COUNTY OF TULARE

RESOURCE MANAGEMENT AGENCY

5961 South Mooney Boulevard

Visalia, CA 93277

Initial Study and Mitigated Negative Declaration
Terra Bella Quarry

April 2026

Prepared by 4Creeks for
County of Tulare Resource Management Agency
Economic Development and Planning Branch
Environmental Planning Division

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Tulare County Resource Management Agency
5961 South Mooney Boulevard
Visalia, CA 93277
SECTION 1: CEQA Review Process
Project Title: Terra Bella Quarry

1.1. California Environmental Quality Act Guidelines

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

(1) Provide the lead agency with information to use as the basis for deciding whether to prepare an EIR or negative declaration;
(2) Enable an applicant or lead agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a negative declaration;
(3) Assist the preparation of an EIR, if one is required, by:
  (a) Focusing the EIR on the effects determined to be significant,
  (b) Identifying the effects determined not to be significant,
  (c) Explaining the reasons for determining that potentially significant effects would not be significant, and
  (d) Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.
(4) Facilitate environmental assessment early in the design of a project;
(5) Provide documentation of the factual basis for the finding in a negative declaration that a project will not have a significant effect on the environment.
(6) Eliminate unnecessary EIRs;
(7) Determine whether a previously prepared EIR could be used with the project.

1.2. Initial Study

This document is the Initial Study/Mitigated Negative Declaration (IS/MND or MND) for the proposed development and operation of the proposed Terra Bella Quarry (Project) for a 50-year period. County of Tulare will act as the Lead Agency for this Project under CEQA and the CEQA Guidelines.

1.3. Environmental Checklist

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

1.4. Notice of Intent to Adopt a Negative Declaration

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

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

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

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

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

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

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

1.5. Negative Declaration or Mitigated Negative Declaration

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

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

1.6. Intended Uses of Initial Study/Negative Declaration Documents

The Initial Study/Negative Declaration document is an informational document that is intended to inform decision-makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed Project. The environmental review process has been established to enable the public agencies to evaluate environmental consequences and to

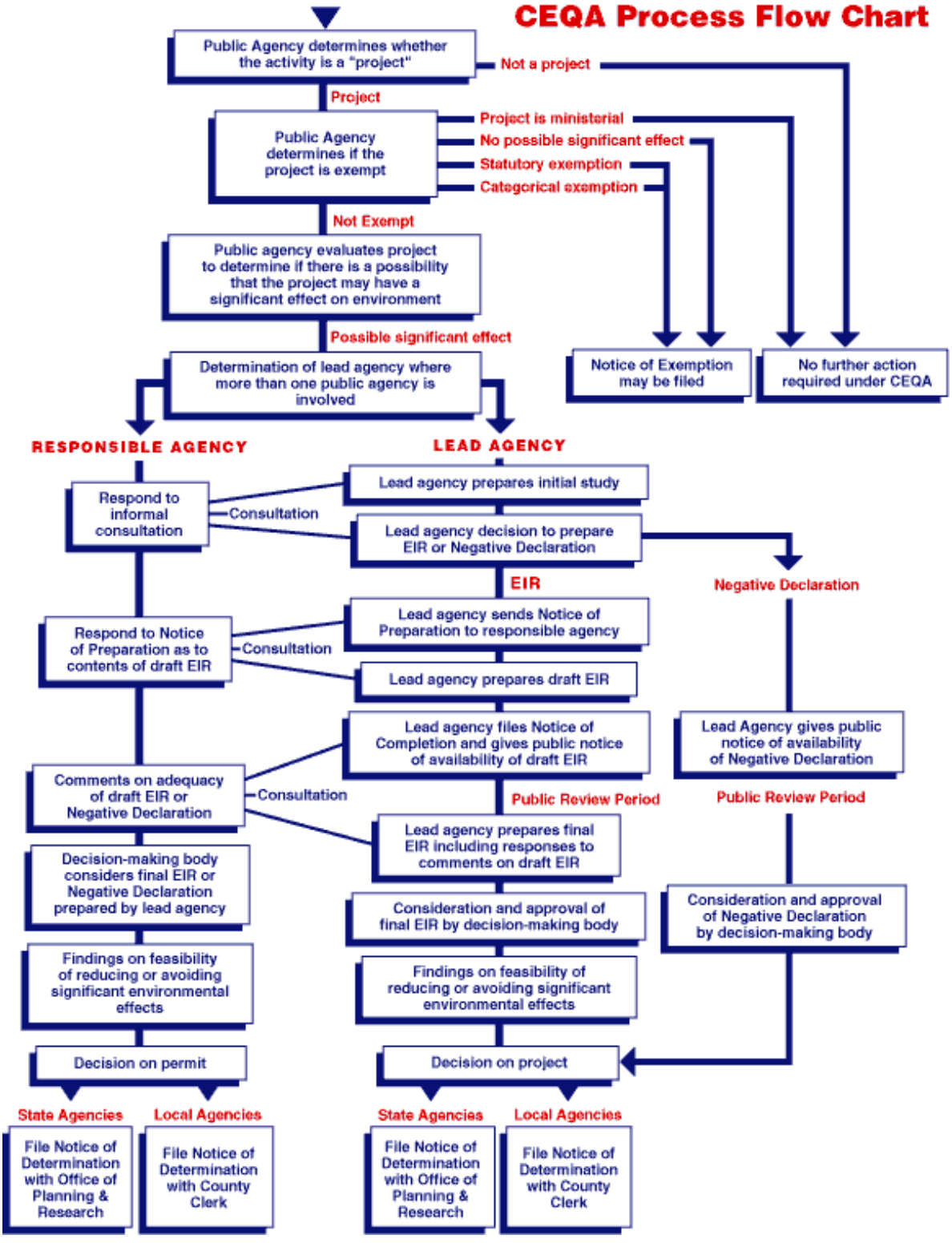
examine and implement methods of eliminating or reducing any adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency must balance any potential environmental effects against other public objectives, including economic and social goals. Tulare County, as the Lead Agency, will make a determination, based on the environmental review for the Environmental Study, Initial Study and comments from the general public, if there are less than significant impacts from the proposed project and the requirements of CEQA can be met by adoption of a Mitigated Negative Declaration.

1.7. Notice of Determination (NOD)

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

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

1.8. CEQA Process Flow Chart



Tulare County Resource Management Agency
5961 South Mooney Boulevard
Visalia, CA 93277
SECTION 2: Project Description
Project Title: Terra Bella Quarry

2.1. Project Description and Purpose

Holliday Rock Co., Inc. (Holliday) has submitted an application to County of Tulare (County) for a Surface Mining Permit (SMP) and Reclamation Plan (Plan) for the development of the proposed Terra Bella Quarry (Project) for a 50-year period.

Production will be up to 250,000 tons per year (tpy) of crushed stone for use as construction aggregate. The construction aggregate will be transported to ready mix concrete and asphalt plants located off-site to supply the construction materials needed to support transportation, infrastructure, public, and private projects throughout Tulare County and beyond. The crushed rock from the Project site will be transported in on-road haul trucks with the capacity of 25 to 27 tons. At an estimate of 260 operating days a year, this would be an estimated 37 to 38 one-way truck trips a day.

This Plan for the Terra Bella Quarry describes the proposed operations for a period of 50 years from the date of approval. The entire project site is 318 acres. The planned operation includes a quarry, processing plant and buffer, overburden stockpile, an equipment parking area, maintenance shop, office, scale, and access roads and parking on a proposed disturbance area of approximately 237 acres (with 223 acres to be used as excavation area only) of the 318-acre site. Access roads and parking areas will be surfaced with gravel (see Table 2-1; see also Figure 3-1 Site Plan).

Table 2-1 Terra Bellay Quarry Project Acreage

Description	Area
Property Boundary – TOTAL PROJECT AREA	318 acres
Approximate limit of Mining & Disturbance Area (includes excavation area, processing plant, scale & scale house, roads, & stockpiles)	237 acres
Excavation Area Only	223 acres
Undisturbed Area	81 acres

Holliday Rock is proposing that the Terra Bella Quarry be permitted to operate for 50 years through the year 2076 (assuming approvals are obtained by 2026). As noted earlier, the proposed

mine plan is estimated to disturb or partially disturb approximately 237 acres of the 318-acre Project Site. Proven/probable reserves are estimated at 50 million tons (mt).

One open pit quarry is proposed to be developed. Mining operations will consist of drilling, blasting, loading, and hauling the rock material to the processing plant on-site. The mining and hauling equipment will consist of wheel loaders, excavators, dozers, and off-road dump trucks. The processing plant will size and wash the material to meet the specifications needed for use in ready mixed concrete and hot mix asphalt. The processing plant will consist of crushers, screens, conveyor belts, and material washers. The water used to wash the material will come from on-site wells, and it will be clarified and recycled for reuse in the washing process.

The Site will operate 10 hours per day, 5 days per week (260 days per year) and employ up to 15 people to produce the 250,000 tons per year of construction aggregates.

On-site equipment that will be utilized during operation of the proposed Project is listed below:

- Wheel Loaders (3)
- Excavator (1)
- Dozer (1)
- Water Truck (1)
- Off-Road Dump Trucks (2)
- Crushers (3)
- Screens (3)
- Conveyor Belts (30)
- Material Washers (3)

The California Surface Mining and Reclamation Act (SMARA) is implemented by the County of Tulare (County), the local lead agency for SMARA. Holliday is submitting a Reclamation Plan per Part 7, Chapter 25 of the County Code and the Tulare County Resource Management Agency Surface Mining Permits And/or Reclamation Application form. Obtaining the necessary County approval will require compliance with the California Environmental Quality Act (CEQA) and an Initial Study/Mitigated Negative Declaration (IS/MND or MND) is part of the review process.

2.2. Regional Benefit of the Project

The California Geological Survey (CGS) Map Sheet 52, Aggregate Sustainability in California, provides an estimate of the demand and corresponding supply of aggregates in a given Production-Consumption (P-C) Region. The 2018 update of Map Sheet 52 indicated that the Tulare County P-C Region had only 41% of the permitted aggregate reserves needed to meet the 50-year demand. There are currently 23 permitted mines in Tulare County eligible to supply construction materials to State or Locally funded projects. This Project will provide an increase in

the quality and quantity of the aggregate reserves Tulare County needs to meet its future infrastructure needs. This Project will positively contribute to the sustainability of Tulare County and the State of California.

2.3. Project Location

The 237-acre Terra Bella Quarry activity area (including 223 acres where mining activity would occur) is located within a 318-acre Project site in Tulare County, California on private lands owned by Holliday. Approximately 81 acres of the site will remain undisturbed. The Site is in the south-central portion of Tulare County, approximately 12 miles southeast of Porterville, California. The Site encompasses the east half of Section 16, Township 23 South (T23S), Range 28 East (R28E), Mt. Diablo Base and Meridian (MDB&M). The Site is located within the Foothills Growth Management Plan area and the current zoning is AE-40. The subject Site was previously an operating quarry under California Mine ID 91-54-0017 and Tulare County permit PMR 87-01. It was actively mined until 1998, was idle from 2004 to 2014, and was ultimately certified reclaimed in early 2015.

2.4. Other Permits and Approvals

- Surface Mining Permit (SMP)
- Reclamation Plan
- Water Usage Permits for on-site wells
- Compliance with California Surface Mining and Reclamation Act (SMARA)

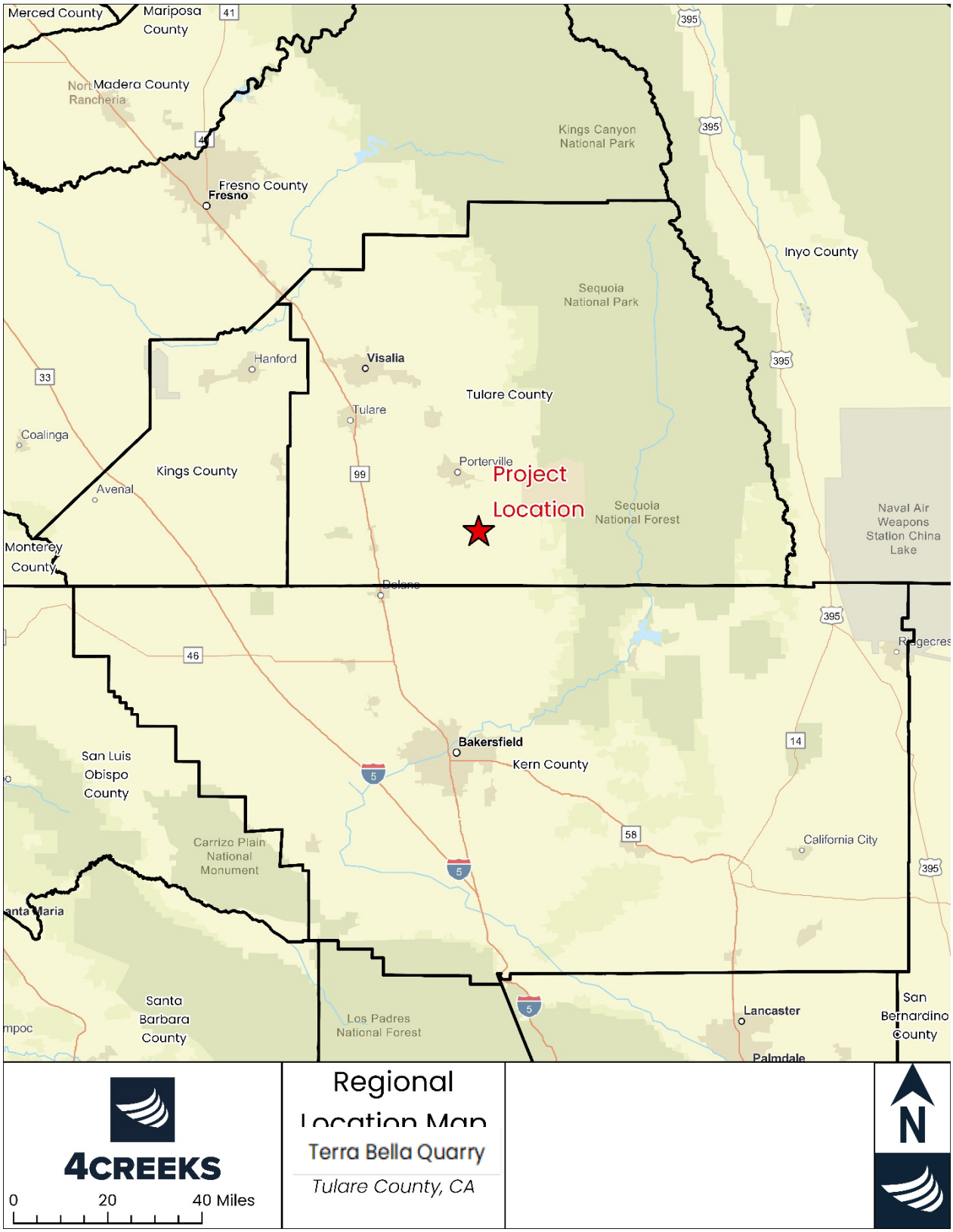


Figure 2-1. Regional Location Map

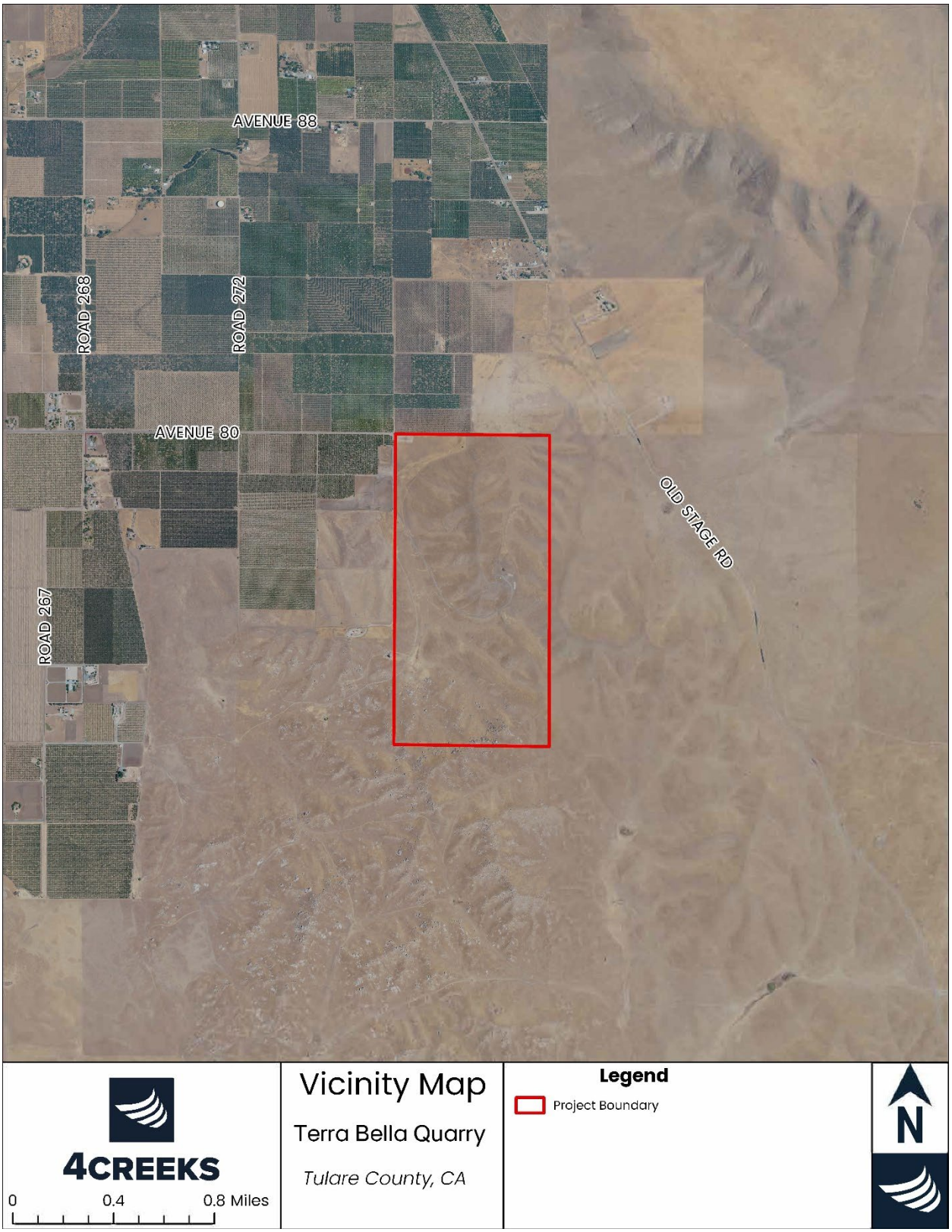


Figure 2-2. Vicinity Map

Tulare County Resource Management Agency
5961 South Mooney Boulevard
Visalia, CA 93277
SECTION 3*:* Evaluation of Environmental Impacts
Project Title: Terra Bella Quarry

This document is the Initial Study/Mitigated Negative Declaration (IS/MND or MND) for the proposed subdivision of approximately 30.02 acres of undeveloped land for the development and operation of the proposed Terra Bella Quarry Project for a 50-year period. The County of Tulare (County) is the Lead Agency for this Project under CEQA and the State CEQA Guidelines.

3.1 Purpose

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

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

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

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

3.2 Initial Study/Mitigated Negative Declaration

1. **Project Title:** Terra Bella Quarry

2. **Lead Agency:** Tulare County Resource Management Agency
   5961 South Mooney Boulevard
   Visalia, CA 93277
   Contact Person: Jose Saenz, Planner IV
   Phone Number: 559-624-7131

3. **Applicant:** Holliday Rock Company, Inc.
   1401 N. Benson Avenue
   Upland, CA 91786
   (909) 982-1553

4. **Contact Person:** Bob Stoddard
   Director – Aggregate Planning Group
   bstoddard@hollidayrock.com

5. **Project Location:** The 237-acre Terra Bella Quarry is located within a 318-acre Project site in Tulare County, California on private lands owned by Holliday. And 81 acres of the site would remain undisturbed. The Site is in the south-central portion of Tulare County, approximately 12 miles southeast of Porterville, California. The Site encompasses the east half of Section 16, Township 23 South (T23S), Range 28 East (R28E), Mt. Diablo Base and Meridian (MDB&M). The Site is located within the Foothills Growth Management Plan area and the current zoning is AE-40. The subject Site was previously an operating quarry under California Mine ID 91-54-0017 and Tulare County permit PMR 87-01. It was actively mined until 1998, was idle from 2004 to 2014, and was ultimately certified reclaimed in early 2015.

6. **General Plan Designation:** Foothills Growth Management Plan

7. **Zoning Designation:** AE-40 (Exclusive Agriculture, 40 Acre Minimum)

8. **Project Description:** Holliday Rock Co., Inc. (Holliday) has submitted an application to the County of Tulare (County) for a Surface Mining Permit (SMP) and Reclamation Plan (Plan) for the development of the proposed Terra Bella Quarry (Project) for a 50-year period.

   Production will be up to 250,000 tons per year (tpy) of crushed stone for use as construction aggregate. The construction aggregate will be transported to ready mix concrete and asphalt plants located off-site to supply the construction materials needed to support transportation, infrastructure, public, and private projects throughout Tulare County and beyond. The crushed rock from the Project site will be transported in on-road haul trucks with the capacity

of 25 to 27 tons. At an estimate of 260 operating days a year, this would be an estimated 37 to 38 one-way truck trips a day.

This Plan for the Terra Bella Quarry describes the proposed operations for a period of 50 years from the date of approval. The planned operation includes a quarry, processing plant and buffer, overburden stockpile, an equipment parking area, maintenance shop, office, scale, and access roads and parking on a proposed disturbance area of approximately 237 acres of the 318-acre Project site. Access roads and parking areas will be surfaced with gravel.

The Terra Bella Quarry is proposing to be permitted to operate for 50 years through the year 2076 (assuming approvals are obtained by 2026). The proposed mine plan is estimated to disturb or partially disturb approximately 237 acres of the 318-acre Project Site. Proven/probable reserves are estimated at 50 million tons (mt).

One open pit quarry is proposed to be developed. Mining operations will consist of drilling, blasting, loading, and hauling the rock material to the processing plant on-site. The mining and hauling equipment will consist of wheel loaders, excavators, dozers, and off-road dump trucks. The processing plant will size and wash the material to meet the specifications needed for use in ready mixed concrete and hot mix asphalt. The processing plant will consist of crushers, screens, conveyor belts, and material washers. The water used to wash the material will come from on-site wells, and it will be clarified and recycled for reuse in the washing process.

The Site will operate 10 hours per day, 5 days per week (260 days per year) and employ up to 15 people to produce the 250,000 tons per year of construction aggregates.
On-site equipment that will be utilized during operation of the proposed Project is listed below:

- Wheel Loaders (3)
- Excavator (1)
- Dozer (1)
- Water Truck (1)
- Off-Road Dump Trucks (2)
- Crushers (3)
- Screens (3)
- Conveyor Belts (30)
- Material Washers (3)

Parking and Access

The Project will feature a gravel-surfaced parking lot with 20 spaces for employees, located near the scale house and office. This area will accommodate the daily workforce, which is

expected to include up to 15 employees during normal operations. Trucks and other heavy equipment will have a separate parking area situated at the Truck/Heavy Equipment Shop, where machinery such as wheel loaders, excavators, and dump trucks will be stored when not in use.

Access to the Site will be provided via a private, 60-foot-wide Avenue 80, ensuring a direct route for both employee vehicles and haul trucks. The residence located west of the site will maintain its access via Avenue 80. To facilitate efficient on-site movement, a one-way, looped, gravel road will be constructed to allow trucks easy access to the stockpiles, and ensuring efficient access/egress of the quarry.

Trucks exiting the site will follow one of two routes:

(1) Southbound to Bakersfield: Trucks will travel west on Avenue 80 for 2.5 miles, south on Road 256 for 3 miles, west on Avenue 56 for 3 miles, and south on Highway 65 to Bakersfield. This route will pass by 11 rural residences and will be within ¾ mile of Ducor Elementary School, additional residences, and small businesses.

(2) Future Routes West or North: Trucks will head west on Avenue 80 for 5.5 miles to reach Highway 65. This route will pass by 21 rural residences, some of which appear to be combined with farm or orchard businesses.

Utilities

Southern California Edison (SCE) would provide electricity to the Project Site, and Southern California Gas Company (SCGC) could provide natural gas to the Project Site; however, natural gas is not anticipated to be used on the site. AT&T would provide telecommunications. Stormwater would be retained on-site, and the on-site pond would have a capacity of approximately 11.5 acre-feet which exceeds the required 11 acres. Sewer for the Project would not be necessary as the site would use on-site portable restrooms.

9. Surrounding Land Uses and Settings:

North:

- Existing Land Use: Agricultural Uses
- Zone Use: Exclusive Agriculture (2030 Tulare County Zoning)

South:

- Existing Land Use: Residence, Open Space
- Zoned Use: Agriculture Foothills (2030 Tulare County Zoning)

East:

- Existing Land Use: Agricultural Uses
- Zoned Use: Agriculture Foothills (2030 Tulare County Zoning)

West:

- Existing Land Use: Residence & Agricultural Uses
- Zoned Use: Exclusive Agriculture, 10 and 40 Acres (2030 Tulare County Zoning)

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

    - Surface Mining Permit (SMP)
    - Reclamation Plan
    - Water Usage Permits for on-site wells
    - Compliance with California Surface Mining and Reclamation Act (SMARA)

11. **Native American Consultation:** CEQA requires the lead agency to notify tribes that have previously indicated they are traditionally and culturally affiliated with that geographic area regarding their expertise concerning tribal cultural resources. As part of the process of identifying tribal cultural resources in or near the Project Site, the County sent a letter via certified mail and via e-mail on June 17, 2025, to the Kitanemuck & Yowlumne Tejon Indians, Table Mountain Rancheria, and Tule River Indian Tribe inviting the tribes to consult with the County regarding this Project. The 30-day response window closed and Tulare County RMA staff confirmed (via e-mail on June 23, 2025), that no responses were received during the 30-day response opportunity.

Acronyms

AAQS	Ambient Air Quality Standards
AB	California Assembly Bill
ACE	U.S. Army Corps of Engineers
AE-40	Exclusive Agriculture, 40 Acre Minimum
AMSL	above mean sea level
APCD	Air Pollution Control District
AQMD	Air Quality Management District
ARB	Air Resources Board
ATC	Authority to Construct
ATCM	Airborne Toxic Control Measure
BE	Biological Evaluation
BMP	Best Management Practices
CACUDB	Tulare County Adopted City Urban Development Boundary
CalEEMOD	California Emissions Estimator Model
Cal/EPA	California Environmental Protection Agency
CALGreen	California Green Building Standards Code
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife (formerly Fish and Game)
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CGS	California Geological Survey
CHRIS	California Historical Records Information search
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act of 1980
CIMIS	California Irrigation Management Information System
CNEL	Community Noise Equivalent Level
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CO	Carbon Monoxide
CPUC	California Public Utilities Commission
CRPR	California Rare Plant Ranks
CRHR	California Register of Historical Resources
CUPA	County of Tulare Health and Human Services Agency. Environmental Health Division. Hazardous Materials/Certified Unified Program Agency
CWA	Federal Clean Water Act
dB	decibels

DOC California Department of Conservation
DOE United States Department of Energy
DPM Diesel Particulate Matter
DTSC California Department of Toxic Substances Control
DWR California Department of Water Resources
EHD Tulare County Environmental Health Department
EIA United States Energy Information Administration
EISA Energy Independence and Security Act of 2007
EMFAC Emissions Modeling Factors
EPA Environmental Protection Agency
FAA Federal Aviation Administration
FEMA Federal Emergency Management Agency
FGMP County of Tulare Foothill Growth Management Plan
FHWA Federal Highway Administration
FIRM Flood Insurance Rate Map
FMMP California Farmland Mapping and Monitoring Program
FRA Federal Railway Administration
FTA Federal Transit Administration
GAMA California Groundwater Ambient Monitoring and Assessment
GAMAQI SJVAPCD Guidance for Assessing and Mitigating Air Quality Impacts
GICIMA California Groundwater Information Center Interactive Map Application
GPM Gallons per minute
GSA California Groundwater Surface Act
GSP California Groundwater Sustainability Plan
HAP Hazardous Air Pollutants
HCS Hierarchical Cell Structure
HDB Hamlet Development Boundary
HMBP County of Tulare Hazardous Materials Business Plan Spill Prevention Control and Countermeasure (SPCC) Plan and a (HMBP)
HSAA Hazardous Substance Account Act (1984), California Health and Safety Code Section 25300 ET SEQ (commonly known as the California Superfund)
HSC California Health and Safety Code
HMTA Hazardous Materials Transportation Act
HRA Health Risk Assessment
H&SC California Health and Safety Code
HWMP Cal/EPA DTSC Hazardous Waste Management Program
HWTS Tulare County Environmental Health Services Hazardous Waste Tracking System
ITP Incidental Take Permit
IS Initial Study
ISR Indirect Source Review
LOA Live Oak Associates
LOS Level of Service

MCL	Maximum Contaminant Level
MDB&M	Mt. Diablo Base and Meridian
MEIR	Master Environmental Impact Report
MJLHMP	Multi-Jurisdictional Local Hazard Mitigation Plan
MND	Mitigated Negative Declaration
MSHA	Mine Safety and Health Administration
MT	Million tons
NAAQS	National Ambient Air Quality Standards
NAHC	California Native American Heritage Commission
NCP	National Contingency Plan
NFIP	National Flood Insurance Act
NOA	Naturally Occurring Asbestos
NOAA	National Oceanic and Atmospheric Administration
NOD	Notice of Determination
NOI	Notice of Intent
NOx	Oxides of nitrogen
NRHP	National Register of Historic Places
NPDES	National Pollutant Discharge Elimination System
OEHHA	Office of Environmental Health Hazard Assessment
OES	Tulare County Office of Emergency Services
OHP	California Office of Historic Preservation
OS	Open Space
O3	Ozone
OSHA	United States Office of Safety and Health Administration
P-C	Production-Consumption
PGA	peak ground acceleration
PM10	Particulate Matter 10microns or less in diameter
PM2.5	Particulate Matter 2.5 microns or less in diameter
PMR	Mine Reclamation Permit (County of Tulare)
PRC	California Public Resources Code
PTO	SJVAPCD Permit to Operate
PPT	Pollution Prevention Team
QSD	Qualified SWPPP Developer
RACM	Reasonably Available Control Measures
RFS	Renewable Fuel Standard
ROG	Reactive Organic Gases
ROW	Right-of-Way
RWQCB	California Regional Water Quality Control Board
SB	California Senate Bill
SDWA	Safe Drinking Water Act
SGMA	California Sustainable Groundwater Management Act
SIP	State Implementation Plan

SJVAPCD San Joaquin Valley Air Pollution Control District (Air District)
SLF Sacred Lands File search
SMARA California Surface Mining and Reclamation Act
SMP Surface Mining Permit
SOx Oxides of Sulfur
SPCC Tulare County Environmental Health Services Spill Prevention Control and Countermeasure Plan
SSJVIC Southern San Joaquin Valley Information Center
SWPPP Storm Water Pollution Prevention Plan
TAC Toxic Air Contaminant
TCDEHS Tulare County Department of Health and Human Services Tulare County Division of Environmental Health Services
TCR Tribal Cultural Resource
TCRTA Tulare County Regional Area Transit Agency.
TCSO Tulare County Sheriff's Office
TPY Tons per year
USACE United States Army Corps of Engineers
USDOT United States Department of Transportation
USEPA United States Environmental Protection Agency (EPA)
USGS United States Geological Survey
UST Underground Storage Tank
VegCAMP California Vegetation Classification and Mapping Program
VERA SJVAPCD Voluntary Emissions Reduction Agreements
VOC Volatile Organic Compounds
WQCP Tulare Lake California Water Quality Control Plan

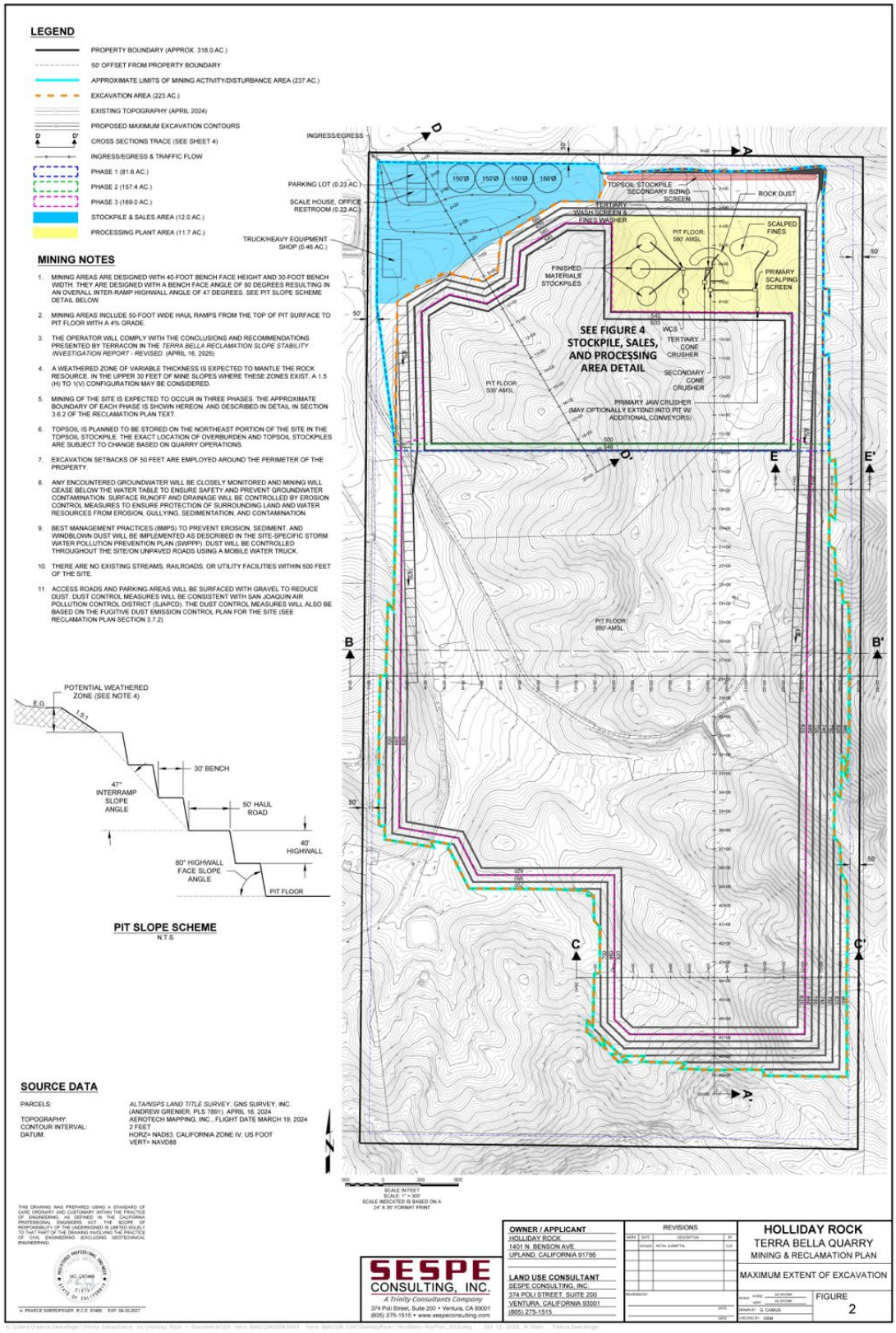


Figure 3-1: Site Plan *showing stockpiles, processing area and sales area details.*

3.3 Evaluation Of Environmental Impacts

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

previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

3.4 Environmental Factors Potentially Affected

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

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

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

On the basis of this initial evaluation:

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

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

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

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

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

SIGNATURE	DATE
?	County of Tulare
PRINTED NAME	LEAD AGENCY

3.5 Environmental Analysis

It is noted that this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Aesthetics resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety. It is noted that not all goals and policies for a particular resource will specifically apply to the Project, as such only those applicable to the Project have been included in the regulatory setting discussions. Where necessary, and if available, additional technical studies (e.g. air quality, biological, cultural, hydrological, traffic, etc.), site-specific facts, data, information, etc., are included in resource discussions.

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

I.AESTHETICS

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

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☑	☐

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

Environmental Setting

The following photos demonstrate the aesthetic character of the Project Site area. As shown, the proposed Site is on a relatively flat area with agriculture, surrounded by rolling hills and agriculture uses. Weather permitting, the Sierra Nevada Mountains are visible when viewing east.



Figure 3-2 Photo 1: North Side Boundary (Facing South) showing young orhard.
Source: Google Maps June 2022



Figure 3-3 Photo 2: West Side Boundary (Facing East) showing young orhard.
Source: Google Maps June 2022

Scenic Resources

Tulare County features scenic landscapes that include expansive agricultural fields, oak woodlands, and views of the Sierra Nevada foothills. Scenic highways throughout the County showcase orchards, rangelands, and water features that contribute to both the beauty and the agricultural economy of the region. These rural areas and farmlands are key elements of the county's visual appeal.

In Terra Bella and the surrounding area, the primary scenic resources are from its surrounding agricultural lands, particularly citrus orchards, and the nearby Deer Creek riparian corridor. The flat terrain provides wide views of these orchards, with low foothills to the east enhancing the area's rural beauty. The Friant-Kern Canal, west of the Project site, also adds to the agricultural landscape.

Scenic resources near the Project include the rolling foothills of agricultural and grazing lands around the Site, along with numerous granite outcrops and boulders in the southern portion. The foothills also serve as a transition to the Sierra Nevada Mountains to the east of the Site. Additionally, the Deer Creek riparian corridor is located 4.2 miles north of the Project Site.

Scenic Vistas

Tulare County's scenic vistas offer impressive views of the Sierra Nevada mountains and the agricultural valleys below. The contrast between cultivated farmland and rugged mountains

creates a scenic landscape. Scenic highways provide travelers with uninterrupted views of these areas, making them visually attractive for both residents and visitors.

In Terra Bella, scenic vistas include views of citrus orchards, Deer Creek, and the gradual rise of foothills to the east. These natural features create a scenic environment that reflects the rural character of the community while offering beautiful views of the surrounding farmland and distant mountains.

Regulatory Setting

Federal

None that apply to the Project.

State

State Scenic Highways

Caltrans' State Scenic Highway System identified one designated scenic highway, while two more are eligible within Tulare County. The nearest to the Project Site is State Route 190 from Porterville to Ponderosa, approximately 7.5 miles north of the Site.

Historic Sites

Tulare County is home to 26 historical markers, each commemorating important events and sites that shaped the region's history. These markers, scattered throughout the county, celebrate a range of historical moments, from the establishment of early Native American settlements to the agricultural and industrial development that followed. Of these sites, the nearest Historic Site to the Project Site is Fountain Springs, a State Marked Historic Site,

Local

Tulare County General Plan

The 2030 General Plan *Scenic Landscape* and *Land Use* chapters includes the following policies, which would address potential impacts associated with aesthetic resources that relate to the proposed Project:

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:

- Be sited to minimize obstruction of views from public lands and rights-of-ways,
- 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,
- Screen parking areas from view,
- Include landscaping that screens the development,
- Limit the impact of new roadways and grading on natural settings, and
- 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:

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

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.

Discussion

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact: The Project Site is located in a region known for scenic vistas, including views of the Sierra Nevada mountains and the surrounding agricultural lands. However, due to the Site's specific location within rolling foothills and its relative distance from publicly accessible vantage points, the Project would not have a substantial adverse effect on scenic vistas. Mitigation measures such as revegetation and blending the Site into the natural landscape during implementation of the Reclamation Plan would ensure that the scenic character of the area is preserved. Therefore, based on the information and analysis provided herein, the Project would have a *less than significant impact*.

Mitigation Measures: None required.

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

No Impact: The nearest designated state scenic highway to the Project Site is State Route 190, located approximately 7.5 miles north of the Site. Given this distance and the intervening topography the Site is not visible from the scenic highway, as such, the Project would not

substantially damage scenic resources within view of a state scenic highway. Therefore, based on the information and analysis provided herein, the Project would have *no impact.*

Mitigation Measures: None required.

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

Less Than Significant Impact: The Project is situated in a rural, non-urbanized area characterized by agricultural fields, grazing lands, and natural features (such as granite outcrops). However, the Project area is sparsely populated (with only one nearby rural residence west of the Project site), and the Site is not prominently visible from major public vantage points. Site management practices and future reclamation efforts when the Project ceases operations (including revegetation), would ensure that the visual impact would not be substantially degraded. Therefore, based on the information and analysis provided herein, there would be *a less than significant impact.*

Mitigation Measures: None required.

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

Less Than Significant Impact: The Project does not propose substantial lighting installations that would affect nighttime views. Also, the nature of the Project's mining operation would not result in substantial glare. Any temporary or emergency lighting required for the Project would be sufficiently shielded and designed to substantially reduce glare and light beyond the Project's boundary. Therefore, based on the information and analysis provided herein, the Project would have a *less than significant* impact.

Mitigation Measures: None required.

Mitigation Measures: None required.

Based on the information and analysis provided herein, *no mitigation would be required*.

Cumulative Impacts: Less Than Significant

This cumulative analysis is based on the information provided in this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use

designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Aesthetic Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The geographic area of this cumulative analysis is Tulare County. The nature of areas where mineral resources are typically localized can be linked to specific geologic regions and formations. The area where the Project would occur has been identified as containing the geologic requirements to mine (i.e., extract) the material. The proposed Project will be in conformance with all of the policies and implementation measures outlined in the Environmental Resources Management Element of the Tulare County General Plan, County of Tulare Surface Mining Permit (SMP) and Reclamation Plan (Plan), and requirements specified by the State of California Department of Conservation, Division of Mine Reclamation. As such, *less than significant cumulative impacts* related to this Checklist Item will occur.

II. AGRICULTURE AND FOREST RESOURCES:

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Agricultural resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part

of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

Environmental Setting

Agriculture is a vital component of Tulare County's economy and is a significant source of the cultural identity. As such, preserving the productivity of agricultural lands is integral to maintaining culture and economic viability.

The Project Site is not under a Williamson Act contract. It is designated as mostly Grazing Land, partially Farmland of Local Importance, and partially Vacant/Disturbed Land by the California Farmland Mapping and Monitoring Program (FMMP). The Project Site is not currently used for agricultural operations.

Regulatory Setting

Federal

None that apply to the Project.

State

California Land Conservation Act of 1965

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

California Farmland Mapping and Monitoring Program (FMMP)

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

- *Prime Farmland* has the ideal physical and chemical composition for crop production. It has been used for irrigated production four years before classification and can produce sustained yields.

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

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

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

- *Grazing Land* has vegetation that is suitable for grazing livestock.

- *Vacant or Disturbed Land* are open field areas that do not qualify as an agricultural category, such as mineral and oil extraction areas, off road vehicle areas, electrical substations, channelized canals, and rural freeway interchanges.

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

Local

Tulare County General Plan

The 2030 General Plan *Agriculture* and *Foothill Growth Management Plan* chapters include the following policies, which would address potential impacts associated with agricultural resources that relate to the proposed Project:

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.

FGMP-5.1 Protect Agricultural Lands - The County shall maintain and preserve extensive and intensive agricultural uses in the foothills, whenever possible.

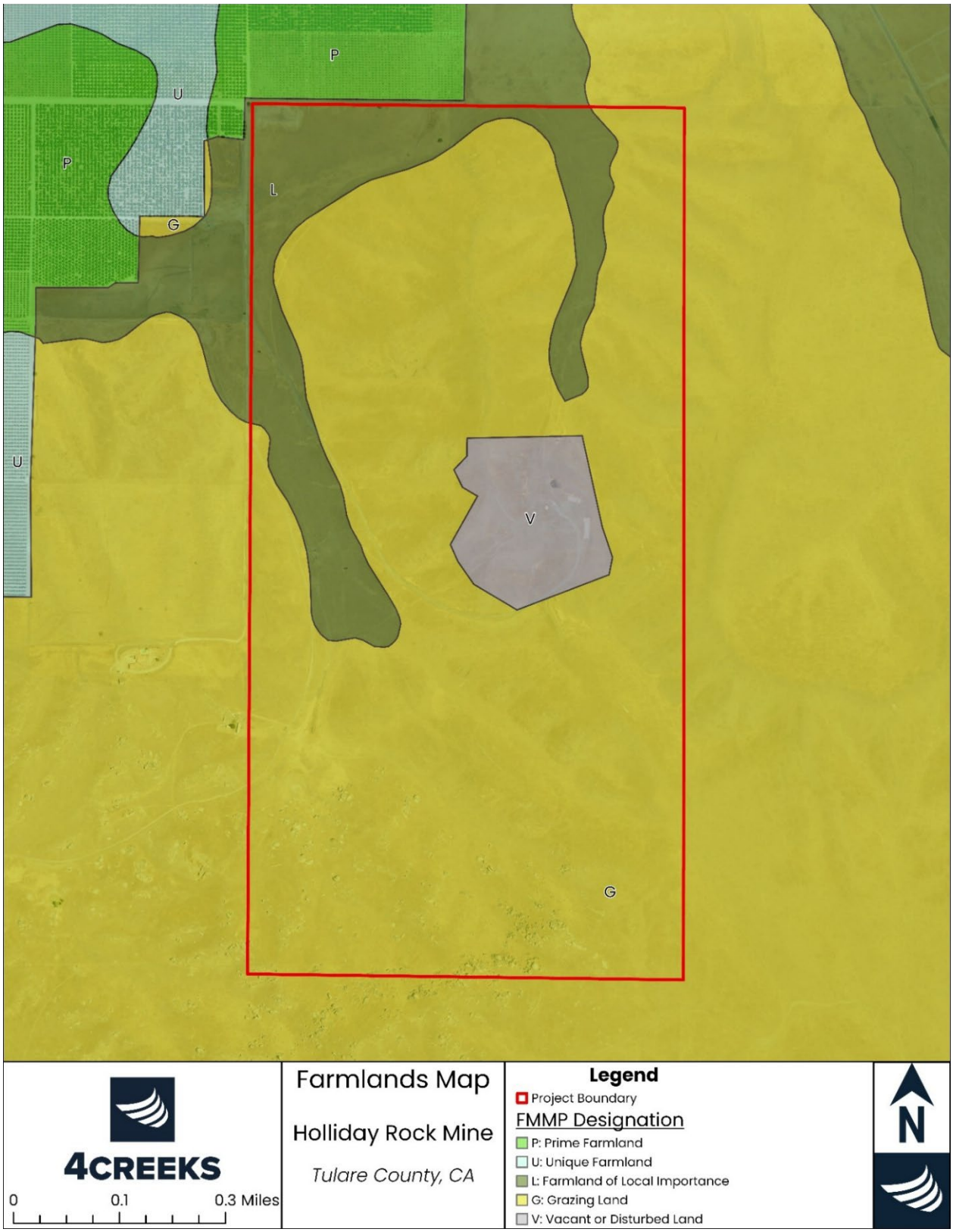


Figure 3-4: Important Farmlands Map

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Agricultural resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

Discussion

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?

No Impact: The Project Site is not located on land classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, according to the California Department of Conservation's Farmland Mapping and Monitoring Program. Therefore, the Project would not result in the conversion of any significant agricultural lands to non-agricultural use. The Project would have *no impact* on these types of farmland.

Mitigation Measures: None required.

b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

No Impact: The Project Site is not under a Williamson Act contract and does not conflict with any existing agricultural zoning. The current zoning of the Site would allow the proposed Project/operations, and the Project does not require a change in land use or zoning that would conflict with agricultural uses. As such, based on the information and analysis provided herein, the Project would have *no impact.*

Mitigation Measures: None required.

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

No Impact: The Project Site is not zoned for forest land, timberland, or designated Timberland Production as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned timberland Production (as defined by Government Code section 51104(g). Therefore, the Project would not conflict with or cause the rezoning of any forest land or timberland. Therefore, based on the information and analysis provided herein, the Project would have *no impact.*

Mitigation Measures: None required.

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

No Impact: The Project Site does not contain forest land, and as such, the Project would not result in the loss or conversion of any forest land to non-forest uses. Therefore, based on the information and analysis provided herein, the Project would have *no impact.*

Mitigation Measures: None required.

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

No Impact: There are no other changes in the existing environment from the Project that would result in the conversion of Farmland to non-agricultural use or forest land to non-forest use. The Project does not include development that would impact the preclude future agricultural use, and no forest lands exist on or near the Site. Therefore, based on the information and analysis provided herein, the Project would have *no impact.*

Mitigation Measures: None required.

Mitigation Measures: None required.

Based on the information and analysis provided herein, *no mitigation would be required*.

Cumulative Impact: No Impact.

This cumulative analysis is based on the information provided in this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Agricultural Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies,

Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The cumulative impact is the San Joaquin Valley. However, as the Project would not 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; it would not conflict with existing zoning for agricultural use, or a Williamson Act Contract; it would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned timberland Production (as defined by Government Code section 51104(g); it would not result in the loss of forestland or conversion of forest land to non-forest use; and it would not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use. Therefore, based on the information and analysis herein, the Project would result in *no cumulative impact*.

III. AIR QUALITY

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Air Quality resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety. In addition, qualified consultant Core Environmental Consulting prepared a "Technical Report Air Quality, Greenhouse Gas, and Health Risk Assessment For California Environmental Quality Act" (AQ Technical Study) that is used to analyze potential air quality impacts related to the Project. The complete Air Quality Study is included as Appendix A of this MND.

Environmental Setting

The following Environmental Setting discussion has been excerpted from the AQ Technical Study prepared by qualified consultant Core Environmental Consulting (Core Environmental). As a recognized qualified consultant, the County of Tulare acknowledges the expertise of Core Environmental and finds it reasonable to also incorporate applicable components of AQ Technical

Study information provided by Core Environmental to supplement previously noted incorporations of reference.

San Joaquin Valley Air Basin

"The Project is in located in the San Joaquin Valley Air Basin (SJVAB), which consists of eight counties: Fresno, Kern (western and central), Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare. Air pollution in the SJVAB can be attributed both human-related (anthropogenic) and natural activities that produce emissions.

Anthropogenic pollution occurs from a wide variety of sources including industrial, on- and off-road mobile, and many others. These emissions sources, coupled with geographical and meteorological conditions, stimulate the formation of unhealthy air.

The SJVAB has particularly challenging conditions for air quality. Low precipitation levels, cloudless days, high temperatures, and light winds during the summer are conducive to high ozone levels resulting from the photochemical reaction of nitrogen oxides (NOx) and volatile organic compounds (VOC). Inversion layers in the atmosphere during the winter can trap emissions of directly emitted PM2.5 (particulate matter that is 2.5 microns or less in diameter) and PM2.5 precursors (such as NOx and sulfur dioxide (SO2) within the SJVAB for several days, accumulating to unhealthy levels.

The region also houses major arteries for goods and people movement, including I-5 to the west and CA Highway 99 through the center of the Valley, which attract a large volume of vehicular traffic. The SJVAB also has a historically high rate of population growth compared to other regions of California.

The geography of mountainous areas to the east, west, and south, in combination with long summers and relatively short winters, contributes to local climate episodes that prevent the dispersion of pollutants. Transport, as affected by wind flows and inversions, also plays a role in the creation of air pollution.

The SJVAB is essentially a bowl shape, surrounded by mountains on three sides and open to the Sacramento Valley and San Francisco Bay Area to the north. The climate is considered Mediterranean, characterized by sparse rainfall that occurs mainly in winter and hot, dry summers. Subtropical high pressure cells, which are strongest during spring through fall, can result in temperature inversions. Most of the surrounding mountains are above the normal height of summer inversions (1,500-3,000 feet), which act as a lid to trap pollution. Wintertime inversions, which often occur in tandem with fog, can inhibit vertical mixing to a few hundred feet. Dense fogs can sometimes reduce pollutant levels, but fog often acts to form secondary ammonium nitrate particulate matter, which contributes to PM2.5 levels, and can also contribute to stable air conditions that prevent mixing and transport.

Wind patterns also play an important role in dispersion and transport of pollutants. Winds in the Valley most frequently blow from the northwesterly direction, from the San Joaquin Delta and the Bay Area, and the region's topographic features restrict air movement. Many days in the winter are marked by stagnation events where winds are very weak and pollution transport is limited. Eddies can also form in the valley wind flow and re-circulate a polluted air mass for extended periods, during both the summer and winter.

Solar radiation and temperature are particularly important in the chemistry of ozone formation. Photochemical air pollution (primarily ozone) is produced by the atmospheric reaction of organic substances (such as VOCs) and NOx under the influence of sunlight. Generally, the higher the temperature, the more ozone is formed. Thus, ozone levels tend to peak in the late afternoon during summer, then gradually reduce overnight." (AQ Technical Study, pages 6-7).

Criteria Pollutants

"A substance in the air that can cause harm to humans and the environment is known as an air pollutant. Pollutants can be in the form of solid particles, liquid droplets, or gases. They can be natural or man made [anthropogenic] and can be classified as primary or secondary. Primary pollutants are directly emitted from a process, such as ash from a volcanic eruption, carbon monoxide gas from a motor vehicle exhaust, or sulfur dioxide released from factories. Secondary pollutants are not emitted directly; rather, they form in the air when primary pollutants react or interact. An important example of secondary pollutant is ground level ozone – one of the many secondary pollutants that make up photochemical smog. Some pollutants can be both primary and secondary.

The Clean Air Act (CAA) requires the U.S. Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards for six common pollutants, known as criteria pollutants. These criteria pollutants include the following.

- Ozone (O3): A reactive gas consisting of three atoms of oxygen. In the stratosphere, ozone exists naturally and shields Earth from harmful ultraviolet radiation. In the troposphere, it is a product of the photochemical process involving the sun's energy. It is a secondary pollutant that is formed when nitrogen oxides (NOx) and volatile organic compounds (VOC) react in the presence of sunlight. Ozone at the earth's surface causes numerous adverse health effects and is a major component of smog. High concentrations of ground-level ozone can adversely affect the human respiratory system and aggravate cardiovascular disease and many respiratory ailments. Ozone also damages natural ecosystems such as forests and foothill communities, agricultural crops, and some man-made materials, such as rubber, paint, and plastics.

- Oxides of Nitrogen (NOx): A family of gaseous nitrogen compounds and a precursor to the formation of ozone and PM. The major component of NOx, nitrogen dioxide (NO2), is a reddish brown gas that is toxic at high concentrations. NOx results primarily from the combustion of fossil fuels under high temperature and pressure. On- and off-road motor vehicles and fuel combustion are the major sources of this air pollutant.

- Particulate Matter (PM): Also known as particle pollution, this is a complex mixture of extremely small particles and liquid droplets. Particle pollution is made up of a number of components, including acids (such as nitrates and sulfates), organic chemicals, metals, and soil or dust particles. The size of particles is directly linked to their potential for causing health problems. EPA is concerned about particles that are 10 micrometers in diameter or smaller because those are the particles that generally pass through the throat and nose and enter the lungs. Once inhaled, these particles can affect the heart and lungs and cause serious health effects. EPA groups particle pollution into three categories based on their size and where they are deposited:

    - Inhalable coarse particles (PM10), such as those found near roadways and dusty industries, are between 2.5 and 10 micrometers in diameter. PM10 is deposited in the thoracic region of the lungs. o Fine particles (PM2.5), such as those found in smoke and haze, are 2.5 micrometers in diameter and smaller. These particles can be directly emitted from sources such as forest fires, or they can form when gases emitted from power plants, industries, and automobiles react in the air. They penetrate deeply into the thoracic and alveolar regions of the lungs.

    - Fine particles (PM2.5), such as those found in smoke and haze, are 2.5 micrometers in diameter and smaller. These particles can be directly emitted from sources such as forest fires, or they can form when gases emitted from power plants, industries, and automobiles react in the air. They penetrate deeply into the thoracic and alveolar regions of the lungs.

    - Ultrafine particles (UFP), are very small particles less than 0.1 micrometers in diameter largely resulting from the combustion of fossil fuels, meat, wood and other hydrocarbons. While UFP mass is a small portion of PM2.5, its high surface area, deep lung penetration, and transfer into the bloodstream can result in disproportionate health impacts relative to their mass. PM10, PM2.5, and UFP include primary and secondary pollutants. Generally, PM2.5 and UFP are emitted by combustion sources like vehicles, power generation, industrial processes, and wood burning, while PM10 sources include these same sources plus roads and farming activities. Fugitive windblown dust and other area sources represent a source of airborne dust in the Valley.

Acute and chronic health effects associated with high PM levels include the aggravation of chronic respiratory diseases, heart and lung disease, coughing, bronchitis, and respiratory illnesses in children.

- Carbon Monoxide (CO): An odorless, colorless gas that is highly toxic. It is formed by the incomplete combustion of fuels and is emitted directly into the air (unlike ozone). The main source of CO in the San Joaquin Valley is on-road motor vehicles. Other CO sources in the Valley include other mobile sources, miscellaneous processes, and fuel combustion from stationary sources. Because of the local nature of CO problems, ARB and EPA designate urban areas as CO nonattainment areas instead of the entire basin as with ozone and PM10. Motor vehicles are by far the largest source of CO emissions. Emissions from motor vehicles have been declining since 1985, despite increases in vehicle miles traveled (VMT), with the introduction of new automotive emission controls and fleet turnover.

- Sulfur Dioxide (SO2): A colorless, irritating gas with a "rotten egg" smell formed primarily by the combustion of sulfur-containing fossil fuels. The SJVAB is in attainment of both the Federal and California standards for SO2. However, like airborne NOx, suspended sulfur oxides (SOx) particles contribute to the poor visibility that sometimes occurs in the Valley. These SOx particles can also combine with other pollutants to form PM2.5. The prevalence of low-sulfur fuel use in the Valley has minimized problems from this pollutant.

