

ENVIRONMENTAL ASSESSMENT



**Tule River Indian Tribe of the Tule River Reservation
Shan King-Hwy 190-Hartsell Economic Development
Fee-to-Trust Project
Tulare County, California | August 2026**

Lead Agency:
Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825



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Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825
503.231.6702



Prepared By:

Acorn Environmental
5170 Golden Foothill Parkway
El Dorado Hills, CA 95762
916.235.8224
www.acorn-env.com



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Acronyms

AB	Assembly Bill
AADT	average annual daily traffic
amsl	above mean sea level
APN	Assessor's Parcel Number
ARPA	Archaeological Resources Protection Act
ASTM	American Society for Testing and Materials
BIA	U.S. Bureau of Indian Affairs
BMPs	Best Management Practices
CAA	Clean Air Act
CAAQS	California Ambient air quality standards
CAL FIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CAPs	criteria air pollutants
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CGP	Construction General Permit

CHRIS	California Historical Resources Information System
CNDDDB	California Natural Diversity Database
CO ₂ e	carbon dioxide equivalent
CWA	Clean Water Act
dBA	decibels
DOC	Department of Conservation
DOI	Department of the Interior
DPM	diesel particulate matter
EA	Environmental Assessment
EFH	Essential Fish Habitat
EO	Executive Order
EPCRA	Emergency Planning and Community Right-to-Know Act
ESA	Environmental Site Assessment
EV	electric vehicle
FCIR	Farmland Conversion Impact Rating
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FGMP	Foothill Growth Management Plan
FHWA	Federal Highway Administration
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FPPA	Farmland Protection Policy Act
FTA	Federal Transportation Administration
GPD	gallons per day
HAPs	Hazardous Air Pollutants
HCS	Hazard Communication Standard
HSA	Hazardous Substances Act
IAM	Indian Affairs Manual
IBC	International Building Code
ICC	International Code Council
ITE	Institute of Transportation Engineers
IPaC	Information for Planning and Consultation

LOS	level of service
MBTA	Migratory Bird Treaty Act
MLD	most likely descendent
mph	miles per hour
MT	metric tons
NAAQS	National Ambient Air Quality Standards
NAGPRA	Native American Graves Protection and Repatriation Act
NAHC	Native American Heritage Commission
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmosphere Administration
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NSR	New Source Review
PC	Planned Community
PUSD	Porterville Unified School District
PSD	Prevention of Significant Deterioration
RCRA	Resource Conservation and Recovery Act
RECs	Recognized Environmental Conditions
ROG	reactive organic gases
RWQCB	Regional Water Quality Control Boards
SCE	Southern California Edison
SDWA	Safe Drinking Water Act
sf	square-foot
SGMA	Sustainable Groundwater Management Act
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
SJVAB	San Joaquin Valley Air Basin
SJCAPCD	San Joaquin Valley Air Pollution Control District
SLF	Sacred lands file
SR	State Route

SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TCFD	Tulare County Fire Department
TCSO	Tulare County Sheriff's Office
tpy	tons per year
TSCA	Toxic Substances Control Act
USACE	U.S. Army Corps of Engineers
UCMP	University of California Museum of Paleontology
USC	U.S. Code
USDA	U.S. Department of Agriculture
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UST	Underground Storage Tank
VOC	volatile organic compounds

Section 1 | Introduction

1.1 SUMMARY

This Environmental Assessment (EA) has been prepared to assess the environmental impacts resulting from the Tule River Indian Tribe of the Tule River Reservation (Tribe) Shan King-Hwy 190-Hartsell Economic Development Fee-to-Trust Project, which includes the acquisition by the U.S. Bureau of Indian Affairs (BIA) of an approximately 109.57-acre property in Tulare County (County), California (Subject Property) into federal trust status for the Tribe (Proposed Action). Following the acquisition of the Subject Property into federal trust, the Tribe proposes to develop the Subject Property with new economic development with continued use of the agricultural (20-acre citrus grove), grazing, and open space (Proposed Project). The BIA is the federal agency charged with reviewing and approving tribal applications to take land into federal trust status.

This document has been completed in accordance with and to satisfy the requirements set out in the National Environmental Policy Act (NEPA) of 1969 (42 United States Code [U.S.C.] §4321 et seq.); the Department of the Interior (DOI) NEPA Regulations (43 Code of Federal Regulations (CFR) Part 46), the DOI NEPA Handbook (516 DM 1), and the BIA NEPA handbook (59 Indian Affairs Manual (IAM) 3-H)¹.

1.2 PURPOSE AND NEED FOR THE PROPOSED ACTION

The purpose of the Proposed Action is to facilitate tribal self-sufficiency, self-determination, and economic development, thus satisfying both the Department's land acquisition policy as articulated in the Department's trust land regulations at 25 CFR Part 151. The need for the Department to act on the Tribe's application is established by the Indian Reorganization Act (25 U.S.C. § 5108) and the Indian Land Consolidation Act (25 U.S.C. § 2202) and the relevant implementing federal regulations at 25 CFR § 151.

1.3 BACKGROUND

Tule River is a federally recognized Indian Tribe, possessing sovereign powers by virtue of such recognition. The Tule River Reservation (Reservation), established by the California Superintendent of Indian Affairs in 1856, was confirmed by Executive Order (EO) in 1873. Pursuant to the Tribe's Constitution, a nine-member council known as the Tule River Tribal Council oversees the Tribal government, which provides a full range of services to the Tribe's members. The Tribe currently has almost 2,000 enrolled members, with a growing and young population. Tribal members experience disproportionate unemployment and poverty rates, and unreliable access to water, which has resulted in a housing shortage.

