

Appendix C: Supporting Documentation - Environmental Setting and Analysis

Table of Contents

Appendix C-0	Introduction
Appendix C-1	Land Resources
Appendix C-2	Water Resources
Appendix C-3	Air Quality
Appendix C-4	Biological Resources
Appendix C-5	Cultural and Paleontological Resources
Appendix C-6	Socioeconomic Conditions
Appendix C-7	Transportation and Circulation
Appendix C-8	Land Use
Appendix C-9	Public Services
Appendix C-10	Noise
Appendix C-11	Hazardous Materials
Appendix C-12	Visual Resources
Appendix C-13	Other Reasonably Foreseeable Impacts

Tables

Table C3-1	Ambient Air Quality Standards
Table C3-2	40 CFR 93.153[b][1] Emission Rates for Nonattainment Areas (NAAs)
Table C3-3	40 CFR 93.153[b][2] Emission Rates for Maintenance Areas
Table C3-4	Tribal Minor New Source Review Thresholds
Table C3-5	Project Area NAAQS Attainment Status
Table C3-6	Construction Emissions of Criteria Pollutants (tons/year) – Alternative A
Table C3-7	Operation Emissions for Criteria Pollutants (tons/year) – Alternative A
Table C3-8	Construction and Operation CO ₂ e Emissions – Alternative A
Table C6-1	Socioeconomic Data
Table C6-2	2021 Population Demographics by Census Tract
Table C6-3	Household Income – Subject Property and Nearby Census Tracts
Table C6-4	Assessed Property Taxes FY 2025-2026
Table C7-1	Project Trip Generation

Table C10-1	Federal Noise Abatement Criteria Hourly A- Weighted Sound Level Decibels
Table C10-2	Construction Vibration Damage Criteria
Table C10-3	Groundborne Vibration Impact Criteria for General Assessment
Table C10-4	General Assessment Construction Noise Criteria
Table C10-5	Typical Construction Noise Levels
Table C10-6	Vibration Levels for Construction Equipment

Appendix C-0 Introduction

This appendix presents relevant information about existing resources and other values that may be affected by the Proposed Project and alternatives. In accordance with the NEPA and BIA implementing guidelines (59 IAM 3-H), this section describes the existing environment of the area affected by the project alternatives as well as the environmental consequences for each project alternative. The full environmental analysis, including regulatory context and applicable mitigation measures, is provided in the corresponding sub-appendices as follows:

- Appendix C-1: Land Resources
- Appendix C-2: Water Resources
- Appendix C-3: Air Quality
- Appendix C-4: Biological Resources
- Appendix C-5: Cultural and Paleontological Resources
- Appendix C-6: Socioeconomic Conditions
- Appendix C-7: Transportation and Circulation
- Appendix C-8: Land Use
- Appendix C-9: Public Services
- Appendix C-10: Noise
- Appendix C-11: Hazardous Materials
- Appendix C-12: Visual Resources
- Appendix C-13: Other Reasonably Foreseeable Impacts

Direct impacts are caused by an action and occur at the same time and place while indirect impacts are caused by the action and occur later in time or further in distance but are still reasonably foreseeable. Note that the term “effects” is used synonymously with the term “impacts.” For impacts identified in each environment section that are deemed potentially significant or significant, measures to mitigate are presented individually in **Section C-1 to C-12**.

Appendix C-1 Land Resources

C1-1 REGULATORY SETTING

C1-1.1 Federal

Clean Water Act

The CWA prohibits sediment and erosion discharge into navigable waters of the United States and establishes water quality goals. For land held in trust, the USEPA requires a NPDES CGP if a project will disturb one or more acres of soil. A site-specific SWPPP is required under this permit. For more information on the CWA, see **Section C2-1** below.

International Building Code

The International Code Council (ICC) promulgates an IBC through the ICC Code Development Process. The current version of the IBC is the 2024 edition, known as the ICC IBC-2024. The IBC is a tool to preserve public health and safety to provide safeguards from hazards associated with the built environment (ICC IBC, 2024). It established minimum building design standards and requirements to protect public health, safety, and general welfare on lands under Federal jurisdiction.

C1-1.2 State and Local

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act; formerly the Alquist-Priolo Special Studies Zone Act), signed into law December 1972 after the 1971 San Fernando earthquake, requires the delineation of zones along active and potentially active faults in California. The California Geological Survey defines an “active” fault as one that exhibits evidence of activity during the last 11,000 years. Faults that exhibit evidence of Quaternary activity (within the last 1.6 million years) are considered to be “potentially active.” The purpose of the Alquist-Priolo Act is to regulate development on or near fault traces to reduce the hazard of fault rupture and to prohibit the location of most off-Reservation structures for human occupancy across these traces.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act was enacted in 1990 to protect the public from the effects of strong ground shaking, liquefaction, landslides, ground failure, or other hazards caused by earthquakes. This act requires a state geologist to delineate various seismic hazard zones and requires cities, counties, and other local permitting agencies to regulate certain development projects within the portions of those zones where they have jurisdiction.

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act of 1975 requires all jurisdictions to incorporate mapped mineral resources designations approved by the California Mining and Geology Board within their general plans.

The Surface Mining and Reclamation Act was enacted to limit new development in areas with significant mineral deposits. The California DOC's Office of Mine Reclamation and the California Mining and Geology Board are jointly charged with ensuring proper administration of the act's requirements. The California Mining and Geology Board circulates regulations to clarify and interpret the act's provisions and also serves as a policy and appeals board.

Tulare County General Plan

The Tulare County General Plan addresses land resources through a set of interconnected policies and designations found primarily within its Land Use, Agriculture, and Environmental Resource Management Elements. The strategy is a commitment to directing urban growth to established areas to protect the county's vast agricultural land base. The County places a high priority on preserving its agricultural lands, which form the backbone of its economy.

C1-2 ENVIRONMENTAL SETTING

Geological Setting

The Subject Property is located at the edge of the San Joaquin Valley and the western foothill zone of the Sierra Nevada near the Tule River. The geology of the area is typical of areas at the edge of the Central Valley and Sierra Nevada geomorphic provinces. The geology surrounding the Subject Property is primarily comprised of Cenozoic non-marine sedimentary rocks and alluvial deposits that overlay Mesozoic Sierran granite rocks. According to the County's General Plan (Tulare County, 2012a), there are unique geological resources in the County, such as the mountains of the Sierra Nevada in the east, a vast valley floor of alluvial, deltaic, and lake sediments in the west, and complex metamorphic and plutonic rocks. No known unique geological resources occur within the Subject Property.

The State of California has eight active volcanoes situated within its borders, with five north and west of the County, one northeast, one southeast, and one immediately east. Within a 10-mile radius, a volcanic eruption can damage buildings and infrastructure through high-speed flows of hot ash and rock, lava flows, and landslides. Low-lying areas as far as 50 miles or more can be affected by ash, debris, and melted ice mudflows, known as lahars. The Subject Property is approximately 60 miles east of the nearest volcanic field, the Coso Volcanic Field (USGS, 2012).

Topography

The Subject Property is at the border between the southern Sierra Nevada foothills subregion and the San Joaquin Valley. The topography of the Subject Property consists of moderate to steep foothills incised by drainages and gently sloped alluvial fans adjacent to the Tule River floodplain with elevations from approximately 1,035 feet amsl along the ridgeline along the southeastern property boundary to 685 amsl within a drainage at the northeastern corner of the Subject Property as shown on **Figure 2 in Appendix A**. On-site features consist of a citrus orchard, grazing, open space, and a rural residential housing unit and secondary prefabricated residential structure. A large pond and network of private and unpaved roads are also present. The site contains an orchard, non-native annual grassland and pastures, ruderal/developed areas, pond and lacustrine wetlands, seasonal marshes, ephemeral channels, and swales as discussed in more detail in **Section C-4**.

Seismic Conditions

Tulare County is in the green level of earthquake hazard meaning the area is distant from known, active faults and will experience lower levels of shaking less frequently (Seismic Safety Commission, 2023).

A fault is a fracture in the Earth's crust that is accompanied by displacement between the two sides of the fault. An active fault is a fracture that has shifted in the last 10,000 to 12,000 years or in the Holocene Period, a potentially active fault is one that has been active in the past 1.6 million years or in the Quaternary Period. There are no known active faults in Tulare County (Tulare County, 2012a). The nearest major fault line is the San Andreas Fault over 75 miles away to the southwest of the Subject Property.

Soil Types and Characteristics

As shown on **Figure 5** of **Appendix A**, soils mapped by NRCS within the Subject Property include; Coarsegold loam, 15 to 30 percent slopes; Coarsegold loam, 30 to 50 percent slopes, Friant-rock outcrop complex, 15 to 75 percent slopes; and San Joaquin loam, 2 to 9 percent slopes (USDA, 2025).

Hydric soils are defined as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil. The majority of the soils on the Subject Property are not hydric soils. The San Joaquin loam located along the northern boundary of the Subject Property along SR-190 are hydric, 1 to 32%, which is approximately 15 percent of the property. Only a small portion of these soils are located in the commercial Development Area (USDA, 2025). Drainage class is a measure of the frequency and duration of wet periods under conditions similar to those in which the soil developed. The soils on the Subject Property are moderately well drained to well drained (USDA, 2025).

Corrosivity pertains to a soil-induced electrochemical or chemical action that corrodes concrete or steel. The soils on the Subject Property exhibit varying risks of corrosion to steel (low to high) and corrosion to concrete (low to moderate). Within the commercial Development Area, corrosion to steel is moderate to high and corrosion to concrete is low (USDA, 2025). Expansive soils are largely comprised of clays, which may increase in volume when water is absorbed and shrink when dried; this property is measured using linear extensibility. Expansive soils are of concern because they can cause building foundations to rise during the rainy season and fall during the dry season, causing structural distortion. The soils within the Subject Property have linear extensibility ratings of low to moderate and therefore they have low-moderate shrink-swell potential (USDA, 2025).

Soil Hazards

Soil erosion is the wearing and removal of soil materials from the ground surface and the transportation of these soil materials resulting in deposition elsewhere. Mechanisms of soil erosion include stormwater runoff and wind as well as human activities. Examples of activities that can cause erosion include changes in drainage patterns and removal of vegetation. Factors that influence erosion include physical properties of the soil, topography (slope), and annual rainfall and peak intensity. Soil erosion hazard areas include those areas with slopes of 20 percent or greater and that are classified as having severe or very severe erosion potential by the USDA NRCS. The soils on the Subject Property are susceptible for erosion and have varying erosion potential, with the Development Area being low (USDA, 2025).

Liquefaction occurs when loose, saturated, and relatively cohesionless soil deposits temporarily lose strength from seismic shaking. The primary factors controlling the onset of liquefaction include intensity and duration of strong ground motion, characteristics of subsurface soil, on-site stress conditions, and the

depth to groundwater. Liquefaction occurs where groundwater is less than 50 feet below the surface. The Subject Property is in a liquefaction zone area (Cal OES, 2025).

Areas susceptible to landslides are comprised of weak soils on sloping terrain. Heavy rains or strong seismic shaking events can induce landslides. Landslides can be induced by weather or other conditions, such as heavy rains or strong seismic shaking events. According to the USGS Landslides Hazards Program, the Subject Property is located within an area designated as having a moderate to high incidence of landslides (USGS, 2025a).

Mineral Resources

A search of the USGS Mineral Resources Data System found two known mineral resources within the Subject Property. They are located 0.24 miles southwest of the commercial development area. Both sites are called Barber No. 2, one is a known prospect or occurrence, and the other is labeled as unknown. The commodities include copper and gold. Both mines are inactive. Outside of the Subject Property within a mile are multiple mines and prospects including Porterville Black Granite Quarry, and Unnamed Deposit, Unnamed Mine, and Tompkins Pit (USGS, 2025b).

C1-3 IMPACT ASSESSMENT

C1-3.1 Assessment Criteria

Impacts to land resources would be significant if the alternative changes topography so that it is noticeable to the casual observer or causes an adverse effect, such as landslides. Seismic conditions would be adversely affected if the alternative substantially increases the occurrence of seismic events or increases the risks from seismic events. Impacts to soils would be significant if the project significantly increases soil erosion. Mineral resources would be significantly affected if the project reduces the regional availability of commercial mineral resources or increases the cost of extracting mineral resources.

C1-3.2 Alternative A – Proposed Project

Topography

Construction would involve grading and earthwork for development of the proposed commercial development. The area with the proposed commercial space increases in elevation from approximately 715 amsl by SR-190 to over 797 feet amsl in the southeastern portion of the development area. Grading within the Development Area would result in balanced cut and fill and impacts would be less than significant and no mitigation measures are warranted.

Seismic Conditions

As described above, there are no active faults in the region, and the Subject Property would not likely experience ground shaking in the future and therefore would not be prone to seismic induced hazards (e.g., liquefaction) typical of the area. Seismic shaking could cause structural damage of buildings at the Subject Property; however, as noted in **Appendix B-2.5**, the Proposed Project would adhere to the provisions of the IBC, requiring the use of appropriate building techniques and materials to help reduce the potential risk of structure damage. Use of these provisions would allow ground shaking-related hazards to be managed from a geologic, geotechnical, and structural standpoint such that risks to the health or safety of workers or members of the public would be reduced. Therefore, impacts from potential

seismic conditions and seismic induced hazards would be less than significant and no mitigation measures are warranted.

Soil Hazards

Grading activities during construction would result in exposure of soil, increasing the risk of erosion and associated hazards. Erosion risk will be addressed through standard erosion and sedimentation control BMPs during construction, as shown in **Table 2-1**. These measures are included as BMPs under the NPDES CGP from the USEPA. Development of the Proposed Project would comply with the requirements within the USEPA NPDES CGP, which includes adopting a SWPPP that would include soil erosion prevention BMPs. With implementation of these BMPs, the potential for erosion during construction would be less than significant and no mitigation measures are warranted.

Mineral Resources

As stated in **Section C1-2**, there are two known mineral resources within the Subject Property. The commercial development is located 0.24 miles northeast of the Barber No. 2 sites. Since the commercial development is above ground, and northeast of the mineral resource, there would be no impact, and no mitigation measures are warranted.

C1-3.3 Alternative B – No Action Alternative

Under the No Action Alternative, there would be no development constructed on the Subject Property. The Subject Property would remain as it is, and land resources would not be adversely impacted. Any future development of the Subject Property would be required to adhere to local, state, and federal ordinances and planning documents.

C1-4 MITIGATION MEASURES

There are no mitigation measures for land resources.

Appendix C-2 Water Resources

C2-1 REGULATORY SETTING

C2-1.1 Federal

Executive Order 11988

EO 11988 requires federal agencies to avoid to the extent possible the long and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative. Specifically, EO 11988 states that agencies shall first determine whether the proposed action will occur in a floodplain. EO 11988 defines a floodplain as an area that has a one percent or greater chance of flooding in any given year. Second, if an agency proposes to allow an action to be located in a floodplain, the agency shall consider alternatives to avoid adverse effects and incompatible development in the floodplains. If the only practicable alternative action requires siting in a floodplain, the agency shall minimize potential harm to or within the floodplain.

Clean Water Act

CWA (33 U.S.C. § 1251-1376), as amended by the Water Quality Act of 1987, is the major federal legislation governing water quality. The objective of the CWA is “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.” The USEPA is delegated as the administrative agency under the CWA. Relevant sections of the CWA are as follows.

- Section 401 (Water Quality Certification) requires an applicant for any federal permit that proposes an activity that may result in a discharge to Waters of the U.S., to obtain certification from the USEPA for on-trust land activities, or the state for off-Reservation activities, that the discharge will comply with other provisions of the CWA.
- Section 402 establishes the NPDES, a permitting system for the discharge of any pollutant (except for dredged or fill material) into Waters of the U.S. Each NPDES permit contains limits on concentrations of pollutants discharged to surface waters to prevent degradation of water quality and protect beneficial uses.

General NPDES Permit for Construction

In 1990, an amendment to the CWA directed the NPDES permitting program to address non-point source pollution from construction activities. Construction activities include clearing, grading, excavation, stockpiling, and reconstructing existing facilities involving removal and replacement of existing foundations or other hardscapes. Construction projects disturbing one or more acres of soil must be covered under the NPDES CGP process. For tribal projects on land held in trust by the federal government, the Tribe proposing the project must apply for coverage under the USEPA’s NPDES CGP. Project proponents are required to submit to the USEPA a complete Notice of Intent (NOI) to comply with the permit. A complete NOI package consists of an NOI form, site map, and fee. The USEPA’s NPDES CGP also requires the development and implementation of a SWPPP. The SWPPP contains a site map showing the construction site perimeter, existing and proposed buildings, lots and roadways, stormwater collection

and discharge points, general topography both before and after construction, and drainage patterns across the site. The SWPPP must list BMPs that will be implemented during construction and operation to address stormwater runoff rates and quality. SWPPP BMPs include the following categories:

- Site planning considerations, such as preservation of existing vegetation;
- Vegetation stabilization through methods such as seeding and planting;
- Physical stabilization through use of dust control and stabilization measures;
- Diversion of runoff by utilizing earth dikes and temporary drains and swales;
- Velocity reduction through measures such as slope roughening/terracing; and
- Sediment trapping/filtering through use of silt fences, straw bales and sand bag filters, and sediment traps and basins.

Safe Drinking Water Act

Under the mandate of the SDWA, the USEPA sets legally enforceable National Primary Drinking Water Regulations (primary standards) that apply to public water systems. These standards are established to protect human health by limiting the levels of contaminants in drinking water. The USEPA also defines National Secondary Drinking Water Regulations (secondary standards) for contaminants that cause cosmetic and aesthetic effects, but not for health effects. The USEPA recommends that these secondary standards be met but does not require systems to comply with them.

The USEPA does not oversee the construction and permitting of groundwater wells, but requires that public health standards, such as an effectively installed sanitary seal, are in place, and recommends that water systems be installed to meet California Department of Public Health Standards. The USEPA will also primarily establish monitoring and operational requirements, which will typically be specific to the project area. Both primary and secondary drinking water standards are expressed as either Maximum Contaminant Levels, which define the highest level of a contaminant allowed in drinking water, or Maximum Contaminant Level Goals, which define the level of a contaminant below which there is no known or expected risk to health. Monitoring requirements typically include total coliform, nitrate, inorganic chemicals, volatile organic chemicals, non-volatile synthetic organic chemicals, secondary drinking water standard constituents, and general chemistry (including alkalinity, hardness, and minerals). The frequency of sampling varies and may be reduced over time.

Federal Emergency Management Agency

The Disaster Relief Act of 1974 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 created the FEMA, which is responsible for determining flood elevations and floodplain boundaries based on U.S. Army Corps of Engineers (USACE) studies. FEMA is also responsible for distributing Flood Insurance Rate Maps, which are used in the National Flood Insurance Program. These maps identify the locations of special flood hazard areas, including 100-year floodplains.

C2-1.2 State and Local

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act provides the basis for surface water and groundwater quality regulation within California. The act established the authority of the California SWRCB and the nine Regional Water Quality Control Boards (RWQCB). The act requires the State, through the SWRCB and the

RWQCBs, to designate beneficial uses of surface waters and groundwater and specify water quality objectives designed to protect those uses. These water quality objectives are presented in the Regional Water Quality Control Plans. The surface water quality standards for State of California include both narrative and numerical water quality objectives to keep California's waters swimmable, fishable, drinkable, and suitable for use by industry, agriculture, and the citizens of the state.

Sustainable Groundwater Management Act

The intent of the California SGMA (Water Code § 10720 et seq.) is to “enhance local management of groundwater consistent with rights to use or store groundwater... [and] to preserve the security of water rights in the state to the greatest extent possible consistent with the sustainable management of groundwater.” The SGMA states that “any local agency or combination of local agencies overlying a groundwater basin may elect to be a groundwater sustainability agency for that basin” (Water Code § 10723). A groundwater sustainability agency will be formed within each groundwater basin to prepare and implement a plan for long-term groundwater sustainability. The Subject Property is not underlain by a designated groundwater basin.

Title 22 California Code of Regulations

Title 22 California Code of Regulations (CCR) Division 4, Chapter 3 regulates the sources, uses, and quality standards of recycled water in the State. Article 3, Section 60304(a) requires that any recycled water used for the irrigation of food crops, parks and playgrounds, and residential landscaping shall be a disinfected tertiary recycled water. Article 1, Section 60301.230 defines disinfected tertiary recycled water as a wastewater that has been filtered and disinfected, and which meets the following criteria:

- A. The filtered wastewater has been disinfected by either: (1) A chlorine disinfection process following filtration that provides a CT (the product of total chlorine residual and modal contact time measured at the same point) value of not less than 450 milligram-minutes per liter at all times with a modal contact time of at least 90 minutes, based on peak dry weather design flow; OR (2) A disinfection process that, when combined with the filtration process, has been demonstrated to inactivate and/or remove 99.999 percent of the plaque forming units of F-specific bacteriophage MS2, or polio virus in the wastewater. A virus that is at least as resistant to disinfection as polio virus may be used for purposes of the demonstration.
- B. The median concentration of total coliform bacteria measured in the disinfected effluent does not exceed a most probable number (MPN) of 2.2 per 100 milliliter (mL) using the bacteriological results of the last seven days for which analyses have been completed and the number of total coliform bacteria does not exceed an MPN of 23 per 100 mL in more than one sample in a 30-day period. No sample shall exceed an MPN of 240 total coliform bacteria per 100 mL.