- Lead (Pb): A metal that is a natural constituent of air, water, and the biosphere. Lead is neither created nor destroyed in the environment, so it essentially persists forever. The health effects of lead poisoning include loss of appetite, weakness, apathy, and miscarriage; it can also cause lesions of the neuromuscular system, circulatory system, brain, and gastrointestinal tract. Gasoline-powered automobile engines were a major source of airborne lead through the use of leaded fuels. The use of leaded fuel has been mostly phased out, with the result that ambient concentrations of lead have dropped dramatically. Lead concentrations were last systematically measured in the SJVAB in 1989, when the average concentrations were approximately five percent of the State lead standard. Lead levels remain well below applicable standards, and the SJVAB is designated in attainment for lead." (Appendix A, AQ Technical Study, pages 7-8).

Other Pollutants

"The State of California has established air quality standards for some pollutants not addressed by Federal standards. The California Air Resources Board (CARB) has established standards for the following pollutants.

- Hydrogen Sulfide (H2S): Associated with geothermal activity, oil and gas production, refining, sewage treatment plants, and confined animal feeding operations. Hydrogen sulfide is extremely hazardous in high concentrations; especially in enclosed spaces (800 ppm can cause death). OSHA regulates workplace exposure to H2S.

- Sulfates (SO42-): The fully oxidized ionic form of sulfur. Sulfates occur in combination with metal and/or hydrogen ions. In California, emissions of sulfur compounds occur primarily from the combustion of petroleum-derived fuels (e.g., gasoline and diesel fuel) that contain sulfur. This sulfur is oxidized to sulfur dioxide (SO2) during the combustion process and subsequently converted to sulfate compounds in the atmosphere. The conversion of SO2 to sulfates takes place comparatively rapidly and completely in urban areas of California due to regional meteorological features. The CARB sulfates standard is designed to prevent aggravation of respiratory symptoms. Effects of sulfate exposure at levels above the standard include a decrease in ventilatory function, aggravation of asthmatic symptoms, and an increased risk of cardio-pulmonary disease. Sulfates are particularly effective in degrading visibility, and, due to the fact that they are usually acidic, can harm ecosystems and damage materials and property. Data collected in the SJVAB demonstrate levels of sulfates significantly less than the health standards.

- Visibility Reducing Particles: A mixture of suspended particulate matter consisting of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. The standard is intended to limit the frequency and severity of visibility impairment due to regional haze and is equivalent to a 10-mile nominal visual range.

- Vinyl Chloride (C2H3Cl, also known as VCM): a colorless gas that does not occur naturally. It is formed when other substances such as trichloroethane, trichloroethylene, and tetrachloro ethylene are broken down. Vinyl chloride is used to make polyvinyl chloride (PVC) which is used to make a variety of plastic products, including pipes, wire and cable coatings, and packaging materials." (Appendix A, AQ Technical Study, page 9).

Ambient Air Quality Standards and Attainment Status

The CAA requires the EPA to set National Ambient Air Quality Standards (NAAQS) for Criteria Pollutants (described above). The EPA designates areas with air quality not meeting federal standards as "nonattainment". The CAA further classifies nonattainment areas based on the severity of nonattainment, with marginal, moderate, serious, severe, and extreme nonattainment classifications for ozone, and marginal to serious for particulate matter (PM).

States may also establish their own ambient air quality standards, provided the State standards are at least as stringent as the NAAQS. California has established California Ambient Air Quality Standards (CAAQS) pursuant to Health and Safety Code Section 39606(b) and its predecessor statutes. CARB is the agency responsible for coordination and oversight of State and local air

pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. The CCAA classifies ozone nonattainment areas as moderate, serious, severe, and extreme based on severity of violations of State ambient air quality standards. For each class, the CCAA specifies air quality management strategies that must be adopted. For all nonattainment categories, attainment plans are required to demonstrate a five-percent-per-year reduction in nonattainment air pollutants or their precursors, averaged every consecutive three-year period, unless an approved alternative measure of progress is developed. Air Districts with air quality that is in violation of CAAQS are required to prepare an air quality attainment plan that lays out a program to attain the CCAA mandates." (Appendix A, AQ Technical Study, page 9-10).

As shown in the AQ Technical Study, Table 3-1 shows the current attainment status for each of the NAAQS and CAAQS in the SJVAB.

Table 3-1: San Joaquin Valley Attainment Status

Pollutant	Designation/Classification	
	Federal Standards	**State Standards**
Lead	Attainment	Attainment
Nitrogen Dioxide	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment
Carbon Monoxide	Attainment	Attainment/Unclassified
PM 10	Attainment	Nonattainment
Ozone, 1-hour standard (revoked)	Attainment	Nonattainment (Severe)
Ozone, 8–hour standard	1997 Standard 84 ppb – Nonattainment (Extreme)	Nonattainment
	2008 Standard 75 ppb – Nonattainment (Extreme)	
	2015 Standard 70 ppb – Nonattainment (Extreme)	
PM 2.5	1997 24-hour Standard 65 µg/m3 – Attainment	Nonattainment
	1997 Annual Standard 15 µg/m3 – Nonattainment (Serious)	
	2006 24-hour Standard 35 µg/m3 – Nonattainment (Serious)	
	2012 Annual Standard 12 µg/m3 – Nonattainment (Serious)	
Hydrogen Sulfide	No Federal Standard	Unclassified

Table 3-1: San Joaquin Valley Attainment Status		
Pollutant	**Designation/Classification**	
	Federal Standards	**State Standards**
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment
PM10 = particulate matter with an aerodynamic diameter less than 10 microns PM2.5 = particulate matter with an aerodynamic diameter less than 2.5 microns Ppb = parts per billion µg/m3 = micrograms per cubic meter *Sources: (San Joaquin Valley Air Pollution Control District, 2023c); (U.S. Environmental Protection Agency, 2023)*		

Existing Ambient Air Quality Conditions

"The following table [Table 2 in the AQ Technical Study, Table 3-2 in this MND] summarizes air quality monitoring data for 2021 through 2023, the most recent three-year period available. Data were obtained from the closest monitoring site, Porterville-Newcomb Street monitoring station, or from the next closest sites (Visalia-Church Street for 2021; Visalia – Ashlan Ave for 2022-23) for pollutants not monitored at the Porterville site. No recent data were available for CO or SO2 because monitoring is not conducted for pollutants unlikely to exceed AAQS." (AQ Technical Study, page 11). As such, both CO and SO2 data are not included in Table 3-2.

Table 3-2 Air Quality Monitoring Summary				
Pollutant	**Data**	**2021**	**2022**	**2023**
Ozone - 1 Hour	Max 1 Hour (ppm)	0.106	0.099	0.102
	Days > State Standard (0.09 ppm)[1]	9	1	7
Ozone – 8 hour	Max 8 Hour (ppm)	0.093	0.085	0.089
	Days > National Standard (0.070 ppm)[2]	61	62	47
Nitrogen Dioxide - Annual	Annual Average (ppb)	ID	ID	7
Nitrogen Dioxide – 1 Hour	Max 1 Hour (ppb)	50.0	49.7	39.9
	Days > National Standard (100 ppb)	0	0	0
	Days > National Standard (100 ppb)	0	0	0
PM_{10} – Annual	Annual Average (µg/m^3)	51.7	43.6	39.0
PM_{10} - 24-Hour	Max 24 Hour (µg/m^3)	302.1	132.7	105.8
	Days > National Standard (150 µg/m^3)	4	0	0
	Days > State Standard (50 µg/m^3)	141	111	102
$PM_{2.5}$ - Annual	Annual Average	20.7	14.8	11.6

Table 3-2 Air Quality Monitoring Summary				
Pollutant	**Data**	**2021**	**2022**	**2023**
$PM_{2.5}$ - 24-Hour	Max 24 Hour (µg/m^3)	129.2	48.3	42.9
	Days > National Hour Standard(35 µg/m^3)	43	17	6
Notes: Standards presented are the most health-conservative of those established Ppm = parts per million Ppb = parts per billion ID = Insufficient Data 1 Federal Standard was revoked 2 State standard is the same.				

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

Table 3-3. Ambient Air Quality Standards				
Pollutant	**Averaging Time**	**California Standards**	**National Standards**	
		Concentration[3]	**Primary**	**Secondary**
Ozone (03)	1 Hour	0.09 ppm (180 µg/m^3)	--	Same as Primary Standard
	8 Hour	0.070 ppm (137 µg/m^3)	0.075 ppm (147 µg/m^3)	
Respirable Particulate Matter (PM_{10})	24 Hour	50 µg/m	150 µg/m^3	Same as Primary Standard
	Annual Arithmetic Mean	20 µg/m3	--	
Fine Particulate Matter ($PM_{2.5}$)	24 Hour	--	35 µg/m^3	Same as Primary Standard
	Annual Arithmetic Mean	12 µg/m^3	15 µg/m^3	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)	--
	8 Hour	9.0 ppm (10 mg/m^3)	9 ppm (10 mg/m^3)	--
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)	--	--
Nitrogen Dioxide (NO_2) [8]	1 Hour	0.18 ppm (339 µg/m^3)	100 ppb (188 µg/m^3)	--
	Arithmetic Mean	0.030 ppm (57 µg/m^3)	53 ppb (100 µg/m^3)	Same as Primary Standard

Table 3-3. Ambient Air Quality Standards				
Pollutant	**Averaging Time**	**California Standards**	**National Standards**	
		Concentration[3]	**Primary**	**Secondary**
Sulfur Dioxide	1 Hour	0.25 ppm (655 µg/m^3)	75 ppb (196 µg/m^3)	--
	3 Hour	--	--	0.5 ppm (1300 µg/m^3)
	24 Hour	0.04 ppm (105 µg/m^3)	0.14 ppm (for certain areas)	--
	Annual Arithmetic Mean	--	0.030 ppm (for certain areas)	--
Lead[10,11]	30 Day Average	1.5 µg/m^3	--	--
	Calendar Quarter	--	1.5 µg/m3 (for certain areas)	Same as Primary Standard
	Rolling 3-Month Average	--	0.15 µg/m^3	
Visibility Reducing Particles[12]	8 Hour	See Footnote 1	No National Standards	
Sulfates	24 Hour	25 µg/m^3		
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)		
Vinyl Chloride[10]	24 Hour	0.01ppm (26 µg/m^3)		
Source: California Air Resources Board (CARB). 2016				

Health Risk Assessment Setting

Toxic Air Contaminants

"SJVAB are under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). Section 3 (Air Quality Setting [of the AQ Technical Study]) provides an overview of important air pollutants and discussions on the meteorology and geography that contribute to unhealthy levels of air pollution. The Health Risk Assessment (HRA) section of this technical report is concerned with the impacts of Toxic Air Contaminants (TAC).

TAC, as defined by the California Health & Safety Code (CH&SC) §44321, are listed in Appendices AI and AII in AB 2588 Air Toxic "Hot Spots" and Assessment Act's Emissions Inventory Criteria and

Guideline Regulation document. Potential health impacts from TACs are generally categorized into two groups: carcinogenic (cancer causing) effects and non-carcinogenic (non-cancer-causing) effects.

The non-carcinogenic effects can be further divided into long-term (chronic) health effects such as birth defects, neurological damage, or genetic damage; and short- term (acute) effects such as eye irritation, respiratory irritation, and nausea. The California TAC list identifies about 700 plus pollutants. Carcinogenic and/or non-carcinogenic toxicity criteria have been established for a subset of these pollutants by [the Office of Environmental Health Hazard Assessment] OEHHA, as required by CH&SC §44360. TACs used in determining the potential exposure to the public should not be confused with the 189 Hazardous Air Pollutants (HAP) listed in the Clean Air Act.

SJVAPCD oversees the assessment of health risk associated with TAC emissions from new development in the SJVAB. SJVAPCD lays out a basic framework for understanding and assessing health risk, under CEQA, in its *Guidance for Assessing and Mitigating Air Quality Impacts* (GAMAQI).

The location of a development project is a major factor in determining whether the project will result in localized air quality impacts. The potential for adverse air quality impacts increases as the distance between the source of emissions and receptors decreases. Receptors include sensitive receptors and worker receptors. Sensitive receptors refer to those segments of the population most susceptible to poor air quality (i.e., children, the elderly, and those with pre-existing serious health problems affected by air quality). Land uses where sensitive individuals are most likely to spend time include schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities (these sensitive land uses may also be referred to as sensitive receptors). Worker receptors refer to employees and locations where people work. Impacts on sensitive receptors are of particular concern, because they are the people most vulnerable to the effects of air pollution.

From a health risk perspective there are two types of land use projects that have the potential to cause long-term public health risk impacts:

Type A Projects: Land use projects that will place new toxic sources in the vicinity of existing receptors.

Type B Projects: Land use projects that will place new receptors in the vicinity of existing toxics sources.

According to SJVAPCD policy, projects of either type must be assessed to determine whether the resulting health risk to sensitive receptors would exceed SJVAPCD established thresholds of significance for carcinogenic, non-carcinogenic acute, and non-carcinogenic chronic risk.

However, based on established case law, CEQA does not require the assessment of the environment's effect on the project, commonly referred to as "reverse CEQA" (Type B projects).

The OEHHA *Risk Assessment Guidelines11* are the standards for estimating health risks. OEHHA is responsible for developing and providing toxicological and medical information relevant to decisions involving public health to state and local government agencies. Historically, state laws have required OEHHA to develop Risk Assessment Guidelines for estimating health risk associated with various sources of air pollution. Furthermore, the Children's Environmental Health Protection Act (SB 25, Escutia, 1999) requires OEHHA to biennially review risk assessment methods for air toxics, and related information, to ensure that they adequately protect infants and children. The SJVAPCD risk management policy works in conjunction with the OEHHA *Risk Assessment Guidelines*.

The SJVAPCD risk management policy further clarifies and provides guidance on the appropriate options to use, such as a longer exposure period and more conservative air dispersion modeling. SJVAPCD staff members are considered leading statewide experts in the field of health risk assessment and have developed significant resources from guidance documents to database tools to assist other agencies, consultants, and regulated sources. Therefore, the SJVAPCD concludes that use of its risk management policy and the OEHHA *Risk Assessment Guidelines* is appropriate in determining significance within the environmental review process." (Appendix A, AQ Technical Study, pages 18-19).

Diesel Particulate Matter

"The primary TAC of concern resulting from the Project would be Diesel Particulate Matter (DPM). As further described below, the ARB has identified DPM as a carcinogenic substance and estimates that DPM comprises approximately 70 percent of all airborne cancer risk in California. The Project is not expected to emit any other substantial sources of TAC.

DPM is emitted by diesel-fueled vehicles and equipment. DPM has been identified as a toxic air contaminant by ARB based on its potential exposures and health concerns. OEHHA evaluated over 30 human epidemiological studies on the carcinogenic effects of diesel exhaust. These studies found that long-term occupational exposures to diesel exhaust were associated with a 40 percent increase, on average, in the relative risk of lung cancer. These epidemiological studies strongly suggest a causal relationship between occupational diesel exhaust exposure and lung cancer.

A number of adverse long-term noncancer effects have been associated with exposure to diesel exhaust. Occupational studies have shown that there may be a greater incidence of cough, phlegm and chronic bronchitis among those exposed to diesel exhaust than among those not exposed. Reductions in pulmonary function have also been reported following occupational exposures in chronic studies.

Adverse short-term health effects have also been associated with exposures to diesel exhaust. Occupational exposures to DPM have been associated with significant cross-shift decreases in lung function. Increased cough, labored breathing, chest tightness, and wheezing have been associated with exposure to diesel exhaust in bus garage workers. A significant increase in airway resistance and increases in eye and nasal irritation were observed in human volunteers following one-hour chamber exposure to diesel exhaust." (Appendix A, AQ Technical Study, pages 19-20).

Sensitive Receptors

"The SJVAPCD *GAMAQI* defines sensitive receptors as people that have an increased sensitivity to air Pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units. The location of sensitive receptors is needed to assess toxic impacts on public health. The Project site is located in a rural area of Tulare County, several miles from any communities. The site is surrounded by open space to the northeast, east, south, and southwest, and farmland to the west, northwest, and north. According to Google Earth satellite images, the nearest sensitive receptors appear to be a residence located approximately 230 meters west of the site boundary (Receptor 1), and another building that could be a residence approximately 525 meters northeast (Receptor 2). A Receptor Map is attached in Appendix C HRA Results. There are no other potentially sensitive receptors located within 1 kilometer of the Project site boundary." (Appendix A, AQ Technical Study, page 20)

Regulatory Setting

International

"A few international treaties were formed to control non-GHG air pollution; some examples include:

UNECE Convention on Long-Range Transboundary Air Pollution (CLRTAP) and its Protocols (e.g. Gothenburg Protocol. Regional agreements to control criteria pollutants; implemented through national and regional policies.

Montreal Protocol on Substances that Deplete the Ozone Layer. Protects the ozone layer by controlling ozone-depleting substances (ODS), which are also powerful GHG. International phase outs of ODS have successfully benefited air quality and climate change.

MARPOL Convention. Major treaty from the International Maritime Organization that sets emission limits for international shipping, including those in designated Emission Control Areas.

While air quality is global by nature, project-specific emissions and impacts occur at a more localized level. Compliance is also managed entirely through federal, state, and regional mandates. Thus, no international treaties or plans have direct applicability to the project-specific design, construction, or operation." (Appendix A, AQ Technical Study, page 12).

Federal

Federal Clean Air Act

As noted in the AQ Technical Study, "he foundation of air quality regulation in the United States is the Clean Air Act (CAA). As described above (see Ambient Air Quality Standards and Attainment Status), the CAA mandates the EPA to establish NAAQS. States must adopt State Implementation Plans (SIP) to meet NAAQS.

Examples of other federal regulations that control air pollution include mobile source emission standards and product and appliance energy efficiency. These programs affect the Project but have no direct compliance steps at the local or project level, unlike a local air district rule." (AQ Technical Study, page 12).

"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."(see: Tulare County General Plan Recirculated Draft Environmental Impact Report, Pages 3.3-1 through 3.3-2 at: Tulare County General Plan Update).

State

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 AIR DISTRICT, 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.

California Air Resources Board (CARB)

CARB is the lead state agency for air pollution control, with authority to enforce and set stricter standards than the federal government. CARB establishes statewide air quality standards (CAAQS) and directly regulates mobile sources and product efficiency throughout the state. SIPs contain comprehensive strategies to achieve NAAQS throughout the State, and each regional air district contributes plans to achieve compliance within their jurisdictions. Thus, most of the project-specific air pollution control measures are identified in the air district plans and enforced at the regional or local levels. The following section discusses SJVAPCD requirements.

"Major CARB regulations that affect the Project include:

California Ambient Air Quality Standards (CAAQS): No direct compliance action is required, but SJVAPCD must develop plans to meet the CAAQS.

Low-Emission Vehicle Program: emissions standards for passenger vehicles.

On-Road Heavy-Duty Vehicle Program: emissions standards for various types of new on-road heavy-duty vehicles.

ARB Truck and Bus Regulation: requires diesel trucks and buses to be upgraded to reduce emissions.

Advanced Clean Truck Regulation: includes zero-emissions truck sales requirement and a onetime reporting requirement for large entities and fleets.

In-Use Off-Road Diesel Vehicles: reduces diesel particulate matter (DPM) and NOx emissions from in-use off-road heavy-duty diesel vehicles.

Airborne Toxic Control Measure for Asbestos: minimizes emissions of naturally-occurring asbestos from construction, grading, quarrying, and surface mining.

Diesel Risk Reduction Plan: reduces DPM emissions and associated cancer risks by adopting state regulatory standards for new on-road, off-road, and stationary diesel-fueled engines and vehicles." (Appendix A, AQ Technical Study, page 14).

In addition to CARB, other agencies set standards that can affect air pollution control directly or indirectly. The most notable is the California Green Building Standards Code (CALGreen), managed by the California Building Standards Commission. CALGreen mandates building efficiency, reducing operational emissions from energy use, and includes mandatory project design features.

The regulations above are enforced independent of a CEQA determination, with various existing regulatory programs, and are therefore assumed to be included as project design features. No new compliance steps are being added through this CEQA analysis. Many of the key CARB and SJVAPCD regulations are already incorporated into the California Emissions Estimator Model (CalEEMod) and were generally not directly added as project design features or Mitigation Measures. Section 7: Modeling and Calculation Methodologies lists specific non-default regulations, project design features, and/or mitigation measures that were included in the emissions modeling. Section 8: Potential Impacts discusses Mitigation Measures (MM) that are required to directly reduce potentially significant impacts (e.g., criteria pollutants, greenhouse gases, or health risks) to a less-than-significant level." (Appendix A, AQ Technical Study, pages 12-13).

San Joaquin Valley Air Pollution Control District (SJVAPCD or Air District)

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the primary regulatory body, setting the mandatory compliance rules and the CEQA significance thresholds for the Project. A variety of other regional and local agencies contribute to air pollution control, but the regional air districts have the primary responsibility and expertise. They work with the other agencies to continually advance the latest science and strategies, conduct feasibility studies, and work actively with affected stakeholders to determine levels of pollution and control that are reasonably possible to achieve in each industry. All of the emissions inventories, regional transportation plans, and regulatory programs feed back into the regional air district attainment plans, and the latest technologies and control measures are applied to reduce emissions to the maximum extent reasonably possible. This is why the CEQA Guidelines state that, where available, significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make air quality significance determinations. The 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 will use to attain the NAAQS.

The 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 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 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 (FIP) for the nonattainment area and impose additional control measures.

The SIP is the State's plan for attaining the NAAQS. The contents of a typical SIP fall into several categories:

State-adopted control measures which consists of either rules/regulations or source-specific requirements (e.g., orders and consent decrees);

State-submitted comprehensive air quality plans, such as attainment plans, maintenance plans, rate of progress plans, and transportation control plans demonstrating how these state regulatory and source-specific controls, in conjunction with federal programs, will bring and/or keep air quality in compliance with federal air quality standards;

State- submitted "non-regulatory" requirements, such as emission inventories, small business compliance assistance programs; statutes demonstrating legal authority, monitoring networks, etc.); and

Additional requirements promulgated by EPA (in the absence of a commensurate State provision) to satisfy a mandatory section 110 or part D (Clean Air Act) requirement. SJVPACD attainment plans are a regional component of the SIP. The SIP includes annual increases in air

> pollutant emissions resulting from regional growth (including construction-generated emissions) anticipated according to local land use plans (e.g., general plans, regional transportation plans). The SIP also assumes the incremental increase in emissions will be partially offset through the implementation of stationary, area, and indirect source control measures contained within the SIP.

SJVPACD attainment plans are a regional component of the SIP. The SIP includes annual increases in air pollutant emissions resulting from regional growth (including construction-generated emissions) anticipated according to local land use plans (e.g., general plans, regional transportation plans). The SIP also assumes the incremental increase in emissions will be partially offset through the implementation of stationary, area, and indirect source control measures contained within the SIP.

As presented in Table 1 (above [in Appendix A, AQ Technical Study]), at the Federal level, the SJVAB is designated as extreme nonattainment for the 8-hour ozone standard and is designated serious nonattainment for Federal PM2.5 standards. Consistent with CAA requirements, SJVAPCD has adopted attainment plans that demonstrate how the District will attain and maintain the NAAQS. These plans are developed through a public process, formally adopted by the State, and submitted by the Governor's designee to the EPA. The CAA requires EPA to review each plan and any plan revisions and to approve the plan or plan revisions if consistent with the CAA.

Each attainment plan includes a comprehensive and exhaustive list of regulatory and incentive-based measures to reduce emissions of ozone and particulate matter precursors throughout the Valley. Consistent with the direction of each plan, the SJVAPCD adopted regulatory measures that, in the majority of cases, exceed the plan commitment for a given source category.

Many of the rules implemented through the Extreme Ozone Attainment Demonstration Plan and 2007 Ozone Plan are the first of their type in the nation or are deemed the most stringent in the nation. SJVAPCD's strategy to reduce emissions also includes the proactive use of incentives to obtain reductions that would otherwise not be cost-effective for industry or are outside the District's regulatory authority. The path towards attainment is being further accelerated by Valley industry and municipal investments in cleaner technologies and emissions reductions implemented at the state and local level. These include a multitude of regulations developed by CARB, numerous transportation control measures implemented by the metropolitan planning organizations, and many measures implemented by the federal government that were not included in attainment plans." (AQ Technical Study, pages 13-15).

"The San Joaquin Valley Air District is a public health agency whose mission is to improve the health and quality of life for all Valley residents through efficient, effective and entrepreneurial air quality management strategies. Our Core Values have been designed to ensure that our mission is accomplished through commonsense, feasible measures that are based on sound science" (see "The Air District's Mission" at: About | Valley Air District)

In summary, the Air District's 11 core values include:

- Protection of Public Health
- Active and Effective Air Pollution Control Efforts while Seeking to Improve the Valley's Economic Prosperity and Grow Opportunities for All Valley Residents
- Outstanding Customer Service
- Ingenuity and innovation
- Accountability to the public
- Open and transparent public processes
- Recognition of the uniqueness of the San Joaquin Valley Continuous improvement
- Effective and efficient use of public funds
- Respect for the Opinions and Interest of All Valley Residents
- Robust Public Outreach and Education on Valley Air Quality Progress and Continuing Air Quality Efforts

The Air District's complete Core Values statement can be found on their website at: About | Valley Air District

"The U.S. Environmental Protection Agency (EPA) periodically reviews and establishes health-based national air quality standards (also referred to as NAAQS) for ozone, particulates, and other criteria air pollutants guided by the Clean Air Act. The District has adopted numerous air quality attainment plans that identify measures needed in the Valley to attain the increasingly stringent federal standards. Over the past decades, the District has implemented over 670 emissions control measures for stationary and area sources under its jurisdiction. Similarly, the California Air Resources Board (CARB) has adopted regulations for mobile sources. Together, these efforts represent the nation's toughest air pollution emissions controls.

The District's plans include emissions inventories that identify sources of air pollutants, evaluations for feasibility of implementing potential opportunities to reduce emissions, sophisticated computer modeling to estimate future levels of pollution, and a strategy for how air pollution will be further reduced. District plans also include innovative alternative strategies for accelerating attainment through non-regulatory measures such as incentive programs; technology advancement programs; the District's legislative platform; community outreach and education programs; and additional strategies to evaluate technology advancements as they become available into the future.

As a result of the District's stringent and comprehensive air quality management strategy along with significant investments made by Valley businesses and residents, PM2.5 and ozone levels are now at historically low levels and providing Valley residents with the associated health benefits." (see: Air Quality Plans | Valley Air District)

"What is ozone?

Ground level ozone impacts public health. Ozone is not emitted directly into the air, but is created by chemical reactions between oxides of nitrogen (NOx) and volatile organic compounds (VOC) in the presence of heat and sunlight. The Valley experiences its highest ozone levels in the summer. EPA has established ozone standards based on 1-hour averaging periods, and for 8-hour averaging periods. More information is available on EPA's website.

Adopted Ozone Plans

- Ozone Contingency Measure State Implementation Plan Revision for the 2008 and 2015 8-Hour Ozone Standards
- 2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard -The District adopted the 2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard on June 15, 2023.
- 2022 Plan for the 2015 8-Hour Ozone Standard-The District adopted the 2022 Plan for the 2015 8-Hour Ozone Standard in December 2022. This Plan satisfies Clean Air Act requirements and ensures expeditious attainment of the 70 parts per billion 8-hour ozone standard.
- 2020 RACT Demonstration-The District adopted the 2020 RACT Demonstration for the 2015 8-Hour Ozone Standard on June 18, 2020.
- 2016 Plan for the 2008 8-Hour Ozone Standard-The District adopted the 2016 Plan for the 2008 8-Hour Ozone Standard in June 2016. This plan satisfies Clean Air Act requirements and ensures expeditious attainment of the 75 parts per billion 8-hour ozone standard.
- Summary of Rule 4694 Analyses under the 2016 Ozone Plan-Summary of District modeling analyses conducted in accordance to commitments in the 2016 Ozone Plan to understand the potential ozone improvements that may be brought about by requiring further VOC controls for wine fermentation.
- 2014 RACT SIP-The District adopted the RACT Demonstration for Ozone SIP in June 2014.
- 2013 Plan for the Revoked 1-Hour Ozone Standard-The District adopted the 2013 Plan for the Revoked 1-Hour Ozone Standard in September 2013.
- Flares Further Study-District Rule 4311 (approved by EPA on November 3, 2011) reduces emissions from flaring activities in the San Joaquin Valley through a combination of emission limitations, monitoring, reporting, and other requirements. This study includes an assessment of the implementation of Rule 4311 and an evaluation of potential opportunities for additional requirements.
- 2009 RACT SIP-The District adopted the RACT Demonstration for Ozone SIP in April 2009.
- 2007 Plan for the 1997 8-Hour Ozone Standard-The District adopted the 2007 Ozone Plan in April 2007. This plan addresses EPA's 8-hour ozone standard of 84 parts per billion (ppb), which was established by EPA in 1997.
- 2004 Extreme Ozone Attainment Demonstration Plan-The District adopted this plan in October 2004 to address EPA's 1-hour ozone standard. However, since EPA revoked this

standard in 2005, EPA did not act on this plan until 2010, when a court decision required EPA action. EPA's 2010 action approved the plan, but subsequent litigation led to a court finding that EPA had not properly considered new information available since the District adopted the plan in 2004. EPA thus withdrew its plan approval in November 2012, and the District and ARB withdrew this plan from consideration. While the 2004 plan is not a federally-approved plan, it is included here for reference.

Attainment of the 1-hour Ozone National Ambient Air Quality Standard

For the first time in recorded history, in 2013, the Valley had zero violations of the 1-hour ozone standard established by EPA under the federal Clean Air Act. The Valley now meets the 1-hour ozone standard based on air monitoring data. As such, the District submitted an attainment request to EPA in May 2014.

1-Hour Ozone Attainment Request

- On May 6, 2014, the District submitted a formal request that the EPA determine that the Valley has attained the federal 1-hour ozone standard.
- On July 13, 2015, the District submitted a second formal request that the EPA determine that the Valley has attained the federal 1-hour ozone standard.

On July 18, 2016, EPA published in the Federal Register a final action determining that the San Joaquin Valley has attained the 1-hour ozone national ambient air quality standard. This determination is based on the most recent three-year period (2012-2014) of sufficient, quality-assured, and certified data." (see: Ozone Plans | Valley Air District).

"What is particulate matter?

Particulate matter (PM) is a mixture of solid particles and liquid droplets in the air. The size of PM is directly linked to potential health problems. EPA has set federal standards for PM10 (PM that is 10 microns or less in diameter) and PM2.5 (PM that 2.5 microns or less in diameter. Health research has also documented health effects of ultrafine particles, or particles that are 0.1 microns or smaller.

The chemical composition of PM is also a factor in the type and severity of health impacts. PM can be emitted directly into the atmosphere, or it can form in the atmosphere through the photochemical reactions of precursors. There are several PM species, or chemical compounds, including organic carbon, elemental carbon, geologic material, trace metals, secondary organic aerosols, ammonium nitrate, and ammonium sulfate. More information is available on EPA's website.

Adopted PM Plans

- 2024 Plan for the 2012 Annual PM2.5 Standard The District adopted the 2024 Plan for the 2012 Annual PM2.5 Standard on June 20, 2024. This Plan addresses the EPA federal 2012 annual PM2.5 standard of 12 µg/m³.
- 2018 Plan for the 1997, 2006, and 2012 PM2.5 Standards The District adopted the 2018 Plan for the 1997, 2006, and 2012 PM2.5 Standards on November 15, 2018. This plan addresses the EPA federal 1997 annual PM2.5 standard of 15 µg/m³ and 24-hour PM2.5 standard of 65 µg/m³; the 2006 24-hour PM2.5 standard of 35 µg/m³; and the 2012 annual PM2.5 standard of 12 µg/m³.
- 2016 Moderate Area Plan for the 2012 PM2.5 Standard The District adopted the 2016 Moderate Area Plan for the 2012 PM2.5 Standard on September 15, 2016. This plan addresses the EPA federal annual PM2.5 standard of 12 µg/m3, established in 2012. This plan includes an attainment impracticability demonstration and request for reclassification of the Valley from Moderate nonattainment to Serious nonattainment.
- 2015 Plan for the 1997 PM2.5 Standard The District adopted the 2015 Plan for the 1997 PM2.5 Standard on April 16, 2015. This plan addresses EPA's annual PM2.5 standard of 15 µg/m3 and 24-hour PM2.5 standard of 65 µg/m3, established in 1997.
- 2012 PM2.5 Plan The District adopted the 2012 PM2.5 Plan in December 2012. This plan addresses EPA's 24-hour PM2.5 standard of 35 µg/m³, which was established by EPA in 2006.
- 2008 PM2.5 Plan The District adopted the 2008 PM2.5 Plan in April 2008. This plan addresses EPA's annual PM2.5 standard of 15 µg/m³, which was established by EPA in 1997.
- 2007 PM10 Maintenance Plan The District adopted the 2007 PM10 Maintenance Plan in September 2007 to assure the San Joaquin Valley's continued attainment of EPA's PM10 standard. EPA designated the Valley as an attainment/maintenance area for PM10.
- 2006 PM10 Plan The District adopted the 2006 PM10 Plan in February 2006. This plan addresses the PM10 NAAQS." (see: https://www.valleyair.org/rules-and-planning/air-quality-plans/particulate-matter-plans/ Particulate Matter Plans | Valley Air District)

The air plans currently in effect in the SJVAB and specific rules that apply to the proposed Project are listed and described further below.

"As with CARB, SJVAPCD has established a wide variety of regulations, programs, and incentives to control air pollution at both the programmatic and project level. Some of the important SJVAPCD regulations that could relate to the Project include the following.

- **Regulation II – Permits**: requires applicable operations and pollutant sources to obtain an Authority to Construct or a Permit to Operate.

- **Rule 2010 Permits Required**. The purpose of this rule is to require any person constructing, altering, replacing, or operating any source operation which emits, may emit, or may reduce emissions to obtain an Authority to Construct or a Permit to Operate. This rule also explains

the posting requirements for a Permit to Operate and the illegality of a person willfully altering, defacing, forging, counterfeiting, or falsifying any Permit to Operate.

- **Rule 2201 New and Modified Stationary Source Review**. This rule applies to all new stationary sources and all modifications to stationary sources which are subject to Air District Permit Requirements. Rule 2201 requires stationary source projects that exceed certain thresholds to install best available control technology (BACT) and to obtain emission offsets to ensure that growth in stationary sources on a cumulative basis will not result in an increase in emissions.

- **Rule 2280 Portable Equipment Registration**. This rule provides an administrative mechanism, and establish standards for registration of certain portable emissions units for operation at participating districts throughout the State of California. This rule applies to emissions units used in sand and gravel screening, rock crushing, and unheated pavement crushing and recycling operations that are not exempt from Air District permit requirements (Air District Rule 2020 – Permit Exemptions).

- **Rule 3135 Dust Control Plan Fee**. All Projects which include construction, demolition, excavation, extraction, and/or other earth moving activities as defined by Regulation VIII (Described below) are required to submit a Dust Control Plan and required fees to mitigate impacts related to dust.

- **Rule 4002 National Emission Standards for Hazardous Air Pollutants**. This rule incorporates the National Emission Standards for Hazardous Air Pollutants from Part 61, Chapter I, Subchapter C, Title 40, Code of Federal Regulations (CFR) and the National Emission Standards for Hazardous Air Pollutants for Source Categories from Part 63, Chapter I, Subchapter C, Title 40, Code of Federal Regulations (CFR).

- **Rule 4101 Visible Emissions. District Rule 4101**. Prohibits visible emissions of air contaminants that are dark in color and/or have the potential to obstruct visibility.

- **Rule 4102 Nuisance**. The purpose of this rule is to protect the health and safety of the public.
- **Rule 4601** Architectural Coatings. The purpose of this rule is to limit VOC emissions from architectural coatings. This rule specifies architectural coatings storage, cleanup, and labeling requirements

- **Rule 4622 – Gasoline Transfer into Motor Vehicle Fuel Tanks**: limits emissions of gasoline vapors from the transfer of gasoline into motor vehicle fuel tanks.

- **Rule 4623 – Storage of Organic Liquids.** Limits VOC emissions from the storage of organic liquids. (including gasoline and diesel)

- **Rule 4702 – Internal Combustion Engines.** Limits NOx, CO, VOC, and SOx from internal combustion engines.

- **Rule 4624 – Transfer of Organic Liquid.** Limits VOC emissions from the transfer of organic liquids. (including gasoline and diesel)

- **Regulation VIII Fugitive PM10 Prohibitions.** Regulation VIII is composed of eight rules to limit fugitive PM10 emissions from construction, demolition, excavation, extraction, other earthmoving activities, bulk materials, carryout and trackout, open areas, paved and unpaved roads, unpaved vehicle/equipment traffic areas, and agricultural sources. These rules contain required management practices to limit PM10 emissions during construction, demolition, excavation, extraction, and/or other earth moving activities.

- **Rule 9510 Indirect Source Review (ISR)**. Requires development projects with emissions over the mitigation threshold to incorporate on-site mitigation or pay mitigation fees.

As with the CARB regulations, most of the applicable SJVAPCD regulations are enforced outside of the CEQA process, with various existing regulatory programs, and are therefore assumed to be included as project design features. No new compliance steps are being added through this CEQA analysis. Many of the key regulations are already incorporated into the California Emissions Estimator Model (CalEEMod) and were generally not directly added as project design features or Mitigation Measures. Section 7 [of the AQ Technical Study]: Modeling and Calculation Methodologies lists specific non-default regulations, project design features, and/or mitigation measures that were included in the emissions modeling. Section 8: Potential Impacts discusses Mitigation Measures (MM) that are required to directly reduce potentially significant impacts (e.g., criteria pollutants, greenhouse gases, or health risks) to a less-than-significant level.

Major compliance steps that would be required for the Project, outside of the mitigation measures identified in this study, include:

Complete the ISR process with SJVAPCD, including submittal of Air Impact Assessment Application and payment of fees. NOT APPLICABLE – Specifically exempted in Rule 9510.

Prepare and submit a Dust Control Plan (DCP) detailing applicable measures from Regulation VIII to be used during construction and operation. APPLICABLE – Contractor submit to SJVAPCD prior to start of construction; includes operational measures.

Complete the Permitting process with SJVAPCD, to obtain an Authority to Construct and Permit to Operate, prior to building and operating.

The SJVAPCD permitting process is rigorous and will ensure that all directly applicable air pollution control requirements are specifically encoded as permit conditions." (Appendix A, AQ Technical Study, page)

It is further noted that the final determination of applicable rules/regulations rests upon the Air District.

Local

Tulare County General Plan

"The County of Tulare (County) last updated its General Plan in 2012 and continues to update it as plans are revised and approved. The General Plan is a comprehensive, long-term plan for land use and physical development of the County through the year 2030.

As required by the California Environmental Quality Act (CEQA), Public Resources Code § 21000, et seq, the Planning Commission and Board of Supervisors considered the findings of an environmental impact report (EIR) prior to recommending/adopting the General Plan, respectively. The General Plan and related documents, taken together, meet the State CEQA requirements.

As prepared, the EIR provides the environmental setting, the Goals and Policies Report and Area Plans embody the project description and environmental mitigation, and the EIR contains an executive summary of the EIR. The EIR document itself contains the analysis of significant effects and other remaining components required by CEQA. Feasible mitigation measures recommended to reduce the potential environmental impacts of the General Plan were incorporated as policies in the General Plan. Mitigation monitoring, as required under CEQA, is satisfied by implementation of the General Plan and through annual reports to the Planning Commission and Board of Supervisors on the status of General Plan implementation." (Appendix A, AQ Technical Study, page 17).

The Tulare County General Plan has a number of policies that apply to projects within County of Tulare. (see Tulare County General Plan Update. Goals and Policies Report. Air Quality and Greenhouse Gases at: Tulare County General Plan Update). General Plan policies that could apply to the proposed Project are listed as follows.

AQ-1.1 Cooperation with Other Agencies - The County shall cooperate with other local, regional, Federal, and State agencies in developing and implementing air quality plans to achieve State and federal Ambient Air Quality Standards. The County shall partner with the SJVAPCD, Tulare County Association of Governments (TCAG), and the California Air Resource Board to achieve better air quality conditions locally and regionally.

AQ-1.2 Cooperation with Local Jurisdictions - The County shall participate with cities, surrounding counties, and regional agencies to address cross-jurisdictional transportation and air quality issues.

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

AQ-1.4 Air Quality Land Use Compatibility - The County shall evaluate the compatibility of industrial or other developments which are likely to cause undesirable air pollution with regard to proximity to sensitive land uses, and wind direction and circulation in an effort to alleviate effects upon sensitive receptors.

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

AQ-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-3.4 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. However, it is unlikely that this policy would apply until reclamation of the quarry.

AQ-4.1 Air Pollution Control Technology - The County shall utilize the BACM and RACM as adopted by the County to support SJVAPCD air quality attainment plans to achieve and maintain healthful air quality and high visibility standards. These measures shall be applied to new development approvals and permit modifications as appropriate.

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. Re-vegetation of graded areas.

AQ-4.3 Paving or Treatment of Roadways for Reduced Air Emissions - The County shall require that all new roads be paved or treated to reduce dust generation where feasible as required by SJVAPCD Regulation VIII, Rule 8061- Paved and Unpaved Roads. For new projects with unpaved roads, funding for roadway maintenance shall be adequately addressed and secured.

AQ-4.6 Asbestos Airborne Toxic Control and Dust Protection - Asbestos is of concern to Tulare County because it occurs naturally in surface deposits of several types of ultramafic materials (materials that contain magnesium and iron and a very small amount of silica). Asbestos emissions can result from the sale or use of asbestos-containing materials, road surfacing with such materials, grading activities, and surface mining.

Discussion

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

Table 3-4. Regional Thresholds for Construction and Operational Emissions

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

Source: SJVAPCD 2015. Guidance for Assessing and Mitigating Air Quality Impacts.

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

Table 3-5. Thresholds of Significance for Toxic Air Contaminants (TAC's)	
Carcinogens	Maximally Exposed Individual risk equals or exceeds 20 in one million
Non-Carcinogens	Acute: Hazard Index equals or exceeds 1 for the Maximally Exposed Individual
	Chronic: Hazard Index equals or exceeds 1 for the Maximally Exposed Individual
Source: SJVAPCD	

CO Hotspot Analysis

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

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

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

Methodology

Qualified consultant Core Environmental Consulting included a "*Criteria Pollutant Methodology"* and a "*Health Risk Assessment Methodology"* components in the AQ Technical Study regarding criteria pollutants and toxic air contaminants which are included herein as applicable.

"*Criteria Pollutant Methodology*

The Air Quality section of this report focuses on criteria pollutants, specifically the following:

- Reactive organic gases (ROG)
- Oxides of Nitrogen (NOx)
- Carbon Monoxide (CO)
- Sulfur dioxide (SO2)
- Particulate matter less than 10 microns in diameter (PM10)
- Particulate matter less than 2.5 microns in diameter (PM2.5)

The Project would not directly emit ozone; however, emitted ozone precursors (ROG and NOx) would contribute to atmospheric ozone formation. The Project would not result in substantial emissions of other criteria pollutants such as vinyl chloride, hydrogen sulfide, lead, or sulfates.

Emissions of criteria pollutants from construction, building operation, and vehicle trips (employee and hauling) were estimated using [California Emissions Estimator Model] CalEEMod (version 2022.1.1.29). Office buildings were modeled as "General Office" and the maintenance shop was modeled as an "Automobile Care Center" because the general usage mostly closely matches that land use subtype.

CalEEMod defaults were used for construction schedule, equipment, and activities. Defaults were also used for mobile source emissions from operation of the General Office, but the trip rate was adjusted to match planned operations. The Project will employ up to 15 people for a maximum of 30 one-way trips per weekday. Saturday and Sunday trips were adjusted based on the default proportion. Defaults were used for the trip lengths and types, along with the fleet mix and emission factors.

The Auto Care Center (Maintenance Shop) would not have any trips directly associated with its operation; rather vehicles would park there upon return and other equipment would visit as needed. The default trip rates were replaced with the average of 37.5 delivery trips, for a total of 75 one-way weekday trips. The site is planned to operate 5 days per week and weekend delivery trips were set to 0.

The final destinations of product deliveries will depend on demand and are not known at this time. The accompanying report to the California Geological Survey *Map Sheet 52 Aggregate Sustainability in California* states that, because aggregate is a low unit-value, high-bulk-weight commodity, it must be obtained from nearby sources to minimize economic and environmental costs associated with transportation. If nearby sources do not exist, then transportation costs quickly exceed the value of the aggregate. Hauling distance is therefore the most important factor in the feasibility of operating an aggregate quarry. Other quarries exist throughout Tulare County and neighboring counties. The neighboring regions with the highest populations, the Fresno and Bakersfield P-C regions, are also some of the only regions in California with a full 50-year supply. In contrast, Tulare County has only 41 percent (%) of the permitted aggregate reserves compared to 50-year demand. Therefore, it is reasonable to conclude that hauling distances are unlikely to exceed the 25-mile average distance (50-mile round trip) presented in the report.

Delivery trip types were set to 100% Non Res W-O and 100% Weekday Primary Trips. All of the delivery fleet mixes were set to 100% Heavy Heavy Duty (HHD), based on the expected payload of 25 to 27 tons.

The entrance/exit access route includes approximately 0.4 miles of unpaved area, to be surfaced with gravel. This distance represents approximately 2% of the average total trip distance (for employee and hauling trips); thus, the paved area was set to 98%.

On-site, off-road, non-electric equipment were added manually, based on an equipment list provided by the Applicant, including horsepower (hp) for each piece of equipment. Additional onsite electrical equipment (other than those included by default in the operation of the General Office and Auto Care Center land use subtypes) were not included in the criteria pollutant emissions calculations because the electrical equipment would not emit any substantial amounts of criteria pollutants and GHG impacts were assessed in relation to compliance with the County CAP.

The CalEEMod detailed report is attached as Appendix A CalEEMOD results." (Appendix A, AQ Technical Study, pages 40-41). (see Appendix A of this MND).

"Manual calculations were performed for emissions from aggregate processing, blasting, and storage piles. The calculations are attached as Appendix B Calculations for Processing, Blasting, and Storage Piles.

Aggregate processing emissions were calculated by multiplying the emission factors (lb/ton) by the process rate for primary crushing, secondary crushing, tertiary crushing, screening, fines screening, conveyor transfer point, truck unloading – fragmented stone, and truck loading – conveyor crushed stone. Emission factors were obtained from AP-42 Section 11.19.2 Crushed Stone Processing and Pulverized Mineral Processing.22 The controlled emission factors were used because the Project will require an Authority to Construct (ATC) and Permit to Operate (PTO) from SJVAPCD, pursuant to Regulation II, and the latest requirements and technologies will be applied to Project operations.

Blasting emissions were calculated by multiplying the emission rates (lbs./ton) by tons of explosive (ammonium nitrate with fuel oil) per blast and the expected number of blasts per year. Emission factors were obtained from AP-42 Section 13.3 Explosive Detonation.

Fugitive dust (PM10) emissions from storage piles were calculated by multiplying the emission factor (lb/1,000 sqft/day) by the expected total area of storage piles and the number of operating days. The storage piles are illustrated on Figure 2 Conceptual Site Plan. Emission factors were obtained from SJVAPCD SSP-160 Aggregate Permit Processing. Wet suppression controls can reduce emissions by an average of 80%; however, the uncontrolled emission factors were used to remain health conservative in the emissions estimates.

Unpaved road dust was included in the CalEEMod calculations described above [in Appendix A, AQ Technical Study]." (Appendix A, AQ Technical Study, page 40).

Ambient Air Quality Analysis

As noted in the AQ Technical Study, "Following the SJVAPCD methodology presented in Application Review Policies (APR) 2030 (Project Ambient Air Quality Analysis Applicability Determination under CEQA25, the Project was first assessed to determine whether it would be subject to Indirect Source Review (ISR). Section 4.4.3.1 of Rule 9510 exempts development projects on a facility whose primary functions are subject to Rule 2201 (New and Modified Stationary Source Review Rule) or Rule 2010 (Permits Required), including but not limited to Aggregate Mining or Processing. The Project is exempt from ISR; however, the ISR applicability screening for AAQA is related to the project size and whether it would be over or under applicability thresholds, which were specifically established based on potential emissions for each category. Therefore, because of the direct exemption, this screening method is not applicable and the next step of AAQA applicability determination was followed.

Maximum daily criteria pollutants resulting from construction, operational permitted sources, and operational non-permitted sources were calculated as described in Section 7.1 above [in the AQ Technical Study]. None of the criteria pollutants would exceed 100 pounds per day. Therefore, further AAQA is not required." (AQ Technical Study, page 41).

Health Risk Assessment Methodology

"The HRA was prepared in accordance with the guidance outlined in the Office of Environmental Health Hazard Assessment (OEHHA) *Guidance Manual for Preparation of Health Risk Assessments*, SJVAPCD *Policy APR 1906 Framework for Performing Health Risk Assessments*, and SJVAPCD *Guidance for Air Dispersion Modeling*.

The Project could result in toxic air contaminant (TAC) emissions during construction and operation. As explained in the Health Risk Assessment Setting, the primary TAC emissions of concern resulting from both phases would include diesel particulate matter (DPM), exhausted during the operation of on- and off road diesel-fueled vehicles and equipment.

According to the OEHHA *Guidance Manual for Preparation of Health Risk Assessments*, Projects with construction phases that typically include the primary sources of DPM (site preparation, earthmoving) lasting two months or less are not required to calculate construction-related health risk from TAC. Therefore, based on the short construction schedule, the associated short exposure period, and the insubstantial emissions compared to operations, the HRA did not include construction sources. Operational health risk impacts were evaluated as follows.

DPM emissions were estimated using CalEEMod. SJVAPCD considers PM10 exhaust to be a reasonable surrogate for DPM, and the annual emissions for operation were used for subsequent modeling and calculation. The exact positioning, movement routes, idle times, and other activity characteristics of onsite, off-road diesel equipment are not known in sufficient detail to

separately model those emissions as line-volume sources. The equipment were added to CalEEMod (see Criteria Pollutant Methodology above), which provides a reasonable estimate of total PM10 exhaust emissions based on daily operation of all the equipment combined. The CalEEMod calculations for on-road haul trips incorporate EMFAC, which is the model typically recommended by SJVAPCD for mobile emissions. The total annual PM10 exhaust emissions from haul trips were multiplied by the fraction of travel distance that would occur onsite (0.43 mile loop) plus the SJVAPCD recommended ¼ mile off-site distance times two (total ½ mile), to represent departure and return, a total distance of 0.93 miles out of the 25 mile haul trip distance. Emissions were converted from tons per year (tpy) to pounds per year (lb/yr).

The United States Environmental Protection Agency's (U.S. EPA) *American Meteorological Society/EPA Regulatory Model* (AERMOD) air dispersion model was used to model the annual downwind air concentration at nearby receptors, based on a normalized emission rate of one gram per second. Meteorological data was obtained from SJVAPCD (Porterville met site), along with SJVAPCD recommended modeling parameters throughout.

As explained above, emissions from on-site, off-road equipment were aggregated and modeled as an area source in the locations of primary activities, instead of modeling separate line-volume sources which would be unnecessarily complex and inaccurate based on the liberal assumptions that would be required. Haul trips were modeled as a line-volume source following the onsite haul loop plus ¼ miles offsite. The emissions estimate above accounted for the doubled ¼ mile distance (total ½ mile) representing departure and return while the line-volume source itself only includes the ¼ mile distance to prevent double-counting.

Terrain was incorporated using the built in WebGIS tool. A total of two (2) nearby receptors were selected, including the residences described in the Health Risk Assessment Setting (Sensitive Receptors section) and shown on the attached Receptor Map. No other receptors are located within the domain radius of 1 kilometer.

Normalized downwind air concentrations for each receptor (modeled in the step above) were imported into the CARB Hotspots Analysis and Reporting Program (HARP2) *Air Dispersion Modeling and Risk Tool* (ADMRT) and combined with the toxic emissions data (DPM emissions from the CalEEMod step described above) to estimate the ground level concentrations of DPM at each receptor. Cancer risk and the chronic hazard index (HI) were estimated in ADMRT using SJVAPCD-required exposure parameters and Project details. OEHHA has not established a Reference Exposure Level (REL) for 8-hour chronic, or acute health risk from DPM. Thus, the 8-hour chronic and acute HI are not calculated, except in unusual situations such as when a sensitive receptor is located directly above the emission release point (e.g., on a hillside or in a multistory *apartment* building). The exposure period was set to 50 years, based on the expected time the facility will operate according to the permit application, instead of the highly conservative 70 year exposure period normally recommended by SJVAPCD. Most of the risk occurs within the first few years of exposure anyways, so the difference is negligible. Results of

the AERMOD modeling and ADMRT calculations are attached in Appendix C Health Risk Assessment Results, along with a map of receptors. Modeling input and output files will be made available to reviewing agencies upon request. (Appendix A, AQ Technical Study, pages 42-43).

Greenhouse Gas Methodology

"As explained in the Greenhouse Gas Setting and the Thresholds of Significance (Greenhouse Gas Thresholds section), the County CAP Consistency Checklist was followed to assess GHG impacts. The Project is not considered a "Large Project" according to the definition in the County CAP. Therefore, compliance with the measures included in the checklist is sufficient to evaluate potential impacts and a quantitative analysis was not included. Refer to the aforementioned sections for in-depth discussions on the reasoning and justifications for using consistency with the CAP as a primary method for assessing GHG impacts from the Project.

No quantitative thresholds of significance have been established by SJVAPCD or the County. As explained in the Greenhouse Gas Setting section of this report, the County has adopted a Climate Action Plan (CAP). The CAP includes in-depth discussions and substantial evidence demonstrating that it will meet the State's GHG reduction goals in place at the time of adoption. Therefore, the threshold of significance for GHG impacts is consistency with the County CAP, specifically the consistency checklist incorporated into the analysis of potential impacts in this report. Consistency with other key plans and regulations is also assessed for a fully comprehensive analysis of potential impact significance, along with a qualitative assessment of the potential incremental contribution of the Project's emissions to climate change." (Appendix A, AQ Technical Study, page 44).

"Potential Impacts

There are many potential impacts related to air pollution including health, environmental, economic, and social. This technical study focuses on the checklist questions provided in Appendix G of the *CEQA Guidelines*. The CEQA Guidelines state that, 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 significance determinations.

The SJVAPCD has developed thresholds of significance that are described in-depth in the Significance Thresholds section of this report and included in the appropriate analyses below. Settings and methodologies for analyses are also discussed in preceding sections." (Appendix A, AQ Technical Study, page 45).

a. Conflict with or obstruct implementation of the applicable air quality plan?

No Impact: As noted earlier, the Couty is relying on the information/analyses/findings/etc., in the "AQ/GHG/HRA Technical Study (CEQA) Holliday Rock Terra Bella Quarry" (AQ Technical

Study) prepared by qualified consultant Core Environmental Consulting (Core Environmental). The AQ Technical Study is included in its entirety as Appendix A of this MND.

"As discussed in Section 6 [of the AQ Technical Study] Thresholds of Significance (Ambient Air Quality Thresholds), projects that comply with applicable regulations from SJVAPCD attainment plans, and result in emissions that are below the SJVAPCD thresholds of significance, would not conflict with or obstruct implementation of applicable air quality plans.

CARB regulations are generally enforced at the programmatic rather than project-specific level, with any project-specific requirements typically being delegated to regional or local agencies. Adherence to SJVAPCD regulations will be achieved via multiple compliance routes. Prior to initiating construction, the Project construction contractor will be required to complete a Dust Control Plan that includes specific measures to be implemented pursuant to SJVAPCD Regulation VIII. The Applicant will also be required to complete the Indirect Source Review process as detailed in SJVAPCD Rule 9510, which requires projects exceeding the mitigation threshold to substantially reduce NOx and PM10 emissions or pay off-site mitigation fees. The SJVAPCD permitting process, encoded in Regulation II, is extremely rigorous and will require the Applicant to obtain an Authority to Construct (ATC) permit and a Permit to Operate (PTO). The permitting process will require highly detailed facility information to be submitted so that permitting staff can recalculate accurate operational emissions, incorporate all SJVAPCD regulations related to Project operation into the permit conditions, and ensure impacts remain less than significant. SJVAPCD permits contain some of the most stringent requirements in the country (if not the world) and utilize the latest control technologies and operating parameters to protect the health of residents in the SJVAB.

In addition to meeting all SJVAPCD regulatory requirements, the County as Lead Agency will review Project plans and applications to ensure compliance with General Plan policies and include any project specific requirements as conditions of approval. Among others, the Project will be required to incorporate the California Green Building Standards Code (CALGreen), which features the latest mandatory requirements for energy efficiency, water efficiency and conservation, material conservation and resource efficiency, environmental quality, and more.

The Project would result in air pollutant emissions during construction and operation. Construction emissions consist mainly of exhaust emissions from construction equipment and vehicle trips, and fugitive dust emissions from earth moving activities. Operational emissions include mobile source, area source, and energy source emissions, with the majority of emissions coming from vehicle trips (employee and hauling trips) and on-site, off-road equipment.

Project construction and operational emissions were calculated as described in Section 7 Modeling and Calculation Methodologies [of the AQ Technical Study]. Detailed calculation reports are attached in the appendices.

Criteria pollutant emissions totals are summarized and compared to SJVAPCD thresholds of significance in the table below. Cumulative impacts are discussed in Question 2 below; ambient air quality and Toxic Air Contaminant (TAC) impacts are discussed in Question 3; and odors and asbestos are discussed in question 4." (Appendix A, AQ Technical Study, pages 45-46).