The Tule River Reservation currently totals 55,396 acres in the foothills of the Sierra-Nevada Mountain

¹

The CEQ Final Rule, 90 Fed. Reg. 10611 (Feb. 25, 2025) removed the existing implementing regulations for the NEPA of 1969, 42 U.S.C. 4321 et seq., as amended (NEPA). Therefore, compliance with NEPA and the Department's NEPA procedures has been completed in accordance with EO 14154, Unleashing American Energy (Jan. 20, 2025), and a Presidential Memorandum, Ending Illegal Discrimination and Restoring Merit-Based Opportunity (Jan. 21, 2025). This Order and Memorandum require the Department to strictly adhere to NEPA, 42 U.S.C. §§ 4321, et seq., and repeal EOs 12898 (Feb. 11, 1994) and 14096 (Apr. 21, 2023), making compliance with such orders a legal impossibility. Note that the BIA NEPA Handbook is under revision. This document has been completed in accordance with the BIA NEPA Handbook where consistent with NEPA and the recently published DOI NEPA Handbook.

range in Tulare County; however, approximately 80 percent of the land is unsuitable and inadequate for construction due to steep topography and other environmental concerns, including a lack of water availability. The Tule River Indian Reservation was established by a series of EOs between 1873 and 1878. The Reservation was initially established by an EO in 1873, then the size of the reservation was almost doubled by EO in 1873, before the third EO in 1878 cancelled the second and reestablished the initial reservation near Porterville, Tulare County, California. In 1923, an act changed the boundaries of the Reservation to the current configuration. In addition, approximately 951 acres of land is held in Federal trust for the benefit of the Tribe.

The Tule River Tribal Council strives to increase diversification amongst its members and community to ensure success. The Council has established numerous departments and services to accomplish this goal including fire services, education, natural resources, Towanits Indian School, public works, workforce innovation and opportunity act program, telecommunications, emergency management, family and social services, public safety, environmental, United States Department of Agriculture (USDA) food administration, land management, Tule River Recreation Department, Tule River alcohol program, language, and future generations sectors. The Tule River Economic Development Corporation elevates existing businesses while building new markets to improve profit. Their goal is to add immediate value to private enterprises while transforming the tribal economy from federal dependency to tribal self-sufficiency that will improve health, education, housing, and general welfare of tribal members.

In addition to the Tribe's desire to acquire the Subject Property because it is contiguous to the Tule River Indian Reservation, the conveyance of this property is an important opportunity for the Tribe to "reclaim" some of its historical territory and incorporate the land back into its Tribal land holdings for housing, cultural preservation, and recreation.

1.4 LOCATION AND SETTING

The approximately 109.57-acre Subject Property is currently owned in fee by the Tribe and located in Tulare County, California. The Subject Property consists of six parcels with the assigned Assessor's Parcel Number's (APNs) 284-760-001, 284-760-006, 284-770-005, 284-770-006, 284-770-007, and 284-760-003, and is located in Section 19, Township 21 South, Range 29 East, Mount Diablo Base and Meridian. Regional access to the Subject Property is provided by private roadways along SR-190. **Figure 1** and **Figure 2** of **Appendix A** show the location of the Subject Property, and **Figure 3** of **Appendix A** presents an aerial photograph of the parcels associated with the Subject Property and the immediate vicinity.

The Subject Property is partially developed, and used for agricultural use, grazing and open space leases. An approximately 3,500 square-foot (sf) rural residential housing unit and a secondary prefabricated residential structure is currently located on APN 284-760-003. The Subject Property is within a Development Corridor in the Foothill Growth Management Plan (FGMP) area of the Tulare County General Plan, designated Foothill Mixed Use. The site is zoned PD-F-M (Planned Development – Foothill Combining – Mobilehome) [Tulare County, 2023]. The nearest developed site, located on Tule River trust land, directly to the northeast of the Subject Property boundary, which contains community and commercial uses including the Eagle Feather Trading Post with an electric vehicle (EV) charging station and the Tule River Economic Development Corporation Tribal headquarters. A rural residential dwelling, located on APN 284-760-002 is located within a parcel surrounded on three sides by the Subject Property. Cattle grazing and active agricultural activities are ongoing on the Tribal trust property and fee properties adjacent to the Subject Property.

1.5 POTENTIAL PERMITS AND APPROVALS

The Proposed Project, as described in **Section 2** and **Appendix B**, may require the federal permits and approvals identified in **Table 1-1**.

Table 1-1: Potential Permits and Approvals Required

Agency	Permit or Approval
Bureau of Indian Affairs	Transfer of the approximately 109.57-acre Subject Property into federal trust status for the Tule River Indian Tribe of the Tule River Reservation.
U.S. Environmental Protection Agency (USEPA)	▪ Verification of project coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity as required by the Clean Water Act (CWA). ▪ Potential approval of wastewater disposal septic system pursuant to Underground Injection Control regulations.
State Historic Preservation Officer (SHPO)	Consultation under Section 106 of the National Historic Preservation Act (NHPA) if historic properties may be impacted by the Proposed Project.
California Department of Transportation (Caltrans)	Encroachment permit for commercial driveway access road from State Route (SR)-190.

Section 2 | Alternatives

2.1 OVERVIEW OF ALTERNATIVES

The BIA is considering approval of the acquisition of a 109.57-acre property into federal trust status and the subsequent development by the Tribe of economic development with continued operation of the 20-acre citrus grove, grazing, a single family residence, and open space. This EA evaluates two alternatives:

- **Alternative A:** Development of economic development with continued operation of the existing 20-acre citrus grove, grazing, and open space (Proposed Project).
- **Alternative B:** No Action.

Each alternative is described in detail in **Appendix B** and summarized below.

2.1.1 Alternative A –Proposed Project

The proposed Federal action is the acquisition of the Subject Property in trust for the Tribe. This would shift civil regulatory jurisdiction over the Subject Property from the State and County to the Tribe and the Federal government. Although the Tribe is not currently proposing specific development on the Subject Property, for the purpose of the analysis in this EA, the Tribe has proposed a reasonably foreseeable development scenario that includes approximately 4.3 acres of general commercial development (Development Area, **Figure 4 of Appendix A**). Within the 4.3-acre commercial area, approximately 50,000 sf of commercial buildings are expected with the remainder of the space set aside for parking and landscaping. Uses may include, but are not limited to:

- Retail Commercial (small and medium sized stores)
- Coworking Space
- Makerspaces
- Creative co-ops
- Professional Office Space
- Restaurants and other Eating/Drinking Establishments
- Financial Institutions
- Grocery Markets/Food Stores
- Educational and Cultural Facilities
- Out-Patient Healthcare Facilities

A site plan for Alternative A is provided in **Figure 4 of Appendix A**.