Tulare County General Plan

The Tulare County General Plan outlines the County's goals and policies related to water resources, including water quality, water supply, and work plan/implementation measures. According to the general plan, the purpose of the general plan as it relates to water resources is to provide for the current and long-range water needs of the County and for the protection of the quality and quantity of surface and groundwater resources and to provide a sustainable, long-term supply of water resources to meet domestic, agricultural, industrial, and recreational needs and to assure that new urban development is consistent with available water resources.

C2-2 ENVIRONMENTAL SETTING

C2-2.1 Surface Water

The Subject Property is located within two watersheds, the Lake Success-Tule River and the Lower South Fork Tule River Watersheds (USEPA, 2025a). The primary surface water feature within the vicinity of the Subject Property is Lake Success, which is located northwest of the Subject Property, directly across SR-190. The South Fork Tule River is located south of the Subject Property and connects to Lake Success. The Tule River, Upper (below confluence of North and Middle forks to Success Lake) is located northeast of the Subject Property and connects to Lake Success. Surface water features within the Subject Property consists of a pond, lacustrine wetlands, seasonal marshes, ephemeral channels, and swales. The surface water quality standards for the State of California include both narrative and numerical water quality objectives to keep California's waters swimmable, fishable, drinkable, and suitable for use by industry, agriculture, and the citizens of the State. Success Lake is listed on the California 303(d) list of impaired water bodies. It is listed as impaired condition for the use of the water for aquatic life, fish and shellfish consumption, swimming and boating. It's identified issues are for acidity, and mercury. The South Fork Tule River waterbody condition is unknown and Tule River, Upper (below confluence of North and Middle forks to Success Lake) has good waterbody condition (USEPA, 2025a).

C2-2.2 Drainage

Drainage from the Subject Property generally flows in a northern direction with some water flowing towards the pond and other waters flowing north towards Campbell Creek and Success Reservoir. There are wetlands, a pond, seasonal marshes, ephemeral channels, and swales within the Subject Property. The ephemeral channels collect water from the hillslopes and drain quickly. The upland swales intercept runoff from surrounding uplands. The swales lack channel characteristics, and many terminate in the pasture area. In addition, a cement-lined flume (South Tule Ditch) flows water through the southwestern corner of the Subject Property.

C2-2.3 Flooding

The FEMA is responsible for predicting the potential for flooding in most areas. FEMA routinely performs this function through the update and issuance of Flood Insurance Rate Maps (FIRMs), which depict various levels of predicted inundation. FIRM map number 06107C1660E shows that the Subject Property is located within Zone X, which is an area determined to be outside the 0.2 percent annual chance of flooding and designates areas of minimal flood hazard outside of the 500-year floodplain (FEMA, 2023).

C2-2.4 Groundwater

The Subject Property is not underlain by a designated groundwater basin, and the nearest groundwater basin is the San Joaquin Valley (No. 5-002) located approximately 2.3 miles southwest of the Subject Property (SGMA, 2025). Groundwater wells provide irrigation to the orchards, and a domestic well services the existing residence on the Subject Property.

C2-3 IMPACT ASSESSMENT

C2-3.1 Assessment Criteria

Impacts to floodplain resources would be significant if runoff from the Development Area causes local flooding. Groundwater impacts would be significant if development were to adversely affect local water supply either by reducing the availability of potable water or increasing the demand for domestic water to the point where the existing water supply system would need to be expanded. Water quality would be significantly affected if wastewater or runoff generated by the project adversely impacts water quality standards of receiving water bodies or groundwater.

C2-3.2 Alternative A – Proposed Project

Water Quality - Construction

Construction impacts under Alternative A will include some ground-disturbing activities that could lead to erosion of topsoil. It will involve grading and earthwork for development of the commercial area. Any excess material that is excavated would be utilized as fill elsewhere on the Development Area or stockpiled on-site so that no import or export of soil would be required for site development. Erosion from construction sites can increase sediment discharge to surface waters during storm events, thereby degrading downstream water quality. Construction activities would also include the routine use of potentially hazardous construction materials, such as concrete washings, oil, and grease that could spill onto the ground and dissolve into stormwater.

Regulated construction activities in excess of one acre are required to apply for coverage under the NPDES CGP, which requires preparation of a SWPPP that would be developed prior to any ground disturbance. The SWPPP will include BMPs to reduce potential surface water contamination during storm events. BMPs would include, but not be limited to, those presented in **Table 2-1**. The BMPs within the SWPPP would minimize adverse impacts to the local and regional watershed from construction activities associated with Alternative A by reducing erosion, reducing the risk of soil contamination from construction materials (e.g., fuel, fertilizer, paint), and by preventing movement of loose soil into waterways. In addition to these BMPs that would be part of the adopted SWPPP, dust suppression BMPs identified to protect air quality would further prevent fugitive dust or loose soil from dispersing offsite. These BMPs can be seen in **Table 2-1**. With implementation of the SWPPP and the identified BMPs, impacts to surface water quality from construction activities would be less than significant and no mitigation measures are warranted.

Water Quality – Operational Stormwater and Drainage

A stormwater conveyance system would be installed in the commercial Development Area to collect and convey runoff to prevent flooding. Site grading will drain runoff along curb lines to catch basins at low points in the Development Area. Water quality treatment catch basins will be utilized to treat the runoff and ensure potential contaminants do not enter receiving waters. The storm drainage infrastructure will be sized and sloped to have sufficient flow capacity to convey up to the 100-year contributing flowrates. With implementation of the stormwater drainage and treatment facilities, impacts to surface water quality from operation of the proposed commercial development would be less than significant and no mitigation measures are warranted.

Flooding

All grading and earthmoving activities would occur outside of the FEMA-designated 100- and 500-year floodplains. As such, significant floodplain impacts from Alternative A would not occur. Drainage would be conveyed to drainage infrastructure and impacts related to stormwater runoff quality, rates, and flooding during operation of Alternative A would be less than significant and no mitigation measures are warranted.

Groundwater Resource Availability

As no change is proposed in the operation of the orchard or residence, no changes to the water demand from these uses is anticipated and water would continue to be supplied to the orchard and residence through existing on-site wells. The water demand of the proposed commercial development would depend on the uses ultimately housed in the structure but is anticipated to be approximately 10,300 GPD (Ventura Water, 2020). The proposed commercial development would be supplied through a new groundwater well installed on the Subject Property. The majority of the wells in the area are managed by the Tribe. The Subject Property is not underlain by an adjudicated groundwater basin. BMPs in **Table 2-1** also ensure that Alternative A utilizes low-flow water appliances, faucets, and toilets to reduce the potable water demand to the extent feasible. The introduction of impervious surfaces can reduce groundwater recharge in areas where surface percolation accounts for a large percentage of natural recharge. Alternative A would result in a minor increase in impervious surfaces within the Development Area, which will not significantly affect groundwater recharge as stormwater would continue to be routed through the onsite drainage facilities that convey water to protected outlets where it can continue to percolate into the ground. Therefore, the impact to groundwater would be less than significant and no mitigation measures are warranted.

C2-3.3 Alternative B – No Action Alternative

Under Alternative B, the Subject Property would remain in its current state. There would be no new impacts to water resources, and current water uses and drainage would continue. No adverse impacts to water resources would occur under the No Action Alternative.

C2-4 MITIGATION MEASURES

There are no mitigation measures for water resources.

Appendix C-3 Air Quality

C3-1 REGULATORY SETTING

C3-1.1 Federal

Clean Air Act of 1970

The CAA (CAA; 42 U.S.C. Chapter 85) is the federal legislation for the protection of air quality. The CAA gives the USEPA authority to regulate air quality by promulgating standards and levels for air quality and enforcing those standards and levels on federal, state, and tribal land. The CAA requires the USEPA to regulate HAPs, which are those pollutants that are known or suspected of causing cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects.

The Federal CAA of 1970, as amended, establishes air quality standards for several CAPs: ozone (O₃), carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead (Pb). These pollutants are termed “criteria” pollutants because the USEPA has established specific concentration threshold criteria based upon specific medical evidence of health effects or visibility reduction, soiling, nuisance, and other forms of damage. These NAAQS are divided into primary and secondary standards. Primary standards are designed to protect public health, and secondary standards are intended to protect public welfare from effects such as visibility reduction, soiling, nuisance, and other forms of damage. NAAQS and California Ambient air quality standards (CAAQS) are presented in **Table C3-1**.

Areas are designated attainment, nonattainment, or maintenance by the USEPA depending on whether the area is below or exceeds the established NAAQS. Nonattainment areas must take steps towards attainment within a specific period of time. Once an area reaches attainment for a particular criteria pollutant, it is re-designated to attainment with a maintenance designation. A maintenance designation indicates that the area has met the standard but must be supported by a state-prepared Maintenance Plan that demonstrates how the area will continue to comply with the NAAQS. The CAA places most of the responsibility on states to achieve compliance with the NAAQS. States, municipal statistical areas, and counties that contain areas of nonattainment are required to develop a State Implementation Plan (SIP), which outlines policies and procedures designed to bring the state into compliance with the NAAQS.

Table C3-1: Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards Concentration	National Standards Primary	National Standards Secondary
Ozone (O ₃)	1 hour	0.09 ppm (180 µg/m ³)	–	Same as primary standard
Ozone (O ₃)	8 hours	0.070 ppm (137 µg/m ³)	0.075 ppm (147 µg/m ³)	
Respirable particulate matter (PM ₁₀)	24 hours	50 µg/m ³	150 µg/m ³	Same as primary standard
Respirable particulate matter (PM ₁₀)	Annual arithmetic mean	20 µg/m ³	–	
Fine particulate matter (PM _{2.5})	24 hours	–	35 µg/m ³	Same as primary standard
Fine particulate matter (PM _{2.5})	Annual arithmetic mean	12 µg/m ³	12 µg/m ³	15 µg/m ³
Carbon monoxide (CO)	8 hours	9.0 ppm (10 mg/m ³)	9 ppm (10 mg/m ³)	–
Carbon monoxide (CO)	1 hour	20 ppm (23 mg/m ³)	35 ppm (40 mg/m ³)	–
Carbon monoxide (CO)	8 hours (Lake Tahoe)	6 ppm (7 mg/m ³)	–	–
Nitrogen Dioxide (NO ₂)	Annual arithmetic mean	0.030 ppm (57 µg/m ³)	0.053 ppm (100 µg/m ³)	Same as primary standard
Nitrogen Dioxide (NO ₂)	1 hour	0.18 ppm (339 µg/m ³)	100 ppb (188 µg/m ³)	–
Sulfur Dioxide (SO ₂)	Annual Arithmetic Mean	–	0.030 ppm (for certain areas) ^h	–
Sulfur Dioxide (SO ₂) ⁹	24 hours	0.04 ppm (105 µg/m ³)	0.14 ppm (for certain areas)	–
Sulfur dioxide (SO ₂)	3 hours	–	–	0.5 ppm (1,300 µg/m ³)
Sulfur dioxide (SO ₂)	1 hour	0.25 ppm (655 µg/m ³)	75 ppb (196 µg/m ³)	–
Lead (Pb)	30-day average	1.5 µg/m ³	–	–
Lead (Pb)	Calendar quarter	–	1.5 µg/m ³ (for certain areas)	Same as primary standard
Lead (Pb)	Rolling 3- month average	–	0.15 µg/m ³	
Visibility-reducing	8 hours	See footnote ¹	No national	No national

Pollutant	Averaging Time	California Standards Concentration	National Standards Primary	National Standards Secondary
particles			standards	standards
Sulfates	24 hours	25 µg/m ³	No national standards	No national standards
Hydrogen sulfide	1 hour	0.03 ppm (42 µg/m ³)	No National Standards	No National Standards
Vinyl Chloride	24 hours	0.01 ppm (26 µg/m ³)	No National Standards	No national standards

Notes: µg/m³ = micrograms per cubic meter; mg/m³ = milligrams per cubic meter; ppb = parts per billion; ppm = parts per million

¹ In 1989, the Air Resources Board converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively

Source: CARB, 2024

Ozone

Photochemical reactions involving reactive organic gases (ROG)/volatile organic compounds (VOC) and nitrogen oxides (NO_x) resulting from the incomplete combustion of fossil fuels are the largest source of ground-level O₃. Because photochemical reaction rates depend on the intensity of ultraviolet light and air temperature, O₃ is primarily a summer air pollution problem. As a photochemical pollutant, O₃ is formed only during daylight hours under appropriate conditions. However, it is destroyed throughout the day and night. O₃ is considered a regional pollutant because it forms through chemical reactions that occur over time and is often most concentrated downwind of emission sources. The SJVAB is designated as nonattainment for O₃ by the USEPA (USEPA, 2025b).

Particulate Matter

Particulate matter, or particle pollution, is a mixture of microscopic solid particles and liquid droplets found in the air. It includes inhalable particles 10 micrometers or smaller (PM₁₀) and fine particles 2.5 micrometers or smaller (PM_{2.5}). Particulate matter is made up of a number of components, including acids (such as nitrates and sulfates), organic chemicals, metals, soil or dust particles, and allergens (such as fragments of pollen or mold spores). The size of particles is directly linked to their potential for causing health problems. Particles smaller than 2.5 micrometers pose the greatest risk to health because they can be inhaled deep into the lungs. Exposure to such particles can affect respiratory system function. The SJVAB is designated as nonattainment for PM_{2.5} by the USEPA (USEPA, 2025b).

Carbon Monoxide

CO is not readily dispersed throughout the atmosphere; therefore, it is considered a localized air quality issue as it is close to the emission source. CO emissions generally cause an acute (short-term) health threat. CO is a pollutant of concern at major signalized intersections (greater than 100,000 vehicles per day) that exhibit prolonged vehicle idling times. The SJVAB is designated as attainment for CO by the USEPA (USEPA, 2025b).

Hazardous Air Pollutants

In addition to the above-listed CAPs, HAPs are a group of chemical pollutants which can cause adverse effects to human health and/or the environment. The USEPA has developed a list of over 188 airborne chemicals that it considers HAPs. Sources of HAPs include industrial processes, such as petroleum refining

and chrome plating operations; commercial operations, such as gasoline stations and dry cleaners; cigarette smoke; and motor vehicle exhaust. Cars and trucks release at least 40 different HAPs. The most important, in terms of health risk, are DPM, benzene, formaldehyde, 1,3-butadiene, and acetaldehyde. Health effects of HAPs can include cancer, birth defects, and neurological damage.

HAPs are less pervasive in the urban atmosphere than CAPs but are linked to short-term (acute) or long-term (chronic or carcinogenic) adverse human health effects. The majority of the estimated health risk from HAPs can be attributed to relatively few compounds. The most important HAPs are found in DPM. Diesel engines emit a complex mixture of air pollutants, composed of gaseous and solid material. Diesel exhaust contains a variety of harmful gases and over 40 other cancer-causing substances, and the visible emissions in diesel exhaust are PM that includes carbon particles or “soot.” Exposure to DPM is a health hazard, particularly to children whose lungs are still developing and the elderly who may have other serious health problems. An assessment of the potential impacts of DPM releases has been included in **Section C3-3**.

Federal General Conformity

Under the General Conformity Rule, updated in 2010, the lead agency with respect to a federal action is required to demonstrate that the proposed federal action conforms to the applicable SIP before the action is taken. There are two phases to demonstrate general conformity:

- The Conformity Review process, which entails an initial review of the federal action to assess whether a full conformity determination is necessary.
- The Conformity Determination process, which requires that a proposed federal action be demonstrated to conform to the applicable SIP.

The Conformity Review requires the lead agency to compare estimated emissions to applicable general conformity levels (40 CFR 93.153 [b][1] and [2]), which can be seen in **Table C3-2** and **Table C3-3**. If the emission estimates from step one are below the applicable threshold(s), then a general conformity determination is not necessary and the full Conformity Determination is not required. If emission estimates are greater than the applicable threshold(s), the lead agency must conduct a Conformity Determination.

Table C3-2: 40 CFR 93.153 [b][1] Emission Rates for Nonattainment Areas (NAAs)

Pollutant	Tons per Year
Ozone (VOC's or NO _x):	
Serious NAA's	50
Severe NAA's	25
Extreme NAA's	10
Other ozone NAA's outside ozone transport region	100
Other ozone NAA's inside an ozone transport region:	
VOC	50
NO _x	100
Carbon Monoxide: all maintenance areas	100
SO ₂ or NO ₂ : All NAAs	100
PM ₁₀ :	
Moderate NAA's	100

Pollutant	Tons per Year
Serious NAAs	70
PM _{2.5} (direct emissions, SO ₂ , NO _x , VOC, and Ammonia):	
Moderate NAA's	100
Serious NAAs	70
PD: all NAA's	25

Table C3-3: 40 CFR 93.153 [b][2] Emission Rates for Maintenance Areas

Pollutant	Tons per Year
Ozone (NO _x), SO ₂ or NO ₂ :	
All maintenance area	100
Ozone (VOC's)	
Maintenance areas inside an ozone transport region	50
Maintenance areas outside an ozone transport region	100
Carbon monoxide: All maintenance areas	100
PM ₁₀ : All maintenance areas	100
PM _{2.5} (direct emissions, SO ₂ , NO _x , VOC, and Ammonia)	100
All maintenance areas	100
Pb: All maintenance areas	25

Federal Class I Areas

The CAA designates all international parks, national wilderness areas, and memorial parks larger than 5,000 acres and national parks larger than 6,000 acres as "Class I areas." The CAA prevents significant deterioration of air quality in Class I areas under the Prevention of Significant Deterioration (PSD) Program. The PSD Program protects Class I areas by allowing only a small increment of air quality deterioration in these areas by requiring assessment of potential impacts on air quality related values of Class I areas.

Any major source of emissions within 100 kilometers (62.1 miles) from a federal Class I area is required to conduct a pre-construction review of air quality impacts on the area(s). A "major source" for the PSD Program is defined as a facility that will emit (from direct stationary sources) 250 tons per year (tpy) of regulated pollutant. For certain industries, these requirements apply to facilities that emit (through direct stationary sources) 100 tpy or more of a regulated pollutant. Mobile sources (e.g., vehicle emissions) are by definition not stationary sources and are therefore not subject to the PSD program.

Tribal New Source Review

The Tribal Minor New Source Review (NSR) permitting program was established by the USEPA under the CAA. The minor NSR program applies to both new minor sources and minor modifications to both major and minor projects in attainment and nonattainment areas. Common sources associated with commercial land uses include gas stations, emergency generators, and natural gas-fired boilers, water heaters and space heaters. A permit under the minor NSR program would be required on tribal trust land if stationary

source emissions of regulated pollutants would exceed the thresholds presented in 40 CFR 49.153, Table 1 (presented in **Table C3-4**). This permit serves as a preconstruction permit containing limitations and other restrictions specifying the construction, modification, and operation of a minor source.

Table C3-4: Tribal Minor New Source Review Thresholds

Pollutant	Emissions Thresholds for Nonattainment Areas (tpy)	Emissions Thresholds for Attainment Areas (tpy)
NO _x	5	10
ROG	2	5
PM	5	10
PM ₁₀	1	5
PM _{2.5}	0.6	3
CO	5	10
SO ₂	5	10
Pb	0.1	0.1

Source: 40 CFR 49.153.

C3-1.2 State and Local

California Clean Air Act of 1988

The California Air Resources Board (CARB) oversees air quality planning and control throughout California. CARB is primarily responsible for ensuring implementation of the California CAA, responding to the CAA requirements, and regulating emissions from motor vehicles and consumer products in the State. CARB has established emissions standards for vehicles sold in California and for various types of equipment available commercially. It also sets fuel specifications to further reduce vehicular emissions.

The California CAA establishes CAAQS and a legal mandate to achieve these standards by the earliest practical date. These standards apply to the same six criteria pollutants as the CAA and also include sulfate, visibility, hydrogen sulfide, and vinyl chloride. They are generally more stringent than the NAAQS and, in the case of PM₁₀ and NO₂, are far more stringent.