Table 3-6. Criteria Pollutant Emissions Compared to Thresholds of Significance (tons per year)

CONSTRUCTION	**CO**	**NOx**	**ROG**	**SOx[1]**	**PM_{10}**	**$PM_{2.5}$**
Construction Emissions[2]	0.39	0.29	<0.07	<0.005	0.02	0.01
SJVAPCD Threshold of Significance (TPY)	100	10	10	27	15	15
Exceeds Threshold?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**
OPERATION	**CO**	**NOx**	**ROG**	**SOx[1]**	**PM_{10}**	**$PM_{2.5}$**
Emissions from CalEEMod[3]	5.74	7.00	0.96	0.03	4.76	0.70
Aggregate Processing Emissions	---	---	---	---	0.59	0.054
Blasting Emissions	4.19	1.06	---	---	---	---
Storage Emissions	---	---	---	---	1.20	---
Total Emissions	9.93	8.06	0.96	0.03	6.55	0.75
SJVAPCD Threshold of Significance	100	10	10	27	15	15
Exceeds Threshold?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

CO = carbon monoxide
NOx = oxides of nitrogen
ROG = reactive organic gases
SOx = oxides of sulfur
PM10 = particulate matter with an aerodynamic diameter less than 10 microns
PM2.5 = particulate matter with an aerodynamic diameter less than 2.5 microns

[1]SO2 is essentially equivalent to SOx emissions.
[2]Construction annual emissions include maximum annual for either year, for each pollutant.
[3]Includes buildings operations, employee and hauling trips, and on-site off-road equipment

Sources: CalEEMod Outputs; SJVAPCD

"As demonstrated in the table above [Table 3-6 of the MND], the Project would not exceed the SJVPACD thresholds of significance for criteria air pollutants. Therefore, because the Project would comply with SJVAPCD regulations, and emissions would not exceed thresholds of significance, it would not conflict with or obstruct implementation of the applicable air

quality plan. Impacts would be less than significant and no mitigation is required outside of compliance with existing requirements." (AQ Technical Study, page 46).

Therefore, based on the information and analysis contained herein, and supported by the AQ Technical Study prepared by qualified consultants Core Environmental, the Project would result in *no impact.*

Mitigation Measures: None required.

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?

Less Than Significant Impact: The SJVAPCD is responsible for bringing air quality in Tulare County into compliance with federal and state air quality standards. The significance thresholds and rules developed by the SJVAPCD are designed to prevent Projects from violating air quality standards or significantly contributing to existing air quality violations. As noted earlier, the County is relying on the information/analyses/findings/etc., in the "AQ/GHG/HRA Technical Study (CEQA) Holliday Rock Terra Bella Quarry" (AQ Technical Study) prepared by qualified consultant Core Environmental. The AQ Technical Study is included in its entirety as Appendix A of this MND.

"The Project is not connected to any past or reasonably foreseeable projects that would combine to contribute to a cumulative increase in air pollution. While the Project will supply construction aggregate to various projects in the region, those projects will occur regardless of whether the Project is approved. As explained in the Criteria Pollutant Methodology section, Tulare County contains only 41% of the estimated 50-year demand for the region. If the Project is not approved, aggregate for projects in the area are likely to be obtained from sources that are further away, thus increasing emissions of criteria pollutants and GHG, increasing road wear and traffic impacts, and driving up construction costs including those for critical infrastructure and transportation projects.

Section 7 [of the AQ Technical Study] Thresholds of Significance (Cumulative Impact Thresholds [of the AQ Technical Study]) contains a full discussion on the cumulative nature of air quality impacts and SJVAPCD guidance regarding the assessment of potential significance. In summary, the incremental contribution to a cumulative effect from projects that produce emissions below the established thresholds of significance for individual projects, and that comply with the attainment plans by implementing all applicable regulations, would not be cumulatively considerable.

As discussed in Question 1 [Item III.a.) in the MND] above, the Project would comply with SJVAPCD regulations, and emissions would not exceed SJVAPCD thresholds of significance.

Therefore, the Project would not 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. Impacts would be less than significant and no mitigation is required outside of compliance with existing requirements." (Appendix A, AQ Technical Study, page 47).

Therefore, based on the information and analysis contained herein, and supported by the AQ Technical Study prepared by qualified consultants Core Environmental, the Project would result in a *less than significant impact.*

Mitigation Measures: None required.

c. Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact: As noted earlier, the Couty is relying on the information/analyses/findings/etc., in the "AQ/GHG/HRA Technical Study (CEQA) Holliday Rock Terra Bella Quarry" (AQ Technical Study) prepared by qualified consultant Core Environmental. The AQ Technical Study is included in its entirety as Appendix A of this MND.

"The exposure of sensitive receptors to substantial pollutant concentrations can occur if the Project would result in localized exceedances of National or California Ambient Air Quality Standards (NAAQS/CAAQS), or if Project emissions of Toxic Air Contaminants (TAC) would exceed SJVAPCD thresholds of significance.

As discussed in Section 6 [of the AQ Technical Study] Thresholds of Significance (Ambient Air Quality Thresholds), if maximum Project criteria pollutant emissions are below 100 pounds per day for each pollutant, it can be concluded that the Project would not result in a localized exceedance of NAAQS or CAAQS and no further Ambient Air Quality Analysis (AAQA) is required. The table below displays the maximum daily emissions of criteria pollutants during construction and operation compared to the 100 pound-per-day screening threshold for AAQA. As shown in the Table, none of the maximum daily criteria pollutant emissions from the Project would exceed 100 pounds per day for operation or construction. Therefore, the Project would not expose sensitive receptors to substantial pollutant concentrations by resulting in a localized exceedance of NAAQS or CAAQS." (Appendix A, AQ Technical Study, pages 47).

Table 3-7 Maximum Daily Criteria Pollutant Emissions Compared to AAQA Screening Threshold (lbs./day)

Construction[1]	**CO**	**NOx**	**ROG**	**SOx[2]**	**PM_{10}**	**$PM_{2.5}$**
Construction Emissions	10.4	10.1	27.9	0.02	5.82	3.00
Exceeds 100 lbs./day?	NO	NO	NO	NO	NO	NO
Operation[1]	**CO**	**NOx**	**ROG**	**SOx[2]**	**PM_{10}**	**$PM_{2.5}$**

Table 3-7 Maximum Daily Criteria Pollutant Emissions Compared to AAQA Screening Threshold (lbs./day)						
Emissions from CalEEMOD[3]	44.6	53.9	7.17	0.21	38.4	5.57
Aggregate Processing Emissions[4]	---	---	---	---	4.5	4.11
Blasting Emissions[4]	32.2	8.1	---	---	---	---
Storage Piles[4]	---	---	---	---	9.1	---
Total Emissions	**76.8**	**62**	**7.17**	**0.21**	**52**	**10.43**
Exceeds 100 lbs./day?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

CO = carbon monoxide
NOx = oxides of nitrogen
ROG = reactive organic gases
SOx = oxides of sulfur
PM10 = particulate matter with an aerodynamic diameter less than 10 microns
PM2.5 = particulate matter with an aerodynamic diameter less than 2.5 microns

[1]Highest daily maximum value from summer or winter used for each pollutant.
[2]SO2 is essentially equivalent to SO^x emissions.
[3]Includes buildings operations, employee and hauling trips, and on-site off-road equipment.
[4]Daily emissions estimated by dividing annual emissions by 260 operating days.

"A Health Risk Assessment (HRA) was performed to evaluate the potential impacts from Project TAC emissions to sensitive receptors. Section 7 Modeling and Calculation Methodologies (Health Risk Assessment Methodology [of the AQ Technical Study]) describes the reasoning, inputs, modeling, and calculations for the HRA.

The CalEEMod results (Appendix A [Appendix A of this MND]) show that maximum annual emissions of DPM (PM10 exhaust) would be 0.20 tons per year (tpy) and 0.04 tpy for on-site off-road equipment emissions and haul trip emissions, respectively.

The Project site is located in a rural area of Tulare County, several miles from any communities. The site is surrounded by open space to the northeast, east, south, and southwest, and farmland to the west, northwest, and north. The nearest sensitive receptors include a residence located approximately 230 meters [approximately 750 feet] west of the site boundary (Receptor 1), and another building that could be a residence approximately 525 meters [approximately 1,7,00 feet] northeast (Receptor 2). There are no other potentially sensitive receptors located within 1 kilometer [0.62 of a mile] of the Project site boundary.

Results of the HRA are attached as Appendix C [of the AQ Technical Study] and summarized in the table below in comparison to the SJVAPCD thresholds of significance.

Table 3-8 HRA Results Compared to SJVAPCD Thresholds of Significance		
Risk	**Carcinogen (risk in one million)**	**Chronic Hazard Index**
Risk from Project	3.16	0.000657
Thresholds of Significance	20	1
Exceeds Threshold	**NO**	**NO**
No HI calculated for 9-hour Chronic or Acute risk because OEHHA has not established REL.		

As shown in the table [Table 3-8] above, the risk to sensitive receptors resulting from Project TAC emissions would be below SJVAPCD thresholds of significance. Compliance with SJVAPCD regulations including Rule 9510 ISR, Regulation II Permits, and Regulation VIII Fugitive PM10 Prohibitions will further reduce emissions and minimize risks to sensitive receptors.

Because the Project would not result in localized exceedances of NAAQS or CAAQS, and risks to sensitive receptors from TAC emissions would be below thresholds of significance, the Project would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant and no mitigation is required outside of compliance with existing requirements." (AQ Technical Study, pages 48-49).

Also, the Project would be required to comply with other regulatory requirements to reduce construction emissions, such as the use of Tier 4 Engine Controls consistent with U.S. EPA, CARB, and SJVAPCD goals to directly reduce DPM emissions, compliance with SJVAPCD regulations including Rule 9510 (ISR), Regulation II Permits, and Regulation VIII Fugitive PM10 Prohibitions would further reduce emissions and minimize risks to sensitive receptors. As such, no additional mitigation would be required. Therefore, based on the information and analysis contained herein, and supported by the AQ Technical Study prepared by qualified consultants Core Consulting, the Project would result in a *less than significant impact*."

Mitigation Measures: None required.

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

Less Than Significant Impact: Some typical construction-related odors would be generated during Project construction. As noted earlier, the Project site is located in a rural area of Tulare County, several miles from any communities. The site is surrounded by open space to the northeast, east, south, and southwest, and farmland to the west, northwest, and north. The nearest sensitive receptors include a residence located approximately 230 [approximately 750 feet] meters west of the site boundary (Receptor 1), and another building that could be a residence approximately 525 meters [1,700 feet] northeast (Receptor 2).

There are no other potentially sensitive receptors located within 1 kilometer [approximately 0.62 of a mile] of the Project site boundary. The Project would not include any odor sources identified in Table 6 [of the AQ Technical Study] of the SJVAPCD's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI).

As noted in the AQ Technical Study, "The Project could result in odorous emissions during construction and operation, primarily from the use of diesel-fueled vehicles and equipment. With modern engine controls, construction vehicle emissions are not typically a source of nuisance odor complaints. These odors would disperse over the distances to receptors and are not likely to be detectable beyond the Project site boundaries. Odorous emissions would be further reduced with implementation of SJVAPCD Rule 9510 ISR, Regulation II Permits, Regulation VIII Fugitive PM10 Prohibitions, engine and equipment controls required by EPA and CARB regulations, current Title 24 requirements, and standards for architectural coatings and consumer products.

The Project is therefore not expected to be a substantial source of odors and would not result in odorous emissions adversely affecting a substantial number of people.

Naturally-occurring asbestos (NOA) can potentially be disturbed during excavation, drilling, blasting, and aggregate processing. Asbestos is a term used for a group of silicate minerals that occur as asbestiform fibers having high tensile strength, flexibility, and heat and chemical resistance. It is a known carcinogen and inhalation may result in the development of lung cancer or mesothelioma. The Project site is not located near any outcroppings or asbestos sites listed on the United States Geological Survey *Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California*. If the Applicant encounters any indications that NOA could be present on the Project site, work should be halted and they should follow the California Geological Survey *Guidelines for Geologic Investigations of Naturally Occurring Asbestos in California*. If any asbestos is encountered, the Applicant must comply with CARB Airborne Toxic Control Measure (ATCM) *Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations*.

The Project would not result in other emissions adversely affecting a substantial number of people. Impacts would be less than significant and no mitigation is required outside of compliance with existing regulations." (Appendix A, AQ Technical Study, page 49).

Therefore, based on the information and analysis provided herein, and supported by the AQ Technical Study prepared by qualified consultants Core Environmental, the Project would result in a *less than significant impact.*

Mitigation Measures: None required.

Mitigation Measures: None required.

Based on the information and analysis provided herein, *no mitigation would be required*.

Cumulative Impact: Less than Significant

This cumulative analysis is based on the information provided in this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Air Quality Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The geographic area of this cumulative analysis is San Joaquin Valley Air Basin, which include Tulare County. As noted in the AQ Technical Study, "The CEQA Guidelines define "cumulatively considerable" to mean that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including an air quality attainment or maintenance plan or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. The mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable.

The GAMAQI provides an in-depth discussion about the cumulative nature of air quality impacts and how to assess cumulative impacts. The reader is encouraged to refer to the entire text, which is summarized within this report. The SJVAPCD attainment plans (see Air Quality Setting section) include all feasible measures identified to reduce air pollution in the SJVAB. Some of the measures include regulations, permitting, incentives, and fee-based programs such as Indirect Source Review (ISR) and Voluntary Emissions Reduction Agreements (VERA). The incremental contribution to a cumulative effect from projects that produce emissions below the established thresholds of significance for individual projects, and that comply with the attainment plans by implementing all applicable regulations, would not be cumulatively considerable. Therefore, the threshold of significance for cumulative impacts is compliance with applicable regulations in the SJVAPCD attainment plans and maintaining Project emissions below the thresholds of

significance described above [in the AQ Technical Study]. (Appendix A, AQ Technical Study, pages 36-37).

As demonstrated earlier, Project would not result in localized exceedances of NAAQS or CAAQS, and risks to sensitive receptors from TAC emissions would be below thresholds of significance, the Project would not expose sensitive receptors to substantial pollutant concentrations. Therefore, the Project would not cumulatively impact PM10 or PM2.5 and there would be a less than significant cumulative impact.

Although the Project by itself would increase emissions in the basin, it will not result in an increase in health impacts. The cumulative impacts of existing sources of emissions, proposed projects and the project are accounted for in growth projections used in the District's Attainment Plans. Therefore, the Project would not hinder or delay progress toward attainment.

As such, based on the information and analysis contained herein, supported by the AQ Technical Study prepared by qualified consultants Core Environmental Consulting, the Project would result in a *less than significant cumulative impact*.

IV. BIOLOGICAL RESOURCES

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Biological Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety. Also, qualified consultant Live Oak Associates, Inc. (LOA) findings/determination are noted in the Executive Summary contained in the Biologic Evaluation (BE), it is included herein along with previously noted incorporations by reference (e.g., Tulare County General Plan 2030 Update Recirculated DEIR). The complete BE is included as Appendix B of this MND.

"Live Oak Associates, Inc. (LOA) investigated the biological resources of an approximately 318-"acre site proposed for quarry operations by Holliday Rock ("project") and evaluated potential project-related impacts to such resources pursuant to the California Environmental Quality Act (CEQA). The site is located east of State Route 65 between the communities of Ducor and Terra Bella in Tulare County, California. Areas of the site have experienced past quarrying and subsequent reclamation.

LOA's analysis was based on a reconnaissance-level field survey conducted on October 16, 2024. At that time, the site consisted of grazed rolling grassland with areas of rock outcrops in the north and ruderal areas associated with mining and agricultural operations.

The western spadefoot toad (*Spea hammondii*), a California Species of Special Concern that is also proposed for federal listing, was found in two seasonal ponds on the site, one of which is within the proposed development area. A combination of updated aquatic larval surveys to determine population status ahead of construction, avoidance (if feasible), establishment of alternative onsite habitat, and/or purchase of credits from a mitigation bank would reduce impacts to a less than significant level. The project site also has the potential to support nesting birds including the northern harrier (*Circus hudsonius*), a California Species of Special Concern, as well as other California Species of Special Concern that include the pallid bat (*Antrozous pallidus*), western mastiff bat (*Eumops perotis*), and American badger (*Taxidea taxus*). Construction-related mortality and disturbance of nesting birds, roosting bats, and American badger are considered potentially significant impacts of the project. By limiting new ground disturbance, tree removal, and rock outcrop disturbance to lower-risk times of year if feasible; conducting preconstruction surveys for nesting birds, roosting bats and badger; avoiding any active nests, roosts, or dens that are found; and humanely evicting non-maternity bat roosts, these impacts can be reduced to a less than significant level. The project site was found to be occupied by wintering burrowing owls during surveys of the site in 2025. Project development has the potential to significantly impact this

California Endangered Species Act candidate species. A number of mitigation measures are proposed to reduce impacts to this species to a less than significant level and include surveys, avoidance of active nest or roost sites, CDFW consultation if avoidance is not feasible, and compensatory mitigation for loss of habitat unless two consecutive protocol surveys find burrowing owl absent from the site. The project site also has the potential to significantly impact the Crotch's bumble bee (*Bombus crotchii*), a California Endangered Species Act candidate species. Preconstruction surveys, consultation with CDFW if found during surveys, and ITP compliance if CDFW warrants would reduce impacts to this species to a less than significant level.

No other biological resources would be significantly impacted by project implementation. Impacts are considered less than significant for 10 of the 14 regionally occurring special status plant species, 12 of the 19 regionally occurring special status animal species, wildlife movement corridors, sensitive natural communities, jurisdictional waters, and designated critical habitat. The project appears to be consistent with the Tulare County General Plan policies related to biological resources, and is currently not subject to any Habitat Conservation Plans or Natural Community Conservation Plans." (see Appendix B, BE, page ii)

Environmental Setting

The Environmental Setting and following discussions have been excerpted from the BE prepared by qualified consultant Live Oak Associates (LOA) based on their knowledge of the Project site, biological expertise, and to maintain consistency with terminology used in the following biological resources discussion.

"*REGIONAL SETTING*

The project site is located at the interface of the southern San Joaquin Valley and Sierra Nevada foothills. The San Joaquin Valley is bordered by the Sierra Nevada to the east, the Tehachapi Mountains to the south, the California coastal ranges to the west, and the Sacramento-San Joaquin Delta to the north.

Like most of California, the San Joaquin Valley experiences a Mediterranean climate. Warm, dry summers are followed by cool, moist winters. Summer temperatures commonly exceed 100 degrees Fahrenheit, and the relative humidity is generally very low. Winter temperatures rarely exceed 70 degrees Fahrenheit, with daytime highs often below 60 degrees Fahrenheit. Annual precipitation in the project vicinity varies considerably from year to year, but averages approximately 10 inches, almost all of which falls between the months of October and March. Nearly all precipitation falls in the form of rain. The primary drainages of the region are the Tule River to the north and White River to the south. Generally, lands to the northwest of the project site are used for agriculture and lands to the southeast are undeveloped foothill grassland." (see Appendix B, BE, page 8).

PROJECT SITE

As noted in the biologic evaluation (BE) conducted by qualified consultant Live Oak Associates, Inc. (LOA), The Terra Bella Quarry Project Site is situated on an area with elevations ranging from approximately 660 to 920 feet above sea level. "The site contains five soil mapping units: Friant-Rock outcrop complex, 15 to 75 percent slopes; Cibo clay, lithic bedrock, 15 to 30 percent slopes, MLRA 18; Porterville clay, 2 to 9 percent slopes; Vista-Rock outcrop complex, 9 to 50 percent slopes; and Vista coarse sandy loam, 15 to 30 percent slopes, moist, MLRA 18 (NRCS 2024). These soils are not classified as hydric, meaning they do not have the propensity to pond water and support the growth of wetland vegetation. Clay soils of the site have the potential to support certain rare or endangered plant species that have an affinity for such soils. The locations of these soil mapping units are presented in Figure 3 (of the BE)" (see Appendix B, BE, page 9).

Land Uses/Biotic Habitats

As summarized from the BE, land use at the site is primarily non-native grassland, accompanied by ruderal areas and a seasonal pond. It is noted that common names of species rather than scientific names have been used in the citations from the BE The non-native grasslands are populated by various grasses, including wild oats, ripgut brome, and red brome, alongside native forbs. Wildlife in this area includes various small mammals, reptiles, and birds typical of grassland habitats. Rock outcrops in this region offer potential roosting sites for bats, while rodent burrows provide shelter for other species.

Non-Native Grasslands

"Non-native grassland on the site consists of undeveloped rangeland. At the south end of the site grassland areas contained a number of large rock outcrops. Vegetation in these areas at the time of LOA's fall field survey consisted primarily of non-native grasses such as wild oats, ripgut brom, red brome, soft-chess brome, and rattail fescue, and native forbs such as desert milkwee, dove weed, and Heermann's tarweed. Two isolated red willow trees occurred in this habitat. Shrubs were absent.

A number of wildlife species would utilize the grassland areas of the site. Reptiles expected to occur in this habitat include the side-blotched lizard (observed), western fence lizard (observed), common kingsnake, Pacific gopher snake and northern Pacific rattlesnake. Amphibian species potentially utilizing grasslands of the site in proximity to the onsite ponds for foraging and cover could be the western toad, Sierran treefrog, and western spadefoot.

Avian species expected to occur in the grasslands include the western kingbird in the summer, the Say's phoebe, vesper sparrow, and savannah sparrow in the winter, and the western meadowlark, mourning dove, Brewer's blackbird, American kestrel, northern harrier, golden eagles, and red-tailed hawk year-round. All of these species, save the kingbird, were observed

during the fall survey.

Small mammal use of the grassland is expected to include the California ground squirrel, Botta's pocket gopher, California vole, deer mouse, and Heerman's kangaroo rat. Ground squirrels and/or their burrow complexes were observed throughout the grazed pasture at the time of the survey.

Mammalian predators expected to use the site's grassland include the coyote, raccoon, American badger, and striped skunk. A variety of bat species are expected to utilize grasslands of the site for foraging and some species potentially utilize the large rock outcrops for roosting." (see Appendix B, BE, pages 10-12).

Ruderal

As noted in the BE, "Ruderal areas of the site include areas disturbed by historic mining activity, reclamation of mined areas, road construction, and agricultural infrastructure for grazing and bee keeping. Generally, ruderal areas have experienced some level of excavation and/or grading activity. At the time of LOA's survey, the ruderal areas contained many of the same plant species found in the grassland areas of the site." Other species included red-stemmed filaree, common sowthistle, prickly lettuce, black mustard, yellow starthistle, vinegarweed, Russian thistle, and jimsonweed, among others. A few trees occurred in ruderal areas of the site, which included a large red gum, a small tamarisk, and a few pistachios. Ruderal areas of the site are not expected to support any rare plant species due to the historic or ongoing disturbance of these areas.

Many of the same wildlife species utilizing the grasslands of the site would be expected to occur, to a lesser extent, in ruderal areas of the site. Heermann's kangaroo rat burrow complexes were observed in the reclaimed mining area. Red-tailed hawks observed at the site could utilize a large stick nest that was observed in the red gum tree for nesting." (see Appendix B, BE, pages 12-13).

Seasonal Pond

"Seasonal ponds on the site, comprised of a stock pond and a depression made during historic mining operations, periodically fill with water. A small corner of the stock pond was inundated with shallow, poor-quality water at the time of LOA's fall field survey, the remainder of the stock pond and the depression were dry. Vegetation was mostly absent from these features. Vegetation associated with the stock pond included salt heliotrope (*Heliotropium curassavicum*) and western vervain (*Verbena lasiostachys*). Vegetation in the pond at the bottom the quarry pit included water pygmyweed (*Crassula aquatica*), Boccone's sand spurry (*Spergularia bocconi*), and adobe popcornflower (*Plagiobothrys acanthocarpus*). Surveys of these pools found the pool in the reclaimed mining pit to be utilized as breeding habitat for western spadefoot toads, and the stock pond to be utilized as breeding habitat for California toads and western spadefoot toads. A large American bullfrog (*Lithobates catesbeianus*) was observed in an inundated

concrete spring box at the head of the stock pond. This species is likely to utilize the stock pond during inundated periods and then retreat to the spring box during dry periods. The ponds are likely utilized as a water source for birds and larger mammals occurring on the project site." (see page 13 of the BE included as Appendix B of this MND).

Special Status Plant and Animals

"Many species of plants and animals within the state of California have low populations, limited distributions, or both. Such species may be considered "rare" and are vulnerable to extirpation as the state's human population grows and the habitats these species occupy are converted to agricultural and urban uses. As described more fully in Section 3.2 [of the BE], state and federal laws have provided CDFW and the U.S. Fish and Wildlife Service (USFWS) with a mechanism for conserving and protecting the diversity of plant and animal species native to the state. A sizable number of native plants and animals have been formally designated as threatened or endangered under state and federal endangered species legislation. Others have been designated as "candidates" for such listing. Still others have been designated as "species of special concern" by the CDFW.

The California Native Plant Society (CNPS) has developed its own ranking system, California Rare Plant Ranks (CRPR), for native plants considered rare, threatened, or endangered. Plants with a CRPR ranking of 1 or 2 meet the definitions of the California Endangered Species Act and are eligible for state listing. Collectively, all of the aforementioned plants and animals are referred to as "special status species."

The California Natural Diversity Data Base (CNDDB) (CDFW 2024) was queried for special status species occurrences in the nine USGS 7.5-minute quadrangles containing and immediately surrounding the project site (*Fountain Springs, Gibbon Peak, White River, Quincy School, Richgrove, Ducor, Porterville, Success Dam,* and *Globe*). These species, and their potential to occur on site, are listed in Table 1 on the following pages. Sources of information for Table 1 included *California's Wildlife, Volumes I, II, and III* (Zeiner et. al 1988), *The Jepson Manual: Vascular Plants of California, second edition* (Baldwin et al. 2012), CNPS's *Online Inventory of Rare and Endangered Vascular Plants of California* (CNPS 2024), iNaturalist.org, Calflora.org, and eBird.org." (see Appendix B, BE, pages 13-14).

A comprehensive list of special status species that could occur in the Project vicinity is included in Table 1 of the BE, pages 15-19.

Jurisdictional Waters

"Jurisdictional waters are those rivers, creeks, drainages, lakes, ponds, reservoirs, and wetlands that are subject to the authority of the USACE, CDFW, and/or the RWQCB. In general, the USACE regulates navigable waters, tributaries to navigable waters, and wetlands with a continuous

surface connection to these waters, where wetlands are defined by the presence of hydric soils, hydrophytic vegetation, and wetland hydrology. All waters under USACE jurisdiction are also regulated by the RWQCB as waters of the State. Additionally, the RWQCB asserts jurisdiction over certain isolated features disclaimed by the USACE. The CDFW has jurisdiction over waters that have a defined bed and bank. The regulation of jurisdictional waters is discussed in more detail in Section 3.2.7.

Although there are three blue-line drainages illustrated on the USGS quad map, onsite drainages exhibited no bed or bank, no ordinary high water marks, or wetland characteristics at the time of LOA's survey. Furthermore, established roads intersecting the drainages contained no culverts. The only areas of the site that exhibited an ordinary high water mark and can be seen to be inundated in aerial photography are the two aforementioned seasonal ponds. The site's drainages and the small seasonal pond within ruderal lands of the site would not be considered jurisdictional by the USACE, RWQCB, or CDFW. While not likely, the RWQCB may assert jurisdiction over the stock pond." (see Appendix B, BE, pages 19-20).

Sensitive Natural Communities

"California contains a wide range of natural communities, or unique assemblages of plants and animals. These communities have largely been classified and mapped by CDFW as part of their Vegetation Classification and Mapping Program (VegCAMP). Natural communities are assigned state and global ranks according to their rarity and the magnitude and trend of the threats they face. Any natural community with a state rank of 3 or lower (on a 1 to 5 scale) is considered "sensitive" and must be considered in CEQA review.

The project site does not contain or adjoin any sensitive natural communities." (see Appendix B, BE, page 20).

Wildlife Movement Corridors

"Wildlife movement corridors are routes that animals regularly and predictably follow during seasonal migration, dispersal from native ranges, daily travel within home ranges, and inter-population movements. Movement corridors in California are typically associated with valleys, ridgelines, and rivers and creeks supporting riparian vegetation.

While the project site would facilitate movements of local, common wildlife species, the project site does not contain any features likely to function as regional wildlife movement corridors." (see Appendix B, BE, page 20).

Designated Critical Habitat

"The 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 project site and immediate vicinity." (see Appendix B, BE, page 21).

Regulatory Setting

Applicable Federal, State, and local regulations specific to biological resources are described below. The following environmental regulatory settings is summarized from information contained in the Tulare County General Plan 2030 Update Recirculated Draft Environmental Impact Report (RDEIR).

Federal

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.

Golden Eagle Protection Act

The Golden Eagle Protection Act (16 USC Section 668) protects certain this species of birds from direct "take". 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.

Wetlands and Other Jurisdictional Waters

Section 404 of the federal Clean Water Act (CWA) regulates the discharge of dredged or fill material into "navigable waters" (33 U.S.C. §1344), defined in the CWA as "the waters of the United States, including the territorial seas" (33 U.S.C. §1362(7)). The CWA does not supply a definition for waters of the U.S., and that has been the subject of considerable debate since the CWA's passage in 1972. A variety of regulatory definitions have been promulgated by the two federal agencies responsible for implementing the CWA, the Environmental Protection Agency (EPA) and USACE. These definitions have been interpreted, and in some cases, invalidated, by federal courts. As noted in the BE (Appendix B, BE, page 38), there are no aquatic features that meet the current definition of Waters of the U.S.

State

California Environmental Quality Act (CEQA)

In California, any project carried out or approved by a public agency that will result in a direct or reasonably foreseeable indirect physical change in the environment must comply with CEQA. The purpose of CEQA is to ensure that a project's potential impacts on the environment are evaluated and methods for avoiding or reducing these impacts are considered before the project is allowed to move forward. A secondary aim of CEQA is to provide justification to the public for the approval of any projects involving significant impacts on the environment.

According to Section 15382 of the CEQA Guidelines, a significant effect on the environment means a "substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic interest." Although the lead agency may set its own CEQA significance thresholds, project impacts to biological resources are generally considered to be significant if they would meet any of the following criteria established in Appendix G of the CEQA Guidelines:

- 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 CDFW or USFWS.

- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by CDFW or USFWS.

- 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.

- 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.

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

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

Furthermore, CEQA Guidelines Section 15065(a) requires the lead agency to make "mandatory findings of significance" if there is substantial evidence that a project may:

- 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, or substantially reduce the number or restrict the range of an endangered, rare or threatened species.

- Achieve short-term environmental goals to the detriment of long-term environmental goals.

- Produce environmental effects that are individually limited but cumulatively considerable, meaning that the incremental effects of the project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects.

California Department of Fish and Wildlife (CDFW)

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 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.

Threatened and Endangered Species

In California, imperiled plants and animals may be afforded special legal protections under the California Endangered Species Act (CESA) and/or Federal Endangered Species Act (FESA). Species may be listed as "threatened" or "endangered" under one or both Acts, and/or as "rare" under CESA. Under both Acts, "endangered" means a species is in danger of extinction throughout all or a significant portion of its range, and "threatened" means a species is likely to become endangered within the foreseeable future. Under CESA, "rare" means a species may become endangered if their present environment worsens. Both Acts prohibit "take" of listed species, defined under CESA as "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill" (California Fish and Game Code, Section 86), and more broadly defined under FESA to include "harm" (16 USC, Section 1532(19), 50 CFR, Section 17.3). The USFWS commonly interprets "take" to include the loss of habitat utilized by a listed species.

When state and federally listed species have the potential to be impacted by a project, the USFWS and CDFW must be included in the CEQA process. These agencies review the environmental document to determine the adequacy of its treatment of endangered species issues and to make project-specific recommendations for the protection of listed species. Projects that may result in the "take" of listed species must generally enter into consultation with the USFWS and/or CDFW pursuant to FESA and CESA, respectively. In some cases, incidental take authorization(s) from these agencies may be required before the project can be implemented.

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. As noted in the BE (page 38), Project impacts to waters of the State would be considered a less than significant under CEQA.

California Native Plant Society

Originally formed in 1965 in the east bay region, 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."

Birds of Prey

Birds of Prey are protected under the California Fish and Wildlife 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 DFW.

Nesting Birds

In California, protection is afforded to the nests and eggs of all birds. California Fish and Game Code (Section 3503) states that it is "unlawful to take, possess, or needlessly destroy the nest or eggs of any bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Breeding-season disturbance that causes nest abandonment and/or loss of reproductive effort is considered a form of "take" by the CDFW.

Habitat Conservation Plans and Natural Community Conservation Plans

Section 10 of the federal Endangered Species Act establishes a process by which non-federal projects can obtain authorization to incidentally take listed species, provided take is minimized and thoroughly mitigated. A Habitat Conservation Plan (HCP), developed by the project applicant in collaboration with the USFWS and/or NMFS, ensures that such minimization and mitigation will occur, and is a prerequisite to the issuance of a federal incidental take permit. Similarly, a Natural Community Conservation Plan (NCCP), developed by the project applicant in collaboration with CDFW, provides for the conservation of biodiversity within a project area, and permits limited incidental take of state-listed species.

Local

Tulare County General Plan

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

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-1.5 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-1.7 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-1.16 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.

Discussion

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

Less Than Significant Impact with Mitigation: In summary, according to the Biological Evaluation (BE) prepared by qualified consultant Live Oak Associates (LOA), the Project Site supports habitats that may host special-status species. To avoid or minimize potential impacts on these species, mitigation measures recommended in the BE are included herein. It is noted that the mitigation measures contained in the BE have been renumerated to be consistent

with the numbering convention contained in this MND; as such, Mitigation Measures 4.1.1 through 4.1.6 (and their subsets) in the BE are numbered as BIO-1a through BIO-6b in this MND. Mitigation Measures BIO-1a through BIO-6b are summarized as follows:

Crotch's bumble bee

The Project Site contains potentially suitable habitat for Crotch's bumble bee, a candidate for state listing under CESA. To address potential impacts the BE provided the following Mitigation Measures:

Mitigation Measure BIO-1a requires biologists to perform systematic surveys during the bumble bee's active season, focusing on identifying individual bees and assessing the Site for nesting locations. If bumble bees are present; and

Mitigation Measure BIO-1b will involve consulting with CDFW to determine whether further measures are needed to avoid or minimize impacts, including securing an ITP if necessary.

Western spadefoot

Additionally, the western spadefoot, which may use on-site seasonal ponds for breeding, as such, the following Mitigation Measures would reduce impacts to western spadefoot:

Mitigation Measure BIO-2a which involves larval surveys in potential breeding areas prior to construction. If spadefoot is absent, no other action is required;

Mitigation Measure BIO-2b would create new breeding ponds elsewhere on the Site if avoidance isn't feasible; and

Mitigation Measure BIO-2c allows for purchasing credits from a mitigation bank to offset impacts if onsite breeding habitat creation and/or relocation is not feasible or the relocation effort fails.

Burrowing owl

Burrowing owls also have potential habitat on-site. To prevent impacts, the following Mitigation would be implemented:

Measure BIO-3a requires on-site surveys prior to project initiation;

Measure BIO-3b requires pre-construction take-avoidance surveys;

Measure BIO-3c specifies avoidance methods;

Mitigation Measure BIO-3d mandates consultation with CDFW to determine additional protections if owls are found, including an ITP if deemed necessary by the agency.

Measure BIO-3e specifies compensatory mitigation; and

Measure BIO-3f specifies if two consecutive years of burrowing owl absence, compensatory mitigation would not be required.

Nesting birds, including raptors, would be protected through the following Mitigation Measures:

Mitigation Measure BIO-4a which recommends scheduling construction outside the nesting season where possible. If this timing isn't feasible;

Mitigation Measure BIO-4b which requires that biologists conduct pre-construction surveys, and if active nests are found; and

Mitigation Measure BIO-4c which would establish protective buffers to ensure birds can nest undisturbed.

Bats

The Project Site also includes habitat features, such as rock outcrops, suitable for special-status bats; as such, the following Mitigation Measures would apply:

Mitigation Measure BIO-5a encourages removal of roosting sites outside the maternity season;

Mitigation Measure BIO-5b requires surveys of pre-removal of large outcrops where bats may roost;

Mitigation Measure BIO-5c allows for humane eviction; and

Mitigation Measure BIO-5d would protect maternity colonies by creating disturbance-free buffers.

American badger

The American badger, which may den on-site, would be protected through:

Mitigation Measure BIO-6a which requires pre-construction surveys to identify active dens; and
Mitigation Measure BIO-6b which requires marking and avoiding sleeping dens and maintaining buffers around natal dens until the cubs have dispersed or the den has been abandoned.

These mitigation measures are intended to ensure that impacts on special-status species are avoided or minimized to the extent practicable, thereby mitigating the Project's impact on biological resources. Therefore, based on the information and analysis provided herein, the Project would result in *a less than significant impact with mitigation.*

Mitigation Measures: See BIO-1 through BIO-6 (and their subsets).

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

No Impact: The Biological Evaluation prepared by qualified consultant Live Oak Associates found no evidence that the Project Site contains riparian habitat or other sensitive natural communities identified in local or regional plans or by CDFW or USFWS. The Site consists primarily of non-native grasslands, ruderal areas, and seasonal ponds, none of which meet the criteria for riparian or other sensitive natural communities. Since these specific habitat types are absent, the Project will not impact riparian or sensitive communities, and no further mitigation measures are necessary to protect such habitats. Therefore, based on the information and analysis provided herein, the Project would result in *no impact.*

Mitigation Measures: None required.

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

No Impact: As noted in the Biological Evaluation prepared by qualified consultant Live Oak Associates, no federally protected wetlands are present on the Project Site. While the Site does include seasonal ponds, these do not meet the criteria for protected wetlands under the Clean Water Act. The absence of wetland characteristics, such as vernal pool conditions or consistent hydrology, in the areas designated for development means that the Project will not impact federally protected wetlands through direct removal, filling, or hydrological interruption. As such, the Project's design avoids these resources, and no mitigation is required for this resource Item. Therefore, based on the information and analysis provided herein, the Project would result in *no impact.*

Mitigation Measures: None required.

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?

No Impact: As noted in the Biological Evaluation prepared by qualified consultant Live Oak Associates, "The project site does not contain or adjoin any geographic features that could function as a wildlife movement corridor. Project impacts to wildlife movement corridors are considered less than significant under CEQA."(Appendix B, BE, page 35). And, "No mitigation is required." (Appendix B, BE, page 35). Therefore, based on the information and analysis provided herein, the Project would result in *no impact.*

Mitigation Measures: None required.

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

No Impact: The Biological Evaluation prepared by qualified consultant Live Oak Associates indicates that the Project is consistent with Tulare County's biological resource policies. By avoiding sensitive habitats, protecting on-site biological resources, and implementing mitigations for species potentially affected by the Project, it aligns with the County's conservation goals. The Project includes provisions for habitat preservation and species protection, supporting the County's objectives for natural resource management and environmental protection. Consequently, no additional impacts are anticipated regarding conflicts with local biological resource policies or ordinances. Therefore, based on the information and analysis provided herein, the Project would result in *no impact.*

Mitigation Measures: None required.

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

No Impact: According to the Biological Evaluation prepared by qualified consultant Live Oak Associates, the Project Site is not within the scope of any existing Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP). As such, the Project will not conflict with any adopted conservation plans at the federal, state, or local level. This absence of overlap with HCPs or NCCPs eliminates the need for further mitigation in this category and confirms that the Project will not interfere with broader conservation efforts established in the region. Therefore, based on the information and analysis provided herein, the proposed Project will have *no impact*.

Mitigation Measures: None required.

Mitigation Measures: See Mitigation Measures BIO-1 through BIO 6 (and their subsets)

The following Mitigation Measures were recommended by qualified consultant Live Oak Associates as included in the BE (see Appendix B, BE, pages 26-34). As a recognized qualified consultants, the County of Tulare acknowledges Live Oak Associates expertise and finds it reasonable to also incorporate the recommended Mitigation Measures to ensure that biological resources are protected to their practical extent and as applicable.

Mitigation Measures specific to Crotch's bumble bee:

Mitigation Measure BIO-1a (Surveys). Prior to the start of initial ground disturbance and each subsequent extraction phase, a qualified biologist will conduct three complete surveys for the Crotch's bumble bee within grassland slated for impact. The surveys will take place during the March-September general flight season of this species. To maximize detection, the surveys will be conducted on warm, sunny days (65-90 degrees F) when there is low wind (less than 8 mph). The surveys will be conducted by walking meandering transects throughout the survey area, while visually searching for bumble bees and potential nest sites. Any areas of significant foraging resources will be surveyed at a rate of no more than one person-hour per 3 acres, while areas with few flowering plants (and no bumble bee activity) may be surveyed more quickly.

Any bumble bees that are observed will be followed and, if possible, photographed once they alight on a plant. Photographs should be taken from multiple angles and should highlight the following:

- Face, including cheek length
- Top of the head
- Banding on the abdomen
- Color pattern on the thorax

At any burrows or other underground features that exhibit concentrated bumble bee activity, the surveyor will determine nesting status by observing bumble bee activity at the feature.

If no Crotch's bumble bees are found no other action is required.

Mitigation Measure BIO-1b (CDFW Consultation). If Crotch's bumble bees are found on the project site, CDFW will be consulted to determine the need for take avoidance measures for this species and/or the need for ITP coverage. If CDFW determines an ITP is required, the project will adhere to all the provisions, minimization measures, and mitigation measures of the ITP.

Mitigation Measures specific to western spadefoot:

Mitigation Measure BIO-2a (Aquatic Larval Surveys of Ruderal Pool). Prior to project related activities within 860 feet of the onsite ruderal pool, a qualified and appropriately permitted biologist will conduct aquatic larval surveys for western spadefoot larvae. The surveys will follow aquatic larval survey protocols developed by the USFWS for the California tiger salamander. If surveys find western spadefoot absent from the onsite pond, no other action is required in or around the pond.

Mitigation Measure BIO-2b (Creation of Onsite Breeding Habitat). If avoidance of occupied habitat is not feasible, alternative breeding habitat will be created, in consultation with a qualified herpetologist, in an area of the site that can sustain a 860-foot buffer of grassland habitat with ample ground squirrel burrows for over-summering. Larvae from the occupied pool that would require impact will be relocated to the created breeding habitat and monitored on a weekly basis to determine relocation success. The created pond will be monitored yearly by a qualified biologist for successful larval development for the following three years.

Mitigation Measure BIO-2c (Purchase of Credits From a Mitigation Bank). If onsite breeding habitat creation and/or relocation is not feasible or the relocation effort fails, credits will be purchased from a mitigation bank for an equivalent area of impacted occupied western spadefoot breeding and aestivation habitat.

Mitigation Measures specific to the Burrowing Owl:

Mitigation Measure BIO-3a (Protocol Surveys). Prior to the start of project initiation, non-breeding and breeding surveys for burrowing owls will be conducted to determine the status of burrowing owls on the site immediately prior to project initiation. These surveys will be conducted according to methods described in the Staff Report on Burrowing Owl Mitigation (CDFG 2012). The survey area will include the entire 318-acre site.

Mitigation Measure BIO-3b (Take Avoidance Survey). Prior to the start of initial ground disturbance and each subsequent extraction phase, a take avoidance survey for burrowing owls will be conducted by a qualified biologist. This take avoidance survey will be conducted according to methods described in the Staff Report on Burrowing Owl Mitigation (CDFG 2012). The survey area will include all potential roosting and nesting habitat on and within 200 meters of project impact areas, where accessible.

Mitigation Measure BIO-3c (Avoidance). Burrowing owls can be avoided by the following methods depending on the results of the surveys described above: Creating no-disturbance buffers of 500 meters around nesting sites and 50 meters around active non-breeding roost sites, and performing ground disturbance across each extraction phase when all owls are determined absent from the site by a qualified biologist. If burrowing owls are found breeding on the project site, CDFW will be consulted to determine the need for take avoidance measures for this species

and/or the need for ITP coverage. If CDFW determines an ITP is required, the project will adhere to all the provisions, minimization measures, and mitigation measures of the ITP.

Mitigation Measure BIO-3d (CDFW Consultation). If burrowing owls can't be avoided employing the methods above, CDFW will be consulted to determine the need for take avoidance measures for this species and/or the need for ITP coverage. If CDFW determines an ITP is required, the project will adhere to all the provisions, minimization measures, and mitigation measures of the ITP.

Mitigation Measure BIO-3e (Compensatory Mitigation). To compensate for the loss of burrowing owl habitat one of the following mitigation options will be employed.

- Option 1: Prior to project initiation burrowing owl credits will be purchased from a mitigation bank with a service area that includes the project site. The number of credits will be equal to the number of acres that will be developed.
- Option 2: Prior to project initiation an area of similar lands equal to the number of development acres and supporting burrowing owls will be placed into a conservation easement in perpetuity.
- Option 3: Prior to project initiation some combination of Option 1 and Option 2 will be employed, with the mitigation credit / land preservation combination equaling the loss of the number of development acers.

Mitigation Measure BIO-3f (Repeated Protocol Surveys). If protocol surveys, as described in Mitigation Measure 4.1.3a, are conducted in two consecutive years prior to project initiation and find no burrowing owl use of the site, then compensatory mitigation would not be required, as this would demonstrate that burrowing owls do not have a strong affinity or need to winter or breed on the site and other regionally available habitat is being used and could be equally used in future years after project initiation.

Mitigation Measures specific to nesting birds:

Mitigation Measure BIO-4a (Construction Timing). If feasible, new ground disturbance or tree removal activities will take place entirely outside of the avian nesting season, typically defined as February 1 to August 31.

Mitigation Measure BIO-4b (Preconstruction Surveys). If new ground disturbance or tree removal in any extraction phase must occur between February 1 and August 31, a qualified biologist will conduct surveys for active bird nests within 7 days prior to the start of work during this period. The survey area will encompass disturbance areas and accessible surrounding lands within 250 feet for nesting birds and 500 feet for nesting raptors.

Mitigation Measure BIO-4c (Avoidance of Active Nests). Should any active nests be discovered in or near project impact areas, the biologist will identify a suitable disturbance-free buffer

around the nest. This buffer will be identified on the ground with flagging or fencing and will be maintained until the biologist has determined that the young have fledged and are capable of foraging independently.

Mitigation Measures specific to protection of special status bats:

Mitigation Measure BIO-5a (Temporal Avoidance). To avoid potential impacts to maternity bat roosts, removal of large outcrops should occur outside of the period between April 1 and September 30, the time frame within which colony-nesting bats generally assemble, give birth, nurse their young, and ultimately disperse.

Mitigation Measure BIO-5b (Preconstruction Surveys). If removal of large outcrops is to occur between April 1 and September 30 (general maternity bat roost season), then within 30 days prior to their removal, a qualified biologist will survey them for the presence of bats. The biologist will look for individuals, guano, and staining, and will listen for bat vocalizations. If necessary, the biologist will wait for nighttime emergence of bats from roost sites. If no bats are observed to be roosting or breeding, then no further action would be required, and outcrop removal could proceed.

Mitigation Measure BIO-5c (Minimization). If a non-breeding bat colony is detected during preconstruction surveys, the individuals will be humanely evicted under the direction of a qualified biologist to ensure that no harm or "take" of any bats occurs as a result of project activities.

Mitigation Measure BIO-5d (Avoidance of Maternity Roosts). If a maternity colony is detected during preconstruction surveys, the biologist will identify a suitable disturbance-free buffer around the colony. The buffer will remain in place until the biologist determines that the nursery is no longer active.

Mitigation Measures specific to American badger:

Mitigation Measure BIO-6a (Preconstruction Surveys). A pre-disturbance survey for American badgers will be conducted by a qualified biologist within 30 days prior to the start of initial ground disturbance and each subsequent extraction phase.

Mitigation Measure BIO-6b (Avoidance). Should an active sleeping den be identified during the preconstruction surveys, the den shall be identified in the field with brightly colored fencing or flagging, and avoided until a qualified biologist has determined that it has been abandoned. Should an active natal den be identified during the preconstruction surveys, a suitable disturbance-free buffer will be established around the den and maintained until a qualified biologist has determined that the cubs have dispersed or the den has been abandoned.

Cumulative Impact: Less than Significant with Mitigation

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Cultural resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The geographic area of this cumulative analysis is the San Joaquin Valley. While the study area is limited to Tulare County, sensitive species with similar habitat requirements may exist in other portions of the San Joaquin Valley; and therefore, cumulative impacts would extend beyond Tulare County political boundaries. The proposed Project would only contribute to cumulative impacts related to this Checklist item if Project-specific impacts were to occur. As the proposed Project does not result in significant loss of habitat or direct impact to these special status species, less than significant impacts with mitigation related to this Checklist Item will occur. As the proposed Project does not result in loss of riparian habitat or other sensitive natural communities; it would not impact federally protected wetlands; it would not impact federally protected wetlands; it would not impact wildlife corridors or wildlife nurseries; it would not impact policies or ordinances relating to biological resources; and it would not impact habitat conservation plans. Therefore, based on the information and analysis provided herein, supported by the BE prepared by qualified consultants Live Oak Associates (included as Appendix B), the Project would result in *less than significant cumulative impacts*.

V. CULTURAL RESOURCES

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Cultural resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

In addition to the previously noted sources incorporated herein by reference, a Project site specific cultural resources assessment was also conducted. A redacted version of "The Phase I Cultural Resources Assessment Terra Bella Aggregate Quarry Project" (CRA) prepared by qualified consultant Soar Environmental Consulting (Soar Environmental) is included as Appendix C of this MND. It is noted that the redacted version is used to maintain confidentiality of the location and type of cultural resources contained within the Project site. The unredacted version is available upon authorization as allowed by California law. Also, confidentiality is supported in Tulare County General Plan Policy ERM-6.9 Confidentiality of Archaeological Sites which states, "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." (see: Tulare County General Plan 8. Environmental Resources Management 8.6 Cultural Resources ERM 6.9 Confidentiality of Archaeological Sites, page 8-11 at: PowerPoint Presentation)

As noted in CRA's Executive Summary, "Soar Environmental Consulting, Inc. (Soar Environmental) has been retained by 4Creeks, Inc. (4Creeks) to prepare a Phase 1 Cultural Resources Assessment (Phase 1 CRA) for an Aggregate Quarry Project (Project) to the east of the Terra Bella community in accordance with the California Environmental Quality Act (CEQA) prior to implementation of the proposed Project. The proposed project is to operate an aggregate (sand and gravel) quarry on approximately 318-acres on Assessor Parcel Numbers (APNs) 323-010-008 & 323-010-009. The purpose of the CRA is to provide an inventory of the known and potentially significant cultural resources within the Project area through a California Historical Records Information search (CHRIS) using the Southern San Joaquin Valley Information Center (SSJVIC), a Sacred Lands File [SLF search] & Native American Contacts List Request through the Native American Heritage Commission (NAHC), and a Phase I pedestrian survey.

The results of the records search indicate three (3) formal and four (4) informal cultural resources recorded within 0.50-mile of the Project area. The records searches indicate three (3) recorded resources within the Project area. The pedestrian survey identified two (2) existing resources within the Project area. No site testing or mitigation measures are required, unless previously undiscovered cultural resources are detected during quarry operations." (Appendix C, CRA, page ii).

Environmental Setting

The Environmental Setting and following discussions have been excerpted from the CRA prepared by qualified consultant Soar Environmental based on their knowledge of the Project site, cultural/historical/tribal cultural expertise, and to maintain consistency with terminology used in the following cultural resources discussion.

As summarized from the CRA, "The Project area is located in southwest Tulare County, approximately 6.33-kilometers southeast of Terra Bella, California within the east side of the San Joaquin Valley and west edge of the Siera Nevada Mountains. The San Joaquin Valley is a long, narrow, northwest-trending, alluvial valley that lies between the Sierra Nevada Range to the east, and the Coast Ranges to the west (Wagner, 2002).

Surface soils consist of the Cibo soil series within the north and central, the Friant-Rock soil series within the east, the Porterville soil series within the northwest, and the Vista soil series within the southwest of the Project area (Figure 3). The Cibo soil series is typically moderately deep, well-drained, and formed in material weathered from basic igneous rocks. This soil is made up of dark brown cobbly clay at surface with dark brown clay below. The Friant-Rock soil series is typically shallow, well-drained, and formed material weathered from mica schist, quartz schist and gneiss. Friant soils are on mountainous uplands and have slopes of 9 to 75 percent. This soil is made up of brown fine sandy loam at surface with gray and yellowish brown slightly weathered quartz, mica, and schist below. The Porterville soil series is typically deep, well drained, and formed in fine textured alluvial material from basic and metabasic igneous rock. This soil is made

up of dark reddish brown clay at surface with dark reddish gray clay below. The Vista soil series is typically moderately deep, well-drained, and formed in material weathered from decomposed granitic rocks. This soil is made up of dark grayish brown coarse sandy loam at surface with brown coarse sandy loam below (United States Department of Agriculture, 1981).

The Project area is best characterized historically as a rural ranching and agricultural region with large populations of both large and small mammals. Prehistorically, the larger mammals inhabiting the Project area would have included mule deer (*Odocoileus hemionus californicus*), black-tailed deer (*O. hemionus columbianus*), tule elk (*Cervus elaphus nannoides*), pronghorn antelope (*Antilocarpa Americana*), mountain lion (*Felis concolor*), and black bear (*Ursus americanus*) (Jameson and Peeters 1988). The small mammals that historically inhabited the Project area included rabbit (*Sylvilagus sp*.), black-tailed jackrabbit (*Lepus californicus*), western gray squirrel (*Sciurus griseus*), coyote (*Canis latrans*), and gray fox (*Urocyon cinereoargenteus*).

At about 660-860 ft elevation, the Project is within the Lower Sonoran Life Zone of California (Schoenherr, 1992), which ranges from 100 feet to 4,000 feet. The Project area consists of a mix of native plants. The vegetation of this life zone corresponds with the hot deserts of the southwestern United States and northwest Mexico (the Mojave, Sonoran, and Chihuahuan deserts). Creosote bush (*Larrea tridentata*) and other desert shrubs and succulents occur from 100 ft to 3,500-4,000 ft above sea level. Total annual precipitation averages 10 inches or less.

The average annual precipitation in the Sonoran Life Zone is 0 to 10 inches. The climate is a dry desert climate. The mean annual temperature is 77.91to 80 degrees F with an average annual winter temperature of 66.16 degrees and an average summer temperature of 85 degrees. The frost-free season averages 260 to 300 days

The property is vacant with rolling terrain agricultural and grazing lands. A former quarry, often referenced as the Terra Bella Quarry, was located at the site in the 2000s. The former quarry was fully reclaimed and closed in 2015." (Appendix C, CRA, pages 10-11).

Cultural Setting

"Cultural resources include prehistoric-era archaeological sites, historic-era archaeological sites, Native American traditional cultural properties, sites of religious and cultural significance, and historical buildings, structures, objects, and sites. The importance of any single cultural resource is defined by the context in which it was first created, current public opinion and modern yet evolving analysis. From the analytical perspective, temporal and geographic considerations help to define the historical context of the Project area. The importance or significance of a cultural resource is in part described by the context in which it originated or developed. National Park Service Bulletin 16a (1997) describes a historic context as "information about historic trends and properties grouped by an important theme in prehistory or history of a community, state, or the nation during a particular period of time." A context links an existing property to important

historic trends, and this allows a framework for determining the significance of a property. Given this, a major goal of the historian is to determine accurate themes of analysis, a task that can only be undertaken by a thorough review of previous researchers' thoughts and ideas, as well as reviewing the literature of the resources.

In California, historians have divided the past into broad categories based on climate models, archaeological dating and written histories. Paleontologists divide time into much larger segments, with defined and named periods of time shortening in timespan as the modern era is reached. For the purposes of this analysis, these periods in history have been summarized below." (Appendix C, CRA, page 11)

Prehistoric Setting

"During the Early Holocene epoch (9700 to 4000 B.C.), large game hunting societies populated the area. Culturally significant surface finds in the Tulare Basin have yielded some projectile points similar to particular Paleoindian varieties (i.e., Western Clovis), suggesting an initial occupation pre-dating approximately 11,300 years before present (B.P.). The Middle Holocene epoch (4000 to 1000 B.C.) is characterized by Pinto-like points and groundstone tools, although the association between the epoch and specific societies is not certain.

Olsen and Payen (1968) developed a chronology of four temporally distinct complexes for sites found within the southern San Joaquin Valley. The first complex, the Positas Complex, ranges from 3300 to 2600 B.C. and is characterized by small, shaped mortars, short cylindrical pestles, milling stones, perforated flat cobbles, and sea snail shell beads. The second complex is the Pacheco Complex which ranges from approximately 2600 B.C. to 300 A.D. This complex is divided into Phase B and Phase A. Phase B ranges from 2600 B.C. to 1600 B.C. and is characterized by biface arrow points, abalone shell ornaments, and sea snail shell beads. Phase A ranges from 1600 B.C. to 300 A.D. and is represented by more variation in shell bead types, perforated canine teeth, bone awl, whistles, grass saws, large stemmed and side-notched points, and an abundance of milling stones, mortars, and pestles. The third complex, the Gonzaga Complex, ranges from 300 to 1000 A.D. and is characterized by extended burials, bowl mortars, shaped pestles, squared and tapered stem projectile points, bone awls, grass saws, and a shell industry composed of distinctive shell ornaments and beads. Lastly, the Panoche Complex ranges from 1500 A.D. to European contact (mid to late 1700 A.D.) and is characterized by the presence of fewer milling stones, varied mortars and pestles, small side-notched arrow points, clamshell disc beads, bone awls, whistles, saws, and tubes." (Appendix C, CRA, page 12).

