs that reduce soil erosion and increase soil productivity. To this end, the County shall promote coordination between the Natural Resources Conservation Service, Resource Conservation Districts, UC Cooperative Extension, and other similar agencies and organizations.

FGMP-8.10 Development in Hazard Areas: The County shall prohibit development in areas that are considered to be geologically hazardous (slides, earthquake faults, etc.).

WR-2.4 Construction Site Sediment Control: The County shall continue to enforce provisions to control erosion and sediment from construction sites.

Impact Analysis

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides?

The Official Maps of Earthquake Fault Zones by the California Geological Survey (CGS), State of California Department of Conservation, through December 2010, under the Alquist-Priolo Earthquake Fault Zoning Act, indicate that there are no substantial faults known to occur in Tulare County. The nearest known faults likely to affect Allensworth are the San Andreas Fault (approximately 75 miles to the west), the Owens Valley Fault (approximately 65 miles to the northeast), and the Pond Fault (approximately 25 miles southwest).

According to the Five County Seismic Safety Element (FCSSE) and Figure 10-5 (Seismic/Geologic Hazards and Microzone) of the Tulare County 2030 General Plan Health and Safety Element (GPHSE), the Project area, [Allensworth] is located in the V-1 zone, characterized as a moderately thick section of marine and continental sedimentary deposits overlying the granitic basement complex. The FCSSE further states that, "Amplification of shaking that would affect low to medium-rise structures is relatively high, but the distance to either of the faults that are expected sources of the shaking [the San Andreas and Owens Valley Faults] is sufficiently great that the effects should be minimal. The requirements of Zone II of the Uniform Building Code should be adequate for normal facilities

The plan covers an area that is located on alluvial deposits that tend to experience greater ground shaking intensities than areas located on hard rock. However, as mentioned, the site is in an area of low seismic activity. Structures designed and built in accordance with the California Building Code (which is incorporated into the Tulare County Code) would include a high degree of seismic strength and resistance to lateral forces (strong shaking) in building construction in order to minimize risks to public safety and damage to property. Project compliance with California Building Code requirements would be a standard condition of building permit issuance for all project structures.

Allensworth's location in a V-1 zone also denotes a low risk of liquefaction. Soil liquefaction is the phenomenon that occurs in uniform, clean, loose, fine sandy and silty soil that is saturated by relatively shallow groundwater conditions. Severe ground shaking during seismic events increases the pore pressure in the soil resulting in groundwater moving upward, which essentially transforms the soil to a quicksand-like state. The resulting ground failure or surface deformation can cause total and differential

settlement of structures. Given the anticipated low potential for liquefaction at the site, and compliance with Code requirements to provide a detailed evaluation of potential geologic hazards at the project site, with recommendations for corrective measures as needed, the potential impact to project structures and improvements due to liquefaction is less than significant. The flat terrain of the site and surrounding areas, and the general absence of hills or exposed slopes in the vicinity (such as those found along river terraces, bluffs, and foothills), makes landslides highly unlikely.

Most significantly, no development is proposed within the context of the plan. Permitted densities, intensities, and land uses would remain substantially the same as they are at present. Therefore, the project would not directly or indirectly cause potential substantial adverse effects with regards to fault ruptures, ground shaking, liquefaction, and land slides. Impacts would be ***less than significant***.

- b) Would the project result in substantial soil erosion or the loss of topsoil?**
- 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?**
- 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?**

According to the United States Department of Agriculture soil survey, the following soil types are found in the Allensworth area:

1. *Gareck-Garces association, 0 to 2 percent slopes*: Class 2, low shrink-swell potential, severe septic tank absorption, and moderate permeability. Very deep and well drained, medium or high runoff, some areas are ponded; very slow permeability. The soil is suitable for livestock grazing. Vegetation is scattered saltbush with annual grasses and forbs.
2. *Kimberlina fine sandy loam, 0 to 2 percent slopes*: Class 2, low shrink-swell potential, severe septic tank absorption. Very deep and well drained; negligible to medium runoff; moderately rapid and moderate permeability, however saline-sodic phases and soils with sandy clay loam substrata have moderately slow permeability. This soil is suitable for irrigated field, forage, and row crops. Some areas used for livestock grazing. When not irrigated, vegetation is annual grasses and forbs.
3. *Lethent silt loam, 0 to 1 percent slopes, MLRA 17*: Class 3, high shrink-swell potential, and severe septic tank absorption. Moderately very deep, moderately well drained, medium or high runoff, very slow or slow permeability. Slow permeability is usually present in areas that have been highly modified by deep ripping. The soil is suited for irrigated barley, sorghum, cotton, sugar beets, safflower, and pasture. The native vegetation is sparse stands of saltgrass, saltbush, and red brome.
4. *Nahrub silt loam, overwashed, 0 to 1 percent slopes*: Class 3, high shrink-swell potential, severe septic tank absorption, and slow permeability. Very deep, moderately well-drained and suitable for livestock grazing.

Figure 6 Map of Soil Types in Allensworth

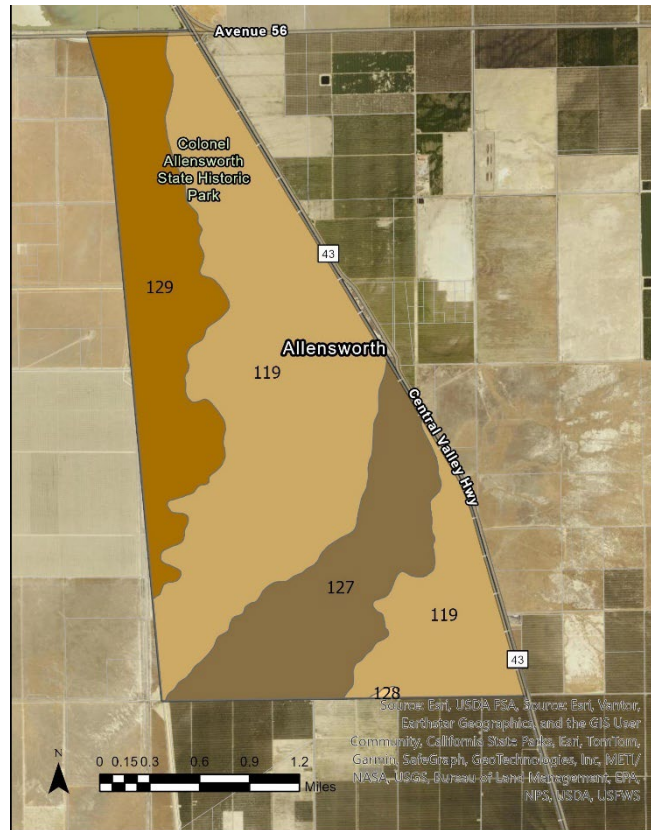


Table 1 Soil Types in Allensworth

Map Unit Symbol	Soil Type	Acres in AOI	Percent of AOI
119	Gareck-Garces association, 0 - 2% slopes	2243.3	59.1%
127	Kimberlina fine sandy loam, 0 - 2% slopes MLRA 17	742.6	19.6%
128	Lethent silt loam, 0-1% percent slopes, MLRA 17	3.4	0.1%
129	Nahrub silt loam, overwashed, 0 - 1% slopes	808.5	21.3%
Totals for Area of Interest		3797.8	100.0%

Erosion is the process by which soil material is detached and transported from one location to another by wind or water. Erosion occurs naturally in most systems but is often accelerated by human activities that disturb soil and vegetation. The rate at which natural and accelerated erosion occur is largely a function of climate, soil cover, slope conditions, and inherent soil properties. Allensworth’s landscape is primarily flat and as such, soil erosion is not anticipated. Furthermore, development in the community would be subject to local (i.e., County Storm Water Management Plan) and State codes and requirements

for erosion control and grading. In addition, potential project sites encompassing an area of one or more acres would require compliance with best management practices included as part of a National Pollutant Discharge Elimination System (NPDES) permit and consequently the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

Dust is currently a significant health hazard for the residents and visitors of Allensworth. Dust is primarily caused by agricultural production which disturbs soil during tillage, planting, and harvesting. Additionally the area is subject to strong winds which can pick up dust from agricultural fields. Exposure to dust can cause a range of health problems, including respiratory issues (especially Valley Fever), allergies, and asthma. Green infrastructure can help improve dust control by stabilizing soil, reducing erosion, and trapping particulate matter in vegetation. Densely planted vegetation can trap dust and improve air quality and human health outcomes. The Allensworth plan addresses dust in multiple ways: encouraging development of infrastructure that is sensitive to the presence of dust, creating natural barriers to dust through landscaping and vegetation, and encouraging collaboration with state agencies (HSR, BNSF, and Caltrans) to ensure that dust mitigation measures are funded and adopted in response to the development of the high speed rail.

Allensworth is located in the Tulare Lake Basin, which is characterized by a manufactured ecology and hydrology following the conversion of floodplains and marshlands into agricultural land. Subsidence is an issue in the area. Subsidence is appropriately addressed in the Tulare County General plan, which requires special safety studies to be conducted in known areas of subsidence to ensure safety. However, as mentioned above, landslides, liquefaction are unlikely. Similarly, there is little or no potential for lateral spreading within the area because of its flat landscape and unsaturated soil conditions. Expansive or shrink-swell soils are soils that swell when subjected to moisture and shrink when dry. Expansive soils typically contain clay minerals that attract and absorb water, greatly increasing the volume of the soil. Soil types in the area covered by the Allensworth Community plan range from high to low shrink-swell potential.

However, no development is proposed or would be likely to occur as a result of the plan. Permitted densities, intensities, and land uses would remain substantially the same as they are at present. The project would not directly or indirectly cause potential substantial adverse effects with respect to soil stability and landslides, lateral spreading, subsidence, liquefaction, or collapse. Any threats to property to life and property posed by expansive soil would be minimized due to lack of development, and the plan includes measures designed to mitigate dust and loss of topsoil. Impacts would be ***less than significant***.

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

There is no community wide sewer system in Allensworth. The community depends on individual on-site septic tank systems for wastewater disposal. In wet years, the combination of a perched water table and tight soils creates problems for effective leaching of septic tank effluent. SGC survey results indicate that the Allensworth residents are in favor of creating a community wide sewer system.

As the plan does not include any proposed development(s), it does not include a need for any septic system(s). As such, there will be ***no impacts*** related to soils suitable for septic tanks.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

There are no known paleontological resources, geologic features or cultural resources in Allensworth. The NAHC/SLF searches did not identify any paleontological (or cultural) resources. Additionally, no paleontological resources or sites, or unique geologic features have previously been encountered in the area. The general plan provides for instances where paleontological resources are found in future development, asking that construction or development be suspended until a qualified professional can make recommendations.

Most significantly, no development is proposed within the context of the plan. Permitted densities, intensities, and land uses would remain substantially the same as they are at present. Therefore, the plan would not directly or indirectly cause potential substantial adverse effects with regards to paleontology or geological resources. Impacts would be ***less than significant***.

8. GREENHOUSE GAS EMISSIONS

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulations

United States Environmental Protection Agency (US EPA)

“On December 7, 2009, the Administrator signed two distinct findings regarding greenhouse gases under section 202(a) of the Clean Air Act:

- Endangerment Finding: The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases – carbon dioxide (CO₂), methane (CH₄), nitrous dioxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆) – in the atmosphere threaten the public health and welfare of current and future generations.
- 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.”⁵⁹

Federal Clean Air Act

EPA is the federal agency responsible for executing the federal Clean Air Act (CAA) and its amendments. In 2007, the U.S. Supreme Court ruled that carbon dioxide (CO₂) is an air pollutant, as defined under the CAA, and thus the EPA has the authority to regulate GHG emissions. The ruling resulted in the EPA taking steps to regulate GHG emissions and lend support to State and local agency in their efforts to reduce GHG emissions.

Federal Regulations for Vehicle Fuel Economy Standards

The EPA and the National Highway Traffic Safety Administration (NHTSA) in 2012 issued final rules to reduce GHG emissions and improve the Corporate Average Fuel Economy (CAFE) standards for light-duty vehicles of model years 2017 and beyond. These CAFE standards have been enacted since 1978 under the Energy Policy and Conservation Act. This program requires automobile manufacturers to build a single nation light-duty fleet that meets both the requirements under federal programs and those of California and other states. This program would improve fuel economy to 54.5 miles per gallon-equivalent, limiting vehicle

⁵⁹ U.S. Environmental Protection Agency. Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act. Accessed August 2025 at: <https://www.epa.gov/climate-change/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a>

emissions to 153 grams of CO₂ per mile for the fleet of cars and light-duty trucks by model year 2025, which represents five percent annual increases in fuel economy.

The EPA and NHTSA jointly published in 2018 a notice of proposed rulemaking entitled “The Safer Affordable Fuel-Efficient Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks” (SAFE Rule), which proposed:

1. new and amended CO₂ and CAFE standards for passenger cars and light trucks;
2. to withdraw the waiver EPA had previously provided to California for that State’s GHG and zero emission vehicle (ZEV) programs under Section 209 of the Clean Air Act, and;
3. regulatory text to implement NHTSA’s statutory authority to set nationally applicable fuel economy standards to explicitly preempt California’s GHG and ZEV programs.

In 2019, Part One of the SAFE Rule (One National Program) became effective, which withdrew California’s waiver from EPA and finalized NHTSA’s regulatory text related to preemption of State regulations. In 2020, EPA and NHTSA announced Part Two of the SAFE Rule, which would establish amended fuel economy and CO₂ standards for passenger cars and light trucks of model years 2021-2026. These revised standards would increase in stringency by 1.5 percent per year from model year 2020 over model years 2021-2026.

State Agencies & Regulations

Executive Order (EO) S-3-05

In 2005, Governor Schwarzenegger issued EO S-3-05, proclaiming that California is vulnerable to the impacts of climate change. The EO declares that increasing temperatures could reduce the Sierra Nevada snowpack, further exacerbate California’s air quality problems, and potentially cause a rise in sea levels. To address those concerns, the EO established GHG emission targets for the State and identified responsibilities for State agencies in meeting the targets. Specifically, statewide emissions are to be reduced to 2000 levels by 2010, 1990 levels by 2020, and to 80 percent below 1990 levels by 2050.

AB 32

In 2006, AB 32, the California Global Warming Solutions Act of 2006, was signed into law. AB 32 establishes regulations, reporting requirements, and market mechanisms to achieve quantifiable reductions in GHG emissions and a cap on statewide GHG emissions. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. AB 32 also requires that:

1. the statewide greenhouse gas emissions limit shall remain in effect unless otherwise amended or repealed.
2. It is the intent of the Legislature that the statewide greenhouse gas emissions limit continue in existence and be used to maintain and continue reductions in emissions of greenhouse gases beyond 2020.
3. The [CARB] shall make recommendations to the Governor and the Legislature on how to continue reductions of greenhouse gas emissions beyond 2020.” [California Health and Safety Code, Division 25.5, Part 3, Section 38551].

EO B-30-15

In 2015, Governor Brown issued EO B-30-15 which established a California GHG reduction target of 40 percent below 1990 levels by 2030. This emission reduction target of 40 percent below 1990 levels by 2030 set the next interim step in the State’s continuing efforts to pursue the long-term target previously established under EO S-3-05 to reach the goal of reducing emissions 80 percent below 1990 levels by 2050.

This is consistent with scientifically established levels needed in the U.S. to limit global warming below 2 degrees Celsius, the threshold at which major climate disruptions are projected, such as super droughts and rising sea levels.

SB 32

In 2016, SB 32 was signed into law and serve to extend California’s GHG reduction programs beyond 2020. SB 32 amended existing regulations to authorize CARB to achieve a statewide GHG emission reduction of at least 40 percent below 1990 levels by no later than December 31, 2030, codifying the 2030 target established by EO B-30-15.

AB (AB) 1493 (Pavley)

AB 1493, enacted in 2002, requires the reduction of GHGs from automobiles and light-duty trucks to the maximum extent feasible and cost-effective. In 2004, CARB approved the “Pavley I” regulations that applied to new passenger vehicles beginning with model year 2009 through 2016. Pavley I was anticipated to reduce GHG emissions from regulated vehicles by 30 percent from 2002 levels by 2016. Pavley II was incorporated into Amendments to the Low-Emission Vehicle Program referred to as LEV III. The amendments, which took effect in 2012, apply to vehicles for model years 2017 through 2025. The regulation will reduce GHGs from new cars by 34 percent from 2016 levels by 2025.

Advanced Clean Cars Program

Also in 2012, CARB approved the Advanced Clean Cars program which sought to combine the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of regulatory standards for vehicle model years 2017 through 2025. These regulations strengthen the GHG standard for 2017 models and beyond and would be achieved through existing and more efficient technologies. The program’s ZEV regulation would require battery, fuel cell, and/or plug-in hybrid electric vehicles to comprise up to 15 percent of California’s new vehicle sales by 2025. The program also included a clean fuels outlet regulation designed to support the development of zero-emission hydrogen fuel cell vehicles by requiring increased numbers of hydrogen fueling stations throughout the state. By 2025, when it was assumed, the rules would be fully implemented, the statewide fleet of new cars and light trucks would emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions than the statewide fleet in 2016.

SB 100

In 2018, SB 100 increased California’s Renewable Energy Portfolio targets for utility companies to 52 percent renewables by 2027 and 60 percent renewables by 2030. It also established a new zero-carbon electricity mandate by 2040.

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

California Code of Regulations (CCR), Title 24, Part 6, is California’s Energy Efficiency Standards for Residential and Non-Residential Buildings. Title 24 Part 6 was established by California Energy Commission (CEC) in 1978 in response to a legislative mandate to create uniform building codes to reduce California’s energy consumption and provide energy-efficiency standards for residential and non-residential buildings. These standards are updated triennially and have resulted in substantial gains in energy efficiency in new construction with each code update cycle.

The 2022 Title 24 Part 6 Building Energy Efficiency Standards were adopted by CEC in 2021 and took effect in 2023. The standards are designed to move the State closer to its zero net energy goals for new residential development. It does so by requiring all new residences to install enough renewable energy to offset all the site electricity needs of each residential unit. CEC estimates that the 2022 Energy Code would provide \$1.5 billion in consumer benefits and reduce 10 million metric tons of GHGs.⁶⁰

The Title 24 Building Energy Efficiency Standards are enforced through the local plan check and building permit process. Local government agencies may adopt and enforce additional energy standards for new buildings as reasonably necessary in response to local climatologic, geologic, or topographic conditions, provided that these standards are demonstrated to be cost effective and exceed the energy performance required by Title 24 Part 6.

California Green Building Standards (Title 24, Part 11)

In 2008, the California Building Standards Commission adopted Part 11 of CCR Title 24, titled the California Green Building Standards Code (CALGreen Code) which became effective in 2009 as a voluntary code. The 2010 CALGreen Code was the first mandatory edition and took effect in 2011 and is now a part of the triennial code update cycle. The CALGreen Code establishes mandatory measures for residential and non-residential building construction and encourages sustainable construction practices in the following five categories: (1) planning and design, (2) energy efficiency, (3) water efficiency and conservation, (4) material conservation and resource efficiency, and (5) indoor environmental quality. Although the CALGreen Code was adopted as part of the State's efforts to reduce GHG emissions, the CALGreen Code standards have co-benefits of reducing energy consumption from residential and non-residential buildings subject to the standard.

SB 97

SB 97, enacted in 2007, amended the CEQA statute to clearly establish that GHG emissions and the effects of GHG emissions are appropriate subjects for CEQA analysis. The legislation directed the California Office of Planning and Research to develop draft CEQA Guidelines "for the mitigation of GHG emissions or the effects of GHG emissions" and directed the California Natural Resources Agency to certify and adopt the State CEQA Guidelines. CEQA Guidelines Section 15183.5, Tiering and Streamlining the Analysis of GHG Emissions, was added as part of the CEQA Guideline amendments that became effective in 2010 and describes the criteria needed in a GHG reduction plan that would allow for the tiering and streamlining of CEQA analysis for development projects.

SB X7-7

SB X7-7 requires water suppliers to reduce urban per capita water consumption 20 percent from a baseline level by 2020. The production and treatment of water, as well as the treatment of wastewater, requires substantial amount of electricity, and thus there this a direct relationship between water and greenhouse gases.

California Integrated Waste Management Act

⁶⁰ California Energy Commission. Energy Commission Adopts Updated Building Standards to Improve Efficiency, Reduce Emissions from Homes and Businesses. Accessed August 2025 at: <https://www.energy.ca.gov/news/2021-08/energy-commission-adopts-updated-building-standards-improve-efficiency-reduce>.

To minimize the amount of solid waste that must be disposed of in landfills, the State Legislature passed the California Integrated Waste Management Act of 1989 (AB 939), effective January 1990. According to AB 939, all cities and counties were required to divert 25 percent of all solid waste from landfill facilities by 1995, and 50 percent by 2000. Through other statutes and regulations, this 50 percent diversion rate also applies to State agencies. In order of priority, waste reduction efforts must promote source reduction, recycling and composting, and environmentally safe transformation and land disposal.

In 2011, AB 341 modified the California Integrated Waste Management Act and directed the California Department of Resources Recycling and Recovery to develop and adopt regulations for mandatory commercial recycling. The resulting Mandatory Commercial Recycling Regulation (2012) requires that after 2012, certain businesses that generate four cubic yards or more commercial solid waste per week shall arrange recycling services. To comply with this requirement, businesses may either separate recyclables and self-haul them or subscribe to a recycling service that includes mixed waste processing. AB 341 also established a statewide recycling goal of 75 percent; the 50 percent disposal reduction mandate still applies for cities and counties under AB 939, the Integrated Waste Management Act.

Climate Change Scoping Plan

In 2022, the CARB adopted the 2022 Scoping Plan, which provides a framework for achieving the State's 2030 GHG emissions reduction target of 40 percent below 1990 levels and substantially advance toward our 2045 climate goal to reduce GHG emissions by 85 percent below 1990 levels. The 2022 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, and implementation of recently adopted policies and legislation. The 2022 Scoping Plan includes a wide variety of goals related to energy efficiency and renewable energy that are intended to help meet the State's targets.

Cap-and-Trade Program

The Cap-and-Trade program was developed to reduce GHG emissions from major emissions sources (covered entities) by setting a firm cap on statewide GHG emissions that is gradually reduced over time while employing market mechanisms to cost-effectively achieve the State's emission-reduction goals. It sets a statewide limit on sources responsible for 85 percent of California's GHG emissions, including electricity generators, large industrial facilities emitting a specified amount of annual emissions, and distributors of transportation, natural gas, and other fuels, and establishes a price signal needed to drive long-term investment in cleaner fuels and more efficient use of energy. The program is designed to provide the approximately 450 entities covered by the program with the flexibility to seek out and implement the lowest cost options to reduce emissions. All covered entities are required to demonstrate compliance with the cap-and-trade program by implementing GHG reduction activities on-site or through use of free or purchased allowances, or purchase of offsets.

Local Policy & Regulations

Tulare County General Plan Policies

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

AQ-1.7 Support Statewide Climate Change Solutions: The County shall monitor and support the efforts of Cal/EPA, CARB, and the SJVAPCD, under AB 32 (Health and Safety Code §38501 et seq.), to develop a recommended list of emission reduction strategies. As appropriate, the County will evaluate each

new project under the updated General Plan to determine its consistency with the emission reduction strategies.

AQ-1.8 Greenhouse Gas Emissions Reduction Plan/Climate Action Plan: The County will develop a Greenhouse Gas Emissions Reduction Plan (Plan) that identifies greenhouse gas emissions within the County as well as ways to reduce those emissions. The Plan will incorporate the requirements adopted by the California Air Resources Board specific to this issue. In addition, the County will work with the Tulare County Association of Governments and other applicable agencies to include the following key items in the regional planning efforts.

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

AQ-1.9 Support Off-Site Measures to Reduce Greenhouse Gas Emissions: The County will support and encourage the use of off-site measures or the purchase of carbon offsets to reduce greenhouse gas emissions.

AQ-1.10 Alternative Fuel Vehicle Infrastructure: The County shall support the development of necessary facilities and infrastructure needed to encourage the use of low or zero-emission vehicles (e.g. electric vehicle charging facilities and conveniently located alternative fueling stations, including CNG filling stations.)

AQ-3.4 Landscape: The County shall encourage the use of ecologically based landscape design principles that can improve local air quality by absorbing CO₂, producing oxygen, providing shade that reduces energy required for cooling, and filtering particulates. These principles include, but are not limited to, the incorporation of parks, landscaped medians, and landscaping within development.

AQ-3.5 Alternative Energy Design: The County shall encourage all new development, including rehabilitation, renovation, and redevelopment, to incorporate energy conservation and green building practices to maximum extent feasible. Such practices include, but are not limited to: building orientation and shading, landscaping, and the use of active and passive solar heating and water systems.

LU-1.1 Smart Growth and Healthy Communities: The County shall promote the principles of smart growth and healthy communities in UDBs and HDBs, including:

1. Creating a strong sense of place
2. Mixing land uses, and
3. Preserving open space

LU-7.15 Energy Conservation: The County shall encourage the use of solar power and energy conservation building techniques in all new development.

Housing Policy 4.21: Promote energy conservation opportunities in new residential development.

Housing Policy 4.22: Enforce provisions of the Subdivision Map Act regulating energy-efficient subdivision design.

ERM-4.1 Energy Conservation and Efficiency Measures: The County shall encourage the use of solar energy, solar hot water panels, and other energy conservation and efficiency features in new construction and renovation of existing structures in accordance with State law.

ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation: The County shall promote the planting and maintenance of shade trees along streets and within parking areas of new urban development to reduce radiation heating.

ERM-4.3 Local and State Programs: The County shall participate, to the extent feasible, in local and State programs that strive to reduce the consumption of natural or man-made energy sources.

ERM-4.4 Promote Energy Conservation Awareness: The County should coordinate with local utility providers to provide public education on energy conservation programs.

ERM-4.6 Renewable Energy: The County shall support efforts, when appropriately sited, for the development and use of alternative energy resources, including renewable energy such as wind and solar, biofuels and co-generation.

ERM-4.7 Reduce Energy Use in County Facilities: Continue to integrate energy efficiency and conservation into all County functions.

ERM-4.8 Energy Efficiency Standards: The County shall encourage renovations and new development to incorporate energy efficiency and conservation measures that exceed State Title 24 standards. When feasible, the County shall offer incentives for use of energy reduction measures such as expedited permit processing, reduced fees, and technical assistance.

Impact Analysis

- a) **Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**
- b) **Would the project conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

As a Community with limited access to resources, capital, and services, the Allensworth Community Plan contains elements intended to increase its resilience while lowering its footprint. This includes the implementation of Complete Streets framework for the busiest roads, which promotes and enables alternative methods of transportation. Additionally, the Plan covers expanding food security and water security in the Community, which would decrease vehicle-miles-travelled for residents, and developing an integrated agrivoltaics system that supports both renewable energy and regenerative agriculture. Section 15064.4(a) of the CEQA Guidelines amendments for greenhouse gas emissions states that a lead agency should make a good-faith effort to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

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

Section 15064.4(b) of the CEQA Guidelines amendments for greenhouse gas emissions states that a lead agency should take into account the following three considerations in assessing the significance of impacts from greenhouse gas emissions.

1. The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.
2. Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
3. The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

The Air District has established a menu of performance standards, some of which depend on the existence of an adopted climate action plan or the establishment of Best Performance Standards, to determine the significance of a project's GHG emissions. The Air District has determined that projects consistent with an adopted CAP would be considered to have a less than significant impact. The County has an adopted *Climate Action Plan (CAP)*, which will be used in this analysis to determine significance for this impact.

Consistency with Climate Action Plan

The Tulare County CAP was adopted in August 2012. The Tulare County CAP states, "Commercial and industrial development in Tulare County during the 2020 and 2030 planning timeframes will be subject to conditions of approval and mitigation measures that will reduce greenhouse gas emissions beyond State regulations in most projects. For industrial projects, where the SJVAPCD is a Responsible Agency, the project will be expected to implement Best Performance Standards included in the SJVAPCD Guidelines for Addressing Greenhouse Gas Emissions on the processes and stationary equipment that emit greenhouse gases to levels that meet or exceed State targets....To demonstrate consistency with the ARB Scoping Plan 2020 target of 26.2 percent reduction in land use related sectors compared with business as usual, new development in the County subject to discretionary approval would need to provide an overall reduction of 6 percent beyond that provided by State and SJVAPCD regulation. Based on this analysis, implementation of the policies contained in the General Plan 2030 Update and available project specific measures can achieve an overall reduction of 6 percent of development-related greenhouse gas emissions under Tulare County jurisdiction. When reductions from regulations and programs are included, new development would produce approximately 31 percent fewer greenhouse gas emissions compared with the 2020 business as usual scenario.