CAAQS are health-based to protect the health and welfare of the populace with a reasonable margin of safety. These pollutants include ozone, CO, NO₂, SO₂, PM₁₀, PM_{2.5}, sulfates, lead, hydrogen sulfide, vinyl chloride, and visibility-reducing particles.

San Joaquin Valley Air Pollution Control District

The SJVAPCD is the regional agency responsible for implementing federal and state air quality laws, regulations, and policies. The SJVAPCD's responsibilities include monitoring air pollution, preparing the Air Basin's air quality plans, and developing and enforcing rules and regulations. The SJVAPCD develops and adopts rules to regulate sources of air pollution within the Valley; the rules most relevant to the Project are briefly described below:

Rule 4102 – Nuisance: Prohibits the discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public.

Rule 4601 – Architectural Coatings: Aims to limit VOC emissions from architectural coatings by establishing limits on the VOC content of architectural coatings and colorants used, sold, or applied within the air district.

Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities: Requires the implementation of dust control measures to limit fugitive dust emissions from construction, demolition, excavation, extraction, and other earthmoving activities (CARB, 2025).

Tulare County General Plan

The Air Quality Element of the Tulare County General Plan includes several goals and policies relevant to the Proposed Project:

Goal AQ-1: To improve air quality through a regional approach and interagency cooperation.

Policy 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, and the CARB to achieve better air quality conditions locally and regionally.

Goal AQ-3: To implement the best available controls and monitoring necessary to regulate air emissions.

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

Goal AQ-4: To implement the best available controls and monitoring necessary to regulate air emissions.

Policy AQ-4.1: Air Pollution Control Technology. The County shall utilize the best available control measures and reasonably available control measures 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.

Policy 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.

Policy 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 (Tulare County, 2012a).

C3-2 ENVIRONMENTAL SETTING

C3-2.1 Regional Meteorology

The Subject Property is located in Tulare County, within the SJVAB. The San Joaquin Valley forms the southern half of California's Central Valley and is bordered by the Sierra Nevada Mountains to the east, the Coast Ranges to the west, and the Tehachapi Mountains to the south. The region has a Mediterranean

climate characterized by hot, dry summers with temperatures often exceeding 100 ° Fahrenheit, and mild, wet winters with sparse rainfall (SJVAPCD, 2015).

C3-2.2 Air Quality

The bowl-shaped topography of the San Joaquin Valley restricts air movement and traps pollutants within the Valley. A subtropical high-pressure system influences the climate for much of the year, particularly in spring, summer, and fall. This system produces subsiding air that can create temperature inversions, which inhibits vertical mixing and can trap pollutants near the surface. The primary air pollutant in the County is ground-level ozone, formed by atmospheric reactions between VOCs and NO_x in the presence of sunlight. Ozone formation is exacerbated by the Valley's high summer temperatures (SJVAPCD, 2015). In Tulare County, the main source of CO and NO_x emissions is motor vehicles, while the major contributors to ROG emissions are mobile sources and agriculture (Tulare County, 2012).

Attainment Status

The Subject Property is currently within the jurisdictional area of the SJVAPCD. The SJVAPCD regulates air pollutant emissions from stationary sources within Tulare County, including the Subject Property. However, should the Subject Property be taken into federal trust, air quality would be under the jurisdiction of the USEPA.

To determine conformance with the NAAQS, states are responsible for providing ambient air monitoring data to the USEPA. The USEPA then determines, using the violation criteria, if the results of the monitoring data indicate compliance with the NAAQS. The USEPA classifies areas in compliance with the NAAQS as being in "attainment." Areas that do not meet the NAAQS are classified as being in "nonattainment" by the USEPA. Maintenance areas are those that have been redesignated from nonattainment to attainment and are subject to a Maintenance Plan prepared by the state, which demonstrates how the area will continue to meet the NAAQS.

As shown in **Table C3-5**, Tulare County, where the Subject Property is located, is designated nonattainment for ozone and PM_{2.5} and attainment/maintenance for PM₁₀ under federal air quality standards. The County meets federal standards or is unclassifiable for all other criteria pollutants.

Table C3-5: Project Area NAAQS Attainment Status

Pollutant	NAAQS
Ozone (8-hour)	Nonattainment (Extreme)
PM ₁₀	Attainment (Maintenance)
PM _{2.5}	Nonattainment (Serious)
Carbon Monoxide	Attainment/Unclassified
Nitrogen Dioxide	Attainment/Unclassified
Sulfur Dioxide	Attainment/Unclassified
Lead	Attainment/Unclassified

Source: USEPA, 2025b

PM₁₀: Particulate matter with diameters that are generally 10 micrometers and smaller

PM_{2.5}: Particulate matter with diameters that are generally 2.5 micrometers and smaller

Sensitive Receptors

Sensitive receptors are generally defined as land uses that house or attract people who are susceptible to adverse effects from air pollution emissions and, as such, should be given special consideration when evaluating air quality impacts from projects. Sensitive receptors include facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent homes, parks and recreational facilities, and residential areas are examples of sensitive receptors.

The nearest sensitive receptor to the Subject Property includes a single-family residence located approximately 0.13 miles west of the proposed commercial development area, across SR-190. Additionally, a rural residential dwelling is located within a parcel (APN 284-760-002) surrounded on three sides by the Subject Property.

C3-3 IMPACT ASSESSMENT

C3-3.1 Assessment Criteria

Development and operation of Alternative A would emit CAPs, HAPs, and CO₂e emissions. This section presents the methodology used to assess the affected environment and to evaluate the potential air quality effects of the project alternatives. Adverse impacts to ambient air quality could result if either construction or operation would result in violations of the CAA provisions, or if emissions would impede the ability of the State to meet NAAQSs.

C3-3.2 Methodology

Construction Analysis

Construction of the proposed commercial development under Alternative A is assumed to begin in March 2027 and continue for a duration of approximately 18 months. Construction activities would include land clearing, grading, building construction, and site improvements for parking and circulation. Effects on air quality during construction were evaluated by estimating the quantity of each CAP emitted over the duration of the construction period. Particulate matter (PM₁₀ and PM_{2.5}) are the pollutants of concern resulting during earth-moving and fine grading activities. VOCs, NO_x, SO₂, CO, CO₂e, and DPM emissions would be emitted from heavy equipment due to the combustion of diesel fuel. Construction-related emissions were quantified using the USEPA-approved California Emissions Estimator Model (CalEEMod) Version 2022.1. Emissions results are summarized below and included in **Appendix D**.

Operation Analysis

Although specific uses for the proposed commercial development have not yet been determined, for the purposes of this analysis, operational activities were assumed to include those typically associated with commercial development, including mobile, area, and energy source emissions. Annual operation emissions for the alternatives were calculated using CalEEMod. **Appendix D** includes the assumptions and inputs incorporated into CalEEMod; default values were used in most cases.

Hazardous Air Pollutants

Construction activities would result in short-term emissions of DPM from off-road heavy-duty diesel equipment exhaust and diesel-fueled haul trucks. Construction-related HAP emissions are addressed

within the construction emissions discussion below. Operational HAPs are primarily associated with manufacturing sites, dry cleaners, gasoline fueling stations, and industrial land uses. Alternative A is not expected to include any facilities that would emit substantial sources of HAPs; accordingly, no further analysis of operational HAP emissions is provided.

Federal General Conformity

Conformity regulations apply to federal actions that would cause emissions of CAPs above certain levels to occur in locations designated as nonattainment or maintenance areas for the emitted pollutants. As discussed in **Section C3-2**, the Subject Property is located in an area that is designated nonattainment for ozone and PM_{2.5} and attainment (maintenance) for PM₁₀ under federal air quality standards. All other pollutants are designated attainment or unclassifiable. If project emissions are equal to or exceed applicable levels for any CAP provided in 40 CFR §93.153 (b)(1) and (2), then a federal general conformity determination analysis would be required. Stationary sources are exempt under conformity regulations and therefore not subject to de minimis levels. The requirement for a conformity determination for Alternative A is discussed below.

CO₂e Emissions

Impacts resulting from CO₂e emissions were calculated using CalEEMod and are discussed below in **Section C3-3.3**.

Federal Class I Areas

The nearest Class I area is Sequoia National Park, approximately 16 miles from the Subject Property (USEPA 2025c). As detailed below, the Proposed Project would not emit 250 tpy of any regulated pollutant; therefore, no additional PSD program analysis is required.

Tribal New Source Review

The proposed commercial development is not expected to include stationary sources subject to NSR permitting requirements (i.e., generators, boilers, or other combustion sources). If such sources are ultimately proposed, the Tribe would be required by the CAA to obtain an NSR permit for any that exceed the thresholds identified in **Table C3-4**.

C3-3.3 Alternative A – Proposed Project

Construction Emissions

Construction of Alternative A would result in the temporary generation of emissions from the use of heavy-duty diesel construction equipment and worker and vendor vehicle trips. Fugitive dust, the dominant source of PM₁₀ and PM_{2.5} emissions, is generated when vehicles and equipment disturb soil and other friable materials. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. Off-road construction equipment is often diesel-powered and can be a substantial source of NO_x emissions, in addition to PM₁₀ and PM_{2.5} emissions. Painting, worker commute trips, and asphalt paving are dominant sources of VOC emissions. Such air quality effects generally would be temporary and localized. The estimated construction emissions are shown in **Table C3-6**, with detailed output files included in **Appendix D**.

Table C3-6: Construction Emissions of Criteria Pollutants (tons/year) – Alternative A

Emissions	NO _x	VOC	CO	SO ₂	PM ₁₀	PM _{2.5}
2027	1.32	0.15	1.71	< 0.005	0.37	0.20
2028	0.66	0.20	0.98	< 0.005	0.03	0.02
Maximum Year Emissions	1.32	0.20	1.71	< 0.005	0.37	0.20
<i>De minimis Level</i>	10	10	N/A	N/A	100	70
Exceed Level?	No	No	No	No	No	No

Notes: N/A = Not Applicable. *De minimis* levels are only applicable for projects in nonattainment and maintenance areas.

Source: **Appendix D**

As shown in **Table C3-6**, emissions of individual criteria pollutants from the construction of Alternative A would not exceed applicable *de minimis* levels; therefore, a conformity determination is not required for these pollutants during construction. Construction emissions would be reduced with the implementation of standard construction BMPs described in **Table 2-1** including, but not limited to, site watering, street sweeping, limits on vehicle speeds, and minimization of vehicle idling. These BMPs would control the production of fugitive dust (PM₁₀ and PM_{2.5}) and reduce emissions of CO₂e, criteria pollutants, and DPM. This would reduce the overall quantity of these emissions and dust that could disperse off-site and negatively affect neighboring areas.

Construction-related activities would result in the generation of HAPs, specifically DPM from diesel-powered equipment exhaust. These emissions could affect nearby sensitive receptors; however, construction would be temporary, lasting only 18 months, which is a relatively short duration compared to the long-term exposure periods (e.g., 30 years or more) typically associated with health risk impacts from HAPs. Furthermore, operational emissions of PM_{2.5}, as shown in **Table C3-6**, are minor (less than 0.4 tpy), and DPM, which is a subset of PM_{2.5}, is also highly dispersive. Therefore, emissions would not be concentrated in one area or persist for extended time periods, reducing potential impacts. Given the temporary nature of construction, the relatively short duration of potential exposure, and the highly dispersive nature of DPM, the likelihood of any one sensitive receptor experiencing prolonged exposure to HAP emissions is low. Implementation of construction BMPs described in **Table 2-1** would further reduce emissions of DPM. As such, construction-related HAP emissions are not expected to pose a health risk to nearby residents. Construction of Alternative A would not result in significant effects on regional air quality, and no mitigation measures are warranted.

Operation Emissions

Buildout and operation of the proposed commercial development under Alternative A would result in the generation of mobile emissions from patron, employee, and delivery vehicles, as well as stationary-source emissions from combustion of natural gas in heating units, and other equipment. The estimated operational emissions are provided in **Table C3-7**. Detailed calculations of vehicle and area emissions are included in **Appendix D**.

As shown in **Table C3-7**, emissions of individual criteria pollutants from the operation of Alternative A would not exceed applicable *de minimis* levels; therefore, a conformity determination is not required for these pollutants during operation. Implementation of the BMPs described in **Table 2-1**, including adherence to applicable building standards and use of energy and water saving appliances, would ensure that air quality impacts from operation of Alternative A would be less than significant, and no mitigation measures are warranted.

Table C3-7: Operation Emissions of Criteria Pollutants (tons/year) – Alternative A

Source	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Annual Emissions	1.34	1.06	7.42	0.02	1.69	0.44
<i>De minimis Levels</i>	10	10	N/A	N/A	100	70
Exceed Level?	No	No	No	N/A	No	No

Notes: N/A = Not Applicable. *De minimis* levels are only applicable for projects in nonattainment and maintenance areas. Source: **Appendix D**.

CO₂e Emissions

CO₂e emissions resulting from Alternative A are primarily mobile emissions from delivery, patron, and employee vehicles. The federal government has enacted measures that would reduce CO₂e emissions from mobile sources over time. BMPs, such as limiting the idling of heavy equipment (see **Table 2-1**), would reduce direct CO₂e emissions during construction. Operational BMPs would reduce indirect CO₂e emissions from electricity use, water use, and waste transport through the use of energy-efficient fixtures, low-flow appliances, drought-resistant landscaping, and recycling receptacles. Operational BMPs would also reduce indirect mobile CO₂e emissions by ensuring adequate ingress and egress to minimize vehicle idling. Emissions of CO₂e from Alternative A have been quantified for the operational year 2029 and are shown in **Table C3-8**. With the implementation of BMPs provided in **Table 2-1**, reasonably foreseeable air quality effects resulting from CO₂e emissions would be less than significant.

Table C3-8: Construction and Operation CO₂e Emissions – Alternative A

Direct	MT of CO ₂ e
Construction total (grading, building, etc.)	467
Indirect	MT of CO ₂ e/year
Area	0.73
Energy	155
Mobile	1,713
Solid Waste	16.4
Water/Wastewater	8.57
Refrigerant	0.04
Construction CO₂e Emissions	467
Annual Operation CO₂e Emissions	1,893

Notes: CO₂e = carbon dioxide equivalent; MT = metric tons
Source: **Appendix D**

C3-3.4 Alternative B – No Action Alternative

Under the No Action Alternative, the Subject Property would remain as it is and none of the construction or operational air quality impacts identified for Alternative A would occur. There would be no impact.

C3-4 MITIGATION MEASURES

There are no mitigation measures for air quality.

Appendix C-4 Biological Resources

C4-1 REGULATORY SETTING

C4-1.1 Federal

Federal Endangered Species Act

FESA protects species at risk of extinction and provides for conservation of the ecosystems on which they depend. USFWS and the National Oceanic and Atmospheric Administration Fisheries Service (NOAA Fisheries) share responsibility for implementing FESA. Generally, USFWS manages terrestrial and freshwater species, while NOAA is responsible for marine and anadromous species. Section 9 (§ 1538) prohibits the "take" of a listed species by anyone, including private individuals and state and local agencies. Threatened and endangered species on the federal list (50 CFR Sections 17.11 and 17.12) are protected from take.

Pursuant to the requirements of the FESA, a federal agency reviewing a proposed project within its jurisdiction must determine whether any federally listed species may be present on a project site and whether a project is likely to jeopardize the continued existence of any species that is federally listed as endangered or threatened, species that are formally proposed for listing, and species that are listed as candidate species under the FESA or to result in the destruction or adverse modification of critical habitat proposed to be designated for such species (16 U.S.C. Section 1536(a)).

Magnuson-Stevens Act and Sustainable Fisheries Act

The Magnuson–Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) is the primary law that governs marine fisheries management in U.S. federal waters. First passed in 1976, the Magnuson-Stevens Act fosters the long-term biological and economic sustainability of marine fisheries. The Sustainable Fisheries Act of 1996 (Public Law 104-297) amended the Magnuson-Stevens Act to establish new requirements for fishery management councils to identify and describe Essential Fish Habitat (EFH) and to protect, conserve, and enhance EFH for the benefit of fisheries. EFH is defined as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. The Sustainable Fisheries Act also established a federal EFH consultation process that advises federal agencies to avoid, minimize, mitigate, or otherwise offset adverse effects on EFH. Consultation is required if a federal agency has authorized, funded, or undertaken a proposed activity and if the action will adversely affect EFH.

Migratory Bird Treaty Act

Migratory birds are protected under the federal MBTA of 1918 (16 U.S.C. 703-711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed under 50 CFR 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). Under the MBTA, indirect impacts to nesting birds are not considered "take."

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act was originally enacted in 1940 to protect bald eagles and was later amended to include golden eagles (16 U.S.C. Subsection 668-668). This act prohibits take, possession, and commerce of bald and golden eagles and associated parts, feathers, nests, or eggs with limited exceptions. The definition of take is the same as the definition under the FESA. In 2007, the bald eagle was federally delisted under FESA. However, the provisions of the act remain in place for protection of bald and golden eagles.

Clean Water Act - Sections 404 and 401

Any project that involves discharge of dredged or fill material into navigable waters of the U.S. must first obtain authorization from the USACE, under Section 404 of the CWA. Projects on trust land requiring a 404 permit under the CWA also require a Section 401 certification from USEPA for trust land. The EPA also administers the NPDES general permits for construction activities disturbing one acre or more.

C4-1.2 State and Local

California Endangered Species Act

The California Endangered Species Act (CESA) declares that deserving plant or animal species will be given protection by the State because they are of ecological, educational, historical, recreational, aesthetic, economic, and scientific value to the people of the State. The CESA established that it is State policy to conserve, protect, restore, and enhance State listed species and their habitats. Under State law, plant and animal species may be formally listed by the California Fish and Game Commission. CESA authorizes that private entities may take listed species under the FESA and CESA, pursuant to a federal incidental take permit issued in accordance with Section 10 of the FESA, if the California Department of Fish and Wildlife (CDFW) certifies that the incidental take statement or incidental take permit is consistent with CESA (California Fish & Game Code § 2080.1[a]).

California Fish and Game Code

The California Fish and Game Code defines “take” (Section 86) and prohibits take of a species listed under the CESA (California Fish and Game Code § 2080), or otherwise special status (California Fish and Game Code §§ 3511, 4700, and 5050). Section 2081(b) and (c) of the CESA allows CDFW to issue an incidental take permit for a State listed species if specific criteria outlined in Title 14 CCR §§ 783.4(a), (b) and CDFW Code § 2081(b) are met. The CDFW Code § 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird except as otherwise provided by the code. Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the taxonomic order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird. Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the MBTA or any part of such migratory non-game bird except as provided by rules and regulations adopted by the U.S. Secretary of the Interior under provisions of the MBTA. If a project is planned in an area where a species or specified bird occurs, an applicant must design the project to avoid all take; the CDFW cannot provide take authorization under the CESA.

Native Plant Protection Act of 1977

The Native Plant Protection Act of 1977 and implementing regulations in Section 1900 et seq. of the California Fish and Game Code designate special-status plant species and provide specific protection measures for identified populations. CDFW administers the Native Plant Protection Act.

Tulare County General Plan

Chapter 7 of the Tulare County General Plan addresses Environmental Resources Management for Tulare County. The following goals are related to Biological Resources:

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

- **ERM-1.1** Protection of Rare and Endangered Species - The County shall ensure the protection of environmentally sensitive wildlife and plant life, including those species designated as rare, threatened, and/or endangered by State and/or Federal government, through compatible land use development.
- **ERM-1.2** Development in Environmentally Sensitive Areas - The County shall limit or modify proposed development within areas that contain sensitive habitat for special status species and direct development into less significant habitat areas. Development in natural habitats shall be controlled so as to minimize erosion and maximize beneficial vegetative growth.

C4-2 ENVIRONMENTAL SETTING

C4-2.1 Methodology

A Biological Assessment was prepared for the Subject Property to facilitate consultation with the USFWS pursuant to Section 7 of the FESA and is included as **Appendix E**. The following information was utilized in the preparation of this analysis and in determining the environmental setting of the Subject Property:

- Previous biological resource studies pertaining to the Subject Property and vicinity
- USGS 7.5 degree-minute topographic quadrangles of the Subject Property and vicinity
- Aerial photography of the Subject Property
- CNDDDB, electronically updated monthly by subscription
- A query of the California Native Plant Society's database *Inventory of Rare and Endangered Plants of California* (**Appendix E**)
- USFWS National Wetlands Inventory mapper (see **Figure 6** of **Appendix A** USFWS 2023a)
- USFWS Information for Planning and Consultation list (IPaC; USFWS, 2025)

Acorn Environmental consulting biologist Dr. G.O. Graening conducted a biological resources survey of the Subject Property on April 25, 2023, and collected data on wildlife and plant species present, habitat types, and jurisdictional waters. Survey methodology is described in detail in Section 2 of **Appendix E**. Variable-intensity pedestrian surveys were performed and survey efforts emphasized the search for federally listed species that had documented occurrences in the CNDDDB within the vicinity of the Subject Property. Habitat types occurring in the Subject Property were mapped on aerial photographs and information on habitat conditions and the suitability of habitats to support listed species was also

recorded. The Subject Property was also assessed for the presence of potentially jurisdictional water features, including riparian zones, isolated wetlands and vernal pools, and other biologically sensitive aquatic habitats.