Ethnographic Setting

"Penutian-speaking Yokuts tribal groups occupied the southern San Joaquin Valley region and much of the nearby Sierra Nevada. Ethnographic information about the Yokuts was collected primarily by Powers (1971, 1976 [originally 1877]), Kroeber (1925), Gayton (1930, 1948), Driver

(1937), Latta (1977) and Harrington (n.d.). For a variety of historical reasons, existing research information emphasizes the central Yokuts tribes who occupied both the valley and particularly the foothills of the Sierra. The northernmost tribes suffered from the influx of Euro-Americans during the Gold Rush and their populations were in substantial decline by the time ethnographic studies began in the early twentieth century. In contrast, the southernmost tribes were partially removed by the Spanish to missions and eventually absorbed into multi-tribal communities on the Sebastian Indian Reservation (on Tejon Ranch), and later the Tule River Reservation and Santa Rosa Rancheria to the north. The result is an unfortunate scarcity of ethnographic detail on southern Valley tribes, especially in relation to the rich information collected from the central foothills tribes where native speakers of the Yokuts dialects are still found. Regardless, the general details of indigenous lifeways were similar across the broad expanse of Yokuts territory, particularly in terms of environmentally influenced subsistence and adaptation and with regard to religion and belief, which were similar everywhere.

This scarcity of specific detail is particularly apparent in terms of southern valley tribal group distribution. The San Joaquin Valley floor, and thus the study area, was occupied by these southern Valley Yokuts speakers, themselves divided into a series of autonomous “tribelets,” the boundaries of which are not well defined. The Yauelmani Yokuts lived from the Kern River area, in modern Bakersfield, to the southeast corner of the valley, on the Tejon Ranch, thus likely including the study area. The Hometwali were centered around Kern Lake, while the Tulamni occupied the west side of Buena Vista Lake and the foothills of the Temblors, at least to McKittrick. The Tuhohi resided from the Kern River delta north to the Goose Lake area and west to the sloughs near Buttonwillow. Yokuts villages apparently extended up to, but not into, the mouths of the canyons on the northern and western fronts of the Tehachapi Mountains, well into the foothills and lower elevations of the Sierra Nevada on the east, and to the crest of the Temblor Range on the west. The Yokuts are Penutian speakers and are linguistically related to northern occupants of the San Joaquin Valley.

The Yokuts settlement pattern was largely consistent, regardless of specific tribe involved. Winter villages were typically located along lakeshores and major stream courses (as these existed circa AD 1800), with dispersal phase family camps located at elevated spots on the valley floor and near gathering areas in the foothills.

Most Yokuts groups, again regardless of specific tribal affiliation, were organized as a recognized and distinct tribelet; a circumstance that almost certainly pertained to the tribal groups noted above. Tribelets were land-owning groups organized around a central village and linked by shared territory and descent from a common ancestor. The population of most tribelets ranged from about 150 to 500 peoples (Kroeber 1925).

Each tribelet was headed by a chief who was assisted by a variety of assistants, the most important of whom was the winatum, a herald or messenger and assistant chief. A shaman also

served as religious officer. While shamans did not have any direct political authority, as Gayton (1930) has illustrated, they maintained substantial influence within their tribelet.

Shamanism is a religious system common to most Native American tribes. It involves a direct and personal relationship between the individual and the supernatural world enacted by entering a trance or hallucinatory state (usually based on the ingestion of psychotropic plants, such as jimsonweed or more typically native tobacco). Shamans were considered individuals with an unusual degree of supernatural power, serving as healers or curers, diviners, and controllers of natural phenomena (such as rain or thunder). Shamans also produced the rock art of this region, depicting the visions they experienced in vision quests believed to represent their spirit helpers and events in the supernatural realm (Whitley 1992, 2000).

The centrality of shamanism to the religious and spiritual life of the Yokuts was demonstrated by the role of shamans in the yearly ceremonial round. The ritual round performed the same each year, started in the spring with the jimsonweed ceremony, followed by rattlesnake dance and (where appropriate) first salmon ceremony. After returning from seed camps, fall rituals began in the late summer with the mourning ceremony, followed by first seed and acorn rites and then bear dance (Gayton 1930:379). In each case, shamans served as ceremonial officials responsible for specific dances involving a display of their supernatural powers (Kroeber 1925).

Subsistence practices varied from tribelet to tribelet based on the environment of residence. Throughout Native California, and Yokuts territory in general, the acorn was a primary dietary component, along with a variety of gathered seeds. Valley tribes augmented this resource with lacustrine and riverine foods, especially fish and wildfowl. As with many Native California tribes, the settlement and subsistence rounds included the winter aggregation into a few large villages, where stored resources (like acorns) served as staples, followed by dispersal into smaller camps, often occupied by extended families, where seasonally available resources would be gathered and consumed.

Although population estimates vary and population size was greatly affected by the introduction of Euro-American diseases and social disruption, the Yokuts were one of the largest, most successful groups in Native California. Cook (1978) estimates that the Yokuts region contained 27 percent of the aboriginal population in the state at the time of contact; other estimates are even higher. Many Yokuts people continue to reside in the southern San Joaquin Valley today." (Appendix C, CRA, pages 12-14).

Historic Setting

"In California, the historic era is divided into three general periods: the Spanish or Mission Period (1769 to 1821), the Mexican or Rancho Period (1821 to 1848), and the American Period (1848 to present). The mission system, which ultimately established 21 missions between 1796 and 1822, consisted of missions, presidios, and pueblos, and was designed to convert the indigenous

peoples of California to Christianity and assimilate them under Spanish rule (Gudde 1998). The Spaniards were the first non-Indians to enter the San Joaquin Valley. Pedro Fages led a group of soldiers through Tejon Pass into the San Joaquin Valley in 1772 (Wallace 1978:459). In 1776, Spanish missionaries visited the area now known as Bakersfield; the event was documented by Franciscan friar Francisco Garcés. Father Garcés described the Kern River, which he named Rio de San Felipe, and visited the Yokuts community of Woilu, a village situated on the land modern Bakersfield would later occupy. While visiting Woilu, Father Garcés performed the first European baptism in the San Joaquin Valley. The Franciscans returned to their base at Mission San Gabriel following a route through the Tehachapi Mountains that functioned as the primary road until 1876, when the Southern Pacific Railroad created an alternate route.

Lieutenant Gabriel Moraga led a group of Spanish explorers into the San Joaquin Valley in 1806 (Clough and Secrest 1984:25–27). Moraga's party intended to locate new lands for missions, find and return runaway Indians, and relocate stolen livestock. Moraga is credited with naming both the Kings and San Joaquin rivers. By the early 1820s, the expansion of missions in California ceased as a result of Mexico's independence from Spain (Clough and Secrest 1984:26). In 1827, the 17-man expedition led by Jedediah Smith entered the region and signaled the earliest American presence in the Kern County area (Clark 1998). Smith's adventures included friendly encounters with the Southern Yokuts near the Kings River and trapping and camping along the San Joaquin River (Clough and Secrest 1984:27). After Smith's visit, other trappers followed until about 1837, by which time fur-bearing animals had been nearly exterminated from the valley. Tulare County historically dates to 1770. The first settlers to visit what is now the San Joaquin Valley came after 1800. The first settlement in Tulare County was where the old Indian trail crossed the Kaweah River, about ten miles east of what is now the city of Visalia." (Appendix C, CRA, pages 14-15).

Archival Records Search

"The record search area included the Project area along with a 0.5-mile radius surrounding buffer. As part of this study, the following resources were reviewed: the California Archaeological Inventory Records, National Register of Historic Places, California Historic Landmark Registry, California Points of Historical Interest, and the Inventory of Historic Structures. Additionally, all relevant historic maps, an in-house review of historic aerial photographs, previously recorded archaeological site records, and previously conducted surveys for past projects were reviewed." (Appendix C, CRA, page 16).

Southern San Joaquin Valley Information Center Record Search Results

"The Project area is located in the USGS Fountain Springs 7.5' Series Quadrangle (USGS 2022). On July 15, 2024, Soar submitted a records search request to the Southern San Joaquin Valley Information Center (SSJVIC) located at the California State University, Bakersfield (Appendix A [of the CRA]). The records search included a 0.5-mile buffer around the Project area. The results from

the records search indicate one (1) cultural resources study has been conducted within the Project area (Table 1 [of the CRA]). According to the information on file, there are three (3) resources within the Project area (Table 2 [of the CRA])". (Appendix C, CRA, page 16).

"There was one (1) report identified within a 0.5-mile radius of the Project area (Table 3 [of the CRA]). There are three (3) formal and four (4) informal recorded resources within the 0.5-mile record search radius (Table 4 [of the CRA])." (Appendix C, CRA, page 17).

"There are no recorded cultural resources within the Project area or radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks." (Appendix C, CRA, page 18)

Native American Outreach

As part of the Terra Bella Quarry Project's compliance with the California Environmental Quality Act (CEQA) and Assembly Bill 52 (AB 52), Native American outreach was conducted to ensure meaningful consultation with tribes that are traditionally and culturally affiliated with the project area. Qualified consultant Soar Environmental contacted the California Native American Heritage Commission (NAHC) on July 15, 2024, to conduct a Sacred Lands File (SLF) search, and to obtain a list of tribes culturally and geographically affiliated with the Project area (Appendix B [of the CRA]). On August 13, 2024, the NAHC indicated there are no Native American traditional cultural places or sacred sites within or near the Project area. The NAHC provided a list of twelve (12) Tulare County Native American groups and individuals affiliated with the local tribes. More recently (June 12, 2025), Tulare County Resource Management Agency (RMA) staff sent a request to the NAHC to obtain a more recent Sacred Lands File (SLF) search and a more recent list of Native American tribal representatives who may have knowledge of or interest in the cultural resources of the project area. The NAHC responded on June 12, 2025 with the results of the SLF search (which supersedes the August 13, 2024 as it is more recent and reflects a more recent Tribal list) and provided contact information for three (3) local tribes, the Kitanemuck & Yowlemne Indians, Table Mountain Rancheria, and the Tule River Indian Tribe. Following receipt of the SLF results and local Tribes list from the NAHC, outreach letters were sent (via certified mail and e-mails) to the Tribes by RMA on June 17, 2025, notifying them of the proposed Project and inviting them to participate in consultation. No responses were received from any of the contacted Tribes during the invitation for consultation period. (See Appendix C for AB 52 consultation documentation).

Archaeological Pedestrian Survey

The following is an excerpt from the CRA prepared by qualified consultant Soar Environmental:

"Ms. Neitenbach [of Soar Environmental] conducted the field survey of the Project area on August 5-6, 2024. The Project area was examined by systematic pedestrian inspection of the ground surface using transect intervals of 50 feet (15 meters) to 98 feet (30 meters) due to overgrown vegetation. Surface bioturbation including rodent, coyote, badger, mice, and reptile burrows was also examined within the Project area. Disturbances immediately adjacent to the Project area were also examined for primary and secondary surface archaeological indicators.

A site revisit was conducted by Ms. Froshour on January 29, 2025 in an attempt to located site P-54-001220. This resources had not visible been due to densely overgrown vegetation present in the area during the earlier August 5-6, 2024 survey. Surface bioturbation was visible, with a low density vegetation and noted high rabbit population present in the Project area.

The approximately 318-acre Project area consists mostly of undeveloped agricultural fields (Figures 8-13 [in the CRA]). Dirt roads exist throughout the Project footprint. The Project area consists of rolling hills with lower land to north end of the project area and rising in elevation to south end of project area. In the south end, large boulder outcroppings appear as the elevation increases. Prairie grassland with native and imported grass covers the entirety of the project area leaving almost no ground visibility over the entire project area. Two natural springs/seeps are on the project area on opposite ends of the project area. One in the North of the project area is surrounded by small shrubs and trees. One in the south emerges out of a large rock outcropping with native plants (coyote melon, sage and mosses). Fauna observed included ground squirrels, coyotes, wild hogs, rattle snakes, lizards, field mice, rabbits, falcons, red tailed hawk, sharp shin hawk, swallows, road runners, badger, bald eagle, and golden eagle. The surface visibility of the Project area, defined as the approximate percentage of native soils visible during the field survey of a given project component, was estimated at 0-5% within the Project area.

In summary, three (3) *in situ* cultural resources were observed on the surface of the Project area, two previously recorded sites within the CHRIS database, P-54-001220, and P-54-001221. The third previously recorded site, P-54-000169, was first noted by Weinberger in 1987, later by Origer in 2023, and was relocated during both Soar surveys. P-54-000169 and P-54-001221 were found to be in good condition, both falling outside of the proposed quarry area of operations. P-54-000169 was relocated on January 29, 2005 and was in very poor condition. The rock quality is low compared to granite outcroppings to the north, with only two (2) of the six (6) previously recorded cupules showing possible signs of use wear, with the other cupules appearing to be formed by water erosion.

No *in situ* isolate materials potentially derived from a primary or secondary archaeological contexts, were observed on the surface of the Project area.

It must be noted that all areas of past cultural use are of cultural importance to the Native American community, even if they do not meet the significance criteria for archaeological

resources. Avoidance of impacts to cultural resources is preferred over other, more destructive, mitigation measures." (Appendix C, CRA, pages 20-21).

Regulatory Setting

"Federal, State and local governments have developed laws and regulations designed to protect significant cultural resources that may be affected by actions that they undertake or regulate. The National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA) and the California Environmental Quality Act (CEQA) are the basic federal and state laws governing preservation of historic and archaeological resources of national, regional, State and local significance." (Appendix C, CRA, page 5).

Federal

"Federal regulations for cultural resources are governed primarily by Section 106 of the National Historic Preservation Act (NHPA) of 1966. Section 106 of NHPA requires Federal agencies to take into account the effects of their undertakings on historic properties and affords the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. The Council's implementing regulations, "Protection of Historic Properties" are found in 36 Code of Federal Regulations (CFR) Part 800. The goal of the Section 106 review process is to offer a measure of protection to sites which are determined eligible for listing on the National Register of Historic Places. The criteria for determining National Register eligibility are found in 36 CFR Part 60. Amendments to the NHPA (1986 and 1992) and subsequent revisions to the implementing regulations have, among other things, strengthened the provisions for Native American consultation and participation in the Section 106 review process. While federal agencies must follow federal regulations, most projects by private developers and landowners do not require this level of compliance. Federal regulations only come into play in the private sector if a project requires a federal permit or if it uses federal money."(Appendix C, CRA page 4-5).

State

California Register of Historical Resources

In California, the term "historical resource" includes "any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (California PRC § 5020.1[j])(State of California 2021). In 1992, the California legislature established the California Register of Historical Resources (CRHR) "to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (California PRC § 5024.1(a)). The criteria for listing

resources on the CRHR, enumerated in the following text, were developed to be in accordance with previously established criteria developed for listing in the NRHP. According to California PRC § 5024.1(c) (1– 4), a resource is considered historically significant if it (i) retains "substantial integrity," and (ii) meets at least one of the following criteria:

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

To understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than 50 years old may be considered for listing in the CRHR if it can be demonstrated that sufficient time has passed to understand its historical importance (14 CCR 4852[d][2]).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the National Register of Historic Places (NRHP), and properties listed or formally designated as eligible for listing in the NRHP are automatically listed in the CRHR, as are state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys." (Appendix C, CRA, pages 5-6).

Health and Safety Code, Section 7050.5

"California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. California Health and Safety Code, §7050.5, requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains can occur until the County Coroner has examined the remains (California Health and Safety Code, §7050.5b). California PRC §5097.98, also outlines the process to be followed in the event that remains are discovered. If the County Coroner determines or has reason to believe the remains are those of a Native American, the County Coroner must contact the California NAHC within 24 hours (California Health and Safety Code, §7050.5c)(State of California 2021). The NAHC will notify the most likely descendant. With the permission of the landowner, the most likely descendant may inspect the site of discovery. The inspection must be completed within 48 hours of notification of the most likely descendant by the NAHC. The most likely descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains, and items associated with Native Americans. (Appendix C, CRA, page 5).

California State Assembly Bill 52

"Assembly Bill (AB) 52 of 2014 amended California PRC § 5097.94, and added California PRC §21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 established that tribal cultural resources must be considered under CEQA and also provided for additional Native American consultation requirements for the lead agency. California PRC §21074, defines tribal cultural resources as follows:

(a) Section 21074 of the Public Resources Code states that "tribal cultural resources" are either of the following:

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

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

(2) 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 §5024.1. In applying the criteria set forth in subdivision (c) of §5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe. A cultural landscape that meets the criteria of subdivision:

(a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

(b) A historical resource described in §21084.1, a unique archaeological resource as defined in subdivision (g) of §21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of §21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

AB 52 formalizes the lead agency–tribal consultation process, requiring the lead agency to initiate consultation with California Native American tribes located on the contact list maintained by the Native American Heritage Commission (NAHC). This includes California Native American groups that are traditionally and culturally affiliated with the project, including tribes that may not be federally recognized. Lead agencies are required to begin consultation prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report (EIR).

Section 9 of AB 52 establishes 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." Section 6 of AB 52 added §21080.3.2 to the California PRC, which states that parties may propose mitigation measures "capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource." Further, if a California Native American tribe requests consultation regarding Project alternatives, mitigation measures, or significant effects to tribal cultural resources, the consultation shall include those topics (California PRC §21080.3.2[a]). The environmental document and the mitigation monitoring and reporting program (where applicable) shall include any mitigation measures that are adopted (California PRC §21082.3[a]).

In accordance with the Tribal Consultation Guidelines and SB 18, government to government consultation between local governments and Native American tribes prior to the adoption or amendment of a general plan is required. Additionally, California PRC §5024 requires consultation with the Office of Historic Preservation (OHP) when a project may impact historical resources located on State-owned land. California State law (SB 18) requires cities and counties to notify and consult with California Native American Tribes about proposed local land use planning decisions for the purpose of protecting Traditional Tribal Cultural Places ("cultural places"). (Appendix C, CRA, pages 6-7).

Native American Human Remains

State law (California PRC §5097 et seq.) addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and established the NAHC.

In the event that Native American human remains, or related cultural material are encountered, §15064.5(e) of the CEQA Guidelines (as incorporated from PRC §5097.98) and California Health and Safety Code, §7050.5, defines the subsequent protocol. In the event of the accidental discovery or recognition of any human remains, excavation or other disturbances shall be suspended on the site, or any nearby area reasonably suspected to overlie adjacent human remains or related material. Protocol requires that the County Coroner or County-approved Coroner represented be contacted in order to determine if the remains are of Native American origin. Should the coroner determine the remains to be Native American, the coroner must contact the NAHC within 24 hours. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work for means of treating, with appropriate dignity, the human remains, and any associated grave goods as provided in California PRC §5097.98 (14 CCR 15064.5(e))(State of California 2021). (Appendix C, CRA, page 8).

California Environmental Quality Act

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

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

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

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

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

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

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

Local

Tulare County General Plan

The 2030 General Plan *Environmental Resources Management* chapter includes the following policies, which would address potential impacts associated with cultural resources that are applicable 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, economic, scientific, religious, or other values as determined by a qualified archaeological professional.

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

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

ERM-6.5 Cultural resources Education Programs - The County should support local, State, and national education programs on cultural and archaeological resources.

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

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

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

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

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

Discussion

a) **Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?**

Less Than Significant Impact with Mitigation: The Terra Bella Project area is within the jurisdictional area of Tulare County, and the Project is located within a 317-acre site. Historical research reveals that the Project site is situated in an area that has been previously mined, and the quarry was fully reclaimed by 2015. As noted in the CRA, "There appears to be a high possibility for subsurface cultural resources in the Project area, based on the results of the archival research, and the fact that four (4) known resources have been detected during previous disturbances within the Project area. There are no recorded cultural resources within the 0.5-mile buffer radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks. No site testing or mitigation measures are recommended or required, unless previously undiscovered cultural resources are detected during quarry operations.

The intensive Phase I pedestrian survey was conducted on August 5-6, 2024, with parallel transects spaced at 50 feet (15 meters) to 98 feet (30 meters) intervals walked across the entire Project area. No additional cultural resources of any kind were identified during a Phase I study of the Project area. A revisit was conducted on January 29, 2025 to relocated and redefine two previously recorded resources. Both were relocated and recorded (Appendix C [of the CRA]). Of three (3) known sites one (1) were located during the current survey which could be detrimentally impacted by the proposed project. This resource is of very low quality, and has high natural damage visible. The proposed Terra Bella Aggregate Quarry Project therefore has the low potential to result in adverse impacts to known cultural resources." (Appendix C, CRA, page 21).

"A potential always exists to encounter previously undetected cultural resources. If cultural materials (prehistoric and/or historic artifacts) are detected during the course of ground disturbances associated with this project, all work in the immediate area of the find shall be halted until a qualified archaeologist can inventory and assess the significance of the find(s). At that point, the resources shall be evaluated in accordance with the procedures set forth in

the California Environmental Quality Act (CEQA) 21083.2, sections 15064.5 and 15126.4, and the criteria regarding resource eligibility to the California Register of Historic Resources (CRHR).

If a resource cannot be avoided, then the resource must be examined vis-à-vis the provisions in the County Guidelines, and CEQA Sections 15064.5 and 15126.4 and the eligibility criteria as an "important" or "unique archaeological resource," as appropriate." (Appendix C, CRA, page 22).

Mitigation Measures CUL-1 and CUL-2 would be implemented, as applicable, to ensure that if any unknown historical resources are encountered during ground disturbance, work will be halted until a qualified archaeologist assesses the find. As the area has been heavily disturbed by previous mining and agricultural activities, it is unlikely that the Project would significantly impact any unrecorded historical resources.

In summary, CUL-1 would require the Site to have a County-approved archaeologist and Native American monitor onsite to oversee ground-disturbing activities to ensure proper handling and protection of any cultural resources discovered. If significant cultural resources are discovered, a Research Design and Data Recovery Program will be implemented, prioritizing preservation or capping of sacred sites, and conducting data recovery if avoidance is not feasible. Additionally, MM CUL-1 includes protocol if human remains are discovered; work will stop, and the County Coroner and Native American Heritage Commission will be contacted to determine the appropriate handling.

CUL-2 requires the preparation and implementation of a temporary fencing plan to protect known archaeological sites during construction activities. The fencing will be installed around identified cultural resources, under the supervision of a County-approved archaeologist and Native American monitor, to prevent any accidental damage during grading or other land disturbances.

Therefore, based on the information and analysis contained herein, and with implementation of Mitigation Measures CUL-1 and CUL-2, the impacts on historical resources would be *less than significant with mitigation.*

Mitigation Measures: See CUL-1 and CUL-2

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

Less Than Significant Impact with Mitigation: As summarized from the CRA, the Terra Bella Quarry Project area has been the subject of several archaeological studies. Two previously recorded archaeological sites—pictographs and bedrock milling complexes—were identified

within the Project boundary. These sites have been mapped and included as sensitive cultural resources. An intensive pedestrian survey conducted in August 2024 revealed that portions of these archaeological sites are likely to be affected by the proposed quarry operations, particularly through surface grading and other ground-disturbing activities. These archaeological resources are linked to the Yokuts tribes that inhabited the region for thousands of years.

As noted in the CRA, "The general Project area is sensitive for prehistoric cultural resources and it is possible that undiscovered archaeological deposits are present which could be unearthed during ground disturbance associated with Project, constituting an impact to cultural resources. As such, a mitigation monitoring program will be required to include Native American and Archaeological monitors present during Project ground-disturbing activities." (Appendix C, CRA, page 22). Mitigation Measures CUL-1 and CUL-2 would be implemented, as applicable, to ensure that if any unknown historical resources are encountered during ground disturbance, work will be halted until a qualified archaeologist assesses the find.

In summary, Mitigation Measure CUL-1 would require the Site to have a County-approved archaeologist and Native American monitor onsite to oversee ground-disturbing activities to ensure proper handling and protection of any cultural resources discovered. If significant cultural resources are discovered, a Research Design and Data Recovery Program will be implemented, prioritizing preservation or capping of sacred sites, and conducting data recovery if avoidance is not feasible. Additionally, MM CUL-1 includes protocol if human remains are discovered; work will stop, and the County Coroner and Native American Heritage Commission will be contacted to determine the appropriate handling.

Mitigation Measure CUL-2 requires the preparation and implementation of a temporary fencing plan to protect known archaeological sites during construction activities. The fencing will be installed around identified cultural resources, under the supervision of a County-approved archaeologist and Native American monitor, to prevent any accidental damage during grading or other land disturbances.

Based on the information and analysis provided herein, and with implementation of Mitigation Measures CUL-1 and CUL-2, the impacts on cultural resources would be *less than significant with mitigation*.

Mitigation Measures: See CUL-1 and CUL-2

The following Mitigation Measures were recommended by qualified consultant Soar Environmental Consulting as included in the CRA (Appendix C of this MND). The County of Tulare agrees with and supports inclusion of the recommended Mitigation Measures to ensure that biological resources are protected to their practical extent and as applicable.

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

Less Than Significant Impact with Mitigation: As noted in the CRA, "Human remains are addressed by State of California Health and Safety Code Section 7050.5. This code section states that no further disturbance shall occur until the County Coroner has made a determination of the origin and disposition of the remains, pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric/ethnohistoric Native American remains, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site within 24 hours of notification, and may potentially recommend scientific removal, reburial, nondestructive analysis of human remains, and/or specific treatment of associated burial goods." (Appendix C, CRA, page 22). The Project Site is in an area of historical occupation by the Yokuts people, but there are no recorded instances of human remains within the immediate vicinity of the quarry. However, due to the proximity of known archaeological sites, the potential for encountering human remains during construction cannot be entirely ruled out. Mitigation Measures CUL-1 and CUL-2 would be implemented, as applicable, to ensure that if any unknown historical resources are encountered during ground disturbance, work will be halted until a qualified archaeologist assesses the find. Therefore, based on the information and analysis provided herein, and with implementation of Mitigation Measures CUL-1 and CUL-2, the impacts on historical resources would be *less than significant with mitigation*.

Mitigation Measures: See CUL-1 and CUL-2

Mitigation Measures: CUL-1 and CUL-2

As a recognized qualified consultant, the County of Tulare acknowledges Soar Environmental's expertise and finds it reasonable to also incorporate applicable components of CRA information provided by Soar Environmental to supplement previously noted incorporations of reference. Qualified consultant Soar Environmental recommended the following Mitigation Measures as contained in the CRA for this Project. The County of Tulare concurs with and supports the recommendations as specified in the CRA.

"Mitigation Measure CUL-1: Archaeological Monitoring Program

Pre Quarry Operations

- Contract with a County approved archaeologist to perform archaeological monitoring and a potential data recovery program during earth-disturbing activities. The Project Archaeologist shall perform the monitoring duties before (such as installation of temporary fencing), during and after commencement of quarry operations.

- Meeting to be attended by the Project Archaeologist and Native American monitor to explain the monitoring requirements.

During Quarry Operations

- Monitoring: Both the Project Archaeologist and Native American monitor are to be onsite during earth disturbing activities within 10 feet (10') of known cultural resources.
- Identified Resources. In the event that cultural resources are identified:
  - Both the Project Archaeologist and Native American monitor have the authority to divert or temporarily halt ground disturbance operations in the area of the discovery.
  - The Project Archaeologist shall contact the County Archaeologist at the time of discovery.
  - The Project Archaeologist in consultation with the County Archaeologist and Native American shall determine the significance of discovered resources.
  - Quarry operation activities will be allowed to resume after the County Archaeologist has concurred with the significance evaluation.
  - Iosolates and non-significant deposits shall be minimally documented in the field. Should the isolates and non-significant deposits not be collected by the Project Archaeologist, the Native American monitor may collect the cultural material for transfer to a Tribal curation facility or repatriation program.
  - If cultural resources are determined to be significant, a Research Design and Data Recovery Program shall be prepared by the Project Archaeologist in consultation with the Native American monitor and approved by the County Archaeologist. The program shall include reasonable efforts to preserve (avoid) unique cultural resources of Sacred Sites; the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap if avoidance is infeasible; and data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).

- Human Remains

  - The Property Owner or their representative shall contact the County Coroner and the Planning Development Services (PDS) Staff Archaeologist.
  - Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Native American monitor.
  - If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the NAHC, shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains.
  - The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with

the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.

- Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.

Mitigation Measure CUL-2: Temporary Fencing

Prior to any clearing, grubbing, trenching, grading, or any land disturbances within 10 feet (10') of known cultural resources:

Prepare and implement a temporary fencing plan for the protection of archaeological site(s) CA-TUL-0169 (P-54-000169), CA-TUL-1220 (P-54-001220), and CA-TUL-1221 (P-54-001221), during any grading activities within 10 feet (10') of these archaeological site(s), as shown in Appendix A. The temporary fencing plan shall be prepared in consultation by a County approved archaeologist and the Native American monitor. The fenced area shall include a buffer sufficient to protect the archaeological site(s). The fence shall be installed under the supervision of the County approved archaeologist prior to commencement of grading or brushing and be removed only after grading operations have been completed. The temporary fencing plan shall include the following requirements:

a. Provide evidence to the Director of Planning & Development Services that the following notes have been placed on the Grading and/or Improvement Plan:

(1) In the event that quarry operation activities are to take place within 10 feet (10') of CA-TUL-0169 (P-54-000169), CA-TUL-1220 (P-54-001220), and CA-TUL-1221 (P-54-001221), the temporary fencing plan shall be implemented under the supervision of a County approved archaeologist that consists of the following:

- The project archaeologist shall identify the site boundaries.
- The project archaeologist shall determine an adequate buffer for the protection of the site(s) in consultation with the County archaeologist and the Native American monitor.
- Upon approval of buffers, install fencing under the supervision of the Project Archaeologist.
- Submit to Planning & Development Services for approval, a signed and stamped statement from a California Registered Engineer, or licensed surveyor that temporary fences have been installed in all locations of the project where proposed grading or clearing is within 10 feet (10') of the archaeological site(s) CA-TUL-0169 (P-54-000169), CA-TUL-1220 (P-54-001220), and CA-TUL-1221 (P-54-001221).
- Fencing may be removed after the conclusion of quarry operation activities." (CRA, pages 22-25).

CUMULATIVE IMPACT: Less than Significant with Mitigation

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Cultural resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The geographic area of this cumulative analysis is Tulare County and the eastern edge of the southern San Joaquin Valley. The proposed Project would only contribute to cumulative impacts related to this Checklist Item if Project-specific impacts were to occur. The Project would not cause a substantial adverse change in the significance of an historical or archeological resource pursuant to Section 15064.5. The Project would not disturb any human remains, including those interred outside of dedicated cemeteries. However, in the unlikely event that unknown historical, archaeological, or human remains are encountered, previously discussed Mitigation Measures CUL-1 and CUL-2 would be implemented.

In addition, a redacted version of “The Phase I Cultural Resources Assessment Terra Bella Aggregate Quarry Project” (CRA) used to analyze potential cultural resources impacts related to the Project prepared by qualified consultant Soar Environmental Consulting (Soar Environmental) is included as Appendix C of this MND. is. The complete CRA is included as Appendix C of this MND.

Therefore, based on the information and analysis provided herein, the Project would result in a *less than significant cumulative impact with mitigation.*

VI. ENERGY

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Cultural resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

Environmental Setting

Electricity

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

Southern California Edison (SCE) provides electricity to the Project. SCE, a subsidiary of Edison International, serves approximately 180 cities in 11 counties across central and Southern California. SCE receives electric power from a variety of sources. According to the 2022 SCE Power

Content Label, renewable energy accounts for 33.2% of the overall energy resources, with geothermal resources at 5.7%, wind power at 9.8%, eligible hydroelectric sources at 0.5% and solar energy at 17% (SCE 2022).

Natural Gas

According to the U.S. Energy Information Administration, California used approximately 2,154,030 million cubic feet of natural gas in 2019 (EIA 2024a). Natural gas is used for cooking, space heating, generating electricity, and as an alternative transportation fuel. The majority of California's natural gas customers are residential and small commercial customers (core customers), which accounted for approximately 35% of the natural gas delivered by California utilities in 2018 (CPUC n.d.). Large consumers, such as electric generators and industrial customers (noncore customers), accounted for approximately 65% of the natural gas delivered by California utilities (CPUC n.d.). The CPUC regulates California natural gas rates and natural gas services, including in-state transmission and distribution pipeline systems, storage, procurement, metering, and billing. Most of the natural gas used in California comes from out-of-state natural gas basins. Biogas (e.g., from wastewater treatment facilities or dairy farms) is just beginning to be delivered into the gas utility pipeline systems, and the state has been encouraging its development (CPUC n.d.). In 2019, PG&E delivered approximately 4.9 billion therms of natural gas to the region, with 3 billion therms for non-residential use and 1.9 billion therms for residential use (CEC 2020a, 2020b). No natural gas usage is proposed on the Project site.

Petroleum

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

Regulatory Setting

Federal

Federal Energy Policy and Conservation Act

In 1975, Congress enacted the Federal Energy Policy and Conservation Act, which established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act,

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

Energy Independence and Security Act of 2007

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

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

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

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

- EISA expanded the RFS program to include diesel, in addition to gasoline.
- EISA increased the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022.
- EISA established new categories of renewable fuel and set separate volume requirements for each one.

- EISA required the EPA to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

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

State

Warren–Alquist Act

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

- It directed the CEC to formulate and adopt the nation's first energy conservation standards for buildings constructed and appliances sold in California.
- The act removed the responsibility of electricity demand forecasting from the utilities, which had a financial interest in high demand projections, and transferred it to a more impartial CEC.
- The CEC was directed to embark on an ambitious research and development program, with a particular focus on fostering what were characterized as non-conventional energy sources.

State of California Energy Action Plan

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

Assembly Bill 32 (2006) and Senate Bill 32 (2016)

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

California Building Standards

Part 6 of Title 24 of the California Code of Regulations (CCR) was established in 1978 and serves to enhance and regulate California's building standards. Part 6 establishes energy efficiency standards for residential and nonresidential buildings constructed in California to reduce energy demand and consumption. Part 6 is updated periodically to incorporate and consider new energy efficiency technologies and methodologies. The current Title 24, Part 6 standards, referred to as the 2019 Title 24 Building Energy Efficiency Standards, became effective on January 1, 2020. In general, single-family residences built to the 2019 standards are anticipated to use approximately 7% less energy due to energy efficiency measures than those built to the 2016 standards; once rooftop solar electricity generation is factored in, single-family residences built under the 2019 standards use approximately 53% less energy than those under the 2016 standards (CEC 2019). Nonresidential buildings built to the 2019 standards are anticipated to use an estimated 30% less energy than those built to the 2016 standards (CEC 2019). Title 24 also includes Part 11, the California Green Building Standards (CALGreen). CALGreen establishes minimum mandatory standards and voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and interior air quality. The 2019 CALGreen standards are the current applicable standards. For nonresidential projects, some of the key mandatory CALGreen 2019 standards involve requirements related to bicycle parking, designated parking for clean air vehicles, electric vehicle charging stations, shade trees, water conserving plumbing fixtures and fittings, outdoor potable water use in landscaped areas, recycled water supply systems, construction waste management, and excavated soil and land clearing debris (24 CCR Part 11).

Local

Tulare County General Plan

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

- **T-P-53** - Develop flexible parking requirements in the zoning ordinance for development proposals based on "best practices" and the proven potential to reduce parking demand.
- **AQ-P-12** - Support the implementation of Voluntary Emissions Reduction Agreements (VERA) with the San Joaquin Valley Air Pollution Control District (the District) for individual development projects that may exceed District significance thresholds.
- **AQ-P-16** - Support State efforts to reduce greenhouse gases and emissions through local action that will reduce motor vehicle use, support alternative forms of transportation, require energy conservation in new construction, and energy management in public buildings, in compliance with AB 32.

Thresholds and Methodology

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

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

The methodology applied to assess the Project's potential impacts involved the use of the California Emissions Estimator Model (CalEEMod) Version 2022.1.1 (CAPCOA 2022) that can be found in Appendix A. Energy use would be attributed to worker trips and operation of construction equipment. Diesel and gasoline would be utilized to fuel on and off-road construction equipment used at the Project site. Energy use associated with the operational phase would result from employee vehicle trips (mobile sources) and activities that consume energy in the form of electricity Although electricity generation produces criteria pollutants and GHGs, these are emitted offsite at fossil fuel power plants and these pollutants are not attributed to individual buildings or electricity users. The power plants responsible for electricity generation are existing stationary sources permitted by air districts and/or the USEPA, criteria pollutant emissions are generally associated with the power plants themselves. These criteria pollutant emissions are subject to local, state and federal control measures. (CAPCOA 2022)

Unlike criteria pollutants, GHG emissions at these offsite power plants are not subject to the same stationary source permitting requirements and it is difficult to mitigate GHG emissions associated with them. Therefore, the most effective way to control GHGs from power plants is to reduce electricity demand by electricity users, which can be mitigated through building efficiency measures. As a result, the CalEEMod program calculates GHG emissions (not criteria pollutant emissions) from regional power plants associated with building electricity use. To

reduce GHG emissions and energy usage, the Project will comply with the provisions of Part 6 of the Title 24 California Code of Regulations, which is the Building Energy Efficiency Standards (Energy Code), as applicable.

Discussion

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

Less Than Significant Impact: The nature of the project (a quarrying operation) requires the use of vehicles suitable to efficiently extract the resources needed to supply crushed stone for use as construction aggregate. The construction aggregate will be transported to ready mix concrete and asphalt plants located off-site to supply the construction materials needed to support transportation, infrastructure, public, and private projects throughout Tulare County and beyond. While the Project will supply construction aggregate to various projects in the region, those projects will occur regardless of whether the Project is approved. As explained in the Criteria Pollutant Methodology section of the AQ Technical Study (see Appendix A), Tulare County contains only 41% of the estimated 50-year demand for the region. If the Project is not approved, aggregate for projects in the area are likely to be obtained from sources that are further away, thus increasing emissions of criteria pollutants and GHG, increasing road wear and traffic impacts, and driving up construction costs including those for critical infrastructure and transportation projects. As such, energy usage would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.

Annual energy use is expected to decrease over time as a result of improvements in vehicle fuel efficiency standards. The proposed Project will be subject to energy conservation requirements in the California Energy Code (24 CCR Part 6, California's Energy Efficiency Standards for Residential and Nonresidential Buildings) and the California Green Building Standards Code (CALGreen) (24 CCR Part 11), as applicable. Adherence to Title 24 requirements would ensure that the Project would not result in wasteful or inefficient use of energy resources due to operations or vehicle trips. Additionally, the operational component of the Project will not utilize natural gas directly and will rely entirely on electricity.

Therefore, based on the information and analysis provided herein, the impact would be *less than significant.*

Mitigation Measures: None required.

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

No Impact: The proposed Project will not conflict with or obstruct any state or local plans for renewable energy or energy efficiency. The construction and operation of the Project will comply with applicable energy efficiency regulations included in CALGreen, Title 24, CARB, and the Tulare General Plan. The proposed Project will comply with all state and local policies related to energy efficiency, as such, based on the information and analysis provided herein, there would be *no impact*.

Mitigation Measures: None required.

Mitigation Measures: None required.

Based on the information and analysis provided herein, *no mitigation measures* would be required.

Cumulative Impact: Less than significant.

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Cultural resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The cumulative area is the SCE service area and Tulare County. The Project would not use any natural gas and electricity use would be limited to an office, scale, on-site water wells, and processing equipment (e.g., crushing, conveyor belts, screening, etc.). Fuel usage (gasoline and diesel) would be used daily for vehicles used by employees, haul trucks, and typical materials quarrying equipment (wheel loaders (3), excavator (1), dozer (1), water truck (1), and off-road dump trucks (2)). As noted earlier, the nature of the project (a quarrying operation) requires the use of vehicles suitable to efficiently extract the resources needed to supply crushed stone for use as construction aggregate. The construction aggregate will be transported to ready mix concrete and asphalt plants located off-site to supply the construction materials needed to support transportation, infrastructure, public, and private projects throughout Tulare County and beyond. While the Project will supply construction aggregate to various projects in the region, those projects will occur regardless of whether the Project is approved. As explained in the Criteria Pollutant Methodology section of the AQ Technical Study (see Appendix A), Tulare County contains only 41% of the estimated 50-year demand for the region. If the Project is not approved, aggregate for projects in the area are likely to be obtained from sources that are further away,

thus increasing emissions of criteria pollutants and GHG, increasing road wear and traffic impacts, and driving up construction costs including those for critical infrastructure and transportation projects. As such, energy usage would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation; and it would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, based on the information and analysis provided herein, there would be a *less than significant cumulative impact*.

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VII. GEOLOGY AND SOILS

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Cultural resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

In addition to the previously noted sources incorporated herein by reference, a Project site technical study provides additional information regarding geology and soils. Qualified consultant Terracon prepared the "Slope Stability Investigation" (Slope Investigation, see Appendix D of this MND) which presents the findings of the data review, geologic mapping, lab testing, and structural evaluation, and provides recommendations concerning suitable slope angles and heights for reclamation consistent with Surface Mining and Reclamation Act (SMARA) requirements.

Environmental Setting

Geologic Stability and Seismic Activity

Seismicity: Tulare County is a low to moderate earthquake hazard area. The San Andreas Fault is the longest and most significant fault zone in California and is approximately 75 miles west of the Project Site. Owens Valley Fault Group is a complex system containing both active and potentially active faults, located on the eastern base of the Sierra Nevada Mountains. The Group is located within Tulare and Inyo Counties and has historically been the source of seismic activity within Tulare County. The Project site is not located on any faults.

Section 5 of the 2017 Tulare Multi-Jurisdictional Local Hazard Mitigation Plan identifies the Project Site as likely to experience low to moderate shaking from earthquakes and may experience higher levels if an earthquake were to occur in or near the County. Ground shaking can result in other geological impacts, including liquefaction, landslides, lateral spreading, subsidence, or collapse.

Liquefaction: Liquefaction is a phenomenon whereby unconsolidated and/or near-saturated soils lose cohesion and are converted to a fluid state because of severe vibratory motion. The relatively rapid loss of soil shear strength during strong earthquake shaking results in temporary, fluid-like behavior of the soil, which can result in landslides and lateral spreading. No specific countywide assessment of liquefaction has been performed; however, the 2018 Tulare Multi-Jurisdictional Local Hazard Mitigation Plan identifies the risk of liquefaction within the County as

low because the soil types in the area either too coarse or too high in clay content to be suitable for liquefaction.

Landslides: Landslides refer to a wide variety of processes that result in the downward and outward movement of soil, rock, and vegetation under gravitational influence. Landslides can be caused by both natural and human-induced changes in slope stability and often accompanying other natural hazard events, such as floods, wildfire, or earthquake. Eastern portions of the County are at a higher risk of landslides where steep slopes are present. However, most of the County, including the proposed Project Site, is at low risk of landslides and mudslides because of its flat topography. The 2018 Tulare Multi-Jurisdictional Local Hazard Mitigation Plan states that occurrence of landslide events within populated areas of Tulare County is unlikely.

Subsidence: Land Subsidence refers to the vertical sinking of land as a result of either manmade or natural underground voids. Subsidence has occurred throughout the Central Valley at differing rates since the 1920's as a result of groundwater, oil, and gas withdrawal. During drought years, Tulare County is prone to accelerated subsidence, with some areas sinking up to 28 feet. Although western portions of the County show signs of deep and shallow subsidence, the majority of the County, including the proposed project site, is not considered to be at risk of subsidence related hazards.

Soils Involved in the Project: The proposed Project Site contains five soil types, according to the US Department of Agriculture (USDA) Web Soil Survey Tulare County, California, Central Part, and Soil Series descriptions, respectively, at: Web Soil Survey and Official Series Description - HI VISTA Series.

The properties of the soil are described briefly below, as defined by the USDA:

- **Cibo clay, lithic bedrock**; the Cibo series consists of moderately deep, well drained soils that formed in material weathered from basic igneous rocks. Cibo soils are on foothills and mountainous uplands and have slopes of 2 to 75 percent. The Cibo series is a member of a fine, smectitic, thermic Aridic Haploxererts taxonomic class.
- **Friant-Rock outcrop complex**; the Friant series consists of shallow, well drained soils that formed in material weathered from mica schist, quartz schist and gneiss. Friant soils are on mountainous uplands and have slopes of 9 to 75 percent. The Fraint series is a member of a loamy, mixed, superactive, thermic Lithic Haploxerolls taxonomic class.
- **Porterville clay**; 2-9% slopes/9-15% slopes. The Porterville series consists of deep, well drained soils that formed in fine textured alluvial material from basic and metabasic igneous rock. Porterville soils are on fans and foothills and have slopes of 0 to 15 percent. The Porterville series is a member of a fine, smectitic, thermic Aridic Haploxererts taxonomic class.

- **Vista Rock outcrop complex**; 9 to 50 percent slopes Farmland classification: Not prime farmland Map Unit Composition Vista and similar soils: 55 percent Rock outcrop: 25 percent Minor components: 20 percent. Foothill hillslopes. Residuum weathered from quartz-diorite. Weathered bedrock Properties and qualities. Well drained. No frequency of flooding or ponding. Nonirrigated. No Thermic Granitic Foothills Hydric soil rating. (see: Official Series Description - HI VISTA Series
- **Vista course sandy**; the Vista series consists of moderately deep, well drained soils that formed in material weathered from decomposed granitic rocks. Vista soils are on hills and mountainous uplands and have slopes of 2 to 85 percent. Well drained; slow to rapid runoff; moderately rapid permeability. Not prime farmland. Coarse-loamy, mixed, superactive, thermic Typic Haploxerepts (see: Official Series Description - VISTA Series)

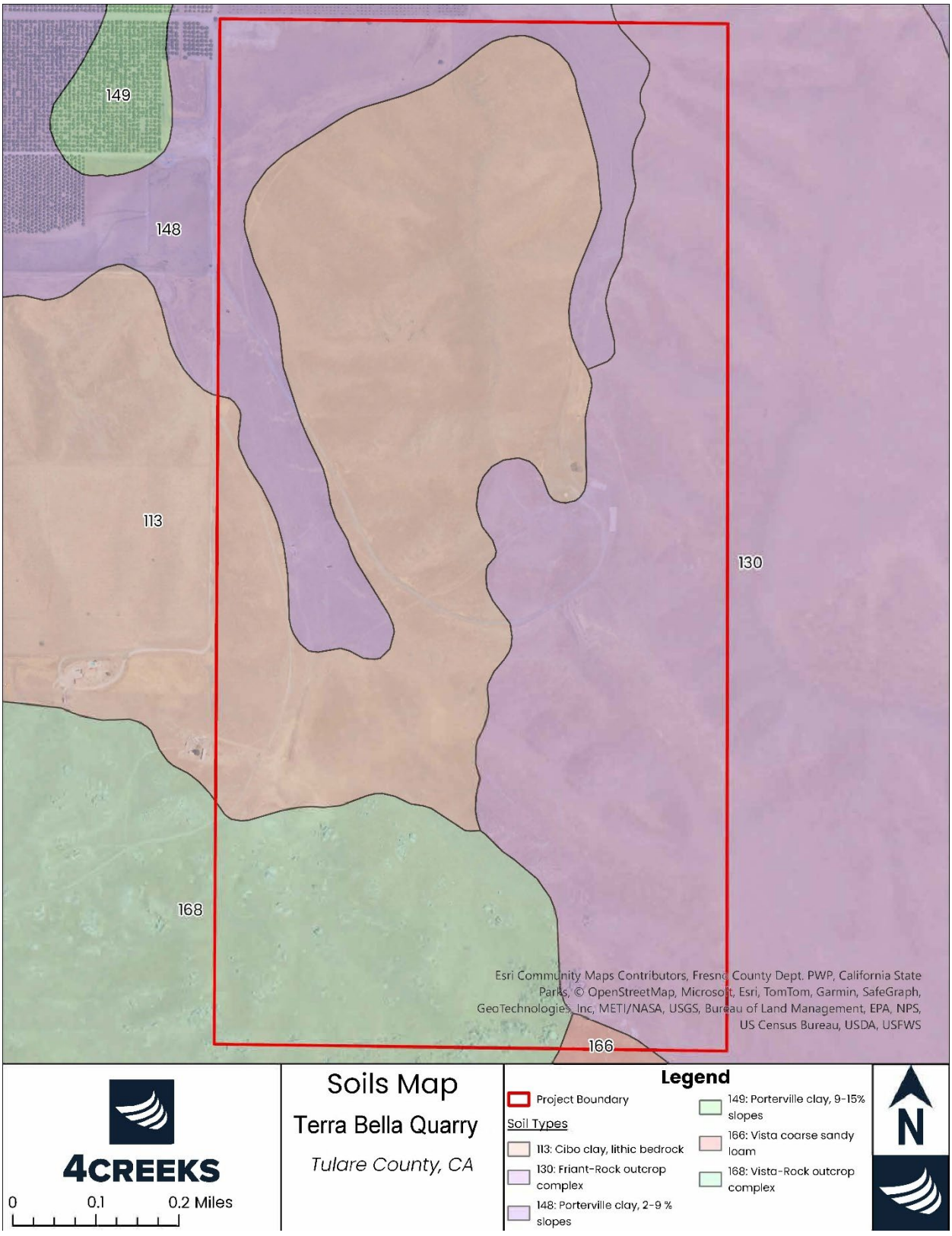


Figure 3-5: Soils Map

The site gate is accessed via a road trending southward from the terminus of Avenue 80 that forms the northern parcel boundary (Photo 3 [of the Slope Investigation]). A paved access road is present from the gate to the former quarry area in the central project area. The project parcels include low hills and outcrops dissected by broad swales. At the time of our reconnaissance, a vigorous growth of native grasses covered the ground surface. The former quarry pit and disturbance area included a vegetative cover. Several concrete pads and bollards (former building or shelter foundations) remained in the former quarry area (Photo 6 [of the Slope Investigation]).

Topography of the site parcels is defined by a high ridgeline that generally bounds the eastern side of the site, a north-trending (central) ridge in the north parcel, and hillsides dotted by boulders and corestones in the southern portion. Site drainage includes broad swales that distribute surface flows to the northwest.

Excavated trench and bench features were noted on hillsides east and south of the former quarry pit and suggest areas of prior shallow exploration or mining. A berm is present within a drainage in the east-central portion of the north parcel and suggests an impoundment feature. Additional trenches (explorations) were noted along the central ridge. Explorations or quarrying was not noted in the portion of the site underlain by granitic rock.

In addition to the earlier discussion, Terracon's "Terra Bella Reclamation Slope Stability Investigation Report" (see Appendix D) provided the following background information:

Geologic Setting

"The project is situated in a zone of low foothills at the margin of the Great Valley and Sierra Nevada geomorphic provinces. The Great Valley is an alluvial plain extending through the central part of California. The plain is formed above a structural trough that is filled with a thick sequence of sediments deposited from the bordering highlands including the Coast Ranges and Sierra Nevada. The Sierra Nevada is a mountainous region formed by a tilted fault block with a western side that is cut by deep river canyons. The Sierra Nevada is formed in Mesozoic granitic rocks that intruded older rocks that include metasediments.

In the southern portion of the project area, hillsides formed in granitic rock (tonalite) include large rounded "boulders" referred to as corestones (Photo 8 [in the Slope Investigation]). Corestones can occur in the subsurface as relatively un-weathered, hard remnants surrounded by more weathered rock.

Our observations of similar sites suggest that typical granitics in the subsurface include massive, hard rock without excessive weathering. However, we note that several quarries in the project region are classified as 'decomposed granite' operations suggesting that granitics in the site area may include a weathered zone at typical mining depths." (Slope Investigation, page 3).

Prior Investigations

"The project area is included within the area of prior geologic mapping investigations. Site data was also utilized from a prior geologic study as appropriate. These include the following:

- Ross, D.C., 1995, Reconnaissance geologic map of the southern Sierra Nevada, Kern, Tulare, and Inyo Counties, California, U.S. Geological Survey, Miscellaneous Investigations Series Map I-2295, 1:125,000.
- Ross, D.C., 1990, Reconnaissance geologic map of the southern Sierra Nevada, Kern, Tulare and Inyo Counties, California, U.S. Geological Survey, Open-File Report OF-90-337, 1:125,000.
- Ross, D.C., 1983, Generalized geologic map of the southern Sierra Nevada, California, showing the location of samples for which K-Ar radiometric age data and Rb/Sr data have been determined, U.S. Geological Survey, Open-File Report OF-83-231, 1:250,000.
- Taylor, G.C., 1997, Mineral Land Classification of Concrete Aggregate Resources in the Tulare County Production-Consumption Region, California, Open File Report 97-01.

State of California Mineral Land Classification Report 97-01 designates the area of the site as MRZ-2a – significant aggregate deposit. A Mineral Land Classification Map detail is attached [in the Slope Investigation].

Terracon performed a seismic refraction survey in September 2023. The survey included twelve refraction lines located in selected areas of the project parcels to measure seismic velocity of subsurface bedrock. The report is listed in the References section of this report.

Core drilling and sampling was conducted by Holliday Rock in five boreholes located in metasedimentary areas of the site. We examined portions of the recovered core for information regarding rock condition and discontinuities.

The data from refraction survey were utilized in developing bedrock properties in the global stability models. (Slope Investigation, page 4).

Site Geology

"The mine resource is formed in metasedimentary and granitic rock of the Sierra Nevada Range province. As mapped by Ross (1995) the metasedimentary rocks are referred to as Mesozoic age 'Pampa Schist of Dibblee and Chesterman(?)' and granitic rocks referred to as 'Tonalite of Fountain Springs'. A Geologic Map is attached [in the Slope Stability Investigation Report]. The tonalite across the site is uniform mineralogically and texturally. As observed during mapping, a cover of soil with variable thickness caps the rock resource. The chief resource is identified as aggregate.

Geologic Units

Quarry fills (f) and small excavations are present in formerly disturbed areas. Fills encompass areas of backfilled pits and access roads. These include berms and mine fills derived from local materials. These areas were not observed in detail or recorded during the mapping. Fills and disturbed ground are visible in aerial imagery.

Colluvium*:* A soil cover is present across the undisturbed portions of the site as colluvium. These materials are gravity-deposited or formed in place and are derived from in-situ weathering of bedrock and limited gravity-driven transport. This unit is not differentiated on the geology map.

Tonalite: Granitic rock as tonalite is exposed in boulder hillsides located in the southern portion of the site (Photo 2 [in the Slope Investigation]). The tonalite is homogenous, medium-grained, gray tonalite. Tonalite is a granitic rock classification based on mineral compositions with quartz between 20% and 60% and feldspars as plagioclase (90%) and less than 10% alkali feldspar.

Metasedimentary Rock: The metasediments are described by Ross (1995) as dominantly dark pelitic schist and quartzo-feldspathic hornfels. As classified by Light (2005), based on his mapping of a former site quarry exposure (Photo no. 5 [in the Slope Investigation]), the metasediments include bedded to massive slates and greywackes. In general the 'schist' and 'slates' terms represent fine-grained sediments that were deposited in an offshore marine environment and emplaced on a continental margin by subduction/convergent tectonics. Similarly the 'hornfels' and 'greywackes' terms represent sandstones and siltstones derived from the same marine environment and emplaced by plate tectonic action. The process of tectonic transport and emplacement resulted in metamorphism of these sediments to the rock underlying the site today. Examples of site outcrops are provided in Photos 1, 9, and 10 [in the Slope Investigation].

Later intrusion of granitic bodies (including tonalite) as batholiths into the metasediments resulted in additional metamorphism and deformation of the metasediments. The contact between metasediments and intrusive bodies may be marked by contact metamorphic mineralization. Based on examination of core samples, the unweathered metasediments are extremely strong and exhibit high unconfined compressive strengths. The more weathered portion, generally encountered in the upper 35 feet of core borings, was strong to very strong.

***Quartz Veins*:** Relatively pure quartz is present as veins within the metasediment terrain. These exposures are linear in plan view, typically trend along northwest striking foliation, and form resistant ridges or outcrops versus the less prominent surrounding metasediments (Photo 7 [in the Slope Investigation]). An exploration trench and quartz rock boulders are associated with one of these occurrences." (Slope Investigation, pages 5-7).

Seismic Considerations

"The ground-shaking hazard at the site was evaluated from a deterministic standpoint for use as a guide to formulate an appropriate seismic coefficient for use in slope stability analysis. The deterministic calculation of peak ground acceleration (PGA) for a scenario event was made using attenuation relations of Abrahamson and others (2014), Boore and others (2014), Campbell and Bozorgnia (2014) and Chiou and Youngs (2014). The following table [Table 1 Faults in the Site Region, Table 11 in this MND] summarizes PGA for seismic sources in the site region.

Data from USGS for disaggregation of map-based seismic hazard information indicates a PGA of 0.34g for the 2% in 50-year return period controlled by grid (background) seismic sources and 0.17g for the 10% in 50-year return period also controlled by background seismic sources.

Based on disaggregation data for the 10% in 50-year return period and a deterministic PGA based on the closest fault source to the site, we utilized a conservative seismic coefficient (Kh) = 0.15 to model pseudo-static slope stability.

The site is located west and east of fault seismic sources. Seismic conditions may influence the stability of slopes and rockfall potential on a time scale that postdates most planned mine reclamations. Rockfalls may occur after major earthquakes because of strong ground shaking." (Slope Stability Investigation Report, pages 7-8).

Table 3-9 Faults in the Site Region (Table 1 in the Slope Investigation Report)

Table 1 Faults in the Site Region				
Fault Name	**Distance (km)**	**Direction**	**Earthquake Magnitude[1]**	**PGA(g)**
Kern Canyon	44	E	7.06	0.18
White Wolf	78	SSE	7.14	0.11
Great Valley 14 (Kettleman Hills)	78	W	7.12	0.11
Lost Hills	79	SW	6.8	0.08
Owens Valley	91	ENE	7.2	--
Little Lake	93	E	6.91	--
Sierra Nevada	94	SE	7.38	--
San Andreas (Cholame – Carrizo)	104	SW	8.18	0.16
Great Valley 13 (Coalinga)	106	WNE	7.03	--
Airport Lake	110	E	7.06	--
Garlock	110	SE	7.73	--
Great Valley 12	145	NW	6.4	--

[1] Based on greater of value from USGS 2018 disaggregation or BSSC 2014 scenario catalog.

Regulatory Setting

Federal

None that apply to the Project.

State

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

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.