There are no specific development projects associated with the Allensworth Community Plan. The Community Plan includes policies designed to specifically address GHG emissions, consistent with the Tulare County CAP. Future developments would be evaluated on a project-by-project basis and applicable Community Plan Update, General Plan and CAP policies will be implemented as future developments are identified. As future developments would be required to demonstrate consistency with the Community Plan, the General Plan, and the County CAP, the Community Plan Update does not conflict with the Tulare County CAP. Impacts would be ***Less than Significant***.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 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 the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulations

“The principal federal legislation is the Resource Conservation and Recovery Act (RCRA), which is administered by the United States Environmental Protection Agency (EPA). RCRA places reporting, permitting, and operational control requirements on those who generate, treat, store, or dispose of hazardous waste. The federal Hazardous Materials Transport Act, administered by the U.S. Department of Transportation, requires detailed manifesting and reporting of hazardous materials shipped on the U.S. highway system; it also contains packaging requirements for shipped materials.”⁶¹

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

⁶¹ Tulare County General Plan 2030 Update RDEIR, pages 3.8-1 to 3.8-2. Accessed August 2025 at: [Tulare County General Plan Recirculated Draft EIR Initial Study and Negative Declaration](#)
Allensworth Community Plan Update (GPA 25-006 & SPA 25-001)

“CERCLA, commonly referred to as Superfund, was enacted on December 11, 1980. The purpose of CERCLA was to provide authorities with the ability to respond to uncontrolled releases of hazardous substances from inactive hazardous waste sites that endanger public health and the environment. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at such sites, and established a trust fund to provide for cleanup when no responsible party could be identified. Additionally, CERCLA provided for the revision and republishing of the National Contingency Plan (NCP) that provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also provides for the National Priorities List, a list of national priorities among releases or threatened releases throughout the United States for the purpose of taking remedial action.

The Superfund Amendments and Reauthorization Act (SARA) amended CERCLA on October 17, 1986. This amendment increased the size of the Hazardous Response Trust Fund to \$8.5 billion, expanded EPA's response authority, strengthened enforcement activities at Superfund sites; and broadened the application of the law to include federal facilities.”⁶²

Resource Conservation and Recovery Act of 1976 (RCRA)

“RCRA is the nation’s hazardous waste control law. It defines hazardous waste, provides for a cradle-to-grave tracking system and imposes stringent requirements on treatment, storage and disposal facilities. RCRA requires environmentally sound closure of hazardous waste management units at treatment, storage, and disposal facilities. The EPA is the principal agency responsible for the administration of RCRA, SARA, and CERCLA.”⁶³

Occupational Safety and Health Act of 1970

“Through the enactment of this act, the Occupational Safety and Health Administration (OSHA) was obligated to prepare and enforce occupational health and safety regulations with the goal of providing employees a safe working environment. OSHA regulations apply to the work place and cover activities ranging from confined space entry to toxic chemical exposure. OSHA regulates workplace exposure to hazardous chemicals and activities by promulgating regulations specifying work place procedures and equipment.”⁶⁴

Hazardous Materials Transportation Act

“The Hazardous Materials Transportation Act (regulated by the U.S. Department of Transportation) regulates the interstate transport of hazardous materials and waste. This act specifies driver-training requirements, load labeling procedures, and container design and safety specifications. Transporters of hazardous wastes must also meet the requirements of additional statutes such as RCRA, discussed previously.”⁶⁵

State Agencies & Regulations

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Ibid. Page 3.8-3.

“At the State level, existing legislation allows State agencies to accept the delegation of federal responsibility for hazardous materials and hazardous waste management. The Porter-Cologne Water Quality Control Act allows the State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Board (RWQCB) to accept responsibility for the implementation of the Clean Water Act. The Hazardous Waste Control Act of 1977, and recent amendments to its implementation regulations, provides the Department of Health Services (DHS) with the lead role in administering the RCRA program. The Hazardous Substances Highway Spill Containment Act provides the California Highway Patrol (CHP) with the authority to respond to spills of hazardous materials on the State’s highway system.”⁶⁶

Hazardous Substance Account Act (1984)

“This act, known as the California Superfund, has three purposes: 1) to respond to releases of hazardous substances; 2) to compensate for damages caused by such releases; and 3) to pay the State's 10 percent share in CERCLA cleanups. Contaminated sites that fail to score above a certain threshold level in the EPA's ranking system may be placed on the California Superfund list of hazardous wastes requiring cleanup.”⁶⁷

Department of Toxic Substance Control (DTSC)

“California Environmental Protection Agency (Cal/EPA) has regulatory responsibility under Title 22 of the California Code of Regulations (CCR) for administration of the State and federal Superfund programs for the management and cleanup of hazardous materials. The DTSC is responsible for regulating hazardous waste facilities and overseeing the cleanup of hazardous waste sites in California. The Hazardous Waste Management Program (HWMP) regulates hazardous waste through its permitting, enforcement and Unified Program activities. HWMP maintains the EPA authorization to implement the RCRA program in California, and develops regulations, policies, guidance and technical assistance/training to assure the safe storage, treatment, transportation and disposal of hazardous wastes.”⁶⁸

State Water Resources Control Board (SWRCB)

“Acting through the RWQCB, the SWRCB regulates surface and groundwater quality pursuant to the Porter-Cologne Water Quality Act, the federal Clean Water Act, and the Underground Tank Law. Under these laws, RWQCB is authorized to supervise the cleanup of hazardous waste sites referred by local agencies in those situations where water quality may be affected.”⁶⁹

California Occupational Safety and Health Administration (Cal/OSHA)

“Cal/OSHA and the Federal OSHA are the agencies responsible for assuring worker safety in the handling and use of chemicals in the workplace. Pursuant to the Occupational Safety and Health Act of 1970, Federal OSHA has adopted numerous regulations pertaining to worker safety, contained in the Code of Federal Regulations Title 29 (29 CFR). These regulations set standards for safe workplaces and work practices, including standards relating to hazardous material handling. Cal/OSHA assumes primary responsibility for developing and enforcing State workplace safety regulations. Because California has a federally approved OSHA program, it is required to adopt regulations that are at least as stringent as those identified in 29 CFR. Cal/OSHA standards are generally more stringent than federal regulations. Cal/OSHA

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Ibid.

regulations concerning the use of hazardous materials in the workplace are included under Title 8 of the California Code of Regulations (CCR).”⁷⁰

Hazardous Materials Transport

“California law requires that Hazardous Waste (as defined in California Health and Safety Code Division 20, Chapter 6.5) be transported by a California registered hazardous waste transporter that meets specific registration requirements. State agencies tasked with primary responsibility for enforcing federal and State regulations and responding to hazardous materials transportation emergencies are the California Highway Patrol (CHP) and the California Department of Transportation (Caltrans). Together, these agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roads. The CHP is responsible for designating State and federal roadways as hazardous materials truck routes for three categories of hazardous materials: explosives, poisons that can be inhaled and radioactive material. These categories of hazardous materials can only be transported on routes designated by the CHP.”⁷¹

Universal Waste Rule

“Universal wastes are hazardous wastes that are generated by a wide variety of people. Examples include cathode ray tubes (CRTs; including televisions and computer monitors), consumer (nonautomotive) batteries, fluorescent tubes and other mercury-containing lamps, and consumer electronics. Universal waste rules allow common, low-hazard wastes to be managed under less stringent requirements than other hazardous wastes. California’s Universal Waste Rule became effective on February 8, 2002. Since that time, several other common wastes have been added to the list of universal wastes. These include mercury wastes, consumer electronic devices and CRTs. Other wastes may be added to the list over time. In general, universal wastes may not be discarded in ordinary solid waste landfills.”⁷²

Local Regulations

“Tulare County Health and Human Services Agency, Environmental Health Division
The Unified Hazardous Waste and Hazardous Management Regulatory Program (SB 1082, Health and Safety Code section 25260 et seq) is a State and local effort to consolidate, coordinate, and make consistent existing programs regulating hazardous waste and hazardous materials management. The Unified Program is implemented at the local level by a Certified Unified Program Agency (CUPA).
The Tulare County Health and Human Services Agency (TCHSA), Environmental Health Division (EHD) through the County of Tulare is the CUPA for all cities and unincorporated areas within Tulare County. The CUPA was created by the California legislature to minimize the number of inspections and different fees for businesses. The EHD was certified as the County CUPA in December 1996. As the CUPA, the EHD operates the following programs in the County:

- Aboveground Storage Tank (AST) Program Spill Control and Countermeasure Plan and requirements;
- California Accidental Release Prevention (CalARP) Program;
- Hazardous Materials Release Response Plans & Inventory (Business Plan);
- Hazardous Waste Generator and Onsite Hazardous Waste Treatment (Tiered Permit);
- Underground Storage Tank (UST) Program; and
- Hazardous Material Inventory Requirements of Article 80 of the Uniform Fire Code.

⁷⁰ Ibid. Page 3.8-4.

⁷¹ Ibid.

⁷² Ibid.

Under a contract with the SWRCB, the County through the EHD conducts the Local Oversight Program, which provides oversight of corrective action at leaking underground fuel tank (LUFT) sites throughout Tulare County.”⁷³

Tulare County Hazardous Waste Management Plan

“Tulare County has prepared a Hazardous Waste Management Plan (HWMP) in accordance with California Health and Safety Code Section 24135 et seq. The Tulare County HWMP, which was developed in May 1989, identifies hazardous waste generators within the County, amounts and types of waste produced, and projected waste generation. In addition, the plan identifies the need for any potential future locations of treatment, storage, and disposal (TSD) facilities and includes policies and potential impacts for the management of hazardous waste within the County. The major goal of the HWMP is to reduce the need for new hazardous waste facilities by reducing waste at its source through recycling, reduced use of hazardous materials, and public education.”⁷⁴

Tulare County Multi-Hazard Functional Plan

“Tulare County has prepared a Multi-Hazard Functional Plan to serve as the County’s emergency response plan. The plan addresses responses to various emergency incidents, responsibilities of various agencies, and sources of outside assistance. The following types of emergencies are addressed in the Multi-Hazard Functional Plan: Earthquakes, Dam Failure, Flood, Wildfire, War Emergency, Hazardous Materials Incident, Aircraft Crash, and Volcanic Eruption. This plan also identifies evacuation centers and addresses evacuation routes, which include all freeways, highways, and arterials that are located outside of the 100-year flood plain.”⁷⁵

Local Policy & Regulations

Tulare County General Plan

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

HS-1.1 Maintain Emergency Public Services: The County shall ensure that during natural catastrophes and emergency situations, the County can continue to provide essential emergency services.

HS-1.9 Emergency Access: The County shall require, where feasible, road networks (public and private) to provide for safe and ready access for emergency equipment and provide alternate routes for evacuation.

HS-4.1 Hazardous Materials: The County shall strive to ensure hazardous materials are used, stored, transported, and disposed of in a safe manner, in compliance with local, State, and Federal safety standards, including the Hazardous Waste Management Plan, Emergency Operations Plan, and Area Plan.

HS-4.2 Establishment of Procedures to Transport Hazardous Wastes: The County shall continue to cooperate with the California Highway Patrol (CHP) to establish procedures for the movement of hazardous wastes and explosives within the County.

HS-4.4 Contamination Prevention: The County shall review new development proposals to protect soils, air quality, surface water, and groundwater from hazardous materials contamination.

⁷³ Ibid. Page 3.8-4 to 3.8-5.

⁷⁴ Ibid. Page 3.8-5.

⁷⁵ Ibid.

- HS-4.6 Pesticide Control:* The County shall monitor studies of pesticide use and the effects of pesticide on residents and wildlife and require mitigation of the effects wherever feasible and appropriate.
- HS-4.8 Hazardous Materials Studies:* The County shall ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project.
- HS-4.9 Pesticide Use:* The County shall support an integrated pest management program which includes the biological control methods overseen by the Tulare County Agricultural Commissioner's Office.
- HS-6.25 Emergency Response Barriers:* The County shall support the identification of vital access routes that if removed would prevent fire fighter access (bridges, dams, etc.) as included in the Multi-Jurisdictional Local Hazard Mitigation Plan to address emergency access planning for these areas.
- HS-6.5 Fire Risk Recommendations:* The County shall encourage the County Fire Chief to make recommendations to property owners regarding hazards associated with the use of materials, types of structures, location of structures and subdivisions, road widths, location of fire hydrants, water supply, and other important considerations regarding fire hazard that may be technically feasible but not included in present ordinances or policies.
- HS-6.23 Reassessment of Fire Hazards Following Wildfire Events:* The County shall strive as reasonable and appropriate to adjust fire prevention and suppression needs for both short and long term fire protection in the reassessment of fire hazards following wildfire events.
- HS-7.1 Coordinate Emergency Response Services with Government Agencies:* The County shall coordinate emergency response with local, State, and Federal governmental agencies, community organizations, volunteer agencies, and other response partners during emergencies or disasters utilizing SEMS and NIMS.
- HS-7.3 Maintain Emergency Evacuation Plans:* The County shall continue to create, revise, and maintain emergency plan for the broad range of natural and human-made disasters and response activities that could foreseeably impact Tulare County. This shall include, but not be limited to, flooding, dam failure, extreme weather, evacuation/transportation, mass care and shelter, and animal evacuation and sheltering. Emergency Planning projects shall be in line with the County's Strategic Plan and Emergency Operations Plan, and incorporate current guidance and initiatives from State and Federal Emergency Management Agencies
- HS-7.4 Upgrading for Streets and Highways:* The County shall evaluate and upgrade vital streets and highways to an acceptable level for emergency services.
- HS-7.5 Emergency Centers:* The County shall require emergency backup systems to enable uninterrupted continuous operations as required by the California Essential Facilities Act.
- PFS-5.8 Hazardous Waste Disposal Capabilities:* The County shall require the proper disposal and recycling of hazardous materials in accordance with the County's Hazardous Waste Management Plan

Impact Analysis

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

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

Hazardous materials played an important role in the decline of Allensworth in the mid 20th century. In 1966, the State Water Resources Board ran samples of water from a new well being drilled and found rates of arsenic higher than those permissible under US Public Health Standards, at times reaching 250 ppb. While the town’s population had already dwindled because of drought and the pull of better economic opportunities elsewhere in the State, the discovery of arsenic in the water table led eventually led to Allensworth being scheduled for demolition.

The current sources of water, two wells outside the Community that are blended together, show arsenic levels below the EPA limit of 10 parts per billion (ppb). However, research has shown that the technique of blending water from the two different sources yields variegated results and consequently, the residents of Allensworth are not inclined to trust their tap water. Bottled water is a prevalent feature of life for the people of Allensworth; residents bear the cost of having to purchase water some 15-20 miles away for daily consumption.

Fortunately, Allensworth has been selected as the site of a pilot program that will test the implementation and operation of new, affordable, arsenic remediation technology developed by Dr. Ashok Gadgil and his Gadgil Lab. The Electrochemical Arsenic Remediation (ECAR) technology was first developed in 2018 and since then, has been shown to reliably reduce arsenic levels in water to less than 2 ppb. It is specifically designed to be used in small, rural, remote communities with little access to capital, and therefore, its production, management, and operational costs are relatively small. The Community Plan does anticipate that the success of the program will lead to water kiosks in the future, where treated water will be dispersed to the residents. This effort is buttressed by an education and outreach campaign that is designed to support community understanding through adoption of the technology and the development of its related infrastructure.

Though dangerous and potentially fatal, arsenic is not a hazardous material being introduced into the ecology by human associated development. Instead, advocates for the Community have found ways to partner with well-resourced projects and institutions in order to remediate the water supply and improve upon the water scarcity that marks the area.

Additionally, the Community Plan does not authorize any associated development. The Plan and all future development will be consistent with the Tulare County General Plan. Impacts with regards to the transport, use, disposal of hazardous materials as well as their release and emission would be less than significant.

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?

The project is not located on the list of hazardous material sites (Cortese list) compiled by the Department of Toxic Substances Control pursuant to Government Code Section 65962.5. Subsequently, there would be **no impact**.

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

Allensworth does not contain an airport or any airstrips. The nearest airports are the Pixley and Delano airports, which are about 9 and 11 miles away from the center of Allensworth, respectively. Hence, the community is far outside the 60 CNEL contour of all public use airports. With no plans to develop an airport in Allensworth in the future, noise associated with airports is relatively moot with respect to the Community Plan, and therefore there would be **no impacts**.

- f) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working the project area?**
- g) **Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

Emergency response and evacuation plans rely on the development of infrastructure, namely roads, in providing both ingress for emergency response vehicles as well as egress for evacuation. The 2017 Hamlet Plan for Allensworth details a robust approach to road development through the implementation of the Complete Streets Program on 5 of the major roadways in the community. Complete Streets are roadways that designed to safely and comfortably accommodate all users, regardless of age, ability or mode of transportation. The program provides a robust rubric by which street design and maintenance can provide for the diversity of vehicles, users, and uses that roadways accommodate and provide for. This includes, among others, considerations for emergency responders and their vehicles. The Community's implementation of the Complete Street program on its busiest roadways would, if anything, enhance response plans and evacuation plans for Allensworth.

Elsewhere, the Allensworth Community Plan provides for solutions that portend a needed benefit in their ability to anticipate, prevent, and combat disasters such as wildfires through the expansion of services and infrastructure designed for sustainability and resiliency. Under the "Fire Resilience and Home 'Hardening'" Section, the Plan advocates for short and long-term solutions to reduce vulnerability and susceptibility to wildfires by making recommendations for the maintenance and design of structures that discourage combustion and fire spread. These include clearing dried vegetation, covering air vents, sealing gaps, as well as encouraging non-flammable roofing solutions, double-paned windows, landscaping sensitive to fire resistance, and transitioning to underground power-lines. Additionally, the Plan incorporates the preliminary outline for a Community Resilience Center, which among other functions, would also serve as an emergency services center, and a satellite post for the fire department. This would serve as a short-term solution to serve in the intermediary time until the Community is able to sufficiently house a community fire station that is operational throughout the year.

The Allensworth Community Plan does not propose or authorize any new development, and all future projects would be consistent with the Tulare County General Plan. As such, there is no development associated with the project that impacts emergency plans, exacerbate wildfire risks, or expose occupants to pollutants associated with fire, flooding, landslides, or post-fire slope instability. Impacts would be **less than significant**.

10. HYDROLOGY AND WATER QUALITY

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Result in substantial erosion or siltation on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulations

Clean Water Act/NPDES

“The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was significantly reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972... Under the CWA, EPA has implemented pollution control programs such as setting wastewater standards for industry. We have also set water quality standards for all contaminants in surface waters...

The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained:

- EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges.
- Point sources are discrete conveyances such as pipes or man-made ditches.
 - Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit;
 - Industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.”⁷⁶

Safe Drinking Water Act

“The Safe Drinking Water Act (SDWA) was originally passed by Congress in 1974 to protect public health by regulating the nation’s public drinking water supply. The law was amended in 1986 and 1996 and requires many actions to protect drinking water and its sources—rivers, lakes, reservoirs, springs, and ground water wells. (SDWA does not regulate private wells which serve fewer than 25 individuals.) SDWA authorizes the United States Environmental Protection Agency (US EPA) to set national health-based standards for drinking water to protect against both naturally-occurring and man-made contaminants that may be found in drinking water. US EPA, states, and water systems then work together to make sure that these standards are met.”⁷⁷

Environmental Protection Agency

“The mission of EPA is to protect human health and the environment. EPA works to ensure that:

- Americans have clean air, land and water;
- National efforts to reduce environmental risk are based on the best available scientific information;
- Federal laws protecting human health and the environment are administered and enforced fairly, effectively and as Congress intended;
- Environmental stewardship is integral to U.S. policies concerning natural resources, human health, economic growth, energy, transportation, agriculture, industry, and international trade, and these factors are similarly considered in establishing environmental policy;
- All parts of society -- communities, individuals, businesses, and state, local and tribal governments - - have access to accurate information sufficient to effectively participate in managing human health and environmental risks;
- Contaminated lands and toxic sites are cleaned up by potentially responsible parties and revitalized; and
- Chemicals in the marketplace are reviewed for safety.”⁷⁸

United States Army Corps of Engineers (USACE or Corps)

“The Department of the Army Regulatory Program is one of the oldest in the Federal Government. Initially it served a fairly simple, straightforward purpose: to protect and maintain the navigable capacity of the nation's waters. Time, changing public needs, evolving policy, case law, and new statutory mandates have changed the complexion of the program, adding to its breadth, complexity, and authority.

⁷⁶ U.S. Environmental Protection Agency. Summary of the Clean Water Act. Accessed July 2025 at: <https://www.epa.gov/laws-regulations/summary-clean-water-act>.

⁷⁷ U.S. Environmental Protection Agency. Summary of the Safe Drinking Water Act. Accessed July 2025 at: <https://www.epa.gov/sdwa/overview-safe-drinking-water-act>.

⁷⁸ U.S. Environmental Protection Agency. Our Mission and What we do. Accessed July 2025 at: <https://www.epa.gov/aboutepa/our-mission-and-what-we-do>.

The Regulatory Program is committed to protecting the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions. The Corps evaluates permit applications for essentially all construction activities that occur in the Nation's waters, including wetlands."⁷⁹

National Flood Insurance Program

Created by Congress in 1968, "the NFIP is a federal program that aims to reduce the impact of flooding across the country. It does so by providing flood insurance to property owners who live in communities that adopt and enforce floodplain management standards." The NFIP is designed to provide an insurance alternative to disaster assistance to meet the rising costs of repairing flood damage to homes, businesses, and belongings.⁸⁰

State Agencies & Regulations

The Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act is California's primary law governing water quality, applying to both surface and groundwater. It established the State Water Resources Control Board and nine Regional Water Quality Control Boards to oversee and protect the beneficial uses of state waters. The Act regulates discharges of pollutants through Waste Discharge Requirements and aims to maintain the highest reasonable water quality by setting objectives and enforcing them through monitoring and permitting. It also integrates with the federal Clean Water Act.

State Water Quality Control Board

The mission of the State Water Resources Control Board (State Water Board) is:

*"To preserve, enhance, and restore the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations."*⁸¹

Mission Focus Areas:

- Water Quality Protection: Enforcing laws and setting statewide policies to maintain clean and safe surface water and groundwater.
- Water Rights Management: Allocating and overseeing water rights to ensure fair and legal use of California's limited water resources.
- Sustainable Use: Promoting efficient water use and supporting conservation, recycling, and drought resilience.
- Public Health and Safety: Ensuring safe drinking water and sanitation, especially for disadvantaged communities.
- Collaboration and Transparency: Engaging with stakeholders and the public to support sound water policy and environmental justice.

The State Water Board works in coordination with the nine Regional Water Quality Control Boards to implement the Porter-Cologne Water Quality Control Act and parts of the federal Clean Water Act.

Regional Water Quality Control Board

⁷⁹ U.S. Army Corps of Engineers. Regulatory Program Overview. Accessed July 2025 at: [Regulatory Program Overview.pdf \(army.mil\)](#)

⁸⁰ National Flood Insurance Program. What is the National Flood Insurance Program (NFIP)? Accessed July 2025 at: <https://agents.floodsmart.gov/agents-guide/background>.

⁸¹ State Water Resources Control Board. Mission Statement. Accessed January 2025 at: https://www.waterboards.ca.gov/about_us/

The mission of the California Regional Water Quality Control Boards (Regional Water Boards) is aligned with the overarching mission of the State Water Resources Control Board. It is officially stated as:

“To preserve, enhance, and restore the quality of California’s water resources and ensure their proper allocation and efficient use for the benefit of present and future generations.”⁸²

Regional Water Board Mission Highlights:

- Protect water quality in California’s rivers, lakes, groundwater, and coastal waters.
- Implement and enforce the Clean Water Act and California’s Porter-Cologne Water Quality Control Act at the regional level.
- Develop and update Basin Plans, which set water quality standards and beneficial uses for local waters.
- Issue permits (Waste Discharge Requirements and NPDES permits) for dischargers to ensure pollution control.
- Promote sustainable watershed management, including stormwater, agriculture, and groundwater protection.
- Engage with the public, regulated community, and local governments to support water quality goals.

There are nine Regional Water Boards across California, each with jurisdiction over a specific geographic area and its water bodies. Tulare County is governed by Region 5 — the Central Valley Regional Water Quality Control Board. This board’s jurisdiction includes the Sacramento and San Joaquin River basins as well as the Tulare Lake Basin, which encompasses Tulare County.

California Department of Water Resources (DWR)

The California Department of Water Resources (DWR) has the following official mission:

“To sustainably manage the water resources of California, in cooperation with other agencies, to benefit the state’s people and protect, restore, and enhance the natural and human environments.”⁸³

Key Focus Areas of DWR’s Mission:

- Sustainable water management: Ensuring long-term reliability of water supply for urban, agricultural, and environmental uses.
- Collaboration: Working with federal, state, and local partners, including tribes and disadvantaged communities.
- Environmental stewardship: Protecting ecosystems, restoring habitats, and supporting fish and wildlife.
- Infrastructure management: Operating and maintaining key systems like the State Water Project (SWP).
- Climate resilience: Preparing California’s water systems for droughts, floods, and climate change.

SB 610 (Costa, 2001)

Senate Bill 610 (SB 610), enacted in 2001, requires detailed water supply assessments (WSAs) for large development projects in California. If a project is subject to CEQA and proposes 500+ homes or equivalent water demand, the local water provider must prepare a WSA to determine if there is a sufficient long-term water supply. The assessment must analyze water sources, reliability, and potential shortages over a 20-year period. SB 610 aims to ensure that land use planning considers sustainable water availability before project approval.

⁸² Ibid.

⁸³ California Department of Water Resources. Mission Statement. Accessed August 2025 at: <https://water.ca.gov/about>

SB 221 (Kuehl, 2001)

Senate Bill 221 (Kuehl, 2001) mandates that California cities/counties cannot approve tentative or parcel maps, or development agreements for residential subdivisions of 500+ units unless a written verification from a public water supplier confirms a sufficient 20-year water supply, including during multiple-dry years. The supplier has 90 days to provide this verification, backed by substantial evidence—such as entitlements, infrastructure permits, or Urban Water Management Plans. SB 221 acts as a "fail-safe" to ensure water availability is confirmed before development approval.

SB 1168 (Pavely), AB 1739 (Dickinson) & SB 1319 (Pavely)

The Sustainable Groundwater Management Act (SGMA), enacted in 2014, requires local agencies to manage California's groundwater sustainably by 2040 or 2042. It targets six "undesirable results," including overdraft, subsidence, and water quality degradation. Local Groundwater Sustainability Agencies (GSAs) must develop Groundwater Sustainability Plans (GSPs) for high- and medium-priority basins. These plans outline goals, monitoring, and actions to reach long-term groundwater balance. SGMA emphasizes local control, stakeholder engagement, and long-term water reliability. Though implementation is complex, SGMA is a major step toward securing California's water future for agriculture, communities, and the environment.

Local Policy & Regulations

Tulare County Land Development Regulations

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

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

The Tulare County Flood Control District

The Tulare County Flood Control District, a countywide district governed by the County Board of Supervisors, is the local flood management agency. Tulare County participates in the National Flood Insurance Program Community Rating System, uses FEMA insurance rate maps, and enforces Ordinance Code of Tulare County, Part VII, Chapter 27, Flood Damage Prevention. The County Zoning Ordinance also provides regulations to reduce flood hazards through land use regulations.

Tulare County Environmental Health Services

The Environmental Health Services Division regulates retail food sales and hazardous waste storage and disposal; inspects contaminated sites and monitors public water systems, which protects and reduces the degradation of groundwater. The Division regulates the production and shipping of milk for Tulare and Kings Counties and also serves as staff to the Tulare County Water Commission appointed by the Board of Supervisors. The goal of HHSA's Environmental Health division is to protect Tulare County's residents and visitors by ensuring that our environment is kept clean and healthy. This division requires water quality testing of public water systems. Any project that involves septic tanks and water wells within Tulare County is subject to approval by this agency. All recommendations provided by this division will be added as mitigation measures to ensure reduction in environmental impacts.

Tulare County General Plan 2030 Update Policies

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

PF-4.14 Compatible Project Design: The County may ensure proposed development within CACUABs is compatible with future sewer and water systems, and circulation networks as shown in city plans.

PFS-2.1 Water Supply: The County shall work with agencies providing water service to ensure that there is an adequate quantity and quality of water for all uses, including water for fire protection, by, at a minimum, requiring a demonstration by the agency providing water service of sufficient and reliable water supplies and water management measures for proposed urban development.

PFS-2.2 Adequate Systems: The County shall review new development proposals to ensure that the intensity and timing of growth will be consistent with the availability of adequate production and delivery systems. Projects must provide evidence of adequate system capacity prior to approval.