- **Water :** An onsite well would be used for water.
- **Wastewater:** Wastewater would be generated by the project. An onsite septic system would be used for wastewater treatment.
- **Access and Parking:** Access to the proposed commercial development would be provided through a driveway off SR-190. A parking area would be developed for the commercial development area.
- **Law Enforcement and Fire Services:** Provided through the Tribal Police and Tribal fire departments, with any assistance provided by the County Sheriff.
- **Construction and Design:** Construction is anticipated to begin in March 2027 and last approximately 18 months; includes earthwork, excavating, backfilling and compaction, pouring of foundations, steel and wood structural framing, masonry, electrical and mechanical work, and building finishing etc. The elevation of the Subject Property where the commercial area is proposed starts at 715 feet above mean sea level (amsl) by SR-190 and gradually increases 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. A stormwater conveyance system would collect and convey runoff to catch basins at low points in the Development Area.

- **Utilities and Energy:** Solid waste collection would continue to be provided by Waste Management, Inc. Electricity service in County is provided by Southern California Edison (SCE). There is an above ground propane tank located on the Subject Property that supplies gas to the residence and high pressure gas distribution line that runs along SR-190. Natural gas provision in the County is privately operated and maintained by SoCalGas.
- **Environmental Controls:** Protective measures and Best Management Practices (BMPs), including regulatory requirements and voluntary measures that would be implemented by the Tribe, have been incorporated into the design of Alternative A. These measures are listed in **Table 2-1**.

Best Management Practices and Design Features

Protective measures and BMPs, including regulatory requirements and voluntary measures that would be implemented by the Tribe, have been incorporated into the design of Alternative A. Where applicable, these measures will be incorporated into any design or construction contracts to eliminate or substantially reduce environmental consequences from the Proposed Project. These measures are discussed below in **Table 2-1**.

Table 2-1: Protective Measures and Best Management Practices

Resource Area	Standard Operating Procedure/Design Features/Best Management Practices
Land Resources	▪ Erosion control measures shall be implemented during construction as described further under the Water Resources BMPs. ▪ Standard engineering practices and IBC standards will be used, including adherence to geotechnical standards ensuring soil suitability for structures and septic systems.
Water Resources	The Tribe shall apply for coverage under and comply with the NPDES Construction General Permit (CGP) from the USEPA for construction site runoff during the construction phase in compliance with the CWA. A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared, implemented, and maintained throughout the construction phase of the development, consistent with CGP requirements. The SWPPP prepared for the Development Area would include, but would not be limited to, the following BMPs to minimize storm water effects to water quality during construction: ▪ To the extent feasible, grading activities shall be limited to the immediate area required for construction. ▪ Loose aggregate chunks and dust will be swept or shoveled and collected (not hosed down a storm drain) for recycling or proper disposal. ▪ To minimize dust generation during construction, soil will be wetted down with water prior to ground disturbance. All generated waste must be properly disposed of. ▪ Temporary erosion control measures (such as silt fences, fiber rolls, vegetated swales, a velocity dissipation structure, staked straw bales, temporary re-vegetation, rock bag dams, erosion control blankets, and sediment traps) shall be employed for disturbed areas. ▪ Construction activities shall be scheduled to minimize land disturbance during peak runoff periods. ▪ Disturbed areas shall be paved or re-vegetated following construction activities. ▪ A spill prevention and countermeasure plan shall be developed which identifies proper storage, collection, and disposal measures for potential pollutants (such as fuel, fertilizers, pesticides, etc.) used onsite.

Resource Area	Standard Operating Procedure/Design Features/Best Management Practices
	▪ Petroleum products shall be stored, handled, used, and disposed of properly in accordance with provisions of the CWA (33 U.S.C. §§ 1251 to 1387). ▪ Construction materials, including topsoil and chemicals, shall be stored, covered, and isolated to prevent runoff losses and contamination of surface and groundwater. ▪ Fuel and vehicle maintenance areas shall be established away from all drainage courses and designed to control runoff. ▪ Sanitary facilities shall be provided for construction workers. ▪ Disposal facilities shall be provided for soil wastes, including excess asphalt during construction. ▪ Solid waste storage containers will be stored in a roofed enclosure so that runoff cannot come into contact with the waste storage containers. The storage area will be paved with the area's grading to prevent uncontaminated stormwater from flowing into the waste storage area. ▪ Wheel wash or rumble strips and sweeping of paved surfaces shall be used to remove any and all tracked soil.
Air Quality	The following BMPs will be implemented during construction to suppress dust: ▪ Exposed construction surfaces will be watered daily as needed. These areas include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads. ▪ At least two feet of free board space will be covered/maintained on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways will be covered. ▪ Wet power vacuum street sweepers will be used to remove any visible track out mud or dirt onto adjacent public roads at least once a day. Dry powered sweeping will be prohibited. ▪ Vehicle speeds on unpaved roads will be limited to 15 miles per hour (mph). ▪ Paving of roadways, driveways, sidewalks, and parking lots will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used. ▪ Idling time will be minimized by shutting equipment off when not in use or by reducing the time of idling to five minutes. Clear signage that posts this requirement for workers will be provided at the entrances to the site. ▪ Construction equipment will be maintained in proper working condition according to manufacturer's specifications. The equipment will be checked by a certified mechanic and determined to be running in proper condition before it is operated. The following BMPs will be implemented during operation to reduce emissions of criteria air pollutants (CAPs) and carbon dioxide equivalent (CO_{2e}): ▪ Twenty percent of parking spaces will be constructed as EV capable spaces. Twenty-five percent of the EV capable spaces will be provided with EV supply equipment (i.e., chargers). ▪ Energy efficient lighting and appliances will be used, which would reduce energy usage, thus reducing indirect CAP and CO_{2e} emissions. ▪ Water consumption will be reduced through low-flow appliances, drought resistant landscaping, and the incorporation of "Save Water" signs near water faucets. ▪ Recycling bins will be installed throughout the office and community facilities for glass, cans, and paper products. Trash and recycling receptacles will be placed strategically outside to encourage recycling.
Transportation and Circulation	The following BMPs shall be implemented during construction: ▪ A traffic management plan shall be prepared in accordance with standards set forth in the