C4-2.2 Habitat Types

The Subject Property is located within southern Sierra Nevada Foothills subregion (Sierra Nevada geographic subdivision) and the San Joaquin Valley (Great Central Valley geographic subdivision), which is part of the larger California Floristic Province (Baldwin et al., 2012). The following terrestrial vegetation communities and aquatic features occur within the Subject Property:

- Orchard
- Non-native annual grassland/Pasture
- Ruderal/developed
- Pond and Lacustrine wetlands
- Other wetlands (wet meadows, emergent wetlands)
- Channels
- Other features (upland swales, flume)

Habitats are shown in **Figure 7 of Appendix A**, and a detailed description of each habitat type is provided in Section 3.4 of **Appendix E**.

C4-2.3 Wetlands and Waters of the U.S.

Aquatic features on the Subject Property include the following aquatic habitats: Pond and lacustrine wetlands, wet meadows and emergent wetlands, channels, and other features, including upland swales and a flume as shown on **Figure 8 of Appendix A**. None of these features are considered waters of the U.S. Complete descriptions of each feature are provided in Section 3.5 of **Appendix E**.

C4-2.4 Federally-Listed Species

The following federally-listed species can occur in the region according to the USFWS' IPaC Trust Resource Report System (Attachment A of **Appendix E**):

- Fisher (*Pekania pennanti*) – Endangered
- San Joaquin kit fox (*Vulpes macrotis mutica*) – Endangered
- California condor (*Gymnogyps californianus*) – Endangered
- Northwestern Pond Turtle (*Actinemys marmorata*) – Proposed Threatened
- Foothill yellow-legged frog (*Rana boylei*) – Endangered
- Western Spadefoot (*Spea hammondi*) – Proposed Threatened
- Monarch butterfly (*Danaus plexippus*) – Proposed Threatened
- San Joaquin Adobe Sunburst (*Pseudobahia peirsonii*) – Threatened
- Keck's Checker-mallow (*Sidalcea keckii*) – Endangered

A detailed account of each species is provided in Section 4 of **Appendix E**. No federally listed plant or animal species were observed during surveys conducted within the Subject Property, and no federally listed plant or animal species are reported to occur on the site according to the queries of biological databases.

C4-3 IMPACT ASSESSMENT

C4-3.1 Assessment Criteria

Each alternative is analyzed to determine if construction or operation would result in direct significant impacts to biological resources. A project would have a significant adverse impact if the development or operation would result in the loss of sensitive or critical habitat; have a substantial adverse effect on species with special status under the FESA; have a substantial adverse effect on habitat necessary for the future survival of such species, including areas designated as critical habitat by the USFWS; result in a take of migratory bird species as defined by the MBTA; and/or have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA through direct removal, filling, hydrological interruption, or other means.

C4-3.2 Alternative A – Proposed Project

Habitats

The entire 4.3-acre Development Area is located within annual grassland/pasture and developed habitat, as shown on **Figure 7** of **Appendix A**. These areas have been modified from their natural state and are subject to ongoing disturbance from the existing built environment: the residence, cattle ranching activities and citrus cultivation, and vehicular traffic, as well as from vegetation management and other activities that limit the value of habitat to wildlife. These areas have either been grazed by livestock, harvested for hay, or both, or are associated with residential estates, cattle ranching, and citrus production. Habitats are described in detail in Section 3.4 of **Appendix E**.

Operation of Alternative A would not involve activities that would result in ongoing conversion of sensitive habitat, nor would operation of Alternative A involve storage of acutely hazardous materials, production of severe vibrations, or other activities that could affect habitat. Alternative A's Development Area is limited to annual grassland/pasture and developed habitats that have been modified from their natural state and are not considered sensitive habitats. Therefore, impacts to sensitive habitats would be less than significant and no mitigation measures are warranted.

Wetlands and Waters of the U.S.

There are no aquatic features within the Development Area, although there is a pond and lacustrine wetlands, wet meadow and seasonal wetland, channels, and other aquatic features such as swales and a flume located within the Subject Property. The nearest aquatic feature is an ephemeral channel located approximately 225 feet southwest of the Development Area.

Construction of Alternative A would not involve direct impacts to any aquatic habitats and would not result in filling, excavation, re-routing, or other impacts to features with potential to be considered waters of the U.S. Indirect impacts from potential discharge of pollutants to surface water during construction are addressed in **Section C-2**. With adherence to the NPDES permitting program and implementation of a SWPPP that includes BMPs listed in **Table 2-1**, indirect impacts to waters of the U.S. from construction activities would be less than significant and no mitigation measures are warranted.

Federally Listed Species

No federally listed plant or animal species were observed during surveys conducted within the Subject Property. No federally listed plant or animal species are reported to occur in the Development Area according to queries of biological databases. CNDDDB reported an occurrence of Keck's checker-mallow that overlaps with a small portion of the eastern edge of the Subject Property. This is a non-specific mapped record, and the Subject Property lacks the requisite serpentine soils and has the competing vegetation type (non-native annual grasses). Implementation of the Proposed Project will have no effect on Fisher, San Joaquin Kit fox, California Condor, Northwestern Pond Turtle, Foothill Yellow-legged Frog, Western Spadefoot, Monarch Butterfly, San Joaquin Adobe Sunburst, or Keck's Checker-mallow.

Construction and operation of Alternative A would not directly convert habitat for special-status species, and would not result in indirect impacts (e.g., new sources of light or glare that could impact surrounding sensitive habitat) because the area is already subject to indirect impacts from the existing built environment: the residences, the cattle ranching activities and citrus cultivation, nearby commercial development, and vehicular traffic. Potential direct and indirect impacts to sensitive or federally listed species habitat as a result of Alternative A would be less than significant with no mitigation.

Nesting Migratory Birds

The Subject Property contains minimal suitable habitat for nesting birds within the Orchard and Ruderal/developed habitats. However, these areas are frequently disturbed from landscape and harvest practices and would not be directly impacted as a result of Alternative A. The Development Area contains no suitable habitat as it is limited to annual grassland/pastureland. Therefore, impacts to nesting migratory birds as a result of Alternative A would not occur. There would be a less than significant impact and no mitigation is required.

Critical Habitat

There is no designated critical habitat within or adjacent to the Subject Property. The nearest designated critical habitat is for California condor (*Gymnogyps californianus*) and Keck's checker-mallow (*Sidalcea keckii*), approximately 0.3 miles north and 5 miles southwest of the Subject Property respectively (Figure 5 of **Appendix E**). Implementation of the Proposed Project will have no effect on designated critical habitat for any federally listed species, and this impact is less than significant and no mitigation measures are warranted.

C4-3.3 Alternative B – No Action Alternative

Under the No Action Alternative, no development would occur within the Subject Property. As such, there would be no significant direct or indirect impacts to the biological resources within or in the vicinity of the Subject Property.

C4-4 MITIGATION MEASURES

There are no mitigation measures for biological resources.

Appendix C-5 Cultural and Paleontological Resources

C5-1 REGULATORY SETTING

C5-1.1 Federal

National Historic Preservation Act

Section 106 of the NHPA, as amended, and its implementing regulations found in 36 CFR Part 800 require federal agencies to identify cultural resources that may be affected by actions involving federal lands, funds, or permitting. The BIA must comply with Section 106 for the proposed trust acquisition. The significance of the resources must be evaluated using established criteria outlined in 36 CFR 60.4, as described below. If a resource is determined to be a historic property, Section 106 of the NHPA requires that effects of the federal undertaking on the resource be determined. A historic property is defined as “...any prehistoric or historic district, site, building, structure or object included in, or eligible for inclusion in the NRHP, including artifacts, records, and material remains related to such a property...” (NHPA Sec. 301[5]).

Section 106 of the NHPA prescribes specific criteria for determining whether a project would adversely affect a historic property, as defined in 36 CFR 800.5. An impact is considered adverse when prehistoric or historic archaeological sites, structures, or objects that are listed on or eligible for listing in the NRHP are subjected to the following:

- Physical destruction of or damage to all or part of the property;
- Alteration of a property;
- Removal of the property from its historic location;
- Change of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance;
- Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property’s significant historic features;
- Neglect of a property that causes its deterioration; and
- Transfer, lease, or sale of the property out of federal control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property’s historic significance.

If a historic property will be adversely affected by an undertaking, then prudent and feasible measures to resolve adverse impacts must be taken. The SHPO must be provided an opportunity to review and comment on these measures prior to project implementation.

National Register of Historic Places

The eligibility of a resource for listing in the NRHP is determined by evaluating the resource using criteria defined in 36 CFR § 60.4. The quality of significance in American history, architecture, archaeology, and

culture is present in districts, sites, buildings, structures, and objects of state and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, association, and:

- A) That are associated with events that have made a significant contribution to the broad patterns of our history;
- B) That are associated with the lives of persons significant in our past;
- C) That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D) That have yielded, or may be likely to yield, information important to prehistory or history.

Sites younger than 50 years, unless of exceptional importance, are not eligible for listing in the NRHP. In addition to meeting at least one of the criteria listed above, the property must also retain enough integrity to enable it to convey its historic significance. The NRHP recognizes seven aspects or qualities that, in various combinations, define integrity. These seven elements of integrity are location, design, setting, materials, workmanship, feeling, and association. To retain integrity a property will always possess several, and usually most, of these aspects.

While most historic buildings and many historic archaeological properties are significant because of their association with important events, people, or styles (Criteria A, B, and C), the significance of most prehistoric and some historic-period archaeological properties is usually assessed under Criterion D. Criterion D stresses the importance of the information contained in an archaeological site rather than its intrinsic value as a surviving example of a type or its historical association with an important person or event.

Native American Graves Protection and Repatriation Act

NAGPRA (25 U.S.C. 3001 et seq.) provides a process for museums and federal agencies to return Native American cultural items – human remains, funerary objects, sacred objects, or objects of cultural patrimony – to lineal descendants, and culturally affiliated Indian tribes and Native Hawaiian organizations. NAGPRA includes provisions for unclaimed and culturally unidentifiable Native American cultural items, intentional and inadvertent discovery of Native American cultural items on federal and tribal lands, and penalties for noncompliance and illegal trafficking.

Archaeological Resources Protection Act of 1979

The ARPA of 1979 (ARPA; Public Law 96-95; 16 U.S.C. 470aa-mm) provides for the protection of archaeological resources and sites that are on public and Indian lands and fosters increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals having collections of archaeological resources and data that were obtained before October 31, 1979. ARPA also establishes a permit process for archaeological excavation on federal and Indian lands, a process for prosecuting cases of damage and removal of archaeological resources as well as trafficking artifacts.

Paleontological Resources Preservation Act

Paleontological resources are defined as the traces or remains of prehistoric plants and animals. Such remains often appear as fossilized or petrified skeletal matter, imprints, or endocasts, and reside in sedimentary rock layers. Paleontological resources are considered important for their scientific and educational value. Fossil remains of vertebrates are considered significant. Invertebrate fossils are considered significant if they function as index fossils. Index fossils are those that appear in the fossil record

for a relatively short and known period of time. This allows geologists to interpret the age range of the geological formations in which they are found.

The Paleontological Resources Preservation subtitle of the Omnibus Public Land Management Act, 16 U.S.C. 470aaa to aaa-11 requires the USDA and the DOI to issue implementation regulations to provide for the preservation, management, and protection of paleontological resources on federal lands and ensure that these resources are available for current and future generations to enjoy as part of America's national heritage.

C5-1.2 State and Local

Tulare County General Plan

The Environmental Resources Management Element of the County's General Plan addresses both cultural and archaeological resources within the County. The County has identified the following goals related to cultural and archeological resources:

Goal ERM-6: To manage and protect sites of cultural and archaeological importance for the benefit of present and future generations.

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

Policy 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 NRHP and/or inclusion in the California State Office of Historic Preservation's California Points of Interest and California Inventory of Historic Resources.

Policy 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.

Policy 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.

- **Policy ERM-6.10:** Grading Cultural Resource Sites. The County shall ensure all grading activities conform to the County's Grading Ordinance and CCR, Title 20, § 2501 et. seq. (Tulare County, 2012b).

C5-2 ENVIRONMENTAL SETTING

This section summarizes indigenous, ethnographic, and historical background information from the 2024 Cultural Resources Investigation prepared for the Subject Property, which is included in Confidential **Appendix F**. The Subject Property contains a rural residential housing unit and an orchard but is otherwise generally undeveloped and fallow.

C5-2.1 Indigenous Overview

There is a long history of archaeological research in the San Joaquin Valley, with the earliest investigations dating back to the 1920s. More recent work has been limited, particularly on the Valley floor, though studies associated with the construction of Terminus Dam and Lake Kaweah documented numerous habitation sites, milling stations, rock art, and burial sites linked to the protohistoric Wukchumni Yokuts. Although radiometric dates are limited, the prehistory of the San Joaquin Valley is generally divided into three periods. The first period is marked by sparse occupation of the Valley with a focus on big game hunting, dating to approximately 8,000 years ago. The second period is characterized by a shift in subsistence strategy from hunting to the collection of plant resources, as evidenced by seed-grinding implements (approximately 5,000 years ago to A.D. 1200). The third period represents the habitation of the area by the Yokuts, during which occupation of the Valley increased with sites concentrated near the foothills and along rivers (approximately A.D. 1200 to 1700) (**Appendix F**).

C5-2.2 Ethnographic Overview

Prior to Euro-American contact, California was inhabited by diverse Native American groups. Kroeber (1925) identified regional similarities and divided the state into four subculture areas: Northwestern, Northeastern, Southern, and Central (Kroeber, 1925). The Yokuts were one of the groups that inhabited the Central subculture area within the San Joaquin Valley. The Yokuts are generally divided into three groups (Northern, Foothill, and Southern) with the Foothill Yokuts traditionally occupying the Subject Property. The Foothill Yokuts were organized into tribelets led by hereditary chiefs and divided into family groups or moieties identified by totem symbols. They lived in conical thatched frame houses and subsisted through hunting, fishing, and gathering plant resources. Euro-American contact dramatically disrupted their traditional culture (**Appendix F**).

C5-2.3 Historic Overview

Tulare County, where the Subject Property is located, has a history spanning thousands of years, originally inhabited by Native American tribes such as the Yokuts and Mono. Spanish explorers arrived in the late 18th century, establishing missions that significantly impacted local Native American populations. After Mexico's independence from Spain, California became Mexican territory, and Tulare County was formed in 1852, named after the once-expansive Tulare Lake. The mid-19th century Gold Rush brought a population and economic boom to Tulare County, as settlers passed through on their way to the goldfields. This influx, along with California statehood, introduced disease that severely impacted local Native American populations. Conflicts between settlers and Native peoples escalated, culminating in the six-week Tule River Indian War of 1856, which led to the defeat of the Tule River peoples and the establishment of the Tule River Reservation (**Appendix F**).

C5-2.4 Paleontological Resources

An online search of the University of California Museum of Paleontology (UCMP) specimen records identified 12 microfossil specimens from Tulare County, all dating to the Quaternary Pleistocene (UCMP, 2025). No fossil resources were mentioned in the 2024 Cultural Resources Investigations report (**Appendix F**).

C5-3 IMPACT ASSESSMENT

C5-3.1 Assessment Criteria

A significant effect would occur if the implementation of a project alternative resulted in physical destruction, alteration, removal, neglect, or change in characteristics or reduction of integrity of historic features of a NRHP-eligible cultural resource. A significant effect to paleontological resources would occur if a project alternative resulted in damage or destruction of fossils that provide significant nonrenewable taphonomic, taxonomic, phylogenic, ecologic, or stratigraphic information.

C5-3.2 Methodology

A Cultural Resources Investigation and subsequent report was prepared for the Subject Property in January 2024. The investigation evaluated the Subject Property for sensitive cultural resources and included a records search, pedestrian survey, and SLF search and subsequent Native American consultation. This section summarizes information from the investigation, which is included as confidential **Appendix F**.

C5-3.3 Alternative A – Proposed Project

Cultural Resources

The Cultural Resources Investigation determined that the Proposed Project would not impact cultural resources and made a recommendation for a finding of "No Historic Properties Affected" in accordance with 36 CFR § 800.4 (d)(1) for the Proposed Project. A record search of the CHRIS was completed for the Subject Property and surrounding 0.5-mile radius at the Southern San Joaquin Valley Information Center. The records search did not identify any previously recorded archaeological or cultural resources within the Subject Property but did identify 13 previously recorded resources and 13 prior surveys within the surrounding 0.5-mile radius, including two prior surveys within the area of potential effect (see Tables 1 & 2 of **Appendix F**). An intensive-level pedestrian survey of the Subject Property was conducted by qualified archaeologists on November 3, 2023. The survey did not identify any on-site prehistoric sites, features, or ethnographic sites. However, two on-site historic sites were recorded: one historic corral (NIC-2023-King-01) and an unidentified, partially buried concrete foundation/spring box (NIC-2023-King-02). Neither site meets the eligibility criteria for consideration as historical resources or unique archaeological resources and are therefore not eligible for the NRHP.

Natural Investigations contacted the NAHC to request a search of the SLF for sensitive cultural resources on or near the Subject Property. The NAHC provided results on November 3, 2023, which were positive, along with a list of Native American contacts who may have additional information. Consultation letters were sent to these contacts the same day; to date, no responses have been received regarding the Proposed Project.

Geoarchaeological analysis indicates that the Subject Property is underlain by Coarsegold and San Joaquin soils, which are Alfisols typically dated to the Late Pleistocene (126,000–12,000 years ago). These soils predate human occupation and, due to their erosional characteristics, have low potential for preserving buried cultural resources. Accordingly, the archaeological sensitivity of the Subject Property is considered low. However, there remains an unlikely chance that previously unknown cultural resources could be encountered during ground-disturbing activities associated with the proposed commercial development. As such, development of Alternative A has the potential to adversely affect previously unknown subsurface archaeological or cultural resources, including human remains, which would be considered a potentially

significant impact. Mitigation measures for the protection and treatment of unanticipated discoveries of archaeological resources and/or human remains are presented in **Section C5-4**. With implementation of these measures, Alternative A would not result in significant adverse impacts to unknown archaeological resources.

Paleontological Resources

No paleontological resources have been reported or observed on or near the Subject Property. The Alfisols underlying the Subject Property have low potential for preserving buried cultural resources due to their erosional characteristics. In addition, the UCMP database identified only 12 microfossil specimens from Tulare County. Therefore, Alternative A would not result in significant adverse impacts to known paleontological resources. Although the possibility is low, previously unknown paleontological resources could be discovered during ground-disturbing activities associated with the proposed commercial development. Mitigation measures are presented in **Section C5-4** for the treatment of unanticipated paleontological discoveries which would ensure that Alternative A would not result in significant adverse impacts to previously unknown paleontological resources.

C5-3.4 Alternative B – No Action Alternative

Under the No Action Alternative, the Subject Property would not be placed in trust for the benefit of the Tribe, and no development would occur. Therefore, there would be no impact on cultural or paleontological resources.

C5-4 MITIGATION MEASURES

The following mitigation measures apply to Alternative A:

CUL-1: Inadvertent Discovery Protocols

In the event that a prehistoric or historic archaeological resource is inadvertently discovered during construction activities, work must be halted within 30 feet of the find and a qualified archaeologist (36 CFR Part 61), or paleontologist if the find is paleontological in nature, shall be notified immediately so that an assessment of its potential significance can be undertaken. Construction activities may continue in other areas but may not resume in the area of the find until the BIA provides written permission. All such finds shall be subject to Section 106 of the NHPA as amended (36 CFR Part 800); specifically, procedures for post-review discoveries without prior planning pursuant to 36 CFR § 800.13(b) shall be followed.

CUL-2: Human Remains

If human remains are discovered during ground-disturbing activities on the Subject Property, work within 50 feet of the find shall halt immediately consistent with 43 CFR Part 10.5(b)(1) and the BIA and County Coroner shall be notified. No further disturbance shall occur until the County Coroner has determined that the remains are not connected to criminal activity. If the remains are determined to be of Native American origin, the provisions of the NAGPRA regarding the protection of human remains or cultural items on federal or tribal lands shall apply. The NAHC will determine and notify a MLD. The MLD must complete an inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Appendix C-6 Socioeconomic Conditions

C6-1 REGULATORY SETTING

There are no applicable regulations.