PFS-2.3 Well Testing: The County shall require new development that includes the use of water wells to be accompanied by evidence that the site can produce the required volume of water without impacting the ability of existing wells to meet their needs.

PFS-2.4 Water Connections: The County shall require all new development in UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, Area Plans, existing water district service areas, or zones of benefit, to connect to the community water system, where such system exists. The County may grant exceptions in extraordinary circumstances, but in these cases, new development shall be required to connect to the water system when service becomes readily available.

PFS-2.5 New Systems or Individual Wells: Where connection to a community water system is not feasible per PFS-2.4: Water Connections, service by individual wells or new community systems may be allowed if the water source meets standards for quality and quantity.

PFS-3.1 Private Sewage Disposal Standards: The County shall maintain adequate standards for private sewage disposal systems (e.g., septic tanks) to protect water quality and public health.

PFS-3.2 Adequate Capacity: The County shall require development proposals to ensure the intensity and timing of growth is consistent with the availability of adequate wastewater treatment and disposal capacity.

PFS-3.3 New Development Requirements: The County shall require all new development, within UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, Area Plans, existing wastewater district service areas, or zones of benefit, to connect to the wastewater system, where such systems exist. The County may grant exceptions in extraordinary circumstances, but in these cases, the new development shall be required to connect to the wastewater system when service becomes readily available.

PFS-3.7 Financing: The County shall cooperate with special districts when applying for State and federal funding for major wastewater related expansions/upgrades when such plans promote the efficient solution to wastewater treatment needs for the area and County.

- PFS-4.1 Stormwater Management Plans:* The County shall oversee, as per Community Plan Content Table PF-2.1 and Specific Plan Content, Hamlet Plans Policy PF-3.3, and Table LU-4.3, the preparation and adoption of stormwater management plans for communities and hamlets to reduce flood risk, protect soils from erosion, control stormwater, and minimize impacts on existing drainage facilities, and develop funding mechanisms as a part of the Community Plan and Hamlet Plan process.
- PFS-4.2 Site Improvements:* The County shall ensure that new development in UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, and Area Plans includes adequate stormwater drainage systems. This includes adequate capture, transport, and detention/retention of stormwater.
- PFS-4.3 Development Requirements:* The County shall encourage project designs that minimize drainage concentrations and impervious coverage, avoid floodplain areas, and where feasible, provide a natural watercourse appearance.
- PFS-4.4 Stormwater Retention Facilities:* The County shall require on-site detention/retention facilities and velocity reducers when necessary to maintain existing (pre-development) storm flows and velocities in natural drainage systems. The County shall encourage the multi-purpose design of these facilities to aid in active groundwater recharge.
- PFS-4.5 Detention/Retention Basins Design:* The County shall require that stormwater detention/retention basins be visually unobtrusive and provide a secondary use, such as recreation, when feasible.
- PFS-4.6 Agency Coordination:* The County shall work with the Army Corps of Engineers and other appropriate agencies to develop stormwater detention/retention facilities and recharge facilities that enhance flood protection and improve groundwater recharge.
- PFS-4.7 NPDES Enforcement:* The County shall continue to monitor and enforce provisions to control non-point source water pollution contained in the U.S. Environmental Protection Agency National Pollution Discharge Elimination System (NPDES) program.
- AG-1.17 Agricultural Water Resources:* The County shall seek to protect and enhance surface water and groundwater resources critical to agriculture.
- HS-4.4 Contamination Prevention:* The County shall review new development proposals to protect soils, air quality, surface water, and groundwater from hazardous materials contamination.
- HS-5.1 Development Compliance with Federal, State, and Local Regulations:* The County shall ensure that all development within the designated floodway or floodplain zones conforms to FEMA regulations and the Tulare County Flood Damage Prevention Ordinance. New development and divisions of land, especially residential subdivisions, shall be developed to minimize flood risk to structures, infrastructure, and ensure safe access and evacuation during flood conditions.
- HS-5.2 Development in Floodplain Zones:* The County shall regulate development in the 100-year floodplain zones as designated on maps prepared by FEMA in accordance with the following:
1. Critical facilities (those facilities which should be open and accessible during emergencies) shall not be permitted.
 2. Passive recreational activities (those requiring non-intensive development, such as hiking, horseback riding, picnicking) are permissible.
 3. New development and divisions of land, especially residential subdivisions, shall be developed to minimize flood risk to structures, infrastructure, and ensure safe access and evacuation during flood conditions.
- HS-5.4 Multi-Purpose Flood Control Measures:* The County shall encourage multipurpose flood control projects that incorporate recreation, resource conservation, preservation of natural riparian habitat, and scenic values of the County's streams, creeks, and lakes. Where appropriate, the County shall also encourage the use of flood and/or stormwater retention facilities for use as groundwater recharge facilities.
- HS-5.6 Impacts to Downstream Properties:* The County shall ensure that new County flood control projects will not adversely impact downstream properties or contribute to flooding hazards.

- HS-5.9 Floodplain Development Restrictions:* The County shall ensure that riparian areas and drainage areas within 100-year floodplains are free from development that may adversely impact floodway capacity or characteristics of natural/riparian areas or natural groundwater recharge areas.
- HS-5.10 Flood Control Design:* The County shall evaluate flood control projects involving further channeling, straightening, or lining of waterways until alternative multipurpose modes of treatment, such as wider berm and landscaped levees, in combination with recreation amenities, are studied.
- HS-5.11 Natural Design:* The County shall encourage flood control designs that respect natural curves and vegetation of natural waterways while retaining dynamic flow and functional integrity.
- WR-1.1 Groundwater Withdrawal:* The County shall cooperate with water agencies and management agencies during land development processes to help promote an adequate, safe, and economically viable groundwater supply for existing and future development within the County. These actions shall be intended to help the County mitigate the potential impact on ground water resources identified during planning and approval processes.
- WR-1.5 Expand Use of Reclaimed Wastewater:* To augment groundwater supplies and to conserve potable water for domestic purposes, the County shall seek opportunities to expand groundwater recharge efforts.
- WR-1.6 Expand Use of Reclaimed Water:* The County shall encourage the use of tertiary treated wastewater and household gray water for irrigation of agricultural lands, recreation and open space areas, and large landscaped areas as a means of reducing demand for groundwater resources.
- WR-2.1 Protect Water Quality:* All major land use and development plans shall be evaluated as to their potential to create surface and groundwater contamination hazards from point and non-point sources. The County shall confer with other appropriate agencies, as necessary, to assure adequate water quality review to prevent soil erosion; direct discharge of potentially harmful substances; ground leaching from storage of raw materials, petroleum products, or wastes; floating debris; and runoff from the site.
- WR-2.2 National Pollutant Discharge Elimination System (NPDES) Enforcement:* The County shall continue to support the State in monitoring and enforcing provisions to control non-point source water pollution contained in the U.S. EPA NPDES program as implemented by the Water Quality Control Board.
- WR-2.3 Best Management Practices (BMPs):* The County shall continue to require the use of feasible BMPs and other mitigation measures designed to protect surface water and groundwater from the adverse effects of construction activities, agricultural operations requiring a County Permit and urban runoff in coordination with the Water Quality Control Board.
- WR-2.4 Construction Site Sediment Control:* The County shall continue to enforce provisions to control erosion and sediment from construction sites.
- WR-2.5 Major Drainage Management:* The County shall continue to promote protection of each individual drainage basin within the County based on the basins unique hydrologic and use characteristics.
- WR-2.6 Degraded Water Resources:* The County shall encourage and support the identification of degraded surface water and groundwater resources and promote restoration where appropriate.
- WR-2.8 Point Source Control:* The County shall work with the Regional Water Quality Control Board to ensure that all point source pollutants are adequately mitigated (as part of the California Environmental Quality Act review and project approval process) and monitored to ensure long-term compliance.
- WR-3.3 Adequate Water Availability:* The County shall review new development proposals to ensure the intensity and timing of growth will be consistent with the availability of adequate water supplies. Projects must submit a Will-Serve letter as part of the application process and provide evidence of adequate and sustainable water availability prior to approval of the tentative map or other urban development entitlement.
- WR-3.5 Use of Native and Drought Tolerant Landscaping:* The County shall encourage the use of low water consuming, drought-tolerant and native landscaping and emphasize the importance of utilizing water conserving techniques, such as night watering, mulching, and drip irrigation.

WR-3.6 Water Use Efficiency: The County shall support educational programs targeted at reducing water consumption and enhancing groundwater recharge.

WR-3.10 Diversion of Surface Water: Diversions of surface water or runoff from precipitation should be prevented where such diversions may cause a reduction in water available for groundwater recharge.

Impact Analysis

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality

Domestic water service in Allensworth is provided by the Allensworth Community Services District. The District's service area is approximately 800 acres and comprises 146 households, one school, and the State Park. In the area, groundwater quality is poor with particularly high concentrations of arsenic, in addition to chromium (hexavalent), nitrate and nitrite.

Allensworth Community Services District relies on two wells, both three miles east of town, which are blended to meet federal drinking water standards. Water is piped to the community from this site to a 42,000 gallon storage tank with a booster pumping plant to pressurize the community's water system. According to the Tri-County Water Authority Well Number 1 was constructed in 1984, has a depth of 245 feet, with an arsenic concentration of 11 – 14 ppb. Well Number 2 was constructed in 1998-1999 to a depth of 315 feet, with an arsenic concentration of 7-14 ppb. However, with a bottom cement seal installed in 2015, from 260 feet to the bottom, arsenic concentrations have remained below 10 ppb.

Allensworth Community Services District (ACSD) has secured funds to implement several water infrastructure improvements, including a new well and a new storage tank (500,000 gallon), both of which will address water quality, with corollary benefits to flow and pressure issues in anticipation of community growth. The well site is on a .5-acre property located just east of the existing two well sites (APN 333-252-020 in Tulare County). The tank site is located adjacent to the existing one on the one-acre ACSD property at 3336 Road 84, #A in Allensworth, CA. Tri-County Water Authority (TCWA) is planning a second storage tank at the site of the Tri-County Water Authority Multi-benefit Recharge Basin.

Currently, ACSD residences (approximately 531), Allensworth Elementary School, Church and Community Center are all on individual private septic tanks, most of which were installed in the 1980s, so they are aging and creating health and environmental risks. There are growing concerns about groundwater contamination caused by inadequate wastewater treatment and disposal observed by the community's septic tanks. Some of the residences do not have septic systems and therefore, discharge raw wastewater directly into the ground. Allensworth is underlain by hardpan, impervious clay layers. For this reason, during winter months, the community often experiences septic system overflows and flooding. The groundwater table remains high even during drought conditions, leaving the ACSD with minor wastewater disposal capabilities, via leach fields, during the summer months and even less during the winter months. Some of the septic tanks within the community are installed half-way above ground due to the high water table. It is typical for the ACSD residences to encounter foul odors and unhygienic conditions throughout the community due to their inability to effectively dispose of their septic effluent. All of these problems threaten the health of Allensworth residents.

In February, 2023, AM Consulting Engineers completed the "Septic to Sewer Feasibility Study" report for ACSD. Multiple alternatives for addressing the challenges outlined above were considered, including individual septic system upgrades, a community septic system, connection to the Earlimart WWTP, and

the development of Allensworth’s own WWTP. While each option had their pros and cons, developing an Allensworth WWTP was the final recommendation and the one most in keeping with the primary aims of this community plan to achieve rural self-sufficiency. TCWA’s “Allensworth Concept” for the South Basin includes a wastewater treatment plant (WWTP) which is currently non-existent in Allensworth where failing septic tanks and a perched groundwater table has created challenges for the community. The treated effluent from the WWTP will flow into and sustain wetland habitat and recreational opportunities for the community (see “Water Feature” in plan above). The wetlands themselves will further filter the water.

Nonetheless, there are no specific development projects associated with the Allensworth Community Plan. Future developments would be evaluated on a project-by-project basis and applicable Community Plan, General Plan and CAP policies will be implemented as future developments are identified. As future developments would be required to demonstrate consistency with the Community and General Plans, the Plan does not violate any water quality standards, waste discharge requirements, or otherwise substantially degrade surface or groundwater quality. Impacts would be **Less than Significant**.

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

TCWA is planning a major recharge project in Allensworth that intends to both replenish groundwater severely needed in the Tule Basin and provide direct benefits to the community of Allensworth, as well as species migrating and native to the area. The proposed dedicated recharge basin is intended as a regional demonstration project of how strategically sited and designed green infrastructure can act as a surrogate floodplain to provide a wide range of multi-benefit outcomes for the community of Allensworth and Pacific Flyway bird species. The multi-benefit recharge basin will create wildlife habitat, in particular intermittent wetland habitat, community recreation opportunity, flood risk reduction, and increase the groundwater-dependent community’s resilience to climate change and secure supplemental water resource now and into the future. The Project provides several benefits to the Community of Allensworth, the Groundwater Sustainability Agency, and the Tule Subbasin which include: (1) environmental protection and enhancement (2) pollution control and flood protection (3) water supply reliability (4) water conservation and reduction of subsidence, (5) outdoor recreation and community involvement.

The Community Plan, by itself, does not propose or authorize any development. Future development proposed in Allensworth would be required to conform to all applicable regulations that address drainage, storm water runoff, and groundwater management including the aforementioned general plan policies and the Tri-County Water Authority’s groundwater sustainability plan. The Community Plan would be consistent with these policies and plans. Therefore, impacts would be **less than significant**.

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: result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; 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 impede or redirect flood flows?

i. Erosion and Siltation:

- ii. **Runoff and Flooding:**
- iii. **Drainage Systems and Polluted Runoff**
- iv. **Impede or Redirect Flood Flows:**

Allensworth is not located near any streams or rivers, and the landscape is characterized by long stretches of contiguous flat land. Accordingly, the Community is not vulnerable to erosion, even in times of heavy precipitation or flooding. However, because it is located in a flood plain, zoned as “AO” by FEMA, defined as a 1% chance of annual flooding⁸⁴. In order to minimize impacts due to flooding, the Plan identifies some of long-term strategies that can be incorporated into future development and design. The identified strategies respond to the concerns associated with runoff in this question, they include:

- Developing community-wide berm and bioswales for directing excess water away from structures.
- Installing permeable pavements that allow excess water to absorb into the ground.
- Designing houses with butterfly roofs and/or robust gutter systems that channel water to two points of collection,
- Digging underground cisterns for storing excess runoff from buildings,
- Designing waterways at the collection points as pathways to cisterns and bioswales,
- Grading land for new housing and community structures as small, higher elevation plains around structure.

Collectively, they seek to enhance the ability of the Community to absorb water, and thereby, increase the capacity of drainage systems and decrease the project’s contribution to runoff.

Allensworth is located in the Deer Creek Storm Water District. Inadequate direction of flood flows have contributed to the deleterious impacts of flooding in Allensworth in the past and accordingly, the district is planning on channeling floodwaters east of Highway 43 to the site of an 850-acre constructed reservoir nearby, north of Deer Creek just south of Avenue 88 and between Homeland Canal and Route 43, on the site of a dairy.

The Community Plan, by itself, does not propose or authorize any development, and thus, runoff and drainage patterns would not be affected. Future development proposed in Allensworth would be required to conform to all applicable regulations that address drainage, erosion, runoff, and redirection of flood flows. The Community Plan would be consistent with these policies and plans. Therefore, impacts would be **less than significant**.

d) If in a flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

Allensworth is located in a FEMA-designated AO flood zone, and it has endured damage and crises in response to flooding in the past. As noted earlier, inadequate septic systems are a hazard to the health of Allensworth residents as well as the natural landscape. Flooding poses a threat to health and hygiene hazards associated with the sewage effluent. The Tri-County Water Authority has addressed this concern and proposed a wastewater treatment plant for the Community, but that remains in the future and the Community Plan does not sanction its creation.

The Community Plan, by itself, does not propose or authorize any development, and thus, pollutants would not be released due to project inundation. Future development proposed in Allensworth would

⁸⁴ Federal Emergency Management Agency FIRM Panel 06107C2250E June 16, 2009. Accessed January 2026 at: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-99.39123254462633,30.000432493861474,-99.34969049140369,30.01901356194827>

be required to conform to all applicable regulations that address contamination of pollutants due to project execution. The Community Plan would be consistent with these policies and plans. Therefore, impacts would be **less than significant**.

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

Under the Sustainable Groundwater Management Act (SGMA), local Groundwater Sustainability Agencies (GSAs) have prepared Groundwater Sustainability Plans (GSPs) that define sustainable yield, establish groundwater level thresholds, and propose management actions such as recharge basins, demand reduction, and improved monitoring networks. SGMA requires all high- and medium-priority subbasins to achieve sustainability by 2040. The GSA covering Allensworth is the Tri-County Water Authority, which has mapped out a series of plans and solutions for Allensworth concerning water quality, groundwater recharge, wastewater treatment, and subsidence. The TWCA GSP contains a recharge project, the Multi-benefit Recharge Basin, as noted above in a).

The Community Plan, by itself, does not propose or authorize any development. Future development proposed in Allensworth would be required to conform to all applicable regulations that address coordination and conformation with SGMA and the Tri-County Water Authority's groundwater sustainability plan. The Community Plan would be consistent with these policies and plans. Therefore, impacts would be **less than significant**.

11. LAND USE AND PLANNING

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 Project site is located within and adjacent to the unincorporated community of Allensworth in Tulare County. Lands to the east are within the existing Allensworth Hamlet Development Boundary (HDB) and are developed with residential, public, and community-serving uses. Lands to the east and south are zoned for agricultural production, and lands to the north are dedicated to the Colonel Allensworth State Historic Park.

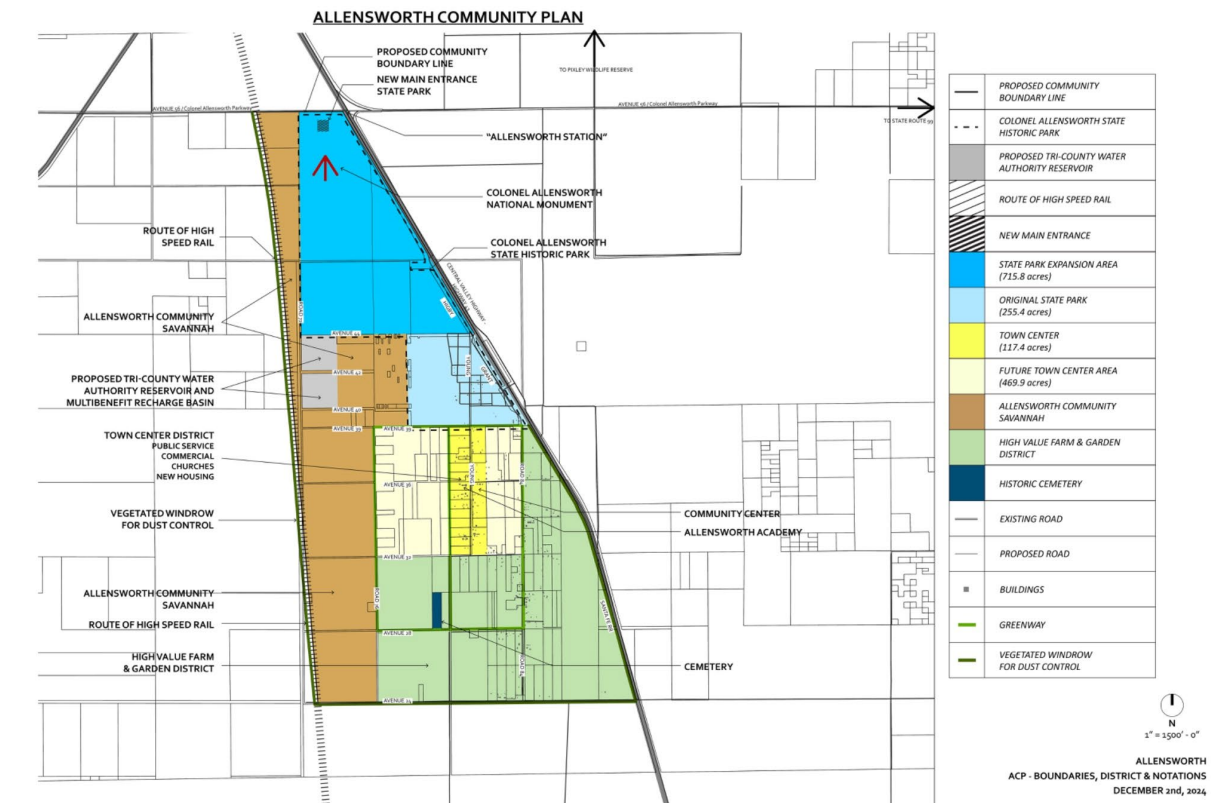
Under the Tulare County General Plan, land outside adopted community boundaries is generally designated for agricultural use pursuant to the Rural Valley Lands Plan (RVLP). Urban development is directed to incorporated cities and unincorporated communities through adopted Community Plans and defined Urban Development Boundaries (UDBs). The Allensworth Community Plan Update establishes the long-range land use framework and infrastructure planning assumptions for growth within the Allensworth area, and establishes Allensworth as a Community as opposed to the label of “Hamlet” consistent with the previously adopted Allensworth Hamlet Plan in 2017.

The Project site is currently designated Valley Agriculture and zoned Exclusive Agricultural (AE-40). Portions of the site are under active cultivation. Surrounding uses include agricultural operations, existing neighborhoods, and the Colonel Allensworth State Historic Park.

The UDB Modification would increase the Allensworth Community UDB by approximately 2,748.6 acres and redesignate the planning area for mixed uses. This modification would refine the Tulare County General Plan and increase the probability of receiving grant funding for the community. The proposed General Plan Amendment No. GPA 25-006 would modify the existing Allensworth HDB by adding approximately 2,794 acres to the proposed community UDB to encompass a total of approximately 3,845 acres. The GPA would also change the existing "Valley Agriculture" land use designation of the acreage currently within the RVLP to the “Mixed Use” land use designation once included within the proposed UDB.

The Specific Plan, Project No. SPA 25-001, proposed the below defined “Community Districts.” Which will direct future development in the in Allensworth. Each proposed district is defined and lists consistent General Plan land use designations that will be used to guide future development. **Figure 7** below shows proposed Community Districts.

Figure 7 Proposed Allensworth Community Districts



Community Districts

Town Center (Multi-family housing, single-family housing, civic, commercial, religious, cultural)

As reinforced in the Community Mapping process and according to where community institutions are already located (Allensworth Elementary School, Allensworth Community Center, Allensworth Christian Church), as well as proximity to the State Park, the cultural core of Allensworth exists along Young Road from Avenue 39 to Avenue 32. A number of in-home businesses, providing much-needed services to the community, exist along this stretch and will be the backbone for the planned “Town Center” as expansion of the school and the development of Allensworth Community Resiliency Center provide critical infrastructure for a true town identity. While the existing Town Center is along Young Road, from Avenue 39 in the north to Avenue 32 in the south, the Allensworth Community Plan anticipates the growth of this center to be bounded by Road 76 and Road 84 to the west and east respectively, and Avenues 39 and 32 to the north and south, this area will be zoned for higher density mixed-use development. Multi-family housing and mixed-use commercial retail has the potential for approval in these areas, as long as water, sewer, and electric are suitably considered. Young Road will be the civic, cultural and commercial spine of the living community of Allensworth.

Town Center Mixed Land Use (from Tulare County General Plan; Extents of Mixed Use Overlay Zone)

The development of the Town Center will first concentrate on the existing community spine of Allensworth where the church, school and community center exist along Young Road. For the “Future Town Center Area” (UDB), expanding east and west to Roads 84 and 76 respectively, these land uses will apply as the community fills in.

Residential Land Use: MEDIUM DENSITY RESIDENTIAL (MDR)

This land designation establishes areas for single-family and low-density multi-family dwellings. In Allensworth, this will include single family, duplex and triplex housing. Possibly townhouses and low-rise apartments upon review and within density maximum (below).

Density: Maximum of 14 dwellings per acre

Commercial Land Use: NEIGHBORHOOD COMMERCIAL (NC)

This designation establishes areas for small-scale, general retail, and service businesses that provide goods to the immediate surrounding area. Uses allowed in Allensworth include: food and beverage retail sales; limited personal, medical, professional and repair services; and retail sales. A small lodging hotel/motel to host visitors to the park are also permissible.

Density: Maximum 0.5 FAR

Public Facilities Land Use: PUBLIC/QUASI-PUBLIC (P/QP)

This designation establishes areas for public and quasi-public services and facilities that are necessary to maintain the welfare of County residents and businesses. In Allensworth, this includes: churches, schools, civic and community centers, medical centers, recreation centers, fire and sheriff stations, and small recreation facilities (playgrounds, sports fields, community gardens, etc).

Garden & Farm Agricultural Land Use (Allensworth Farming Enterprises):

LOW DENSITY RESIDENTIAL (WITH FARM) (LDR)

Within the “Future Town Center Area” particularly west to Road 84, there are opportunities for 1-5 acre farm/productive gardening parcels with single or multifamily homes. If able to purchase land, the Allensworth Farming Enterprises, a cooperative regenerative community farming organization, is a community resource and would be ideally situated in the expanded “Future Town Center Area.”

Farm & Garden District (single family housing, farms)

The land to the west, south, and east of the Town Center will be developed in character with its historic and current use - as an agricultural district that hosts small agricultural and livestock operations per county code and their affiliate homes where resident farmers and their families live. Sustainable and regenerative farming techniques will be part of the community review process to protect the air, water, soil conditions for the overall health of the community.

RURAL RESIDENTIAL (RR)

This designation establishes areas for single family dwellings and farmworker housing located around the Future Town Center extents.

Density: Maximum of 1 Dwelling Unit per acre (mobile homes are acceptable). Dwelling unit can include multi-resident farmworker housing.

REGENERATIVE AGRICULTURAL/HORTICULTURAL COMMUNITY COMMERCIAL

This allows for regenerative commercial agriculture, as well as the development of native plant and low-water/salt tolerant crop nurseries, small-scale community compost hubs.

Community Energy Production: PUBLIC/QUASI-PUBLIC (P/QP)

Solar panels and agrivoltaics for the community’s energy needs are permissible in this area.

Historic Properties District

This includes the original town site already preserved as the Colonel Allensworth State Historic Park. It also includes the Allensworth Historic Cemetery, owned and operated by the ACSD, as well as the community cemetery, which is a continuing cultural resource to be protected similarly as the historic

properties. An inventory will be undertaken to identify further historical, cultural and archaeological resources within the community.

PUBLIC/QUASI-PUBLIC (P/QP)

Recreation and Wetland Park Area (public infrastructure)

This 80+ acre area is situated to the west of the State Park and bounded to the west by the planned High Speed Rail Line (Avenue 44 to Avenue 40) and will include a multi-benefit recharge basin for wildlife habitat, in particular intermittent wetland habitat, community recreation, flood risk reduction, and secure supplemental water resources now and into the future.

PUBLIC/QUASI-PUBLIC (P/QP):

In addition to restoration, flood control, recharge, recreation, this site has been identified for community sewer and water storage. Community energy production through solar or agrivoltaics are also permissible within these parcels.

Community Savannah Area and Community Buffers

Along the High Speed Rail line, this linear swath of land, much of which is owned by Angiola Water District, will require landowners to plant and maintain trees that protect the community from dust and noise created by the rapidly passing trains. Along the eastern edge of the community, it is recommended that land owners along the Amtrak and BNSF rail line also plant a vegetative buffer to reduce dust. Finally, a community buffer of dust and pesticide mitigating trees and plantings will be introduced along the southern edge of the community to protect residents from industrial-scale pistachio growing operations that exist there currently.

PUBLIC/QUASI-PUBLIC (P/QP):

Since much of this land is owned by Angiola Water District and will likely be used for recharge or flood collection and control purposes, this designation permits this use as long as it is land that is adequately maintained for dust and weed control. California High Speed Rail will also be responsible for proper community protection from nuisances the high speed rail might present the community.

CLIMATE-RESPONSIVE AGRICULTURE:

The remainder of this outlying land may operate as commercial agricultural land including ranching, livestock, and crop production. The soils are poor quality and recharge value is relatively low, so rangeland is likely the most optimal commercial use. If used for crop production, amending soils with organic matter and growing low-water, salt-tolerant crops will be the only form of commercial agriculture that will not harm the air, water, soil, health of Allensworth.

RURAL RESIDENTIAL (RR)

This designation establishes areas for single family dwellings and farmworker housing located around the Future Town Center extents.

Density: Maximum of 1 Dwelling Unit per acre (mobile homes are acceptable). Dwelling unit can include multi-resident farmworker housing.