Local

Tulare County General Plan

The 2030 General Plan *Environmental Resources Management* and *Health and Safety* chapters includes the following policies, which would address potential impacts associated with the geology and soil resource that may apply to the proposed Project:

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.

ERM-7.3 Protection of Soils on Slopes - Unless otherwise provided for in this General Plan, building and road construction on slopes of more than 30 percent shall be prohibited, and development proposals on slopes of 15 percent or more shall be accompanied by plans for control or prevention of erosion, alteration of surface water runoff, soil slippage, and wildfire occurrence.

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

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

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

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

Discussion

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

i. **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**
ii. **Strong seismic ground shaking?**
iii. **Seismic-related ground failure, including liquefaction?**
iv. **Landslides?**

Less than Significant Impact: The Project site is not located within any Alquist-Priolo Earthquake Fault Zone, nor does it sit atop any known active or potentially active faults. The San Andreas Fault, California's most significant fault zone, lies approximately 65 miles (104 kilometers) west of the project area. Given these factors and the Project's compliance with the California Building Code (CBC) requirements for structural safety, the likelihood of fault rupture at the Project Site is low. The proposed Project site is located on an underlying solid rock formation and is not at risk from subsidence, liquefaction, or landslides. The proposed Project will not expand operations beyond the existing footprint of the site where the Project is located. Therefore, based on the information and analysis contained herein, there would be a *less than significant impact*.

Mitigation Measures: None required.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact: The proposed Project consists of mining of sand and related operations. Although topsoil (that is, overburden material) will be removed during the mining operation, the Project includes a Reclamation Plan that will allow for open space/grazing once mining-related operations cease. Less Than Significant Project-specific Impacts related to this Checklist Item will occur. The Project Site includes soils primarily in the Cibo clay, Friant-Rock outcrop, Porterville clay, Vista rock complex, and Vista coarse sandy series, which are generally well-drained and formed on stable upland formations. Erosion control measures and Best Management Practices (BMPs) are incorporated into the Project design, such as topsoil preservation for later reclamation and

erosion-resistant berms. The 2030 Tulare County General Plan also encourages practices that enhance soil stability and productivity (Policy ERM-7.2, ERM-7.3) which would ensure that the potential for erosion or significant topsoil would be minimized. Therefore, based on the information and analysis contained herein, there would be a *less than significant impact.*

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?

Less than Significant Impact: As noted in the Response to Item 3.6 a), the Project site is located on an underlying solid rock formation and is not at risk from subsidence, liquefaction, or sliding The Slope Stability Investigation Report (Appendix D) prepared by qualified consultant Terracon and soil properties at the Project Site indicate that the Site's subsurface materials are stable and resistant to seismic or load-induced deformation. The Project design follows SMARA guidelines, ensuring that all planned excavation and reclamation activities align with established stability requirements. Additionally, the Project's location in a low-subsidence area within Tulare County further minimizes risks of geological instability, with no anticipated significant impacts. Therefore, based on the information and analysis contained herein, there would be a *less than significant impact.*

Mitigation Measures: None required.

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

No Impact: The soils present at the Project Site are well-drained and not categorized as expansive soils. This classification and adherence to CBC guidelines eliminate any significant risks associated with soil expansion. Therefore, based on the information and analysis contained here, there would be *no impact*.

Mitigation Measures: None required.

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

No Impact: The Project will use portable restrooms ("porta potties") as wastewater disposal infrastructure and no other disposal system is being proposed. Therefore, based on the information and analysis contained here, there would be *no impact*.

Mitigation Measures: None required.

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

Less Than Significant Impact With Mitigation: No unique geologic features or known paleontological resources are located within the Project area. However, there is the possibility that paleontological resources may exist subsurface. As such, implementing Mitigation Measures CUL-1 and CUL-2 would result in a *less than significant impact with mitigation*.

Mitigation Measures: See CUL-1 and CUL-2.

MITIGATION MEASURES: CUL-1 and CUL-2

See Mitigation Measures CUL-1 and CUL-2. Based on the information and analysis herein, including the implementation of Mitigation Measures CUL-1 and CUL-2, as applicable, there would be a less than significant impact.

CUMULTATIVE IMPACT: Less than Significant with Mitigation

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Biological Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

In addition, The Slope Stability Investigation Report (Appendix D) prepared by qualified consultant Terracon is included as Appendix D of this MND.

The Project site is appropriate for mining. No substantial faults are known to traverse Tulare County according to the Alquist-Priolo Earthquake Fault Zoning Maps and the California Department of Conservation. The proposed Project site is located on an underlying solid rock formation and is not at risk from subsidence, liquefaction, or sliding. All mining-related operations (other than the export of material) will occur within the existing footprint of the site. Although topsoil (that is, overburden material) will be removed during the mining operation, the proposed Project includes a Reclamation Plan that will allow for open space/grazing or other agricultural-related use land once mining-related operations permanently cease. The Project is not 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. It would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property. The proposed Project will not impact neighboring properties, as the mining-related operations will continue to be conducted within the existing parcel. The Project contains would not use a septic system or alternative waste water disposal systems where sewers are not available for the disposal of waste water. If a septic system is ever used it would be operated per County of Tulare requirements. As noted earlier, there are no unique geologic features or known paleontological resources are located within the Project area. However, there is the possibility that paleontological resources may exist subsurface. Implementing Mitigation Measures CUL-1 and CUL-2 will ensure that any impacts resulting from Project implementation remain less significant. Therefore, based on the information and analysis contained herein, and the Slope Stability Investigation Report (Appendix D) prepared by qualified consultant Terracon, the Project would result in a *less than significant cumulative impact with mitigation* related to this Checklist Item.

VIII. GREENHOUSE GAS EMISSIONS

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

Environmental Setting

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, GHG resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

In addition to the documents incorporated by reference, qualified consultant Core Environmental Consulting (Core Environmental) prepared a "Technical Report Air Quality, Greenhouse Gas, and Health Risk Assessment For California Environmental Quality Act" (Appendix A, AQ Technical Study) that is used to analyze potential air quality impacts related to the Project. The complete AQ Technical Study is included as Appendix A of this MND.

Climate Change is a change in the average weather of the earth that may be measured by alterations in wind patterns, storms, precipitation, and temperatures. These changes are assessed using historical records of temperature changes occurring in the past, such as during previous ice ages. Many of the concerns regarding climate change use this data to extrapolate a level a statistical significance, specifically focusing on temperature records from the last 150 years, the Industrial Age, which differ from previous climate changes in rate and magnitude. The United Nations Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHG needed to stabilize global temperatures and climate change impacts. The IPCC predicted that global mean temperatures change from 1990 to 2100, given six scenarios,

could range from 1.1 degree Celsius (ºC) to 6.4ºC. Regardless of analytical methodology, global average temperatures and sea levels are expected to rise under all scenarios (IPCC 2007). In California, climate change may result in consequences such as the following form (CCCC 2006 and Moser et al. 2009).

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

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

"Climate Change Introduction

Climate change is a global issue. The earth's climate is changing and multiple lines of evidence show changes in weather, oceans, and ecosystems, such as:

- Changing temperature and precipitation patterns.
- Increases in ocean temperatures, sea level, and acidity.
- Melting of glaciers and sea ice.
- Changes in the frequency, intensity, and duration of extreme weather events.
- Shifts in ecosystem characteristics, like the length of the growing season, timing of flower blooms, and migration of birds.

These changes are due to a buildup of Greenhouse Gases (GHG) in our atmosphere and the warming of the planet due to the Greenhouse Gas Effect. The earth's temperature depends on the balance between energy entering and leaving the planet's system. When sunlight reaches the earth's surface, it can either be reflected back into space or absorbed by the earth. Incoming energy that is absorbed by the earth warms the planet. Once absorbed, the planet releases some of the energy back into the atmosphere as heat (also called infrared radiation). Solar energy that is reflected back to space does not warm the earth.

Certain gases in the atmosphere absorb energy, slowing or preventing the loss of heat to space. Those gases are known as "greenhouse gases." They act like a blanket, making the earth warmer than it would otherwise be. This process, commonly known as the "greenhouse effect," is natural and necessary to support life. However, the recent buildup of GHG in the atmosphere from human activities has changed the earth's climate and resulted in dangerous effects to human health and welfare and to ecosystems." (Appendix A, AQ Technical Study, page 22).

"Climate Change Effects in California

While there is general consensus across most scientific bodies regarding the reality of climate change, predictions of future effects are more speculative and the science is continually evolving. According to the National Oceanic and Atmospheric Administration (NOAA), California is likely to experience the following effects.

Temperatures in California have risen almost 3 degrees Fahrenheit (°F) since the beginning of the 20th century. The six warmest years on record have all occurred since 2014. Under a higher emissions pathway, historically unprecedented warming is projected during this century.

California snowpack plays a critical role in water supply and flood risk. Projected earlier melting of the snowpack due to rising temperatures could have substantial negative impacts on water-dependent sectors and ecosystems.

Global sea level is projected to rise, with a likely range of 1-4 feet by 2100. This will increase coastal flooding and impact management of water supplies and transportation.

One of California's most serious climate hazards is flooding, as a result of extreme precipitation, and the number of these events has been steadily increasing. On the other end, drought is another serious climate hazard. Abnormally low snowpack and record warmth, combined with below average precipitation, has led to severe droughts in recent years. Recent dry years have caused large drops in groundwater levels in some areas of the Central Valley, threatening the agricultural industry that is a staple of California economy and US food supplies. Droughts and increased temperature have also exacerbated wildfires, with some of the worst wildfires in

history occurring recently. Wildfire damage also increases the risks of mudslides and flooding when heavy rain occurs." (Appendix A, AQ Technical Study, page 23).

"Greenhouse Gases

Greenhouse gases (GHG) are gases that absorb and emit radiation within the thermal infrared range, trapping heat in the earth's atmosphere. There are no "attainment" concentration standards established by the Federal or State government for GHG. In fact, GHGs are not generally thought of as traditional air pollutants because GHG, and their impacts, are global in nature, while air pollutants affect the health of people and other living things at ground level, in the general region of their release to the atmosphere. Some GHG occur naturally and are emitted into the atmosphere through both natural processes and human activities. Other GHGs are created and emitted solely through human activities. The principal GHG that enter the atmosphere because of human activities are carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), and fluorinated carbons." (Appendix A, AQ Technical Study, page 23). The following Common GHG have been summarized from Appendix A, AQ Technical Study, pages 23-24:

- Water Vapor
- Ozone
- Aerosols
- Chlorofluorocarbons (CFC)
- Carbon Dioxide (CO_2)
- Methane (CH_4)
- Nitrous Oxide (N_2O)
- Fluorinated Gases
- Hydrofluorocarbons (HFC)Synthetic man-made chemicals that are used as a substitute for CFCs for automobile air conditioners and refrigerants.
- Perfluorocarbons (PFC)
- Sulfur Hexafluoride (SF_6)

Greenhouse Gases Concentrations

Regarding the quantity of these GHG in the atmosphere, the amount of particular gas in the air, known as Concentration (or abundance), which are measured in parts per million, parts per billion, and parts per trillion. To put this measurement in perspective, one part per million is equivalent to one drop of water diluted into about thirteen gallons of water (roughly a full tank of gasoline in a compact car). Therefore, it can be reasonably concluded that larger emissions of GHG lead to a higher concentration in the atmosphere. GHGs, as defined by AB 32, include the following gases: carbon dioxide, methane, nitrous oxide, hydrocarbons, perfluorocarbons, and sulfur hexafluoride. Their description and physical properties, lifetime, global warming potential (GWP), and sources are summarized in Table 3-10.

Table 3-10. Greenhouse Gases				
Greenhouse Gas	**Description and Physical Properties**	**Lifetime**	**GWP**	**Sources**
Methane (CH4)	Is a flammable gas and is the main component of natural gas.	12 years	21	Emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices and by the decay of organic waste in municipal solid waste landfills.
Carbon dioxide (CO2)	An odorless, colorless, natural greenhouse gas.	30-95 years	1	Enters the atmosphere through burning fossil fuels (coal, natural gas and oil), solid waste, trees and wood products, and also as a result of certain chemical reactions (e.g., manufacture of cement). Carbon dioxide is removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.
Chloro-fluorocarbons	Gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are non-toxic nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the earth's surface).	55-140 years	3,800 to 8,100	Were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. They destroy stratospheric ozone.

Table 3-10. Greenhouse Gases				
Greenhouse Gas	**Description and Physical Properties**	**Lifetime**	**GWP**	**Sources**
Hydrofluoro-carbons	A man-made greenhouse gas. It was developed to replace ozone-depleting gases found in a variety of appliances. Composed of a group of greenhouse gases containing carbon, chlorine an at least one hydrogen atom.	14 years	140 to 11,700	Powerful greenhouse gases that are emitted from a variety of industrial processes. Fluorinated gases are sometimes used as substitutes for stratospheric ozone-depleting substances. These gases are typically emitted in smaller quantities, but because they are potent greenhouse gases.
Nitrous oxide (N2O)	Commonly known as laughing gas, is a chemical compound with the formula N2O. It is an oxide of nitrogen. At room temperature, it is a colorless, non-flammable gas, with a slightly sweet odor and taste. It is used in surgery and dentistry for its anesthetic and analgesic effects.	120 years	310	Emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste.
Pre-fluorocarbons	Has a stable molecular structure and only breaks down by ultraviolet rays about 60 kilometers above Earth's surface.	50,000 years	6,500 to 9,200	Two main sources of pre-fluorocarbons are primary aluminum production and semiconductor manufacturing.
Sulfur hexafluoride	An inorganic, odorless, colorless, and nontoxic nonflammable gas.	3,200 years	23,900	This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing and as a tracer gas.

Table 3-10. Greenhouse Gases				
Greenhouse Gas	**Description and Physical Properties**	**Lifetime**	**GWP**	**Sources**
Source: EPA, Intergovernmental Panel on Climate Change				

Each of the designated GHG described in Table 3-10 can exist in (aka, reside) in the atmosphere for different amounts of time, ranging from a few years to thousands of years. All of these GHG remain in the atmosphere long enough to become well mixed (i.e., the amount that is measured in the atmosphere is roughly the same all over the world) regardless of the source of the emission(s).

Regulatory Setting

"As with air quality, the control of GHG involves agencies and stakeholders of nearly every type and at every level from international down to local municipalities and non-profit organizations. The following summaries offer a brief overview of important plans and regulations that have some relevance to the Project. Most plans and regulations are either not enforced at the project level (e.g., fuel efficiency standards) or are delegated to local agencies (e.g., Local Agency during permitting) to enforce. This section is intended to provide general regulatory context. Project specific requirements are directly assessed in later sections." (Appendix A, AQ Technical Study, pages 24-25).

International

"International Treaties:

At the international level, the framework for global climate action is set by major treaties that establish collective goals for reducing global warming and transitioning the world to a low-carbon economy. These agreements do not impose direct regulatory requirements on individual development projects but rather provide the overarching scientific and political context for the national and sub-national policies that California implements to meet its share of global GHG reductions.

- Paris Agreement – Aims to limit global warming to well below 2°C, preferably to 1.5°C, through nationally determined contributions (NDCs) for reducing greenhouse gas emissions.
- Kigali Amendment to the Montreal Protocol – Phases down production and consumption of hydrofluorocarbons (HFCs), powerful GHGs, to reduce their climate impact.
- UNFCCC Kyoto Protocol (currently not actively implemented by the US) – Aims to reduce greenhouse gas emissions by industrialized countries by 5.2% below 1990 levels by 2012.

- International Maritime Organization (IMO) Strategy on Reduction of GHG Emissions from Ships – Addresses GHG emissions from international shipping through regulations like energy efficiency standards and market-based measures.
- Global Methane Pledge – A joint commitment by over 100 countries to reduce methane emissions by 30% by 2030 compared to 2020 levels." (Appendix A, AQ Technical Study, page 25)

Federal

"The Federal government's role in GHG regulation is anchored in the Clean Air Act (CAA), which provides the legal basis for regulating GHGs as air pollutants. Federal regulations primarily focus on GHG emissions from vehicles and appliances. These requirements establish the minimum performance baseline for vehicles and equipment used by the Project, which is then often exceeded by California's stricter regulations.

Federal Regulations and Standards

Federal Clean Air Act – The primary federal air quality law intended to reduce and control air pollution nationwide. In *Massachusetts v. Environmental Protection Agency* (EPA) 549 U.S. 497 (2007), the U.S. Supreme Court (Supreme Court) found that four GHGs, including CO2, are air pollutants subject to regulation under Section 202(a)(1) of the CAA. On December 7, 2009, the EPA Administrator signed a final action under the CAA, finding that six GHGs (i.e., CO2, CH4, N2O, HFCs, PFCs, and SF6) constitute a threat to public health and welfare, and that the combined emissions from motor vehicles cause and contribute to global climate change, which threatens the public health and welfare. These findings do not impose requirements on industry or other entities. However, this was a prerequisite for implementing federal clean vehicle standards for GHG emissions standards discussed below. After a lengthy legal challenge, the Supreme Court declined to review an Appeals Court ruling that upheld the EPA Administrator's findings.

Federal Clean Vehicle Standards – First passed in 1975, and modified multiple times since, these standards increased fuel economy for all new cars and trucks sold in the US. The first phase applies to passenger cars, light-duty trucks, and medium-duty passenger vehicles, for model years 2012-2016. The combined average emissions standard of 250 grams of CO2 per mile is equivalent to 35.5 miles per gallon (mpg) if met solely through fuel economy. The second phase establishes standards for light-duty vehicles (passenger cars, light-duty trucks, and medium duty passenger vehicles), model years 2017-2025, with an equivalent mpg standard of 54.5 mpg. The final rules for heavy-duty trucks and buses was passed in 2011, along with combination tractors beginning with model year 2014. The heavy-duty trucks and vans standards are separate for gasoline and diesel. The Safer Affordable Fuel Efficient (SAFE) Vehicles Rule was proposed in 2018 and finalized in 2020, which increases stringency of the Corporate Average Fuel Economy (CAFE) rule for passenger cars and light trucks model years 2021 through 2026" (Appendix A, AQ Technical Study, pages 25-26).

State

"*California Bills and Plans:*

California acts as the primary regulatory engine for climate action in the United States, utilizing its statutory authority (AB 32 and SB 32) to create a comprehensive and ambitions GHG reduction mandate. This mandate is operationalized through the CARB 2022 Scoping Plan, which details the State's strategy to achieve carbon neutrality by 2045 via programs like the Cap-and-Trade Program and increasingly stringent, all-electric focused building codes like Title 24. These state regulations impose direct design and performance requirements on new development, forming the core of the Project's GHG compliance strategy.

Assembly Bill (AB)1493 Pavley Clean Car Regulations – Approved by CARB in 2004, the bill directed CARB to adopt regulations to achieve the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles. These standards are now harmonized with the federal standards but allow for California's ZEV mandates.

Assembly Bill 32 California Global Warming Act of 2006 – created a comprehensive, multiyear program to reduce GHG emissions in California and required CARB to develop a Scoping Plan that describes the approach California will take to reduce GHGs to achieve the goal of reducing emissions to 1990 levels by 2020.

Senate Bill 32 California Global Warming Solutions Act of 2016 – Codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels.

Scoping Plan – The Scoping Plan was first approved by CARB in 2008, then updated in 2014, 2017, and 2022. The original plan describes the approach California will take to reduce GHGs to 1990 levels by 2020. The 2017 Scoping Plan update incorporates the 2030 targets set by Executive Order B-30-15, and codified by SB 32, to reduce GHG emissions to 40% below 1990 levels by 2030. Key programs include the Cap-and-Trade Regulation; the Low Carbon Fuel Standards; substantially cleaner cars, trucks, and freight movement using cleaner, renewable energy; and strategies to reduce methane emissions from agricultural and other wastes. The 2022 Scoping Plan Update includes strategies and regulations to achieve carbon neutrality in California no later than 2045, an 85 percent reduction of GHG emissions compared to 1990 levels. Policies and programs include direct emission reduction measures; building code updates; market-based measures such as the Cap-and-Trade Program; incentives; and removal of CO2 from the atmosphere via carbon capture, utilization and storage technologies, and carbon sequestration through natural and working lands.

Title 24 California Code of Regulations (CCR) – Part 6 of Title 24, California Energy Efficiency Standards for Residential and Nonresidential buildings, was first adopted in 1978 and has been

updated periodically since. The most recent update, the 2022 Energy Code, was completed in 2021. Title 24, Part 11, California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings. It went into effect in 2011 and the most recently updated to the 2022 California Green Building Code Standards Note that CALGreen is a code managed by the California Building Standards Commission (CBSC), with the California Energy Commission (CEC) responsible for updating its energy-related components.

California Cap-and-Trade Program – The Cap-and-Trade program is a market-based mechanism to reduce GHG emissions by setting a declining cap on overall emissions from covered sectors (electricity, large industrial sources, transportation fuels). Facilities may be directly covered if their emissions exceed a certain threshold (e.g., 25,000 MT CO2e/year)." (Appendix A, AQ Technical Study, pages 26-27).

Regional

"*SJVAPCD Guidelines*

SJVAPCD has not been able to determine a specific quantitative level of GHG emissions increase, above which a project would have a significant impact, and below which it would have an insignificant impact. In the absence of scientific evidence supporting establishment of a numerical threshold, the SJVAPCD policy applies performance-based standards to assess project-specific GHG emission impacts on global climate change. In its GAMAQI, the SJVPACD policy provides for a tiered approach in assessing significance of Action specific GHG emission increases:

Tier 1: Actions complying with an approved GHG emission reduction plan or GHG mitigation program which avoids or substantially reduces GHG emissions within the geographic area in which the Action is located would be determined to have a less than significant individual and cumulative impact for GHG emissions. Such plans or programs must be specified in law or approved by the Lead Agency with jurisdiction over the affected resource and supported by a CEQA compliant environmental review document adopted by the Lead Agency. Actions complying with an approved GHG emission reduction plan or GHG mitigation program would not be required to implement Best Performance Standards (BPS).

Tier 2: Actions implementing BPS would not require quantification of Action specific GHG emissions. Consistent with CEQA Guideline, such Actions would be determined to have a less than significant individual and cumulative impact for GHG emissions.

Tier 3: Actions not implementing BPS would require quantification of Action specific GHG emissions and demonstration that Action specific GHG emissions would be reduced or mitigated by at least 29%, compared to Business as Usual (BAU), including GHG emission reductions achieved since the 2002-2004 baseline period, consistent with GHG emission

reduction targets established in ARB's AB 32 Scoping Plan. Actions achieving at least a 29% GHG emission reduction compared to BAU would be determined to have a less than significant individual and cumulative impact for GHG." (Appendix A, AQ Technical Study, page 27).

Local

Tulare County General Plan

The Tulare County General Plan has several GHG-related policies; however, most do not apply to the Project due to the nature of the Project (a quarrying operation), remoteness of its location to be efficient or cost-effective in implementing GHG reduction techniques (e.g., transit, bicycle paths, pedestrian-oriented facilities, etc.), and limited number of employees (15) and associated employee vehicle trips. Additional information regarding the County's general Plan policies can be found at: General Plan PowerPoint Presentation

Tulare County Climate Action Plan

"The County adopted the Tulare County Climate Action Plan (CAP) in August 2012. The CAP was updated in 2018 to address SB 32 2030 targets included in the CARB 2017 Scoping Plan Update. The CAP identifies the County's fair share of reductions required to maintain consistency with the State target to reduce GHG emissions by 40 percent below 1990 levels by 2030.

The CAP serves as a guiding document for County actions to reduce GHG emissions and adapt to the potential effects of climate change. The CAP is an implementation measure of the 2030 General Plan Update. The General Plan provides the supporting framework for development in the County to produce fewer GHG emissions during Plan buildout. The CAP builds on the General Plan's framework with more specific actions applied to achieve emission reduction targets consistent with California legislation. (AQ Technical Study, page 30).

A comprehensive discussion of the CAP can be found in the AQ Technical Study (see pages 29-32).

3.4 Thresholds and Methodology

As noted in the AQ Technical Study, "SJVAPCD provides guidance for assessing the significance of GHG impacts in its GAMAQI and in its Climate Change Action Plan. The reader may refer to those documents for more in-depth discussions on the background and reasoning for the guidance.

The SJVAPCD guidance follows a three-tiered approach. The preferred order of analysis is as follows:

1. Projects complying with an approved GHG emission reduction plan or GHG mitigation program which avoids or substantially reduces GHG emissions within the geographic area in which the project is located would be determined to have a less than significant individual and cumulative impact for GHG emissions. Such plans or programs must be specified in law or approved by the Lead Agency with jurisdiction over the affected resource and supported by a CEQA compliant environmental review document adopted by the Lead Agency. Projects complying with an approved GHG emission reduction plan or GHG mitigation program would not be required to implement Best Performance Standards (BPS).

2. Projects implementing BPS would not require quantification of project specific GHG emissions. Consistent with CEQA Guideline, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.

3. Projects not implementing BPS would require quantification of project specific GHG emissions and demonstration that project specific GHG emissions would be reduced or mitigated by at least 29%, compared to Business as Usual (BAU), including GHG emission reductions achieved since the 2002-2004 baseline period, consistent with GHG emission reduction targets established in ARB's AB 32 Scoping Plan. Projects achieving at least a 29% GHG emission reduction compared to BAU would be determined to have a less than significant individual and cumulative impact for GHG." (AQ Technical Study, page 37).

"A lead agency may use a model or methodology to estimate greenhouse gas emissions resulting from a project. The lead agency has discretion to select the model or methodology it considers most appropriate to enable decision makers to intelligently take into account the project's incremental contribution to climate change. The lead agency must support its selection of a model or methodology with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use.

No quantitative thresholds of significance have been established by CARB, SJVAPCD, or the County. As explained in the Greenhouse Gas Setting section of this report, the County has adopted a Climate Action Plan (CAP). The CAP includes in-depth discussions and substantial evidence demonstrating that it will meet the State's GHG reduction goals at the time of adoption. Therefore, the threshold of significance for GHG impacts is consistency with the County CAP, specifically the consistency checklist incorporated into the analysis of potential impacts in this report. Consistency with other key plans and regulations is also assessed for a fully comprehensive analysis of potential impact significance, along with a qualitative assessment of the potential incremental contribution of the Project's emissions to climate change." (Appendix A, AQ Technical Study, page 38).

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

Less Than Significant Impact: As noted in the AQ Technical Study, "The Project would generate GHG emissions during construction and operation, primarily through the combustion of fossil fuels while operating vehicles and equipment with internal combustion engines, along with indirect emissions from power plants supplying the energy used in buildings operations and onsite electrical equipment.

Section 5 Greenhouse Gases Setting and Section 6 Thresholds of Significance [of the AQ Technical Study] contain in-depth discussions regarding the use of an adopted Climate Action Plan (CAP) to assess potential significance of GHG impacts, along with a description of the County CAP and how it meets the State's goals for reducing GHG and mitigating the impacts of climate change.

"Consistency with the CARB 2022 Scoping Plan, and other key GHG reduction plans and measures, was also assessed to ensure the latest goals are incorporated and GHG emissions are reduced to the extent currently considered feasible.

As discussed more fully in Question 2 below [of the AQ Technical Study], the Project would be consistent with applicable plans, policies and regulations adopted for the purpose of reducing the emissions of GHG. Additionally, it would locate a new source of critical infrastructure building materials in an area with less than half of the permitted reserves compared to 50-year demand. The California Geological Survey Map Sheet 52 Aggregate Sustainability in California states that, because aggregate is a low unit-value, high-bulkweight commodity, it must be obtained from nearby sources to minimize economic and environmental costs associated with transportation. If nearby sources do not exist, then transportation costs quickly exceed the value of the aggregate. Hauling distance is therefore the most important factor in the feasibility of operating an aggregate quarry. Imported aggregate is more expensive because of additional transportation costs, and increased aggregate costs lead to more expensive construction projects in both the public and private sectors. Importing aggregate from neighboring regions also leads to more rapid depletion of reserves/resources in those regions, potentially contributing to price increases and greater environmental impacts due to aggregate shortages in those regions.

In addition to the greater economic costs, there are increased environmental and societal costs associated with the import of aggregate when compared to local production. In the case of imports, both the environmental and societal impacts occur within the importing region and in the neighboring regions that supply the material and through which the material is transported.

Societal impacts include increased traffic congestion and road wear and maintenance due to increased truck traffic. While the economic and societal impacts are not directly considered in

regards to the significance of Project GHG impacts, reducing them would provide co-benefits that are worth noting.

The primary environmental impact of importing aggregate is increased GHG and other air pollutant emissions. GHG emissions from aggregate transport essentially scale linearly with transport distance. Currently almost all aggregate produced or imported into California is transported to its final point of use by truck. A comprehensive study published in 2011 found that a local truck delivery distance of 26 miles (52 miles round trip) would result in 3,000 MTCO2e per million tons of aggregate transported, while an import distance of 100 miles (200 miles round trip) would result in 11,537 MTCO2e for the same amount of aggregate.

Construction aggregate is a critical building material. Given that Tulare County has less than half of the permitted reserves to meet the 50-year demand, and development will continue throughout the County and all of California, it is reasonable to conclude that by introducing a local supply of aggregate the Project would result in a net decrease in GHG emissions compared to the no-project alternative.

The incremental contribution of the Project's emissions to climate change would not be cumulatively considerable because the Project would be consistent with plans and regulations adopted for the purpose of reducing GHG emissions, which is considered by the CEQA Guidelines and the SJVAPCD to be an appropriate method for assessing GHG impact significance, and would implement the latest requirements and standards for operating a facility that will be producing critical building materials that would be imported from greater distances if the Project is not constructed."(Appendix A, AQ Technical Study, pages 50-51).

Mitigation Measures: None required.

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

No Impact: As noted in the AQ Technical Study, "The Project was assessed for consistency with the County CAP, the CARB 2022 Scoping Plan, and other key GHG reduction plans and measures.

The Project is not considered a "Large Project" according to the definition in the County CAP. Thus, compliance with the measures included in the CAP Checklist is sufficient to evaluate potential impacts and a quantitative analysis was not included, pursuant to the CAP guidance. As shown in the table below [Table 10 of the AQ Technical Study, Table 3-11 of the MND], the Project would be consistent with the CAP Consistency Checklist." (Appendix A, AQ Technical Study, page 51).

Table 3-11 County CAP Consistency Checklist (Non-residential Projects)		
Checklist Question	**Consistency Method and Criteria**	**Consistency Assessment**
1. Is the project consistent with applicable General Plan goals and policies listed in CAP?	Review CAP General Plan policies to identify applicable policies. If not consistent, provide additional justification for approving the project in light of the inconsistency or revise the project or perform quantitative analysis.	CONSISTENT. The County as Lead Agency will review Project plans and applications to ensure compliance with General Plan policies and include any project-specific requirements as conditions of approval. The primary applicable measures include the use of alternative energy on new buildings. The Project will incorporate the California Green Building Standards Code (CALGreen), which features the latest mandatory requirements for energy efficiency, water efficiency and conservation, material conservation and resource efficiency, environmental quality, and more.34 Most of the other measures incorporate SJVAPCD requirements by reference, compliance with which are discussed in Question 1 of the Air Quality Impacts Section. Consistency with the General Plan outside of Air Quality and GHG considerations is addressed within the Land Use section of the Initial Study.
2. Is the project within a rural community plan or hamlet plan? If yes, is the project consistent with the plan?	If the project requires a plan amendment make findings on why the project is appropriate for the site and will be consistent with plan	NOT APPLICABLE. The Project is not within a rural community plan or hamlet plan.

Table 3-11 County CAP Consistency Checklist (Non-residential Projects)		
Checklist Question	**Consistency Method and Criteria**	**Consistency Assessment**
	goals and policies after approval of the amendment. Amendments for large non residential projects (100 square feet of retail or projects generating 4,200 ADT or higher) in community plan or hamlets should perform a GHG analysis to identify best management practices including site design for walking and bicycling, energy efficiency and self-generation measures, and water conservation as part of the environmental review.	
3. Is the project an agriculture oriented commercial or industrial project in a rural area of the County?	If yes and the project is consistent with the General Plan, the project will comply with applicable State and local regulations. No further GHG review is required.	NOT APPLICABLE. The Project is not an agriculture oriented commercial or industrial project.
4. Is the project a general commercial or industrial project in a rural area of the County? If yes, is the project consistent with the General Plan?	If a plan amendment is required, perform a GHG analysis to identify best management practices including site design to encourage walking and bicycling, energy efficiency and self-generation measures, and water conservation as part of the environmental review. Sites in rural areas with no other development nearby would not need to assess pedestrian measures; however, carpool and	CONSISTENT. The Project could be considered general commercial or industrial, and it is in a rural area of the County. The Project is consistent with the General Plan. A plan amendment is not required and the specified analysis is therefore not required. The Project will still comply with CALGreen, which includes measures for energy efficiency and water conservation. The Project is not required to assess pedestrian measures and the

Table 3-11 County CAP Consistency Checklist (Non-residential Projects)		
Checklist Question	**Consistency Method and Criteria**	**Consistency Assessment**
	vanpool parking may be appropriate.	low number of employees (15) would make the effects of carpool and vanpool options on GHG impacts negligible.
5. Is the project required to construct a portion of a bicycle or pedestrian path that is part of an approved bicycle or mobility plan?	If yes, ensure that funding for construction of the project's fair share is included as a condition of approval.	NOT APPLICABLE. The Project is not required to construct a portion of a bicycle or pedestrian path that is part of an approved bicycle or mobility plan.
6. Is the development site appropriate for locating an improved TCRTA (formerly TCAT) transit stop?	Review TCRTA transit maps to determine if project is on an existing line. For large projects consult with TCAG and TCRTA. to determine if project is on a planned route and is suitable for a future transit stop. Work with TCAG to identify a fair share contribution for the transit stop construction and reserve right of way if needed.	NOT APPLICABLE[1]. The Project is not appropriate for locating an improved TCRTA transit stop. It is not on an existing line or a planned route and is not suitable for a future transit stop. The Project site is located in a rural area, several miles from the nearest community, with very few residences or other buildings located anywhere nearby. The Project would only employ 15 people.
7. Does the site plan have space set aside for recycling bins or compost collection?	Review site plan to determine if refuse collection area dimensions and location is consistent with County standards.	CONSISTENT. The Project will not result in substantial amounts of compost, but will implement recycling as required by CALGreen and the General Plan.
9. Does the site include shared EV charging stations per CalGreen requirements?	Review site plan and/or project description to determine if charger installations meet CalGreen requirements. Currently only conduits to future charger locations are required.	NOT APPLICABLE[1]. The Project will incorporate CALGreen requirements, including those related to EV charging stations, as applicable for the building types and uses. At this time, the County has stated that EV

Table 3-11 County CAP Consistency Checklist (Non-residential Projects)		
Checklist Question	**Consistency Method and Criteria**	**Consistency Assessment**
		charging stations are not applicable for the Project; however, final applicability and compliance will be confirmed when the County reviews building plans.
10. Does the project comply with Tulare County Solar Roof Ordinance and/or Title 24 solar installation whichever is more stringent?	The project description should include the solar installation plans for the project. Compare installation plans to Solar Ordinance and Title 24 to determine if the project is in compliance.	NOT APPLICABLE[1]. The Project will comply with Tulare County Solar Roof Ordinance and/or Title 24 solar installation, whichever is more stringent, as applicable for the building types and uses. At this time, the County has stated that solar installations are not applicable for the Project; however, final applicability and compliance will be confirmed when the County reviews building plans.
11. Does the project include drought tolerant landscaping and Irrigation systems meeting County standards and the MWELO.	Ensure developers are aware of drought tolerant landscaping and Irrigation requirements from County standards and the MWELO. Include the requirement as a standard condition of approval or similar mechanism.	NOT APPLICABLE. The Project is a construction aggregate quarry and will not include landscaping or irrigation.
12. Does the project comply with Title 24 building energy efficiency, lighting, and interior water efficiency requirements?	Prior to issuing building permits, the County will review building plans to ensure Title 24 compliance.	CONSISTENT. The Project will comply with Title 24 building energy efficiency, lighting, and interior water efficiency requirements. The County will review building plans to ensure compliance.

Table 3-11 County CAP Consistency Checklist (Non-residential Projects)		
Checklist Question	**Consistency Method and Criteria**	**Consistency Assessment**
13. Is the project required to comply with SJVAPCD Rule 9510 Indirect Source Review	Review project description to determine if the project meets Rule 9510 applicability criteria. For example, 50 single family residential units or 2,000 square feet of retail development. Include Rule 9510 compliance as a condition of approval if applicable.	CONSISTENT. The Project is exempt from ISR. Rule 9510 Section 4.4.3.1 exempts any development project on a facility whose primary functions are subject to Rule 2201 (New and Modified Stationary Source Review Rule) or Rule 2010 (Permits Required), including but not limited to Aggregate Mining or Processing.
14. Does the project employ over 100 employees arriving for work during peak traffic hours?	Determine if the project has the potential to be a large employer. Include a standard condition of approval to inform the applicant that the project may be subject to Rule 9410 Employer Trip Reduction Plans.	NOT APPLICABLE. The Project will employ 15 people, which is well under 100 employees.
Excerpted from the AQ Technical Study, pages 48-50. *Note 1: Telephone conversation with Gary Mills, Chief Environmental Planner, Tulare County RMA and Hector Guerra, Senior Environmental Planner, 4 Creeks. September 22, 2025.*		

Additional information provided in the AQ Technical Study indicates that the Project is also consistent with other applicable GHG reduction State plans and regulations (e.g., CARB 2002 Scoping Plan, AB 32, SB 32, California Cap-and-Trade Program, Title 24 California Energy Code & CALGreen) and Federal Clean Vehicle Standards

As indicated in the AQ Technical Study, "As demonstrated in the consistency tables above, the Project would be consistent with the County CAP, CARB 2022 Scoping Plan, and other applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions. Therefore, impacts would be less than significant, and no mitigation is required outside of compliance with existing regulations and programs." (Appendix A, AQ Technical Study, page 57).

As such, based on the information and analysis provided herein, and supported by the AQ Technical Study prepared by qualified consultants Core Environmental, the impact would be *less than significant.*

Mitigation Measures: None required.

Mitigation Measures: None required.

Based on the information and analysis provided herein and supported by the AQ Technical Study prepared by qualified consultants Core Environmental, no mitigation measures would be required.

Cumulative Impact: Less than Significant.

This cumulative analysis is based on the information provided in this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Cultural resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety. In addition to the documents incorporated by reference, qualified consultant Core Environmental Consulting (Core Environmental) prepared a "Technical Report Air Quality, Greenhouse Gas, and Health Risk Assessment For California Environmental Quality Act" (Appendix A, AQ Technical Study) that is used to analyze potential air quality impacts related to the Project.

The immediate cumulative area is Tulare County and the San Joaquin Valley Air Basin. GHG is considered a global concern; however, as demonstrated in the AQ Technical Study prepared by qualified consultants Core Environmental Consulting, the Project would not generate a cumulatively considerable GHG impact. Further, it would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions. A comprehensive discussion of Cumulative GHG impacts can also be found in the AQ Technical Study (in Appendix A of this MND) at page 38.

Therefore, based on the information and analysis provided herein, and supported by the AQ Technical Study prepared by qualified consultants Core Environmental Consulting, the Project would result in a *less than significant impact.*

IX. HAZARDS AND HAZARDOUS MATERIALS

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Biological Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

Environmental Setting

The proposed Project Site is approximately 4.88 miles southeast of the nearest school, Carl F. Smith Middle School in Terra Bella, CA. It is approximately 8.31 miles northwest of the nearest public airport, Porterville Municipal Airport (see Figure 3-6). The nearest private airport, SCE San Joaquin Heliport, is located approximately 0.87 miles to the east.

"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, Section 66260.10)." (Tulare County General Plan 2030 Update Background Report, page 8-26).

Similarly, hazardous wastes are defined as "materials that no longer have practical use, such as substances that have been discarded, discharged, spilled, contaminated, or are being stored prior to proper disposal. According to Title 22 of the CCR, hazardous materials and hazardous wastes are classified according to four properties: toxic, ignitable, corrosive, and reactive (CCR, Title 22, Chapter 11, Article 3)." (Tulare County General Plan 2030 Update Background Report, page 8-26).

Hazardous Waste Shipments Originating Within Tulare County

"In 2007, the DTSC Hazardous Waste Tracking System (HWTS) manifest data reports that approximately 5,925 tons of hazardous waste was transported from all categories of generators in Tulare County. As of November 2008, hazardous waste data available for 2008 indicated that approximately 7,160 tons of hazardous waste was generated in the county (DTSC, 2008a). (Tulare County General Plan 2030 Update Background Report. Page 8-26 Background Report citation

includes California Department of Toxic Substance Control Hazardous Waste Tracking System Database, Total Yearly Tonnage by Waste Code. Report generated November 17, 2008).

Environmental Health Department Futures Assessment

“The Environmental Health Department [EHD], of which the CUPA is a part, anticipates a slight increase in the reported volume of hazardous waste generated within Tulare County in year 2003/04. However, EHD does not expect an increase in the actual volume of hazardous waste generated over the same period.” (Tulare County General Plan 2030 Update Background Report, page 8-37; Background Report citation includes California Department of Toxic Substance Control Hazardous Waste Tracking System Database, Total Yearly Tonnage by Waste Code. Report generated November 17, 2008).

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

Regulatory Setting

Federal

Hazardous Materials Transportation Act

“The Hazardous Materials Transportation Act of 1975 (HMTA) as amended, is the major transportation-related statute affecting [Department of Energy] DOE. The objective of the HMTA according to the policy stated by Congress is "…to improve the regulatory and enforcement authority of the Secretary of Transportation to protect the Nation adequately against risks to life and property which are inherent in the transportation of hazardous materials in commerce." The HMTA empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property."

[Regulations apply to] "…any person who transports, or causes to be transported or shipped, a hazardous material; or who manufactures, fabricates, marks, maintains, reconditions, repairs, or tests a package or container which is represented, marked, certified, or sold by such person for use in the transportation in commerce of certain hazardous materials." (United States Department of Energy, The Office of Health, Safety and Security, http://homer.ornl.gov/sesa/environment/policy/hmta.html; it is noted that the site is no longer operative). However, the Occupational Safety and Health Administration (OSHA) provides an overview which also states, “The Hazardous Materials Transportation Act of 1975 (HMTA) empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or

property." (see OSHA at: Trucking Industry - Transporting Hazardous Materials | Occupational Safety and Health Administration)

Superfund

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

Occupational Safety and Health Administration (OSHA)

"OSHA's mission is to assure America's workers have safe and healthful working conditions free from unlawful retaliation. OSHA carries out its mission by setting and enforcing standards; enforcing anti-retaliation provisions of the OSH Act and other federal whistleblower laws; providing and supporting training, outreach, education, and assistance; and working collaboratively with our state OSHA programs as well as ensuring that they are at least as effective as federal OSHA, furthering a national system of worker safety and health protections." (see: https://www.osha.gov/aboutosha).

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

"The Toxic Substance Control Act [TSCA] of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics and pesticides." (see: Summary of the Toxic Substances Control Act | US EPA)

State

Hazardous Substance Account Act (1984), California Health and Safety Code Section 25300 ET SEQ (HSAA)

"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." (Tulare County General Plan 2030 Update Background Report, pages 8-28 to 8-29).

California Environmental Protection Agency (Cal/EPA) Department of Toxic Substance Control (DTSC)

"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 [Resource Conservation and Recovery Act] 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. The State Regulatory Programs Division of DTSC oversees the technical implementation of the state's Unified Program, which is a consolidation of six environmental programs at the local level, and conducts triennial reviews of Unified Program agencies to ensure that their programs are consistent statewide and conform to standards." (Tulare County General Plan 2030 Update Background Report, page 8-29)

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."11

Hazardous Materials Transport Regulations

"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. The requirements include possession of a valid Hazardous Waste Transporter Registration, proof of public liability insurance, which includes

coverage for environmental restoration, and compliance with California Vehicle Code registration regulations required for vehicle and driver licensing."12

Cal/EPA Cortese List

The provisions in Government Code Section 65962.5 are commonly referred to as the "Cortese List" (after the Legislator who authored the legislation that enacted it). The list, or a site's presence on the list, has bearing on the local permitting process as well as on compliance with the California Environmental Quality Act (CEQA). The Cortese List identifies the following:

- Hazardous Waster and Substance Sites
- Cease and desist order Sites
- Waste Constituents above Hazardous Waste Levels outside the Waste Management
- Unit Sites
- Leaking Underground Tank (LUST) Cleanup Sites
- Other Cleanup Sites
- Land Disposal Sites
- Military Sites
- WDR Sites
- Permitted Underground Storage Tank (UST) Facilities Sites
- Monitoring Wells Sites
- DTSC Cleanup Sites
- DTSC Hazardous Waste Permit Sites

Additional and more specific language contained in the can be found at: California Government Code section 65962.5 (2025)

Local

Tulare County Office of Emergency Services

"The Tulare County Office of Emergency Services (OES) is Tulare County's comprehensive emergency management program. The discipline of emergency management aims to create partnerships, plans, and systems to build capabilities and coordinate the efforts of government, industry, and voluntary organizations in all phases of an emergency.

The activities of Tulare County OES can be categorized under the four phases of the emergency management cycle: Preparedness, Response, Recovery, and Mitigation. The day-to-day activities of the program center around Preparedness and Mitigation phases, in order to combat potential hazards and minimize community impacts during the Response and Recovery phases. The following descriptions offer more detail about the activities in each phase of emergency management.

Preparedness

- Public Education
- Training & Exercise for responders
- Grants for public safety & health agencies

Response

Tulare County OES maintains the Emergency Operations Center (EOC) for the County and Operational Area. Tulare County OES also administers the AlertTC notification system and WebEOC crisis information management system.

Recovery

After the emergency is over, there is still considerable work to be done to help the community return to a pre-disaster state. Recovery often takes several years, perhaps even decades, to fully complete.

Mitigation

Mitigation is the process by which hazards and vulnerabilities are identified, and measures taken to decrease the potential for occurrence of the hazard, the vulnerability to the hazard should it occur, or both. Tulare County Office of Emergency Services implements the 2011 Tulare County Hazard Mitigation Plan. (see County of Tulare Office of Emergency Services at What is OES? | Tulare).

County of Tulare Health and Human Services Agency. Environmental Health Division. Hazardous Materials/Certified Unified Program Agency (CUPA)

"The California Environmental Protection Agency designated the Tulare County Environmental Health as the CUPA for Tulare County. The role of the CUPA is to assure consolidation, consistency and coordination of the hazardous materials programs within the County. The Tulare County Division of Environmental Health is responsible for overseeing the six hazardous materials programs in the County. The Tulare County Division of Environmental Health is responsible for inspecting facilities that handle hazardous materials, generate hazardous waste, treat hazardous waste, own/operate underground storage tanks, own/operate aboveground petroleum storage tanks, or handle other materials subject to the California Accidental Release Program. Please use the links on the right side of your screen for more information about the CUPA programs." (see Tulare County's Office of Emergency Services (OES), Environmental Health Division, Hazardous Materials/Certified Unified Program Agency at: Hazardous Materials (CUPA) | Tulare).

Tulare County General Plan

The 2030 General Plan *Land Use and Health and Safety* chapters includes the following policies, which would address potential impacts associated with hazardous and hazardous materials that relate to the proposed Project:

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.

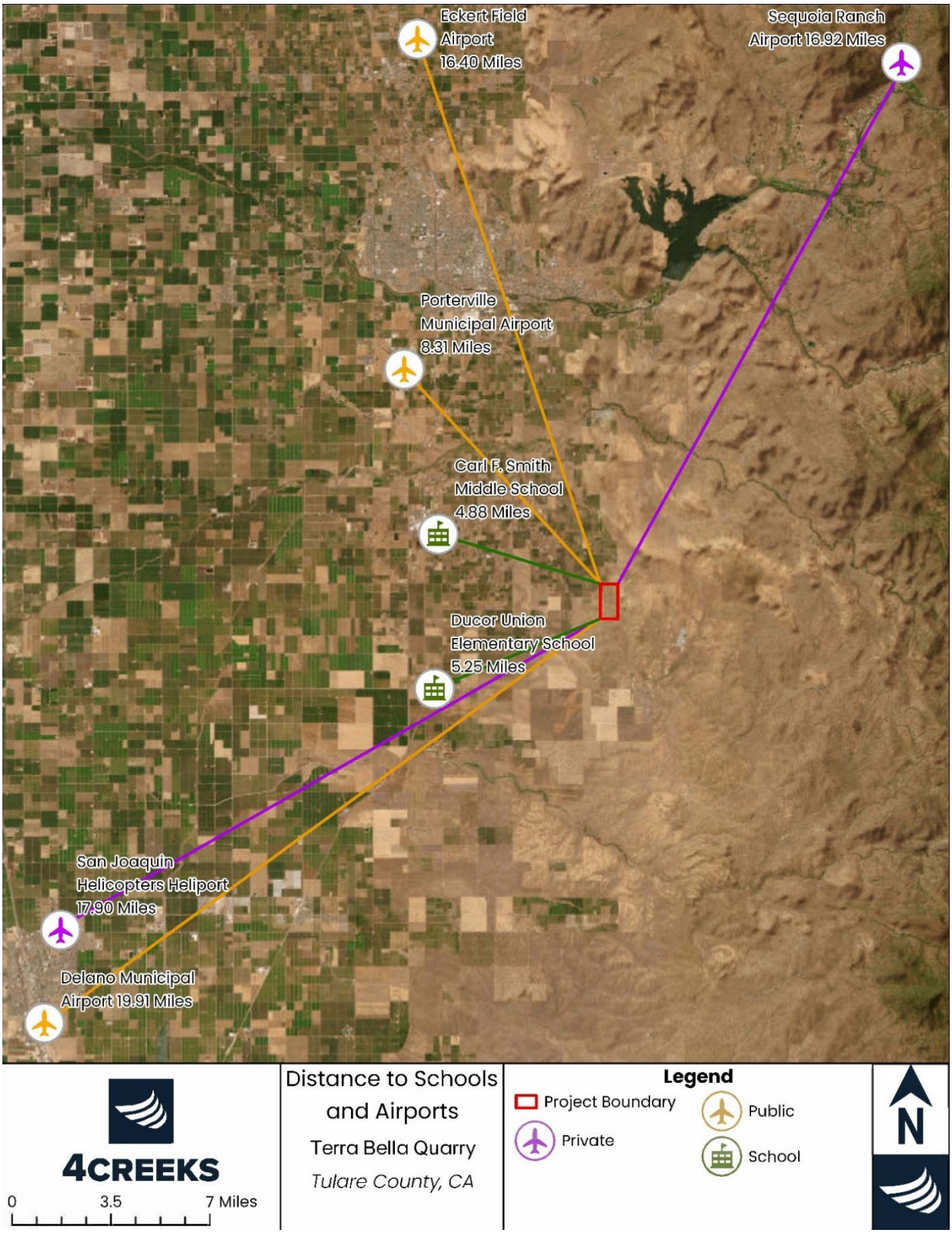


Figure 3-6: Distance to Schools and Airports

Discussion

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

Less than Significant Impact: The Project will involve the routine use of hazardous materials, including fuels, oils, and lubricants necessary for the operation of mobile equipment on-site. However, these materials will be handled, stored, and disposed of in strict compliance with all applicable federal, state, and local regulations governing hazardous substances. As an added precaution, a Spill Prevention Control and Countermeasure (SPCC) Plan and a Hazardous Materials Business Plan (HMBP) as required from Tulare County Environmental Health Services will be implemented. These plans include containment and response protocols, providing clear procedures for accidental spill containment and cleanup, ensuring a minimal risk of environmental impact. Subsequently, with these safety measures in place, the Project's routine use, transport, or disposal of hazardous materials would be sufficient to avoid, minimize and/or remedy accidental spills of hazardous materials. Therefore, based on the information and analysis provided herein, there would be a *less than significant impact*.

Mitigation Measures: None required.

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?

Less than Significant Impact: The Project's potential for hazardous material release is primarily limited to accidental spills of fuels and oils used for equipment. To avoid, minimize and/or remedy this risk, containment and response plans such as the SPCC Plan and HMBP would be implemented as applicable. These plans outline preventative and responsive measures, including secondary containment for storage areas, immediate spill response protocols, and employee training in hazardous material handling. Additionally, regular maintenance and inspection of fuel and oil storage areas will avoid/minimize the likelihood of accidental release. Using these precautions and management practices would be sufficient to avoid and/or minimize accidental release of hazardous materials. Therefore, based on the information and analysis provided herein, there would be a *less than significant impact.*

Mitigation Measures: None required.

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

No Impact: There are no existing or proposed schools within a quarter mile of the Project Site. The Project is situated in a rural, sparsely populated area where the nearest school is located

approximately 4.88 miles away in the unincorporated community of Terra Bella. Additionally, the Project activities do not involve emissions or the handling of hazardous materials in a manner that would pose a risk to schools or other sensitive receptors. As such, the Project would not emit or handle hazardous materials in proximity to schools. Therefore, based on the information and analysis provided herein, there would be *no impact*.

Mitigation Measures: None required.

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?

No Impact: The Project Site is not listed on any hazardous materials site databases as compiled under Government Code Section 65962.5, which includes sites identified by the California Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board. This status has been verified with current state and local environmental data resources, confirming that no active contamination or hazardous material concerns exist on the Site. The Project Site is not associated with historical contamination and it would not introduce any risks to public health or the environment due to hazardous material presence. Therefore, based on the information and analysis provided herein, there would be *no impact.*

Mitigation Measures: None required.

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

No Impact: The Project Site is situated outside any designated airport land use plan area and lies beyond two miles from the nearest public or private airport. As such, the Project would not pose any safety hazards associated with aircraft operations, and there would be no risk of excessive noise impacting people working or residing in the Project area. Therefore, based on the information and analysis provided herein, there would be *no impact*.

Mitigation Measures: None required.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No Impact: The Project is not within the vicinity of a private airstrip. As noted earlier, due to the nature of the proposed Project. As such, the project would not result in a safety hazard for people residing or working in the project area. Therefore, based on the information and analysis provided herein, there would be *no impact*.

Mitigation Measures: None required.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No Impact: The Project will not interfere with existing emergency response or evacuation routes as all Project activities, equipment, and vehicles will remain within the boundaries of the Site. The Site is accessible via established roadways, and all staging and equipment areas are designed to ensure unobstructed emergency access at all times. The Project will also follow any local emergency management guidelines to avoid impacting regional emergency response plans. As such, the Project's operations would not impair implementation of or physical interference with emergency response or evacuation plans in the area. Therefore, based on the information and analysis provided herein, there would be *no impact*.

Mitigation Measures: None required.

h) Expose people or structures, either directly or indirectly, to significant risk of loss, injury or death involving wildland fires?

Less than Significant Impact: The Project Site is not within a designated High or Very High Fire Hazard Severity Zone, minimizing the risk of wildfire-related hazards. However, because the Project is located in a rural area with some surrounding vegetation, precautionary measures, including creating defensible space around operational areas and removing combustible vegetation, will be implemented. Fire suppression equipment will also be readily available on-site, and workers will be trained in fire prevention and emergency response protocols. These fire safety measures would minimize the risk of fire spreading and causing damage within and outside the Project site. Therefore, based on the information and analysis provided herein, there would be a *less than significant impact*.

Mitigation Measures: None required.

Mitigation Measures: None required.

Based on the information and analysis provided herein, no mitigation measures would be required.

Cumulative Impact: Less than Significant

This cumulative analysis is based on the information provided in this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use

designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Hazards and Hazardous Materials Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The geographic area of this cumulative analysis is Tulare County. The Project is not within 0.25 miles of an existing or proposed school The Project is not within two miles of an airport land use plan or public/public use airport. It is not within the vicinity of an private airstrip. The proposed Project does not include alterations to an emergency plan or include reductions of site accessibility by emergency vehicles. The Project site is not located in wildland and will not impact the growth of wildlands. The Project would not result in project-specific impacts, as such it would not result in cumulative impact. Therefore, based on the information and analysis provided herein, the Project would result in a *less than significant cumulative impact*.

X. HYDROLOGY AND WATER QUALITY

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Hydrology and Water Quality resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components

included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

Qualified consultant Mason Geoscience prepared the "*HYDROLOGY AND WATER QUALITY REPORT TERRA BELLA QUARRY*" (Hydrology Report, Appendix E of this MND) which will be used in addition to the previous resources incorporated herein by reference as noted earlier. This report has been prepared to assess potential hydrologic and water quality impacts from the proposed project. The assessment required reviewing readily available hydrologic and water quality information for the site and surrounding area and includes qualitative and quantitative hydrologic data. These data, submitted herein, include discussion of the natural setting of the site. A California Environmental Quality Act (CEQA) checklist is included with discussion regarding potential environmental impacts from the proposed project (CEQA, 2024).

Environmental Setting

The Environmental Setting and following discussions have been excerpted from the Hydrology Report prepared by qualified consultant Mason Geoscience based on their knowledge of the Project site, hydrology and water expertise, and to maintain consistency with terminology used in the following resources discussion.

"The study area is hydrologically located within the Upper Deer-Upper White watershed (HUC 12-180300050403) near the eastern boundary of the Tule Subbasin that is part of the Tulare Lake Hydrologic Region of the San Joaquin Valley. The San Joaquin Valley comprises the southern extent of the Great Central Valley of California. The City of Terra Bella is located approximately five miles northwest of the site. Predominant land use around the site is identified as "Foothill Agriculture" (Figure 4-1, General Plan, 2012).

The proposed project site occupies approximately 320 acres within the northeast quarter of the north half of Section 16 and the southeast quarter of the south half of Section 16 (Figures 1 and 2 [of the Hydrology Report]). The site is topographically at an elevation of around 700 to 800 feet above mean sea level (AMSL). Geologically, the proposed project is underlain by metamorphic and igneous bedrock on the east side of the San Joaquin Valley, where the flatlands of the valley floor meet the rolling foothills of the Sierra Nevada Mountain Range (Figures 1 and 2 [of the Hydrology Report]).