C6-2 ENVIRONMENTAL SETTING

C6-2.1 Demographics

Demographic data for Tulare County and the State of California is presented in **Table C6-1**. Tulare County had a population of approximately 436,000 residents during the 5-year period ended in 2021 (referred to as 2021 throughout this chapter) (**Table C6-1**). Additional socioeconomic data for the local, regional, and State area are summarized in **Table C6-1**. The Subject Property is located in Census Tract 27.02 as designated by the U.S. Census Bureau (U.S. Census Bureau, 2020). **Table C6-2** presents demographic data for Census Tract 27.02 and adjacent census tracts. **Table C6-3** presents mean household income levels and household sizes for Census Tract 27.02 and adjacent census tracts.

Table C6-1: Socioeconomic Data

Census Data	Tulare County	California State
Demographics		
Population, 2011 ¹	436,234	36,969,200
Population, 2021 ²	470,999	39,455,353
Population, 10-year growth	8.0%	6.7%
Median household income (2021 dollars), 2021 ³	\$57,394	\$84,097
Persons in poverty ³	19.8%	12.3%
Race and Ethnicity¹		
Not Hispanic or Latino:		
White alone	27.0%	35.8%
Black or African American alone	1.3%	5.4%
American Indian and Alaska Native alone	0.5%	0.3%
Asian alone	3.5%	14.7%
Native Hawaiian and Other Pacific Islander alone	0.1%	0.3%
Some other race alone	0.3%	0.4%
Two or more races	1.5%	3.6%
Hispanic or Latino	65.8%	39.5%
Minority population ²	73.0%	64.2%
Employment		
Employment, 2021 ³	187,269	18,676,721

Census Data	Tulare County	California State
Unemployment rate, 2021 ³	10.2%	6.5%
Employment, July 2025 (County not seasonally adjusted) ⁴	195,800	18,762,000
Unemployment Rate, July 2025 (County not seasonally adjusted) ⁴	11.2%	5.5%
Housing⁵		
Housing units, 2021	149,859	14,328,539
Vacant units, 2021	10,228	1,110,953
Vacancy rate	1.5%	2.3%

Note: Much of this data in this table and other locations in this chapter is sourced from the U.S. Census American Community Survey (ACS). The particular survey data utilized is for the 5-year period from 2017 to 2021 and is referred to in this Chapter as “2021”. Although 1-year data is available, it is not available for all of the categories and geographies listed and is generally subject to greater measurement error than the 5-year data.

1. U.S. Census Bureau, 2011 ; 2. U.S. Census Bureau, 2021a ; 3. U.S. Census Bureau, 2021b ; 4. U.S. Bureau of Labor Statistics, 2025. The unemployment rate for the Visalia MSA is listed in the Tulare County column; 5. U.S. Census Bureau, 2021c. Vacant units and vacancy rates calculated by Acorn from U.S. Census data. Calculation is a weighted average of vacancy rates for both owner-occupied and renter-occupied units (weighted by the number of owner-occupied and renter-occupied units).

Table C6-2: 2021 Population Demographics by Census Tract

Race	27.02 (Subject Property)	1.01	14	25	27.01	33.01	34.02	39.02
Total Population ¹	3,977	2,535	4,517	3,350	1,386	4,400	2,241	6,033
Not Hispanic or Latino:								
White alone	2,162	2,038	1,875	1,006	1,075	932	916	1,340
Black or African American alone	0	61	14	0	2	0	0	0
American Indian and Alaska Native alone	454	10	2	0	64	12	2	16
Asian alone	145	69	54	69	0	0	0	118
Native Hawaiian and Other Pacific Islander alone	41	0	0	14	0	0	3	117
Some other race alone	0	0	0	0	0	0	24	0
Two or more races	172	66	38	0	2	0	36	103
Hispanic or Latino	1,003	291	2,534	2,261	243	3,456	1,260	4,339
Minority % ²	45.6%	19.6%	58.5%	70.0%	22.4%	78.8%	59.1%	77.8%

Source: U.S. Census Bureau, 2021a.

1. Note that individual columns may not add to *Total Population* because of double counting in some categories. 2. Calculated as 100% less the White alone, not Hispanic or Latino percentage.

C6-2.2 Economy and Unemployment Data

As shown in **Table C6-3**, Tulare County had an estimated median household income of \$57,394 in 2021, which was approximately 32% lower than the State median of \$84,097. This is a considerable difference. The 2021 median household income for Census Tract 27.02 was \$66,528, which was also less than the State median, but well above the established 2025 poverty threshold of \$32,150 for households of four persons (**Table C6-3**). There were approximately 18,677,000 people employed in the State in 2021. The 2021 County unemployment rate of approximately 10.2% was considerably higher than the statewide unemployment rate of 6.5% (**Table C6-1**).

Table C6-3: Household Income – Subject Property and Nearby Census Tracts

Census Tract or Location	Median Household Income ¹	Average Household Size ²	Poverty Threshold ³
Subject Property			
27.02	\$66,528	3.07	\$32,150
Vicinity			
1.01	\$73,582	2.10	\$26,650
14	\$86,676	2.78	\$26,650
25	\$59,663	2.88	\$26,650
27.01	\$43,365	1.85	\$21,150
33.01	\$37,832	3.31	\$32,150
34.02	\$52,879	2.66	\$26,650
39.02	\$32,736	3.34	\$32,150
Tulare County	\$57,394	3.33	\$32,150
California State	\$84,097	2.92	\$26,650

1. U.S. Census Bureau, 2021b; 2. U.S. Census Bureau, 2021d; 3. U.S. Department of Health and Human Services, 2025. Average household size is conservatively rounded up to the nearest person

C6-2.3 Housing

In 2021, the State was estimated to have approximately 14,329,000 housing units, of which approximately 1,111,000 units (7.8%) were vacant (**Table C6-1**). The County had approximately 150,000 housing units, of which approximately 10,200 (6.8%) were vacant. The U.S. Census Bureau publishes a vacancy rate that is “net” of units that the bureau estimates are vacant for seasonal and other reasons that imply such units are not available for occupancy (e.g., vacant second homes, etc.). The 2021 U.S. Census Bureau published vacancy rate for the State and Tulare County were 2.3% and 1.5%, respectively (**Table C6-1**).

C6-2.4 Property Taxes

A total of \$34,023 in property taxes and special assessments are due for the Subject Property during the 2025-2026 fiscal year (**Table C6-4**). The Tulare County Treasurer-Tax Collector’s Office collected approximately \$537 million in County, city, school, and special district taxes during Fiscal Year 2024-2025 (Tulare County Treasurer-Tax Collector, 2024).

Table C6-4: Assessed Property Taxes FY 2025 - 2026

Assessor's Parcel Number	Assessed Property Taxes
284-760-001	\$6,042
284-760-006	\$7,503
284-770-005	\$6,868
284-770-006	\$1,850
284-770-007	\$2,495
284-760-003	\$9,265
Total	\$34,023

Source: Tulare County Treasurer-Tax Collector, 2025

C6-3 IMPACT ASSESSMENT

C6-3.1 Assessment Criteria

An impact associated with socioeconomic conditions would be considered significant if development were to lead to physical environmental impacts such as blight, which could result from negative effects to the economy or unemployment, overwhelming the local housing supply, or a substantial increase in crime.

C6-3.2 Alternative A – Proposed Project

Alternative A includes the acquisition of the 109.57-acre Subject Property into federal trust status and the subsequent development of the proposed commercial development with continued use of the agricultural (20-acre citrus grove), grazing, and open space. The economic activity from the Proposed Project would result in new jobs and additional economic activity. These are beneficial effects, but less than significant in the context of Tulare County. The job creation from the proposed commercial development may result in the in-migration of local households to the area, which could result in additional demand for housing. However, the number of jobs that would be created would be minor in the context of employment levels in the County, and only a small number of these jobs would result in in-migration of new employee households. For these reasons, the Proposed Project is not anticipated to have significant local or regional impacts on the economy, employment levels, or housing. The Tribe would no longer pay approximately \$34,000 in property taxes for the Subject Property once it goes into federal trust, which represents approximately 0.006% of the total property tax collected by the County. This level of forgone property taxes is a less than significant fiscal impact and no mitigation is warranted.

C6-3.3 Alternative B – No Action Alternative

Under the No Action Alternative, the Tribe would not receive any of the benefits associated with development of the Subject Property. The Subject Property would not be brought into trust and would remain on the County's property tax rolls. No additional development would occur on the Subject Property.

C6-4 MITIGATION MEASURES

There are no mitigation measures for Socioeconomic conditions.

Appendix C-7 Transportation and Circulation

C7-1 REGULATORY SETTING

C7-1.1 State and Local

California Department of Transportation

The Caltrans is the State agency responsible for the design, construction, maintenance, and operation of the California State Highway System, as well as the segments of the Interstate Highway System that lie within California. Caltrans District 6 is responsible for the operation and maintenance of SR-190 in the vicinity of the Subject Property. Caltrans requires a transportation permit for any transport of heavy construction equipment or materials that necessitates the use of oversized vehicles on State highways.

Tulare County General Plan

The Tulare County General Plan, Transportation and Circulation Element was updated in 2020 to emphasize sustainable growth, reduced emissions, public health, and multimodal connectivity. It transitions transportation planning to vehicle miles traveled -based analysis while maintaining the level of service (LOS) performance standard for local decision-making. The 2020 update prioritizes Complete Streets, and integrates road, rail, transit, air, and non-motorized systems to serve both rural and urban contexts. The following specific policies relate to the transportation and circulation analysis of the Proposed Project:

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 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.

C7-2 ENVIRONMENTAL SETTING

C7-2.1 Roadways

Regional access to the Subject Property is provided from SR-190, which runs east to west from Porterville to the Sequoia National Forest. Adjacent to the Subject Property, SR-190 is classified as a Minor Arterial with a speed limit of 55 mph and consists of one travel lane in each direction. Local access to the Subject Property is provided along SR-190 via a paved driveway along the western boundary of the Subject

Property as well as three informal (i.e., unpaved) dirt driveways further to the east (see **Figure 4 of Appendix A**). The average annual daily traffic (AADT) on SR-190 near the Subject Property was recorded at approximately 5,800 vehicles in 2023 (Caltrans, 2023). This level of AADT on a two-lane rural highway with a speed limit of 55 mph translates to LOS A conditions (FHWA, 2017).

C7-2.2 Pedestrian and Bicycle Facilities

There are no existing pedestrian or bicycle facilities on SR-190 adjacent to the Subject Property. The Tulare County General Plan Transportation and Circulation Element identifies a future Class 1 (off-street multi-use path) running adjacent to SR-190 and the Tule River from Porterville to County Road 320/River Island Drive (Tulare County, 2020).

C7-2.3 Transit Service

Tulare County Area Transit provides public transit services throughout the region, connecting the communities of Tulare, Visalia, Dinuba, Porterville, and Delano. There are no bus stops or transit service near the Subject Property.

C7-3 IMPACT ASSESSMENT

C7-3.1 Assessment Criteria

Impacts to the transportation system would be significant if development were to increase traffic volumes such that traffic exceeded the design capacity of the roadway or resulted in adverse effects to pedestrians, bicyclists, or transit service after implementation of feasible mitigation measures. Development would also be considered to have a significant traffic-related impact if it were to cause a deterioration in traffic operations at nearby intersections, roadway segments, freeway ramps, or freeway mainline segments to below acceptable standards specified by Tulare County.

C7-3.2 Alternative A – Proposed Project

Construction Traffic

During construction of Alternative A, additional temporary trips would be generated on the weekdays with construction work occurring during daytime hours between 7:00 a.m. and 7:00 p.m. The worker arrival peak would be between 6:00 a.m. and 7:00 a.m. and the departure peak would be between 3:30 p.m. and 4:30 p.m. These peak commute times partially coincide with local commute times. The increase in construction worker commute trips would be minimal compared to overall traffic volumes on study area roadways, and the additional trips would only occur during construction. Based on assumptions used to model air quality emissions (see **Appendix D**), construction workers would generate a maximum of 16 one-way daily vehicle trips while the proposed commercial development is constructed. Additionally, up to 9 one-way daily vendor trips would be generated for the delivery of small loads of material and/or supplies. These trips would primarily occur outside of the peak commute hours for the surrounding roadway network and equipment would be moved on and off the Subject Property on different days. The periodic delivery and removal of such equipment during mostly off-peak hours would constitute a minimal disruption of existing traffic on roadways near the Subject Property. The relatively small number of trips

required to make such deliveries and removals would not result in a noticeable change to existing traffic volumes or capacities on the surrounding roadway network.

A BMP has been included in **Table 2-1** to reduce potential construction impacts associated with traffic. In order to minimize potential conflicts between construction activity and through traffic, a construction traffic control plan would be developed for use during construction activity. The plan would identify traffic control measures, signs, and delineators to be implemented by the construction contractor during of construction. Construction traffic would be controlled in accordance with the Caltrans Traffic Manual and County standards. Because the majority of vehicle trips associated with construction activities would occur during off-peak hours and with implementation of a traffic control plan, potential impacts would be less than significant.

Operational Traffic

The specific land uses to be developed on the Subject Property have not yet been determined. However, as stated in **EA Section 2**, Alternatives, up to 50,000 sf of commercial buildings are anticipated to be developed. Because specific commercial uses are unknown at this time, trip generation rates for a generic shopping center use (Land Use Code 820) were selected from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition. The results of the trip generation calculations are shown in **Table C7-1**. As shown in the table, up to 1,850 daily vehicle trips could be generated by Alternative A, including up to 42 AM peak hour vehicle trips and up to 120 PM peak hour vehicle trips. Based on the AADT on SR-190 stated above in **Section C7-2**, the total AADT with implementation of Alternative A would be 7,650 vehicles, which still falls within the range of LOS A conditions (FHWA, 2017). Therefore, traffic related impacts would be less than significant and no mitigation is warranted.

Table C7-1: Project Trip Generation

Land Use	Daily	AM Peak Hour	PM Peak Hour
50,000 sf commercial	1,850	42	120

Source: ITE Trip Generation Manual, 11th Edition

Site Access

Access to the proposed commercial development would be provided through a driveway off SR-190, which would require the Tribe to obtain an encroachment permit from Caltrans. This required permitting process will ensure that the driveway serving the proposed commercial development meets all required Caltrans design standards. Therefore, the impact of Alternative A's driveway access on roadway operations and safety would be less than significant and no mitigation measures are warranted.

Bicycle, Pedestrian, and Transit Networks

Based on the proposed land use and the car-oriented nature of the surrounding area, Alternative A would not generate a large amount of pedestrian and bicycling activity, or transit riders along roadways adjacent to and within the Subject Property or the other public roads in the area. If the Class 1 multi-use path envisioned in the County's Transportation and Circulation Element is constructed at some point in the future adjacent to the Subject Property along SR-190, it could be used by employees or patrons who live nearby as an alternative to driving. Thus, no significant impacts would occur to bicycle and pedestrian facilities or to transit service, and no mitigation measures are warranted.

C7-3.3 Alternative B – No Action Alternative

Under the No Action Alternative, there would be no additional development constructed on the Subject Property, and consequently no increase in vehicular traffic on roadways in the vicinity of the Subject Property. There would be no change in pedestrian, bicycle, or transit circumstances.

C7-4 MITIGATION MEASURES

No mitigation measures would be required for transportation and circulation.

Appendix C-8 Land Use

C8-1 REGULATORY SETTING

C8-1.1 Federal

Farmland Protection Policy Act

The FPPA is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to non-agricultural uses. It assures that federal programs are administered in a manner that is compatible with state and local units of government, and private programs and policies to protect farmland (7 U.S.C. Section 4201).

The NRCS is responsible for the implementation of the FPPA and categorizes farmland in a number of ways. These categories include prime farmland, farmland of statewide importance, and unique farmland. Prime farmland is considered to have the best possible features to sustain long-term productivity. Farmland of statewide importance includes farmland similar to prime farmland, but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Unique farmland is characterized by inferior soils and, depending on climate, generally needs irrigation.

The NRCS fulfills the directives of the Soil and Water Conservation Act (16 U.S.C. Section 2001-2009) by identifying significant areas of concern for the protection of national resources. NRCS uses a land evaluation and site assessment system to establish a Farmland Conversion Impact Rating (FCIR) score. The FCIR is completed on form AD-1006. The FCIR form has two components: land evaluation, which rates soil quality up to 100 points, and the site assessment, which measures other factors that affect the property's viability up to 160 points.

The total FCIR score is used as an indicator for the project's sponsor to consider alternative sites if the potential adverse impacts on the farmland exceed the allowable level; however, the FPPA does not require federal agencies to alter projects to avoid or minimize farmland conversion. Sites receiving a combined score of less than 160 (out of 260 possible points) do not require further evaluation. For sites with a combined score greater than 160 points, at least two other alternatives are required to be considered and the alternative with the lowest number of points selected unless there are other overriding considerations.

C8-1.2 State and Local

Williamson Act

The California Land Conservation Act of 1965, commonly known as the Williamson Act, is designed to preserve farmlands and open space lands by discouraging premature and unnecessary conversion to urban uses. Under the provisions of the Williamson Act, landowners contract with the county to maintain agricultural or open space use of their lands in return for a reduced property tax assessment. The contract is self-renewing, and the landowner may notify the county at any time of intent to withdraw the land from

its preserve status. Withdrawal involves a 10-year period of tax adjustment to full market value before protected open space can be converted to urban uses. Alternatively, landowners can petition the County to withdraw prematurely from a Williamson Contract. In order to cancel a contract without instituting the 10-year tax adjustment period, the County must make the required findings that the cancellation is consistent with the purposes of the Williamson Act, and that cancellation is in the public interest.

Tulare County General Plan 2030 Update

The Tulare County General Plan provides the County's comprehensive, long-term plan for future land use and physical development through the year 2030. The General Plan establishes policies, objectives, and standards intended to guide growth in a way that promotes healthy and sustainable communities while protecting the County's extensive agricultural lands. Growth is directed toward urban areas, with a strong emphasis on balancing infrastructure, housing, economic vitality, and the protection of agricultural and natural resources.

The Tulare County General Plan serves as the overarching framework for land use in the County, providing guidance for zoning, development standards, and conservation policies that apply to areas surrounding the Subject Property until such time as land is taken into federal trust.

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

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

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

AG-1.10: Extension of Infrastructure into Agricultural Areas. The County shall oppose extension of urban services, such as sewer lines, water lines, or other urban infrastructure, into areas designated for agriculture use unless necessary to resolve a public health situation. Where necessary to address a public health issue, services should be located in public rights-of-way in order to prevent interference with agricultural operations and to provide ease of access for operation and maintenance. Service capacity and length of lines should be designed to prevent the conversion of agricultural lands into urban/suburban uses.

AG-1.14: Right-to-Farm Noticing. The County shall condition discretionary permits for special uses and residential development within or adjacent to agricultural areas upon the recording of a Right-to-Farm Notice (Ordinance Code of Tulare County, Part VII, Chapter 29, Section 07-29-1000 and following) which is an acknowledgment that residents in the area should be prepared to accept the inconveniences and discomfort associated with normal farming activities and that an established agricultural operation shall not be considered a nuisance due to changes in the surrounding area.

Goal LU-1: To encourage the overall economic and social growth of the County while maintaining its quality of life standards and highly efficient land use.

LU-1.3: Prevent Incompatible Uses. The County shall discourage the intrusion into existing urban areas of new incompatible land uses that produce significant noise, odors, or fumes.

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

Goal LU-2: To provide for the long-term conservation of productive and natural resource lands including agricultural, foothill, mountain, and riparian areas and to accommodate services and related activities that support the continued viability and conservation of resource lands.

LU-2.1: Agricultural Lands. The County shall maintain agriculturally-designated areas for agriculture use by directing urban development away from valuable agricultural lands to cities, unincorporated communities, hamlets, and planned community areas where public facilities and infrastructure are available.

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

LU-2.4: Residential Agriculture Uses. The County shall limit, to the extent allowed by law, residential development of lands designated for agricultural use. Only residences needed to support farming operations, agriculture, tourism, and agricultural support services shall be allowed.

Goal LU-4: To maintain economic vitality and promote the development of commercial uses that are compatible with surrounding land uses and meet the present and future needs of County residents, the regional community, and visitors.

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

LU-4.4: Travel-Oriented Tourist Commercial Uses. The County shall require travel-oriented tourist commercial uses (for example, entertainment, commercial recreation, lodging, fuel) to be used in areas where traffic patterns are oriented to major arterials and highways. Exceptions may be granted for resort or retreat related developments that are sited based on unique natural features.

LU-4.5: Commercial Building Design. The County shall encourage that new commercial development is consistent with the existing design of the surrounding community or neighborhood by encouraging similar façades, proportionate scale, parking, landscaping, and lighting.