State of CA Land Use Review

Integrated into the Allensworth Community Plan by reference is AB-1077 (February 18, 2011) which provides for the California State Parks to review land use changes within a 2½ mile radius of the Colonel Allensworth State Historic Park which may have an adverse effect on the park or “be incompatible with the historic or recreational significance of the park.” The Land Use, Development & Design Review Commission, which will include representatives from the Allensworth Alliance to be in consultation with

State Parks, will review development proposals within Allensworth and the 2.5 mile radius from the State Park and community.

Regulatory Setting

Federal Agencies & Regulations

Federal regulations for land use are not relevant to the Project because it is not a federal undertaking, the Project site is not located on lands administered by a federal agency. Should the Project request federal funding, the appropriate National Environmental Policy Act (NEPA) process of evaluating potential environmental impacts will be undertaken prior to the approval of said federal funding. Regardless of the funding source, the project and its related potential environmental impacts have been evaluated in this document.

State Agencies & Regulations

The Project is being evaluated pursuant to CEQA. The project will meet all applicable state regulations, plans, programs, or guidelines associated with land use and planning.

Local Policy and Regulations

Tulare County Association of Governments (TCAG)

TCAG is committed to improving the quality of life for residents and visitors throughout Tulare County, creating regional plans and building regional projects. We coordinate regional transit programs to make getting around easy and convenient. We have improved air quality and strive to continue to meet national standards. We responsibly use the extra hard earned tax dollars that the people of Tulare County bring in to us from the passage of Measure R under the supervision of the board and citizen's review committee. We address current and future rail needs and possibilities with a forward thinking approach. We gather important data which is used by the census and the public to properly forecast housing and transit needs. We also manage the abandoned vehicle program for the county, and do a whole lot more.⁸⁵

Existing County Land Uses

The proposed Project site is located in the southwestern portion of Tulare County. Tulare County is located in the San Joaquin Valley portion of the Great Central Valley of California that lies south of the Sacramento-San Joaquin Delta, and is comprised of 4,863 square miles. The County is bordered by Fresno County to the north, Kings County to the west, Kern County to the south, and Inyo County to the east. The valley portion of land totals approximately 3,930 square miles or approximately 81 percent of Tulare County. Open space, which includes wilderness, national forests, monuments and parks, and county parks, encompass approximately 1,230 square miles, or approximately 25 percent of the County. Agricultural uses total approximately 2,150 square miles or approximately 44 percent of the entire County. Incorporated cities in the Tulare County account for less than three percent of the entire County area.

The County's primary regulatory tool for implementing the General Plan is the Zoning Ordinance. Tulare County's first zoning ordinance was adopted in 1947 as Ordinance 352. The current *Tulare County Zoning*

⁸⁵ Tulare County Association of Governments. About Us. Accessed August 2025 at: <https://tularecog.org/tcag/about-us/history-of-tcag/>

Ordinance and related State and Local Land Use Regulations was revised in September 2005 and covers the entire unincorporated county. The Zoning Ordinance has been amended many times since 2005, but has not undergone a comprehensive update. The zoning regulations regulate the extent and type of development that can occur in the unincorporated areas, therefore the outdated ordinance is limiting the County's holding capacity and build out potential. A major difference between the general plan and zoning is that the General Plan provides guidance on the location, type, density, and timing of new growth and development over the long-term, while zoning determines what development can occur on a site specific basis. The land general plan use designations, and the zoning classifications and development standards of the zoning ordinance, determine the County's holding capacity and buildout potential.

The *Zoning Ordinance* establishes three residential zones, four commercial zones, three industrial zones, and seven other zones related to agriculture, timber, and resource-related uses. The purpose of the zones is to translate the broad land use categories established by the *Tulare County General Plan* into detailed land use classifications that are applied to properties with much greater precision than the General Plan. The zoning classifications follow specific property lines and road alignments and correspond to the applicable General Plan categories. Working with the zoning classifications, the text of the *Zoning Ordinance* provides detailed regulations for the development and use of land.

Tulare County General Plan 2030 Update

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

AG-1.1 Primary Land Use: The County shall maintain agriculture as the primary land use in the valley region of the County, not only in recognition of the economic importance of agriculture, but also in terms of agriculture's real contribution to the conservation of open space and natural resources.

AG-1.2 Coordination: The County shall coordinate its agricultural policies and programs with State and federal regulations to preserve agricultural lands

ED-2.2 Land Requirements: The County shall ensure there is capacity for new and expanding businesses by: Reserving sufficient locations for industry, recognizing industry's need for greater land requirements; Recognizing the need for a variety of locations to avoid creation of a monopoly of the industrial land market and to reflect varying requirements for transportation facilities and utility services; and Reserving land for exclusive industrial use to encourage development of like industries that complement each other and to prevent encroachment on industrial areas by incompatible uses;

ED-3.1 Diverse Economic Base: The County shall actively promote the development of a diversified economic base by continuing to promote agriculture, recreation services, and commerce, and by expanding its efforts to encourage industrial development including the development of energy resources;

PF-1.1 Maintain Urban Edges: The County shall strive to maintain distinct urban edges for all unincorporated communities within the valley region or foothill region, while creating a transition between urban uses and agriculture and open space;

PF-1.2 Location of Urban Development: The County shall ensure that urban development only takes place in the following areas:

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

- PF-1.3 Land Uses in UDBs/HDBs* – wherein the County shall encourage those types of urban land uses that benefit from urban services to develop within UDBs and HDBs. Permanent uses that do not benefit from urban services shall be discouraged within these areas. This shall not apply to agricultural or agricultural support uses, including the cultivation of land or other uses accessory to the cultivation of land provided that such accessory uses are time-limited through Special Use Permit procedures;
- PF-1.4 Available Infrastructure* – wherein the County shall encourage urban development to locate in existing UDBs and HDBs where infrastructure is available or may be established in conjunction with development. The County shall ensure that development does not occur unless adequate infrastructure is available, that sufficient water supplies are available or can be made available and that there are adequate provisions for long term management and maintenance of infrastructure and identified water supplies;
- PF-2.7 Improvement Standards in Communities* – wherein the County shall require development within the designated UDBs to meet an urban standard for improvements. Typical improvements shall include curbs, gutters, sidewalks, and community sewer and water systems;
- LU-1.2 Innovative Development* – wherein the County shall promote flexibility and innovation through the use of planned unit developments, development agreements, specific plans, Mixed Use projects, and other innovative development and planning techniques;
- LU-1.6 Permitting Procedures and Regulations:* The County shall continue to ensure that its permitting procedures and regulations are consistent and efficient
- LU-1.8 Encourage Infill Development* - wherein the County shall encourage and provide incentives for infill development to occur in communities and hamlets within or adjacent to existing development in order to maximize the use of land within existing urban areas, minimize the conversion of existing agricultural land, and minimize environmental concerns associated with new development;
- LU-1.10 Roadway Access* - wherein County shall require access to public roadways for all new developments;
- LU-4.6 Commercial Storage Facilities* – wherein the County shall require that commercial storage facilities, including “mini” storage, indoor and outdoor storage facilities, and contractor’s materials storage be screened from view through landscape buffers or other natural landscapes;
- LU-5.1 Industrial Developments* – wherein the County shall encourage a wide range of industrial development activities in appropriate locations to promote economic development, employment opportunities, and provide a sound tax base;
- LU-5.4 Compatibility with Surrounding Land Use* – wherein the County shall encourage the infill of existing industrial areas and ensure that proposed industrial uses will not result in significant harmful impacts to adjacent land uses;
- LU-6.1 Public Activity Centers* – wherein the County shall encourage the development of centrally located public activity centers that include parks, schools, libraries, and community centers in communities via accessible, multiple modes of travel;
- LU-6.3* – wherein the County shall encourage school districts to locate new schools in areas that allow students to safely walk or bike from their homes; and,
- LU-6.4* – wherein the County shall work with school districts to coordinate the location of new schools and responsibility for developing and maintaining associated infrastructure.

Rural Valley Lands Plan (RVLP)

RVLP 1-1 Development Intensity: The county shall limit non-agricultural development in the unincorporated portions of the valley area designated for agriculture, outside of the established UDBs, UABs, HDBs, and other adopted land use plans which may include urban corridors, planned communities, and the Kings River Plan. The County shall maintain a minimum parcel size large enough to sustain agricultural use.

The County's rules for parcel sizes shall be based on zoning, slope, local agricultural conditions, and the need to ensure the viability of agricultural operations. Residential uses in support of agricultural operations are allowed if appropriate buffers from agricultural uses are provided

The General Plan Amendment (GPA) eliminates the need to conduct the Rural Valley Lands Plan (RVLP) analysis

Impact Analysis

a) Would the project physically divide an established community?

The Community Plan includes an expansion of the existing UDB as well as intentions for development of infrastructure, services, and institutions to foster a self-sustaining rural community. The Plan maps out future development through land use designations and zoning in ways designed to encourage sustainability, interconnectedness, and cohesion. A significant impact would occur if a proposed project would be sufficiently large or configured in such a way so as to create a physical barrier within an established community. A physical division of an established community is caused by an impediment to through travel or a physical barrier, such as a new freeway with limited access between neighborhoods on either side of the freeway, or major street closures. The Project does not propose or approve any development or construction. Additionally, the Project does not involve any street vacation or closures or result in development of new thoroughfares or highways which would divide established communities. Therefore, **no impact** would occur as it relates to the physical division of an established community.

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?

The conversion of farmland to be within the proposed Urban Development Boundary could potentially conflict with General Plan Agriculture Element policies that protect agricultural lands (See Agricultural and Forest Resources impact analysis). Rural Valley Lands Plan Policy 1-1 states, "For unincorporated communities, the UDB is a County adopted line dividing land to be developed from land to be protected for agricultural, natural, open space, or rural uses. It serves as the official planning area for communities over a 20-year period. Land within an unincorporated UDB is assumed appropriate for development and is not subject to the Rural Valley Lands Plan or Foothill Growth Management Plan." However, the Plan incorporates features—such as compact urban expansion, a design commission committed to maintaining rural character, and provision of infrastructure and institutions meant to support self-reliance—that build on the rural quality and agriculturally-based economy of Allensworth.

The land that is to be incorporated into the expanded UDB is currently zoned AE-40, which prohibits urban development. However, with the adoption of the General Plan Amendment (GPA 25-006) to amend the existing "Valley Agriculture" land use designation to "Mixed Use," the Project would conform to Tulare County's land use planning framework.

As this Allensworth Community Plan update implements the General Plan, there will be a **Less than Significant Impact** to land use.

12. MINERAL RESOURCES

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulations

None that apply to the proposed Project.

State Agencies & Regulations

Surface Mining and Reclamation Act of 1975 (SMARA)⁶

“The Surface Mining and Reclamation Act (SMARA), Chapter 9, Division 2 of the Public Resources Code, requires the State Mining and Geology Board to adopt State policy for the reclamation of mined lands and the conservation of mineral resources. These policies are prepared in accordance with the Administrative Procedures Act, (Government Code) and are found in California Code of Regulations, Title 14, Division 2, Chapter 8, Subchapter 1.”

The Surface Mining and Reclamation Act of 1975 (SMARA, *Public Resources Code Sections 2710 et seq. and its regulations at 14 California Code of Regulations Section 3500 et seq.*) provides a comprehensive surface mining and reclamation policy to assure that adverse environmental impacts are minimized, and mined lands are reclaimed. SMARA also encourages the production, conservation, and protection of the State's mineral resources.”⁸⁶

State Mining & Geology Board (SMGB)

“The SMGB serves as a regulatory, policy, and hearing body representing the State's interests in geology, geologic, and seismologic hazards, conservation of mineral resources, and reclamation of mined lands...The mission of the Board is to provide professional expertise and guidance, and to represent the State's interest in the development, utilization, and conservation of mineral resources, the reclamation of mined lands, and the development and dissemination of geologic and seismic hazard information to protect the health and welfare of the people of California.”⁸⁷

Division of Mine Reclamation (DMR)

⁸⁶ California Department of Conservation. Statutes and Regulations. Surface Mining and Reclamation Act (SMARA) Description. Accessed December 2025 at: <https://www.conservation.ca.gov/smgf/Regulations/Pages/regulations.aspx>

⁸⁷ California Department of Conservation. State Mining and Geology Board (SMGB). Accessed December 2025 at: <https://www.conservation.ca.gov/smgf/Pages/Index.aspx>

“In 1991, the Division of Mine Reclamation (DMR) was created to provide a measure of oversight for local governments as they administer the Surface Mining and Reclamation Act (SMARA) within their respective jurisdictions. While the primary focus is on existing mining operations and the return of those mined lands to a usable and safe condition, issues relating to abandoned legacy mines are addressed through the Abandoned Mine Lands Unit.”⁸⁸

Local Policy & Regulations

Tulare County General Plan:

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

ERM-2.1 Conserve Mineral Deposits: The County will encourage the conservation of identified and/or potential mineral deposits, recognizing the need for identifying, permitting, and maintaining a 50 year supply of locally available PCC grade aggregate.

ERM-2.2 Recognize Mineral Deposits: The County will recognize as a part of the General Plan those areas of identified and/or potential mineral deposits

ERM-2.5 Resources Development: The County will promote the responsible development of identified and/or potential mineral deposits

ERM-2.10 Incompatible Development: Proposed incompatible land uses in the County shall not be on lands containing or adjacent to identified mineral deposits, or along key access roads, unless adequate mitigation measures are adopted or a statement of overriding considerations stating public benefits and overriding reasons for permitting the proposed use are adopted

ERM-2.13 SMARA Requirements: All surface mines in the County, unless otherwise exempted, shall be subject to reclamation plans that meet SMARA requirements. Reclamation procedures shall restore the site for future beneficial use of the land consistent with the Tulare County General Plan, subsequent to the completion of surface mining activities. Mine reclamation costs shall be borne by the mine operator, and guaranteed by financial assurances set aside for restoration procedures.

Impact Analysis

- 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?**
- 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 land use plan?**

Mineral resources located within Tulare County are predominately sand and gravel resources primarily provided by four streams: Kaweah River, Lewis Creek, Deer Creek, and the Tule River. The closest of these sources to Allensworth is the Tule River, which is almost 25 miles away from the Community. The closest mining site to Allensworth is Deer Creek Ranch, which is over 19 miles to the east of the Community. The proximity to mineral resources effectively confirms that the development of Allensworth will not result in loss of available know mineral resources or impinge on any locally-important mineral resource recovery sites. Furthermore, the updated Allensworth Community Plan would remain consistent with the policies outlined by the Tulare County General Plan and it does not authorize any new development. Hence, there would be **no impact** on mineral resources.

⁸⁸ California Department of Conservation. Division of Mine Reclamation. Accessed December 2025 at: <https://www.conservation.ca.gov/dmr>

13. NOISE

Would the project result in:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground-borne vibration or ground-borne 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 a 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulation

Federal Highway Administration

“Title 23, Part 772, of the CFR defines procedures for conducting noise studies and evaluating noise abatement for federally funded highway construction or reconstruction projects. A project is considered to result in a traffic noise impact if predicted worst-hour traffic noise levels approach or exceed the noise abatement criteria...or if the project would result in a substantial increase in noise relative to existing conditions. The definition of approach and substantial is left to the State highway agencies to determine. Caltrans defines approach as being within 1 dB of the noise abatement criteria and substantial as being a 12 dB increase (California Department of Transportation, page 5, 2006).”⁸⁹

United States Environmental Protection Agency

“The U.S. Environmental Protection Agency (USEPA) has identified the relationship between noise levels and human response. The EPA has determined that over a 24-hour period, an Leq of 70 dBA will result in some hearing loss. Interference with activity and annoyance will not occur if exterior levels are maintained at an Leq of 55 dBA and interior levels at or below 45 dBA. Although these levels are relevant for planning and design and useful for informational purposes, they are not land use planning criteria because they do not consider economic cost, technical feasibility, or the needs of the community. The EPA has set 55 dBA Ldn as the basic goal for residential environments. However, other federal agencies, in consideration of their own program requirements and goals, as well as difficulty of actually achieving a goal of 55 dBA Ldn, have generally agreed on the 65 dBA Ldn level as being appropriate for residential uses. At 65 dBA Ldn activity

⁸⁹ Tulare County General Plan 2030 Update RDEIR, Page 3.5-6.

interference is kept to a minimum, and annoyance levels are still low. It is also a level that can realistically be achieved.”⁹⁰

Department of Housing and Urban Development

“The Department of Housing and Urban Development (HUD) was established in response to the Urban Development Act of 1965 (Public Law 90-448). HUD was tasked by the Housing and Urban Development Act of 1965 (Public Law 89-117) “to determine feasible methods of reducing the economic loss and hardships suffered by homeowners as a result of the depreciation in the value of their properties following the construction of airports in the vicinity of their homes.”

HUD first issued formal requirements related specifically to noise in 1971 (HUD Circular 1390.2). These requirements contained standards for exterior noise levels along with policies for approving HUD-supported or assisted housing projects in high noise areas. In general, these requirements established the following three zones:

1. 65 dBA Ldn or less - an acceptable zone where all projects could be approved.
2. Exceeding 65 dBA Ldn but not exceeding 75 dBA Ldn - a normally unacceptable zone where mitigation measures would be required and each project would have to be individually evaluated for approval or denial. These measures must provide 5 dBA of attenuation above the attenuation provided by standard construction required in a 65 to 70 dBA Ldn area and 10 dBA of attenuation in a 70 to 75 dBA Ldn area.
3. Exceeding 75 dBA Ldn - an unacceptable zone in which projects would not, as a rule, be approved.

HUD’s regulations do not include interior noise standards. Rather a goal of 45 dBA Ldn is set forth and attenuation requirements are geared towards achieving that goal. HUD assumes that using standard construction techniques and materials, any building will provide sufficient attenuation so that if the exterior level is 65 dBA Ldn or less, the interior level will be 45 dBA Ldn or less. Thus, structural attenuation is assumed at 20 dBA. However, HUD regulations were promulgated solely for residential development requiring government funding and are not related to the operation of schools or churches.

The federal government regulates occupational noise exposure common in the workplace through the Occupational Health and Safety Administration (OSHA) under the USEPA. Noise exposure of this type is dependent on work conditions and is addressed through a facility’s or construction contractor’s health and safety plan.”⁹¹

State Agencies & Regulation

California Department of Transportation

“Procedures used by Caltrans to assess noise abatement and mitigation are described in Traffic Noise Analysis Protocol for New Highway Construction, Reconstruction, and Retrofit Barrier Projects (California Department of Transportation, 2006). The noise abatement criteria are the same as those described above for the Federal Highway Administration.”⁹²

California Code of Regulations

⁹⁰ Ibid. Page 3.5-7.

⁹¹ Ibid. Pages 3.5-7 to 3.5-8.

⁹² Ibid. Page 3.5-8.

“The California Code of Regulations contains requirements for the construction of new hotels, motels, apartment houses, and dwellings other than detached single-family dwellings to limit the extent of noise transmitted into habitable spaces. These requirements are known collectively as the California Noise Insulation Standards and set forth an interior standard of 45 dB (CNEL or Ldn). These standards are typically enforced by local agencies through the building permit application process.”⁹³

Governor’s Office of Planning and Research

“The Governor’s Office of Planning and Research (OPR) has developed guidelines for the preparation of general plans (State of California, OPR, 2003). These include land use compatibility guidelines for noise exposure. In California, cities and counties are required to adopt a noise element as part of their General Plans. The purpose of noise elements is to establish a land use pattern that minimizes the exposure of residents of the community to excessive noise. The State of California General Plan Guidelines, published by the Governor’s Office of Planning and Research, defines land-use compatibility guideline criteria for noise exposure.”⁹⁴

Local Policy & Regulation

Tulare County General Plan

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

HS-8.1 Economic Base Protection: The County shall protect its economic base by preventing the encroachment of incompatible land uses on known noise-producing industries, railroads, airports, and other sources.

HS-8.2 Noise Impacted Areas: The County shall designate areas as noise-impacted if exposed to existing or projected noise levels that exceed 60 dB Ldn (or Community Noise Equivalent Level (CNEL)) at the exterior of buildings.

HS-8.3 Noise Sensitive Land Uses: The County shall not approve new noise sensitive uses unless effective mitigation measures are incorporated into the design of such projects to reduce noise levels to 60 dB Ldn (or CNEL) or less within outdoor activity areas and 45 dB Ldn (or CNEL) or less within interior living spaces.

HS-8.4 Airport Noise Contours: The County shall ensure new noise sensitive land uses are located outside the 60 CNEL contour of all public use airports.

HS-8.5 State Noise Standards: The County shall enforce the State Noise Insulation Standards (California Administrative Code, Title 24) and Chapter 35 of the Uniform Building Code (UBC). Title 24 requires that interior noise levels not exceed 45 dB Ldn (or CNEL) with the windows and doors closed within new developments of multi-family dwellings, condominiums, hotels, or motels. Where it is not possible to reduce exterior noise levels within an acceptable range the County shall require the application of noise reduction technology to reduce interior noise levels to an acceptable level.

HS-8.6 Noise Level Criteria: The County shall ensure noise level criteria applied to land uses other than residential or other noise-sensitive uses are consistent with the recommendations of the California Office of Noise Control (CONC).

HS-8.7 Inside Noise: The County shall ensure that in instances where the windows and doors must remain closed to achieve the required inside acoustical isolation, mechanical ventilation or air conditioning is provided.

⁹³ Ibid.

⁹⁴ Ibid.

- HS-8.8 Adjacent Uses:* The County shall not permit development of new industrial, commercial, or other noise generating land uses if resulting noise levels will exceed 60 dB Ldn (or CNEL) at the boundary of areas designated and zoned for residential or other noise-sensitive uses, unless it is determined to be necessary to promote the public health, safety and welfare of the County.
- HS-8.9 County Equipment:* The County shall strive to purchase equipment that complies with noise level performance standards set forth in the Health and Safety Element.
- HS-8.10 Automobile Noise Enforcement:* The County shall encourage the CHP, Sheriff's office, and local police departments to actively enforce existing sections of the California Vehicle Code relating to adequate vehicle mufflers, modified exhaust systems, and other amplified noise.
- HS-8.11 Peak Noise Generators:* The County shall limit noise generating activities, such as construction, to hours of normal business operation (7 a.m. to 7 p.m.). No peak noise generating activities shall be allowed to occur outside of normal business hours without County approval.
- HS-8.13 Noise Analysis:* The County shall require a detailed noise impact analysis in areas where current or future exterior noise levels from transportation or stationary sources have the potential to exceed the adopted noise policies of the Health and Safety Element, where there is development of new noise sensitive land uses or the development of potential noise generating land uses near existing sensitive land uses. The noise analysis shall be the responsibility of the project applicant and be prepared by a qualified acoustical engineer (i.e., a Registered Professional Engineer in the State of California, etc.). The analysis shall include recommendations and evidence to establish mitigation that will reduce noise exposure to acceptable levels (such as those referenced in Table 10-1 of the Health and Safety Element).
- HS-8.14 Sound Attenuation Features:* The County shall require sound attenuation features such as walls, berming, heavy landscaping, between commercial, industrial, and residential uses to reduce noise and vibration impacts.
- HS-8.15 Noise Buffering:* The County shall require noise buffering or insulation in new development along major streets, highways, and railroad tracks
- HS-8.16 State Noise Insulation:* The County shall enforce the State Noise Insulation Standards (California Administrative Code, Title 24) and Chapter 35 of the Uniform Building Code.
- HS-8.17 Coordinate with Caltrans:* The County shall work with Caltrans to mitigate noise impacts on sensitive receptors near State roadways, by requiring noise buffering or insulation in new construction.
- TC-2.7 Rail Facilities and Existing Development:* The County will work with the California Public Utilities Commission (CPUC) to ensure that new railroads rights-of-ways, yards, or stations adjacent to existing residential or commercial areas are screened or buffered to reduce noise, air, and visual impacts. Similarly, the County should coordinate with the CPUC and railroad service providers to address railroad safety issues as part of all future new development that affects local rail lines. Specific measures to be considered and incorporated into the design of future projects affecting rail lines include, but are not limited to, the installation of grade separations, warning signage, traffic signaling improvements, vehicle parking prohibitions, installation of pedestrian-specific warning devices, and the construction of pull out lanes for buses and vehicles.

Impact Analysis

- a) **Would the project generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**
- b) **Would the project generate excessive ground-borne vibration or ground-borne noise levels?**

Allensworth is a community defined in part by its rural quality: a point that the Allensworth Community Plan expressly mentions and creates a bureaucratic infrastructure to preserve. This quality is characterized by “low-density countryside atmosphere that provides quiet and tranquility without the noise, traffic, or crowding one might encounter in urban areas” (Allensworth Community Plan, p. 73). In addition to the federal, state, and County-wide measures designed to address and monitor noise associated with new development, the Allensworth Land Use, Development and Design Commission is tasked with ensuring that all new development minimizes negative impacts/nuisances and that buildings are sited and designed to minimize noise impacts.

In addition to noise associated with new development within the Community of Allensworth, the other significant threat to the quiet character of Allensworth comes from the development of the High Speed Rail train, which is slated to border the western side of the Community. Though the rail will not actually stop in Allensworth, the proximity of the line to the community guarantees that the residents of Allensworth will experience some of the negative externalities associated with the project, including dust and noise. The Community Plan accounts for this potential by recommending vegetative buffers and increasing canopy covers, which would provide protection from dust, emissions, and noise. The Plan also makes mention that the development of the rail would require landowners to plant and maintain trees that protect the community from noise and dust. Noise sensitive land uses, schools, parks, and residential, are adequately setback from the proposed rail line, meaning that associated noise would have a minimal impact on the Community.

The Allensworth Community Plan would not conflict with the Tulare County General Plan Policies on noise, and, itself, does not authorize any additional development that would generate a substantial increase in ambient noise levels. Future development would be subject to all federal, state, and local guidelines as well as the scrutiny of the Allensworth Land Use, Development and Design Commission. Impacts would be **less than significant**.

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

Allensworth does not contain an airport or any airstrips. The nearest airports are the Pixley and Delano airports, which are about 9 and 11 miles away from the center of Allensworth, respectively. Hence, the community is far outside the 60 CNEL contour of all public use airports. With no plans to develop an airport in Allensworth in the future, noise associated with airports is relatively moot with respect to the Community Plan, and therefore there would be **no impacts**.

14. POPULATION & HOUSING

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

Regulatory Setting

Federal Agencies & Regulations

U.S. Department of Housing and Urban Development (HUD)

HUD’s mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes: utilize housing as a platform for improving quality of life; build inclusive and sustainable communities free from discrimination; and transform the way HUD does business. However, as the proposed Project does not propose any housing, HUD or other, federal regulations do not apply.

State Agencies & Regulations

California Department of Housing and Community Development (HCD)

HCD’s mission is to “Promote safe, affordable homes and strong vibrant communities throughout California.”⁹⁵ “In 1977, the State Department of Housing and Community Development (HCD) adopted regulations under the California Administrative Code, known as the Housing Element Guidelines, which are to be followed by local governments in the preparation of local housing elements. AB 2853, enacted in 1980, further codified housing element requirements. Since that time, new amendments to State Housing Law have been enacted. Each of these amendments has been considered during development of this Housing Element.”⁹⁶

California Relocation Assistance Act

The State of California adopted the California Relocation Assistance Act (California Government Code §7260 et seq.) in 1970. This State law, which follows the federal Uniform Relocation Assistance and Real Property Acquisition Act, requires public agencies to provide procedural protections and benefits when they displace

⁹⁵ California Department of Housing and Community Development. 2018-19 Annual Report. Accessed December 2025 at: https://www.hcd.ca.gov/policy-research/plans-reports/docs/hcd_2018-19_annual-report-final_web.pdf

⁹⁶ Tulare County Housing Element 2015 Update. Page 1-3. Accessed December 2025 at: <https://www.hcd.ca.gov/housing-elements/docs/tulare-county-5th-adopted120715.pdf>

businesses, homeowners, and tenants in the process of implementing public programs and projects. This State law calls for fair, uniform, and equitable treatment of all affected persons through the provision of relocation benefits and assistance to minimize the hardship of displacement on the affected persons. There are no state regulations that are relevant to this proposed Project.

Local Policy & Regulations

Tulare County Regional Housing Needs Assessment Plan 2014-2023

The Tulare County Association of Governments (TCAG) was responsible for allocating the State's projections to each local jurisdiction within Tulare County including the County unincorporated area, which is reflected in this Housing Element. Tulare County has no control over the countywide population and housing projections provided to TCAG when it prepared the Regional Housing Needs Assessment Plan (RHNA). As the proposed Project does not include (or remove/displace) any housing, the RHNA does not apply

Tulare County Housing Authority

"The Housing Authority of the County of Tulare (HATC) has been officially designated as the local public housing agency for the County of Tulare by the Board of Supervisors and was created pursuant to federal and state laws. HATC is a unique hybrid: a public sector agency with private sector business practices. Their major source of income is the rents from residents. The HATC mission is "to provide affordable, well-maintained rental housing to qualified low- and very low-income families. Priority shall be given to working families, seniors and the disabled. Tenant self-sufficiency and responsibility shall be encouraged. Programs shall be self-supporting to the maximum extent feasible."