Resource Area	Standard Operating Procedure/Design Features/Best Management Practices
	Manual on Uniform Traffic Control Devices for Streets and Highways. The traffic management plan shall be submitted to each affected local jurisdiction and/or agency. ▪ Prior to construction, the contractor shall coordinate with emergency service providers as necessary to avoid obstructing emergency response service. Police, fire, ambulance, and other emergency response providers shall be notified in advance of the details of the construction schedule, location of construction activities, duration of the construction period, and any access restrictions that could impact emergency response services. ▪ Flagging, performed in consultation with the California Highway Patrol, Caltrans, and the Tulare County Sheriff's Office (TCSO), shall be provided when necessary to assist with construction traffic control. ▪ Transport of construction material shall be scheduled outside of the area-wide commute peak hours. ▪ Where feasible, lane closures or obstructions associated with construction of the project shall be limited to off-peak hours to reduce traffic congestion and delays.
Public Services and Utilities	BMPs to be implemented during construction: ▪ Construction equipment shall contain spark arrestors, as provided by the manufacturer. ▪ Staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. ▪ The Tribe shall contact the Utility Notification Center to notify the utility service providers of excavation at the work site. In response, the utility service providers shall mark or stake the horizontal path of underground utilities, provide information about the utilities, and/or give clearance to dig. ▪ The site shall be cleaned daily of trash and debris to the maximum extent practicable.
Noise	BMPs to be implemented during construction: ▪ Construction equipment powered by internal combustion engines shall be properly muffled and maintained. ▪ Quiet construction equipment, particularly air compressors, shall be selected whenever possible. ▪ Stationary noise-generating construction equipment such as generators or air compressors shall be located as far as is practical from existing residences. In addition, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive receptors nearest the Subject Property. ▪ Unnecessary idling of internal combustion engines shall be prohibited. ▪ The construction contractor shall locate on-site equipment staging areas to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the Subject Property during all project construction. BMPs to be implemented during operation: ▪ Heating, ventilation, and air conditioning equipment shall be shielded to reduce noise.
Hazardous Materials	Personnel shall follow BMPs for filling and servicing construction equipment and vehicles. BMPs that are designed to reduce the potential for incidents/spills involving the hazardous materials include the following. ▪ Fuel, oil, and hydraulic fluids shall be transferred directly from a service truck to construction equipment to reduce the potential for accidental release. ▪ Catch-pans shall be placed under equipment to catch potential spills during servicing. ▪ Refueling shall be conducted only with approved pumps, hoses, and nozzles. ▪ All disconnected hoses shall be placed in containers to collect residual fuel from the hose. ▪ Vehicle engines shall be shut down during refueling. ▪ No smoking, open flames, or welding shall be allowed in refueling or service areas. ▪ Refueling shall be performed away from bodies of water to prevent contamination of water in the event of a leak or spill.

Resource Area	Standard Operating Procedure/Design Features/Best Management Practices
	▪ Service trucks shall be provided with fire extinguishers and spill containment equipment, such as absorbents. ▪ Should a spill contaminate soil, the soil shall be put into containers and disposed of in accordance with local, state, and federal regulations. ▪ All containers used to store hazardous materials shall be inspected at least once per week for signs of leaking or failure.
Visual Resources	The following BMPs shall be implemented to reduce visual impacts during operations, such as from lighting and glare: ▪ Exterior lighting on new buildings shall be downcast, shielded, and limited to the extent feasible so as to not cast significant light or glare into the public right-of-way or any surrounding residentially zoned properties. ▪ Landscaping will be consistent with existing surroundings to the extent feasible. ▪ Project lighting sources would have light controls implemented to reduce glare, including but not limited to dimmers and motion sensors. ▪ Light absorbing materials and finished with low specular reflection would be used to absorb lights.

2.1.2 Alternative B – No Action

The 109.57-acre property would not be placed into trust and there would be no new economic development. The property would remain in its current state and continue operation of the 20-acre citrus grove.

2.2 COMPARISON OF THE ALTERNATIVES

Alternative A would place approximately 109.57 acres of land into trust. Compared with Alternative B, impacts from developing Alternative A would include temporary construction activities and an increase in visitation to the Subject Property. Development of Alternative A would increase economic activity and provide employment and income opportunities for area residents. Alternative A would be consistent with the current land uses on the Subject Property. Alternative A would meet the purpose and need articulated in **Section 1.2**, whereas Alternative B would not.

2.3 ALTERNATIVES ELIMINATED FROM CONSIDERATION

For an EA where there are no unresolved conflicts with respect to alternative uses of available resources, only the proposed action needs to be considered (516 DM 1 Section 1.5(b)(1)(ii), 42 U.S.C. Section 4332(2)(H)). No unresolved conflicts with respect to alternative uses of available resources on the Subject Property have been identified. There are no known alternatives that would offer substantial environmental advantages over the Proposed Project, and which may be feasibly accomplished in a successful manner considering economic, environmental, social, technological, and legal factors.

Section 3 | Environmental Setting and Consequences

This section summarizes the existing environmental conditions in the region of the Subject Property and evaluates the potential environmental consequences of implementing each alternative. The analysis focuses on a range of resource areas consistent with NEPA and BIA requirements, including land resources, water resources, air quality, biological resources, cultural and paleontological resources, socioeconomic conditions, transportation and circulation, land use, public services, noise, hazardous materials, and visual resources.

This section presents summary-level impact analysis; supporting documentation, including a detailed description of the environmental setting, regulatory context and analysis, is included in **Appendix C**. Where applicable, the analysis identifies any mitigation measures or BMPs that would be implemented to avoid or minimize impacts.