Foothill Growth Management Plan

Adopted as a formal element of the General Plan, the Foothill Growth Management Plan provides a comprehensive policy framework for guiding foothill development and ensuring consistency with other General Plan elements, including land use, open space, recreation, urban boundaries, and scenic highways. The plan originated in 1976, when the Board of Supervisors directed the Planning Department to prepare a land use policy that would rationally direct urban growth, maintain the viability of foothill agriculture, and ensure that new development occurs in areas serviceable by public agencies in a safe and cost-efficient manner.

FGMP-1: To maintain the natural beauty of the foothills while allowing focused growth in identified growth areas.

FGMP-1.13. Planned development within the foothills may be located within development corridors on lands designated Foothill Mixed Use (FMU) and zoned Planned Development-Foothill Combining-Special Mobile Home Zone (PD-F-M), or within development corridors delineated on a Master Development Plan, established in compliance with the FGMP first and second level planning criteria, where an area has been designated as a Planned Community Area in the FGMP and zoned Planned Community (PC) pursuant to requirements of the Tulare County PC Zoning Ordinance. PCA land uses shall include equivalent General Plan land use designation allowed within UDBs.

Goal 9.E: Maintain and preserve extensive and intensive agricultural uses in the foothill area.

9.E.1. Protective extensive and intensive agricultural areas, as identified by the Foothill Growth Management Plan from encroachment of non-agricultural uses, through the use of large lot exclusive agricultural zoning.

9.E.3. Limit residential development densities within the “Planned Development-Foothill” areas of Success Valley in order to avoid conflicts with intensive agricultural uses in the Valley.

Goal 9.F: Provide local protection of scenic highways and roads within the foothills.

9.F.3. Require that development along all scenic highways and roads meet the development standards of the Foothill Growth Management Plan.

9.F.5. Projects proposed on lands inside a scenic corridor with a non-agricultural or non-open space land use designations shall be encouraged to use a cluster development concept. Appropriate land uses for the open space areas shall include, but will not be limited to, public or private open space, wildlife habitat or agriculture.

In addition to these policies, the Chapter 13.2 of the Foothill Growth Management Plan specifies minimum Development Standards to be met by new development. Examples of these include the following:

Scenic Highway Corridor

38. No new off-premises outdoor advertising signs shall be allowed in scenic corridors.
39. All new utility improvement shall be located underground if the property lies in a scenic corridor.

40. Grading and cut and fill operations shall be kept to a minimum in scenic corridors. All exposed slopes are to be planted with native materials.
41. Existing vegetation and unique land forms (rock outcrops, etc.) shall be retained and protected from any unnecessary grading or other development related activities.
42. Individual businesses in scenic corridors with on-site signs pertaining to the identification of the permitted use shall be flat to the primary building façade.
43. In scenic corridors, on premise, free-standing signs identifying the use of the property shall require discretionary approval by the Planning Commission based on design, setbacks, size, architectural compatibility, traffic safety, and visibility.

C8-2 ENVIRONMENTAL SETTING

C8-2.1 Subject Property Land Use and Zoning

The 109.57-acre Subject Property is located within unincorporated Tulare County, approximately 5 miles northwest of the City of Porterville. The Subject Property is currently developed with rural residential and agricultural uses, including citrus orchards, open space, and grazing. The Subject Property is designated land use Development Corridor within the Foothill Growth Management Plan area of the Tulare County General Plan.

The Subject Property and adjacent parcels to the north, south, east, and west are zoned PD-F-M (Planned Development – Foothill Combining – Mobilehome) (**Figure 9 of Appendix A**). This zoning designation is a combination of three zones:

- PD (Planned Development) Zone – provides for coordinated planning of land uses, including residential, commercial, professional, industrial, mixed-use, and open space development.
- F (Foothill Combining) Zone – applies to foothill areas within the Foothill Growth Management Plan and establishes a review process for development in areas with unique physical, natural, and visual conditions.
- M (Special Mobilehome) Zone – permits mobilehome use in conjunction with other zoning districts, including PD-F, in rural and foothill settings.

C8-2.2 Surrounding Land Uses and Zoning

Land uses surrounding the Subject Property include agricultural operations, tribal trust land, rural residences, recreational development, and open space. SR-190 borders the property along its northern edge, providing regional access. North of the highway are limited commercial uses and undeveloped land. West of the Subject Property, lands are developed with recreational uses, including the Lake Success Mobile Lodge, with Lake Success located farther west. Along the eastern boundary, the site directly abuts Tribal trust land that is location of Eagle Feather Trading Post and Tule River Economic Development Corporation. South of the Subject Property, the landscape consists of rolling undeveloped hills that transition into agricultural lands.

Zoning surrounding the Subject Property consists of several types:

- South: PD-F-M (Planned Development–Foothill Combining–Mobilehome), transitioning farther south to AE-20 (Exclusive Agriculture).
- North: PD-F-M, transitioning to AF (Foothill Agriculture) beyond.
- East: PD-F-M, with adjacent Tule River Indian Tribe Trust Property.
- West: PD-F-M, with farther areas zoned AF (Foothill Agriculture).

The area surrounding the Subject Property lies within the Foothill Growth Management Plan area of Tulare County, which applies special development standards in the foothill region. Furthermore, SR-190, directly north of the Subject Property, is identified as a Scenic Corridor in Part II-Chapter 2. Corridors Framework Plan of the Tulare County General Plan. The County can adopt Scenic Highway Corridor Plans for areas which are located along routes established or eligible as State Scenic Highways. Currently, there is no known Scenic Highway Corridor Plan in place for SR-190 and SR-190 is not designated a State Scenic Highway, but is eligible (Caltrans, 2025).

The nearest airport to the Subject Property is the Portville Municipal Airport, approximately 10.3 miles southwest. The Subject Property is not within an airport use plan.

C8-2.3 Agriculture

The Tulare County Crop and Livestock Report (2023) identifies the County as one of the leading agricultural producers in California, with a total gross production value of approximately \$7.87 billion. Milk remains the highest-value commodity at just over \$2.0 billion, followed by livestock and poultry at nearly \$988 million, fruit and nut crops at \$4.03 billion, and field crops at \$554 million. Citrus, including oranges, is among the County's most important fruit commodities, though production value has fluctuated in recent years due to market conditions and yields (Tulare County, 2023).

As shown on **Figure 10** of **Appendix A**, the Subject Property contains areas designated as Farmland of Statewide Importance and Unique Farmland, primarily located in the northwestern portion of the site where a 20-acre citrus grove is actively cultivated. The balance of the property is used for grazing and open space. The Subject Property is not enrolled in the Williamson Act and therefore is not under long-term agricultural preservation contracts (CDCC, 2025).

C8-3 IMPACT ASSESSMENT

C8-3.1 Assessment Criteria

Land use impacts would be significant if the alternative results in conflicts with surrounding land uses or would inhibit the implementation of regional, State, and local land use plans for surrounding properties. Significant land use impacts may also occur if the alternative would convert a significant amount of Prime Farmland or Farmland of Statewide/Local/Unique Importance to other uses, as determined by the FPPA.

C8-3.2 Alternative A – Proposed Project

Land Use Compatibility

Alternative A would result in approximately 109.57 acres of land being transferred from fee to federal trust, which would remove it from County land use jurisdiction. Once in trust, Tulare County land use regulations and zoning would no longer apply to the Subject Property. However, the proposed uses—including 4.3 acres of commercial development and continued use of the 20-acre citrus grove—would not conflict with the existing PD-F-M (Planned Development–Foothill Combining–Mobilehome) zoning designation or with adjacent agricultural, recreational, and commercial uses. The Subject Property is designated land use Foothill Mixed Use and within a Development Corridor in the Foothill Growth Management Plan area. This plan permits development in areas zoned as PD-F-M and within Development Corridors per Policy FGMP-1.13, and therefore the proposed development is consistent with existing

planning framework as it maintains agricultural uses and introduces limited clustered commercial development in permitted areas. Furthermore, Alternative A would not interfere with access to or operation of adjacent properties, including nearby recreational uses such as the Lake Success Mobile Lodge to the west. The proposed development components are designed to complement rather than displace existing surrounding land uses, and no conflicts with adopted land use plans or zoning would occur.

The Subject Property is along an identified Scenic Corridor under the Tulare County General Plan, but there is currently no known management plan in place for the corridor. However, the Foothill Growth Management Plan specifies Development Standards for new development within its planning area along Scenic Highway Corridors, such as, but not limited to, retaining existing vegetation and no new off-site advertising signs. Alternative A would not include intrusive signage or features along SR-190 and only a small portion of the Subject Property would be developed, 4.3 acres of 109.57 acres, thus retaining the majority of existing vegetation and unique land forms. As specified above, Alternative A would complement rather than displace existing surrounding land uses. In addition, Alternative A does not involve expansion of public utilities or roadway infrastructure that would remove obstacles to growth or induce additional development in the region. For these reasons, land use impacts under Alternative A would be less than significant, and no mitigation measures are warranted.

Agriculture

Based on **Figure 10** of **Appendix A**, portions of the Subject Property are designated by FMMP as Farmland of Statewide Importance and Unique Farmland, located primarily in the western portion of the site where the citrus grove is actively cultivated. The development component under Alternative A are located in areas of the property that are not designated as Farmland of Statewide Importance or Unique Farmland and do not overlap with the active citrus grove. Agricultural activities on the Subject Property, including the 20-acre citrus grove, would continue in operation following implementation of the Proposed Project.

Alternative A would also not preclude the ongoing agricultural uses of adjacent parcels, which include orchards, grazing, and open space. Therefore, there would be no conversion of designated farmland under Alternative A, and this impact would be less than significant.

C8-3.3 Alternative B – No Action Alternative

Under the No Action Alternative, the Subject Property would remain under County jurisdiction, and no further development would occur on the Subject Property than what currently exists. Therefore, land use consistency or compatibility impacts would not occur under this alternative.

C8-4 MITIGATION MEASURES

There are no mitigation measures for land use.

Appendix C-9 Public Services

C9-1 REGULATORY SETTING

C9-1.1 Federal

Safe Drinking Water Act and Clean Water Act

See **Section C2-1** above.

Public Law 280

Public Law 280 was enacted in 1953 to grant certain states criminal jurisdiction over Indians on reservations in addition to permitting civil litigation under tribal or federal court jurisdiction to be handled by state courts. The states mandated to assume criminal and civil jurisdiction over federal Indian lands are Alaska, California, Minnesota, Nebraska, Oregon, and Wisconsin, although certain tribal lands are exempt, including Metlakatla Indian Community on the Annette Island Reserve, Red Lake Reservation, and Warm Springs Reservation. In addition to these states, other states elected to assume full or partial responsibility, including Arizona, Florida, Idaho, Iowa, Montana, Nevada, North Dakota and Utah. The federal government relinquished all special criminal jurisdictions over Indian offenders and victims in these states. However, Public Law 280 does not grant states the following regulatory powers over lands held in federal trust or tribes:

- Federally guaranteed fishing, tribal hunting, and trapping rights;
- Fundamental tribal governmental functions, such as domestic relations and tribal enrollment; and
- Authority to impose state taxes.

Due to the one-sided process that imposed state jurisdiction on tribes and the failure to recognize tribal sovereignty and tribal self-determination, Public Law 280 was opposed by Indian Nations from its enactment. Subsequent acts of Congress, court decisions, and state actions to retrocede (or give back) jurisdiction back to the federal government have mitigated some of the effects of the 1953 law and strengthened tribes' jurisdiction over civil and criminal matters on their reservations.

C9-1.2 State and Local

California Integrated Waste Management Act (AB 939)

In 1989, the State of California enacted AB 939, the California Integrated Waste Management Act, which requires jurisdictions to conduct a solid waste disposal needs assessment that estimates the disposal capacity needed to accommodate projected solid waste generated within the jurisdiction and to identify a minimum of 15 years of permitted disposal capacity. All local jurisdictions are required to divert 50 percent of their total waste stream from landfill disposal.

California Senate Bill 1383- Organic Waste

Requires cities, counties, and special districts to provide organic waste collection services to all residents and businesses and to conduct education and outreach on organics recycling. The bill mandates a 75 percent reduction in organic waste sent to landfills by 2025, compared to the 2014 levels, to decrease methane emissions. This requires cities and residents to implement and participate in organic waste collection services, such as composting anaerobic digestion, as well as to recover 20 percent of edible food, statewide, to be recovered for human consumption if it would otherwise be disposed of.

California Department of Water Resources, Water Well Standards

Governs the general standards, construction, alteration, maintenance, and destruction of various types of wells on lands under State jurisdiction, including water wells (for domestic, agricultural and municipal use), monitoring wells, cathodic protection wells, and geothermal heat exchange wells. It includes minimum standards for water wells to protect the state's groundwater quality. The standards are outlined in a series of publications, primarily Bulletin 74-81 and its supplement, Bulletin 74-90. The primary goal is to prevent groundwater contamination. Improperly constructed, altered, or destroyed wells can serve as a direct conduit for pollutants to enter and degrade the underground water supply.

Tulare County General Plan

The Tulare County General Plan outlines the County's goals and policies related to public facilities and services, including water supply, wastewater, storm drainage, solid waste, communications systems, fire protection and law enforcement, schools and community facilities, energy facilities, and work plan/implementation measures. The goals are to establish and maintain acceptable levels of service, minimize costs, and provide criteria for determining the location, capacity, and timing of existing and future public facilities and services.

Tulare County Integrated Waste Management Plan

The Tulare County Integrated Waste Management Plan is designed to manage solid waste and reduce the amount of material sent to landfills. It was developed in accordance with the California Integrated Waste Management Act of 1989, which set goals for waste reduction and recycling for all jurisdictions in the state. It provides the following elements: a source reduction and recycling element, a household hazardous waste element, non-disposal facility element, and Countywide siting element for the incorporated and unincorporated areas of the County.

C9-2 ENVIRONMENTAL SETTING

C9-2.1 Water Supply

Currently there is no municipal water supplied to the Subject Property. It currently receives water from groundwater wells for irrigation of the orchards. A domestic well provides water to the residential property on site.

C9-2.2 Wastewater Service

Currently the Subject Property does not have access to municipal wastewater treatment services. The existing residence is connected to a septic system for wastewater disposal.

C9-2.3 Solid Waste

Tulare County Solid Waste Department is the lead planning agency for solid waste management in the County, but does not oversee, regulate, or provide waste collection services. Waste Management, Inc. provides collection services in unincorporated areas of the County, including the Subject Property (Tulare County, 2025). Solid waste is sent to either the Visalia Disposal Site or Woodville Landfill, both operated by the County. The County also operates six transfer stations, the closest of which is the Springville Transfer Station located approximately 3.6 miles east of the Subject Property. The Woodville Landfill went through an expansion to an overall capacity of 27.5 million cubic yards, and the anticipated closure date was extended to the year 2074 (Tulare County, 2021). The Visalia Disposal Site is currently permitted to receive up to 2,000 tons of waste per day and is going through an environmental review and permitting process to install additional composting and processing equipment and increase its daily capacity (CalRecycle, 2023).

C9-2.4 Electricity and Natural Gas

Electricity service in County is provided by SCE, which is an investor-owned public utility. SCE is one of the largest electric utility companies in Southern California, with 15 million electric customers and a service area of 50,000 square miles. SCE electricity is generated from a variety of sources, including hydroelectric power, nuclear, solar, natural gas, fuel, and more (SCE, 2025). There is existing electrical infrastructure line that runs along SR-190, directly north of the Development Area.

There is an above ground propane tank located on the Subject Property that supplies gas to the existing residence. Natural gas provision in the County is privately operated and maintained by SoCalGas, a regulated subsidiary of Sempra. Today, SoCalGas serves approximately 21.1 million customers in more than 500 communities across 24 thousand square miles of California. SoCalGas's service areas extend from Central to Southern California, from Visalia to the border of Mexico (SoCalGas, 2025a). Their service map indicates they provide natural gas to Tulare County and surrounding areas (SoCalGas, 2025b). There is a high pressure gas distribution line that runs along SR-190 (SoCalGas, 2025c), directly north of the Development Area.

C9-2.5 Law Enforcement

The TCSO provides law enforcement services for the unincorporated portions of the County, which includes the Subject Property. The department's headquarters are in Visalia, but there is a substation in Porterville. The Sheriff's Department is organized into seven divisions: Policy and Training, Patrol, Administrative Support, Detentions, Administrative Services, Operations Support, and Investigations (Tulare County Sheriff, 2025a). There is a total of 857 personnel in the TCSO that includes 586 sworn officers and 271 support staff (Tulare County Sheriff, 2025b). The TCSO Porterville Substation is about 7 miles west of the Subject Property and is overseen by Lt. Josh Lowry, who is the active Reservation Liaison (Tulare County Sheriff, 2025c).

The Tribe has established a Tribal Police Department and a cross-deputation agreement with the US Department of Interior, BIA, and Office of Law Enforcement and Justice Services. This allows for Tribal Peace Officers to be cross deputized as Federal Police Officers. The Tule River Tribal Police Department (TRTPD) totals five officers.

C9-2.6 Fire Protection and Emergency Medical Services

Fire Protection and first-response emergency medical aid for unincorporated areas of Tulare County are primarily provided by the TCFD. The closest County stations to the Subject Property are Doyle Colony Fire Station in Porterville (5.4 miles southwest) and Springville Fire Station in Springville (4.5 mile northeast). The TCFD works with the California Department of Forestry and Fire Protection to provide fire protective services to all areas of the County. The U.S. Forest Service would provide wildland fire protection assistance to the TCFD and the Calfire.

The Tule River Indian Tribe established its own structural Fire Department to serve the fire protection needs of the Tule River Indian Reservation. The Tribe's fire facility approximately 6.3 miles southeast from the Subject Property. Current staffing includes 14 full-time fire personnel; each trained as a firefighter and emergency medical technician. They work three shifts with a 48/96 schedule, 24 hours a day, seven days a week, 365 days a year. The wildland branch is seasonal, and has five to seven personnel, seven days a week, eight hours a day during the wildland fire season (TRIR, 2025b).

The Tribe and the BIA also entered into a mutual aid agreement with the TCFD if additional mutual aid assistance is needed. This agreement provides a mechanism to reimburse the Tribe for non-recurring expenditures for actual costs in excess of program funding for wildland fire, fuels, and incident response management activities (Tule River Reservation, 2025).

The Tule River Indian Health Center is approximately 6.3 miles southeast of the Subject Property, located on the Reservation, approximately 18 miles east of Porterville. The health center provides comprehensive health care to Native Americans. Sierra View Medical Center, located at 465 W Putnam Ave, Porterville, is about 7.6 miles west of the Subject Property. This medical center provides full-service acute care, hospital services, and emergency services (Sierra View Medical Center, 2025).

C9-2.7 Public Schools

The Subject Property is located within the PUSD. PUSD comprises of 23 schools, including ten elementary schools, four middle schools, eight high schools and Porterville adult school. In addition, there are preschool programs and a community day school (PUSD, 2025). The PUSD serves approximately 13,963 students in the 2023 – 2024 school year (National Center for Education Statistics, 2025). The nearest school to the Subject Property is Granite Hills High School and is approximately 5 miles west of the Subject Property.

C9-2.8 Parks and Recreation

Tulare County Parks and Recreation is responsible for the operation and maintenance of 11 Parks Countywide. The closest park to the Subject Property is Bartlett Park, approximately 3 miles southwest of the Subject Property (Tulare County Parks and Recreation, 2025).

C9-3 IMPACT ASSESSMENT

C9-3.1 Assessment Criteria

An adverse effect would occur if project-related demands on public services would cause an exceedance of system capacities that result in significant effects to the physical environment.

C9-3.2 Alternative A – Proposed Project

Water Supply

As no change is proposed in the operation of the orchard or residence, no changes to the water demand from these uses is anticipated and water would continue to be supplied to the orchard and residence through existing on-site wells. The proposed commercial development would be supplied through a new groundwater well installed on the Subject Property. There would be no impacts to municipal water systems since they will not be used.

Wastewater

As no change is proposed to the residence, no changes to the wastewater generated by the existing residence is anticipated and the residence would continue to use the existing on-site septic system. A new on-site septic system would be installed to accommodate the proposed commercial development. There would be no impacts to municipal wastewater systems since they will not be used.

Solid Waste Service

Solid waste from construction may include vegetation removal, paper, wood, glass, aluminum, and plastics from packing materials; waste lumber; insulation; empty non-hazardous chemical containers; concrete; metal, including steel from welding/cutting operations; and electrical wiring. These solid waste materials are typical of construction sites and would most likely be collected by Waste Management, Inc. trucks after being contracted for services prior to construction. Solid waste generated from the construction of Alternative A would be temporary and therefore would not impact long-term capacity of local landfills or private hauling companies. Once in operation, the commercial development would slightly increase the generation of solid waste compared to the existing residence on the Subject Property. Retail commercial buildings typically dispose of 2.5 pounds of solid waste per day per 1000 sf (CalRecycle, 2019); therefore, the proposed commercial development would generate an additional up to 125 pounds of solid waste per day or 22.8 tons of solid waste per year. Waste generated by Alternative A would be a small percentage of the daily waste stream processed at local landfills. Therefore, construction and operation of Alternative A would not result in a significant effect to solid waste services and no mitigation measures are warranted.