HATC provides rental assistance to very low and moderate-income families, seniors and the handicapped throughout the county. HATC offers many different programs, including the conventional public housing program, the housing choice voucher program (Section 8), the farm labor program for families with farm labor income, senior housing programs, and other programs. They also own or manage some individual subsidized rental complexes that do not fall under the previous categories and can provide information about other affordable housing that is available in Tulare County. All programs are handicap accessible. Almost all of the complexes have 55-year recorded affordability covenants. As noted earlier, the proposed Project does not include (or remove/displace) any public housing, no impact would occur to HATC's objectives/programs."⁹⁷

Tulare County General Plan/Housing Element Policies

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

Housing Guiding Principle 1.1: The County will endeavor to improve opportunities for affordable housing in a wide range of housing types in the communities throughout the unincorporated area of the County;

Housing Policy 1.11: The County will encourage the development of a broad range of housing types to provide an opportunity of choice in the local housing market;

Housing Policy 1.13: The County will encourage the utilization of modular units, prefabricated units, and manufactured homes;

⁹⁷ Ibid. Page 5-12.

Housing Policy 1.14: The County will pursue an equitable distribution of future regional housing needs allocations, thereby providing a greater likelihood of assuring a balance between housing development and the location of employment opportunities;

Housing Policy 1.15: The County will encourage housing counseling programs for low-income homebuyers and homeowners;

Housing Policy 1.16: The County will review community plans and zoning to ensure they provide for adequate affordable residential development;

Housing Guiding Principle 1.2: The County will promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, family status, disability, or any other arbitrary basis;

Housing Guiding Principle 1.3: The County will strive to meet the housing needs of migrant and non-migrant farmworkers and their families with a suitable, affordable and satisfactory living environment;

Housing Policy 1.31: The County will encourage the provision of farmworker housing opportunities in conformance with the Employee Housing Act;

Housing Policy 1.33: The County will encourage and support a balance between housing and agricultural needs;

Housing Policy 1.51: The County will encourage the construction of new housing units for “special needs” groups, including senior citizens, large families, single heads of households, households of persons with physical and/or mental disabilities, minorities, farmworkers, and the homeless in close proximity to transit, services, and jobs;

Housing Policy 1.52: The County will support and encourage the development and improvement of senior citizen group housing, convalescent homes and other continuous care facilities;

Housing Policy 1.55: The County will encourage development of rental housing for large families, as well as providing for other housing needs and types;

Housing Guiding Principle 1.6: wherein the County will assess and amend County ordinances, standards, practices and procedures considered necessary to carry out the County’s essential housing goal of the attainment of a suitable, affordable and satisfactory living environment for every present and future resident in unincorporated areas;

Housing Policy 2.14: The County will create and maintain a matrix of Infrastructure Development Priorities for Disadvantaged Unincorporated Communities in Tulare County through analysis and investigation of public infrastructure needs and deficits, pursuant to Action Program 9;

Housing Guiding Principle 2.2: The county will Require proposed new housing developments located within the development boundaries of unincorporated communities to have the necessary infrastructure and capacity to support the development;

Housing Policy 2.21: The County will require all proposed housing within the development boundaries of unincorporated communities is either (1) served by community water and sewer, or (2) that physical conditions permit safe treatment of liquid waste by septic tank systems and the use of private wells;

Housing Guiding Principle 3.1: The County will encourage “smart growth” designed development that serves the unincorporated communities, the environment, and the economy of Tulare County;

Housing Policy 3.11: The County will support and coordinate with local economic development programs to encourage a “jobs to housing balance” throughout the unincorporated area;

Housing Policy 3.12: The County will support locally initiated programs to provide neighborhood parks and recreational facilities for residential areas within unincorporated communities;

Housing Policy 3.13: The County will encourage subdivision and housing unit design, which provides for a reasonable level of safety and security;

Housing Policy 3.16: The County will actively seek federal, state, and private foundation grant funds for park and recreation facilities in unincorporated areas, including dual-use storm drainage ponding basins/recreation parks;

Housing Policy 3.23: The County will prepare new and/or updated community plans that provide adequate sites for a variety of types of housing within the development boundaries of community;

Guiding Principle 4.1: The County will support and encourage County ordinances, standards, practices and procedures that promote residential energy conservation;

Housing Policy 4.11: The County will review residential projects for environmental impacts and impose conditions to reduce those impacts;

Housing Policy 4.12: The County will facilitate land use policies and programs that meet housing and conservation objectives;

Housing Policy 4.13: The County will promote energy efficiency and water conservation;

Housing Policy 4.14: The County will enforce the requirements of County Ordinances regarding the disposal of construction and demolition debris;

Housing Policy 4.15: The County will enforce energy Efficiency Standards for Residential and Non- Residential properties (Title 24);

Housing Policy 4.21: The County will promote energy conservation opportunities in new residential development;

Housing Policy 4.22: The County will enforce provisions of the Subdivision Map Act regulating energy-efficient subdivision design;

Housing Policy 5.21: The County will administer and enforce the relevant portions of the Health and Safety Code;

Housing Policy 5.26: The County will prohibit concentrations of dwelling units near potentially incompatible agricultural uses as defined in the Animal Confinement Facilities Plan;

Impact Analysis

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

The Allensworth Community Plan expands the current UDB to the north and west, and establishes a “Mixed Use” land use designation for the area within the proposed Urban Development Boundary through the approval of General Plan Amendment No. GPA 25-006. The Community Plan anticipates the growth of Allensworth and accordingly creates pathways and guidance for development of infrastructure and services to accommodate the expanding population and strengthen community-driven self-reliance. Additionally, upgrading the quality of services in the area, as detailed in the Community Plan, will likely make Allensworth a more attractive option for settlement. These future developments would be subject to the proposed Community Districts (See Figure 7 in Land Use and Planning) in Specific Plan No. SPA 25-001, and relevant General Plan Policies and guidelines.

Execution of the ideas supplied in the Community Plan will have an indirect impact on the population of Allensworth. The purpose of the Plan is to establish a vision and rubric by which to guide and approve future projects in the area. The general intent of land use policies in Allensworth is to protect the health, safety, and welfare of existing and future persons living in the area. In more specific terms, the policies serve to identify the most appropriate locations and arrangement of different types of land uses based upon environmental, circulation, infrastructure/services, and planning concerns.

The Plan also details the creation of the Land Use, Development and Design Review Commission. Among the planning goals of the Commission is to “Ensure zoning, density and character of a proposed development are in keeping with the land uses outlined and the rural character of Allensworth.” The commitment to maintaining the rural character of the area ensures that development only takes place at a certain density, which would subsequently limit the speed of expansion and curb unplanned growth.

In addition, the design commission has outlined specific standards for future growth in Allensworth, they are: 1. Creating walkable neighborhoods, 2. Providing a mix of residential densities, 3. Creating a strong sense of place, 4. Mixing land uses, 5. Building compactly, 6. Discouraging sprawl, 7. Encouraging infill, 8. Preserving open space, 9. Creating a range of housing opportunities and choices, 10. Utilizing planned community zoning to provide for the orderly pre-planning and long-term development of large tracks of land, which may contain a variety of land uses but are under unified ownership or development control, and 11. Encouraging connectivity between new and existing development.

The Plan's specific and detailed visions of future growth suggest that the community is not vulnerable to sanctioning unplanned growth or growth that changes the character of the Allensworth. Additionally, the Allensworth Community Plan does not propose or authorize any new development. All future projects would be consistent with the Tulare County General Plan and would have to pass through the scrutiny of the Allensworth Community Plan Land Use, Development and Design Commission. As such, the plan does not pose a threat to inducing a substantial population growth directly, or indirectly, that would change the rural character of Allensworth or have considerable environmental impact. Impacts would be **less than significant**.

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

The Allensworth Community Plan notes: "The intention of this community plan is to set the path for responsible growth, and to manage that growth to ensure that families are not displaced through civic improvements, rent increases, or lack of affordability." The Community Plan is sensitive to the possibility of displacement and the threat it poses to the wellbeing of the residents of Allensworth. While the Community Plan does not authorize any policies designed to curb displacement, it sets the groundwork for creating structures of governance that do as such.

Additionally, the Allensworth Community Plan does not propose or authorize any new development. As such, no residences would be demolished by virtue of the Plan's adoption. All future projects would be consistent with the Tulare County General Plan. Thus, the project's impacts would be **less than significant**.

15. PUBLIC SERVICES

	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 service ratios, response times or 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 Protection

“The [former] California Department of Forestry and Fire Protection/Tulare County Fire Department (now CalFire/TCFD) serve 145,128 of Tulare County’s population. As Table 7-6 [of the General Plan Background document] shows, dispatchers reported 14,022 responses in 2002, averaging 38.4 calls a day. Fire occurrence data generated by the department indicate a direct relationship between high use areas of the county and fire occurrence. The population increase in the mountain areas have caused increased wildland urban interface problems as well. Structures are being built throughout wildland areas wherein vegetation fires can spread rapidly. Providing adequate fire protection to those structures has become a major undertaking.”

The Tulare County Fire Department’s 2013 Annual Report provides a summary of Incident Reports by major incident type as shown in **Table 2**. As shown in **Table 2**, the Tulare County Fire Department responded to 12,084 calls for service in 2012; a majority of the calls were for rescue and medical emergencies (approximately 60 percent) followed by fire calls (12.28 percent) and “good intent” (15.66 percent) as the top three incident types.

Fire protection and emergency medical services are provided for Allensworth by the Tulare County Fire Department. The community is served by Tulare County Fire Department Station #9, located at 3939 Avenue 54, in Alpaugh. Engine 9 is assigned to this location.

Table 2 Tulare County Fire Department Incident Reports		
MAJOR INCIDENT TYPE	# INCIDENTS	% OF TOTAL
Fires	1,484	12.28
Overpressure, Rupture, ...	38	0.31
Rescue & Emergency Medical	7,234	59.88
Hazardous Conditions	325	2.69
Service Calls	666	5.51
Good Intent	1,892	15.66
False Alarm	358	2.96
Severe Weather	3	0.02
Special Type	84	0.70
Total	12,084	100%

Source: Tulare County Fire Department Annual Report 2013. Page 9

Police Protection

Based on the Tulare County General Plan 2030 General Plan Update Background Report, “[t]he Tulare County Sheriff’s Department currently had 448 sworn officers serving its unincorporated population (145,128), and generates a level of service ratio of 3.2 officers per 1,000 residents. The ratio is above the accepted standard of 2.0 officers per 1,000 residents set by the Federal Bureau of Investigation. The Sheriff’s Department also has 186 non-sworn clerical and support staff amounting to a total Sheriffs Department staff personnel of 633 employees.”

“Law enforcement protection for the unincorporated county is divided into 22 areas with four stations... [T]he Porterville substation serves the largest number of areas with 10 patrols, followed by the headquarters in Visalia with six, and Cutler-Orosi and Pixley, each with three areas.”

“The Tulare County Sheriff’s Department has a Pixley Substation covering 552 square miles and serving a rural population to include the unincorporated communities of Alpaugh, Allensworth, Teviston, Earlimart, Pixley and Tipton which holds approximately 45,000 people. The Substation runs a four shift operation which includes 16 deputies, five sergeants and one lieutenant. There are a minimum of three deputies and one sergeant in the field at all times. The substation is open for walk-ins from 8 AM to 5 PM. After hours, there is a phone provided outside the substation that calls directly into our dispatch center.”

Schools

“A total of 48 school districts provide education throughout Tulare County... Of the 48 school districts, seven are unified districts providing educational services for kindergarten through 12th grade. The remaining 41 districts consist of 36 elementary school districts and four high school districts. Many districts only have one school.”

“Total enrollment in Tulare County public schools has increased from about 80,000 to 88,300 students during a nine-year span from 1993 to 2002. On average, the growth rate has remained steady with annual increases approximating two percent.”

Allensworth primary education is served by the Allensworth Elementary School District; grades K – 8 attend Allensworth Elementary located within the Community and is overseen by the Allensworth Alliance.

Allensworth is part of the Delano Joint High School District, and high school students must commute to Delano to complete their education. There are approximately 118 students attending Allensworth Elementary, which represents a 41% increase since the 2022/23 school year.

Community college educational services are provided by College of Sequoias Community College District in Visalia and as secondary choices, Porterville College in Porterville, and Kings River Junior College in Reedley. California State University, Fresno is a four-year university about 60 miles north of Tipton in Fresno, and California State University, Bakersfield is a four-year university about 60 miles south of Tipton in Bakersfield.

Parks

Colonel Allensworth State Park occupies the northern section of Allensworth development boundary. In 1974 California State Parks purchased land within the historical townsite of Allensworth, and it became Colonel Allensworth State Historic Park. Today a collection of lovingly restored and reconstructed early 20th-century buildings—including the Colonel’s house, historic schoolhouse, Baptist church, and library—once again dots this flat farm country, giving new life to the dreams of these visionary pioneers.”

“With continuing restoration and special events, the town is coming back to life as a state historic park. The park’s visitor center features a film about the site. A yearly rededication ceremony reaffirms the vision of the pioneers.”

County Recreational Areas

There are a number of federal, state, and local parks within Tulare County, including 13 park and recreational facilities operated by the County of Tulare. In addition to Pixley Park, a list of these local park facilities is provided in **Table 3**. Pixley Park, owned and operated by the County of Tulare, is located approximately 20 minutes away from Allensworth, off of Route 99. Although the park does not charge an entry fee, reservations for picnic areas are required.

Table 3 Recreational Areas in Tulare County				
ID	Recreation Area	Location	Acres	Type of Use/Features
1	Alpaugh Park	Located in Alpaugh on Road 40.	3	Reservations for picnic areas are taken. No entrance fee.
2	Balch Park Campgrounds	20 miles NE of Springville in the Sierras.	160	71 Campsites. No reservations taken; first come first serve basis. Entrance fee for vehicles.
3	Bartlett Park	8 miles east of Porterville on North Drive.	127.5	Reservations for picnic areas are taken. Entrance fee for vehicles.
4	Camp COTYAC	Near Ponderosa in Eastern Tulare County.	8	County of Tulare Youth Adventure Camp (Camp COTYAC). Cabins, lodge with kitchen, restrooms and showers.
5	Cutler Park	5 miles east of Visalia on Highway 216 to Ivanhoe.	50	Reservations for picnic areas are taken. Entrance fee for vehicles.
6	Elk Bayou Park	6 miles SE of Tulare on Avenue 200.	60	Reservations for picnic areas are taken. No fee for day use.

Table 3 Recreational Areas in Tulare County

ID	Recreation Area	Location	Acres	Type of Use/Features
7	Kings River Nature Preserve	2 miles east of Highway 99 on Road 28	85	This park is only for school environmental programs.
8	Ledbetter Park	1 mile northwest of Cutler on Road 124/Hwy 63	11	Reservations for picnic areas are taken. No fee.
9	Mooney Grove Park	2 Miles south of Caldwell Avenue on Mooney Blvd. In South Visalia.	143	Reservations for picnic areas are taken. Paddle boats, playground, baseball diamonds. Home of the End Trail statue. One of the largest oak woodlands in Tulare County. Location of the Agriculture and Farm Labor Museum.
10	Pixley Park	1 mile NE of Pixley on Road 124.	22	Reservations for picnic areas are taken. No fee.
11	Tulare County Museum	In Mooney Grove Park, South Visalia.	8.5	Free admission with park fee. Museum is opened Thursday thru Monday (closed Tuesday and Wednesday).
12	Woodville Park	Located in Avenue 166 in Woodville.	10	Reservations for picnic areas are taken. Day use no entrance fee.
13	West Main Street Park	2 blocks west of County Courthouse on Main Street in Downtown Visalia.	5	Day use no entrance fee.

Source: General Plan 2030 Update Background Report, Table 4-1. Page 4-4.

Pixley National Wildlife Refuge

The Pixley National Wildlife Refuge (managed by US Fish & Wildlife Service) was established in 1959 by an executive order to provide wetland habitat for migratory waterfowl and shorebirds. Of the 6,939 acres that comprise the Refuge, approximately 5,350 acres are upland habitat made up of grassland, alkali playa, and vernal pool habitat, 755 acres consists of seasonal wetlands, and 15 acres consist of riparian habitat. Most of the acreage of Pixley National Wildlife Refuge is located from 3-66 miles north of Allensworth, and “satellite” portions of the Refuge continue in non-contiguous parcels farther north, northwest, east, and southeast.

Library

“The Tulare County Public Library System is comprised of interdependent branches, grouped by services, geography and usage patterns to provide efficient and economical services to the residents of the county. At present, there are 14 regional libraries and one main branch.” The closest library to Allensworth is the Alpaugh Public Library, which is located at 3816 Avenue 54, in Alpaugh and is open from 9-5 (with one hour break between 1 – 2pm) on Tuesdays and Wednesdays.

Table 4 Tulare County Libraries		
Branch	Address	Service Hours (2017)
Alpaugh	3816 Avenue 54 Alpaugh, CA 93201-0069	Tuesday and Wednesday: 9 am - 1pm, 2 pm - 5 pm
Dinuba	150 South "I" Street Dinuba, CA 93618-2399	Tuesday thru Friday: 9 am – 1 pm
Earlimart	780 East Washington Earlimart, CA 93219-2153	Monday-Friday: 9 am -1 pm, 2 pm - 5 pm
Exeter	230 East Chestnut Exeter, CA 93221-1712	Tuesday: 11 am -5 pm; 6 pm - 8 pm Wednesday: 11 am – 5pm, 6pm – 8pm Thursday: 9 am - 1 pm; 2 pm - 6 pm Friday: 9am – 1pm; 2pm – 6pm
Ivanhoe	15964 Heather Ivanhoe, CA 93235-1253	Tuesdays: 9 a. – 1 pm, 2 pm - 6 pm Friday: 9am – 1pm, 2pm – 6pm
Lindsay	157 North Mirage Street Lindsay, CA 93247-2507	Tuesday: 11 am - 5 pm; 6 pm - 8 pm Wednesday: 9am – 1 pm; 2p,m – 6pm Thursday: 11am – 5pm, 6pm – 8pm Friday: 9 am - 1 pm; 2 pm - 6 pm
Cutler-Orosi	12646 Avenue 416 Orosi, CA 93647-2018	Wednesday, Thursday, and Friday: 9 a.m. - 1 p.m., 2 p.m. - 6 p.m.
Pixley	Pixley Union Elementary School 300 North School Pixley, CA 93256-1011	Schedule A Monday : 9:30 am - 12:00 pm, 12:30 pm -6:00 pm; T: 9:00 am - 12:00 pm, 12:30 pm- 3:30 pm; W: 9:00 am - 12:00 pm, 12:30 pm - 3:30 pm; Th: 9:00 am -12:00 pm, 12:30 pm -3:30 pm F: 9:00 am - 12:00 pm, 12:30 pm - 2:30 pm S: 9:00 am - 1:00pm
Springville	35800 Highway 190 Springville, CA 93265-0257	Thursday: 9 am – 1 pm, 2 pm – 6 pm Friday: 9 am – 1 pm, 2 pm – 6 pm Saturday: 9 am – 1 pm, 2 pm – 5 pm
Strathmore	19646 Road 230 Strathmore, CA 93267-0595	Tuesday and Wednesday: 9 am - 1 pm, 2 pm - 6 pm
Terra Bella	23825 Avenue 92 Terra Bella, CA 93270-0442	Monday thru Thursday: 8:30 am – 11:30 am, 12 pm - 2:30 pm
Three Rivers	42052 Eggers Drive 216 Three Rivers, CA 93271-0216	Tuesday and Thursday: 12 pm - 5 pm, 6 pm - 8 pm Wednesday and Friday: 10 am - 1 pm, 2 pm - 6 pm Friday: 10 am – 1 pm, 2 pm – 6pm Saturday 10 am – 1 pm, 2 pm – 5 pm
Tipton	301 East Woods Avenue Tipton, CA 93272-0039	Thursday and Friday : 9 am - 1 pm, 2 pm - 5 pm
Visalia	Main Branch 200 West Oak Avenue Visalia, CA 93291-4993	Tuesday, Wednesday, and Thursday: 9 am - 8 pm Friday 12 pm - 6 pm

Table 4 Tulare County Libraries		
Branch	Address	Service Hours (2017)
		Saturdays: 9 am - 5 pm
Woodlake	400 West Whitney Woodlake, CA 93286-1298	Tuesday thru Friday: 9 am - 1 pm, 2 pm - 5 pm
<i>Source: Tulare County Library.</i>		

Regulatory Setting

Federal Agencies & Regulations

National Fire Protection Association (NFPA) 1720: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Volunteer Fire Departments

“This standard contains minimum requirements relating to the organization and deployment of fire suppression operations, emergency medical operations, and special operations to the public by substantially all volunteer fire departments. The requirements address functions and outcomes of 3.9 Public Services, Recreation and Utilities Tulare County General Plan 2030 Update 3.9-25 ESA / 207497 Recirculated Draft Environmental Impact Report February 2010 fire department emergency service delivery, response capabilities, and resources. This standard also contains minimum requirements for managing resources and systems, such as health and safety, incident management, training, communications, and pre-incident planning. This standard addresses the strategic and system issues involving the organization, operation, and deployment of a fire department and does not address tactical operations at a specific emergency incident. However, it does not address fire prevention, community education, fire investigations, support services, personnel management, and budgeting.”⁹⁸

State Agencies & Regulations

The Integrated Waste Management Act (Assembly Bill 939)

“In 1989 the California legislature passed the Integrated Waste Management Act of 1989, known as AB 939. The bill mandates a reduction of waste being disposed: jurisdictions were required to meet diversion goals of 25% by 1995 and 50% by the year 2000. AB 939 also established an integrated framework for program implementation, solid waste planning, and solid waste facility and landfill compliance.”⁹⁹

Sections 65560 – 65570, State Government Code: Open-Space Lands

“This portion of California Planning Law defines open-space and requires every city and county to prepare open space plans as a required element of their General Plan. Building permits, subdivision approvals, and zoning ordinance approvals must be consistent with the local open space plan.”¹⁰⁰

⁹⁸ Tulare County General Plan 2030 Update Background Report. Page 3.9-24 to 3.9-25.

⁹⁹ Ibid. Page 3.9-18.

¹⁰⁰ Ibid. Page 3.9-29.

Local Policy & Regulations

Tulare County General Plan:

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

ERM-5.1 Parks as Community Focal Points: The County shall strengthen the role of County parks as community focal points by providing community center/recreation buildings to new and existing parks, where feasible.

ERM-5.2 Park Amenities: The County shall provide a broad range of active and passive recreational opportunities within community parks. When possible, this should include active sports fields and facilities, community center/recreation buildings, children's play areas, multi-use areas and trails, sitting areas, and other specialized uses as appropriate.

ERM-5.3 Park Dedication Requirements: The County shall require the dedication of land and/or payment of fees, in accordance with local authority and State law (for example the Quimby Act), to ensure funding for the acquisition and development of public recreation facilities.

ERM-5.4 Park-Related Organizations: The County shall consider the use of existing entities or the creation of assessment districts, landscape and lighting districts, County service areas, community facilities districts, homeowners associations, or other types of districts to generate funds for the acquisition and development of parkland and/or historical properties as development occurs in the County.

ERM-5.5 Collocated Facilities: The County shall encourage the development of parks near public facilities such as schools, community halls, libraries, museums, prehistoric sites, and open space areas and shall encourage joint-use agreements whenever possible.

ERM-5.6 Location and Size Criteria for Parks: Park types used in Tulare County are defined as follows:

- **Neighborhood Play Lots (Pocket Parks).** The smallest park type, these are typically included as part of a new development to serve the neighborhood in which they are contained. Typical size is one acre or less. If a park of this type is not accessible to the general public, it can not be counted towards the park dedication requirements of the County. Pocket Parks can be found in communities, hamlets, and other unincorporated areas.
- **Neighborhood Parks.** Neighborhood parks typically contain a tot lot and playground for 2-5 year olds and 5-12 year olds, respectively, one basketball court or two half-courts, baseball field(s), an open grassy area for informal sports activities (for example, soccer), and meandering concrete paths that contain low-level lighting for walking or jogging. In addition, neighborhood parks typically have picnic tables and a small group picnic shelter. These park types are typically in the range of 2 to 15 acres and serve an area within a ½ mile radius. Neighborhood parks can be found in communities, hamlets, and other unincorporated areas.
- **Community Parks.** Community parks are designed to serve the needs of the community as a whole. These facilities can contain the same facilities as the neighborhood park. In addition, these parks can contain sports facilities with night lighting, community centers, swimming pools, and facilities of special interest to the community. These parks are typically 15 to 40 acres in size and serve an area within a 2 mile radius. Community parks can be found in communities, planned community areas, and large hamlets.
- **Regional Parks.** Regional parks are facilities designed to address the needs of the County as a whole. These facilities may have an active recreation component (play area, group picnic area, etc.), but the majority of their area is maintained for passive recreation (such as hiking or horseback riding), and natural resource enjoyment. Regional parks are typically over 200 acres in size, but smaller facilities may be appropriate for specific sites of regional interest.
- The following guidelines should be observed in creating and locating County parks:

1. The County shall strive to maintain an overall standard of five or more acres of County owned improved parkland per 1,000 population in the unincorporated portions of the County,
2. Neighborhood play lots (pocket parks) are encouraged as part of new subdivision applications as a project amenity, but are not included in the calculation of dedication requirements for the project,
3. Neighborhood parks at three acres per 1,000 population, if adjoining an elementary school and six acres per 1,000 population if separate [ERME IV-C; Open Space; Policy 3; Pg. 101],
4. Community parks at one-acre per 1,000 population if adjoining a high school and two acres per 1,000 population if separate [ERME IV-C; Open Space; Policy 4; Pg. 101],
5. Regional parks at one-acre per 1,000 population,
6. Only public park facilities shall be counted toward Countywide parkland standards, and
7. A quarter mile walking radius is the goal for neighborhood parks

HS-1.1 Maintain Emergency Public Services: The County shall ensure that during natural catastrophes and emergency situations, the County can continue to provide essential emergency services.

HS-1.2 Development Constraints: The County shall permit development only in areas where the potential danger to the health and safety of people and property can be mitigated to an acceptable level.

HS-1.6 Public Safety Programs: The County shall promote public safety programs, including neighborhood watch programs, child identification and fingerprinting, public awareness and prevention of fire hazards, and other public education efforts.

HS-1.8 Response Times Planning in GIS: The County shall utilize its Geographic Information Systems (GIS) technology to track fire and law enforcement responses times and provide technical assistance to fire and law enforcement agencies.

HS-1.9 Emergency Access: The County shall require, where feasible, road networks (public and private) to provide for safe and ready access for emergency equipment and provide alternate routes for evacuation.

PFS-1.1 Existing Development: The County shall generally give priority for the maintenance and upgrading of County-owned and operated facilities and services to existing development in order to prevent the deterioration of existing levels-of-service.

PFS-1.2 Maintain Existing Levels of Services: The County shall ensure new growth and developments do not create significant adverse impacts on existing County-owned and operated facilities.

PFS-1.3 Impact Mitigation: The County shall review development proposals for their impacts on infrastructure (for example, sewer, water, fire stations, libraries, streets, etc). New development shall be required to pay its proportionate share of the costs of infrastructure improvements required to serve the project to the extent permitted by State law. The lack of available public or private services or adequate infrastructure to serve a project, which cannot be satisfactorily mitigated by the project, may be grounds for denial of a project or cause for the modification of size, density, and/or intensity of the project.

PFS-1.4 Standards of Approval: The County should not approve any development unless the following conditions are met:

1. The applicant can demonstrate all necessary infrastructure will be installed and adequately financed,
2. Infrastructure improvements are consistent with adopted County infrastructure plans and standards, and
3. Funding mechanisms are provided to maintain, operate, and upgrade the facilities throughout the life of the project.

PFS-1.7 Coordination with Service Providers: The County shall work with special districts, community service districts, public utility districts, mutual water companies, private water purveyors, sanitary districts, and sewer maintenance districts to provide adequate public facilities and to

plan/coordinate, as appropriate, future utility corridors in an effort to minimize future land use conflicts.

PFS-1.9 New Special Districts: When feasible, the County shall support the establishment of new special districts, including community service districts and public utility districts, to assume responsibility for public facilities and services.