3.1 LAND RESOURCES

Detailed information on the physical characteristics of the Subject Property, including geological setting, topography, seismic conditions, soil types and characteristics, mineral resources, applicable regulations, and potential impacts are provided in **Appendix C-1**.

3.1.1 Environmental and Regulatory 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 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 Subject Property is distant from known, active faults. The nearest major fault line is the San Andreas Fault over 75 miles away to the southwest of the Subject Property. Soils consist of four mapped types that are moderately well drained to well drained. The Subject Property has two known mineral resources located within its boundaries, 0.24 miles southwest of the commercial development area, known as Barber No. 2, these sites are not active. Land development activities are subject to federal and local requirements, including the CWA, which governs stormwater discharges and erosion control.

3.1.2 Impacts

The following provides a summary of potential effects on land resources for each alternative. Detailed information regarding impacts can be found in **Appendix C-1**.

Alternative A

- **Topography:** Grading within the Development Area would result in balanced cut and fill. **Less than significant impact with no mitigation.**
- **Seismic Conditions:** The site is not within an active fault region but adherence to the provisions of the International Building Code (IBC) would reduce potential risk of structure damage. **Less than significant impact with no mitigation.**

- **Soil Hazards:** Erosion risk will be addressed through standard erosion and sedimentation control BMPs and CGP compliance. **Less than significant impact with no mitigation.**
- **Mineral Resources:** Two mapped mineral resources are present on the site, but not within the commercial development area. **No impact.**

Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

3.2 WATER RESOURCES

Detailed information on the existing surface water, drainage, flooding, and groundwater conditions of the Subject Property, as well as applicable regulations and technical analysis of potential impacts, is provided in **Appendix C-2**.

3.2.1 Environmental and Regulatory Setting

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. Other surface water features within the Subject Property consists of a pond, lacustrine wetlands, seasonal marshes, ephemeral channels, and swales. 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).

The Subject Property is not located within a designated groundwater basin, the nearest basin—the San Joaquin Valley is located approximately 2.3 miles southwest of the Subject Property. Groundwater wells provide irrigation to the orchards, and a domestic well services the residential property.

Water resource protection is governed by multiple federal and state requirements. These include the CWA, which regulates pollutant discharges to surface waters through the NPDES permit program; the Safe Drinking Water Act (SDWA), which establishes water quality standards; EO 11988, which guides development in flood-prone areas; and the Porter-Cologne Water Quality Control Act and the Sustainable Groundwater Management Act (SGMA). Additional information on these requirements is provided in **Appendix C-2**.

3.2.2 Impacts

The following provides a summary of potential effects on water resources for each alternative. Detailed information regarding impacts can be found in **Appendix C-2**.

Alternative A

- **Stormwater, Drainage, and Flooding:** Project construction and operation could result in erosion, and pollutant runoff. Potential impacts would be avoided or minimized through SWPPP implementation and use of BMPs. **Less than significant impact with no mitigation.**
- **Surface Water and Groundwater Resource Availability:** Groundwater extraction would increase for use of the commercial development. In addition, the wells will continue to provide water for irrigation of the orchards on the Property. A new groundwater well would be installed to service the commercial development and a domestic well would continue to service the Subject Property for the residence. Potable water demand would be reduced with the implementation of BMPs. Alternative A would

result in a minor increase in impervious surfaces within the Development Area, stormwater would continue to be routed to where it can continue to percolate into the ground. **Less than significant impact with no mitigation.**

- **Water Quality:** Wastewater will be collected via the onsite septic system. Potential impacts to water quality from project construction and operation would be avoided or minimized through SWPPP and CWA implementation and use of BMPs. **Less than significant impact with no mitigation.**

Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

3.3 AIR QUALITY

Detailed information on air quality conditions, applicable regulatory requirements, and quantified emissions modeling is provided in **Appendix C-3**.

3.3.1 Environmental and Regulatory Setting

The Subject Property is located within the San Joaquin Valley Air Basin (SJVAB) and is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). Tulare County, where the Subject Property is located, is currently designated nonattainment for ozone and PM_{2.5} and attainment (maintenance) for PM₁₀. Once the Subject Property is taken into trust, air quality regulation would fall under the jurisdiction of the USEPA. Key federal and state regulatory frameworks include the Clean Air Act (CAA) and the General Conformity Rule; hazardous air pollutants (HAPs), such as diesel particulate matter (DPM), are also considered.

3.3.2 Impacts

The following provides a summary of potential effects on air quality for each alternative. Detailed information regarding impacts can be found in **Appendix C-3**.

Alternative A

- **Construction Emissions:** Equipment and site disturbance would generate CAPs and DPM, but emissions would not exceed federal *de minimis* thresholds. Standard construction BMPs listed in **Table 2-1** including, but not limited to, site watering, street sweeping, limits on vehicle speeds, and minimization of vehicle idling, would minimize fugitive dust and other off-site emissions. **Less than significant impact with no mitigation.**
- **Operational Emissions:** Emissions from mobile, area, and energy sources would remain below *de minimis* thresholds. BMPs listed in **Table 2-1** include adherence to applicable building standards and use of energy and water saving appliances, which would further minimize operational emissions. **Less than significant impact with no mitigation.**
- **CO₂e Emissions:**² There would be an increase in CO₂e emissions from construction and indirect sources, including energy use and mobile sources (trip generation). Operational CO₂e emissions in the opening year 2029 are estimated to be approximately 1,893 metric tons (MT) CO₂e. Operational BMPs listed in **Table 2-1** would further reduce emissions. **Less than significant impact with no mitigation.**

² Certain gases in the atmosphere have been shown in scientific studies to contribute to rising global temperatures and more frequent or severe weather events. Because these gases vary in their heat-trapping potential, they are standardized and expressed in terms of CO₂e.

Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

3.4 BIOLOGICAL RESOURCES

Detailed information on biological resources, including applicable regulations, site-specific habitat conditions, and potential impacts, is provided in **Appendix C-4**.