Electricity and Natural Gas

All buildings would be built to meet or exceed the standards set forth in the IBC. Although unlikely, construction on the Subject Property could damage underground utilities and lead to outages and/or serious injury. However, before construction of Alternative A, the Tribe will contact the State Utility Notification Center to notify the utility service providers of excavation at the work site in order to avoid

unintentional disruption to existing utilities as specified in the BMP described in **Table 2-1**, which would ensure potential impacts to utilities during construction are less than significant.

There is existing electrical infrastructure that can be extended and used for the proposed commercial development. SoCalGas has a high pressure gas distribution line that runs along SR-190 (SoCalGas, 2025c) that could be connected to the proposed commercial development. The Tribe would coordinate with SCE and SoCalGas for any connections that are needed prior to installation. Construction requirements, such as trenching and laying service lines, is expected and would result in minor temporary impacts and bare earth would be re-seeded. There would be a less than significant impact and no mitigation measures are warranted.

Law Enforcement

Under Alternative A, the Tribal Police Department and the TCSO will provide law enforcement services to the Subject Property after being taken into trust pursuant to Public Law 280. Under Public Law 280, the TCSO may exercise concurrent criminal jurisdiction depending on the nature of the crime and the parties involved. The proposed commercial development would result in a negligible increase in demands on the Tribal Police Department and Sheriff's department due to its limited size and scope. Calls for service would not be disproportionate to other small-scale developments in the County. The minimal increase is not anticipated to require new or expanded facilities to provide services as a consequence of the development on the Subject Property; therefore, impacts to law enforcement would be less than significant and no mitigation measures are warranted.

Fire Protection and Emergency Medical Services

Construction of Alternative A would require construction vehicles and equipment, such as welders, torches, and grinders, that may accidentally spark and ignite vegetation or building materials. BMPs in **Table 2-1** are provided to minimize potential adverse effects related to fire risks. Thus, potentially adverse impacts during construction would be less than significant and no mitigation measures are warranted.

Operation of Alternative A would not create substantial additional demand for fire protection and emergency services from the Tule River Fire Department or TCFD due to the limited size and scope of the proposed commercial facility. The Tule River Fire Department would assume primary fire protection responsibilities for the Subject Property. Calls for service would not be disproportionate to other small-scale developments in the County. The minimal increase is not anticipated to require the departments to build new or expand facilities to provide services as a consequence of the development on the Subject Property and impacts to fire protection and emergency service providers would be less than significant and no mitigation measures are warranted.

Schools and Parks

Impacts to PUSD as a result of Alternative A would be negligible due to the limited size and scope of the proposed development. Any new employees required to staff the commercial development area are expected to already live in the vicinity of the Subject Property and therefore would not result in a substantial number of new families moving to the area that could impact local schools.

The nearest park is approximately 3 miles away from the Subject Property. Alternative A is not expected to significantly increase visitation to these parks because it would not significantly increase the population in the County. Therefore, less-than-significant impacts to schools and parks would occur and no mitigation measures are warranted.

C9-3.3 Alternative B – No Action Alternative

No development would occur under this alternative, and the Subject Property would remain in its current state. No public services impacts would occur under the No Action Alternative.

C9-4 MITIGATION MEASURES

There are no mitigation measures for public services.

Appendix C-10 Noise

C10-1 ACOUSTICAL BACKGROUND AND TERMINOLOGY

C10-1.1 Fundamentals of Sound

Sound is defined as any pressure variation in air that the human ear can detect and is technically described in terms of loudness (amplitude) and frequency (pitch). The standard unit of sound amplitude measurement is the decibel (dB). The dB scale uses the hearing threshold (20 micropascals of pressure), as a point of reference, defined as 0 dB. Other sound pressures are then compared to the reference pressure, and the logarithm is taken to keep the numbers in a practical range. The dB scale allows a million-fold increase in pressure to be expressed as 120 dB.

The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable, and can be approximated by weighing the frequency response of a sound level meter by means of the standardized A-weighting network. There is a strong correlation between A-weighted sound levels (expressed as dBA) and community response to noise. For this reason, the dBA sound level has become the standard tool of environmental noise assessment. Noise levels reported in this section are in terms of A-weighted levels in dB.

Community noise is commonly described in terms of the “ambient” noise level, which is defined as the all-encompassing noise level associated with a given noise environment. A common statistical tool to measure the ambient noise level is the average, or equivalent sound level (L_{eq}) over a given time period (usually one hour). The L_{eq} is the foundation of the Day-Night Average Level (L_{dn}) noise descriptor and shows very good correlation with community response to noise. The L_{dn} is based upon the average noise level over a 24-hour day, with a +10 dB weighting applied to noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were louder than daytime exposures. Because L_{dn} represents a 24-hour average, it tends to disguise short-term variations in the noise environment. L_{dn} -based noise standards are commonly used to assess noise effects associated with traffic, railroad, and aircraft noise sources.

Effects of Noise on People

The effects of noise on people can be placed in three categories:

- Subjective effects of annoyance, nuisance, and dissatisfaction
- Interference with activities such as speech, sleep, and learning
- Physiological effects such as hearing loss or sudden startling

Environmental noise typically produces effects in the first two categories. Workers in industrial plants can experience noise in the last category. There is no completely satisfactory way to measure the subjective effects of noise or the corresponding reactions of annoyance and dissatisfaction. A wide variation in individual thresholds of annoyance exists and different tolerances to noise tend to develop based on an individual's past experiences with noise. Thus, an important way of predicting a human reaction to a new noise environment is the way it compares to the existing environment to which one has adapted: the ambient noise level.

In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will be judged by those hearing it. With regard to increases in A-weighted noise level, the following relationships occur:

- Except in carefully controlled laboratory experiments, a change of 1-dBA cannot be perceived;
- Outside of the laboratory, a 3-dBA change is considered a just-perceivable difference;
- A change in level of at least 5-dBA is required before any noticeable change in human response would be expected; and
- A 10-dBA change is subjectively heard as approximately a doubling in loudness and can cause an adverse response.

Generally, most noise is generated by transportation systems, principally motor vehicle noise, but also including aircraft noise and rail noise. The level of traffic noise depends on three things: 1) the volume of the traffic, 2) the speed of the traffic, and 3) the number of trucks in the flow of the traffic. Because noise is measured on a logarithmic scale, 70 dBA plus 70 dBA does not equal 140 dBA. Instead, two sources of equal noise added together have been found to result in an increase of 3 dBA. That is, if a certain volume of traffic results in a noise level of 70 dBA the addition of the same volume of traffic, or doubling, would result in a noise level of 73 dBA. As stated above, 3 dBA is just audible; therefore, if a project doubles the traffic volume there would be an audible increase in the ambient noise level.

Noise attenuates (lessens) at a rate of 6 to 9 dBA per doubling of distance from the source, depending on environmental conditions (i.e., atmospheric conditions and noise barriers, vegetative or manufactured, etc.). Widely distributed noises, such as a large industrial facility or a street with moving vehicles would typically attenuate at a lower rate, approximately 4 to 6 dBA per doubling of distance.

C10-2 REGULATORY SETTING

C10-2.1 Federal

Federal Noise Abatement Criteria

Operational noise standards used in this study are FHWA NAC for the assessment of noise consequences related to surface traffic and other project-related noise sources. These standards are discussed below. The FHWA establishes NAC for various land uses that have been categorized based upon activity. Land uses are categorized on the basis of their sensitivity to noise as indicated in **Table C10-1**. The FHWA NAC is based on peak traffic hour noise levels. Sensitive receptors with the potential to be impacted by the project alternatives primarily consist of residential land uses; thus, the Category B noise standard (67 dBA L_{eq}) would apply to those uses.

Table C10-1: Federal Noise Abatement Criteria Hourly A-Weighted Sound Level Decibels

Activity Category	Activity Criteria Leq (h), dBA	Evaluation Location	Activity Category Description
A	57	Exterior	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B	67	Exterior	Residential.
C	67	Exterior	Active sport areas, amphitheaters, auditoriums, campgrounds, cemeteries, daycare centers, hospitals, libraries, medical facilities, parks, picnic areas, places of worship, playgrounds, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, recreation areas, Section 4(f) sites, schools, television studios, trails and trail crossings.
D	52	Interior	Auditoriums, daycare centers, hospitals, libraries, medical facilities, places of worship, public meeting rooms, public or non-profit institutional structures, radio studios, recording studios, schools, and television studios.
E	72	Exterior	Hotels, motels, offices, restaurants/bars, and other developed lands, properties or activities not included in A-D or F.
F	--	--	Agriculture, airports, bus yards, emergency services, industrial, logging, maintenance facilities, shipyards, utilities (water resources, water treatment, electricity), and warehousing.
G	--	--	Undeveloped lands that are not permitted.

Source: Title 23 CFR Part 772, Table 1 to Part 772 – Noise Abatement Criteria

Federal Transit Administration Transit Noise and Vibration Impact Assessment Manual (2018)

The FTA has adopted vibration standards that are used to evaluate potential building damage impacts related to construction activities. The vibration damage criteria adopted by the FTA are shown in **Table C10-2**. The FTA has also adopted standards associated with human annoyance for groundborne vibration impacts for three land use categories: (1) High Sensitivity; (2) Residential; and (3) Institutional. **Table C10-3** describes these three categories as well the associated vibration thresholds associated with human annoyance for these categories.

Table C10-2: Construction Vibration Damage Criteria

Building Category	Peak Particle Velocity (inches/second)
Reinforced concrete, steel or timber (no plaster)	0.5
Engineered concrete and masonry (no plaster)	0.3
Non-engineered timber and masonry buildings	0.2
Buildings extremely susceptible to vibration damage	0.12

Source: FTA, 2018

Table C10-3: Groundborne Vibration Impact Criteria for General Assessment

Land Use Category	Frequent Events ¹	Occasional Events ²	Infrequent Events ³
Category 1: Buildings where vibration would interfere with interior operations	65 VdB	65 VdB	65 VdB
Category 2: Residences and buildings where people normally sleep	72 VdB	75 VdB	80 VdB
Category 3: Institutional land uses with primarily daytime use	75 VdB	78 VdB	83 VdB

Source: FTA, 2018

¹ More than 70 events per day

² 30-70 events per day

³ Fewer than 30 events per day

VdB = Vibration decibels

In addition, the FTA manual outlines guidelines for evaluating construction noise impacts across various land use categories, which the general assessment is presented in **Table C10-4**.

Table C10-4: General Assessment Construction Noise Criteria

Land Use	Day Leq	Night Leq
Residential	90 dBA	80 dBA
Commercial	100 dBA	100 dBA
Industrial	100 dBA	100 dBA

Source: FTA, 2018

C10-2.2 Local

Tulare County General Plan

The Tulare County General Plan Noise Element provides the policy framework for addressing potential noise impacts in project review and long-range planning, consistent with Government Code Section 65302(f). It establishes baseline noise exposure data to guide implementation of Title 24 interior standards and to identify potential land use conflicts. The Noise Element focuses on local noise sources such as industrial, commercial, agricultural, and residential activities, while traffic, rail, and aircraft noise remain regulated by state and federal law.

Goal 4.A. Protect the citizens of Tulare County from the harmful effects of exposure to excessive noise.

Policy 4.A.1. Areas within Tulare County shall be designated as noise-impacted if exposed to existing or projected future noise levels at the exterior of buildings which exceed 60 dB L_{dn} (or CNEL).

C10-3 ENVIRONMENTAL SETTING

For the fundamentals of sounds, effects of noise on people, and characteristics of vibrations, please refer to **Section C10-1**.

The dominant noise sources in the vicinity of the Subject Property are traffic along SR-190 along with agricultural operations and scattered rural residential uses in the surrounding areas. Other localized noise sources include occasional commercial and recreational activities from nearby developments, such as the Lake Success Mobile Lodge (southwest of the Subject Property) and Eagle Feather Trading Post (northeast

of the Subject Property). The estimated ambient noise level in the Subject Property area is approximately 55 dBA L_{eq} (24-hour average), assumed to be primarily due to regional traffic from SR-190 (U.S. Department of Transportation, 2025).

Some land uses are considered more sensitive to noise than others due to exposure duration, insulation, and activity type. Residences, schools, libraries, churches, hospitals, nursing homes, and outdoor recreation areas are generally more sensitive than commercial or industrial uses. A sensitive receptor is defined as any living entity or aggregate of entities whose comfort, health, or well-being could be impaired or endangered by noise in the environment.

The nearest sensitive receptor to the Subject Property includes a single-family residence located approximately 0.13-mile west of the proposed commercial development area, with an additional single-family residence located approximately 0.22 miles west of the proposed commercial development area, across SR-190.

C10-4 IMPACT ASSESSMENT

C10-4.1 Assessment Criteria

The assessment of potential noise and vibration impacts from development is based on federal standards/guidelines from the FHWA and FTA, as well as applicable local policies. Adverse noise or vibration effects at existing sensitive receptor locations would be considered significant if any of the following conditions occur as a result of Alternative A:

Construction Noise and Vibration

- Construction noise levels exceed the FTA noise thresholds guidelines for residential receptors: 90 dBA L_{eq} during daytime or 80 dBA L_{eq} at night.
- Groundborne vibration levels exceed 85 VdB for annoyance or 0.2 in/sec ppv for potential structural damage at nearby sensitive uses.

Operation Noise

- Project-generated traffic increases exterior noise at sensitive receptors beyond FHWA NAC, 67 dBA L_{eq} for residential uses where such thresholds are not currently exceeded.
- Project-generated on-site operation noise causes noise levels at existing sensitive receptors to exceed 60 dB L_{dn} (or CNEL) per the Tulare County General Plan.

C10-4.2 Alternative A – Proposed Project

Construction Noise

During construction of the proposed commercial development under Alternative A, noise from construction activities would add to the noise environment in the immediate vicinity of the Subject Property. Typical construction activities could generate maximum noise levels up to 85 dBA at a distance of 50 feet, as indicated in **Table C10-5**. These noise levels may vary depending on the particular type, number, and duration of use of various pieces of construction equipment. Noise attenuates (lessens) at 6 – 9 dBA per doubling of distance from the source, depending on environmental conditions (e.g., atmospheric conditions, noise barriers) and whether the noise source is stationary or moving. An attenuation factor of 6 dBA per doubling of distance was used for the Subject Property to be conservative, although given the topography the attenuation could be higher. Assuming up to three of the loudest

pieces of equipment operating at one time, the highest noise level would be 89.8 dBA. Based on the construction noise estimates described above, the maximum noise level from Alternative A is projected to reach approximately 67.0 dBA at the nearest sensitive receptor, located about 0.13 miles west of the proposed commercial development, which represents the closest construction activity to a residence. This noise level would be below the federal noise construction threshold of 90 dBA for residences. Furthermore, with the incorporation of the construction noise BMPs included in **Table 2-1**, construction noise and duration would be reduced. This includes properly muffling and maintaining equipment, selecting quieter models when feasible, prohibiting unnecessary idling, and locating stationary generators and staging areas as far from residences as practicable. Given the short-term, temporary nature of construction activities, along with the implementation of BMPs to limit noise levels, construction-related noise effects would be less than significant, and no mitigation measures are warranted.

Table C10-5: Typical Construction Noise Levels

Construction Equipment	Maximum Noise Level at 50 ft (dBA)	Construction Equipment	Maximum Noise Level at 50 ft (dBA)
Crane (mobile or stationary)	85	Tractor	84
Dozer	85	Generator (less than 25 kilo-volt-amperes)	70
Excavator	85	Backhoe	80
Grader	85	Compressor (air)	80
Paver	85	Front end loader	80
Scraper	85	Pickup truck	55
Jackhammer	85	Flat Bed truck	84
Concrete pump truck	82	Dump truck	84

Source: FTA, 2018

During construction, workers, vendors, and material haul trips have the potential to raise ambient noise levels on local roadways, depending on the number of trips and the types of vehicles used. For the ambient noise environment, peak commute times would be the noisiest time periods because the highest traffic volumes would occur at these times. Increasing vehicle trips during these times would have the potential to create the greatest noise impact and cause adverse effects to sensitive receptors along roadways. As specified in **Appendix C-7**, vehicles trips due to construction is expected to be low, approximately 25 single-trips at maximum per day. These worker trips to the Subject Property would only partially coincide with local commute trips and most if not all of construction traffic would utilize SR-190, which already experiences high volumes of existing regional traffic. As a result, the additional traffic generated during construction would represent a very small fraction of total roadway use and would not result in a noticeable increase in ambient noise levels along the highway corridor. For these reasons, construction traffic would not result in a significant increase in ambient noise levels, and no mitigation measures are warranted.

Construction Vibration

The vibration levels of typical construction equipment at a distance of 25 feet from the equipment are shown in **Table C10-6**. With the exception of vibratory rollers, vibrations associated with construction equipment are below the thresholds for structural damage (90 VdB) at a distance of 25 feet; however, vibration levels associated with all the equipment in **Table C10-6** are above the threshold for annoyance of humans at a distance of 25 feet.

C10-6: Vibration Levels for Construction Equipment

Equipment	Maximum Vibration Level at 25 feet [VdB (rms)]
Vibratory Roller	94
Large Bulldozers	87
Loaded Trucks	86
Jackhammer	79

Source: FTA, 2018

The threshold of perception for humans is approximately 65 VdB while a vibration level of 85 VdB in a residence can result in strong annoyance (FTA, 2018). The nearest residential receptor is a residence approximately 0.13 feet west of the proposed commercial development on the Subject Property. Excessive vibration is usually only an issue when construction requires the use of equipment with high vibration levels (compactors or large dozers) occurs within 25 to 100 feet of a structure. Construction activity would not occur within 100 feet of a sensitive receptor and therefore excessive vibration would not be felt. Therefore, vibration effects associated with temporary construction activities would be less than significant and no mitigation measures are warranted.

Operation Noise

The proposed development under Alternative A would not be anticipated to generate substantial new sources of noise. Typical noise from operation would include maintenance of the 20-acre citrus grove, routine landscaping, and activities associated with the proposed 4.3-acre commercial area, such as conversations, outdoor gathering, and general business operations. Vehicular noise would result from customers, employees, and deliveries, including car doors, engine starts, and occasional trucks accessing the site. These operational sounds would be consistent with the rural commercial and agricultural character of the surrounding area and would not introduce continuous or loud sources that are likely to cause noticeably change in the existing ambient noise environment.

Traffic associated with Alternative A would add incrementally to the existing traffic volumes along SR-190, which is already the dominant source of noise in the area. While project-related traffic would increase the number of vehicle trips accessing the site, these trips would be dispersed throughout the day and would represent only a minor addition to the existing traffic stream. Traffic volumes would need to approximately double for a perceptible change of 3 dBA to be noticeable to the human ear, which Alternative A is unlikely to cause. Furthermore, Alternative A is not expected to exceed the FHWA Category B standard of 67 dBA Leq for residences due to increased traffic on SR-190.

Operational noise impacts would be less than significant, and no mitigation measures are warranted.

Operation Vibration

Alternative A does not include development features that would create noticeable or persistent sources of perceptible vibration during operation. The proposed uses would not involve equipment or processes that generate substantial groundborne vibration. Vibration already occurs intermittently from agricultural operations in the citrus fields, such as from farm equipment, but these activities are limited and temporary in nature. Because the Subject Property would remain in largely agricultural and rural commercial use, the increase in overall development would be limited and would not introduce new vibration sources beyond typical vehicle activity and occasional deliveries. Therefore, Alternative A would not result in perceivable vibration at nearby sensitive receptors. This impact would be less than significant, and no mitigation measures are warranted.

C10-4.3 Alternative B – No Action Alternative

Under the No Action Alternative, the Subject Property would remain as it is with no additional development. The Subject Property would not be a source of new construction or operational noise. Noise would continue to be generated from existing uses, including maintenance and activities associated with the orange grove. No new noise impacts would occur under the No Action Alternative.

C10-5 MITIGATION MEASURES

There are no mitigation measures for noise.

Appendix C-11 Hazardous Materials

C11-1 REGULATORY SETTING

C11-1.1 Federal

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) defines hazardous substances by reference to the following authorities: CWA, section 311; CWA section 307(a); CAA section 112; Resource Conservation and Recovery Act (RCRA) section 3001; and Toxic Substance Control Act section 7. CERCLA hazardous substances are elements, compounds, mixtures, and radionuclides designated as hazardous under the environmental laws. There are currently 800 CERCLA hazardous substances. A list of hazardous substances is found in 40 CFR part 302.4 in table 302.4 “List of Hazardous Substances and Reportable Quantities.”