PFS-1.11 Facility Sizing: The County shall ensure that publicly-owned and operated facilities are designed to meet the projected capacity needed in their service area to avoid the need for future replacement to achieve upsizing. For facilities subject to incremental sizing, the initial design shall include adequate land area and any other elements to easily expand in the future

PFS-1.16 Joint Planning Efforts: The County will promote joint planning efforts between communities, hamlets, and cities within proximity of each other so that services and infrastructure planning can be complementary

PFS-7.1 Fire Protection: The County shall strive to expand fire protection service in areas that experience growth in order to maintain adequate levels of service.

PFS-7.2 Fire Protection Standards: The County shall require all new development to be adequately served by water supplies, storage, and conveyance facilities supplying adequate volume, pressure, and capacity for fire protection.

PFS-7.4 Interagency Fire Protection Cooperation: The County shall continue to promote cooperative fire protection agreements with municipal and special district fire departments, State and federal forest agencies, and adjacent County fire departments to provide added fire protection on a year round basis.

PFS-7.5 Fire Staffing and Response Time Standards: The County shall strive to maintain fire department staffing and response time goals consistent with National Fire Protection Association (NFPA) standards.

PFS-7.6 Provision of Station Facilities and Equipment: The County shall strive to provide sheriff and fire station facilities, equipment (engines and other apparatus), and staffing necessary to maintain the County's service goals. The County shall continue to cooperate with mutual aid providers to provide coverage throughout the County.

PFS-7.7 Cost Sharing: The County shall require new development to pay public facility fees associated with new sheriff/fire station facilities and equipment necessary to maintain the County's service standards in that area. New development may also be required to create or join a special assessment district, or other funding mechanism, to pay the costs associated with the operation of a sheriff/fire station.

PFS-7.8 Law Enforcement Staffing Ratios: The County shall strive to achieve and maintain a staffing ratio of 3 sworn officers per 1,000 residents in unincorporated areas.

PFS-7.9 Sheriff Response Time: The County shall work with the Sheriff's Department to achieve and maintain a response time of:

1. Less than 10 minutes for 90 percent of the calls in the valley region; and
2. 15 minutes for 75 percent of the calls in the foothill and mountain regions

PFS-7.10 Interagency Law Enforcement Protection Cooperation: The County shall continue to promote cooperative law enforcement protection agreements with the Sheriff's Department, California Highway Patrol (CHP), local city police, and adjacent County law enforcement agencies to provide added public protection on a year round basis.

PFS-7.11 Locations of Fire and Sheriff Stations/Sub-stations: The County shall strive to locate fire and sheriff sub-stations in areas that ensure the minimum response times to service calls.

PFS-8.1 Work with Local School Districts: The County shall work with local school districts to develop solutions for overcrowded schools and financial constraints of constructing new facilities.

PFS-8.2 Joint Use Facilities and Programs: The County shall encourage the development of joint school facilities, recreation facilities, and educational and service programs between school districts and other public agencies.

PFS-8.3 Location of School Sites: The County shall work with school districts and land developers to locate school sites consistent with current and future land uses. The County shall also encourage siting new schools near the residential areas that they serve and with access to safe pedestrian and bike routes to school.

PFS-8.4 Library Facilities and Services: The County shall encourage expansion of library facilities and services as necessary to meet the needs (e.g., internet access, meeting rooms, etc.) of future population growth.

PFS-8.5 Government Facilities in Community Centers: The County shall actively support development and expansion of federal, State, County, districts, and other governmental offices and facilities where infrastructure exists within community core areas

Impact Analysis:

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 service ratios, response times or other performance objectives for any public services?

i. Fire Protection

As mentioned before, the Community of Allensworth does not have a dedicated Fire Station, they are serviced by the Alpaugh Fire Station which is located approximately 7 miles away by road. There are 15 fire hydrants that are located inside the development boundary. In addition, the Community Plan does provide for measures and practices intended to decrease the Community's vulnerability to wildfires.

The need for more sophisticated fire protection services comes with various types of development of large apartment complexes and certain industrial uses, including packing houses, cold storage and food processing plants. Enhanced fire services can include training for multi-story fires, hazardous waste handling and medical training. As growth occurs within the Community Planning Area, demands on fire services have the potential to fiscally impact the County.

Development in the Community will increase the demand for additional fire services in Allensworth. This could ultimately result in the County needing to expand fire protection services to Allensworth by creating and staffing a satellite post for Allensworth.

As a matter of on-going practice, individual projects are reviewed by the Fire Department to ensure fire safety concerns are addressed, including upgrading water lines and installing fire hydrants. Certain uses (particularly industrial) may be required to provide additional on-site fire suppression improvements such as water storage tanks, sprinklers, etc.

There are no specific developments proposed as part of this Plan. However, the Plan does anticipate future projects in the expanded UDB, but these projects would be consistent with the Tulare County General Plan and the Tulare County Code, which address both fire prevention and which provide guidelines that ensure a minimum level of service for fire protection in all parts of the county. Impacts would be less than significant.

ii. **Police Protection**

The Tulare County Sheriff's Department has a Pixley Substation covering 552 square miles and serving a rural population to include the unincorporated communities of Alpaugh, Allensworth, Teviston, Earlimart, Pixley and Tipton which holds approximately 45,000 people. The Substation runs a four shift operation which includes 16 deputies, five sergeants and one lieutenant. There are a minimum of three deputies and one sergeant in the field at all times. The substation is open for walk-ins from 8 AM to 5 PM. After hours, there is a phone provided outside the substation that calls directly into our dispatch center."

As stated in the fire protection services section, new development could cumulatively increase the demand for the Tulare County Sheriff's Office to maintain the desired 3 officers per 1,000 residents, provide sheriff's facilities, and maintain response times of less than 10 minutes. However, no new development is formally proposed in the Community Plan. All future projects would have to adhere to the general Plan policies and local regulations would ensure that adequate sheriff protection is provided to serve residents in the unincorporated areas of Tulare County. Therefore, **Less Than Significant Project-specific Impacts** related to this Checklist item will occur.

iii. **Schools**

As mentioned, the Allensworth Community is served by the Allensworth Elementary School District and the Delano Joint High School District. There are approximately 120 students attending the Elementary school as of last year. The Community Plan does anticipate the expansion of Allensworth School District to include 9-12 education. The expansion would not require the conversion of existing land uses, as the School District already owns the land surrounding the existing school, and services would be incrementally added. The ultimate goal would be to house a community college program in Allensworth, which would offer 2 year Associated in Arts and Science degrees, and with particular emphasis on agricultural trades and sustainable business development.

There are no specific developments proposed as part of this Plan. However, the Plan does anticipate future projects in the expanded UDB, but these projects would be consistent with the Tulare County General Plan and the Tulare County Code, which address public school services. Impacts would be less than significant.

iv. **Parks**

No specific buildout project is presently planned for this area. At that time that land use is to be converted to urban or commercial use there will arise a need to assess the requirements and considerations of future development with regards to parks and/or associated infrastructure. At the present time and throughout the planning horizon, the Allensworth Community Plan will not result in substantial adverse physical impacts to a governmental facility, create a need for, or lead to, the physical altering of governmental facilities. Therefore, **Less Than Significant Project-specific Impacts** related to this Checklist item will occur

v. **Other Public Facilities**

The Community Plan contemplates a wide variety of potential end uses including industrial, office, hotels, retail, residential, and open space. The future construction of parks and recreational facilities will likely continue to constitute a key component of the planning process as Allensworth's population grows in the coming decades. Implementation of the proposed Community Plan is expected to correspond to an increase in the population of

Allensworth. The Community Plan takes into account forecast growth, ongoing development and relevant law, regulation, and policy to arrive at a blueprint that balances anthropogenic and environmental needs.

Future development within, and expansion of, the Allensworth UDB will occur within a regulatory framework that insures potential environmental impacts are minimal and if possible, minimized, to levels that are less than significant. Requirements outlined in Chapter 14 of the Tulare County General Plan 2030 Update mandate that public facilities and services within the County, in particular, schools and community facilities, are designed and constructed in such a manner to maximize community service while reducing impacts to public facilities.

The Community Plan will not result in substantial adverse physical impacts associated with the provisioning of a new or physically altered governmental facilities. The Community Plan Update will not create a need for or lead to the physical altering of governmental facilities that might service or be erected for the support public facilities. Therefore, ***Less Than Significant Impacts*** related to this Checklist item will occur

16. RECREATION

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulations

United States National Park Service (NPS)

On August 25, 1916, President Woodrow Wilson signed the "Organic Act" creating the National Park Service, a federal bureau in the Department of the Interior responsible for maintaining national parks and monuments that were then managed by the department. The National Park System has since expanded to 433 units (often referred to as parks), more than 150 related areas, and numerous programs that assist in conserving the nation's natural and cultural heritage for the benefit of current and future generations...The National Park Service manages 433 individual units covering more than 85 million acres in all 50 states, the District of Columbia, and US territories. While there are at least 19 naming designations, these units are commonly referred to as 'parks.' Multiple parks may be managed together as an administrative unit within the National Park Service...Related areas are linked in importance and purpose to places managed directly by the National Park Service by preserving important segments of the nation's natural and cultural heritage. They are designated by acts of Congress or by the Secretary of the Interior (affiliated areas). The majority of related areas are not units of the National Park Service and are managed by other government agencies or non-government organizations and landowners. The National Park Service is involved in related areas by directly managing the entire or sections of a related area, or by providing technical or financial assistance."¹⁰¹

State Agencies & Regulations

California Department of Parks and Recreation

"California Department of Parks and Recreation manages more than 270 park units, which contain the finest and most diverse collection of natural, cultural, and recreational resources to be found within California. These treasures are as diverse as California: From the last stands of primeval redwood forests to vast expanses of fragile desert; from the lofty Sierra Nevada to the broad sandy beaches of our southern coast;

¹⁰¹ United States Department of the Interior. National Park Service. About Us. National Park System. Accessed August 2025 at: <https://www.nps.gov/aboutus/national-park-system.htm>

and from the opulence of Hearst Castle to the vestiges of colonial Russia.” “California State Parks contains the largest and most diverse natural and cultural heritage holdings of any state agency in the nation. State park units include underwater preserves, reserves, and parks; redwood, rhododendron, and wildlife reserves; state beaches, recreation areas, wilderness areas, and reservoirs; state historic parks, historic homes, Spanish era adobe buildings, including museums, visitor centers, cultural reserves, and preserves; as well as lighthouses, ghost towns, waterslides, conference centers, and off-highway vehicle parks. These parks protect and preserve an unparalleled collection of culturally and environmentally sensitive structures and habitats, threatened plant and animal species, ancient Native American sites, historic structures and artifacts...the best of California's natural and cultural history.”¹⁰²

Local Policy & Regulations

Tulare County General Plan Policies

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

ERM-5.2 Park Amenities: The County shall provide a broad range of active and passive recreational opportunities within community parks. When possible, this should include active sports fields and facilities, community center/recreation buildings, children’s play areas, multi-use areas and trails, sitting areas, and other specialized uses as appropriate.

ERM-5.3 Park Dedication Requirements: The County shall require the dedication of land and/or payment of fees, in accordance with local authority and State law (for example the Quimby Act), to ensure funding for the acquisition and development of public recreation facilities.

ERM-5.5 Collocated Facilities: The County shall encourage the development of parks near public facilities such as schools, community halls, libraries, museums, prehistoric sites, and open space areas and shall encourage joint-use agreements whenever possible.

ERM-5.11 Cooperation with Federal and State Agencies: The County shall work with Federal and State agencies that manage land within the County, as appropriate.

ERM-5.12 Meet Changing Recreational Needs: The County shall promote the continued and expanded use of national and State forests, parks, and other recreational areas to meet the recreational needs of County residents.

ERM-5.15 Open Space Preservation: The County shall preserve natural open space resources through the concentration of development in existing communities, use of cluster development techniques, maintaining large lot sizes in agricultural areas, discouraging conversion of lands currently used for agricultural production, limiting development in areas constrained by natural hazards, and encouraging agricultural and ranching interests to maintain natural habitat in open space areas where the terrain or soil is not conducive to agricultural production.

Impact Analysis

- a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated**
- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

¹⁰² California State Parks. Accessed August 2025 at: <https://www.parks.ca.gov/>

The Community Plan notes that the intention of the Allensworth Community is to expand the use and value of the State Park as a primary objective. This endeavor includes strengthening the cultural significance of the site, improving the infrastructure supporting the park, transforming the user experience, and building connectivity between the residents and the park. Part of the physical transformation includes expanding the Park's boundary by incorporating a campground, including an RV park and related infrastructure, re-orienting the entrance to the park, and deploying a Wayfinding strategy to improve access to cultural sites. The Plan also alludes to practices of place-making that lend itself towards a strengthened cultural significance, including a desire to elevate the State Park to the status of a National Monument. Undoubtedly, these measures would ignite increased interest, access, and attendance to the park, which would subsequently put additional strain on the pre-existing facilities.

The expansion of the park by the addition of the campground, RV park, and associated facilities implies development that would take place on otherwise unoccupied land. This conversion of land use would undoubtedly have adverse physical effects on the environment, as it would increase the anthropogenic footprint and impact on the land, incorporate facilities to deal with issues of consumption and waste, and increase traffic-related impacts.

Nonetheless, no specific development is authorized by the Allensworth Community Plan with respect to the State Park and its related infrastructure. All future development would be consistent with the Tulare County General Plan, and deterioration of existing facilities or adverse physical impacts due to expanded usage would be incorporated into the environmental analyses required for each incremental project. At the present time, the Allensworth Community Plan, itself, will not increase the use of recreational facilities. Therefore, ***Less Than Significant Project-specific Impacts*** related to this Checklist item will occur

17. TRANSPORTATION

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulations

None that apply to the proposed Project.

State Agencies & Regulations

Caltrans: Transportation Concept Reports

Caltrans has prepared a number concept reports for State Routes, Interstate Routes, and U.S. Routes for each of its California Districts. Tulare County is located in Caltrans District 06.

Caltrans Guide for the Preparation of Traffic Impact Studies

“The California Department of Transportation (Caltrans) has developed this ‘Guide for the Preparation of Traffic Impact Studies’ in response to a survey of cities and counties in California. The purpose of that survey was to improve the Caltrans local development review process (also known as the Intergovernmental Review/California Environmental Quality Act or IGR/CEQA process). The survey indicated that approximately 30 percent of the respondents were not aware of what Caltrans required in a traffic impact study (TIS).”¹⁰³

Vehicle Mile Traveled – Focused Transportation Impact Study

The *Vehicle Miles Traveled (VMT) – Focused Transportation Impact Study Guide (TISG)* was developed by Caltrans to support the implementation of Senate Bill 743 (SB 743), which fundamentally changed how transportation impacts are evaluated under the California Environmental Quality Act (CEQA). Prior to SB 743, transportation analysis focused on vehicle congestion using Level of Service (LOS) metrics. However, as of July 1, 2020, CEQA no longer considers vehicle delay or LOS a significant environmental impact. Instead,

¹⁰³ Caltrans Guide for the Preparation of Traffic Studies. Page ii. Accessed December 2025 at: [https://tularecog.org/tcag/planning/rtp/rtp-2022/chapter-a-executive-summary/Guide for the preparation of traffic impact studies](https://tularecog.org/tcag/planning/rtp/rtp-2022/chapter-a-executive-summary/Guide%20for%20the%20preparation%20of%20traffic%20impact%20studies).

CEQA now emphasizes the environmental implications of driving, measured through VMT. This shift reflects a broader policy objective to reduce greenhouse gas emissions, improve public health, and support sustainable community development across the state.

The transition to VMT aligns CEQA with California’s climate change goals, as articulated in Assembly Bill 32 (2006) and Senate Bill 32 (2016), which target long-term greenhouse gas reductions. Traditional LOS-based analyses were found to incentivize projects that expanded roadway capacity and encouraged more driving, which ultimately led to higher emissions and sprawling development. By focusing on VMT, Caltrans and lead agencies are better positioned to support infill development, expand access to public transit, and encourage alternative modes of transportation like biking and walking. These changes aim to reduce overall driving and contribute to the State’s emission reduction goals.

Caltrans plays a key role in the environmental review of transportation and land use projects, particularly when those projects may affect the State Highway System (SHS). Through its Local Development – Intergovernmental Review (LD-IGR) program, Caltrans evaluates the VMT impacts of local development proposals and long-range plans. While Caltrans no longer reviews projects using LOS metrics, it continues to assess whether a project aligns with SB 743 and CEQA objectives. The agency encourages early consultation with local governments to ensure consistency in analysis methodologies and to avoid unnecessary delays during environmental review. Caltrans also intends to revise its review process in the future to integrate safety and multimodal accessibility considerations in a way that complements the VMT focus.

TISG identifies a number of project types that may be presumed to result in a less-than-significant VMT impact. These include small infill developments, projects located near high-quality transit, affordable housing, and local-serving retail. For these types of projects, further VMT analysis may not be required. This presumption streamlines the environmental review process and promotes infill development patterns that are less reliant on automobile travel. In cases where VMT screening is not applicable, the lead agency must evaluate the project’s VMT impact using thresholds of significance. Caltrans recommends the thresholds outlined in the Office of Planning and Research’s (OPR) Technical Advisory, but agencies retain the discretion to adopt their own thresholds, provided they are supported by substantial evidence.

There are several acceptable methodologies for conducting a VMT analysis. These include trip-based approaches, which calculate the number and length of vehicle trips associated with a project; tour-based approaches, which assess entire travel patterns beginning and ending at home; and regional modeling approaches that evaluate changes in total VMT across a broader geography. The selected method must be clearly described in the environmental document, including its assumptions, data sources, and whether the analysis measures VMT per capita, per employee, or in total. Regardless of the method, the analysis must be grounded in evidence and should clearly demonstrate the project’s VMT impacts compared to existing conditions or applicable thresholds.

One of the most significant changes brought by SB 743 is the need to analyze **induced VMT** for roadway expansion projects. Induced VMT refers to the additional vehicle travel generated when new or expanded roadways make driving more convenient. For example, adding lanes to a freeway can reduce congestion in the short term but typically encourages more people to drive, ultimately leading to higher total VMT. Caltrans provides several tools for evaluating induced travel, including elasticity-based formulas and regional travel demand models. If a project is determined to significantly increase VMT, it must either mitigate those impacts or disclose them and adopt a Statement of Overriding Considerations.

When significant VMT impacts are identified, mitigation is required under CEQA unless infeasible. Caltrans outlines several categories of mitigation measures aimed at reducing VMT. These include infrastructure investments such as transit improvements, bicycle and pedestrian facilities, and transportation demand

management programs like vanpooling, parking pricing, and telecommuting incentives. Land use strategies such as increased density, mixed-use development, and transit-oriented design are also strongly encouraged. If full mitigation is not feasible, the lead agency must explain why and adopt findings consistent with CEQA requirements. While this does not eliminate the obligation to reduce impacts where possible, it allows projects to proceed with a full understanding of their environmental trade-offs.

To support the implementation of VMT-based analysis, Caltrans has released other related guidance documents that complement the TISG. These include the *Transportation Analysis Framework (TAF)* and the *Transportation Analysis under CEQA (TAC)*. The TAF provides guidance on evaluating induced travel demand for highway capacity projects, while the TAC outlines procedural requirements for conducting VMT analysis under CEQA. Together, these tools help local governments, regional agencies, and project applicants apply consistent and rigorous methods when evaluating transportation impacts.

In conclusion, Caltrans' VMT-Focused Transportation Impact Study Guide reflects a major policy and procedural shift in how California evaluates the environmental impacts of transportation and land use projects. By moving away from congestion-based metrics like LOS and focusing on reducing VMT, the State is prioritizing long-term sustainability, climate resilience, and multimodal access. This approach encourages compact development, enhances public transportation, and promotes active modes of travel while still allowing for roadway and infrastructure projects that serve critical needs. As more agencies adopt VMT thresholds and mitigation strategies, the guide provides a consistent framework to help stakeholders meet CEQA requirements and contribute to statewide environmental goals.¹⁰⁴

Local Policy & Regulations

Tulare County Transportation Control Measures (TCM)

“Transportation Control Measures (TCM) are designed to reduce vehicle miles travelled (VMT), vehicle idling, and/or traffic congestion in order to reduce vehicle emissions. Currently, Tulare County is a nonattainment region under the Federal Clean Air Act (CAA) and the California Clean Air Act (CCAA). Both of these acts require implementation of TCMs. These TCMs for Tulare County are as follows: Rideshare Programs, Park and Ride Lots, Alternate Work Schedules, Bicycle Facilities, Public Transit, Traffic Flow Improvement, Passenger Rail and Support Facilities.”¹⁰⁵

County of Tulare SB 743 Guidelines

Tulare County's SB 743 Guidelines, adopted in June 2020, implement Senate Bill 743, which mandates the use of Vehicle Miles Traveled (VMT) as the metric for evaluating transportation impacts under the California Environmental Quality Act (CEQA), replacing the traditional Level of Service (LOS) standard. This transition aligns with statewide efforts to reduce greenhouse gas emissions, promote multimodal transportation, and support sustainable land use planning. The guidelines integrate with the Tulare County General Plan and Climate Action Plan by prioritizing reductions in vehicle travel through compact development, enhanced transit accessibility, and complete streets infrastructure.

The guidelines apply to all discretionary projects subject to CEQA review in the unincorporated areas of Tulare County. They are used to determine the significance of a project's transportation impacts based on how much vehicle travel it generates, measured in terms of VMT per capita, VMT per employee, or total

¹⁰⁴ Caltrans. Vehicle Miles Traveled-Focused: Transportation Impact Study Guide. Accessed December 2025 at: <https://tylerhub.tularecounty.ca.gov/Page/Display/de1c9f99-7ac5-4ea9-82f1-d213d7f590ad>

¹⁰⁵ Tulare County 2030 General Plan Recirculated Draft Environmental Impact Report. Page 3.2-2.

VMT depending on the project type. Certain projects are excluded from VMT analysis, particularly those involving heavy-duty trucks or goods movement, such as freight, logistics, utilities, or agriculture. These uses are evaluated separately because their vehicle profiles differ significantly from passenger vehicle-based metrics.

The guidelines include a screening process to identify projects that are presumed to have a less-than-significant VMT impact and therefore do not require full analysis. Projects may qualify for screening if they are located in transit-rich areas, are infill developments, have mixed-use characteristics, or meet minimum density thresholds (e.g., three dwelling units per acre). The guidelines also emphasize the importance of urban design and proximity to jobs, services, and amenities as key factors in reducing project-level VMT. If a project exceeds VMT thresholds and results in a significant impact, mitigation is required. The guidelines recommend a variety of mitigation strategies, many of which aim to reduce single-occupancy vehicle trips. These include implementing transportation demand management (TDM) programs, such as investing in pedestrian and bicycle infrastructure projects within the community. The County may also allow developers to contribute to a VMT mitigation bank or fee program, whereby payments are directed toward regional transportation improvements or complete streets projects in the surrounding area.

The County's approach encourages early consultation and coordination with planning staff to determine whether a project requires VMT analysis, qualifies for screening, or needs an LTA. Projects near state highways or those that may affect Caltrans facilities are also subject to additional coordination and may require an Intersection Control Evaluation (ICE) for modifications to freeway ramps or interchanges. Tulare County's SB 743 Guidelines reflect the broader shift in CEQA practice toward transportation efficiency and environmental sustainability. By focusing on VMT, the County aims to discourage auto-dependent sprawl and promote compact, connected communities. At the same time, the guidelines retain flexibility by allowing localized LOS analysis through the LTA process. This dual approach ensures that both regional and local transportation impacts are properly considered, while aligning with State mandates for climate action and smart growth.

In summary, Tulare County's SB 743 Guidelines provide clear, locally tailored procedures for evaluating transportation impacts under CEQA. They define VMT-based thresholds, establish screening criteria for low-impact projects, detail analysis methodologies, and offer a menu of feasible mitigation options. The guidelines support the County's long-term goals of reducing greenhouse gas emissions, enhancing multimodal mobility, and encouraging development patterns that minimize vehicle travel. Their implementation ensures consistent and transparent analysis across projects, helping developers, agencies, and the public understand how land use decisions affect regional transportation outcomes.¹⁰⁶

County of Tulare Local Transportation Analysis

Although SB 743 changes the CEQA transportation performance measure from LOS to VMT, it does not affect a local agency's ability to analyze roadway operations and require land development projects to provide improvements when the traffic generated by a project will affect the local roadway system. In Tulare County, a local transportation analysis (LTA) should generally be provided for land development projects that generate more than 100 peak hour trips.

The purpose of the LTA is to analyze traffic generated by the project and recommend transportation improvements to accommodate increases in traffic. An LTA should generally be provided for transportation projects that add 100 or more trips to other roadways or intersections. While the focus of the analysis will typically be on the roadway system, the LTA should also recommend any improvements needed to facilitate

¹⁰⁶ Tulare County Resource Management Agency. SB 743 Guidelines. Accessed December 2025 at: [Microsoft Word - Tulare County Draft SB 743 Guidelines 6-8-20.docx](#)

walking, bicycling, and transit in the project site, regardless of whether the project has significant or less than significant impact on VMT.

The purpose of an LTA is to forecast, describe, and analyze how a development will affect existing and future circulation infrastructure for users of the roadway system, including vehicles, bicycles, pedestrians, and transit. The LTA assists transportation engineers and planners in both the development community and public agencies when making land use, mobility infrastructure, and other development decisions. An LTA quantifies the expected changes in transportation conditions and translates these changes into transportation system effects in the vicinity of a project.

The roadway transportation analysis included in an LTA is separate from the transportation impact analysis conducted as part of the environmental (CEQA) project review process described earlier. The purpose of the roadway transportation analysis is to ensure that all project applicants provide reasonable transportation infrastructure improvements in order to accommodate their multimodal transportation demands.¹⁰⁷

Tulare County Association of Governments (TCAG) Regional Transportation Plan (RTP)

The Regional Transportation Plan is a long-range plan that every Metropolitan Planning Organization (MPO) is required to complete. The plan is meant to provide a long-range, fiscally constrained guide for the future of Tulare County's transportation system. The long-range plan extends to the year 2046 in its scope. The plan accomplishes its goals by forecasting future growth, identifying regional priorities, and planning for infrastructure improvements. This plan is required to include four elements; those elements include: the policy element, the sustainable community element, the action element and the financial element. These elements have been mandated by law, but do not keep MPOs from including more elements to their plan depending on local characteristics. Tulare County's 2022 RTP/SCS also includes chapters on goods movement and valley wide characteristics in addition to the required plan elements. The RTP/SCS is not the only plan in effect dealing with transportation issues, but is the holistic plan that integrates more specific plans into a larger framework for the county.¹⁰⁸

Tulare County General Plan Policies

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

LU-7.3 Friendly Streets: The County shall encourage new streets within UDBs to be designed and constructed to not only accommodate traffic but also serve as comfortable pedestrian and cyclist environments. These should include, but not be limited to:

1. Street tree planting adjacent to curbs and between the street and sidewalk to provide a buffer between pedestrians and automobiles, where appropriate,
2. Minimize curb cuts along streets,
3. Sidewalks on both sides of streets, where feasible,
4. Bike lanes and walking paths, where feasible on collectors and arterials, and
5. Traffic calming devices such as roundabouts, bulb-outs at intersections, traffic tables, and other comparable techniques.

LU-7.4 Streetscape Continuity: The County shall ensure that streetscape elements (e.g., street signs, trees, and furniture) maintain visual continuity and follow a common image for each community.