3.4.1 Environmental and Regulatory Setting

The Subject Property includes a mix of Orchard, non-native annual grassland and pasture, and ruderal/developed habitats. Aquatic features include pond and lacustrine wetlands, other wetlands, channels, and other features, including upland swales and a flume. There is no critical habitat within or adjacent to the Subject Property.

Federally listed species with potential to occur on site include Fisher (*Pekania pennanti*), San Joaquin kit fox (*Vulpes macrotis mutica*) California condor (*Gymnogyps californianus*), Northwestern Pond Turtle (*Actinemys marmorata*), Foothill yellow-legged frog (*Rana boylei*), Western Spadefoot (*Spea hammondi*), Monarch butterfly (*Danaus plexippus*), San Joaquin Adobe Sunburst (*Pseudobahia peirsonii*), and Keck's Checker-mallow (*Sidalcea keckii*). The surrounding area provides minimally suitable habitat for nesting and migratory birds; however, the development area does not contain suitable nesting habitat. Biological resource regulations include the Federal Endangered Species Act (FESA), Migratory Bird Treaty Act (MBTA), Bald and Golden Eagle Protection Act, CWA, relevant provisions of the California Fish and Game Code. Additional information on applicable regulations is provided in **Appendix C-4**.

3.4.2 Impacts

The following provides a summary of potential effects on biological resources for each alternative. Detailed information regarding impacts can be found in **Appendix C-4**.

Alternative A

- **Habitats:** Development would impact 4.3 acres of annual grassland/pasture and developed habitat. These habitats have been modified from their natural state and are subject to ongoing disturbance, vegetation management, or other activities that limit the value of habitat. to wildlife. **Less than significant with no mitigation.**
- **Wetlands and Waters of the U.S.:** Construction would not involve direct impacts to any aquatic habitats and would not result in filling, excavating, re-routing, or other impacts to features with potential to be waters of the U.S. With adherence to NPDES permit and implementation of SWPPP and BMPs, construction indirect impacts to waters of the U.S. would be **Less than significant with no mitigation.**
- **Federally Listed Species:** No federally listed plant or animal species were found to occur in the Subject Property. Construction and operation of Alternative A would not convert habitat or otherwise impact special-status species. **Less than significant with no mitigation.**
- **Nesting Migratory Birds:** The Project would not affect nesting migratory birds. **Less than significant impact with no mitigation.**
- **Critical Habitat:** No designated critical habitat within or adjacent to property. Nearest critical habitat is for California condor 0.3 miles north of the Subject Property and Keck's checker-mallow 5 miles southwest of the Subject Property. **No impact.**

Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

3.5 CULTURAL AND PALEONTOLOGICAL RESOURCES

Detailed information on cultural and paleontological resources, including applicable regulations, technical survey results, and potential impacts, is provided in **Appendix C-5**.

3.5.1 Environmental and Regulatory Setting

A Cultural Resources Investigation was conducted for the full extent of the Subject Property and included a records search, field survey, sacred lands file (SLF) search and subsequent Native American consultation. During the field survey, two on-site historical resources were identified on the Subject Property; however, neither met the eligibility criteria for inclusion in the National Register of Historic Places (NRHP). No paleontological resources were identified on the Subject Property.

Relevant federal regulations include Section 106 of the NHPA, the Native American Graves Protection and Repatriation Act (NAGPRA), the Archaeological Resources Protection Act (ARPA), and the Paleontological Resources Preservation Act. These laws govern the identification, evaluation, and protection of archaeological, tribal, and paleontological resources on trust land.

3.5.2 Impacts

The following provides a summary of potential effects on cultural and paleontological resources for each alternative. Detailed information regarding impacts can be found in **Appendix C-5**.

Alternative A

- **Cultural and Paleontological Resources:** There is the potential for unknown cultural and/or paleontological resources to be discovered during construction. Inadvertent discovery protocols are included as mitigation in Section 4.0, which would ensure proper handling of any discoveries during construction. **Less-than-significant impact with mitigation.**

Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

3.6 SOCIOECONOMIC CONDITIONS

Detailed information on socioeconomic conditions and regulatory context is provided in **Appendix C-6**.

3.6.1 Environmental and Regulatory Setting

The Subject Property is located in Tulare County, California, in close proximity to SR-190. Tulare County had an unemployment rate of approximately 11.2% in July 2025, median household income of approximately \$57,394 (in 2021), and an estimated 10,228 vacant housing units (**Appendix C-6**). The County's median household income is much less than the \$84,097 figure estimated for California State.

3.6.2 Impacts

The following provides a summary of potential effects on socioeconomic conditions for each alternative. Detailed information regarding impacts can be found in **Appendix C-6**.

Alternative A

- **Employment and economy:** Construction and operations would generate one-time and recurring employment and economic output in Tulare County. However, these beneficial impacts would be less than significant in the context of County employment and economic output. **Less than significant impact with no mitigation.**
- **Fiscal Impacts:** There would be a loss in property tax revenue for the County by .006%, a very small percentage of the County's overall revenue. Property tax revenue would cease due to trust status. **Less than significant impact with no mitigation.**
- **Housing:** Although the operation of the Project may result in the in-migration of a small number of additional employee households, overall, the Project would not have significant local or regional impacts on the housing. **Less than significant impact with no mitigation.**

Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

3.7 TRANSPORTATION AND CIRCULATION

Detailed information on transportation networks, intersections, and transit systems is provided in **Appendix C-7**.

3.7.1 Environmental and Regulatory Setting

Regional access to the Subject Property is provided from SR-190. Local access to the Development Area 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**). SR-190 near the Subject Property currently carries approximately 5,800 vehicles per day (Caltrans, 2023).

Relevant transportation regulations and planning policies are contained within the Transportation and Circulation Element of the Tulare County General Plan. Detailed transportation information is provided in **Appendix C-7**.

3.7.2 Impacts

The following provides a summary of potential effects on transportation and circulation for each alternative. Detailed information regarding impacts can be found in **Appendix C-7**.