Resource Conservation and Recovery Act

The RCRA regulates the land disposal of hazardous materials from cradle-to-grave. This means establishing a regulatory framework for the generation, transport, treatment, storage and disposal of hazardous waste. Specifically, Subtitle D of RCRA pertains to non-hazardous solid waste and Subtitle C focuses on hazardous solid waste. A solid waste can consist of solids, liquids and gases, but these must be discarded in order to be considered waste. Additionally, the USEPA has developed regulations to set minimum national technical standards for how disposal facilities should be designed and operated. States issue permits to ensure compliance with USEPA and state regulations. The regulated community is comprised of a diverse group that must comprehend and adhere to RCRA regulations. These groups can consist of hazardous waste generators, government agencies, small businesses, and gas stations with underground petroleum tanks. As of November 27, 2023, the RCRA regulations have been updated by the USEPA to include the identification of Non-Hazardous Secondary Materials that Are Solid Waste and the 2018 Additions to List of Categorical Non-Waste Fuels.

Food, Drug, and Cosmetic Act

Under the federal Food, Drug, and Cosmetic Act, the USEPA sets maximum residue limits, or tolerances, for pesticides residues on food. When the USEPA sets a tolerance level for a food, this is the level deemed safe. In defining safe, this means that, “reasonable certainty that no harm will result from aggregate exposure to the pesticide residue.” When determining a safety finding for a tolerance level, the USEPA considers the toxicity of the pesticide and its break-down products, aggregate exposure to the pesticide in foods and from other sources of exposure if applicable, and any special risks specific to infants and children. If a tolerance is not set for a pesticide residue, a food containing that pesticide residue will be subject to government seizure if deemed appropriate. However, once a tolerance has been established for a pesticide residue, then residue levels below the tolerance will not trigger enforcement actions. If the residue level is detected above that tolerance, then the commodity will be subject to seizure. Some pesticides do not have a set tolerance level as the USEPA may grant exemptions in the cases where the pesticide residue does not pose, under foreseeable situations, a significant dietary risk.

Insecticide, Fungicide, and Rodenticide Act

The federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) addresses the sale, distribution, and labeling of pesticides, as well as the certification and training of pesticide applicators. FIFRA establishes recordkeeping and reporting requirements on certified applicators of restricted use pesticides. Furthermore, FIFRA imposes storage, disposal, and transportation requirements on registrants and applicants for the registration of pesticides. Pesticide use is regulated through requirements to apply pesticides in a manner consistent with the label. The labeling requirement includes directions for use, warnings, and cautions along with the uses for which the pesticide is registered (e.g., pests and appropriate applications). This includes the specific conditions for the application, mixture, and storage of the pesticide. Additionally, the label must specify a time period for re-entry into an area after the pesticide has been applied, and when crops may be harvested after the application of the pesticide. If a pesticide is used in a manner contrary to specifics on its label, then the use constitutes a violation of the FIFRA.

Hazardous Communication Standard

The Occupational Safety and Health Administration helps ensure employee safety by regulating the handling and use of chemicals in the workplace. For instance, it administers the HCS. The HCS ensures safety in the workplace concerning chemicals through requiring information to be provided and understood by workers about the identity and hazards associated with chemicals they may work with. This also requires that chemical manufactures and importers evaluate the hazards associated with the chemicals they create or import, and that these chemicals have proper labels and material safety data sheets concerning their hazards to others (e.g., customers). Downstream of the production, employers who utilize these hazardous chemicals in their workplaces are obligated to have labels and safety data sheets for their workers and to train them on the proper handling of these chemicals.

Hazardous Substances Act

The Consumer Product Safety Commission has a limited role in regulating hazardous substances; it primarily deals with the labeling of consumer products through the federal Hazardous Substances Act (HSA). HSA only requires products that may at some point be in the presence of people's dwellings to be labeled, including during purchase, storage, or use. These labels must alert consumers of the potential hazards that the product may pose. However, in order for a product to be required for labelling, the product must be toxic, corrosive, flammable/combustible, an irritant, a strong sensitizer, or have the ability to generate pressure through decomposition, heat, or other means. Furthermore, the product must possess the ability to cause severe personal injury or substantial illness during or as a result of any customary or reasonably predictable handling or use, including reasonably foreseeable ingestion by children.

Toxic Substances Control Act

The federal Toxic Substances Control Act (TSCA), as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, permits the USEPA to evaluate the potential risk from novel and existing chemicals and address unacceptable risks chemicals may have on human health and the environment. The USEPA oversees the production, importation, use, and disposal of certain chemicals. This includes the USEPA having the authority to require record keeping, reporting, and test requirements and restrictions associated with certain chemical substances and/or mixtures. However, certain groups of chemicals are

excluded from TSCA consideration, including—but not limited to—food, drugs, cosmetics and pesticides. Examples of chemicals included in TSCA consideration are lead paint, asbestos, mercury, formaldehyde, and polychlorinated biphenyls.

Emergency Planning and Community Right-to-Know Act

The federal Emergency Planning and Community Right-to-Know Act (EPCRA) is designed to assist local communities protect public health, safety, and the environment from chemical hazards. The Community Right-to-Know provisions help increase the public's knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment. The EPCRA also requires industry to report on the storage, usage, and releases of hazardous substances to federal, state, and local governments, and states and communities can use the information gained to improve chemical safety and protect public health and the environment.

C11-1.2 State and Local

California Building Code

The California Building Code (CBC) includes fire code elements to reduce wildfire impacts including Chapter 7A regarding building materials, systems, and/or assemblies used in the exterior design and construction of new buildings locating within a Wildland-Urban Interface Fire Area. CBC Section 703A.7 incorporates State Fire Marshal standards for exterior wildfire exposure protection.

Tulare County General Plan

The Tulare County General Plan outlines the County's goals and policies related to health and safety, including hazardous materials. The goals are to protect residents, visitors, and property from hazardous materials through their safe use, storage, transport, and disposal.

Policies in the General Plan that are relevant to the hazardous materials in the vicinity of the Project include the following policies:

Policy 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.

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

Policy 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.

Policy HS-4.6 and 4.9: Pesticide Control and Use: The County shall monitor studies of pesticide use and the effects of pesticide on residents and wildlife and require mitigation of the effects wherever feasible and appropriate. The County shall support an integrated pest management program which includes the biological control methods overseen by the Tulare County Agricultural Commissioner's Office.

C11-2 ENVIRONMENTAL SETTING

Additional information on the existing setting can be found in the Phase I ESA in **Appendix G**.

C11-2.1 Hazardous Materials

A Phase I ESA was completed in August 2025 for the Subject Property to determine if any recognized environmental conditions (RECs) exist (**Appendix G**). The Phase I ESA has been prepared in conformance with the BIA guidelines (602 DM 2) and the American Society for Testing and Materials (ASTM) Standard Practice E 1527-21. Under the ASTM Standard Practice E 1527-21, RECs are defined as the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The Phase I ESA performed a review of relevant database listings of hazardous material sites, waste generators, above ground storage tanks and UST, review of historical topographic maps and aerial photographs of the Subject Property, and interviews with owners, operators, occupants, and/or local government officials to determine if RECs existed on the Subject Property or within the vicinity.

Database queries performed for the Phase I ESA noted no listed cases of hazardous materials involvement on the Subject Property, and three listed sites in the vicinity of the Subject Property.

A questionnaire was completed by Tribal Representative Vernon Vera on June 20, 2024, and an interview was conducted with Mr. Brian Rueger (a representative of the Tribe) via phone in August 2023. Both representatives indicated no knowledge of any accidental releases of hazardous materials or improper disposal of hazardous materials and was unaware of any USTs or above ground storage tanks within the Subject Property.

The Phase I ESA determined that there is no evidence of historical or current RECs, or *de minimus conditions*, in connection with the Subject Property pursuant to ASTM Practice E1527-21.

C11-2.2 Wildfire History and Risk

In 2024, 8,110 fires occurred and burned a total of 1,077,711 acres across the State (CAL FIRE, 2024). Fourteen of those fires were in Tulare County, burning approximately 15,715 acres.

The Subject Property is located within a State Responsibility Area based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified by the department as a major cause of wildfire spread. These zones, referred to as Fire Hazard Severity Zones, classify a wildland zone as moderate, high, or very high fire hazard based on the average hazard across the area included in the zone. The Subject Property is in a moderate to high severity zone and is surrounded by moderate to high severity zones (CAL OES, 2025).

C11-3 IMPACT ASSESSMENT

C11-3.1 Assessment Criteria

Impacts associated with hazardous materials include a release of hazardous materials and improper hazardous material management. A project would be considered to have significant hazardous material impacts if the site had existing hazardous materials onsite that would require remediation or mitigation

prior to development of a project. Additionally, if a project results in the use, handling, or generation of a controlled hazardous material that the regulated amount would increase the potential risk of exposure that results in the reduction in the quality or loss of life, then the project would have a significant impact.

A project would be considered to have a significant impact if it were to increase wildfire risk on-site or in the surrounding area. This includes, but is not limited to, increasing fuel loads, exacerbating the steepness of the local topography, introducing uses that would increase the chance of igniting fires, reducing fire barriers, inhibiting local emergency response to or evacuation routes from wildfires, building in a high-risk fire zone without project design measure to reduce inherent wildfire risk, and conflicting with a local wildfire management plan.

C11-3.2 Alternative A– Proposed Project

Hazardous Materials

Construction

Limited quantities of hazardous materials may be used during construction, including gasoline, diesel fuel, motor oil, hydraulic fluid, solvents, cleaners, sealants, welding flux, various lubricants, paint, paint thinner, and other products. As with any liquid and solid, there is the potential for an accidental release during handling and transfer from one container to another or general usage. Depending on the relative hazard of the material, if a spill were to occur of significant quantity, the accidental release could pose both a hazard to construction employees as well as to the environment. Construction BMPs required within the NPDES CGP limit and often eliminate the impact of such accidental releases. Since contact with stormwater during construction is the primary means of transporting these contaminants offsite, appropriate BMPs for this impact are included in the construction stormwater BMPs in **Table 2-1**. During transportation of hazardous materials off- and on-site, the transporters of hazardous materials would be required to adhere to applicable State, federal, and local regulations, including those set by the US Department of Transportation, which governs the transport of hazardous materials in interstate, intrastate, and foreign commerce. These regulations ensure that the transportation of hazardous materials to and from the Subject Property is unlikely to result in spills. Once onsite, BMPs in **Table 2-1** would reduce the probability of accidental onsite release through spill prevention methods and utilizing proper equipment. Furthermore, onsite hazardous chemicals would be used and stored per federal regulations and manufacturer guidelines would be followed. Therefore, the impacts from Alternative A from the routine transport, use, or disposal of hazardous materials during construction would be less than significant and no mitigation measures are warranted.

Operation

During operation, common hazardous materials may be used on the site, including motor oil, hydraulic fluids, solvents, cleaners, lubricants, and paints etc. All hazardous materials would be stored, handled, and disposed of according to federal manufacturer's guidelines and federal law. Any solid waste produced on site would be stored, handled, and disposed of by adhering to applicable federal and state regulations. Alternative A will not result in significant adverse effects related to waste production and hazardous materials and no mitigation measures are warranted.

Wildfire Risk

Construction

During construction, the operation of equipment could create sparks or fire that could ignite the vegetation within the Subject Property, which could then create a wildfire. Examples of construction equipment that could ignite a fire and thus increase risk include power tools and acetylene torches. As described in **Section C11-2**, the Subject Property is in a moderate to high fire hazard severity zone and is surrounded by moderate to high hazard severity zones. With this moderate to high fire hazard severity zone rating, chances of fires during construction is possible, although the majority of the Subject Property will be untouched, minimizing the available fuel within the construction area that could start or transmit a fire if a spark were to occur during construction. Furthermore, BMPs provided in **Table 2-1** would reduce the probability of igniting a fire. These BMPs include the prevention of fuel being spilled and putting spark arresters on equipment with the potential to create sparks. Therefore, the potential for fire ignition during construction is less than significant and no mitigation measures are warranted.

Operation

As described in **Appendix B2**, Alternative A would be designed to meet IBC, including measures related to fire and structural safety. The IBC includes comprehensive provisions related to fire safety, including the use of fire-resistant materials, requirements for safe and accessible means of ingress (for the fire department) and egress, and the installation and maintenance of fire protection systems, including fire sprinklers and fire alarms, and smoke control systems. As discussed in **Appendix C-7**, trip generation calculations predict up to 1,850 daily vehicle trips that could be generated by Alternative A, which would create a total AADT of 7,650 vehicles, falling in a range of LOS A conditions. Therefore, traffic related impacts for wildfire evacuation would be less than significant and no mitigation measures are warranted. Therefore, impacts associated with exposing people or structures to a significant risk of loss, injury, or death involving ignition of wildland fires during operation of Alternative A are less than significant and no mitigation measures are warranted.

C11-3.3 Alternative B – No Action Alternative

No development would occur under this alternative, and the Subject Property would remain in its current state. No hazardous material impacts would occur under the No Action Alternative.

C11-4 MITIGATION MEASURES

There are no mitigation measures for hazardous materials.

Appendix C-12 Visual Resources

C12-1 REGULATORY SETTING

C12-1.1 Federal

Wild and Scenic Rivers Act of 1968

The Wild and Scenic Rivers Act of 1968 is a federal law that was established to protect selected rivers in the United States that have outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values. The Act preserves the unique character of these rivers while also acknowledging their potential for appropriate use and development. It encourages river management that crosses political boundaries and promotes public participation in developing goals for river protection. The National Wild and Scenic Rivers System was created by the Wild and Scenic Rivers Act. River units designated as part of the system are classified and administered three types based on the condition of the river, the amount of development in the river or on the shorelines, and the degree of accessibility by road or trail at the time of designation:

- **Wild River Areas:** These rivers or sections of rivers are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America.
- **Scenic River Areas:** These rivers or sections of rivers are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads.
- **Recreational River Areas:** These rivers or sections of rivers are readily accessible by road or railroad, may have some development along their shorelines, and may have undergone some impoundment or diversion in the past.

Typically, rivers are added to the system by an act of Congress, but they may also be added by state nomination with the approval of the Secretary of the Interior. Congress initially designated 789 miles of eight rivers as part of the system. Today there are 208 river units with 12,708.8 miles in 40 states and Puerto Rico, administered by federal agencies or by state, local, or tribal governments. Federal agencies are typically the National Park Service, the Bureau of Land Management, the Forest Service, or the USFWS.

C12-1.2 State and Local

California State Scenic Highway Program

In 1963, the California State Legislature established the California Scenic Highway Program through Senate Bills 1467 and 1468, provisions of which were added to the Streets and Highways Code. The goal of the California Scenic Highway Program is to preserve and enhance the natural beauty of California, with scenic highways being designated based upon the amount of natural landscape visible to a passing motorist. Scenic highway designation does not preclude nearby development; however, the program encourages development that does not degrade the scenic value of the highway corridor.

Title 24 Outdoor Lighting Zones

The California Energy Commission has published the 2019 Building Energy Efficiency Standards for residential and non-residential buildings (Title 24, part 6). These standards took effect January 1, 2020, and include mandatory requirements for outdoor lighting such as maximum brightness and shielding. These requirements vary based on the Lighting Zone the building is located in. Lighting Zones range from Zone 0 (undeveloped open spaces) to Zone 3 (urban areas). Lighting Zone 4 can only be designated when a local government applies for exceptionally high lighting allowances. Lighting Zones are intended to help limit light pollution and ensure light levels are appropriate for the region.

Tulare County General Plan

The Tulare County General Plan outlines the County's goals and policies related to scenic landscapes, including natural and working landscapes, scenic corridors and places, community design, design of infrastructure, and work plan/implementation measures. The goals and objectives are to protect and feature the beauty of the County's views of working and natural landscapes, to protect the scenic views for travelers along the County's roads and highways, to provide distinctive communities, rural development patterns, and character that is compatible with the best features of the County's traditional community centers and agricultural landscapes, and to design infrastructure to visually enhance the built environment while minimizing visual impact on rural and natural places.

Tulare County Zoning Ordinance

The purpose of the Tulare County Zoning Ordinance is to regulate land use and development within the County. The ordinance dictates the types of structures that can be built, where they can be developed, and regulates aspects of the build. The code establishes zoning designations for all properties within the county. Those zoning designations are then broken down with regulations that apply to those designations. The Subject Property is zoned as PD-F-M, Planned Development-Foothill Combining-Mobile Home, Chapter 3, Sections 18.6 and 18.7 discuss the purpose and use of those zoning designations.

C12-2 ENVIRONMENTAL SETTING

The Subject Property is partially developed, and used for agricultural use, grazing and open space leases. Additionally, an approximately 3,500 sf rural residential housing unit and a secondary prefabricated residential structure is currently located on APN 284-460-003 (**Figure 3 of Appendix A**).

As described in **Section C1-2**, the topography consists of moderate to steep foothills incised by drainages and gently sloped alluvial fans adjacent to the Tule River floodplain with elevations from approximately 1,035 feet amsl along the ridgeline along the southeastern property boundary to 685 amsl within a drainage at the northeastern corner of the Subject Property. The visual characteristics of the Subject Property are similar to the land in the surrounding area. SR-190 borders the property along its northern edge, providing regional access. North of the highway are limited commercial uses and undeveloped land. West of the Subject Property, lands are developed with recreational uses, including the Lake Success Mobile Lodge, with Lake Success located farther west. Along the eastern boundary, the site directly abuts Tribal trust land, which contains community and commercial uses including the Eagle Feather Trading Post with an EV charging station and the Tule River Economic Development Corporation Tribal headquarters. South of the Subject Property, the landscape consists of rolling undeveloped hills that transition into agricultural lands (**Figure 3 of Appendix A**).

As discussed in **Section C-8**, the portion of SR-190 going past the Subject Property is identified as a Scenic Corridor and is eligible for designation but is not currently designated as a State scenic highway, a candidate scenic highway, or a County scenic route (Caltrans, 2025), but is eligible. SR-190 has the potential for scenic recognition but lacks the official protections and formal management plan that comes with the designation. This does not limit development and will rely on existing zoning. As described further in **Section C-8**, and shown on **Figure 9** of **Appendix A**, the Subject Property is zoned PD-F-M, Planned Development-Foothill Combining-Mobile Home and the zoning designation is a combination of three zones, including: Planned Development, Foothill Combining, and Special Mobilehome (Tulare County, 2023).

C12-3 IMPACT ASSESSMENT

C12-3.1 Assessment Criteria

Impacts related to visual resources would be considered significant if the alternative were to adversely affect a scenic vista or scenic resource, substantially degrade the existing visual character or quality of the site and its surroundings or create new sources of substantial light or glare that would adversely affect day or nighttime views in the area.

C12-3.2 Alternative A – Proposed Project

Development of the proposed commercial development would be directly visible from SR-190, but this is not designated as a State scenic highway or County scenic route (Caltrans, 2025), it is only eligible, and there is no known Scenic Highway Corridor Plan in place for SR-190. Development of Alternative A would result in a commercial development area, with various other improvements including a parking lot and landscaping. The proposed development components would be consistent with the developments and land use on the adjacent commercial property to the northeast and would be in keeping with the visual characteristic that exists on the site and surrounding area.

A significant effect from shadows would result if the proposed commercial development were to cast a shadow on private residences or public areas for substantial portions of the day. The nearest off-site buildings to the development footprint of Alternative A are residences and commercial buildings. The development would not be located in close enough proximity to cast shadows on any private residences or public areas. Alternative A would introduce new sources of light on the Subject Property; however, Alternative A would implement the BMPs listed in **Table 2-1** to reduce visual impacts during operations, such as from lighting and glare.

With the implementation of BMPs listed in **Table 2-1**, Alternative A would not interrupt or substantially alter local views, damage scenic resources, or create any sources of glare or excessive nighttime illumination. Visual impacts would be less than significant and no mitigation measures are warranted.

C12-3.3 Alternative B – No Action Alternative

Under the No Action Alternative, the Subject Property would remain in its current state. Any future development of the Subject Property would be required to meet County design standards.

C12-4 MITIGATION MEASURES

There are no mitigation measures for visual resources.

Appendix C-13 Other Reasonably Foreseeable Impacts

As described in **Sections C-1** through **C-12**, the Proposed Action and subsequent Proposed Project would not result in any significant impacts with the implementation of mitigation measures listed in **Section 4**. There are no reasonably foreseeable development projects on or in the vicinity of the Subject Property that would result in new significant impacts.