¹⁰⁷ Tulare County General Plan Update 2030. Transportation and Circulation Element. Accessed December 2025 at: [Section 12, Circulation](#)

¹⁰⁸ TCAG 2022 RTP and SCS. Executive Summary. PDF page 3. Accessed December 2025 at: tularecog.org/tcag/planning/rtp/rtp-2022/chapter-a-executive-summary/

- LU-7.6 Screening:* The County shall require landscaping to adequately screen new industrial uses to minimize visual impacts.
- TC-1.1 Provision of an Adequate Public Road Network:* The County shall establish and maintain a public road network comprised of the major facilities illustrated on the Tulare County Road Systems to accommodate projected growth in traffic volume.
- TC-1.5 Public Road System Maintenance:* The County shall give priority for maintenance to roadways identified by the Tulare County Pavement Management System (PMS) and other inputs relevant to maintaining the safety and integrity of the County roadway system.
- TC-1.13 Land Dedication for Roadways and Other Travel Modes:* As required by the adopted County Improvement Standards, the County shall require, where warranted, an irrevocable offer of dedication to the right-of-way for roadways and other travel modes, as part of the development review process.
- TC-1.14 Roadway Facilities:* As part of the development review process, new development shall be conditioned to fund, through impact fees, tonnage fees, and/or other mechanism, the construction and maintenance of roadway facilities impacted by the project. As projects or locations warrant, construction or payment of pro-rata fees for planned road facilities may also be required as a condition of approval.
- TC-1.15 Traffic Impact Study:* The County shall require an analysis of traffic impacts for land development projects that may generate increased traffic on County roads. Typically, applicants of projects generating over 100 peak hour trips per day or where LOS “D” or worse occurs, will be required to prepare and submit this study. The traffic impact study will include impacts from all vehicles, including truck traffic.
- TC-1.16 County Level of Service (LOS) Standards:* The County shall strive to develop and manage its roadway system (both segments and intersections) to meet a LOS of “D” or better in accordance with the LOS definitions established by the Highway Capacity Manual.
- TC-1.18 Balanced System:* The County shall strive to meet transportation needs and maintain LOS standards through a balanced Multimodal Transportation Network that provides alternatives to the automobile.
- TC-4.1 Transportation Programs:* The County shall support the continued coordination of transportation programs provided by social service agencies, particularly those serving elderly and/or handicapped.
- TC-4.2 Determine Transit Needs:* The County will continue to work with TCAG, cities, and communities in the County to evaluate and respond to public transportation needs.
- TC-5.1 Bicycle/Pedestrian Trail System:* The County shall coordinate with TCAG and other agencies to develop a Countywide integrated multi-purpose trail system that provides a linked network with access to recreational, cultural, and employment facilities, as well as offering a recreational experience apart from that available at neighborhood and community parks.
- TC-5.2 Consider Non-Motorized Modes in Planning and Development:* The County shall consider incorporating facilities for non-motorized users, such as bike routes, sidewalks, and trails when constructing or improving transportation facilities and when reviewing new development proposals. For developments with 50 or more dwelling units or non-residential projects with an equivalent travel demand, the feasibility of such facilities shall be evaluated.
- TC-5.3 Provisions for Bicycle Use:* The County shall work with TCAG to encourage local government agencies and businesses to consider including bicycle access and provide safe bicycle parking facilities at office buildings, schools, shopping centers, and parks.
- TC-5.4 Design Standards for Bicycle Routes:* The County shall utilize the design standards adopted by Caltrans and as required by the Streets and Highway Code for the development, maintenance, and improvement of bicycle routes.
- TC-5.7 Designated Bike Paths:* The County shall support the creation and development of designated bike paths adjacent to or separate from commute corridors.

- TC-5.8 Multi-Use Trails:* The County shall encourage the development of multi-use corridors (such as hiking, equestrian, and mountain biking) in open space areas, along power line transmission corridors, utility easements, rivers, creeks, abandoned railways, and irrigation canals.
- TC-5.9 Existing Facilities:* The County shall support the maintenance of existing bicycle and pedestrian facilities.
- HS-1.9 Emergency Access:* The County shall require, where feasible, road networks (public and private) to provide for safe and ready access for emergency equipment and provide alternate routes for evacuation.
- HS-6.25 Emergency Response Barriers:* The County shall support the identification of vital access routes that if removed would prevent fire fighter access (bridges, dams, etc.) as included in the Multi-Jurisdictional Local Hazard Mitigation Plan to address emergency access planning for these areas
- HS-7.4 Upgrading for Streets and Highways:* The County shall evaluate and upgrade vital streets and highways to an acceptable level for emergency services.
- HS-9.1 Healthy Communities:* To the maximum extent feasible, the County shall strive through its land use decisions to promote community health and safety for all neighborhoods in the County by encouraging patterns of development that are safe and influence crime prevention, promote a high quality physical environment and encourage physical activity by means such as sidewalks and walking and biking paths that discourage automobile dependency in existing communities.
- HS-9.2 Walkable Communities:* The County shall require where feasible, the development of parks, open space, sidewalks and walking and biking paths that promote physical activity and discourage automobile dependency in all future communities.

Impact Analysis

- a) **Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**
- b) **Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?**

The Allensworth Community Plan contains several proposals to minimize Vehicle Miles Traveled (VMT) and expand quality of transportation infrastructure within the community.

The Plan specifically addresses the availability of fresh food and the need to develop a circular, or self-sustaining, economy that minimizes resource depletion and maximizes efficiency of inputs. One of those proposals supports local food-production through workforce training programs in rabbit farming, programs designed to support marginalized farmers, and investment in a community-supported agriculture model. This would not only address the vulnerability of socioeconomically disadvantaged residents, many of whom experience food insecurity, but would also decrease the VMT with respect to food procurement and consumption.

The Plan also makes recommendations for improving the existing Young Street, the center of the Community, by increasing sidewalks near the school, and increasing street lighting. Additionally, the Plan considers the impact of signage and design on place-making and navigability of routes. Finally, the Plan recommends reviving the Allensworth Recreational Trail, providing navigation and access to cultural landmarks in Allensworth and beyond.

The Allensworth Community Plan would not facilitate development and therefore, would not generate vehicle trips that could result in impacts. Therefore, the Plan would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities or CEQA Guidelines section 15064.3, subdivision (b). Impacts would be less than significant.

c) Would the project substantially increase hazards due to a geometric design feature or incompatible uses?

Design standards for roads/streets and highways are addressed in Improvement Standards of Tulare County; Road widths, design speeds, grades, elevation, sight distance, horizontal alignment, intersections, slopes and industrial streets are all addressed in the document. The Allensworth Community Plan Land Use, Development and Design Review Commission is tasked with overseeing and approving development in the community and ensuring that the rural character and historical significance of Allensworth are maintained and highlighted. The Plan recommends increasing sidewalks near the school, increasing vegetation and trees along streets and walkways for shade, using vegetation to buffer against dust along major transportation networks, and incorporating design and signage on routes to help navigability and access for residents and visitors, alike.

The Allensworth Community Plan would be consistent with the programs and policies outlined within the General Plan, as described above, and would not facilitate new areas for development of roadways with geometric design features or incompatible uses. Impacts would be less than significant.

d) Would the project result in inadequate emergency access?

The Allensworth Community Plan ensures that new development is accessible; the design commission is responsible for guaranteeing that new developments can be reached by the Tulare County Fire Department and the Sheriff's Department. Additionally, the plan advocates for the creation of consistent addressing/numbering system for the community that would align the plan with the Tulare County Emergency Operations Plan.

The Allensworth Community Plan, by itself, does not propose or authorize any specific development. Therefore, the Plan would not result in inadequate emergency access. Impacts would be less than significant.

18. TRIBAL CULTURAL RESOURCES

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

	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulations

The National Historic Preservation Act

to acknowledge the importance of protecting our nation's heritage from federal development. The NHPA sets federal historic preservation policy, establishes partnerships between the Federal government and states and the Federal government and tribes, creates the **National Register of Historic Places** and **National Historic Landmarks** programs, mandates the selection of qualified **State Historic Preservation Officers**, establishes the **Advisory Council on Historic Preservation**, charges Federal agencies with stewardship, and establishes the role of **Certified Local Governments** within the states.

Title I of the statute established the National Register of Historic Places to create a national listing of historic properties (districts, sites, buildings, structures, and objects) significant in American history, architecture, archeology, engineering, and culture. Title I also expanded the level of Federal concern to include the preservation of historic properties of local or State significance. It established State Historic Preservation Officers as partners in the national historic preservation program and also describes how local governments or Indian tribes may, in certain circumstances, carry out SHPO functions.

Implementation of Section 106 of Title I has been critical to archeology and archeological preservation in the United States. Section 106 requires federal agencies to take into account the effects of their actions on historic properties by identifying historic properties, assessing adverse effects, and resolving those adverse effects. The process is initiated by the federal agency, and includes comment and input from stakeholders at the local and State levels, as well as the Advisory Council on Historic Preservation. After the procedures for implementing Section 106 were established (6 CFR 800), the field of professional archeology expanded throughout governments and the private sector to meet the need for compliance.

Section 110 requires all federal agencies to establish -- in conjunction with the Secretary of the Interior -- their own historic preservation programs for the identification, evaluation, and protection of historic properties, including archeological properties. Determinations of Eligibility for the National Register are established during Phase II archeological surveys.

Title II

Title II of NHPA establishes the Advisory Council on Historic Preservation, an independent Federal agency. The Council and its staff advise Federal agencies on their roles in the national historic preservation program, especially Section 106. The ACHP also develops advice and training to support Federal agencies.

Title IV

Title IV of the statute established the National Center for Preservation Technology and Training, part of the National Park Service. NCPTT contributes research and training to archeological preservation practice.

Statute and regulation texts:

- **National Historic Preservation Act** (16 U.S. Code 470 et seq.), statute text.
- **National Register of Historic Places** (36 CFR 60), regulation text.
- **Procedures for State, Tribal, and Local Government Historic Preservation Programs** (36 CFR 61), regulation text.
- **Determinations of Eligibility for Inclusion in the National Register of Historic Places** (36 CFR 63), regulation text.
- **Protection of Historic Properties** (36 CFR 800), regulation text.⁸

The National Historic Preservation Act (NHPA) of 1966, as amended, established a partnership between the federal government and state, tribal, and local governments to encourage the preservation of historic resources. The Act provides federal funding to support preservation activities and authorizes the National Park Service to administer the Historic Preservation Fund, which distributes matching grants to State Historic Preservation Officers (SHPOs), Tribal Historic Preservation Officers (THPOs), and certified local governments. The NHPA also created the Advisory Council on Historic Preservation (ACHP), an independent federal agency with the sole responsibility of addressing historic preservation matters.

The NHPA requires federal agencies to incorporate historic preservation considerations into their undertakings. Specifically, Section 106 requires federal agencies to consider the potential effects of proposed projects on historic properties and to afford the ACHP an opportunity to comment prior to implementation. This process ensures agency accountability for decisions affecting historic resources. In addition, Section 110 requires federal agencies to establish preservation programs and designate Federal Preservation Officers to oversee compliance and coordinate preservation activities within their respective agencies.

State Agencies & Regulations

California State Office of Historic Preservation (OHP)=

"The California State Office of Historic Preservation (OHP) is responsible for administering federally and state mandated historic preservation programs to further the identification, evaluation, registration and protection of California's irreplaceable archaeological and historical resources under the direction of the

State Historic Preservation Officer (SHPO), a gubernatorial appointee, and the State Historical Resources Commission.

OHP's responsibilities include:

- Identifying, evaluating, and registering historic properties;
- Ensuring compliance with federal and state regulatory obligations;
- Encouraging the adoption of economic incentives programs designed to benefit property owners;
- Encouraging economic revitalization by promoting a historic preservation ethic through preservation education and public awareness and, most significantly, by demonstrating leadership and stewardship for historic preservation in California.”¹⁰⁹

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

- Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- Is associated with the lives of persons important to our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.¹⁶

Tribal Consultation Requirements: SB 18 (Burton, 2004)

On September 29, 2004, Governor Schwarzenegger signed Senate Bill 18, Tribal Consultation Guidelines, into law. SB 18, enacted March 1, 2005, creates a mechanism for California Native American Tribes to identify culturally significant sites that are located within public or private lands within the city or county’s jurisdiction. SB 18 requires cities and counties to contact, and offer to consult with, California Native American Tribes before adopting or amending a General Plan, a Specific Plan, or when designating land as Open Space, for the purpose of protecting

Native American Cultural Places (PRC 5097.9 and 5097.993). The Native American Heritage Commission (NAHC) provides local governments with a consultation list of tribal governments with traditional lands or cultural places located within the Project Area of Potential Effect. Tribes have 90 days from the date on which they receive notification to request consultation, unless a shorter timeframe has been agreed to by the tribe.¹¹⁰

Tribal Consultation Requirements: AB 52 (Gatto, 2014)

The Public Resources Code has established that “[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. (Pub. Resources Code, § 21080.3.1.) If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact.”¹¹¹

¹⁰⁹ California Office of Historic Preservation. 2021. Mission and Responsibilities. Accessed August 2025 at: http://ohp.parks.ca.gov/?page_id=1066

¹¹⁰ California Legislative Information. 2021. Bill Number: SB 18. Accessed August 2025 at: https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=200320040SB18

¹¹¹ Governor’s Office of Planning and Research. 2017. Technical Advisory. Page 4. AB 52 and Tribal Cultural Resources in CEQA. Accessed July 2023 at: https://opr.ca.gov/docs/20200224-AB_52_Technical_Advisory_Feb_2020.pdf

California Native American Heritage Commission (NAHC)

“The Native American Heritage Commission (NAHC), created in statute in 1976, is a nine-member body, appointed by the Governor, to identify and catalog cultural resources -- ancient places of special religious or social significance to Native Americans and known ancient graves and cemeteries of Native Americans on private and public lands in California. The NAHC is also charged with ensuring California Native American tribes’ accessibility to ancient Native American cultural resources on public lands, overseeing the treatment and disposition of inadvertently discovered Native American human remains and burial items, and administering the California Native American Graves Protection and Repatriation Act (CalNAGPRA), among many other powers and duties.

“In 1976, the California State Government passed AB 4239, establishing the NAHC as the primary government agency responsible for identifying and cataloging Native American cultural resources. Up until this point, there had been little government participation in the protection of California’s cultural resources. As such, one of the NAHC’s primary duties, as stated in AB 4239, was to prevent irreparable damage to designated sacred sites, as well as to prevent interference with the expression of Native American religion in California.”¹¹²

“Today, the NAHC provides protection to Native American human burials and skeletal remains from vandalism and inadvertent destruction. It also provides a legal means by which Native American descendants can make known their concerns regarding the need for sensitive treatment and disposition of Native American burials, skeletal remains, and items associated with Native American burials.”¹¹³

CEQA Guidelines: Archaeological Resources

Section 15064.5(c) of CEQA Guidelines provides specific guidance on the treatment of archaeological resources as noted below.¹¹⁴

1. When a Project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subdivision (a).
2. If a lead agency determines that the archaeological site is an historical resource, it shall refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.
3. If an archaeological site does not meet the criteria defined in subdivision (a), but does meet the definition of a unique archeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of section 21083.2. The time and cost limitations described in Public Resources Code Section 21083.2 (c–f) do not apply to surveys and site evaluation activities intended to determine whether the Project location contains unique archaeological resources.
4. If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the Project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

¹¹² California Native American Heritage Commission (NAHC). About the Native American Heritage Commission. Accessed August 2025 at: <http://nahc.ca.gov/about/>

¹¹³ Ibid.

¹¹⁴ California Natural Resources Agency. 2015. 15064.5. Determining the Significance of Impacts to Archeological and Historical Resources, Section 15064.5(c). Accessed July 2023 at: California Natural Resources Agency. CEQA Guidelines. Sections 15064.5. Accessed August 2025 at: https://www.califaep.org/docs/CEQA_Handbook_2023_final.pdf or [2023 CEQA Statutes and Guidelines \(califaep.org\)](https://www.califaep.org/docs/2023_CEQA_Statutes_and_Guidelines.pdf)

CEQA Guidelines: Human Remains

Public Resources Code Sections 5097.94 and 5097.98 provide guidance on the disposition of Native American burials (human remains), and fall within the jurisdiction of the Native American Heritage Commission:

- “(d) When an initial study identifies the existence of, or the probable likelihood, of Native American human remains within the Project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any Items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action to implement such an agreement is exempt from:
- (1) The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5).
 - (2) The requirements of CEQA and the Coastal Act.
- (e) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:
- (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - (A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
 - (B) If the coroner determines the remains to be Native American:
 1. The coroner shall contact the Native American Heritage Commission within 24 hours.
 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
 - (2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
 - (A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
 - (B) The descendant identified fails to make a recommendation; or
 - (C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.
- (f) As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency should make provisions for historical or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could

continue on other parts of the building site while historical or unique archaeological resource mitigation takes place.”

Local Policy & Regulations

Tulare County General Plan Policies and Tulare County General Plan 2030 Update

The General Plan has a number of policies that apply to Projects within Tulare County. General Plan policies that relate to the proposed Project are listed as follows:

ERM-6.1 Evaluation of Cultural and Archaeological Resources: The County shall participate in and support efforts to identify its significant cultural and archaeological resources using appropriate State and Federal standards.

ERM-6.2 Protection of Resources with Potential State or Federal Designations: The County shall protect cultural and archaeological sites with demonstrated potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation’s California Points of Interest and California Inventory of Historic Resources. Such sites may be of Statewide or local significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, or other values as determined by a qualified archaeological professional.

ERM-6.3 Alteration of Sites with Identified Cultural Resources: When planning any development or alteration of a site with identified cultural or archaeological resources, consideration should be given to ways of protecting the resources. Development can be permitted in these areas only after a site specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and Mitigation Measures proposed for any impacts the development may have on the resource.

ERM-6.4 Mitigation: If preservation of cultural resources is not feasible, every effort shall be made to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records.

ERM-6.8 Solicit Input from Local Native Americans: The County shall continue to solicit input from the local Native American communities in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance.

ERM-6.9 Confidentiality of Archaeological Sites: The County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts (which is also consistent with AB 52)

ERM-6.10 Grading Cultural Resources Sites: The County shall ensure all grading activities conform to the County’s Grading Ordinance and California Code of Regulations, Title 20, § 2501 et. seq.

Impact Analysis

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

- a) **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).**
- b) **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.**

As described earlier, the records search, i.e., the California Historical Resources Information Systems (CHRIS) of site files and maps was conducted at the Southern San Joaquin Valley Archaeological Information Center (Center), California State University, Bakersfield. The CHRIS research was completed in January 2026 wherein the results letter states, “According to the information in our files, there are two recorded cultural resources within the project area: P-54-004052 and P-54-005317, Allensworth Historic District and a cemetery, respectively. There are two recorded cultural resources within a one-half mile radius: P-54-004346 and P-54-004347, an historic area foundation and two historic era trash scatters.”¹¹⁵ The records search included results of known and recorded cultural resources sites, inventory and excavation reports filed with Southern San Joaquin Valley Information Center, and resources listed on the National Register of Historic Places, Historic Property Directory, California State Historical Landmarks, California Register of Historical Resources, California Inventory of Historic Resources, and California Points of Historical Interest.

In their search results letter, Center staff noted, “If any ground disturbance will result from this project, we recommend a qualified, professional consultant conduct a field survey of any vacant land that will be impacted prior to ground disturbance activities to determine if any cultural resources are present. Further, if any structures more than 45 years of age or older will be impacted by any project activities, we recommend they first be recorded and evaluated for historical significance by a qualified, professional consultant. If any part of the Allensworth Historic District will be impacted by project activities, we recommend a qualified, professional consultant make an assessment of the impact on the elements of the district and make appropriate mitigation recommendations to minimize adverse effects. If no ground disturbance will take place as a result of this project, then no further cultural resource investigation is recommended at this time. A list of qualified consultants can be found at www.chrisinfo.org.”¹¹⁶ The Center staff also recommend that RMA contact the Native American Heritage Commission in Sacramento as, “They will provide you with a current list of Native American individuals/organizations that can assist you with information regarding cultural resources that may not be included in the CHRIS Inventory and that may be of concern to the Native groups in the area. The Commission can consult their ‘Sacred Lands Inventory’ file in order to determine what sacred resources, if any, exist within this project area and the way in which these resources might be managed. Finally, please consult with the lead agency on this project to determine if any other cultural resource investigation is required.”¹¹⁷

The Native American Heritage Commission (NAHC) provided a response letter dated June 25, 2025. The NAHC indicated that, “The result of the Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.”¹¹⁸ within the Project area. Also as noted earlier, as there have been no changes to the physical landscape since the SLF search, the search results remain valid.

There are no specific developments proposed or authorized as part of this Project Plan. All future development in the Community would be subject to the County’s development review process, which includes site-specific analysis if development is proposed on lands including tribal resources. All future development would be required to demonstrate compliance with applicable federal, state, and local regulations, including the County’s General Plan. Consequently, implementation of the proposed project would not conflict with any local policies or ordinances tribal cultural resources, and ***less than significant impacts*** would occur with project implementation.

¹¹⁵ California Historical Resources Information Systems (CHRIS). Southern San Joaquin Valley Archaeological Information Center. California State University, Bakersfield. Record Search 26-026.

¹¹⁶ Ibid.

¹¹⁷ Ibid.

¹¹⁸ State of California. Native American Heritage Commission. Native American Consultation, Pursuant to Senate Bill 18 (SB18), Government Codes §65352.3 and §65352.4, as well as Assembly Bill 52 (AB52), Public Resources

19. UTILITIES AND SERVICE SYSTEMS

Would the project:	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulations

U.S. Environmental Protection Agency (US EPA) - Federal Regulation Title 40, Part 503

In 1993, the U.S. Environmental Protection Agency (US EPA) publicized Standards for the Use or Disposal of Sewage Sludge (Code of Federal Regulations Title 40, Part 503). The standards establish pollutant limitations, operational standards for pathogen and vector attraction reduction, management practices, and other provisions intended to protect public health and the environment from any reasonably anticipated adverse conditions from potential waste constituents and pathogenic organisms.

This part establishes standards that consist of general requirements, pollutant limits, management practices, and operational standards for the final use or disposal of sewage sludge generated during the treatment of domestic sewage in a treatment works. Standards are included in this part for sewage sludge applied to the land, placed on a surface disposal site, or fired in a sewage sludge incinerator. Also included in this part are pathogen and alternative vector attraction reduction requirements for sewage sludge applied to the land or placed on a surface disposal site.

In addition, the standards in this part include the frequency of monitoring and recordkeeping requirements when sewage sludge is applied to the land, placed on a surface disposal site, or fired in a sewage sludge incinerator. Also included in this part are reporting requirements for Class I sludge management facilities, publicly owned treatment works (POTWs) with a design flow rate equal to or greater than one million gallons per day, and POTWs that serve 10,000 people or more.¹¹⁹

Resource Conservation and Recovery Act (RCRA)

Congress passed the Resource Conservation and Recovery Act (RCRA) on October 21, 1976, to address the increasing problems the nation faced from our growing volume of municipal and industrial waste. RCRA, which amended the Solid Waste Disposal Act of 1965, set national goals for:

- Protecting human health and the environment from the potential hazards of waste disposal
- Conserving energy and natural resources
- Reducing the amount of waste generated
- Ensuring that wastes are managed in an environmentally-sound manner
- To achieve these goals, RCRA established three distinct, yet interrelated, programs:
 1. The solid waste program, under RCRA Subtitle D, encourages states to develop comprehensive plans to manage nonhazardous industrial solid waste and municipal solid waste, sets criteria for municipal solid waste landfills and other solid waste disposal facilities, and prohibits the open dumping of solid waste.
 2. The hazardous waste program, under RCRA Subtitle C, establishes a system for controlling hazardous waste from the time it is generated until its ultimate disposal — in effect, from “cradle to grave.”
 3. The underground storage tank (UST) program, under RCRA Subtitle I, regulates underground storage tanks containing hazardous substances and petroleum products. RCRA banned all open dumping of waste, encouraged source reduction and recycling, and promoted the safe disposal of municipal waste. RCRA also mandated strict controls over the treatment, storage, and disposal of hazardous waste.¹²⁰

State Agencies & Regulations

The Integrated Waste Management Act (Assembly Bill 939)

In 1989, the California legislature passed the Integrated Waste Management Act of 1989, known as AB 939. The bill mandates a reduction of waste being disposed: jurisdictions were required to meet diversion goals of 25% by 1995 and 50% by the year 2000. AB 939 also established an integrated framework for program implementation, solid waste planning, solid waste facility and landfill compliance.

State Water Quality Control Board

“The State Water Resources Control Board (State Water Board) was created by the Legislature in 1967. The joint authority of water allocation and water quality protection enables the State Water Board to provide comprehensive protection for California’s waters.

¹¹⁹ Environmental Protection Agency. National Pretreatment Program Overview. Accessed December 2025 at: [National Pretreatment Program Overview | US EPA](#)

¹²⁰ Environmental Protection Agency. Summary of the Resource Conservation and Recovery Act. Accessed December 2025 at: [Summary of the Resource Conservation and Recovery Act | US EPA](#)

The State Water Board consists of five full-time salaried members, each filling a different specialty position. Board members are appointed to four-year terms by the Governor and confirmed by the Senate.”

“The task of protecting and enforcing the many uses of water, including the needs of industry, agriculture, municipal districts, and the environment is an ongoing challenge for the State and Regional Water Quality Control Boards.”¹²¹

Regional Water Quality Control Board (RWQCB)

“There are nine Regional Water Quality Control Boards (Regional Boards). The mission of the Regional Boards is to develop and enforce water quality objectives and implementation plans that will best protect the State's waters, recognizing local differences in climate, topography, geology and hydrology.

Each Regional Board has seven part-time members appointed by the Governor and confirmed by the Senate. Regional Boards develop “basin plans” for their hydrologic areas, issue waste discharge requirements, take enforcement action against violators, and monitor water quality.

“The task of protecting and enforcing the many uses of water, including the needs of industry, agriculture, municipal districts, and the environment is an ongoing challenge for the State and Regional Water Quality Control Boards.”¹²²

The Regional Water Quality Control Board – Biosolids

In California, the beneficial reuse of treated municipal sewage sludge (*a.k.a.*, biosolids) generally must comply with the California Water Code in addition to meeting the requirements specified in Part 503 in Title 40 of the Code of Federal Regulations.

In July 2004, the State Water Resources Control Board adopted Water Quality Order No. 2004-12-DWQ (General Order) and certified a supporting statewide Programmatic Environmental Impact Report (PEIR). The General Order incorporates the minimum standards established by the Part 503 Rule and expands upon them to fulfill obligations to the California Water Code. However, since California does not have delegated authority to implement the Part 503 Rule, the General Order does not replace the Part 503 Rule. The General Order also does not preempt or supersede the authority of local agencies to prohibit, restrict, or control the use of biosolids subject to their jurisdiction, as allowed by law. People interested in seeking coverage under the General Order should contact the appropriate Regional Water Quality Control Board. Only applicants who submit a complete *Notice of Intent* (NOI), appropriate application fee, and are issued a Notice of Applicability by the executive officer of the appropriate Regional Water Quality Control Board are authorized to land apply biosolids at an agricultural, horticultural, silvicultural, or land reclamation site as a soil amendment under the General Order.

State Water Resources Control Board, Divisions of Drinking Water and Clean Water

Recycled water regulations are administered by both Central RWQCB and the California State Water Resources Control Board (SWRCB). The regulations governing recycled water are found in a combination of sources, including the Health and Safety Code, Water Code, and Titles 22 and 17 of the California Code of Regulations (CCR). Issues related to the treatment and distribution of recycled water are generally under the permitting authority of RWQCB and the Clean Water Division of the SWRCB.

¹²¹ State Water Board. Mission Statement. Accessed August 2025 at:
http://www.waterboards.ca.gov/about_us/water_boards_structure/mission.shtml

¹²² *Ibid.*

State Water Resources Control Board Water Onsite Wastewater Treatment Systems (OWTS) Policy

“The purpose of this Policy is to allow the continued use of OWTS, while protecting water quality and public health. This Policy recognizes that responsible local agencies can provide the most effective means to manage OWTS on a routine basis. Therefore, as an important element, it is the intent of this policy to efficiently utilize and improve upon where necessary existing local programs through coordination between the State and local agencies. To accomplish this purpose, this Policy establishes a statewide, risk-based, tiered approach for the regulation and management of OWTS installations and replacements and sets the level of performance and protection expected from OWTS. In particular, the Policy requires actions for water bodies specifically identified as part this Policy where OWTS contribute to water quality degradation that adversely affect beneficial uses.”¹²³

State NPDES General Construction Permit

The State NPDES General Construction Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that uses storm water “Best Management Practices” to control runoff, erosion and sedimentation from the site both during and after construction. The SWPPP has two major objectives: (1) to help identify the sources of sediments and other pollutants that affect the quality of storm water discharges; and (2) to describe and ensure the implementation of practices to reduce sediment and other pollutants in storm water discharges.

The regulatory setting for wastewater treatment and disposal has evolved significantly since the original issuance of WDR 88-098. Most notably, the most recent Basin Plan Amendment adopted in 2019 by the SWRCB incorporates the new Salt and Nitrate Control Program (CV-SALTS). The Plan Amendment includes new mandates for dischargers in the Central Valley. A Notice to Comply has been issued for Traver WWTF.

In the interim, Tulare County has elected to participate in the Kings Water Alliance Management Zone for initial compliance. Future improvements or expansion to the WWTF will trigger compliance with the new Basin Plan Amendment and revised permitting with the SWRCB. Future improvements or expansion must address current Basin Plan discharge standards for Biological Oxygen Demand (BOD), Total Dissolved Solids (TSS) and Nitrates (NO₃- N), including preparation of a groundwater anti- degradation analysis. It is anticipated that the SRWCB will issue new Waste Discharge Requirements for a future updated WWTF.