A majority of the site is rolling low elevation hills that are covered in thick, green, annual weeds and grasses during the wet season that become dry and yellowish-brown during the summer months. The ground surface is undulating and characterized by first and second order drainages eroded into the local bedrock. Few bedrock outcrops are observable in about two-thirds of the northern portion of the site and increase in frequency where the rock type changes in the southern approximate one-third of the site. The proposed mine site will occupy most of the area

within the project boundaries; the main processing area will be near the north end of the site." (Appendix E, Hydrology Report, page 10).

Climate

"Runoff from the Sierra Nevada mountains to the west provides good quality water for irrigation along with local groundwater. The region around the site experiences a long growing season (April through October), warm to hot summers, and a fall harvest period usually sparse in rain (Water Plan, 2013).

The proposed project is located in an area with a mediterranean climate. Warm to hot dry summers are followed by cool moist winters. Precipitation data for the site was obtained from the California Irrigation Management Information System (CIMIS) for Station #182 located in Lemon Cove, California. Data from 2019 through 2023 were reviewed. The Lemon Cove station is the nearest station representing foothill precipitation similar to the site. Annual average precipitation in the Lemon Cove area is approximately 12.3 inches, almost all of which falls between the months of October through May (CIMIS, 2024). Virtually all precipitation falls in the form of rain.

Wind direction and velocity in the eastern section of the Central Valley, near the site, varies significantly from the western portion of the County. The western side receives northwesterly winds. The eastern side of the county exhibits more variable wind patterns, but the wind direction is typically up-slope during the day and down-slope in the evening. Generally, the wind direction in the eastern portion of the county is westerly; however, terrain differences can create moderate directional changes (FEIR, 2015)." (Appendix E, Hydrology Report, page 11).

Hydrologic Setting

"The project site is located in the Tulare Lake Hydrologic Region that covers approximately 10.9 million acres (17,000 square miles) and includes all of Kings and Tulare counties and most of Fresno and Kern counties. Major population centers include Fresno, Bakersfield, and Visalia. The cities of Fresno and Visalia are entirely dependent on groundwater for their supply, with Fresno being the second largest city in the United States reliant solely on groundwater (DWR, 2003). The Tulare Lake region is one of the nation's leading agricultural production areas, growing a wide variety of crops on about three million irrigated acres. Agricultural production has been a mainstay of the region since the late 1800s. However, since the mid-1980s, other economic sectors, particularly the service sector, have been growing (Water Plan, 2013). The project site is located on the eastern boundary of the Tule Subbasin (5-22.13) at the contact between the alluvium-filled San Joaquin Valley and crystalline bedrock of the Sierra Nevada foothills. Tule River, Deer Creek, and White River are major drainages in the subbasin that empty westward toward the Tulare lakebed. Groundwater flow is generally westward and water table elevation contours diverge from the path of the Tule and White Rivers in the north and south portions of

the subbasin, respectively, suggesting that these drainages act as losing streams throughout most of their extent. Groundwater recharge is primarily from stream recharge and from deep percolation of applied irrigation water (DWR, 2014)." (Appendix E, Hydrology Report, page 12).

Geologic Setting

"The site is geologically located within the western foothills at the base of the Sierra Nevada Mountain Range. Significant geographic features include the southern half of the San Joaquin Valley, the Temblor Range and Coast Ranges to the west, the Tehachapi Mountains to the south, and the southern Sierra Nevada Mountain Range to the east.

Site geology was reviewed from the 2010 Geologic Map of California, Scale 1:750,000, published by the California Geological Survey (CGS, 2010). Subsurface lithology of the site is bedrock mantled by a relatively thin layer of residual soils derived from weathering of the bedrock parent material.

The southern portion of the site is mapped as Mesozoic plutonic (grMz) granite, quartz monzonite, granodiorite, and quartz diorite. Terracon (2024) reported the southern portion of the project area is underlain by tonalite (granitic rock). The central portion of the property is mapped as undivided pre-Cenozoic mixed rocks of metasedimentary and metavolcanic rocks (m). The rock types are mostly slate, quartzite, hornfels, chert, phyllite, mylonite, schist, gneiss, and minor marble. Ross (1995) mapped this area as Pampa(?) Schist of Dibblee and Chesterman (1953) comprised of Mesozoic dark pelitic schist and quartzo-feldspathic hornfels that make up the White River and Fountain Springs pendants.

At the northern end of the site, the metasedimentary and metavolcanic rocks are in contact with mostly loosely consolidated Pliocene to Pleistocene nonmarine sedimentary rocks of sandstone and shale and gravel deposits. These eastern valley margin deposits are generally more coarse and permeable, especially along the east side of the Tule Subbasin adjacent to the Sierra Nevada foothills (USGS, 1995)." (Appendix E, Hydrology Report, pages 12-13).

Topographic Setting and Drainage Patterns

"Regional topography around the mine site is expressed as hill and valley with elevations generally increasing towards the east into the Sierra Nevada Mountain Range (Figure 1 [of the Hydrology Report]). Locally, topography generally follows slopes of local hills and valleys around the mine site, decreasing in elevation toward the west into the generally flat San Joaquin Valley. Surface water generally follows the topography, draining from higher elevations east of the site originating in the Sierra Nevada Mountain Range, down to the west into the San Joaquin Valley.

Natural topography of the project area is a north-trending ridge that bisects the northern parcel. The southern half of the project area slopes gently down to the west into a northern-trending

valley near the west property boundary. To a limited extent, mining activities have altered the natural slopes within the central portion of the project area.

Review of Google Earth Pro imagery dated November 2, 2023, shows the land surface elevation at the former mine after previous reclamation activities is approximately 750 feet AMSL. Historic aerial photography from 1994 shows surface water drained to lower elevation basins located north and south of the former quarry." Appendix E, (Hydrology Report, pages 12-13).

Surface Water

"Regional rivers draining into the Tulare Lake region include the Kings, Kaweah, Tule, and Kern rivers. Geographic features in the southern portion of the Central Valley include lakebeds of the former Buena Vista/Kern and Tulare lakes that comprise the southern half of the Valley; the Coast Ranges to the west; the Tehachapi Mountains to the south; and the southern Sierra Nevada Mountain Range to the east (Water Plan, 2013).

The Tulare Lake region is divided into several main hydrologic subareas: the alluvial fans from the Sierra foothills and the basin subarea (in the vicinity of the Kings, Kaweah, and Tule rivers and their distributaries); the Tulare Lakebed; and, the southwestern uplands. The alluvial fan/basin subarea is characterized by southwest to south flowing rivers, creeks, and irrigation canal systems that convey surface water originating from the Sierra Nevada Mountains. The dominant hydrologic features in the alluvial fan/basin subarea are the Kings, Kaweah, Tule, and Kern rivers and their major distributaries draining from the western flanks of the Sierra Nevada Mountains. Geographically related to the site, Tule River begins in Sequoia National Forest and flows southwest through Lake Success toward Tulare Lake (Water Plan, 2013).

The proposed mine site is located approximately five miles south of Deer Creek and seven miles north of White River. These two waterways are interpreted as ephemeral losing streams that flow west from the upper reaches of the Sierra Nevada Mountains toward Terra Bella, Earlimart, and Delano.

Surface water flowing to geographic areas of the site begins in the Upper Deer-Upper White watershedHUC-12-18030005 and Lower Fountain Springs Gulch sub-watershed, HUC-12-180300050403 (Figure 4 [of the Hydrology Report]), covering 19,634 acres. A United States Environmental Protection Agency (US EPA) watershed report was completed for a 37.95 square kilometer (9,378 acre) catchment that is a portion of the Lower Fountain Springs Gulch sub-watershed. Within the catchment, a 6.11 kilometer reach of stream segment extends near the northwest of the site and south of Deer Creek (Screenshot, Figure 5 [of the Hydrology Report]). Figure 5 [of the Hydrology Report] shows the sub-watershed area of interest and estimated mean annual flow volume along the catchment of 0.34 cubic feet per second (246 acre-feet per year) (US EPA, Watershed Report, 2024).

Harder et. al. (2024) reported average annual flows from Deer Creek, north of the site, and White River, south of the site. Average annual flow was reported from a United States Geological Survey (USGS) gaging station on Deer Creek at Fountain Springs, upstream and east of the site, between water year 1986/1987 and 2022/2023. The average annual flow was approximately 19,500 acre-feet per year, with a low of approximately 2,000 acre-feet in water year 2014/2015, and a high of approximately 96,000 acre-feet in water year 2022/2023.

Harter et. al. (2024) also reported stream flow in the White River has been measured at the USGS gaging station near Ducor from 1972 to 2005. Data after 2005 was interpolated. Average annual flow between water year 1986/1987 and 2016/2017 was approximately 5,800 acre-feet per year, with a low of approximately 250 acre-feet in water year 2014/2015 and a high of approximately 37,000 acre-feet in 1997/1998." (Appendix E, Hydrology Report, pages 13-14).

Surface Water Quality

"Surface water quality in the Tulare Lake Basin is generally good, with excellent quality exhibited by most eastside streams. Surface water quality data was not available within the site boundary. Regional Water Quality Control Board water quality objectives are summarized below (WQCP, Tulare Lake, 2018) [summarized as follows:].

3.1.1 Ammonia
3.1.2 Bacteria
3.1.3 Biostimulatory Substances (Hydrology Report, page 14).

Chemical Constituents:

"Waters shall not contain chemical constituents in concentrations that adversely affect beneficial uses. The Regional Water Board will consider all material and relevant information submitted by the discharger and other interested parties and numerical criteria and guidelines for detrimental levels of chemical constituents developed by the State Water Board, the California Office of Environmental Health Hazard Administration, the National Academy of Sciences, the U. S. Environmental Protection Agency, and other appropriate organizations to evaluate compliance with this objective. At a minimum, water designated "MUN" shall not contain concentrations of chemical constituents in excess of the maximum contaminant levels (MCLs) specified in the following provisions of Title 22 of the California Code of Regulations, which are incorporated by reference into the plan: Tables 64431-A (Inorganic Chemicals) and 64431-B (Fluoride) of Section 64431, Table 64444-A (Organic Chemicals) of Section 64444, and Table 64449-A (Secondary Maximum Contaminant Levels-Consumer Acceptance Limits) and 64449-B (Secondary Maximum Contaminant Levels-Ranges) of Section 64449.

This incorporation-by-reference is prospective, including future changes to the incorporated provisions as the changes take effect. At a minimum, water designated MUN shall not contain

lead in excess of 0.015 mg/l. The Regional Water Board acknowledges that specific treatment requirements are imposed by state and federal drinking water regulations on the consumption of surface waters under specific circumstances. To ensure that waters do not contain chemical constituents in concentrations that adversely affect beneficial uses, the Regional Water Board may apply limits more stringent than MCLs [summarized as follows:].

3.1.5 Color
3.1.6 Dissolved Oxygen
3.1.7 Floating Material
3.1.8 Oil and Grease
3.1.9 pH
3.1.10 Pesticides
3.1.11 Radioactivity
3.1.12 Salinity
3.1.13 Sediment
3.1.14 Settleable Material
3.1.15 Suspended Material
3.1.16 Tastes and Odors
3.1.17 Temperature
3.1.18 Toxicity
3.1.19 Turbidity" (Hydrology Report, pages 14-18)

Surface Water Supply

"No surface water will be utilized or available for the project. Near the site and throughout the San Joaquin Valley, surface-water supplies in the past have been generally inadequate to meet irrigation demands, and overdraft on groundwater supplies has been widespread. As a result, water level fluctuations have occurred in response to the groundwater withdrawals. The water table declines rapidly in late spring and summer and recovers as pumping ceases late in the autumn. In over-drafted areas, a year-by-year decline has occurred. Imports of Central Valley Project surface water through the Friant Kern Canal have supplied additional recharge to the groundwater basins locally and helped to reduce pumping overdraft (Davis, et. al., 1959).

Surface water runoff in the Porterville area generally flows from east to west and terminates in the Tulare Lake Basin. Major surface water resources in the area of the mine site are Deer Creek approximately five miles north and White River approximately seven miles south. Deer Creek emanates from higher elevations within the Sierra Nevada Mountains to the east. It is an ephemeral stream that flow westerly toward Terra Bella and Pixley. White River also emanates at higher elevations with the western Sierra Nevada Mountains and flows west out of the foothills near Richgrove, California. From the Richgrove area, it flows further west along the southern boundary of the Tule Subbasin." (Appendix E, Hydrology Report, page 18).

Flooding

"The Federal Emergency Management Agency (FEMA) provides a Flood Insurance Rate Map (FIRM) which identifies different flood zone areas. Figure 6 [of the Hydrology Report] shows the proposed project is located in FEMA FIRM community map number 06107C2000E, dated June 16, 2009. The flood map indicates the site is in Zone X; an area of minimal flood hazard that is determined to be outside the 0.2% annual chance floodplain." (Appendix E, Hydrology Report, page 18).

Groundwater

Groundwater Occurrence

"The site is located near the eastern boundary of the Eastern Tule Subbasin, as described in the Revised July, 2024, Tule Subbasin Groundwater Sustainability Plan. Groundwater from the crystalline basement rocks of the eastern Sierra foothills will be the primary source of water for the site. Groundwater flowing through shallow parts of the aquifer system beneath the site emanates as runoff at higher elevations from the Sierra Nevada Mountains.

Groundwater resources in the Tulare Lake region are supplied by both alluvial and fractured rock aquifers. Alluvial aquifers are composed of sand and gravel or finer grained sediments, with groundwater stored within the voids, or pore space, between the alluvial sediments. Fractured-rock aquifers consist of impermeable granitic, metamorphic, volcanic, and hard sedimentary rocks, with groundwater being stored within cracks, fractures, or other void spaces. The distribution and extent of alluvial and fractured rock aquifers and water wells vary significantly within the region (Water Plan Update, 2013).

The main freshwater-bearing aquifer beneath the site is fractured bedrock. Fractured-rock aquifers are generally found in the mountain and foothill areas adjacent to alluvial groundwater basins. Due to the highly variable nature of the void spaces within fractured-rock aquifers, wells drawing from fractured-rock aquifers tend to have less capacity and less reliability than wells drawing from alluvial aquifers. On average, wells drawing from fractured-rock aquifers yield 10 gpm or less. Although fractured-rock aquifers are less productive compared to alluvial aquifers, they commonly are the critical sole source of water for many communities (Water Plan Update, 2013)." (Hydrology Report, page 19).

Groundwater Quality

"The following objectives apply to all groundwaters in the Tulare Lake Basin, except for those areas with specific beneficial use exceptions of selected areas around oil and gas production

listed on Table 2-3 of the Tulare Lake Water Quality Control Plan (WQCP, Tulare Lake, 2018) [summarized as follows:].

3.2.1 Bacteria
3.2.2 Chemical Constituents
3.2.3 Pesticides
3.2.4 Radioactivity
3.2.5 Salinity
3.2.6 Tastes and Odors
3.2.7 Toxicity" (Appendix E, Hydrology Report, pages 23-24)

Local Groundwater Quality

"Online databases that provide data on groundwater quality were reviewed for the site. The Aquifer Risk Map prepared by the California Department of Water Resources (DWR) Sustainable Groundwater Management Act Data Viewer was accessed. According to DWR, the aquifer risk map is being developed to fulfill requirements of SB-200 and is intended to help prioritize areas where domestic wells and state small water systems may be accessing groundwater that does not meet primary drinking water standards (maximum contaminant level or MCL). In accordance with SB-200, the risk map is to be made available to the public and is to be updated annually starting January 1, 2021. The Fund Expenditure Plan states the risk map will be used by Water Boards staff to help prioritize areas for available SAFER funding.

The Aquifer Risk Map shows the combined hazard (water quality) and exposure (drinking water users) risk for all census block groups. The combined risk of each area is based on the water quality risk combined with the density of domestic wells and state small water systems. For each census block group, the combined risk is displayed as a percentile, with higher percentiles indicating higher combined risk. Additionally, the estimated count of domestic wells and state small water systems per census block group is displayed, along with the disadvantaged/severely disadvantaged status of each census block group based on median household income data from 2018.

The screenshot of the Aquifer Risk Map on Figure 7 [of the Hydrology Report] shows the foothills area around the site as having a water quality risk of 17 percent, exposure risk of 3 percent, and combined hazard risk of 13 percent. These percentages are interpreted as relatively low risk for the area.

Groundwater quality data was not available from the existing onsite wells. Surrounding groundwater wells in the near vicinity of the site are assumed to serve the public from the same bedrock aquifers or alluvial aquifers further west within the valley. Groundwater from the two accessible site wells (Wells #1 and #5) or the two onsite domestic wells, identified on Figure 3 [of the Hydrology Report] were not sampled and analyzed. The well(s) to be used for the site should

be sampled and analyzed for the project. If water quality does not meet the State of California standards as discussed above, steps should be taken during the design of the site to ensure water quality from operation wells meets California drinking water standards, report of waste discharge requirements, or General Order requirements for project use." (Hydrology Report, pages 19-21).

Local Depth to Groundwater

"Depth to groundwater within the fractured bedrock aquifer surrounding the site was not available from the Department of Water Resources (DWR) Groundwater Information Center Interactive Map Application (GICIMA) or the California State Water Board Groundwater Ambient Monitoring and Assessment program (GAMA) (DWR, 2024 and GAMA, 2024)." (Hydrology Report, pages 21-22).

Site Depth to Groundwater

"The project developer reported depth to groundwater in Well #1 shown on Figure 3 [of the Hydrology Report] was measured at 46.5 feet below ground surface on August 23, 2024. Available well logs for the two on-site domestic wells and two offsite wells were reviewed to assess groundwater conditions beneath and near the site. The well completion reports are provided in Appendix B [Appendix E, Hydrology Report, page 22].

The well log for domestic well #1 (Well Log No. 326451 on Figure 3 [of the Hydrology Report]) reported lithology as clay and boulders from ground surface to 5 feet below ground surface, grading downward to shale with fractures. The well was drilled in 1989 and depth to first water was reported at 45 feet. Water seepage was reported in fractures from 45 to 55 feet below ground surface. Water was reported in fractures from 55 to 200 feet below ground surface. Fractures were dry below 200 feet. Discharge from a pumping test in the well at the time of construction was reported at 20 gallons per minute (gpm).

The well log for domestic well #2 (Well Log No. 289830 on Figure 3 [of the Hydrology Report]) reported lithology as decomposed granite from ground surface to 10 feet below ground surface, grading downward to shale. The overlaying decomposed granite is interpreted as weathered and eroded granitic rock that has been transported and deposited over the shale. The well was drilled in 1989 and depth to first water was reported at 138 feet. Water was reported in the lithology description from 138 to 140 feet below ground surface. Discharge from a pumping test in the well at the time of construction was reported at 40 gpm.

The well log for an off-site well located northeast of the site boundary (Well Log WCR2019-006779 on Figure 3 [of the Hydrology Report]) reported lithology as clay with cobbles from ground surface to 10 feet, grading down to decomposed granite from 15 to 20 feet, grading further down to metamorphic basalt from 20 feet to the bottom of the well. The well was drilled from March to May of 2019, and depth to first water was reported at 65 feet. Discharge from a

one hour pumping test on May 3, 2019, in the newly constructed well, was reported at 15 gpm and depth to water during the test was 65 feet below ground surface.

The well log for an off-site well located west of the site boundary (Well Log e0227148 on Figure 3 [of the Hydrology Report]) reported lithology as clay with cobbles from ground surface to 5 feet, grading down to slate from 5 to 545 feet to the bottom of the well. The well was drilled from May to July of 2014, and depth to first water was reported at 138 feet. Discharge from a pumping test on July 22, 2014, in the newly constructed well, was reported at 150 gpm and static depth to water during the test was 52 feet below ground surface." (Appendix E, Hydrology Report, page 22).

Anticipated Highest Groundwater

"Based on the available information described above, depth to groundwater is anticipated to be around 50 feet below ground surface. It should be noted that groundwater levels may change and can vary based on such occurrences of seasonal rainfall patterns, long-term climate fluctuations, influence of local site conditions such as drainage patterns, nearby pumping wells, the presence of groundwater barriers, landslide shear surfaces, or faults." (Hydrology Report, page 22)

Groundwater Supply

"Groundwater will remain the primary source of water for the project after development. Holliday Rock reported that the northwest portion of the site is located within the Eastern Tule GSA boundary (Figure 8 [of the Hydrology Report]). The portion of the site within the Eastern Tule GSA was not opted into the GSA. Holliday Rock can opt into the GSA-covered portion of the site if they intend. If they choose not to opt in, they do not have any allocation limits for any groundwater use for the operations.

Holliday Rock reported that the site will use an estimated 300 acre-feet per year. Seven water wells are located within the site APN boundaries (Figure 3 [of the Hydrology Report]). The wells have been constructed within the fractured crystalline bedrock aquifer that comprises the water supply for the mountain region and are outside of the alluvial aquifer systems of the San Joaquin Valley. Two wells (Well #1 and Well #5) were suspectedly used for the former quarry operations and are proposed for pump testing to obtain approximate yield from each well. If these two onsite wells can be used for the project, they will be permitted for use with the operation. If well yields are low in these two wells,

Holliday Rock may opt to construct one or more permitted wells for the operation. These wells serve as potential conduits from surface water infiltration into the local groundwater aquifer. If not used for the project, it is recommended these wells be destroyed following California Well Standards under permit by Tulare County.

Three of the seven wells (Well #2, Well #3, and Well # 4 on Figure 3 [of the Hydrology Report]) were not accessible to obtain water level or well construction data. They do not appear to have been used for prior former quarry operations and are not proposed to be used for the project. These wells serve as potential conduits from surface water infiltration into the local groundwater aquifer. If not used for the project, it is recommended these wells be destroyed following California Well Standards under permit by Tulare County.

Two wells are domestic wells owned by an adjacent property owner on the west boundary of the site. The two domestic wells are located within an easement on the west boundary of APN 323-010-009 and serve a residence to the west (Figure 3 [of the Hydrology Report]). These wells are not proposed to be used for the project.

Well yield reported for on-site domestic well (289830) was 40 gpm and the well was drilled in fractured bedrock to a depth of 240 feet. Depth to water was reported on the well log at 138 feet. Well yield reported for on-site domestic well (326451) was 20 gpm and the well was drilled in fractured bedrock to a depth of 400 feet. Depth to water was reported on the well log between 55 and 200 feet.

Well yield reported for the northeast off-site well (WCR2019-006779) was 15 gpm and the well was drilled in fractured bedrock to a depth of 500 feet. The well was completed at 120 feet, indicating water derived from fractures to a depth of approximately 120 feet.

Well yield reported for the west off-site well (e0227148) was 30 gpm at 145 feet, 60 gpm at 205 feet, 70 gpm at 245 feet, 100 gpm at 325 feet, 100+ gpm at 465 feet, and 100-150 gpm, at 545 feet. The well was completed in fractured bedrock to a depth of 545 feet. It should be noted that this well is located near the boundary between alluvial and fractured bedrock aquifers, northwest of the site, within an area mantled with an upper zone of alluvial sediments. The increased yields in this well may likely be a result of groundwater contributions from the alluvial aquifer communicating between both alluvial and fractured bedrock aquifer systems.

Holliday Rock reported that ideal total yield from wells would be 100 gallons per minute (gpm). Based on the available information, it does not appear that the current on-site wells within the project boundary will yield the target rate of 100 gpm." (Hydrology Report, 23-24). However, if additional sources of groundwater are required, Holliday Rock would, consistent with County of Tulare processes, request additional wells to meet the Project's needs.

Groundwater Flow Direction

"The groundwater surface can be contoured from three or more elevation data points, typically from wells surrounding a site, using relative elevations based on a temporary benchmark or mean sea level. A minimum of three wells is necessary to calculate the groundwater surface and define

the slope of the groundwater surface. Three wells were not available to measure groundwater elevations on the site.

Mining activities at the site prior to 2015 and after reclamation activities have, to a minor extent, altered the natural topography near the former mining area. The naturally formed topography outside of the former mining site does not appear to have been altered. Topographic contours across the site on Figure 1 [of the Hydrology Report] show ground elevations decreasing generally down to the north and west across the site. On a regional scale, groundwater would generally be expected to flow toward the west within Upper Deer-Upper White watershed and to a certain extent both horizontally and vertically during recharge from seasonal precipitation.

Groundwater generally follows topography and as a result, over the entire project area, groundwater beneath the site would be expected to flow from higher elevations to lower elevations, downward from east to west. Underflow within the fractured bedrock aquifer beneath the site may communicate, to some unknown extent, with the alluvial aquifer system further west within the San Joaquin Valley. Generally, the flow of groundwater between the fractured bedrock aquifer and alluvial aquifer would be dependent on direct pathways between void spaces of each aquifer system. The amount of communication, if any, between these voids beneath the site is unknown." (Appendix E, Hydrology Report, page 24).

Regulatory Setting

Federal

Clean Water Act/National Pollutant Discharge Elimination System

"The Clean Water Act establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The Federal Water Pollution Control Act of 1948 was the first major U.S. law to address water pollution. Growing public awareness and concern for controlling water pollution led to sweeping amendments in 1972. As amended in 1972, the law became commonly known as the Clean Water Act (CWA). Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industry. EPA has also developed national water quality criteria recommendations for pollutants 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; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters (CWA, 2024)." (Appendix E, Hydrology Report, page 3).

National Flood Insurance Act (NFIP)

"The NFIP was created as a result of the passage of the National Flood Insurance Act of 1968. Congress enacted the NFIP primarily in response to the lack of availability of private insurance and continued increases in federal disaster assistance due to floods. At the time, flooding was viewed as an uninsurable risk and coverage was virtually unavailable from private insurance markets following frequent widespread flooding along the Mississippi River in the early 1960s. The NFIP is a federal program, managed by the Federal Emergency Management Administration (FEMA), and has three components: to provide flood insurance, to improve floodplain management, and to develop maps of flood hazard zones. [The NFIP, in its entirety, can be accessed at: National Flood Insurance Act of 1968]." (Appendix E, Hydrology Report, page 3).

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 groundwater wells. SDWA does not regulate private wells which serve fewer than 25 individuals. SDWA authorizes the United States Environmental Protection Agency 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. EPA, States, and water systems then work together to make sure that these standards are met." (Appendix E, Hydrology Report, page 3).

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 risks 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." (see U.S. EPA. What We Do. at : Our Mission and What We Do | US EPA)

Army Corps of Engineers (ACE)

"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.

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." (see: U.S. Army Corps of Engineers at: Civil Works Regulatory Program and Permits)

State

Surface Mining and Reclamation Act (SMARA)

"The Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code, Sections 2710-2796) provides a comprehensive surface mining and reclamation policy with the regulation of surface mining operations to assure that adverse environmental impacts are minimized and mined lands are reclaimed to a usable condition.

SMARA also encourages the production, conservation, and protection of the state's mineral resources. Public Resources Code Section 2207 provides annual reporting requirements for all mines in the state, under which the State Mining and Geology Board is also granted authority and obligations.

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 (SMARA, 2022)." (Appendix E, Hydrology Report, page 4).

Water Quality Control Plan

"As stated in the State of California Water Quality Control Plan, Third Edition, "Water quality control plans, or basin plans, contain California's administrative policies and procedures for protecting state waters". Basin plans are required by the state Porter-Cologne Water Quality Control Act (California Water Code Section 13240). In addition, Section 303 of the federal Clean Water Act requires states to adopt water quality standards that "consist of the designated uses of the navigable waters involved and the water quality criteria for such waters based upon such uses.""

"Each of California's nine regional water quality control boards must formulate and adopt a basin plan for all areas within its region. The basin plans must conform with statewide policy set forth by the legislature and by the State Water Resources Control Board. Basin plans consist of designated beneficial uses to be protected, water quality objectives to protect those uses, and a program of implementation needed for achieving the objectives {California Water Code, Section 13050(j)}."

"Beneficial uses, together with their corresponding water quality objectives, meet federal regulatory criteria for water quality standards. Hence, California's basin plans serve as regulatory references for meeting both State and federal requirements for water quality control {40 CFR Parts 130 and 131}. One significant difference between the state and federal programs is that California's basin plans establish standards for ground waters in addition to surface waters." (Control Plan, 2018)." (Appendix E, Hydrology Report, pages 3-5).

State Water Quality Control Board

"The State Water Resources Control Board was established in 1967 by the Legislature. The Board succeeded to the functions of the former State Water Rights Board and the State Water Quality Control Board. The mission of the State Water Board is to ensure the highest reasonable quality for waters of the State, while allocating those waters to achieve the optimum balance of beneficial uses. The joint authority of water allocation and water quality protection enables the Water Board to provide comprehensive protection for California's waters (State Water Board, 2024)." (Appendix E, Hydrology Report, page 5).

Regional Water Quality Control Board

"The nine California Regional Water Quality Control Boards (Regional Boards) were originally established in the Dickey Water Pollution Control Act of 1949. 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 (State Water Board, 2024).

The primary duty of the Regional Board is to protect the quality of the waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality plans for specific ground or surface water basins and by prescribing and enforcing requirements on all agricultural, domestic, and industrial waste discharges (Central Valley Water Board, 2024)." (Appendix E, Hydrology Report, page 5).

The Porter-Cologne Water Quality Control Act

"The Porter-Cologne Water Quality Control Act, also known as the "Water Act" requires water resources of the State be put to beneficial use to the fullest extent of which they are capable. Waste, unreasonable use, or unreasonable method of use of water shall be prevented. Conservation of water is to be exercised with a view to the reasonable and beneficial use in the interest of the people and for the public welfare.

The right to water or to the use or flow of water in or from any natural stream or watercourse in California shall be limited as shall be reasonably required for the beneficial use to be served. Such right does not and shall not extend to the waste, unreasonable use, or unreasonable method of use or unreasonable method of diversion of water. Together, the nine water boards have primary responsibility for implementing and enforcing the Porter-Cologne Water Quality Control Act (Porter-Cologne Act). Specific responsibilities and procedures of the Regional Boards and the State Water Resources Control Board are contained in the Porter-Cologne Water Quality Control Act (Water Code, 2024)." (Appendix E, Hydrology Report, pages 5-6).

California Department of Water Resources

"The Department of Water Resources (DWR) is responsible for managing and protecting California's water resources. DWR works with other agencies to benefit the State's people and to protect, restore, and enhance the natural and human environments (DWR About., 2024).
DWR's major responsibilities include:

- Overseeing the statewide process of developing and updating the California Water Plan (Bulletin 160 series).
- Planning, designing, constructing, operating, and maintaining the State Water Project.
- Protecting and restoring the Sacramento-San Joaquin Delta.
- Regulating dams, providing flood protection, and assisting in emergency management.
- Working to preserve the natural environment and wildlife.
- Educating the public about the importance of water, water conservation, and water safety.
- Providing grants and technical assistance to service local water needs.

- Collecting, analyzing, and reporting data in support of their mission to manage and protect California's water resources." (Hydrology Report, page 6).

Sustainable Groundwater Management Act

"On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package, composed of AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley), collectively known as the Sustainable Groundwater Management Act (SGMA). SGMA requires governments and water agencies of high and medium priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. For critically over-drafted basins, that will be 2040. For the remaining high and medium priority basins, 2042 is the deadline. SGMA empowers local agencies to form Groundwater Sustainability Agencies (GSAs) to manage basins sustainably and requires those GSAs to adopt Groundwater Sustainability Plans (GSPs) for crucial groundwater basins in California (SGMA, 2024)." (Appendix E, Hydrology Report, page 6).

SB 610 (Costa, 2001)

"This Bill requires additional information to be included as part of an urban water management plan if groundwater is identified as a source of water available to the supplier. This law also requires an urban water supplier to include in the plan a description of all water supply projects and programs that may be undertaken to meet total projected water use (Costa, 2001)." (Hydrology Report, page 6).

Local

Tulare County General Plan

The General Plan includes the following policies, which would address potential impacts associated with hydrology and water quality that may relate to the proposed Project as follows:

AG-1.17 Agricultural Water Resources - The County shall seek to protect and enhance surface water and groundwater resources critical to agriculture. The County shall seek to protect and enhance surface water and groundwater resources critical to agriculture.

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

ERM-7.3 Protection of Soils on Slopes - Unless otherwise provided for in the General Plan, building and road construction on slopes of more than 30 percent shall be prohibited, and development proposals on slopes of 15 percent or more shall be accompanied by plans for

control or prevention of erosion, alteration of surface water runoff, soil slippage, and wildfire occurrence.

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-5.2 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:

Critical facilities (those facilities which should be open and accessible during emergencies) shall not be permitted.

Passive recreational activities (those requiring non-intensive development, such ashiking, horseback riding, picnicking) are permissible.

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-5.9 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-5.11 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 groundwater resources identified during planning and approval processes.

WR-1.2 Groundwater Monitoring - The County shall support the collection of monitoring data for facilities or uses that are potential sources of groundwater pollution as part of project approvals, including residential and industrial development.

WR-1.11 Groundwater Overdraft - The County shall consult with water agencies within those areas of the County where groundwater extraction exceeds groundwater recharge, with the goal of reducing and ultimately reversing groundwater overdraft conditions in the County.

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-2.7 Industrial and Agricultural Sources - The County shall work with agricultural and industrial concerns to ensure that water contaminants and waste products are handled in a manner that protects the long-term viability of water resources in the County.

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-3.4 Water Resource Planning - The County shall continue participation in State, regional, and local water resource planning efforts affecting water resource supply and quality.

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

WR-3.9 Establish Critical Water Supply Areas - The County shall designate Critical Water Supply Areas to include the specific areas used by a municipality or community for its water supply system, areas critical to groundwater recharge, and other areas possessing a vital role in the management of the water resources in the County, including those areas with degraded groundwater quality.

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.

PFS-4.7 NPDES Enforcement - The County shall continue to monitor and enforce provisions to control nonpoint source water pollution contained in the U.S. Environmental Protection Agency National Pollution Discharge Elimination System (NPDES) program.

Tulare County Environmental Health

The mission of the Tulare County Division of Environmental Health Services (TCDEHS) is to enhance the quality of life in Tulare County through implementation of environmental health programs that protect public health and safety as well as the environment. This goal is accomplished by overseeing and enforcing numerous different programs, from food facility inspections to hazardous waste. All inspectors are licensed and/or certified in the field they practice in and participate in continuing education to maintain licensure.

Discussion

The following information and analysis is supported by the Hydrology Report prepared by qualified consultant Mason GeoScience (which is included as Appendix E of this MND). The County agrees with and supports the determinations/conclusions provided in the Hydrology Report.

a) **Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

Less than Significant: The Project would not violate any water quality standards or waste discharge requirements or substantially degrade surface or groundwater quality. The proposed development will comply with local regulations for wastewater treatment and implement a SWPPP to manage stormwater pollutants effectively. Additionally, all infrastructure will be designed to meet applicable state and local standards.

"Septic System

It was reported that a scale house, office, and restroom will be located at the northwest corner of the site. If a restroom is ever added it would be served by an engineered Onsite Wastewater Treatment System, it should comply with the Tulare County Environmental Health Local Area Management Plan for onsite wastewater treatment systems.

Stormwater

The Federal Clean Water Act, as amended in 1987, is the principal legislation for establishing requirements or the control of stormwater pollutants from urbanization and related activities. The State Porter-Cologne Act (Water Code 13000, et seq.) is the principal legislation for controlling stormwater pollutants in California. In 1972, the Federal Water Pollution Control Act (also referred to as the Clean Water Act [CWA]) was amended to provide that the discharge of pollutants to waters of the United States from any point source is unlawful unless the discharge is in compliance with an NPDES permit. The 1987 amendments to the CWA added Section 402(p), which establishes a framework for regulating municipal and industrial stormwater discharges, including discharges associated with construction activities, under the NPDES Program (CSQA Industrial/Commercial, 2003).

In California, the State Water Resources Control Board (SWRCB) through the nine Regional Water Quality Control Boards (RWQCB) administers the NPDES stormwater permitting program. For industrial facilities and construction activities, the SWRCB elected to issue statewide general permits that apply to all stormwater discharges requiring an NPDES permit (CSQA Industrial/Commercial, 2003).

In California, mining facilities must prepare a Stormwater Pollution Prevention Plan (SWPPP). Industrial and commercial activities regarding stormwater best management practices (BMPs) for the site will be identified in a SWPPP, to be prepared for the proposed project.

BMPs are measures to prevent or mitigate pollution. Potential sources of pollution could include maintenance of machinery, aggregate wash system, or stockpiles. Pollutants could include petroleum hydrocarbons such as oil and grease, gasoline constituents, diesel constituents, natural gas, and suspended solids.

SWPPP requirements include the following (General Permit, 2012):

The discharger shall ensure that the SWPPPs for all traditional project sites are developed and amended or revised by a qualified SWPPP Developer (QSD). The SWPPP shall be designed to address the following two major objectives:

1. To help identify the sources of pollution that affect the quality of industrial stormwater discharges and authorized non-stormwater discharges.
2. To describe and ensure the implementation of BMPs to reduce or prevent pollutants in industrial stormwater discharges and authorized non-stormwater discharges.

The SWPPP must identify a specific individual or individuals within the facility organization as members of the Pollution Prevention Team (PPT). The PPT may have personnel that overlap with related pollution control responsibilities such as a spill prevention and response team. The PPT is responsible for:

- Developing the SWPPP
- Assisting the facility manager in SWPPP implementation and revision
- Conducting the monitoring activities

The SWPPP must include a narrative description of the facility's industrial activities, associated potential pollutant sources, and potential pollutants that could be discharged in stormwater discharges or authorized non-stormwater discharges.

Surface water emanating from precipitation is to be controlled by constructed berms, swales, and other similar BMPs. The Site will be graded to direct precipitation into constructed on site detention basins. Water used in the aggregate washing process will be transported via pipes to equipment tanks and/or detention ponds. Storm water runoff is to be collected and analyzed per requirements of the SWPPP.

As of the date of this report, Holliday Rock has not prepared a SWPPP for the Site. Holliday Rock reported that a SWPPP will be prepared under the Industrial General Permit for the Site.

Groundwater Quality

Site specific groundwater quality data were not available. A combined water quality aquifer risk hazard map, published by DWR, shows the area around the site as having a 17% water quality risk and 13% combined water quality hazard risk. These percentages are interpreted as relatively low risk for the area.

The California Department of Public Health’s water system permit application indicates that any well serving drinking water to at least 25 persons for at least 60 days out of the year is a

public water system. The proposed site supply wells will provide water to be used primarily for washing of crushed aggregate to meet specifications for use in concrete and dust suppression of mining activities. If the facility does not expect to employ more than 25 workers for more than 60 days a year, the site would be considered a noncommunity water system. The proposed project will utilize the two existing supply wells and/or any newly constructed wells for uses associated with aggregate washing or dust suppression.

All infrastructure designed for the site should follow local, state, and/or federal standards. All potential sources of pollution should be handled to retain pollution and meet regulatory requirements. It is anticipated that the project will require preparation and approval of waste discharge requirements by the Central Valley Regional Water Quality Control Board or will be enrolled under General Waste Discharge requirements for aggregate mining facilities prepared by the Regional Water Quality Control Board (SWRCB, 2019).

Current on-site groundwater wells that will not be used for the project should be abandoned and destroyed per California Well Standards under permit by Tulare County. Destruction of these wells will preclude potential conduits of surface water infiltration into the underlying aquifer.

Violation of water quality standards or waste discharge requirements and substantial degradation of surface and groundwater quality is expected to be [a] *less than significant impact.*" (Hydrology Report, pages 25-27).

Mitigation Measures: None required.

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

Less than Significant Impact: "Mitigating groundwater overdraft has become an important objective for the state and counties. Since groundwater overdraft mitigation has become a common practice, water usage has become more conservative and alternative methods of reuse and recycling have become realities. Water reuse and recycling practices should be promoted for the project as a proposed mitigation item to reduce the water demand on wells for mining activities or aggregate washing.

Holliday Rock reported that a portion of the two parcels (northwest corner of Parcel 323-010-008) is located within the east boundary of the East Tule GSA (Figure 8 [of the Hydrology Report]). Holiday Rock understands they have the option to opt into the GSA for this area. If they choose not to opt into the GSA, they do not have allocation limits for any groundwater they use.

The project owner has reported the mining facility will utilize an estimated 300 acre-feet (97,755,300 gallons) of groundwater per year, as needed, according to the production schedule. According to the operating days reported in Section II.A., the mining operation will require water usage approximately 261 days per year. Based on these estimates, approximately 1.2 acre-ft/day will be required. If necessary, the facility will utilize storage tanks, pumping during off hours, etc., to acquire the necessary daily requirement of water to be used for the facility.

The water is used for aggregate washing, dust control, and employee use. Water will be used on demand, as required. Process water will be recycled continuously during the aggregate production process. A large portion of the water will be recycled, minus lost evaporation when sprayed on haul roads and residual water that stays within the finished aggregate products when shipped. Aggregates will be shipped at between 2 and 6 percent moisture content.

Harder et. al. (2024) reported average annual flows from Deer Creek, north of the site, and White River, south of the site, was approximately 19,500 acre-feet per year and 5,800 acre-feet per year, respectively. Since groundwater wells at the site are expected to produce groundwater from bedrock fractures, the 300 acre-feet per year of groundwater used for the project will likely come from some portion of subsurface recharge derived from the upper reaches of Deer Creek and White River that flow over the fractured bedrock terrain. The volume of localized infiltration along Deer Creek and White River into the local fractured aquifer beneath the site is unknown. Between these two water bodies, and assuming some percentage of the surface water recharges into the fractured bedrock aquifer beneath the site, it is estimated that only 1.2% of the total reported annual average flows from both Deer Creek and White River would be utilized by the mining facility.

Additionally, a portion of the water used for the mining operations is to be contained as recycled supply water collected in on-site equipment tanks or detention ponds. It is unknown what volume of infiltration could occur beneath detention ponds. If the ponds are engineered with impermeable liners, very little to no water could recharge the subsurface. If the ponds are constructed into native soil or rock, it is likely these materials would be somewhat permeable and a portion of the recycled water may infiltrate into the local aquifer beneath the site.

According to the USGS, mining represents approximately 7% of California water use (Johnson and Cody, 2015). The average acre-feet of irrigation water applied to agricultural crops in California is 3.1 acre-feet applied per acre (Johnson and Cody, 2015). The proposed mine site will occupy approximately 318 acres. A similarly sized farm of 318 acres will utilize approximately 986 acre-feet per year. The estimated usage of groundwater for the project is approximately 70% less than the average water usage on a similarly sized farm.

Future water storage projects within the Tule Basin are under development. These operations will help to offset future reductions of groundwater supply.

Based on the daily usage, an unknown percent of potential recharge from on-site detention ponds, continued use of approximately 300 acre-feet per year with no increase in usage, and future groundwater banking development within the Tule Subbasin, decrease in groundwater supplies or substantial interference with groundwater recharge by the proposed project such that it may impede sustainable groundwater management of the basin is expected to be *less than significant."* (Appendix E, Hydrology Report, pages 26-27).

Mitigation Measures: None required.

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

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

Less than Significant Impact: "The proposed mining plan shows the mining facility will be constructed through a majority of the two parcels. Topography through the two parcels is undulating with a main ridgeline running north south through the northern half of the site. Two northwest-southeast ridges trend through the south half of the proposed project. These low-rolling topographic ridges will eventually be removed as future mining commences across the site, as shown on the cross sections in Appendix A. Ultimately, a majority of surface water drainage, and any resulting erosion, should be directed to flow inward near the center of the parcels within the parcel boundaries.

The mining facility is located approximately five miles south of Deer Creek and seven miles north of White River. Due to these distances, the proposed mining facility will not alter or divert the existing drainage pattern of Deer Creek or White River. Impervious surfaces at the site could include exposed portions of nonfractured bedrock on the mine sidewalls and relatively flat operating surfaces and haul roads. Existing roadways constructed within the mine facility would provide access for mining equipment and would likely be exposed compacted soil, gravel, or bedrock. Where roadways, storage areas, or quarry surfaces are not exposed, the remaining parcel would likely be covered in native vegetation.

Drainage onsite is to be controlled with berms, benching (or similar BMPs to specified in the SWPPP) along the perimeter of the mining operation. Native vegetation in undeveloped portions of the site could impede surface water runoff and help to capture erosion of surface soil. The SWPPP, to be prepared for the site, should report flow paths for surface water runoff. The SWPPP should provide details as to the direction of surface water runoff and how the runoff will be contained on-site (potentially within detention basin or storage tanks). The proposed facility is expected to contain infrastructure such a graded berms and swales to control runoff and erosion that should be outlined in an Erosion and Drainage Control Plan for

the facility. Erosion or siltation on or offsite is expected to be controlled as a function of normal mining operations.

The site is not crossed by any rivers, streams, canals, or irrigation ditches. Deer Creek or White River are not expected to inundate the site under normal flow conditions throughout the year and their drainage patterns are not expected to be altered due to the project. Because the site is expected to contain a SWPPP and Erosion Control Plan, erosion and siltation on or offsite is considered a *less than significant impact.*" (Appendix E, Hydrology Report, pages 28-29).

Mitigation Measures: None required.

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

Less than Significant Impact: "Given the significant distances, no alteration of the existing drainage pattern of Deer Creek or White River is expected to occur from the proposed project. Topography of the proposed project is expected to be altered by mining activities creating relatively flat or gently sloped operating surfaces where mining occurs. Current surface topography of the project area generally drains surface water down to the west-northwest. During mining, site topography is expected to be altered such that surface water runoff originating on-site will be controlled to flow inward into the site and within the proposed expansion area. Surface water runoff is expected to be controlled by grading roadways and diversion berms that will divert runoff from flowing off-site past the project boundary and toward the main quarry floor and/or surface water detention areas.

Because runoff BMPs and surface mining permit activities are expected to be maintained on the proposed project area, changes to the site drainage pattern in the proposed project area are not expected to impact the nearby offsite floodplain (San Joaquin Valley floor) to the west or nearby naturally formed drainage channels within the foothills area and are not expected to increase substantial flooding on or off-site. Therefore, *less than significant impact* is expected." (Appendix E, Hydrology Report, page 29).

Mitigation Measures: None required.

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

Less than Significant Impact: "The Project is not located in close proximity to any cities and therefore no existing or planned municipal stormwater drainage systems are located near the site. It is anticipated that the proposed SWPPP will provide details such as a site water balance to control the estimated volumes of runoff that could be expected from site activities. Plans

for stormwater drainage within the facility should include calculations for expected volumes of surface water that may be retained within the site, and BMPs to collect, retain, and analyze samples of the runoff. The majority of runoff is expected to contain eroded sediment that should be controlled by BMPs. As such, *less than significant impacts* are expected to occur." (Appendix E, Hydrology Report, pages 29-30).

Mitigation Measures: None required.

iv. Impede or redirect flood flows?

Less than Significant Impact: "To some extent the project will alter existing natural topography and drainage patterns within the site boundaries. Due to distance from the proposed project, the natural drainages of Deer Creek and White River will not be altered, impeded, or redirected as a result of the project. In areas of the project where the natural drainage pattern has been altered, engineered grading and stormwater BMPs are expected to redirect surface water flows within the mining area boundaries and retain runoff. *Less than significant impacts* are expected." (Appendix E, Hydrology, page 30).

Mitigation Measures: None required.

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

No Impact: The proposed mine expansion is located within a minimal flood hazard area and is located more than 100 miles from the ocean. It is not located along a lake shore or other large water body that may be potential for threats to tsunami or seiche. *No impact* is expected. (Appendix E, Hydrology Report, page 30).

Mitigation Measures: None required.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact: "The Tule Subbasin has been designated as a high priority critically over-drafted basin by the Department of Water Resources, as described in the Sustainable Groundwater Management Act (SGMA) that went into effect in 2015. SGMA requires that local water agencies within all medium and high-priority subbasins form one or more Groundwater Sustainability Agencies (GSA) to write and implement Groundwater Sustainability Plans (GSPs) to accomplish measurable goals and prevent unreasonable physical harm to the basin or the water resource. A majority of the proposed project is located outside the boundary of the East Tule GSA (Figure 8 [of the Hydrology Report]).

A portion of the northwest corner of proposed project is located within East Tule GSA boundary. Holliday Rock has reported they have the option to opt in, or out, of the GSP for the East Tule GSA.

Since Holliday Rock has the option to opt out of the East Tule GSA and a majority of the project is located outside of the boundary of the East Tule GSA, the proposed project is not anticipated to obstruct implementation of the East Tule GSP. Additionally, water quality objectives for the site are anticipated to be met as required by the site SWPPP and Regional Water Board Waste Discharge Requirements. As such, *less than significant impact* is expected to conflict with or obstruct implementation of the Tulare Lake Basin Water Quality Control Plan and East Tule Groundwater Sustainability Plan." (Appendix E, Hydrology Report, page 30).

Mitigation Measures: None required.

Mitigation Measures: None required.

Based on the information and analysis contained herein, *no mitigation measures* would be required.

Cumulative Impact Analysis: Less Than Significant Impact

The geographic area of this cumulative analysis is Tulare County. As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Hydrology and Water Quality resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

This cumulative analysis is also based on the information provided in the Hydrology Report (Appendix E of this MND) prepared by qualified consultant Mason GeoScience. All potential impacts would be limited to Project-specific impacts which have been determined to range from no-to-less than significant. Therefore, based on the information and analysis contained herein, the Project would result in a *less than significant cumulative impact*.

XI. LAND USE AND PLANNING

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☑
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☑	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☑

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Land Use and Planning Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

Environmental Setting

The environmental setting provides a description of the Land Use and Planning setting in the County. As noted earlier, the regulatory setting provides a description of applicable Federal, State and Local regulatory policies that were developed in part from information contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report and/or Tulare County General Plan 2030 Recirculated Draft Environmental Impact Report (RDEIR) incorporated by reference and summarized below. Additional documents utilized are noted as appropriate. A description of the potential impacts of the proposed Project is provided and includes the identification of feasible mitigation measures (if necessary and feasible) to avoid or lessen the impacts.

The Project is the unincorporated area of Tulare County. Tulare County, California is one of the largest counties in the great and fertile San Joaquin Valley. Geographically it is situated about midway between San Francisco and Los Angeles, the two principal cities of the Pacific Slope. Within the confines of Tulare County are now 4,863 square miles, or 3,158,400 acres. (see: Tulare County Regional Blueprint. Page 5 at: Microsoft Word - Local Blueprint Document.doc). The proposed Project Site was previously an operating quarry. It is within the Foothills Growth Management Plan and is zoned AE-40, Exclusive Agriculture, 40 Acre Minimum. The surrounding properties are zoned as agricultural uses.

Regulatory Setting

Federal

Federal Endangered Species Act

Through federal action and by encouraging the establishment of state programs, the 1973 Endangered Species Act (ESA) provided for the conservation of ecosystems upon which threatened and endangered species of fish, wildlife, and plants depend. In summary, the ESA:

- authorizes the determination and listing of species as endangered and threatened;
- prohibits unauthorized taking, possession, sale, and transport of endangered species;
- provides authority to acquire land for the conservation of listed species, using land and water conservation funds;
- authorizes establishment of cooperative agreements and grants-in-aid to States that establish and maintain active and adequate programs for endangered and threatened wildlife and plants; and
- authorizes the assessment of civil and criminal penalties for violating the Act or regulations;
- authorizes the payment of rewards to anyone furnishing information leading to arrest and conviction for any violation of the Act or any regulation issued there under. (see: U.S. Fish and Wildlife Service website regarding the Endangered Species Act of 1973 at: Endangered Species Act of 1973, As Amended through the 108th Congress)

State

California Department of Fish and Wildlife (CDFW)

"The mission of the Department of Fish and Wildlife is to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public." (see California Department of Fish and Wildlife website at: Department of Fish and Wildlife (CDFW) | CA.gov). CDFW maintains native fish, wildlife, plant species and natural communities for their intrinsic and ecological value and their benefits to people. This includes habitat protection and maintenance in a sufficient amount and

quality to ensure the survival of all species and natural communities. CDFW is also responsible for the diversified use of fish and wildlife including recreational, commercial, scientific and educational uses.

California Endangered Species Act

"The California Endangered Species Act (CESA) states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved. The Department will work with all interested persons, agencies and organizations to protect and preserve such sensitive resources and their habitats." (see: California Endangered Species Act at: Threatened and Endangered Species).

Local

The 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 may be applicable to the proposed Project are listed as follows:

ED-2.2 Land Requirements - The County shall ensure there is capacity for new and expanding businesses by:

1. Reserving sufficient locations for industry, recognizing industry's need for greater land requirements;
2. 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
3. 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-1.2 Location of Urban Development - The County shall ensure that urban development only takes place in the following areas:

1. Within incorporated cities and CACUDBs;
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 - The County shall encourage those types of urban land uses that benefit from urban services to develop within UDBs and HDBs. Permanent uses which do not benefit from urban services shall be discouraged within these areas. This shall not apply to agricultural or agricultural support uses, including the cultivation of land or other uses accessory to the cultivation of land provided that such accessory uses are time-limited through Special Use Permit procedures.

PF-1.4 Available Infrastructure - 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-2.1 Urban Development Boundaries – The County shall limit urban development to the area within the designated UDB for each community. It is noted that the proposed Project does not lie within a UDB.

PF-2.8 Inappropriate Land Use - Areas within UDBs are hereby set aside for those types of urban land uses which benefit from urban services. Permanent uses which do not benefit from such urban services shall be discouraged within the UDBs. This is not intended to apply to agricultural or agricultural supported 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.

LU-5.1 Industrial Developments - 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 - 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-5.7 Industrial Uses Allowed on Resource Land - The County shall allow asphalt batch plants and similar processing facilities that are directly associated with the development of a resource

to be located at the site of the resource under the following criteria: 1. Any such site shall be developed under the Special Use Permit process, and 2. The Special Use Permit shall not permit any commercial or industrial uses that are not related to the processing of the resource.

LU-6.2 Buffers - The County shall ensure that residential and other non-compatible land uses are separated and buffered from major public facilities such as landfills, airports, and sewage treatment plants.

ERM-2.9 Compatibility - The County will encourage the development of mineral deposits in a manner compatible with surrounding land uses.

As noted earlier, the General Plan identifies the Project site as in the Foothill Growth Management Plan and the Project is zoned as AE-40 and is within the Foothill Growth Management Plan.