Alternative A

- **Construction Traffic:** Construction would generate additional temporary trips for workers and material hauling. A BMP addressing safety and vehicle delay during construction activities has been included as part of Alternative A (**Table 2-1**). **Less than significant impact with no mitigation.**
- **Operational Traffic:** 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. Because Alternative A would result in additional traffic trips to the area, mitigation has been included in **Section 4.0** such that the Tribe shall prepare a traffic study, if warranted, pursuant to the requirements set forth in the

County's Transportation and Circulation Element. The traffic study would include mitigation measures to reduce any impacts identified therein to a less-than-significant level. **Less than significant impact with mitigation.**

- **Site Access:** Alternative A would include either an improved existing driveway or a new driveway off SR-190 to serve the Development Area. An encroachment permit from Caltrans will be required for this element of Alternative A, ensuring that the driveway meets all required Caltrans design standards. Satisfactory roadway operating conditions and safety would be maintained. **Less than significant impact with no mitigation.**
- **Bicycle, Pedestrian, and Transit Networks:** Alternative A would not generate a large number of new pedestrian trips, bicycling activity, or transit riders. If the Class 1 multi-use path envisioned in the County's Transportation and Circulation Element is developed alongside SR-190, an alternative to driving will be available for use by employees and/or patrons of the Proposed Project. Transit and active transportation networks would not be degraded. **Less than significant impact with no mitigation.**

Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state and operation of the existing Native Oaks Golf Club would continue. **No impact.**

3.8 LAND USE

Detailed information on land use, including applicable regulations, surrounding designations, agricultural classifications, and compatibility considerations, is provided in **Appendix C-8**.

3.8.1 Environmental and Regulatory Setting

The Subject Property is located in unincorporated Tulare County, approximately five miles northwest of Porterville, within a Development Corridor in the FGMP area of the Tulare County General Plan, designated Foothill Mixed Use. The 109.57-acre site supports citrus orchards, grazing, and open space and is zoned PD-F-M (Planned Development – Foothill Combining – Mobilehome). According to the Farmland Mapping and Monitoring Program (FMMP), the Subject Property contains Farmland of Statewide Importance and Unique Farmland in its western portion, with the balance mapped as grazing and open space. The property is not enrolled in the Williamson Act.

Surrounding land uses include SR-190 and limited commercial/undeveloped land to the north; recreational uses (Lake Success and Lake Success Mobile Lodge) to the west; Tule River Indian Tribe trust land with community and commercial uses to the east; and agricultural rolling hills to the south. The property also lies within a designated Scenic Corridor along SR-190.

The Tulare County General Plan 2030 Update provides the overarching framework for growth, emphasizing protection of agricultural resources, directing development toward cities and communities, and ensuring compatibility between land uses. The Foothill Growth Management Plan supplements the General Plan by concentrating growth into designated corridors to protect agriculture and sensitive foothill resources. At the federal level, the Farmland Protection Policy Act (FPPA) requires consideration of farmland conversion for federally assisted projects.

3.8.2 Impacts

The following provides a summary of potential effects on land use for each alternative. Detailed information regarding impacts can be found in **Appendix C-8**.

Alternative A

- **Land Use Compatibility:** Alternative A would transfer 109.57 acres into federal trust, removing it from County jurisdiction. While County zoning would no longer apply, the proposed uses would not conflict with existing PD-F-M zoning, Foothill Growth Management Plan, the segment of SR-190 designated as Scenic Corridor, or surrounding agricultural, recreational, or tribal uses. The project does not involve expansion of utilities or roads that could induce growth. **Less than significant impact with no mitigation.**
- **Agriculture:** Development avoids areas mapped as Prime and Unique Farmland, allowing continued operation of the 20-acre citrus grove. Adjacent agricultural uses would not be precluded. No conversion of farmland. **Less than significant impact with no mitigation.**

Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state and operation of the existing citrus grove would continue. **No impact.**

3.9 PUBLIC SERVICES

Detailed information on public services, including applicable regulations, service provider data, and projected demand under each alternative, is provided in **Appendix C-9**.

3.9.1 Environmental and Regulatory Setting

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. There is no access to municipal wastewater treatment services, the existing residence is connected to an on-site septic system for wastewater disposal.

Law enforcement is provided by the TCSO. Fire Protection and emergency medical aid is primarily provided by the Tulare County Fire Department (TCFD). There is currently an above ground propane tank located on the Subject Property. Natural gas provision in the County is privately operated and maintained by SoCalGas. SCE provides electricity to the Subject Property. Public school services are provided by the Porterville Unified School District (PUSD). The closest park to the Subject Property is Bartlett Park, approximately 3 miles southwest of the Subject Property.

Applicable regulations include the CWA, SDWA, Public Law 280, Senate Bill 1383 and Assembly Bill (AB) 939 for waste reduction. Further detail is included in **Appendix C-9**.

3.9.2 Impacts

The following provides a summary of potential effects on public services for each alternative. Detailed information regarding impacts can be found in **Appendix C-9**.

Alternative A

- **Water Supply:** Water would be provided via installation of a new groundwater well. There would be no impacts to municipal water systems since they will not be used. **No impact with no mitigation.**
- **Wastewater:** A new septic system would be installed to accommodate the commercial development. There would be no impacts to municipal wastewater systems since they will not be used. **No impact with no mitigation.**
- **Solid Waste Service:** Operational waste generation would increase by approximately 22.8 tons of solid waste per year, a small fraction of landfill capacity. **Less than significant impact with no mitigation.**

- **Electricity and Natural Gas:** There is existing electrical infrastructure and a high pressure gas distribution line that runs along SR-190 that can be extended and used for the commercial development. If any additional extensions or relocations are needed the Tribe will coordinate with SCE or SoCalGas. BMPs for utility line locations during construction will ensure a **Less than significant impact with no mitigation.**
- **Law Enforcement:** 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. Calls for service would not be disproportionate to other small-scale developments in the County. A minimal increase in calls does not warrant new or expanded facilities. **Less than significant impact with no mitigation.**
- **Fire Protection and EMS:** Tribal fire department would acquire the majority of fire service calls. Calls for service would not be disproportionate to other small-scale developments in the County. A minimal increase in calls does not warrant new or expanded facilities. To reduce risk of fire during construction, BMPs will be implemented. **Less than significant impact with no mitigation.**
- **Schools and Parks:** Alternative A is not expected to significantly increase school-aged population or visitation to public parks because it would not significantly increase the population in the County. **Less than significant impact with no mitigation.**

Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

3.10 NOISE

Detailed information on noise conditions, modeling methodology, and applicable regulatory thresholds is provided in **Appendix C-10.**

3.10.1 Environmental and Regulatory Setting

The dominant noise source in the vicinity of the Subject Property is traffic along SR-190, with additional contributions from agricultural operations, rural residential activities, and occasional commercial or recreational uses such as the Lake Success Mobile Lodge and the Eagle Feather Trading Post. The estimated ambient noise level in the area is approximately 55 decibels (dBA) L_{eq} (24-hour average), assumed to be primarily due to traffic along SR-190.