CalRecycle

CalRecycle (formerly the California Integrated Waste Management Board) governs solid waste regulations on the state level, delegating local permitting, enforcement, and inspection responsibilities to Local Enforcement Agencies (LEA). Regulations authored by CalRecycle (Title 14) were integrated with related regulations adopted by the State Water Resources Control Board (SWRCB) pertaining to landfills (Title 23, Chapter 15) to form CCR Title 27.

California Public Utilities Commission

The California Public Utilities Commission (CPUC) regulates privately owned electric, natural gas, telecommunications, water, railroad, rail transit, and passenger transportation companies, in addition to authorizing video franchises. In 1911, the CPUC was established by Constitutional Amendment as the Railroad Commission. In 1912, the Legislature passed the Public Utilities Act, expanding the Commission's

¹²³ State Water Board. Onsite Wastewater Treatment Systems Policy: Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems. Accessed December 2025 at: [2023 OWTS Policy](#)

regulatory authority to include natural gas, electric, telephone, and water companies as well as railroads and marine transportation companies. In 1946, the Commission was renamed the California Public Utilities Commission. It is tasked with ensuring safe, reliable utility service is available to consumers, setting retail energy rates, and protecting against fraud.

Local Policy & Regulations

Compliance with Sustainable Groundwater Management Act (SGMA)

The project will comply with SGMA through coordination with the Kings River East Groundwater Sustainability Agency (KREGSA). The project will reduce impacts to the groundwater basin by reducing water demand below what was needed to support farming practices and improving the community of Traver's water balance. The project will incorporate water efficient design and comply with the California Green Building Code including use of low flow plumbing fixtures. The water balance will be further improved through expanded recharge of treated effluent at the wastewater treatment plant and construction of a new storm drain recharge basin to retain and recharge storm water collected within the development.

County of Tulare Solid Waste Services

Solid waste disposal services for the Project is within Pena's Disposal, a private company, franchise area. Tulare County operates two active landfills: Visalia and Teapot Dome. The Visalia landfill has enough capacity to provide at least 140 years (2014- 2154) of disposal capacity (Scott Pfanstiel, Solid Waste Department, retired).

Assembly Bill 939 requires cities and counties to reduce their solid waste volumes by 25 percent by 1995 and 50 percent by the year 2000. To achieve this reduction in volume, AB 939 requires local entities to devise a materials recovery facility by composting organic materials; recycling paper, metal, glass, and plastic; and by diverting household hazardous waste to the Kettleman Hills waste facility.

Tulare County General Plan

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. The following General Plan policies apply to the proposed Project:

PFS-2.1 Water Supply: The County shall work with agencies providing water service to ensure that there is an adequate quantity and quality of water for all uses, including water for fire protection, by, at a minimum, requiring a demonstration by the agency providing water service of sufficient and reliable water supplies and water management measures for proposed urban development.

PFS-2.2 Adequate Systems: The County shall review new development proposals to ensure that the intensity and timing of growth will be consistent with the availability of adequate production and delivery systems. Projects must provide evidence of adequate system capacity prior to approval.

PFS-2.3 Well Testing: The County shall require new development that includes the use of water wells to be accompanied by evidence that the site can produce the required volume of water without impacting the ability of existing wells to meet their needs.

PFS-2.4 Water Connections: The County shall require all new development in UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, Area Plans, existing water district service areas, or zones of benefit, to connect to the community water system, where such system exists. The County may grant exceptions in extraordinary circumstances, but in these cases, new development shall be required to connect to the water system when service becomes readily available.

- PFS-2.5 New Systems or Individual Wells:* Where connection to a community water system is not feasible per PFS-2.4: Water Connections, service by individual wells or new community systems may be allowed if the water source meets standards for quality and quantity.
- PFS-3.1 Private Sewage Disposal Standards:* The County shall maintain adequate standards for private sewage disposal systems (e.g., septic tanks) to protect water quality and public health.
- PFS-3.2 Adequate Capacity:* The County shall require development proposals to ensure the intensity and timing of growth is consistent with the availability of adequate wastewater treatment and disposal capacity.
- PFS-3.3 New Development Requirements:* The County shall require all new development, within UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, Area Plans, existing wastewater district service areas, or zones of benefit, to connect to the wastewater system, where such systems exist. The County may grant exceptions in extraordinary circumstances, but in these cases, the new development shall be required to connect to the wastewater system when service becomes readily available.
- PFS-3.7 Financing:* The County shall cooperate with special districts when applying for State and federal funding for major wastewater related expansions/upgrades when such plans promote the efficient solution to wastewater treatment needs for the area and County.
- PFS-4.1 Stormwater Management Plans:* The County shall oversee, as per Community Plan Content Table PF-2.1 and Specific Plan Content, Hamlet Plans Policy PF-3.3, and Table LU-4.3, the preparation and adoption of stormwater management plans for communities and hamlets to reduce flood risk, protect soils from erosion, control stormwater, and minimize impacts on existing drainage facilities, and develop funding mechanisms as a part of the Community Plan and Hamlet Plan process.
- PFS-4.2 Site Improvements:* The County shall ensure that new development in UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, and Area Plans includes adequate stormwater drainage systems. This includes adequate capture, transport, and detention/retention of stormwater.
- PFS-4.3 Development Requirements:* The County shall encourage project designs that minimize drainage concentrations and impervious coverage, avoid floodplain areas, and where feasible, provide a natural watercourse appearance.
- PFS-4.4 Stormwater Retention Facilities:* The County shall require on-site detention/retention facilities and velocity reducers when necessary to maintain existing (pre-development) storm flows and velocities in natural drainage systems. The County shall encourage the multi-purpose design of these facilities to aid in active groundwater recharge.
- PFS-4.5 Detention/Retention Basins Design:* The County shall require that stormwater detention/retention basins be visually unobtrusive and provide a secondary use, such as recreation, when feasible.
- PFS-4.6 Agency Coordination:* The County shall work with the Army Corps of Engineers and other appropriate agencies to develop stormwater detention/retention facilities and recharge facilities that enhance flood protection and improve groundwater recharge.
- PFS-4.7 NPDES Enforcement:* The County shall continue to monitor and enforce provisions to control non-point source water pollution contained in the U.S. Environmental Protection Agency National Pollution Discharge Elimination System (NPDES) program.
- PFS-5.1 Land Use Compatibility with Solid Waste Facilities:* The County shall ensure that solid waste facility sites (for example, landfills) are protected from the encroachment by sensitive and/or incompatible land uses.
- PFS-5.3 Solid Waste Reduction:* The County shall promote the maximum feasible use of solid waste reduction, recycling, and composting of waste, strive to reduce commercial and industrial waste on an annual basis, and pursue financing mechanisms for solid waste reduction programs.
- PFS-5.4 County Usage of Recycled Materials and Products:* The County shall encourage all industries and government agencies in the County to use recycled materials and products where economically feasible.

PFS-5.8 Hazardous Waste Disposal Capabilities: The County shall require the proper disposal and recycling of hazardous materials in accordance with the County’s Hazardous Waste Management Plan.

PFS-5.9 Agricultural Waste: The County shall investigate waste disposal and reuse needs for agricultural wastes for energy and other beneficial uses and shall change County plans accordingly¹²⁴

Community Service District

A Community Services District (CSD) is a form of local government in California, created by residents of unincorporated areas to provide specific public services. Formation typically involves a petition, feasibility studies, and approval by the Local Agency Formation Commission (LAFCO). Special districts are local governments created by the people of a community to deliver specialized services essential to their health, safety, economy and well-being. A community forms a special district, which are political subdivisions authorized through a state’s statutes, to provide specialized services the local city or county does not provide.

1. Initiation: CSD formation can be initiated by either a petition signed by registered voters or landowners, or by a resolution from an existing local government entity like a city council or county board.
2. Consultation with LAFCO: The initial step involves meeting with the Local Agency Formation Commission (LAFCO) (LAFCO) in the relevant county. LAFCO is the state-regulated agency responsible for overseeing the formation of special districts. They provide guidance and establish parameters for the formation process.
3. Formation of a Study Committee: A committee of residents is formed to develop the specifics of the CSD, including its boundaries, proposed services, and a feasibility study.
4. Boundary Determination and Service Planning: The committee defines the area to be served by the CSD, identifies the necessary public services, and conducts a feasibility study to assess the viability of providing those services.
5. Financial Planning: The committee prepares a budget (at least a five-year plan) for the CSD and explores potential funding sources.
6. Petition Process: If the feasibility study is positive, a petition is circulated to gather signatures from registered voters within the proposed district boundaries. A 2/3rds majority of registered voters in the proposed district is required for the petition to be valid, according to the California Local article.
7. LAFCO Review and Approval: The completed petition is submitted to LAFCO for review. LAFCO assesses the application, holds public hearings, and ultimately decides whether to approve the formation of the CSD.
8. Voter Approval: In some cases, a successful petition and LAFCO approval are followed by a vote of the residents within the proposed district to finalize the formation.
9. Service Provision: Once established, the CSD takes over the responsibility for providing the agreed-upon services, which can range from water and wastewater management to fire protection, recreation, and more. Initially it may be a dependent CSD with oversight from the BOS, until a Board is appointed or elected as an independent CSD.

Impact Analysis

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

¹²⁴ Tulare County Housing Element 2023-2031 Update

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?

Allensworth is not serviced by a sewer line; currently, the church, school, community center, and all the residences are served by individual septic tanks. Most of these tanks are in debilitated condition owing to their age. Some residences do not have any septic systems and, accordingly, are discharging their raw wastewater directly into the ground. Coupled with the nature of the impervious clay layers underneath Allensworth, this results in septic overflows and flooding, foul odors and unhygienic conditions that compromise the health of Allensworth residents and the environment. A consulting engineering firm conducted a feasibility study for Allensworth’s sewage needs in 2023. After consideration of a variety of strategies, the study concluded with a final recommendation of developing an Allensworth-specific wastewater treatment facility.

The governing Groundwater Sustainability Agency, the Tri-County Water Authority (TCWA), incorporated this recommendation into their Groundwater Sustainability Plan, which was articulated through the “Allensworth Concept.” The TCWA outlined the reasons behind the incorporation of the wastewater treatment plant, including

- The creation of a lasting, more permanent solution to the ongoing dangers posed by existing inefficient and inadequate septic system.
- Transition responsibility of community health and environmental health from the individual to the Allensworth Community Services District
- Creating reliability, safety, and security in wastewater treatment standards
- Providing opportunity for the recycling of wastewater for appropriate uses in the community and the ability to recharge groundwater supplies and support local ecosystems by dispersing the treated water back into the wetland habitat nearby
- Creating economies of scale for energy usage, promoting energy efficiency, and potentially offering solar generation in the future
- Providing capacity for higher-density development in the future and thereby, establishing economic security and stability in the future

Allensworth is located in a FEMA designated flood plain, and it is part of the Deer Creek Storm Water District. Resistance from nearby landowners, lack of coordination, and a disaggregated storm water plan have compounded the deleterious effects of flooding in the area. Currently, there is no stormwater drainage infrastructure in Allensworth. The land’s ability to absorb water in times of flooding is limited because of the high clay content in the soil. The Allensworth Community Plan incorporates recommendations for creation and expansion of “nature-based” solutions that support climate-change resilience and long-term economic stability in the area. These recommendations include recharge basins, native landscaping, swales, catchment basins, and diversion of stormwater into appropriate sites.

In keeping with the trend of environmentally-forward solutions to issues of inconsistency and inadequacy in the current utility service, the Plan also recommends the implementation of solar and agrivoltaics in new developments. Solar infrastructure and energy capture could provide “energy sovereignty” and the installation of agrivoltaics provides the added benefit of reducing agricultural-related water consumption by 30-40%.

The San Joaquin Valley’s rural residents experience acute water insecurity. Being a small unincorporated community, Allensworth contends with a common problem in the region: unreliable groundwater supply contaminated by arsenic and coliform. In addition, the lack of access of surface water and the presence of large-scale agricultural operations spell an additional strain on the already depressed groundwater

supplies. Water quantity concerns are compounded by quality concerns in Allensworth, as the availability of water is exacerbated by the prevalence of unsafe water. Allensworth is currently supplied by two wells, three miles east of town, which are blended to meet federal drinking water standards. This approach has proven to be unreliable for water quality, as arsenic concentrations exceeding the federal limit of 10 parts per billion happen.

Achieving water security in Allensworth requires a coordinated effort across state, county and community agencies, as well as the Groundwater Sustainability Agency (Tri-County Water Authority) and surrounding water districts. Allensworth is located in the Southeast Management Area of the TCWA's Groundwater Sustainability Plan (GSP). This area is marked as "white," signifying its lack of water district and its reliance on groundwater. The GSP's future plans in Allensworth include a major recharge project, the Multi-Benefit Recharge Basin, which intends to replenish groundwater, benefit the residents, and enhance preservation of vulnerable ecosystems in the area. The recharge basin, located on a 640 acre parcel west of Highway 43, involves a strategically sited green infrastructure designed to act as a surrogate floodplain and provide benefits to the surrounding areas including water conservation, subsidence reduction, and even outdoor recreation and community interaction.

The Allensworth Community Service District has also already secured funds to implement water infrastructure improvements, which include a new well and storage tank, designed to address water quality issues and inconsistencies in water pressure. To address the issue of water quality, and specifically arsenic in the water supply, Allensworth community has partnered with the Gadgil Lab out of UC Berkeley, which has developed a low-cost method of reliably removing arsenic from water. The Plan anticipates water kiosks in the future that would be designed to disperse "polished" water to the residents and can be managed and operated at a minimal cost and with minimal operational labor and maintenance. Developments in water infrastructure would be coupled with a coordinated messaging campaign, in partnership with Professor Tseng of UC Berkeley and Self-Help Enterprises (SHE), designed to inform replication.

Future population expansion and infrastructural expansion may increase the burden and demand of water, wastewater, stormwater drainage, electric power, natural, and telecommunications facilities, but these enhancements are not officially incorporated into the Plan. All such future projects would need to be consistent with the Tulare County General Plan, and thereby need to mitigate any significant environmental impacts associated with the development. Water and wastewater capacity would be addressed and determined before developments take place, in keeping with Tulare County policy. Impacts with respect to the Plan would **be less than significant**.

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

Currently, Allensworth solid waste program is provided by Tule Trash, a private trash company. They offer services for landfill and recyclables. At the present time, solid waste collection is not mandated but the Plan advocates for creating a mandatory system under the governance of the Allensworth Community Services District in the future. This solid waste system would also offer an expansion of services, namely creating a three-pronged system of trash including landfill, recyclable and green waste. Green waste would be re-introduced into the community as compost to foster agricultural, economic, and environmental goals. Introduction of green waste composting would also help reduce the Community's burden and reliance on landfills and help achieve reduction goals.

The Plan does not authorize or propose any development, and as such, there would be no solid waste generated because of the plan. The Plan additionally recommends creating systems in the future to respond to reduction statutes and regulations related to solid waste. All future developments would be consistent with the Tulare County General Plan. Impacts with respect to solid waste creation would be **less than significant**.

20. WILDFIRES

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

	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal Agencies & Regulations

None that apply to this project

State Agencies & Regulations

Senate Bill 1241 (Kehoe, 2012)

Wildfire: Senate Bill 1241 (Kehoe, 2012) required the Office of Planning and Research, the Natural Resources Agency, and CalFire to develop “amendments to the initial study checklist of the [CEQA Guidelines] for the inclusion of questions related to fire hazard impacts for projects located on lands classified as state responsibility areas, as defined in section 4102, and on lands classified as very high fire hazard severity zones, as defined in subdivision (i) of section 51177 of the Government Code.” (Pub. Resources Code, § 21083.01 (emphasis added).) The Agency added several questions addressing this issue. Notably, while SB 1241 required the questions to address specific locations, it did not necessarily limit the analysis to those locations, and so the Agency posed the questions for projects located within “or near” those zones. Lead agencies will be best placed to determine precisely where such analysis is needed outside of the specified zones.¹²⁵

¹²⁵ California Legislative Information, Senate Bill 1241. Accessed August 2025 at: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120SB1241

The safety elements of local general plans will also describe potential hazards, including: any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence; liquefaction; and other seismic hazards ..., and other geologic hazards known to the legislative body; flooding; and wildland and urban fires.” (Gov. Code § 65302(g)(1).) Hazards associated with flooding, wildfire and climate change require special consideration. (Id. at subd. (g)(2)-(g)(4).) Lead agencies must “discuss any inconsistencies between the proposed project and applicable general plans” related to a project’s potential environmental impacts in a project’s environmental review. (State CEQA Guidelines § 15125(d).) Local governments may regulate land use to protect public health and welfare pursuant to their police power. (Cal. Const., art. XI, § 7; California Building Industry Assn. v. City of San Jose (2015) 61 Cal. 4th 435, 455 (so long as a land use restriction or regulation bears a reasonable relationship to the public welfare, the restriction or regulation is constitutionally permissible).¹²⁶

CAL FIRE - Tulare Unit Strategic Fire Plan

As summarized in the 202317 Tulare Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP), “The Plan is a local road map to create and maintain defensible landscapes in order to protect vital assets. It seeks to reduce firefighting cost and property loss, increase public and firefighter safety, minimize wildfire risk to communities and contribute to ecosystem health. The Plan identifies pre-suppression projects including opportunities for reducing structural ignitability, and the identification of potential fuel reduction projects and techniques for minimizing those risks. The central goals that are critical to reducing and preventing the impacts of fire revolve around both suppression efforts and fire prevention efforts. The MJLHMP fire hazard analysis and fire related mitigation measures will be provided to Cal Fire to support the Tulare Unit Strategic Fire Plan.”¹²⁷

Cal Fire publishes Fire Hazard Severity Zone Maps for all regions in California. The fire hazard measurement used as the basis for these maps includes the speed at which a wildfire moves, the amount of heat the fire produces, and most importantly, the burning fire brands that the fire sends ahead of the flaming front. Lead agencies and project proponents can review the Cal Fire maps to determine whether a given project site will be subject to the new CEQA wildfire impacts analysis.

Local Policy & Regulations

Tulare County General Plan

The Tulare County General Plan has a number of policies that apply to projects within County of Tulare. General Plan policies that relate to the proposed Project in this resource are listed as follows:

HS-1.1 Maintain Emergency Public Services: The County shall ensure that during natural catastrophes and emergency situations, the County can continue to provide essential emergency services.

HS-1.6 Public Safety Programs: The County shall promote public safety programs, including neighborhood watch programs, child identification and fingerprinting, public awareness and prevention of fire hazards, and other public education efforts.

HS-1.9 Emergency Access: The County shall require, where feasible, road networks (public and private) to provide for safe and ready access for emergency equipment and provide alternate routes for evacuation.

¹²⁶ Ibid.

¹²⁷ Tulare County 2023 Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP). March 2023. Table 3-1. Accessed December 2025 at: [Tulare County 2023 Multi-Jurisdictional Local Hazard Mitigation Plan.docx](#)

- HS-6.5 Fire Risk Recommendations:* The County shall encourage the County Fire Chief to make recommendations to property owners regarding hazards associated with the use of materials, types of structures, location of structures and subdivisions, road widths, location of fire hydrants, water supply, and other important considerations regarding fire hazard that may be technically feasible but not included in present ordinances or policies.
- HS-6.23 Reassessment of Fire Hazards Following Wildfire Events:* The County shall strive as reasonable and appropriate to adjust fire prevention and suppression needs for both short and long term fire protection in the reassessment of fire hazards following wildfire events.
- HS-6.25 Emergency Response Barriers:* The County shall support the identification of vital access routes that if removed would prevent fire fighter access (bridges, dams, etc.) as included in the Multi-Jurisdictional Local Hazard Mitigation Plan to address emergency access planning for these areas.
- HS-7.1 Coordinate Emergency Response Services with Government Agencies:* The County shall coordinate emergency response with local, State, and Federal governmental agencies, community organizations, volunteer agencies, and other response partners during emergencies or disasters utilizing SEMS and NIMS.
- HS-7.3 Maintain Emergency Evacuation Plans:* The County shall continue to create, revise, and maintain emergency plan for the broad range of natural and human-made disasters and response activities that could foreseeably impact Tulare County. This shall include, but not be limited to, flooding, dam failure, extreme weather, evacuation/transportation, mass care and shelter, and animal evacuation and sheltering. Emergency Planning projects shall be in line with the County's Strategic Plan and Emergency Operations Plan, and incorporate current guidance and initiatives from State and Federal Emergency Management Agencies
- HS-7.4 Upgrading for Streets and Highways:* The County shall evaluate and upgrade vital streets and highways to an acceptable level for emergency services.
- HS-7.5 Emergency Centers:* The County shall require emergency backup systems to enable uninterrupted continuous operations as required by the California Essential Facilities Act.
- HS-7.8 Tulare County Multi-Jurisdiction Hazard Mitigation Plan:* The County incorporates the adopted Tulare County Multi-Jurisdiction Hazard Mitigation Plan into the Tulare County General Plan Health and Safety Element. The plan provides guidance and insight into the hazards that exist in Tulare County and suggests possible mitigation projects. The plan should be consulted when addressing known hazards to ensure the general health and safety of Tulare County residents.

Impact Analysis

- a) **Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?**
- b) **Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**
- c) **Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**
- d) **Would the project Expose people or structures to significant risks, including downslope or downstream flooding, or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

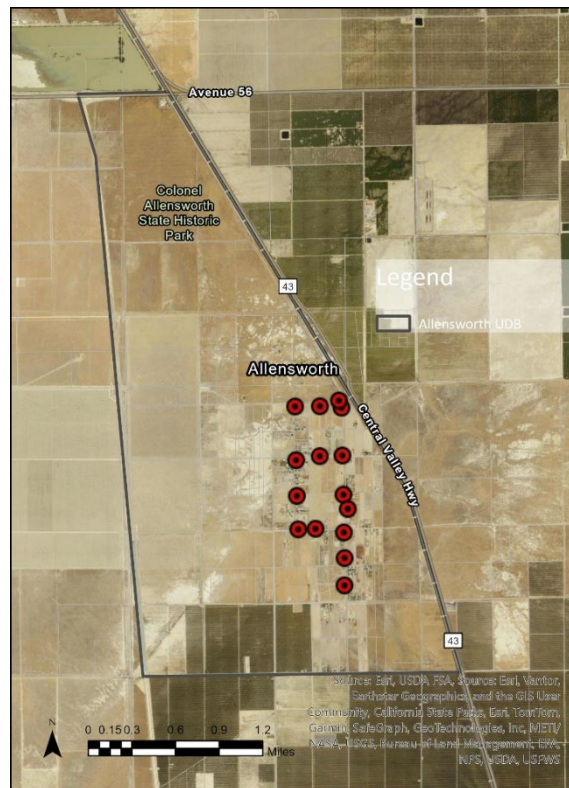
Emergency response and evacuation plans rely on the development of infrastructure, namely roads, in providing both ingress for emergency response vehicles as well as egress for evacuation. The 2017 Hamlet Plan for Allensworth details a robust approach to road development through the

implementation of the Complete Streets Program on 5 of the major roadways in the community. Complete Streets are roadways that designed to safely and comfortably accommodate all users, regardless of age, ability or mode of transportation. The program provides a robust rubric by which street design and maintenance can provide for the diversity of vehicles, users, and uses that roadways accommodate and provide for. This includes, among others, considerations for emergency responders and their vehicles. The Community’s implementation of the Complete Street program on its busiest roadways would, if anything, enhance response plans and evacuation plans for Allensworth.

Elsewhere, the Allensworth Community Plan provides for solutions that portend a needed benefit in their ability to anticipate, prevent, and combat disasters such as wildfires through the expansion of services and infrastructure designed for sustainability and resiliency. Under the “Fire Resilience and Home ‘Hardening’” Section, the Plan advocates for short and long-term solutions to reduce vulnerability and susceptibility to wildfires by making recommendations for the maintenance and design of structures that discourage combustion and fire spread. These include clearing dried vegetation, covering air vents, sealing gaps, as well as encouraging non-flammable roofing solutions, double-paned windows, landscaping sensitive to fire resistance, and transitioning to underground power-lines. Additionally, the Plan incorporates the preliminary outline for a Community Resilience Center, which among other functions, would also serve as an emergency services center, and a satellite ost for the fire department. This would serve as a short-term solution to serve in the intermediary time until the Community is able to sufficiently house a community fire station that is operational throughout the year.

Allensworth is home to 15 fire hydrants, which are shown in **Figure 8**. Fire protection and emergency medical services are provided to the community by the County of Tulare, the nearest station being the

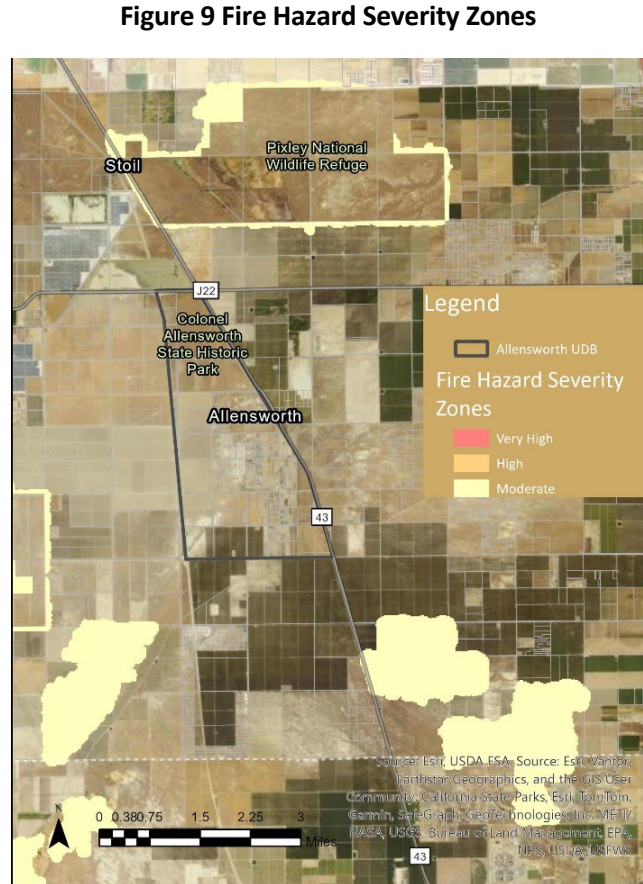
Figure 8 Fire Hydrant Locations



Alpaugh station, Tulare County Fire Department Station #9, located some 7 miles northwest of the Community.

Allensworth is located on flat land, with slopes ranging between 0-2%; the Community is not vulnerable to landslides or post-fire instability. As an unincorporated Community within the County of Tulare, Allensworth is neither in nor near a state responsibility area. Furthermore, as demonstrated in **Figure 9**, the expanded Community boundary of Allensworth is not located in a Fire Hazard Severity Zone.

Figure 9 Fire Hazard Severity Zones



Finally, the Allensworth Community Plan does not propose or authorize any new development, and all future projects would be consistent with the Tulare County General Plan. As such, there is no development associated with the project that impacts emergency plans, exacerbate wildfire risks, or expose occupants to pollutants associated with fire, flooding, landslides, or post-fire slope instability. Impacts would be **less than significant**.

21. MANDATORY FINDINGS OF SIGNIFICANCE

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) | Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal species, or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The following analysis is based on the information provided in Initial Study assessments.

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

Less than Significant Impact. The proposed project is a land use planning, policy and regulatory document update and no ground disturbance, construction, development or other physical changes to the environment are proposed. Given the scope and nature of the proposed project, the project would not have the potential to degrade the quality of the environment, reduce the habitat of any sensitive plant or animal species, or eliminate important examples of California history or prehistory as no construction or physical changes to the environment would occur.

- 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)?**

No Impact. Implementation of the proposed project would not result in individual or cumulative impacts as no ground disturbing activities, construction or development or any physical changes to the environment are proposed with the current project. All resource topics associated with the project have been analyzed in accordance with CEQA and the State CEQA Guidelines. Given the nature of the project whereby no ground disturbance or construction would occur, no environmental impacts would

occur. Taken in sum with other similar projects in the area, region and state, the project is intended to accommodate anticipated future regional growth as identified by Tulare County. Impacts to environmental resource or issue areas would be evaluated on a project-by-project basis, for projects subject to review under CEQA, including a review for potential cumulatively considerable impacts. Therefore, no impacts would occur with project implementation.

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

No Impact. The project, as a land use plan update and specific plan update does not propose any uses or activities that would negatively affect any persons directly or indirectly. In addition, all resource topics associated with the project have been analyzed in accordance with CEQA and the State CEQA Guidelines and were found to pose no impacts given the scope and nature of the proposed project.