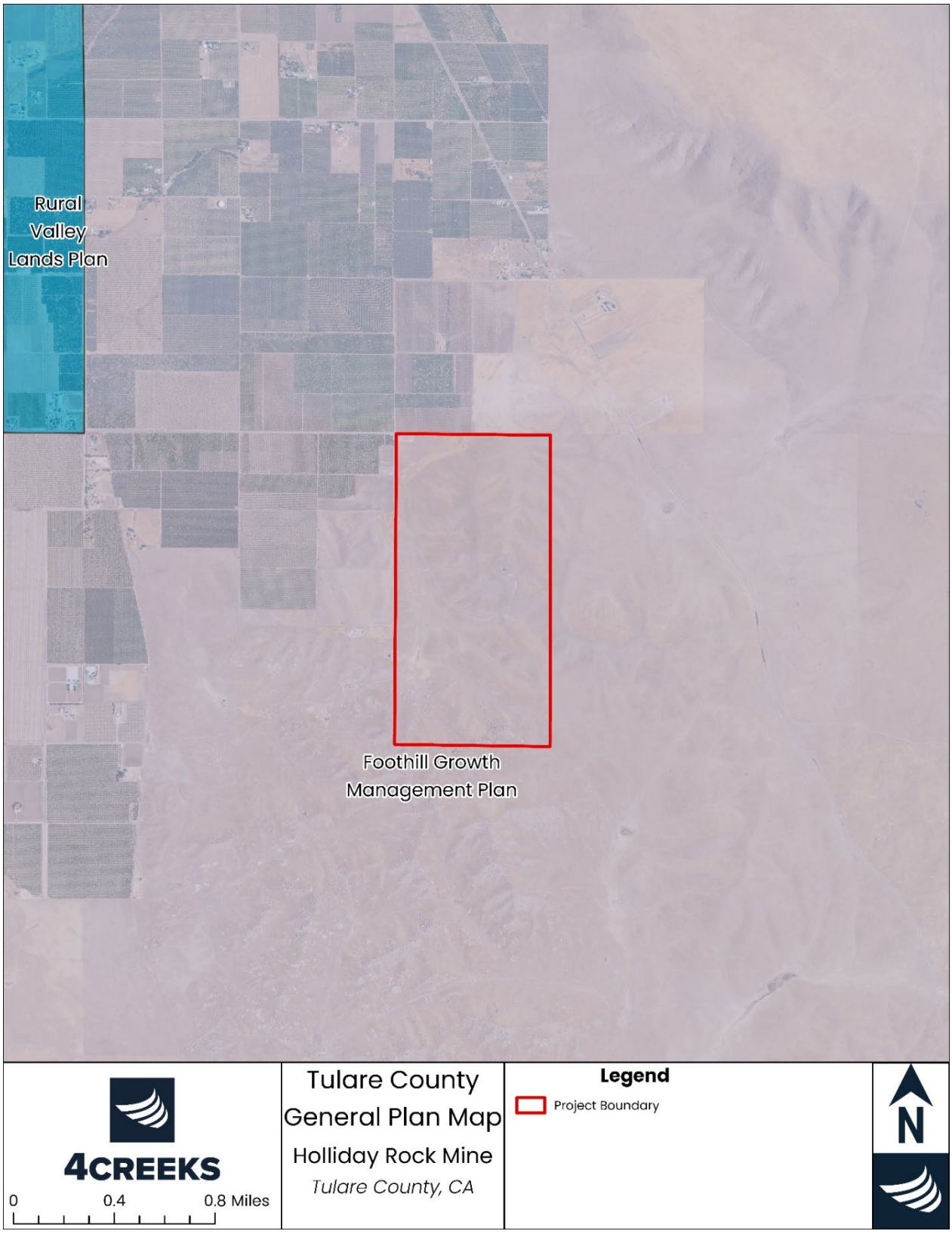


Figure 3-7: County of Tulare General Plan Land Use Map

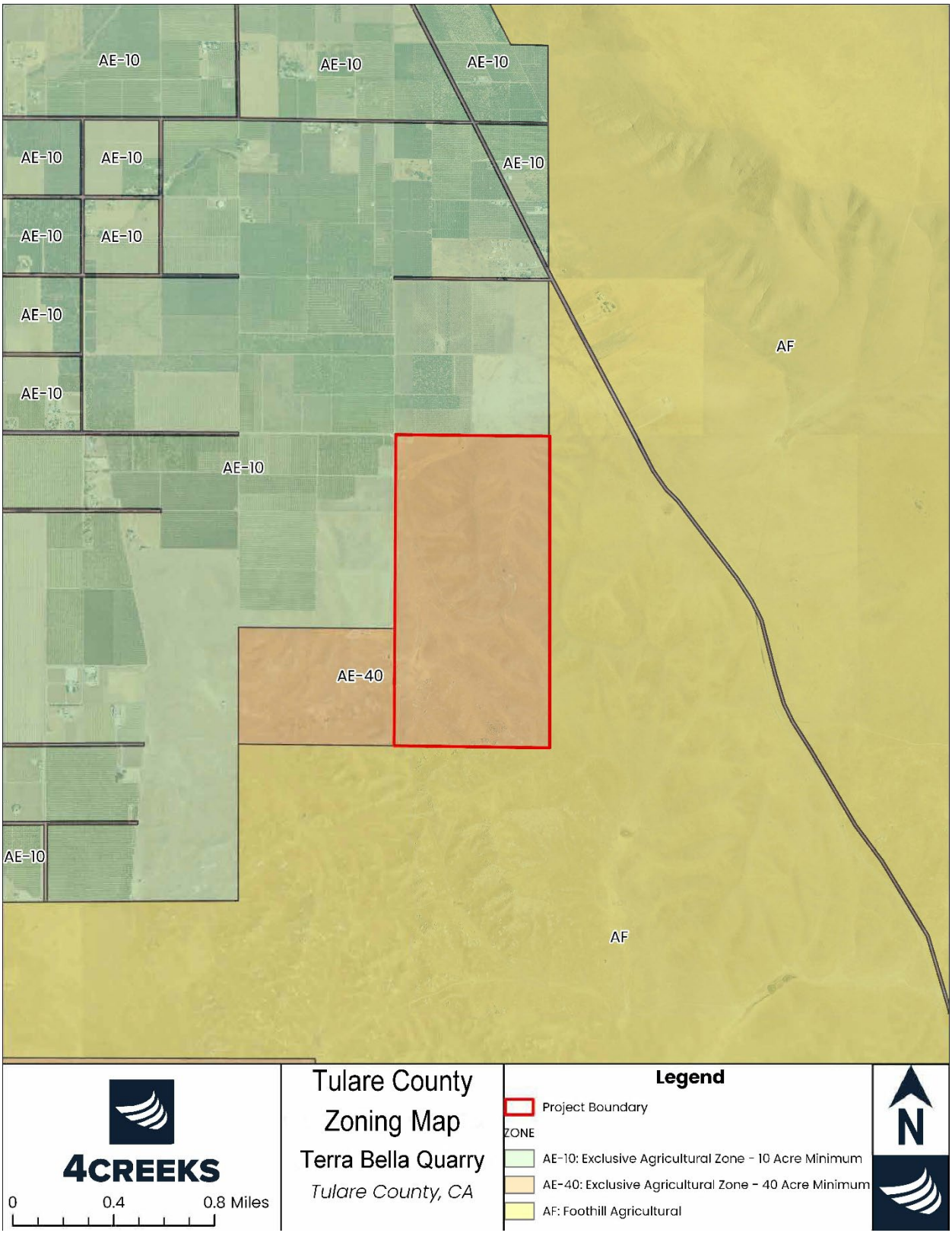


Figure 3-8: Tulare County Zoning Map

Discussion

a) Physically divide an established community?

No Impact: The proposed Project will not physically divide an established community. The Project Site is currently vacant. The proposed Project is south of the City of Porterville and does not include the construction of any component that would physically divide an established community, for example, a major roadway or railroad track. Further, the proposed Project does not require any off-site construction. As the proposed Project's quarrying operations will remain within the existing footprint of proposed Project location, no other land beyond the current Project site will be affected. As such, based on the information and analysis provided herein, there would be *no impact.*

Mitigation Measures: None required.

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?

Less than Significant Impact: Tulare County is located in the Central Valley and does not border a coastline. As such, projects located within Tulare County will not impact a local coastal program. The proposed Project does not include any variances and the use (which involves a quarrying operation) is appropriate for the site. Natural resources mining is permitted with a surface mining permit and reclamation plan, in accordance with Chapter 25 of Part VII of the Tulare County Ordinance Code. As noted earlier, the site is zoned as AE-40 zoning which allows the proposed Project As such, based on the information and analysis provided herein, there would be a *less than significant* impact.

Mitigation Measures: None required.

c) 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?

No Impact: There are two habitat conservation plans that apply in Tulare County. The Kern Water Habitat Conservation Plan only applies to an area in Allensworth (located in the southwestern quadrant of Tulare County) as such, the Project site is not subject to this Plan. The Recovery Plan for Upland Species in the San Joaquin Valley outlines a number of species that are important to the San Joaquin Valley. None of these species were identified on the Project site, as described in Item IV. Biological Resources. As such, based on the information and analysis provided herein, there would be *no impact*.

Mitigation Measures: None required.

Mitigation Measures: None required.

Based on the information and analysis provided herein, *no mitigation measures* would be required.

Cumulative Impact: Less than Significant

This cumulative analysis is based on the information provided in this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Land Use and Planning Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The geographic area of this cumulative analysis is Tulare County. The proposed Project does not include any component (e.g., a new transportation facility, roadway, or railway) that could divide a community. The proposed Project does not include any variances and will not conflict with a policy or plan. There are no impacts related to habitat conservation plans and the Project would not conflict with local policies or ordinances. As such, based on the information and analysis provided herein, there would be a *less than significant cumulative impact*.

XII. MINERAL RESOURCES

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Mineral Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

Environmental Setting

Tulare County's mineral resources are primarily focused on sand, gravel, and crushed rock, crucial for construction materials like Portland cement concrete and asphaltic concrete. These high-quality aggregate resources are primarily sourced from the Kaweah and Tule Rivers, with other lesser-quality deposits found in Lewis Creek and Deer Creek.

Oil and gas resources in Tulare County have historically been significant, with production focused mainly around the Deer Creek oil fields near Porterville. The Deer Creek fields, discovered in 1953, had 65 active oil wells as of 2006, with peak production occurring in the late 1970s. The North Deer Creek oil field, discovered in 1961, had only three active wells by 2006, and the Trico gas fields, discovered in 1934, had no active wells by that time. Oil production in the county has generally declined, reflecting a broader statewide trend.

The proposed Project would extract up to 250,000 tons per year (tpy) of material on the site to be used as construction aggregate. The Site was previously an active operating quarry under

California Mine ID 91-54-0017 and Tulare County permit PMR 87-01. It was actively mined until 1998, was idle from 2004 to 2014, and was ultimately certified reclaimed in early 2015.

Currently, there are seven active mines within a five-mile radius of the Project Site. These mines extract bituminous rock, granite, sand, and gravel.

Regulatory Setting

Federal

None that apply to the Project.

State

Surface Mining and Reclamation Act of 1975 (SMARA)

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 2710-2796) provides a comprehensive surface mining and reclamation policy with the regulation of surface mining operations to assure that adverse environmental impacts are minimized and mined lands are reclaimed to a usable condition. (see California Surface Mining And Reclamation Act Description, http://www.conservation.ca.gov/smgb/Regulations/Pages/regulations.aspx.)

SMARA also encourages the production, conservation, and protection of the state's mineral resources. Public Resources Code Section 2207 provides annual reporting requirements for all mines in the state, under which the State Mining and Geology Board is also granted authority and obligations.

SMARA classifies lands into four Mineral Resource Zones (MRZs): MRZ-1 (minimal likelihood of significant resources), MRZ-2 (areas known to contain significant mineral resources), MRZ-3 (areas with resources of undetermined significance), and MRZ-4 (areas with insufficient information to determine resource potential). It also enforces measures to eliminate public safety hazards during and after mining operations.

State Mining & Geology Board (SMGB)

The SMGB serves as a regulatory, policy, and appeals body representing the State's interests in geology, geologic and seismologic hazards, conservation of mineral resources and reclamation of lands following surface mining activities. The SMGB operates within the Department of

Conservation, and is granted certain autonomous responsibilities and obligations under several statutes including the Alquist-Priolo Earthquake Fault Zoning Act, the Seismic Hazards Mapping Act, and the Surface Mining and Reclamation Act. (see : California State Mining & Geology Board at: http://www.conservation.ca.gov/smgb/Pages/Index.aspx).

The Division of Mine Reclamation (DMR, formerly OMR)

"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. Learn more about California's mining history through our interactive story map, Mining in California." (see Department of Conservation website at: Division of Mine Reclamation).

Local

Tulare County General Plan

The General Plan has several policies that apply to projects within Tulare County. General Plan policies that apply to the proposed Project are listed as follows:

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-2.3 Future Resource Development - The County will provide for the conservation of identified and/or potential mineral deposits within Tulare County as areas for future resource development. Recognize that mineral deposits are significantly limited within Tulare County and that they play an important role in support of the economy of the County.

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

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-2.8 Minimize Hazards and Nuisances - The County will minimize the hazards and nuisances to persons and properties in the area during extraction, processing, and reclamation operations.

ERM-2.9 Compatibility - The County will encourage the development of mineral deposits in a manner compatible with surrounding land uses.

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-2.11 Conditions of Approval - The County shall establish procedures to ensure compliance with conditions of approval on all active and idle mines.

ERM-2.12 Approved Limits - Tulare County will establish procedures to ensure that vested interest mining operations remain within their approved area and/or production limits.

ERM-3.1 Environmental Contamination - All mining operations in the County shall be required to take precautions to avoid contamination from wastes or incidents related to the storage and disposal of hazardous materials, or general operating activity at the site.

ERM-3.2 Limited Mining in Urban Areas - Within the County UDBs and HDBs, new commercial mining operations should be limited due to environmental and compatibility concerns.

Discussion

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

No Impact: The Project would not result in the loss of availability of a known mineral resource of regional or state value. Rather, the Project will enhance the availability of these resources by extracting up to 250,000 tons per year of construction aggregate over the next 50 years. This aggregate is essential for producing concrete and asphalt, which are vital materials for infrastructure projects. As noted earlier, given that the Tulare County Production-Consumption Region currently has only 41% of the aggregate reserves needed to meet its 50-year demand, the Terra Bella Quarry will play a critical role in filling this gap. The operation will provide a reliable supply of high-quality construction materials, contributing positively to regional and statewide infrastructure needs and supporting both public and private projects. To conclude, the Project is consistent with local and state goals to ensure the long-term availability of critical mineral resources. As such, based on the information and analysis provided herein, there would be *no impact.*

Mitigation Measures: None required.

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

No Impact: The Project would not result in the loss of a locally important mineral resource recovery site. Rather, it would re-initiate the use of a site that was previously used for mineral extraction. The Project is consistent with the goals of the 2030 Tulare County General Plan, which includes policies like ERM-2.1 and ERM-2.3 that emphasize the conservation and development of identified mineral deposits. As noted earlier, the Project Site was previously used as a quarry and was certified reclaimed in 2015; therefore, the proposed operations will reactivate this established mineral resource area, consistent with land use planning objectives. Additionally, under SMARA, Tulare County, as the local lead agency, enforces regulations ensuring that mineral resources are responsibly managed. SMARA mandates that mining operations be permitted and that mined lands are reclaimed for future beneficial use. The Project will comply with SMARA and applicable local ordinances, minimizing adverse environmental impacts while maintaining the Site's importance as a mineral resource recovery area. As such, based on the information and analysis provided herein, there would be *no impact.*

Mitigation Measures: None required.

Mitigation Measures: None required.

Based on the information and analysis provided herein, no mitigation measures would be required.

Cumulative Impact: No Impact.

This cumulative analysis is based on the information provided in this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Mineral Resource discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The geographic area of this cumulative analysis is Tulare County. As noted earlier, the proposed Project would result in the re-initiation of a previously active mining operation. The proposed

Project would comply with all the applicable policies and implementation measures outlined by state law and as specified in the earlier noted policies contained in the Tulare County General Plan. As such, there would be *no cumulative impact*.

XIII. NOISE

Would the Project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☑	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels??	☐	☐	☑	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐
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 expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Noise Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

Environmental Setting

The predominant existing noise sources in the vicinity of the Project Site are vehicles on adjacent streets and equipment noise associated with agricultural operations. No private or public airports are located within two miles of the Project Site.

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

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

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

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

Regulatory Setting

Federal Agencies & Regulations Mine Safety and Health Administration

The Mine Safety and Health Administration (MSHA) has established an Occupational Noise Exposure Standard for the purposes of reducing the long-term effects of noise for mining related activities. The noise exposure standards established by MSHA applies to all mine operators, both coal and metal and nonmetal, underground and surface operations. The purpose of these standards is to prevent the occurrence and reduce the progression of occupational noise-induced hearing loss among miners. This part sets forth mandatory health standards for each surface and underground metal, nonmetal, and coal mine subject to the Federal Mine Safety and Health Act of 1977. The provisions of this part become effective September 13, 2000. (see United States Department of Transportation. Federal Highway Administration. Traffic Noise Model. Part 62-Occupational Noise Exposure at: http://www.fhwa.dot.gov/environment/noise/traffic_noise_model/).

Section 62.120 of the Occupational Noise Exposure Standard requires that if a miner's noise exposure equals or exceeds the "action level" during any work shift, the business/company is required to enroll the miner in a "hearing conservation program" (HCP) that complies with Section 62.150. This "action level" is identical to what is being used by Occupational Safety and Health Administration's (OSHA) in its hearing conservation amendment, and results in uniform enforcement levels in both general industry and the mining industry. (see Code of Federal Regulations Title 30 Chapter I Subchapter M Part 62 at: https://www.ecfr.gov/current/title-30/chapter-I/subchapter-M/part-62).

Federal Highways Administration (FHWA) Highway Traffic Noise Prediction Methodology

The Federal Highway Administration (FHWA) released the Traffic Noise Model 3.2 in 2023, which is a significant update to the previous version. This model is designed to help states determine when highway barriers can feasibly and reasonably be used to help mitigate the impacts of traffic noise. The model includes improvements to the user interface, acoustics algorithms, and a graphical user interface, providing users with more flexibility and accuracy during the data entry process. It also allows highway agencies to use base maps to add objects to the study that are not already included in highway construction plans, making workflows more efficient and keeping the model current with the latest data formats. (see: The Traffic Noise Model 3.2 - Technical Manual can be found at: Traffic Noise Model 3.2 - Technical Manual).

Federal Aviation Administration (FAA)

Aircraft operated in the U.S. are subject to certain federal requirements regarding noise emissions levels. These requirements are set forth in Title 14 CFR, Part 36. Part 36 establishes maximum acceptable noise levels for specific aircraft types, taking into account the model year, aircraft weight, and number of engines. However, as the Project site is not located near an airport, these requirements would not apply to the Project.

Federal Railway Administration (FRA) and the Federal Transit Administration (FTA)

Although the Federal Railway Administration (FRA) and the Federal Transit Administration (FTA) have published guidance relative to vibration impacts, no railways are adjacent to or will be used or effected by the Project.

State

California Noise Insulation Standards

The California Noise Insulation Standards found in the California Code of Regulations, Title 24, set requirements for new multi-family residential units, hotels, and motels that may be subject to relatively high levels of transportation-related noise. For exterior noise, the noise insulation

standard is DNL 45 dB in any habitable room and requires an acoustical analysis demonstrating how dwelling units have been designed to meet this interior standard where such units are proposed in areas subject to noise levels greater than DNL 60 dB. However, as the Project does not include a residential component, these requirements would not apply to the Project.

California's Airport Noise Standards

The State of California has the authority to establish regulations requiring airports to address aircraft noise impacts on land uses in their vicinities. The State of California's Airport Noise Standards, found in Title 21 of the California Code of Regulations, identify a noise exposure level of CNEL 65 dB as the noise impact boundary around airports. Within the noise impact boundary, airport proprietors are required to ensure that all land uses are compatible with the aircraft noise environment or the airport proprietor must secure a variance from the California Department of Transportation. However, as the Project site is not located near an airport, these requirements would not apply to the Project.

California Department of Transportation (Caltrans)

The State of California establishes noise limits for vehicles licensed to operate on public roads. For heavy trucks, the State passby standard is consistent with the federal limit of 80 dB. The State passby standard for light trucks and passenger cars (less than 4.5 tons gross vehicle rating) is also 80 dB at 15 meters (approximately 50 feet) from the centerline.

Local

Tulare County General Plan

The 2030 General Plan Environmental Resources Management chapters includes the following policies, which would address potential impacts associated with noise that relate 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-8.6 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-8.8 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-8.11 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-8.18 Construction Noise - The County shall seek to limit the potential noise impacts of construction activities by limiting construction activities to the hours of 7 am to 7pm, Monday through Saturday when construction activities are located near sensitive receptors. No construction shall occur on Sundays or national holidays without a permit from the County to minimize noise impacts associated with development near sensitive receptors.

HS-8.19 Construction Noise Control - The County shall ensure that construction contractors implement best practices guidelines (i.e. berms, screens, etc.) as appropriate and feasible to reduce construction-related noise-impacts on surrounding land uses.

Discussion

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

Less than Significant Impact: Project operations will involve noise sources. The average noise levels generated by equipment that will be used in the proposed Project are shown in Table 3-12.

Table 3-12 Average Noise Levels Generated by Equipment

Type of Equipment	dBA at 50 feet
Wheel Loaders	85
Excavators	85
Dozer	85
Water Truck	80
Off-Road Dump Trucks	76
Crushers	85
Screens	85
Conveyor Belts	75
Material Washers	80
Source: Federal Highway Administration Construction Noise Handbook	

The nearest sensitive receptor is approximately 760 feet from the property line. The mining pit would have an additional setback of 155 feet from the property line. Therefore, the nearest sensitive receptor is approximately 915 feet from the nearest area where equipment would be operated.

Tulare County has established specific noise thresholds to protect public health and welfare. For amplified sound devices and excessive noise sources, the County of Tulare prohibits noise levels exceeding 65 dB at the property line. As shown in the table above, each type of equipment usage would result in less than 65 dB. In addition, most equipment used would be located in the northeast corner of the Site, approximately 915 feet from the nearest sensitive receptor. As sound attenuation reduces approximately 6 dB per doubling of distance, at approximately 800 feet the loudest sound shown in Table 3-12 would be reduced by approximately 24 dB to approximately 61 dB which is below the County's noise threshold.

Therefore, based on the information and analysis provided herein, there would be a *less than significant impact.*

Mitigation Measures: None required.

b) Result in generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant Impact: Projects that use vibration-intensive construction activities—such as pile drivers, jackhammers, and vibratory rollers—near sensitive receptors must be evaluated for potential vibration impacts.

At a distance of approximately 915 feet from the nearest residential building, it is unlikely that any of the Project's equipment types, including wheel loaders, excavators, dozers, water trucks, off-road dump trucks, crushers, screens, conveyor belts, or material washers, would produce vibrations exceeding the 0.2 in/sec PPV threshold for potential structural damage. According to the FTA, this 0.2 in/sec PPV threshold is the level at which there is a risk of damage to typical residential structures. Vibration levels from construction and mining equipment decrease exponentially with distance, meaning that even vibration-intensive equipment, such as crushers or large dozers, would not retain enough energy to exceed this threshold at 915 feet. The exponential decay in vibration intensity ensures that by the time vibrations reach this distance, they are significantly reduced and fall below levels that could impact structural integrity. Therefore, the nearest residential structure would not experience vibrations beyond the PPV threshold. Therefore, based on the information and analysis provided herein, there would be a *less than significant impact.*

Mitigation Measures: None required.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. The proposed Project will increase daytime ambient noise levels. However, the Project will be designed such that temporary daytime noises at the Project boundary will not significantly affect nearby receptors and will remain below Tulare County's maximum acceptable noise levels of 60 dB for residential uses. Given that operations will typically occur during daylight hours and operations will cease at the end of the Project life, the Project will not result in a permanent increase in noise levels. As such, based on the information and analysis contained herein, the Project would result in a *less than significant impact*.

Mitigation Measures: None required.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project

Less than Significant Impact. As discussed in the responses to Checklist Items a) and c), the Project will result in temporary (daytime only) noise increases during operational activities. However, operational noise levels would be below established County of Tulare noise thresholds. As such, Project-related noise will not result in a substantial temporary increase in ambient noise levels affecting nearby receptors. Therefore, based on the information and analysis contained herein, the Project would result in a *less than significant impact*.
Mitigation Measures: None required.

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

No Impact: The Project Site is not located within an airport land use plan. It is approximately 8.31 miles northwest of the nearest public airport, Porterville Municipal Airport. Therefore, based on the information and analysis provided herein, there would be *no impact*.

Mitigation Measures: None required.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The Project is not located within the vicinity of a private airstrip. As such, the Project will not expose people to excessive noise levels. Therefore, based on the information and analysis provided herein, there would be *no impact*.

Mitigation Measures: None required.

Mitigation Measures: None required.

Based on the information and analysis provided herein, no mitigation measures would be required.

Cumulative Impact: Less Than Significant Impact

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Noise

Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

This cumulative analysis is based on the information provided in this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Noise Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The geographic area of this cumulative analysis is Tulare County. The proposed Project would only contribute to cumulative impacts related to this Checklist item if Project-specific impacts were to occur. Mitigation is not required to reduce Project specific noise or vibration impacts to an acceptable noise or vibration threshold. As such, the Project would not exceed the County's acceptable noise levels at the Project boundary. Therefore, based on the information and analysis provided herein, there would be a *less than significant cumulative impact*.

XIV. POPULATION AND HOUSING

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Population and Housing Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

Environmental Setting

The United States Census Bureau reported that the population of the Tulare County, located in California's Central Valley, was 473,117 in 2020. This marks an increase from the 2010 census, which recorded a population of 442,179, representing a growth of approximately 7% over the 10-year period. Several factors have contributed to this population growth, including increased job availability in the agricultural and manufacturing sectors, expanded housing developments to accommodate new residents, and enhancements to the county's infrastructure capacity.

The Project site does not contain any residences, the nearest residence is a rural, single-family house approximately 760 feet west of the site property line.

Regulatory Setting

Federal

None that apply to the Project.

State

None that apply to the Project

Local

None that apply to the Project. As the Project does not include a housing component and will not result in any population growth. It is anticipated that the local labor pool would provide the workforce needed to operate the Project. As such, neither population or housing would be impacted by the Project.

Discussion

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

No Impact: The Project is exclusive to quarrying operations and does not include the development of new housing, commercial businesses, or residential infrastructure that would directly or indirectly contribute to population growth. Additionally, the Project does not involve the extension of public roads or significant new infrastructure that would facilitate additional development in the area. Employment opportunities generated by the Project are anticipated to be 15 employees that would likely be drawn from the existing local labor pool and would not result in population growth or housing demand. As such, the Project would not induce substantial unplanned population growth, either directly or indirectly. Therefore, based on the information and analysis provided herein, the Project would result in *no impact*.

Mitigation Measures: None required.

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

No Impact: As noted earlier, the Project is exclusive to quarrying operations, As such, the Project would not displace substantial numbers of existing people or housing and would not necessitate the construction of replacement housing elsewhere. Therefore, based on the information and analysis provided herein, the Project would result in *no impact*.

Mitigation Measures: None required.

Mitigation Measures: None required.

Based on the information and analysis provided herein, no mitigation measures would be required.

Cumulative Impact: No impact.

This cumulative analysis is based on the information provided in this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Population and Housing Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The geographic area of this cumulative analysis is Tulare County. As the proposed Project does not include new housing and will result in approximately 15 employees, it would not displace substantial numbers of existing people or housing and would not necessitate the construction of replacement housing elsewhere. the Project would not induce substantial unplanned population growth, either directly or indirectly. The Project would not induce substantial unplanned population growth in the area, either directly (e.g., new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure). Therefore, based on the information and analysis provided herein, the would be *no cumulative impact*.

XV. PUBLIC SERVICES

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

This cumulative analysis is based on the information provided in this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Pubic Services Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

Environmental Setting

Fire

The Project Site is served by the Tulare County Fire Department (TCFD), which will continue to provide fire protection services upon development. The nearest fire station is the Tulare County Fire Station 21, located in unincorporated community of Terra Bella approximately 5.25 miles

northwest of the Project Site. Based on this proximity, the fire department can maintain efficient response times to the proposed Project. The Project would be required to comply with applicable fire safety regulations, (e.g., compliance with building codes), to ensure adequate fire protection for the Project site.

Police

The Tulare County Sheriff's Office (TCSO, headquartered in Visalia), provides law enforcement for the Project Site. The Porterville TCSO substation provides patrols in the Porterville area, which also includes the area where the Project would be located. In addition, the California Highway Patrol provides traffic enforcement on State Highways and County roads through its California Highway Patrol's Central Division.

Schools

Carl F. Smith Middle School, located in Terra Bella, is approximately 4.88 miles northwest of the Project Site. The Project will not increase the population and will not increase the number of students.

Parks/Other

As noted earlier, there are no parks within or near the Project site. The nearest park County owned/operated park is Bartlett Park located approximately eight (8) miles on North Drive, north of the Project site and east of Porterville. There are no other public facilities within or near the Project site.

Regulatory Setting

Federal

None that apply to the proposed Project.

State

None that apply to the proposed Project.

Local

Tulare County General Plan

The Tulare County General Plan has various policies that apply to projects within County of Tulare. General Plan policies that could apply to the proposed Project are listed as follows:

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-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.

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-7.3 Visible Signage for Roads and Buildings - The County shall strive to ensure all roads are properly identified by name or number with clearly visible signs.

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. The Fire Staffing and Response Time Standards are listed in Table 3.14-2 [*in the General Plan Goals and Policies Report*].

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-7.8 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-7.12 Design Features for Crime Prevention and Reduction - The County shall promote the use of building and site design features as means for crime prevention and reduction.

Discussion

a) **Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental**

impacts, in order to maintain acceptable serve ratios, response times of other performance objectives for any of the public services:

i. Fire protection?

Less than Significant Impact: The County of Tulare Fire Department has 28 stations that are located throughout the County within its most densely populated areas and currently maintains minimal staffing to meet the requirements set forth under NFPA for a rural area (see Definitions section for additional details regarding these requirements). These requirements consist of one full-time person per station per shift with other paid on-call firefighters. Per the Tulare County Fire Department, while this is sufficient to meet the basic needs of the County, this level of staffing often results in an elevated fire loss value during some emergency conditions when compared with other departments with additional staff support.

The nearest fire station to the proposed Project site is the Terra Bella Fire Station (Station #21, located at 23658 Avenue 95 in Terra Bella), approximately 5.25 miles northwest of the proposed Project site. The Project does not include the construction of any buildings, other than operations-related structures, that could be used as dwellings. Also, the site is accessible via existing paved Road 80. As such, the Project will not require new fire facilities and it is within existing fire department response times. The Project would not include structures that could be used for habitation/dwelling; it Is likely that calls for fire protection responses would be limited to accidents such as damage or failure to equipment and personal injury. Therefore, based on the information and analysis contained herein, there would be a *less than significant impact.*

Mitigation Measures: None required.

ii. Police protection?

Less than Significant Impact: The nearest police station to the proposed Project is the TCSO Porterville Substation located at 1839 S. Newcomb Street, in Porterville, approximately 7.5 miles northwest of the Project site. As access to the Project site is available by existing paved Road 80. The Project will not result in an increase in population requiring additional police services, the proposed Project will not increase police response times. It is likely that calls to the Project site could include property checks and responses for damage, equipment failure, or vandalism. As such, adequate existing police protection services would continue to provide response times consistent with Tulare County policies to the area and Project's location.

Therefore, based on the information and analysis contained herein, there would be a *less than significant impact.*

Mitigation Measures: None required.

iii. Schools?

No Impact: The Project would not result in additional residents to Tulare County and therefore would not increase the number of school-aged children/students. Therefore, based on the information and analysis contained herein, there would be *no impact.*

Mitigation Measures: None required.

iv. Parks?

No Impact: As the Project would not result in additional residents, the Project would not create a need for additional parkland. Therefore, based on the information and analysis contained herein, there would be *no impact.*

Mitigation Measures: None required.

v. Other public facilities?

No Impact: The Project would not include population growth directly or indirectly and would not increase demand for other public facilities or services. Therefore, based on the information and analysis contained herein, there would be *no impact.*

Mitigation Measures: None required.

Mitigation Measures: None required.

Based on the information and analysis provided herein, no mitigation measures would be required.

Cumulative Impact: Less Than Significant Impact

This cumulative analysis is based on the information provided in this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Public Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, General Plan Background Report, and/or Tulare County General Plan 2030 Update RDEIR.

As previously discussed, the proposed Project will be served by the existing Terra Bella Fire Station and will not have an impact on the fire department's response times. The proposed Project is located approximately 5.25 miles southeast of the nearest fire department station. The nearest TCSO Substation is located in Porterville approximately 7.5 miles southeast of the Project site and would not have an impact on police response times. Also, the proposed Project will have result in population growth and would therefore not impact on schools, parks, or other public facilities.

XVI. RECREATION

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Recreation Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

Environmental Setting

Tulare County contains several county, state, and federal parks. Aside from parks in the county, there are many open space areas as well. This section will highlight these various parks and open space areas and identify recreational opportunities within them. (see Tulare County General Plan, page 4-1). In addition to the 13 parks and recreation facilities that are owned and operated by Tulare County, there are State Parks and Forests, National Parks and National Forests, and trails and recreational areas. However, the Project would not include a recreation component.

Regulatory Setting

Federal

None that apply to the Project.

State

None that apply to the Project

Local

None that apply to the Project.

Discussion

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

No Impact: The Project will not result in additional residents, as such the Project will not increase the use of existing parkland or create a need for additional parkland. Based on the information and analysis contained herein, there would be *no impact.*

Mitigation Measures: None required.

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

No Impact: No parkland or recreational facilities are associated with the Project. As such the Project will not result in additional residents and will not create a need for additional parkland. Based on the information and analysis contained herein, there would be *no impact.*

Mitigation Measures: None required.

Mitigation Measures: None required

Based on the information and analysis contained herein, no mitigation measures would be required.

Cumulative Impact: No Impact.

This cumulative analysis is based on the information provided in this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Recreation Resource discussion, etc.; contained in the

Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The geographic area of this cumulative analysis is Tulare County. The proposed Project does not include housing and would employ approximately 15 employees, which would not increase the use of parks or recreational facilities. As noted earlier, the proposed Project does not include new recreational facilities or the expansion of recreational facilities. Based on the information and analysis contained herein, there would be *no cumulative impact.*

XVII. TRANSPORTATION

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Transportation Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

In addition to the documents incorporated by reference, qualified consultant VRPA prepared the "Terra Bella Quarry Surface Mining Project Traffic Impact Study" (TIS) that is used to analyze potential traffic impacts related to the Project. The complete TIS is included as Appendix H of this MND.

Environmental Setting

State Routes (SR)

SR 65 would be used by trucks laden with material (aggregate) to be transported to Bakersfield where it will used to produce building materials such as cement and asphalt. SR 190, north of the

Project site, would be used by trucks laden with aggregate to be transported areas north and/or west of the Project site.

Public Transportation

Public transportation needs in Tulare County are met by either a fixed route or demand responsive (dial-a-ride) transit system. Tulare County Regional Transit Agency (TCRTA) has been providing rural route service between various cities and towns since 1981. The nearest TCRTA route is C80 servicing Ducor, Terra Bella, and Porterville.

Airports

The nearest airport is Porterville Municipal Airport, approximately 8.3 miles northwest of the Project site.

Parking and Access

The Project would feature a gravel-surfaced parking lot with 20 spaces for employees, located near the scale house and office. This area will accommodate the daily workforce, which is anticipated to be 15 employees. Trucks and other heavy equipment will have a separate parking area situated at the Truck/Heavy Equipment Shop, where machinery such as wheel loaders, excavators, and dump trucks will be stored when not in use.

Access to the Site will be provided via a private unpaved gravel road to 60-foot-wide Avenue 80, ensuring a direct route for both employee vehicles and trucks. The residence located west of the site would maintain its access via Avenue 80. To facilitate efficient on-site movement, a one-way, looped, gravel road will be constructed, allowing trucks easy access to the stockpiles, and ensuring efficient access/egress to/from the quarry.

Trucks exiting the Site will follow one of two routes:

- Southbound to Bakersfield: Trucks will travel west on Avenue 80 for 2.5 miles, south on Road 256 for 3 miles, west on Avenue 56 for 3 miles, and south on SR 65 to Bakersfield. This route will pass by 11 rural residences and will be within ¾ mile of Ducor Elementary School, additional residences, and small businesses.
- Future Routes West or North: Trucks will head west on Avenue 80 for 5.5 miles to reach SR 65. This route will pass by 21 rural residences, some of which appear to be combined with farm or orchard businesses.

<u>Regulatory Setting</u>

Federal

None that apply to the Project.

State

Caltrans: Transportation Concept Reports

Caltrans has prepared a number concept reports for State Routes, Interstate Routes, and US Routes. Tulare County is located in Caltrans District 6.

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). The guide will provide consistent guidance for Caltrans staff who review local development and land use change proposals as well as inform local agencies of the information needed for Caltrans to analyze the traffic impacts to State highway facilities. The guide will also benefit local agencies and the development community by providing more expeditious review of local development proposals." (see Caltrans' *Guide for the Preparation of Traffic Impact Studies*, page ii at: Microsoft Word - Final December 2002.doc).

"The guide developed in Fresno was adapted for statewide use by a team of Headquarters and district staff. The guide will provide consistent guidance for Caltrans staff who review local development and land use change proposals as well as inform local agencies of the information needed for Caltrans to analyze the traffic impacts to State highway facilities. The guide will also benefit local agencies and the development community by providing more expeditious review of local development proposals." (see *Guide for the Preparation of Traffic Impact Studies*, Page ii).

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

(1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, Projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the Project area compared to existing conditions should be considered to have a less than significant transportation impact.
(2) Transportation Projects. Transportation Projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity Projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other

applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, a lead agency may tier from that analysis as provided in Section 15152.

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

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

Local

Tulare County Improvement Standards

The County's Improvement Standards are developed and enforced by the County's Engineering Division to guide the development and maintenance of County roads. The cross-section drawings contained in the County Improvement Standards dictate the development of roads within the city.

Tulare County General Plan

The General Plan *Land Use, Transportation and Circulation* chapter includes the following policies which would address potential impacts associated with transportation that may apply to the proposed Project:

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.

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

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.

Discussion

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

Less than Significant Impact: Due to its remote location the Project would not conflict with transit, bicycle or pedestrian facilities. Regarding a program plan, ordinance or policy addressing the circulation and roadway facilities, Tulare County's General Plan, Policy TC-1.16, mandates a minimum LOS standard of "D" for County roadways, while Caltrans seeks to maintain LOS standards at the transition between "C" and "D" for State highways, acknowledging that higher levels of congestion may sometimes be acceptable in more developed areas. A significant impact would occur if the Project disrupts these standards or otherwise impedes the safe and efficient operation of the transportation network, requiring careful review and potential mitigation to ensure consistency with local and regional transportation goals.

The proposed Project would generate truck traffic as part of its operations, producing 250,000 tons of construction aggregates annually and requiring approximately 38 truck trips per day. The operation would operate 10 hours daily, five days a week during 260 days per year. Based on 250,000 TPY/260 operating days and ~25–27 tons per truckload, the Project would generate ~37 loaded outbound trips/day and ~37 inbound empty returns/day (~74 one-way truck trips/day; ~37 round trips/day). As noted earlier, the trucks will take two primary truck routes. A significant impact would occur if the project's truck traffic degraded the LOS standards, disrupted established policies, or would impede the safe and efficient operation of the transportation network.

Truck Routes and Traffic Analysis

Route 1-Southbound Route to Bakersfield

This route passes by 11 rural residences, comes within ¾ mile of Ducor Elementary School and other local businesses. Since Avenue 80, Road 256, and Avenue 56 are primarily local roads, they have not been analyzed for traffic impacts.

- **Avenue 80**: Trucks will travel 2.5 miles west from the Project Site.
- **Road 256**: Trucks will continue south for 3 miles.
- **Avenue 56**: Trucks will travel another 3 miles west.
- **State Route 65 South, From Avenue 96 to the Kern County Line**: This Segment of SR has ADT of 9,500 and an LOS of C.

Route 2-Future Routes West or North:

- **Avenue 80**: Trucks will travel 5.5 miles west from the Project Site to connect with State Route 65.
- **State Route 65 North**: Trucks will traverse various segments, affecting multiple areas:
  - **To Avenue 96**: AADT of 9,500, LOS C.
  - **Avenue 96 to Southern Porterville City Limits**: AADT of 12,200, LOS C.
  - **Porterville City Limits to Grand Avenue**: AADT of 26,000, LOS B.

As noted in the TIS, "Per the recommendation of Caltrans, VRPA conducted a screening-level review of the following key facilities which serve as key freight and regional connectors beyond the direct Project area:

- Intersection of SR 65 & Avenue 96 (Terra Bella Avenue) – Approx. 2 miles north of Ave 80/SR65
- SR 190 & SR 65 Interchange – Approx. 8.2 miles north of Ave 80/SR65
- Road 256 & Avenue 96 (Terra Bella Avenue) – Approx. 2 miles north of Ave 80/Rd 256

The Project is expected to generate 266 [passenger car equivalent] daily trips, 29 trips in the AM peak hour and 17 trips in the PM peak hour. Based on the limited amount of traffic generated by the Project, similar to Project's limited impact on intersections within the project study area, VPRA does not believe that any facilities outside the project study area (including those listed above) will be impacted by the Project." (Appendix H, TIS, page 14),

The AADT and LOS data, from the Tulare County General Plan EIR, indicate that most segments of State Route 65 are currently functioning within acceptable LOS standards without the Project.

As noted in Table 2-1 Project Trip Generation in the TIS (at page 9) the Project would result in 38 daily truck trips, 114 daily vehicle trips and 266 daily passenger car equivalents trips.

As summarized in the TIS, "The General Plan currently calls for all intersections and roadway segments to be maintained at LOS "D" or better; this objective will be met since all study area intersections are expected to operate at LOS D or better for existing conditions and the horizon year of 2046. The Project also meets Caltrans' acceptable level of service criteria. As a result, the Project will not conflict with a program, plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit." (Appendix H, TIS page, 28).

Therefore, based on the conclusions provided in the TIS by qualified consultants VRPA, and the information and analysis contained herein, the Project would result in a *less than significant impact*.

Mitigation Measures: None required.

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

Less than Significant Impact: The proposed Project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b), which emphasizes assessing transportation impacts using Vehicle Miles Traveled (VMT) rather than traditional metrics like Level of Service (LOS). Under these guidelines, projects are considered to have a significant transportation impact if they generate a substantial increase in VMT. However, CEQA provides screening criteria to determine if certain projects can be exempt from detailed VMT analysis.

Tulare County Guidelines for Implementing VMT provides an exemption for goods movement. As both unladen and laden trucks would provide transportation of goods, in this case aggregate material, these trips would be exempt from VMT. As noted in the Executive Summary of the TIS, "The VMT analysis was conducted in accordance with the County of Tulare SB 743 Guidelines (June 8, 2020). The first step in the process is to check whether the project is exempt from requiring a VMT analysis. County of Tulare SB 743 Guidelines provide evidence that the movement of goods (transport of raw or finished products from one location to another) are not subject to SB 743, with only passenger trips needing to be considered as part of a VMT analysis.

County of Tulare SB 743 Guidelines also provide substantial evidence that projects generating fewer than 500 trips per day may be presumed to cause a less than significant transportation impact. Since the project is expected to generate 38 auto trips per day (ignoring [discounting]

material transport truck trips since they are exempt from VMT analysis), the project is considered to cause a less than significant transportation impact per Tulare County guidelines."

As noted in Appendix A of the TIS, "Appendix A [of the TIS] of this report provides a vehicle miles traveled analysis that indicates a less than significant impact with respect to VMT. As a result, the Project will not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)." (Appendix H, TIS, page 29). "The project is expected to generate 38 passenger vehicle trips per day (ignoring material transport truck trips since they are exempt from VMT analysis). Therefore, the Project is considered to cause a less than significant transportation impact per Tulare County guidelines. Project trips will be less than 500 per day and substantial evidence exists as presented by Tulare County, that projects generating less than 500 trips per day may be presumed to cause a less than significant transportation impact. (Appendix H, TIS, Appendix A, VMT Analysis Memorandum, page 2). As such, based on the conclusions provided in the TIS by qualified consultants VRPA, and the information and analysis provided herein, there would be a *Less than significant Impact.*

Mitigation Measures: None required.

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

No Impact: The proposed Project does not include any features that could result in increased hazards due to a geometric design feature. The proposed site plan also illustrates that no sharp curves or dangerous intersections or incompatible uses are proposed by the Project. To facilitate efficient and safe on-site movement, a one-way, looped, gravel road will be constructed, allowing trucks easy access to the stockpiles, and ensuring efficient access/egress in and out of the quarry. Therefore, based on the conclusions provided in the TIS by qualified consultants VRPA (Appendix H, TIS, page 29), and the information and analysis provided herein, *no impact* would occur.

Mitigation Measures: None required.

d) Would the Project result in inadequate emergency access?

No Impact: This Project would not result in inadequate emergency access. Direct emergency access to the Project Site would be from Road 80. A network of local roads within the Project's subdivision would provide full access onto and off of the Project Site, including for emergency vehicles to and from the Project Site. As noted in the TIS, "The Project would not result in any degradation of emergency access within the community. Congestion at an intersection or along a roadway can adversely impact emergency access. Results of the traffic analysis shows that all study intersections and roadway segments will meet acceptable levels of service with

the development of specific roadway improvements. As a result, the Project will not result in inadequate emergency access. Therefore, no mitigation is needed." (Appendix H, TIS, page 29). Therefore, based on the conclusions provided in the TIS by qualified consultants VRPA, and the information and analysis provided herein, *no impact* would occur.

Mitigation Measures: None required.

Mitigation Measures: None required.

Based on the conclusions provided in the TIS by qualified consultants VRPA, and information and analysis provided herein, no mitigation measures would be required.

Cumulative Impact: Less than Significant

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Transportation Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The geographic area of this cumulative analysis is Tulare County. As noted earlier, the Project will have a less than significant project-specific Impact to the transportation system. Study intersections that are forecasted to operate at unacceptable conditions in the future will result in conditions with or without the Project. As noted earlier, the nearest airport is located approximately 8.33 miles northwest of the Project site and would not be impacted by the Project. Also noted earlier, no significant design changes that would cause a hazard are proposed. Therefore, based on the conclusions provided in the TIS by qualified consultants VRPA (Appendix H, TIS) and the information and analysis provided herein, there would be a *less than significant cumulative impact*.

XVIII. TRIBAL CULTURAL RESOURCES

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Cultural Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

In addition to the previously noted sources incorporated herein by reference, a Project site specific cultural assessment was also conducted. A redacted version of The Phase I Cultural Resources Assessment Terra Bella Aggregate Quarry Project (CRA) prepared by qualified consultant Soar Environmental Consulting (Soar Environmental) is included as Appendix C of this MND. It is noted that the redacted version is used to maintain confidentiality of the location and type of cultural resources contained within the Project site. The unredacted version is available upon authorization as allowed by California law. Also, confidentiality is supported in Tulare County General Plan Policy ERM-6.9 Confidentiality of Archaeological Sites which states, "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." (see Tulare County General Plan 8. Environmental Resources Management 8.6 Cultural Resources ERM 6.9 Confidentiality of Archaeological Sites, page 8-11 at: PowerPoint Presentation)

Environmental Setting

The Environmental Setting and following discussions have been excerpted from the Cultural Resources Assessment (CRA) prepared by qualified consultant Soar Environmental Consulting (Soar Environmental) based on their knowledge of the Project site, Cultural/Historical/Tribal Cultural resources expertise, and to maintain consistency with terminology used in the following Tribal Cultural resources discussion.

As noted in the CRA, "The Project area is located in southwest Tulare County, approximately 6.33-kilometers [3.93 miles] southeast of Terra Bella, California within the east side of the San Joaquin Valley and west edge of the Siera Nevada Mountains. The San Joaquin Valley is a long, narrow, northwest-trending, alluvial valley that lies between the Sierra Nevada Range to the east, and the Coast Ranges to the west (Wagner, 2002).

Surface soils consist of the Cibo soil series within the north and central, the Friant-Rock soil series within the east, the Porterville soil series within the northwest, and the Vista soil series within the southwest of the Project area (Figure 3 [of the CRA]). The Cibo soil series is typically moderately deep, well-drained, and formed in material weathered from basic igneous rocks. This soil is made up of dark brown cobbly clay at surface with dark brown clay below. The Friant-Rock soil series is typically shallow, well-drained, and formed material weathered from mica schist, quartz schist and gneiss. Friant soils are on mountainous uplands and have slopes of 9 to 75 percent. This soil is made up of brown fine sandy loam at surface with gray and yellowish brown slightly weathered quartz, mica, and schist below. The Porterville soil series is typically deep, well drained, and formed in fine textured alluvial material from basic and metabasic igneous rock. This soil is made up of dark reddish brown clay at surface with dark reddish gray clay below. The Vista soil series is typically moderately deep, well-drained, and formed in material weathered

from decomposed granitic rocks. This soil is made up of dark grayish brown coarse sandy loam at surface with brown coarse sandy loam below (United States Department of Agriculture, 1981).

The Project area is best characterized historically as a rural ranching and agricultural region with large populations of both large and small mammals. Prehistorically, the larger mammals inhabiting the Project area would have included mule deer (*Odocoileus hemionus californicus*), black-tailed deer (*O. hemionus columbianus*), tule elk (*Cervus elaphus nannoides*), pronghorn antelope (*Antilocarpa Americana*), mountain lion (*Felis concolor*), and black bear (*Ursus americanus*) (Jameson and Peeters 1988). The small mammals that historically inhabited the Project area included rabbit (*Sylvilagus sp*.), black-tailed jackrabbit (*Lepus californicus*), western gray squirrel (*Sciurus griseus*), coyote (*Canis latrans*), and gray fox (*Urocyon cinereoargenteus*).

At about 660-860 ft elevation, the Project is within the Lower Sonoran Life Zone of California (Schoenherr, 1992), which ranges from 100 feet to 4,000 feet. The Project area consists of a mix of native plants. The vegetation of this life zone corresponds with the hot deserts of the southwestern United States and northwest Mexico (the Mojave, Sonoran, and Chihuahuan deserts). Creosote bush (*Larrea tridentata*) and other desert shrubs and succulents occur from 100 ft to 3,500-4,000 ft above sea level. Total annual precipitation averages 10 inches or less.

The average annual precipitation in the Sonoran Life Zone is 0 to 10 inches. The climate is a dry desert climate. The mean annual temperature is 77.91 to 80 degrees F with an average annual winter temperature of 66.16 degrees and an average summer temperature of 85 degrees. The frost-free season averages 260 to 300 days

The property is vacant with rolling terrain agricultural and grazing lands. A former quarry, often referenced as the Terra Bella Quarry, was located at the site in the 2000s. The former quarry was fully reclaimed and closed in 2015." (Appendix C, CRA, pages 10-11).

Cultural Setting

"Cultural resources include prehistoric-era archaeological sites, historic-era archaeological sites, Native American traditional cultural properties, sites of religious and cultural significance, and historical buildings, structures, objects, and sites. The importance of any single cultural resource is defined by the context in which it was first created, current public opinion and modern yet evolving analysis. From the analytical perspective, temporal and geographic considerations help to define the historical context of the Project area. The importance or significance of a cultural resource is in part described by the context in which it originated or developed. National Park Service Bulletin 16a (1997) describes a historic context as "information about historic trends and properties grouped by an important theme in prehistory or history of a community, state, or the nation during a particular period of time." A context links an existing property to important historic trends, and this allows a framework for determining the significance of a property. Given this, a major goal of the historian is to determine accurate themes of analysis, a task that can

only be undertaken by a thorough review of previous researchers' thoughts and ideas, as well as reviewing the literature of the resources.

In California, historians have divided the past into broad categories based on climate models, archaeological dating and written histories. Paleontologists divide time into much larger segments, with defined and named periods of time shortening in timespan as the modern era is reached. For the purposes of this analysis, these periods in history have been summarized below." (Appendix C, CRA, page 11).

Prehistoric Setting

"During the Early Holocene epoch (9700 to 4000 B.C.), large game hunting societies populated the area. Culturally significant surface finds in the Tulare Basin have yielded some projectile points similar to particular Paleoindian varieties (i.e., Western Clovis), suggesting an initial occupation pre-dating approximately 11,300 years before present (B.P.). The Middle Holocene epoch (4000 to 1000 B.C.) is characterized by Pinto-like points and groundstone tools, although the association between the epoch and specific societies is not certain.

Olsen and Payen (1968) developed a chronology of four temporally distinct complexes for sites found within the southern San Joaquin Valley. The first complex, the Positas Complex, ranges from 3300 to 2600 B.C. and is characterized by small, shaped mortars, short cylindrical pestles, milling stones, perforated flat cobbles, and sea snail shell beads. The second complex is the Pacheco Complex which ranges from approximately 2600 B.C. to 300 A.D. This complex is divided into Phase B and Phase A. Phase B ranges from 2600 B.C. to 1600 B.C. and is characterized by biface arrow points, abalone shell ornaments, and sea snail shell beads. Phase A ranges from 1600 B.C. to 300 A.D. and is represented by more variation in shell bead types, perforated canine teeth, bone awl, whistles, grass saws, large stemmed and side-notched points, and an abundance of milling stones, mortars, and pestles. The third complex, the Gonzaga Complex, ranges from 300 to 1000 A.D. and is characterized by extended burials, bowl mortars, shaped pestles, squared and tapered stem projectile points, bone awls, grass saws, and a shell industry composed of distinctive shell ornaments and beads. Lastly, the Panoche Complex ranges from 1500 A.D. to European contact (mid to late 1700 A.D.) and is characterized by the presence of fewer milling stones, varied mortars and pestles, small side-notched arrow points, clamshell disc beads, bone awls, whistles, saws, and tubes." (Appendix C, CRA, page 12).

Ethnographic Setting

"Penutian-speaking Yokuts tribal groups occupied the southern San Joaquin Valley region and much of the nearby Sierra Nevada. Ethnographic information about the Yokuts was collected primarily by Powers (1971, 1976 [originally 1877]), Kroeber (1925), Gayton (1930, 1948), Driver (1937), Latta (1977) and Harrington (n.d.). For a variety of historical reasons, existing research information emphasizes the central Yokuts tribes who occupied both the valley and particularly

the foothills of the Sierra. The northernmost tribes suffered from the influx of Euro-Americans during the Gold Rush and their populations were in substantial decline by the time ethnographic studies began in the early twentieth century. In contrast, the southernmost tribes were partially removed by the Spanish to missions and eventually absorbed into multi-tribal communities on the Sebastian Indian Reservation (on Tejon Ranch), and later the Tule River Reservation and Santa Rosa Rancheria to the north. The result is an unfortunate scarcity of ethnographic detail on southern Valley tribes, especially in relation to the rich information collected from the central foothills tribes where native speakers of the Yokuts dialects are still found. Regardless, the general details of indigenous lifeways were similar across the broad expanse of Yokuts territory, particularly in terms of environmentally influenced subsistence and adaptation and with regard to religion and belief, which were similar everywhere.

This scarcity of specific detail is particularly apparent in terms of southern valley tribal group distribution. The San Joaquin Valley floor, and thus the study area, was occupied by these southern Valley Yokuts speakers, themselves divided into a series of autonomous "tribelets," the boundaries of which are not well defined. The Yauelmani Yokuts lived from the Kern River area, in modern Bakersfield, to the southeast corner of the valley, on the Tejon Ranch, thus likely including the study area. The Hometwali were centered around Kern Lake, while the Tulamni occupied the west side of Buena Vista Lake and the foothills of the Temblors, at least to McKittrick. The Tuhohi resided from the Kern River delta north to the Goose Lake area and west to the sloughs near Buttonwillow. Yokuts villages apparently extended up to, but not into, the mouths of the canyons on the northern and western fronts of the Tehachapi Mountains, well into the foothills and lower elevations of the Sierra Nevada on the east, and to the crest of the Temblor Range on the west. The Yokuts are Penutian speakers and are linguistically related to northern occupants of the San Joaquin Valley.

The Yokuts settlement pattern was largely consistent, regardless of specific tribe involved. Winter villages were typically located along lakeshores and major stream courses (as these existed circa AD 1800), with dispersal phase family camps located at elevated spots on the valley floor and near gathering areas in the foothills.

Most Yokuts groups, again regardless of specific tribal affiliation, were organized as a recognized and distinct tribelet; a circumstance that almost certainly pertained to the tribal groups noted above. Tribelets were land-owning groups organized around a central village and linked by shared territory and descent from a common ancestor. The population of most tribelets ranged from about 150 to 500 peoples (Kroeber 1925).

Each tribelet was headed by a chief who was assisted by a variety of assistants, the most important of whom was the winatum, a herald or messenger and assistant chief. A shaman also served as religious officer. While shamans did not have any direct political authority, as Gayton (1930) has illustrated, they maintained substantial influence within their tribelet.

Shamanism is a religious system common to most Native American tribes. It involves a direct and personal relationship between the individual and the supernatural world enacted by entering a trance or hallucinatory state (usually based on the ingestion of psychotropic plants, such as jimsonweed or more typically native tobacco). Shamans were considered individuals with an unusual degree of supernatural power, serving as healers or curers, diviners, and controllers of natural phenomena (such as rain or thunder). Shamans also produced the rock art of this region, depicting the visions they experienced in vision quests believed to represent their spirit helpers and events in the supernatural realm (Whitley 1992, 2000).

The centrality of shamanism to the religious and spiritual life of the Yokuts was demonstrated by the role of shamans in the yearly ceremonial round. The ritual round performed the same each year, started in the spring with the jimsonweed ceremony, followed by rattlesnake dance and (where appropriate) first salmon ceremony. After returning from seed camps, fall rituals began in the late summer with the mourning ceremony, followed by first seed and acorn rites and then bear dance (Gayton 1930:379). In each case, shamans served as ceremonial officials responsible for specific dances involving a display of their supernatural powers (Kroeber 1925).

Subsistence practices varied from tribelet to tribelet based on the environment of residence. Throughout Native California, and Yokuts territory in general, the acorn was a primary dietary component, along with a variety of gathered seeds. Valley tribes augmented this resource with lacustrine and riverine foods, especially fish and wildfowl. As with many Native California tribes, the settlement and subsistence rounds included the winter aggregation into a few large villages, where stored resources (like acorns) served as staples, followed by dispersal into smaller camps, often occupied by extended families, where seasonally available resources would be gathered and consumed.

Although population estimates vary and population size was greatly affected by the introduction of Euro-American diseases and social disruption, the Yokuts were one of the largest, most successful groups in Native California. Cook (1978) estimates that the Yokuts region contained 27 percent of the aboriginal population in the state at the time of contact; other estimates are even higher. Many Yokuts people continue to reside in the southern San Joaquin Valley today." (Appendix C, CRA, pages 12-14).

Historic Setting

"In California, the historic era is divided into three general periods: the Spanish or Mission Period (1769 to 1821), the Mexican or Rancho Period (1821 to 1848), and the American Period (1848 to present). The mission system, which ultimately established 21 missions between 1796 and 1822, consisted of missions, presidios, and pueblos, and was designed to convert the indigenous peoples of California to Christianity and assimilate them under Spanish rule (Gudde 1998). The Spaniards were the first non-Indians to enter the San Joaquin Valley. Pedro Fages led a group of soldiers through Tejon Pass into the San Joaquin Valley in 1772 (Wallace 1978:459). In 1776,

Spanish missionaries visited the area now known as Bakersfield; the event was documented by Franciscan friar Francisco Garcés. Father Garcés described the Kern River, which he named Rio de San Felipe, and visited the Yokuts community of Woilu, a village situated on the land modern Bakersfield would later occupy. While visiting Woilu, Father Garcés performed the first European baptism in the San Joaquin Valley. The Franciscans returned to their base at Mission San Gabriel following a route through the Tehachapi Mountains that functioned as the primary road until 1876, when the Southern Pacific Railroad created an alternate route.

Lieutenant Gabriel Moraga led a group of Spanish explorers into the San Joaquin Valley in 1806 (Clough and Secrest 1984:25–27). Moraga's party intended to locate new lands for missions, find and return runaway Indians, and relocate stolen livestock. Moraga is credited with naming both the Kings and San Joaquin rivers. By the early 1820s, the expansion of missions in California ceased as a result of Mexico's independence from Spain (Clough and Secrest 1984:26). In 1827, the 17-man expedition led by Jedediah Smith entered the region and signaled the earliest American presence in the Kern County area (Clark 1998). Smith's adventures included friendly encounters with the Southern Yokuts near the Kings River and trapping and camping along the San Joaquin River (Clough and Secrest 1984:27). After Smith's visit, other trappers followed until about 1837, by which time fur-bearing animals had been nearly exterminated from the valley. Tulare County historically dates to 1770. The first settlers to visit what is now the San Joaquin Valley came after 1800. The first settlement in Tulare County was where the old Indian trail crossed the Kaweah River, about ten miles east of what is now the city of Visalia." (Appendix C, CRA, pages 14-15).

Archival Records Search

"The record search area included the Project area along with a 0.5-mile radius surrounding buffer. As part of this study, the following resources were reviewed: the California Archaeological Inventory Records, National Register of Historic Places, California Historic Landmark Registry, California Points of Historical Interest, and the Inventory of Historic Structures. Additionally, all relevant historic maps, an in-house review of historic aerial photographs, previously recorded archaeological site records, and previously conducted surveys for past projects were reviewed." (Appendix C, CRA, page 16).

Southern San Joaquin Valley Information Center Record Search Results

"The Project area is located in the USGS Fountain Springs 7.5' Series Quadrangle (USGS 2022). On July 15, 2024, Soar submitted a records search request to the Southern San Joaquin Valley Information Center (SSJVIC) located at the California State University, Bakersfield (Appendix A [of the CRA]). The records search included a 0.5-mile buffer around the Project area. The results from the records search indicate one (1) cultural resources study has been conducted within the Project area (Table 1 [of the CRA]). According to the information on file, there are three (3) resources within the Project area (Table 2 [of the CRA])". (Appendix C, CRA, page 16).

"There was one (1) report identified within a 0.5-mile radius of the Project area (Table 3 [of the CRA]). There are three (3) formal and four (4) informal recorded resources within the 0.5-mile record search radius (Table 4 [of the CRA])." (Appendix C, CRA, page 17)

"There are no recorded cultural resources within the Project area or radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks." (Appendix C, CRA, page 18).

Native American Outreach

As part of the Terra Bella Quarry Project's compliance with the California Environmental Quality Act (CEQA) and Assembly Bill 52 (AB 52), Native American outreach was conducted to ensure meaningful consultation with tribes that are traditionally and culturally affiliated with the project area. Qualified consultant Soar Environmental contacted the California Native American Heritage Commission (NAHC) on July 15, 2024, to conduct a Sacred Lands File (SLF) search, and to obtain a list of tribes culturally and geographically affiliated with the Project area (Appendix B [of the CRA]). On August 13, 2024, the NAHC indicated there are no Native American traditional cultural places or sacred sites within or near the Project area. The NAHC provided a list of twelve (12) Tulare County Native American groups and individuals affiliated with the local tribes. More recently (June 12, 2025), Tulare County Resource Management Agency (RMA) staff sent a request to the NAHC to obtain a more recent Sacred Lands File (SLF) search and a more recent list of Native American tribal representatives who may have knowledge of or interest in the cultural resources of the project area. The NAHC responded on June 12, 2025 with the results of the SLF search and provided contact information for three (3) local tribes, the Kitanemuck & Yowlemne Indians, Table Mountain Rancheria, and the Tule River Indian Tribe. Following receipt of the SLF results and local Tribes list from the NAHC, outreach letters were sent (via certified mail and e-mails) to the Tribes by RMA on June 17, 2025, notifying them of the proposed Project and inviting them to participate in consultation. No responses were received from any of the contacted Tribes during the invitation for consultation period. (See Appendix C, CRA, for AB 52 consultation documentation).

Archaeological Pedestrian Survey

The following is an excerpt from the CRA prepared by qualified consultant Soar Environmental:

"Ms. Neitenbach [of Soar Environmental] conducted the field survey of the Project area on August 5-6, 2024. The Project area was examined by systematic pedestrian inspection of the ground surface using transect intervals of 50 feet (15 meters) to 98 feet (30 meters) due to overgrown vegetation. Surface bioturbation including rodent, coyote, badger, mice, and reptile

burrows was also examined within the Project area. Disturbances immediately adjacent to the Project area were also examined for primary and secondary surface archaeological indicators.

A site revisit was conducted by Ms. Froshour on January 29, 2025 in an attempt to located site P-54-001220. This resources had not visible been due to densely overgrown vegetation present in the area during the earlier August 5-6, 2024 survey. Surface bioturbation was visible, with a low density vegetation and noted high rabbit population present in the Project area.

The approximately 318-acre Project area consists mostly of undeveloped agricultural fields (Figures 8-13 [in the CRA]). Dirt roads exist throughout the Project footprint. The Project area consists of rolling hills with lower land to north end of the project area and rising in elevation to south end of project area. In the south end, large boulder outcroppings appear as the elevation increases. Prairie grassland with native and imported grass covers the entirety of the project area leaving almost no ground visibility over the entire project area. Two natural springs/seeps are on the project area on opposite ends of the project area. One in the North of the project area is surrounded by small shrubs and trees. One in the south emerges out of a large rock outcropping with native plants (coyote melon, sage and mosses). Fauna observed included ground squirrels, coyotes, wild hogs, rattle snakes, lizards, field mice, rabbits, falcons, red tailed hawk, sharp shin hawk, swallows, road runners, badger, bald eagle, and golden eagle. The surface visibility of the Project area, defined as the approximate percentage of native soils visible during the field survey of a given project component, was estimated at 0-5% within the Project area.

In summary, three (3) *in situ* cultural resources were observed on the surface of the Project area, two previously recorded sites within the CHRIS database, P-54-001220, and P-54-001221. The third previously recorded site, P-54-000169, was first noted by Weinberger in 1987, later by Origer in 2023, and was relocated during both Soar surveys. P-54-000169 and P-54-001221 were found to be in good condition, both falling outside of the proposed quarry area of operations. P-54-000169 was relocated on January 29, 2005 and was in very poor condition. The rock quality is low compared to granite outcroppings to the north, with only two (2) of the six (6) previously recorded cupules showing possible signs of use wear, with the other cupules appearing to be formed by water erosion.

No *in situ* isolate materials potentially derived from a primary or secondary archaeological contexts, were observed on the surface of the Project area.

It must be noted that all areas of past cultural use are of cultural importance to the Native American community, even if they do not meet the significance criteria for archaeological resources. Avoidance of impacts to cultural resources is preferred over other, more destructive, mitigation measures." (Appendix C, CRA, pages 20-21).

Regulatory Setting

Federal

As summarized in the CRA, “Federal regulations for cultural resources are governed primarily by Section 106 of the National Historic Preservation Act (NHPA) of 1966. Section 106 of NHPA requires Federal agencies to take into account the effects of their undertakings on historic properties and affords the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. The Council's implementing regulations, "Protection of Historic Properties" are found in 36 Code of Federal Regulations (CFR) Part 800. The goal of the Section 106 review process is to offer a measure of protection to sites which are determined eligible for listing on the National Register of Historic Places. The criteria for determining National Register eligibility are found in 36 CFR Part 60. Amendments to the NHPA (1986 and 1992) and subsequent revisions to the implementing regulations have, among other things, strengthened the provisions for Native American consultation and participation in the Section 106 review process. While federal agencies must follow federal regulations, most projects by private developers and landowners do not require this level of compliance. Federal regulations only come into play in the private sector if a project requires a federal permit or if it uses federal money.” (Appendix C, CRA, page 5).

State

The following State of California regulations discussion is excepted from the CRA (found in its entirety in Appendix C) prepared by qualified consultant Soar Environmental Consulting (Soar Environmental or Soar).

”California Register of Historical Resources

In California, the term “historical resource” includes “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (California PRC § 5020.1[j])(State of California 2021). In 1992, the California legislature established the California Register of Historical Resources (CRHR) “to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change” (California PRC § 5024.1(a)). The criteria for listing resources on the CRHR, enumerated in the following text, were developed to be in accordance with previously established criteria developed for listing in the NRHP. According to California PRC § 5024.1(c) (1– 4), a resource is considered historically significant if it (i) retains “substantial integrity,” and (ii) meets at least one of the following criteria:

1) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.

2) Is associated with the lives of persons important in our past.

3) Embodies the distinctive characteristics of a type, period, region, or method of operations, or represents the work of an important creative individual, or possesses high artistic values.

4) Has yielded, or may be likely to yield, information important in prehistory or history

To understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than 50 years old may be considered for listing in the CRHR if it can be demonstrated that sufficient time has passed to understand its historical importance (14 CCR 4852[d][2]).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the National Register of Historic Places (NRHP), and properties listed or formally designated as eligible for listing in the NRHP are automatically listed in the CRHR, as are state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

California Health and Safety Code, §7050.5

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. California Health and Safety Code, §7050.5, requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains can occur until the County Coroner has examined the remains (California Health and Safety Code, §7050.5b). California PRC §5097.98, also outlines the process to be followed in the event that remains are discovered. If the County Coroner determines or has reason to believe the remains are those of a Native American, the County Coroner must contact the California NAHC within 24 hours (California Health and Safety Code, §7050.5c)(State of California 2021). The NAHC will notify the most likely descendant. With the permission of the landowner, the most likely descendant may inspect the site of discovery. The inspection must be completed within 48 hours of notification of the most likely descendant by the NAHC. The most likely descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains, and items associated with Native Americans.

California State Assembly Bill 52

Assembly Bill (AB) 52 of 2014 amended California PRC § 5097.94, and added California PRC §21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 established that tribal cultural resources must be considered under CEQA and also provided for additional Native American consultation requirements for the lead agency. California PRC

§21074, defines tribal cultural resources as follows:

(a) Section 21074 of the Public Resources Code states that "tribal cultural resources" are either of the following:

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

(A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.

(B) Included in a local register of historical resources as defined in subdivision (k) of §5020.1.

(2) 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 §5024.1. In applying the criteria set forth in subdivision (c) of §5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe. A cultural landscape that meets the criteria of subdivision:

(a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

(b) A historical resource described in §21084.1, a unique archaeological resource as defined in subdivision (g) of §21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of §21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

AB 52 formalizes the lead agency–tribal consultation process, requiring the lead agency to initiate consultation with California Native American tribes located on the contact list maintained by the Native American Heritage Commission (NAHC). This includes California Native American groups that are traditionally and culturally affiliated with the project, including tribes that may not be federally recognized. Lead agencies are required to begin consultation prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report (EIR).

Section 9 of AB 52 establishes 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." Section 6 of AB 52 added §21080.3.2 to the California PRC, which states that parties may propose mitigation measures "capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource." Further, if a California Native American tribe requests consultation regarding Project alternatives, mitigation measures, or significant effects to tribal cultural resources, the consultation shall include those topics (California PRC

§21080.3.2[a]). The environmental document and the mitigation monitoring and reporting program (where applicable) shall include any mitigation measures that are adopted (California PRC §21082.3[a]).

In accordance with the Tribal Consultation Guidelines and SB 18, government to government consultation between local governments and Native American tribes prior to the adoption or amendment of a general plan is required. Additionally, California PRC § 5024 requires consultation with the Office of Historic Preservation (OHP) when a project may impact historical resources located on State-owned land. California State law (SB 18) requires cities and counties to notify and consult with California Native American Tribes about proposed local land use planning decisions for the purpose of protecting Traditional Tribal Cultural Places ("cultural places").

Native American Human Remains

State law (California PRC §5097 et seq.) addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and established the NAHC.

In the event that Native American human remains, or related cultural material are encountered, §15064.5(e) of the CEQA Guidelines (as incorporated from PRC §5097.98) and California Health and Safety Code, §7050.5, defines the subsequent protocol. In the event of the accidental discovery or recognition of any human remains, excavation or other disturbances shall be suspended on the site, or any nearby area reasonably suspected to overlie adjacent human remains or related material. Protocol requires that the County Coroner or County-approved Coroner represented be contacted in order to determine if the remains are of Native American origin. Should the coroner determine the remains to be Native American, the coroner must contact the NAHC within 24 hours. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work for means of treating, with appropriate dignity, the human remains, and any associated grave goods as provided in California PRC §5097.98 (14 CCR 15064.5(e))(State of California 2021). (Appendix C, CRA, pages 6-8).

Local

Tulare County General Plan

The following Tulare County General Plan goals and policies are excerpted from the CRA prepared by qualified consultant SOAR as applicable to Tribal Cultural Resources:

"Chapter 8.6 of the Tulare County General Plan of 2012 promotes the preservation of cultural and historic resources through managing and protecting sites of cultural and archeological

importance for the benefit of present and future generations (County of Tulare 2012). The following policies are outlined for the preservation of cultural resources:

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

ERM-6.2 Protection of Resources with Potential State or Federal Designations - The County shall protect cultural and archaeological sites with demonstrated potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation's California Points of Interest and California Inventory of Historic Resources. Such sites may be of Statewide or local significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, or other values as determined by a qualified archaeological professional.

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

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

ERM-6.5 Cultural Resources Education Programs - The County should support local, State, and national education programs on cultural and archaeological resources.

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

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

ERM-6.8 Solicit Input from Local Native Americans - The County shall continue to solicit input from the local Native American communities in cases where development may result in

disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance.

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

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

Discussion

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

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

Less Than Significant Impact with Mitigation: The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, nor is it listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources. Based on the results of the records search, no previously recorded tribal cultural resources are located within the project site. Although no historical resources were identified, the presence of remains or unanticipated cultural resources under the ground surface is possible. Implementation of Mitigation Measures CUL-1, CUL-2, and CUL-3 would ensure that impacts to this checklist item would be less than *significant with mitigation.*

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

Less Than Significant Impact with Mitigation: As noted in the CRA, "There appears to be a high possibility for subsurface cultural resources in the Project area, based on the results of the archival research, and the fact that four (4) known resources have been detected during previous disturbances within the Project area. There are no recorded cultural resources within the 0.5-mile buffer radius that are listed in the National Register of Historic Places, the

California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks. No site testing or mitigation measures are recommended or required, unless previously undiscovered cultural resources are detected during quarry operations.

The intensive Phase I pedestrian survey was conducted on August 5-6, 2024, with parallel transects spaced at 50 feet (15 meters) to 98 feet (30 meters) intervals walked across the entire Project area. No additional cultural resources of any kind were identified during a Phase I study of the Project area. A revisit was conducted on January 29, 2025 to relocated and redefine two previously recorded resources. Both were relocated and recorded (Appendix C). Of three (3) known sites one (1) were located during the current survey which could be detrimentally impacted by the proposed project. This resource is of very low quality, and has high natural damage visible. The proposed Terra Bella Aggregate Quarry Project therefore has the low potential to result in adverse impacts to known cultural resources.“ (Appendix C, CRA, page 21)

“A potential always exists to encounter previously undetected cultural resources. If cultural materials (prehistoric and/or historic artifacts) are detected during the course of ground disturbances associated with this project, all work in the immediate area of the find shall be halted until a qualified archaeologist can inventory and assess the significance of the find(s). At that point, the resources shall be evaluated in accordance with the procedures set forth in the California Environmental Quality Act (CEQA) 21083.2, sections 15064.5 and 15126.4, and the criteria regarding resource eligibility to the California Register of Historic Resources (CRHR).

If a resource cannot be avoided, then the resource must be examined vis-à-vis the provisions in the County Guidelines, and CEQA Sections 15064.5 and 15126.4 and the eligibility criteria as an “important” or “unique archaeological resource,” as appropriate.” (Appendix C, CRA, page 22).

Mitigation Measures CUL-1 and CUL-2 would be implemented, as applicable, to ensure that if any unknown historical resources are encountered during ground disturbance, work will be halted until a qualified archaeologist assesses the find. As the area has been heavily disturbed by previous mining and agricultural activities, it is unlikely that the Project would significantly impact any unrecorded historical resources.

In summary, CUL-1 would require the Site to have a County-approved archaeologist and Native American monitor onsite to oversee ground-disturbing activities to ensure proper handling and protection of any cultural resources discovered. If significant cultural resources are discovered, a Research Design and Data Recovery Program will be implemented, prioritizing preservation or capping of sacred sites, and conducting data recovery if avoidance is not feasible. Additionally, MM CUL-1 includes protocol if human remains are discovered; work will

stop, and the County Coroner and Native American Heritage Commission will be contacted to determine the appropriate handling.

CUL-2 requires the preparation and implementation of a temporary fencing plan to protect known archaeological sites during construction activities. The fencing will be installed around identified cultural resources, under the supervision of a County-approved archaeologist and Native American monitor, to prevent any accidental damage during grading or other land disturbances.

Therefore, based on the information and analysis contained herein, including the CRA prepared by qualified consultant Soar Environmental, and with implementation of Mitigation Measures CUL-1 and CUL-2, the impacts on Tribal Cultural Resources would be *less than significant with mitigation.*

Mitigation Measures: See CUL-1 and CUL-2

Mitigation Measures: CUL-1 and CUL-2

Qualified consultant Soar Environmental recommended the following Mitigation Measures as contained in the CRA for this Project. The County of Tulare concurs with and supports the recommendations as specified in the CRA.

"**Mitigation Measure CUL-1: Archaeological Monitoring Program**

Pre Quarry Operations

- Contract with a County approved archaeologist to perform archaeological monitoring and a potential data recovery program during earth-disturbing activities. The Project Archaeologist shall perform the monitoring duties before (such as installation of temporary fencing), during and after commencement of quarry operations.
- Meeting to be attended by the Project Archaeologist and Native American monitor to explain the monitoring requirements.

During Quarry Operations

- Monitoring: Both the Project Archaeologist and Native American monitor are to be onsite during earth disturbing activities within 10 feet (10') of known cultural resources.
- Identified Resources. In the event that cultural resources are identified:
  - Both the Project Archaeologist and Native American monitor have the authority to divert or temporarily halt ground disturbance operations in the area of the discovery.
  - The Project Archaeologist shall contact the County Archaeologist at the time of discovery.

- The Project Archaeologist in consultation with the County Archaeologist and Native American shall determine the significance of discovered resources.
- Quarry operation activities will be allowed to resume after the County Archaeologist has concurred with the significance evaluation.
- Iosolates and non-significant deposits shall be minimally documented in the field. Should the isolates and non-significant deposits not be collected by the Project Archaeologist, the Native American monitor may collect the cultural material for transfer to a Tribal curation facility or repatriation program.
- If cultural resources are determined to be significant, a Research Design and Data Recovery Program shall be prepared by the Project Archaeologist in consultation with the Native American monitor and approved by the County Archaeologist. The program shall include reasonable efforts to preserve (avoid) unique cultural resources of Sacred Sites; the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap if avoidance is infeasible; and data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).

- Human Remains

  - The Property Owner or their representative shall contact the County Coroner and the Planning Development Services (PDS) Staff Archaeologist.
  - Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Native American monitor.
  - If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the NAHC, shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains.
  - The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
  - Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.

Mitigation Measure CUL-2: Temporary Fencing

Prior to any clearing, grubbing, trenching, grading, or any land disturbances within 10 feet (10') of known cultural resources:

Prepare and implement a temporary fencing plan for the protection of archaeological site(s) CA-TUL-0169 (P-54-000169), CA-TUL-1220 (P-54-001220), and CA-TUL-1221 (P-54-001221),

during any grading activities within 10 feet (10') of these archaeological site(s), as shown in Appendix A. The temporary fencing plan shall be prepared in consultation by a County approved archaeologist and the Native American monitor. The fenced area shall include a buffer sufficient to protect the archaeological site(s). The fence shall be installed under the supervision of the County approved archaeologist prior to commencement of grading or brushing and be removed only after grading operations have been completed. The temporary fencing plan shall include the following requirements:

Provide evidence to the Director of Planning & Development Services [Planning and Economic Development] that the following notes have been placed on the Grading and/or Improvement Plan:

(1) In the event that quarry operation activities are to take place within 10 feet (10') of CA-TUL-0169 (P-54-000169), CA-TUL-1220 (P-54-001220), and CA-TUL-1221 (P-54-001221), the temporary fencing plan shall be implemented under the supervision of a County approved archaeologist that consists of the following:

- The project archaeologist shall identify the site boundaries.
- The project archaeologist shall determine an adequate buffer for the protection of the site(s) in consultation with the County archaeologist and the Native American monitor.
- Upon approval of buffers, install fencing under the supervision of the Project Archaeologist.
- Submit to Planning & Development Services [Planning and Economic Development] for approval, a signed and stamped statement from a California Registered Engineer, or licensed surveyor that temporary fences have been installed in all locations of the project where proposed grading or clearing is within 10 feet (10') of the archaeological site(s) CA-TUL-0169 (P-54-000169), CA-TUL-1220 (P-54-001220), and CA-TUL-1221 (P-54-001221).
- Fencing may be removed after the conclusion of quarry operation activities." (CRA, pages 23-25).

Cumulative Impact: Less than Significant with Mitigation.

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Cultural Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses

to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The geographic area of this cumulative analysis is Tulare County and the eastern edge of the southern San Joaquin Valley. The proposed Project would only contribute to cumulative impacts related to this Checklist Item if Project-specific impacts were to occur. The Project would not cause a substantial adverse change in the significance of an historical or archeological resource pursuant to Section 15064.5. Also, the Project would not disturb any human remains, including those interred outside of dedicated cemeteries. However, in the unlikely event that unknown historical, archaeological, human remains, or Tribal resources are encountered, previously discussed Mitigation Measures CUL-1 and CUL-2 would be implemented. It is noted that a redacted version of "The Phase I Cultural Resources Assessment Terra Bella Aggregate Quarry Project" (CRA) used to analyze potential cultural resources impacts related to the Project prepared by qualified consultant Soar Environmental Consulting (Soar Environmental) is included as Appendix C of this MND. is. Therefore, based on the information and analysis provided herein, including the CRA (Appendix C) prepared by qualified consultant Soar Environmental Consulting, the Project would result in a *less than significant cumulative impact with mitigation.*

XIX. UTILITIES AND SERVICE SYSTEMS

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Utilities and Service Systems Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures,

Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

In addition, the "*HYDROLOGY AND WATER QUALITY REPORT TERRA BELLA QUARRY*" (Hydrology and Water Quality Report), included as Appendix E of this MND, was prepared by qualified consultant Mason Geoscience was used to analyze potential hydrology and water resources impacts related to the Project. The complete Hydrology and Water Quality Report is included as Appendix E of this MND.

Environmental Setting

"Tulare County and special districts provide many important services to County residents and businesses in unincorporated communities and hamlets such as water, wastewater, storm drainage, solid waste removal, utilities, communications, fire protection, law enforcement, and a number of other community facilities and services (schools, community centers, etc.)."2 "Water districts supply water to communities and hamlets throughout the County. Most communities and some hamlets have wastewater treatment systems; however, several communities including Three Rivers, Plainview, Alpaugh, and Ducor rely on individual septic systems. Storm drainage facilities are generally constructed and maintained in conjunction with transportation improvements or new subdivisions in communities. Solid waste collection in the County is divided into service areas, as determined by the Board of Supervisors, with one license for each area. Southern California Edison provides electric service to the south and central areas of Tulare County while PG&E provides electric service in the north. The [Southern California] Gas Company is the primary provider of natural gas throughout the County." (see Tulare County General Plan 2030 Update Part 1 Goals and Policies Report, Component D – Infrastructure. Page 14-3.).

No buildings (for habitation) or sewage facilities are proposed for the Project site. The proposed Project will be served by existing on-site wells to supply water necessary for quarrying operations, dust suppression, and porta potties would be provided for employee-generated wastewater.

Electric Power

SCE will provide electricity to the Project. The Project will tie into existing facilities from the Project directly west of the Site.

Natural Gas

The proposed Project will not require natural gas services.

Regulatory Setting

Federal

Resource Conservation and Recovery Act (RCRA)

The Resource Conservation and Recovery Act is our nation's primary law governing the disposal of solid and hazardous waste. RCRA was signed into law on October 21, 1976 to address the increasing problems the nation faced from our growing volume of municipal and industrial waste. RCRA was an amendment to the Solid Waste Disposal Act of 1965, which was the first statute that specifically focused on improving solid waste disposal methods.

Since 1976, RCRA has been amended and strengthened by Congress including in November 1984 with the passage of the federal Hazardous and Solid Waste Amendments (HSWA). Among other mandates, these amendments to RCRA required phasing out land disposal of hazardous waste, corrective action for releases and waste minimization. Waste minimization refers to the use of source reduction and/or environmentally sound recycling methods prior to treating or disposing of hazardous wastes. RCRA has been amended on two occasions since HSWA:

1. Federal Facility Compliance Act of 1992 – strengthened enforcement of RCRA at federal facilities.
2. Land Disposal Program Flexibility Act of 1996 – provided regulatory flexibility for land disposal of certain wastes." (see United States Environmental Protection Agency. History of the RCRA at: History of the Resource Conservation and Recovery Act (RCRA) | US EPA)

State

Regional Water Quality Control Board

"Mission Statement

"To preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations."

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.

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.

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.” (see State Water Quality Control Boards at: Mission Statement | California State Water Resources Control Board).

Local

Tulare County General Plan

The General Plan has a variety of policies that apply to projects within Tulare County. General Plan policies that could apply to the proposed Project are listed as follows.

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-3.4 Alternative Rural Wastewater Systems - The County shall consider alternative rural wastewater systems for areas outside of community UDBs and HDBs that do not have current systems or system capacity. For individual users, such systems include elevated leach fields, sand filtration systems, evapotranspiration beds, osmosis units, and holding tanks. For larger generators or groups of users, alternative systems, including communal septic tank/leach field systems, package treatment plants, lagoon systems, and land treatment, can be considered.

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-5.8 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.

Discussion

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?**

No Impact: The Project would not require the extension of existing utility services into the Project area, including water, wastewater, stormwater drainage, electric power, natural gas, and telecommunications connections.

- Water: The Project would use two on-site water wells to provide its water supply.
- Wastewater: The Project would use on-site . portable restrooms.
- Stormwater Drainage: Stormwater will be managed on-site eliminating the need for new off-site stormwater facilities.
- Electric Power: Electric power will be provided by Southern California Edison (SCE) through connections to existing facilities from the development directly west of the Site.
- Natural Gas: The Project would not need natural gas services.
- Telecommunications: Telecommunications facilities, if needed, would connect to existing infrastructure in the area.

Construction activities related to utility extensions, which would be limited to electric power, are not anticipated to cause significant environmental effects. Any extensions would occur within existing rights-of-way and will be integrated into the overall Project construction plan to minimize environmental impacts. Best management practices (BMPs), such as erosion control measures and proper waste management, would be implemented during construction to reduce potential environmental impacts. Therefore, based on the information and analysis contained herein, there would be *no impact.*

Mitigation Measures: None required.

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

Less than Significant Impact: The Project would use two existing wells to draw it underground water. According to the "*HYDROLOGY AND WATER QUALITY REPORT TERRA BELLA QUARRY"* (Hydrology and Water Quality Report, included as Appendix E of this MND), prepared by qualified consultant Mason Geoscience, "The project owner has reported the mining facility will utilize an estimated 300 acre-feet (97,755,300 gallons) of groundwater per year, as needed, according to the production schedule. According to the operating days reported in Section II.A., the mining operation will require water usage approximately 261 days per year. Based on these estimates, approximately 1.2 acre-ft/day will be required. If necessary, the facility will utilize storage tanks, pumping during off hours, etc., to acquire the necessary daily requirement of water to be used for the facility.

The water is used for aggregate washing, dust control, and employee use. Water will be used on demand, as required. Process water will be recycled continuously during the aggregate production process. A large portion of the water will be recycled, minus lost evaporation when sprayed on haul roads and residual water that stays within the finished aggregate products when shipped." (See Appendix F, Hydrology and Water Quality Report, page 27).

Also as noted in the Hydrology Report, "Harder et. al. (2024) reported average annual flows from Deer Creek, north of the site, and White River, south of the site, was approximately 19,500 acre-feet per year and 5,800 acre-feet per year, respectively. Since groundwater wells at the site are expected to produce groundwater from bedrock fractures, the 300 acre-feet per year of groundwater used for the project will likely come from some portion of subsurface recharge derived from the upper reaches of Deer Creek and White River that flow over the fractured bedrock terrain. The volume of localized infiltration along Deer Creek and White River into the local fractured aquifer beneath the site is unknown. Between these two water bodies, and assuming some percentage of the surface water recharges into the fractured bedrock aquifer beneath the site, it is estimated that only 1.2% of the total reported annual average flows from both Deer Creek and White River would be utilized by the mining facility." (Appendix F, Hydrology and Water Quality Report, pages 27-28).

"Additionally, a portion of the water used for the mining operations is to be contained as recycled supply water collected in on-site equipment tanks or detention ponds." (Appendix F, Hydrology Report, page 28).

As such, the Project would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years. Therefore, based on the information and analysis provided herein, including the Hydrology

and Water Quality Report prepared by qualified consultant Mason GeoScience (), there would be a *less than significant impact*.see Appendix

Mitigation Measures: None required.

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?

No Impact: As discussed in Checklist Item b), the Project would not generate operational wastewater. The Project would not require wastewater treatment as it would utilize on-site porta potties to accommodate employee-generated wastewater.

Mitigation Measures: None required.

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?

Less than Significant Impact: The proposed Project does not include activities that would result in solid waste generation beyond typical office use waste. The Project would comply with all applicable solid waste reduction statutes and regulations, including implementing recycling programs and encouraging waste reduction practices among residents. The impact would be *less than significant.*

Tulare County's facilities collectively handle approximately 300,000 tons of solid waste per day. The waste generated by the Project is minimal relative to this capacity.

Mitigation Measures: None required.

e) Comply with Federal, state, and local management and reduction statutes and regulations related to solid waste?

No Impact: The Project would comply with all applicable federal, state, and local statutes and regulations related to solid waste management and reduction. Solid waste collection and disposal would be conducted in accordance with the policies of the Tulare County and Tulare County Solid Waste Department. The Project would implement waste reduction and recycling programs to minimize solid waste generation, in compliance with state mandates such as AB 939 and AB 341, which aim to reduce landfill waste and increase recycling efforts. There would be *no impact*.

Mitigation Measures: None required.

Mitigation Measures: None required.

Based on the information and analysis contained herein, *no mitigation measures* would be required.

Cumulative Impact: Less than significant.

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Utilities and Service System Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is also based on the requirements of the Central Valley Regional Water Quality Control Board. The Project would not 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. As noted earlier, the Project would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years. The Project would not require wastewater treatment; on-site porta potties will be used to accommodate employee generated wastewater. The proposed Project does not include activities that would result in solid waste generation beyond typical office use waste. Solid waste collection and disposal would be conducted in accordance with the policies of the Tulare County and Tulare County Solid Waste Department. As such, the Project would comply with Federal, state, and local management and reduction statutes and regulations related to solid waste. Therefore, based on the information and analysis herein, and the Hydrology and Water Quality Report included as Appendix E of this MND prepared by qualified consultant Mason Geoscience, the Project would not result in a *less than significant cumulative impact*.

XX. WILDFIRE

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

As noted earlier, this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Hazards and Hazardous Materials Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety.

Environmental Setting

Fire Hazard Severity Zones

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

The following is an excerpt from the Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP):

"TULARE COUNTY WILDFIRE SETTING

As previously stated, there are areas in the County that are prone to wildfire. Wildland fires affect grass, forest, and brushlands, as well as any structures located within them. Where there is human access to wildland areas the risk of fire increases due to a greater chance for human carelessness and historical fire management practices. Generally, there are four major factors that sustain wildfires and allow for predictions of a given area's potential to burn. These factors include fuel, topography, weather, and human actions.

Fuel – Fuel is the material that feeds a fire and is a key factor in wildfire behavior. Fuel is generally classified by type and by volume. Fuel sources are diverse and include everything from dead tree leaves, twigs, and branches to dead standing trees, live trees, brush, and cured grasses. Also, to be considered as a fuel source are manmade structures, such as homes and other associated combustibles. The type of prevalent fuel directly influences the behavior of wildfire. Fuel is the only factor that is under human control. As a result of effective fire suppression since the 1930s, vegetation throughout the county has continued to grow and accumulate, and hazardous fuels have increased. As such, certain areas in and surrounding Tulare County are extremely vulnerable to fires as a result of dense vegetation combined with a growing number of structures being built near and within rural lands. These high fuel hazards, coupled with a greater potential for ignitions, increases the susceptibility of the County to a catastrophic wildfire.

Topography – An area's terrain and land slopes affect its susceptibility to wildfire spread. Both fire intensity and rate of spread increase as slope increases due to the tendency of heat from a fire to rise via convection. The arrangement of vegetation throughout a hillside can also contribute to increased fire activity on slopes.

Weather – Weather components such as temperature, relative humidity, wind, and lightning also affect the potential for wildfire. High temperatures and low relative humidity dry out fuels that feed affect the potential for wildfire. High temperatures and low relative humidity dry out fuels that feed wildfires, creating a situation where fuel will ignite more readily and burn more intensely. Thus, during periods of drought, the threat of wildfire increases. Wind is the most treacherous weather factor. The greater a wind, the faster a fire will spread and the more intense it will be. Winds can be significant at times in Tulare County. North winds in Tulare County are especially conducive to hot, dry conditions, which can lead to "red flag" days indicating extreme

fire danger. In addition to wind speed, wind shifts can occur suddenly due to temperature changes or the interaction of wind with topographical features such as slopes or steep hillsides. Lightning also ignites wildfires, often in difficult to reach terrain for firefighters.

Human Actions – Most wildfires are ignited by human action, the result of direct acts of arson, carelessness, or accidents. Many fires originate in populated areas along roads and around homes, and are often the result of arson or careless acts such as the disposal of cigarettes, use of equipment or debris burning. Recreation areas that are located in high fire hazard areas also result in increased human activity that can increase the potential for wildfires to occur. Wildfires tend to be measured in structure damages, injuries, and loss of life as well as on acres burned and the intensity of the burn. CAL FIRE measures fuels in the areas as part of their Fire Hazard Severity maps. Extents are measured in the following Fire Hazard Severity Zones (FHSZ) categories (discussed in more detail below [pages 4-242 through 4-245 of the MJLHMP):

- Very High
- High
- Moderate
- Non-Wildland/Non-Urban
- Urban/Unzoned

Fires can have a quick speed of onset, especially during periods of drought. Fires can burn for a short period of time, or may have durations lasting for a week, many weeks, or more. (see MJLHMP, pages 4-226 through 4-227 at: Microsoft Word - CalOES working plan 3-15-2023.docx).

Regulatory Setting

Federal

None that apply to the Project

State

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. (California Natural Resources Agency. Final Statement of Reasons for Regulatory Action Amendments to the State CEQA Guidelines, page 69 at: CALIFORNIA NATURAL RESOURCES AGENCY)

CAL FIRE - Tulare Unit Strategic Fire Plan

As provided in an excerpt from the Cal Fire Pre-Fire Planning. Unit Fire Plans 2025 Tulare Unit Fire Plan Executive Summary, "The Tulare Unit (TUU) is one of 21 administrative Units within CAL FIRE. The Tulare Unit Strategic Fire Plan is a product of the implementation of the California State Fire Plan. The TUU Strategic Fire Plan was completed by a collaborative effort between the Unit Chief, Battalion Chiefs, Program Managers, Bureau Managers, and various stakeholders in the Unit. This process provided TUU background information on fuels and fire data, current and proposed projects, and individual Battalion activities commonly carried out each year. The TUU Strategic Fire Plan is our local road map to create and maintain defensible landscapes to protect vital assets. The Fire Plan seeks to reduce firefighting costs and property loss, increase public and firefighter safety, minimize wildfire risk to communities and contribute to ecosystem health.

This Unit Strategic Fire Plan emphasizes State Responsibility Land within CAL FIRE jurisdiction. The Fire Plan will be a tool to assist the Unit with pre-suppression projects which exist within each Battalion. TUU plans, identifies, and evaluates priority landscape, fire hazards, and wildfire risk. Additionally, it identifies opportunities for reducing structural ignitability and identifies potential fuel reduction projects and techniques for minimizing those risks.

The TUU Strategic Fire Plan is our dynamic planning tool and intended to be a living document. While we plan for and develop new projects, our primary focus will be completing current projects and the maintenance of the existing projects and pre-suppression infrastructure that is in place. This document will be updated each year on the successes that have been accomplished and new goals and objectives as outlined by the Unit and the California Strategic Fire Plan.

The Tulare Unit's Key Goals and Objectives from the California Strategic Fire Plan:

- Support the implementation and maintenance of defensible space inspections around structures.
- Analyze trends in fire cause and focus prevention and education efforts to modify behaviors and effect change to reduce ignitions within Tulare County.
- Continually evaluate the success in achieving the 95% threshold of keeping fires less than 10 acres in size.

- Identify and evaluate wildland fire hazards and recognize assets at risk, collect and analyze data to determine fuels reduction projects, and other wildfire and forest resilience mitigations.
- Meeting the Fuels Reduction Goals set forth by the California Wildfire and Forest Resilience Task Force, Legislature, Governor, CAL FIRE Director and Tulare Unit Management. This plan will identify how the Unit will meet the following fuels and fire prevention goals:
  - Conduct defensible space inspections of one third of the residential structures within Tulare County (Pg. 10).
  - Conduct a minimum of 900 acres per battalion (3,600 acres) of fuels reduction including prescribed fire, not inclusive of grantee work (Battalion Project Priorities).
  - Conduct a minimum of 450 acres per battalion (1800 acres) of prescribed fire (Battalion Project Priorities).

- Support the availability and utilization of CAL FIRE resources, as well as public and private sector resources for fuels management activities, including ongoing maintenance.
- Assist landowners and local government in the evaluation of the need to retain and utilize features (e.g., roads, fire lines, water sources) developed during fire suppression efforts, taking into consideration those identified in previous planning efforts.

Through the Tulare Units Strategic Fire Plan implementation, CAL FIRE will partner with collaborating agencies to reduce fire suppression costs, property loss, damage to our watersheds and timberlands. More importantly, this plan will provide for protection of listed values and safer communities, while reducing injuries and the loss of life to both the public and firefighters. In 2025, the Unit will add a Resiliency Assistant Chief with the primary responsibility of increasing scope and scale of fuels projects and community wildfire resilience. Tulare Unit will strive to collaborate with program staff and cooperators in 2025 in the creation of a network potential operational delineations (PODs) to describe the roads, ridge tops, fuel breaks, and other landscape features needed for strategic wildfire response and the proactive use of prescribed fire." (see Cal Fire Pre-Fire Planning. Unit Fire Plans 2025 Tulare Unit Fire Plan, pages 1-2 at: Pre-Fire Planning | OSFM

Local

Tulare County General Plan

The Tulare County General Plan Goals and Policies Report at *10. Health and Safety Element* includes the following policies that may apply to the proposed Project:

HS-6.1 New Building Fire Hazards - The County shall ensure that all building permits in urban areas, as well as areas with potential for wildland fires, are reviewed by the County Fire Chief.

HS-6.5 Fire Risk Recommendations - The County shall encourage the County Fire Chief to make recommendations to property owners regarding hazards associated with the use of materials, types of structures, location of structures and subdivisions, road widths, location of fire hydrants, water supply, and other important considerations regarding fire hazard that may be technically feasible but not included in present ordinances or policies.

HS-6.7 Water Supply System - The County shall require that water supply systems be adequate to serve the size and configuration of land developments, including satisfying fire flow requirements. Standards as set forth in the subdivision ordinance shall be maintained and improved as necessary.

HS-6.8 Private Water Supply - The County shall require separately developed dwellings with individual private water supply to provide an acceptable guaranteed minimum supply of water for fire safety, in addition to the amount required for domestic needs.

HS-7.1 Coordinate Emergency Response - Services with Government Agencies - The County shall coordinate emergency response with local, State, and Federal governmental agencies, community organizations, volunteer agencies, and other response partners during emergencies or disasters utilizing SEMS and NIMS.

HS-7.2 Mutual Aid Agreement - The County shall participate in established local, State, and Federal mutual aid systems. Where necessary and appropriate, the County shall enter into agreements to ensure the effective provision of emergency services, such as mass care, heavy rescue, hazardous materials, or other specialized function. (see Tulare County General Plan Goals and Policies Report at 10. Health and Safety pages 10-20 through 10-22 at:
Microsoft Word - 17-CHP 10 Health & Safety.doc

Discussion

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

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

No Impact: The Project will not interfere with any adopted emergency response or evacuation plans, as all Project activities are confined within the Site. Operations, including transportation and material handling, are structured to avoid public roadways and maintain clear access routes for emergency response vehicles. Therefore, based on this information and the analysis contained herein, the Project would have *no impact* on existing emergency response or evacuation plans.

Mitigation Measures: None required.

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

Less than Significant Impact: The Project site is topographically at an elevation of around 700 to 800 feet above mean sea level (AMSL). A majority of the site is rolling low elevation hills that are covered in thick, green, annual weeds and grasses during the wet season that become dry and yellowish-brown during the summer months. The ground surface is undulating and characterized by first and second order drainages eroded into the local bedrock. The proposed mine site will occupy most of the area within the project boundaries; the main processing area will be near the north end of the site. As such, the relatively flat terrain and limited on-site vegetation reduce the risk of exacerbating wildfire spread or pollutant concentration from a wildfire or the uncontrolled spread of a wildfire. The prevailing winds are generally from the northwest to the southeast toward sparsely populated areas where pollutant concentrations would not adversely impact population centers in the event of a wildfire event. Additionally, precautionary measures will be in place to control potential ignition sources, including maintaining clear zones around operating areas and removing any flammable vegetation. Using these preventative steps, wildfire risk to project personnel or nearby areas would be minimized. , resulting in a *less than significant impact.*

Mitigation Measures: None required.

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

Less than Significant Impact: The Project would not require additional infrastructure, such as new roads or fuel breaks, that would exacerbate fire risk or negatively impact the environment. Any infrastructure on-site would be required to comply with County of Tulare building codes, including those applicable to fire safety. Therefore, based on the information and analysis provided herein, the Project would have a *less than significant* impact.

Mitigation Measures: None required.

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

No Impact: Given the Project Site's stable geology and the lack of substantial slopes, there is minimal risk of landslides or significant runoff changes. The Site's layout and soil stability further reduce risks associated with post-fire slope instability or drainage alterations. Therefore, based on the information and analysis provided herein, the Project would have *no*

impact on the risk of landslides, flooding, or drainage-related hazards following wildfire events.

Mitigation Measures: None required.

Mitigation Measures: None required.

Therefore, based on the information and analysis provided herein, no mitigation measures would be required.

Cumulative Impact: Less than Significant Impact

This cumulative analysis is based on the information provided in this IS/MND will rely on the adopted/certified Tulare County General Plan 2030 Update and its accompanying Environmental Impact Report (General Plan EIR) as this Project is consistent with General Plan land use designations and current zoning classifications. The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Hazards and Hazardous Material Resources discussion, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update EIR are incorporated by reference herein in their entirety. Components included as part of the General Plan EIR such as Technical Studies, Mitigation Measures, Cumulative Impacts, Responses to Comments, Findings, Resolutions, etc., as applicable, are incorporated herein by reference in their entirety

The geographic area of this cumulative analysis is Tulare County. The nature of the Project, a quarrying operation, would not substantially impair an adopted emergency response plan or emergency evacuation plan would not; it would not, 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; it would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; it would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire instability, or drainage changes. Therefore, based on the information and analysis provided herein, the Project would result in a *less than significant cumulative impact*.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion

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

Less than Significant Impact with Mitigation: This initial study/mitigated negative declaration determined that the Project could impact Biological Resources, Cultural Resources, Geology/Soil Resources (limited to paleontological resources), and Tribal Cultural Resources. However,

implementing the identified mitigation measures, BIO-1 through BIO-7, and CUL-1 and CUL-2 for the respective resource sections would ensure that impacts are *less than significant with mitigation.*

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

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

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

Less Than Significant Impact: The analyses of environmental issues contained in this Mitigated Negative Declaration indicate that the Project is not anticipated to have a substantial impact on human beings, either directly or indirectly. Mitigation measures have been incorporated into the Project which would result in a *less than significant impact*.

3.6 MITIGATION MONITORING AND REPORTING PROGRAM

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

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

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
BIOLOGICIAL				
Mitigation Measure BIO-1a (Surveys). Prior to the start of initial ground disturbance and each subsequent extraction phase, a qualified biologist will conduct protocol-level rare plant surveys following CDFW's 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities, or most current agency guidance. Surveys will target all suitable habitats of the project site, and will be conducted during appropriate times of year, when local populations of the target species are in bloom and readily identifiable.	Project Applicant	Prior to any construction activities	Tulare County	
Mitigation Measure BIO-1b (Avoidance). If individuals or populations of the target species are identified in or near proposed impact areas, project design will be modified, if	Project Applicant	Prior and Ongoing During Construction	Tulare County	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
at all feasible, to avoid and protect the plants. A qualified biologist will identify an appropriate buffer around the plants, and no project-related activities will be permitted within.				
Mitigation Measure BIO-1c (Take Authorization). If it is not feasible to avoid and protect individuals or populations of Springville clarkia, striped adobe-lily, or San Joaquin adobe sunburst (CESA listed species) that are found on or near the site, take authorization will be required from CDFW. Accordingly, an Incidental Take Permit (ITP) will be obtained from CDFW. The project will adhere to all the provisions, minimization measures, and mitigation measures of the ITP.	Project Applicant	Ongoing During Construction	Tulare County	
Mitigation Measure BIO-1d (Salvage). For species not listed under CESA (i.e. Keck's checkerbloom), there is no take prohibition. Therefore, to reduce impacts to Keck's checkerbloom the following avoidance and minimization measures will be implemented. These same measures are likely to be included in an ITP for the CESA covered species listed above. Plants that can't be avoided or adequately protected will be salvaged in accordance with a plan prepared by a qualified biologist and approved by CDFW and/or USFWS. Salvage methods may include seed collection and dispersal and/or topsoil collection and redispersal, as species appropriate. If available, the relocation area(s) will be located in portions of the site that support suitable habitat and soils for the affected species and	Project Applicant	Ongoing During Construction	Tulare County	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
monitored for three years to ensure successful establishment. If suitable onsite relocation areas are absent, the salvage plan will offer alternative measures such as offsite relocation or seed banking at an herbarium such as the California Botanic Garden.				
Mitigation Measure BIO-2a (Surveys). Prior to the start of initial ground disturbance and each subsequent extraction phase, a qualified biologist will conduct three complete surveys for the Crotch's bumble bee within grassland slated for impact. The surveys will take place during the March-September general flight season of this species. To maximize detection, the surveys will be conducted on warm, sunny days (65-90 degrees F) when there is low wind (less than 8 mph). The surveys will be conducted by walking meandering transects throughout the survey area, while visually searching for bumble bees and potential nest sites. Any areas of significant foraging resources will be surveyed at a rate of no more than one person-hour per 3 acres, while areas with few flowering plants (and no bumble bee activity) may be surveyed more quickly. Any bumble bees that are observed will be followed and, if possible, photographed once they alight on a plant. Photographs should be taken from multiple angles and should highlight the following: • Face, including cheek length • Top of the head	Project Applicant	Ongoing During Construction	Tulare County	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
• Banding on the abdomen • Color pattern on the thorax At any burrows or other underground features that exhibit concentrated bumble bee activity, the surveyor will determine nesting status by observing bumble bee activity at the feature. If no Crotch's bumble bees are found no other action is required.				
Mitigation Measure BIO-2b (CDFW Consultation). If Crotch's bumble bees are found on the project site, CDFW will be consulted to determine the need for take avoidance measures for this species and/or the need for ITP coverage. If CDFW determines an ITP is required, the project will adhere to all the provisions, minimization measures, and mitigation measures of the ITP.	Project Applicant	Prior to any construction activities	Tulare County	
Mitigation Measure BIO-3a (Aquatic Larval Surveys of Ruderal Pool). Prior to project related activities within 860 feet of the onsite ruderal pool, a qualified and appropriately permitted biologist will conduct aquatic larval surveys for western spadefoot larvae. The surveys will follow aquatic larval survey protocols developed by the USFWS for the California tiger salamander. If surveys find western spadefoot absent from the onsite pond, no other action is required in or around the onsite pools.	Project Applicant	Prior to any construction activities	Tulare County	
Mitigation Measure BIO-3b (Avoidance of Occupied Habitat). Should surveys identify western spadefoot, all occupied breeding habitat and surrounding upland habitat within 860 feet will be avoided, if feasible.	Project Applicant	Prior to any construction activities	Tulare County	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Mitigation Measure BIO-3c (Creation of Onsite Breeding Habitat). If avoidance of occupied habitat is not feasible, alternative breeding habitat will be created, in consultation with a qualified herpetologist, in an area of the site that can sustain an 860-foot buffer of grassland habitat with ample ground squirrel burrows for over-summering. Larvae from the occupied pool that would require impact will be relocated to the created breeding habitat and monitored on a weekly basis to determine relocation success. The created pond will be monitored yearly by a qualified biologist for successful larval development for the following three years.	Project Applicant	Prior to construction activities, and then following for three years.	Tulare County	
Mitigation Measure BIO-3d (Purchase of Credits From a Mitigation Bank). If onsite breeding habitat creation and/or relocation is not feasible or the relocation effort fails, credits will be purchased from a mitigation bank for an equivalent area of impacted occupied western spadefoot breeding and aestivation habitat.	Project Applicant	Prior to any construction activities	Tulare County	
Mitigation Measure BIO-4a (Take Avoidance Survey). Prior to the start of initial ground disturbance and each subsequent extraction phase, a take avoidance survey for burrowing owls will be conducted by a qualified biologist. This take avoidance survey will be conducted according to methods described in the Staff Report on Burrowing Owl Mitigation (CDFG 2012). The survey area will include all potential	Project Applicant	Prior to any construction activities	Tulare County	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
roosting and nesting habitat on and within 200 meters of project impact areas, where accessible.				
Mitigation Measure BIO-4b (CDFW Consultation). If burrowing owls are found on the project site, CDFW will be consulted to determine the need for take avoidance measures for this species and/or the need for ITP coverage. If CDFW determines an ITP is required, the project will adhere to all the provisions, minimization measures, and mitigation measures of the ITP.	Project Applicant	Prior to any construction activities	Tulare County	
Mitigation Measure BIO-5a (Construction Timing). If feasible, new ground disturbance or tree removal activities will take place entirely outside of the avian nesting season, typically defined as February 1 to August 31.	Project Applicant	Prior to and Ongoing During any Construction Activities	Tulare County	
Mitigation Measure BIO-5b (Preconstruction Surveys). If new ground disturbance or tree removal in any extraction phase must occur between February 1 and August 31, a qualified biologist will conduct surveys for active bird nests within 7 days prior to the start of work during this period. The survey area will encompass disturbance areas and accessible surrounding lands within 250 feet for nesting birds and 500 feet for nesting raptors.	Project Applicant	Prior to any construction activities	Tulare County	
Mitigation Measure BIO-5c (Avoidance of Active Nests). Should any active nests be discovered in or near project impact areas, the biologist will identify a suitable disturbance-free buffer around the nest. This buffer will be identified on	Project Applicant	Prior to any construction activities	Tulare County	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
the ground with flagging or fencing and will be maintained until the biologist has determined that the young have fledged and are capable of foraging independently.				
Mitigation Measure BIO-6a (Temporal Avoidance). To avoid potential impacts to maternity bat roosts, removal of large outcrops should occur outside of the period between April 1 and September 30, the time frame within which colony-nesting bats generally assemble, give birth, nurse their young, and ultimately disperse.	Project Applicant	Prior to and Ongoing During any Construction Activities	Tulare County	
Mitigation Measure BIO-6b (Preconstruction Surveys). If removal of large outcrops is to occur between April 1 and September 30 (general maternity bat roost season), then within 30 days prior to their removal, a qualified biologist will survey them for the presence of bats. The biologist will look for individuals, guano, and staining, and will listen for bat vocalizations. If necessary, the biologist will wait for nighttime emergence of bats from roost sites. If no bats are observed to be roosting or breeding, then no further action would be required, and outcrop removal could proceed.	Project Applicant	Prior to any construction activities	Tulare County	
Mitigation Measure BIO-6c (Minimization). If a non-breeding bat colony is detected during preconstruction surveys, the individuals will be humanely evicted under the direction of a qualified biologist to ensure that no harm or "take" of any	Project Applicant	Prior to any construction activities	Tulare County	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
bats occurs as a result of project activities.				
Mitigation Measure BIO-6d (Avoidance of Maternity Roosts). If a maternity colony is detected during preconstruction surveys, the biologist will identify a suitable disturbance-free buffer around the colony. The buffer will remain in place until the biologist determines that the nursery is no longer active.	Project Applicant	Prior to any construction activities	Tulare County	
Mitigation Measure BIO-7a (Preconstruction Surveys). A pre-disturbance survey for American badgers will be conducted by a qualified biologist within 30 days prior to the start of initial ground disturbance and each subsequent extraction phase.	Project Applicant	Prior to any construction activities	Tulare County	
Mitigation Measure BIO-7b (Avoidance). Should an active sleeping den be identified during the preconstruction surveys, the den shall be identified in the field with brightly colored fencing or flagging, and avoided until a qualified biologist has determined that it has been abandoned. Should an active natal den be identified during the preconstruction surveys, a suitable disturbance-free buffer will be established around the den and maintained until a qualified biologist has determined that the cubs have dispersed or the den has been abandoned.	Project Applicant	Prior to any construction activities	Tulare County	
CULTURAL/PALEONTOLOGICAL/TRIBAL CULTURAL				
"Mitigation Measure CUL-1. Archaeological Monitoring Program				

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Pre Quarry Operations • Contract with a County approved archaeologist to perform archaeological monitoring and a potential data recovery program during earth-disturbing activities. The Project Archaeologist shall perform the monitoring duties before (such as installation of temporary fencing), during and after commencement of quarry operations. • Meeting to be attended by the Project Archaeologist and Native American monitor to explain the monitoring requirements.	Project Applicant	Prior to any construction activities	Tulare County	
During Quarry Operations • Monitoring: Both the Project Archaeologist and Native American monitor are to be onsite during earth disturbing activities within 10 feet (10') of known cultural resources. • Identified Resources. In the event that cultural resources are identified: o Both the Project Archaeologist and Native American monitor have the authority to divert or temporarily halt ground disturbance operations in the area of the discovery. o The Project Archaeologist shall contact the County Archaeologist at the time of discovery.	Project Applicant	Prior to beginning mining activities	Tulare County	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
○ The Project Archaeologist in consultation with the County Archaeologist and Native American shall determine the significance of discovered resources. ○ Quarry operation activities will be allowed to resume after the County Archaeologist has concurred with the significance evaluation. ○ Iosolates and non-significant deposits shall be minimally documented in the field. Should the isolates and non-significant deposits not be collected by the Project Archaeologist, the Native American monitor may collect the cultural material for transfer to a Tribal curation facility or repatriation program. ○ If cultural resources are determined to be significant, a Research Design and Data Recovery Program shall be prepared by the Project Archaeologist in consultation with the Native American monitor and approved by the County Archaeologist. The program shall include reasonable efforts to preserve (avoid) unique cultural resources of Sacred Sites; the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap if avoidance is infeasible;				

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
and data recovery for non-unique cultural resources. The preferred option is preservation (avoidance). • Human Remains o The Property Owner or their representative shall contact the County Coroner and the Planning Development Services (PDS) Staff Archaeologist. o Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Native American monitor. o If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the NAHC, shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains. o The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code				

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Section 5097.98 has been conducted. o Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.				
Mitigation Measure CUL-2. Temporary Fencing				
Prior to any clearing, grubbing, trenching, grading, or any land disturbances within 10 feet (10') of known cultural resources: Prepare and implement a temporary fencing plan for the protection of archaeological site(s) CA-TUL-0169 (P-54-000169), CA-TUL-1220 (P-54-001220), and CA-TUL-1221 (P-54-001221), during any grading activities within 10 feet (10') of these archaeological site(s), as shown in Appendix A. The temporary fencing plan shall be prepared in consultation by a County approved archaeologist and the Native American monitor. The fenced area shall include a buffer sufficient to protect the archaeological site(s). The fence shall be installed under the supervision of the County approved archaeologist prior to commencement of grading or brushing and be removed only after grading operations have been completed. The temporary fencing plan shall include the following requirements:	Project Applicant	Prior to ground disturbances	Tulare County	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Provide evidence to the Director of Planning & Development Services [Planning and Economic Development] that the following notes have been placed on the Grading and/or Improvement Plan: (1) In the event that quarry operation activities are to take place within 10 feet (10') of CA-TUL-0169 (P-54-000169), CA-TUL-1220 (P-54-001220), and CA-TUL-1221 (P-54-001221), the temporary fencing plan shall be implemented under the supervision of a County approved archaeologist that consists of the following: • The project archaeologist shall identify the site boundaries. • The project archaeologist shall determine an adequate buffer for the protection of the site(s) in consultation with the County archaeologist and the Native American monitor. • Upon approval of buffers, install fencing under the supervision of the Project Archaeologist. • Submit to Planning & Development Services [Planning and Economic Development] for approval, a signed and stamped statement from a California Registered Engineer, or licensed surveyor that temporary fences have been installed in all locations of the project where proposed grading or clearing is within 10 feet (10') of the archaeological				

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
site(s) CA-TUL-0169 (P-54-000169), CA-TUL-1220 (P-54-001220), and CA-TUL-1221 (P-54-001221). • Fencing may be removed after the conclusion of quarry operation activities." (CRA, pages 23-25).				

3.7 Supporting Information and Sources

California Department of Conservation; see: Division of Mine Reclamation

California Department of Fish and Wildlife; see: Department of Fish and Wildlife (CDFW) | CA.gov)

California Department of Forestry and Fire Protect. Cal Fire Pre-Fire Planning. Unit Fire Plans 2025 Tulare Unit Fire Plan; see: Pre-Fire Planning | OSFM

California Department of Transportation. Caltrans' *Guide for the Preparation of Traffic Impact Studies; see*:, page ii at: Microsoft Word - Final December 2002.doc)

California Endangered Species Act; see: Threatened and Endangered Species

California Government Code section 65962.5; see: California Government Code section 65962.5 (2025)

California Natural Resources Agency. Final Statement of Reasons for Regulatory Action Amendments to the State CEQA Guidelines; see: CALIFORNIA NATURAL RESOURCES AGENCY

California State Water Quality Control Boards; see: Mission Statement | California State Water Resources Control Board

California State Mining & Geology Board; see: California State Mining and Geology Board

California Surface Mining and Reclamation Act Description; see: Statutes and Regulations

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