Sensitive receptors in the project vicinity include residences west of the Subject Property. The nearest receptor is a single-family residence located approximately 0.13 miles west of the proposed commercial development, across SR-190, with another single-family residence located approximately 0.22 miles southwest of the proposed commercial development.

Federal standards govern both noise and vibration, including criteria established by the Federal Highway Administration (FHWA) for residential receptors and Federal Transportation Administration (FTA) guidelines for construction activities and vibration limits for structural protection and human annoyance. The Tulare County General Plan sets countywide and foothill-specific standards for residential uses and guides the review of potential land use conflicts from noise.

3.10.2 Impacts

The following provides a summary of potential effects on noise for each alternative. Detailed information regarding impacts can be found in **Appendix C-10.**

Alternative A

- **Construction Noise:** Combined operation of the loudest equipment could reach 89.8 dBA at 50 feet. At the nearest sensitive receptor, located approximately 0.13 miles west of the proposed commercial development, the maximum construction noise level is estimated at 67.0 dBA. Construction would be limited to daytime hours, and best management practices such as muffling equipment, prohibiting unnecessary idling, and siting staging areas away from residences would further reduce temporary effects. Construction would follow BMPs. **Less than significant impact with no mitigation.**
- **Operational Noise:** Operation of the proposed commercial development is not expected to generate significant sources of noise. There would be small increase in traffic, but not substantial enough to increase the ambient noise environment. **Less than significant impact with no mitigation.**
- **Construction and Operation Vibration:** Construction activity would not occur within 100 feet of a sensitive receptor and therefore excessive vibration would not be felt. Operational vibration would be negligible. **Less than significant impact with no mitigation.**

Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state and operation of the existing citrus orchard would continue. **No impact.**

3.11 HAZARDOUS MATERIALS

Detailed information on hazardous materials, including applicable regulations is provided in **Appendix C-11**.

3.11.1 Environmental and Regulatory Setting

A Phase I Environmental Site Assessment (ESA) was conducted for the Subject Property and included relevant database listings of hazardous material sites, waste generators, above ground storage tanks and underground storage tanks (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 any hazardous materials releases were found on the Subject Property or within the vicinity. There were no hazardous releases found in connection with the Subject Property..

Hazardous Materials are regulated by multiple agencies including USEPA, U.S. Department of Transportation and regulations including Resource Conservation and Recovery Act, Federal Food, Drug, and Cosmetic Act, Hazard Communication Standard (HCS), Federal Hazardous Substance Act and Toxic Substance Control Act amongst others. Further detail is included in **Appendix C-11**.

3.11.2 Impacts

The following provides a summary of potential effects on hazardous materials for each alternative. Detailed information regarding impacts can be found in **Appendix C-11**.

Alternative A

- **Hazardous Materials- Construction:** Limited quantities of hazardous materials would be used during construction, BMPs required through the NPDES CGP limit or eliminate risk of accidental releases of hazardous materials. **Less than significant impact with no mitigation.**
- **Hazardous Materials- Operation:** Common hazardous materials would be used during operation, but would be handled, stored and disposed of according to federal guidelines. **Less than significant impact with no mitigation.**

- **Wildfire Risk- Construction:** Subject Property is in a moderate to high fire hazard severity zone and is surrounded by a moderate to high fire hazard severity zone. With this moderate to high severity zone rating, chances of fires during construction is possible, although the majority of the Subject Property will be untouched. BMPs would reduce the probability of igniting a fire. **Less than significant impact with no mitigation.**
- **Wildfire Risk- Operation:** Alternative A would be designed to meet IBC, including measures related to fire and structural safety. **Less than significant impact with no mitigation.**

Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

3.12 VISUAL RESOURCES

Detailed information on visual resources, including applicable design standards and key scenic viewpoints are provided in **Appendix C-12**.

3.12.1 Environmental and Regulatory Setting

The topography is variable and 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.

Title 24 Outdoor Lighting Zone standards would be applied for visual resources. Further detail is included in **Appendix C-12**.

3.12.2 Impacts

The following provides a summary of potential effects on visual resources for each alternative. Detailed information regarding impacts can be found in **Appendix C-12**.

Alternative A

- **Visual Compatibility:** Proposed development would be consistent with the developments and land use on the adjacent commercial property to the northeast and keep with the visual characteristic that exists on the site and surrounding area. **Less than significant impact with no mitigation.**
- **Lighting and Glare:** Lighting would include BMPs using low-glare materials. Increases in ambient light would be consistent with surrounding development. **Less than significant impact with no mitigation.**

Alternative B

Under Alternative B, no development would occur, and the Subject Property would remain in its current state. **No impact.**

3.13 OTHER REASONABLY FORESEEABLE IMPACTS

As described in **Sections 3.1** through **3.12**, 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.

Section 4 | Mitigation

Mitigation measures to address potentially significant impacts that could result from implementation of a federal action consist of the following:

- Avoiding the impact altogether by not taking a certain action or parts of an action.
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- Compensating for the impact by replacing or providing substitute resources or environments.

Mitigation measures to be implemented during construction and operation of the Proposed Project are summarized in **Table 4-1** below. Mitigation is enforceable because it is (1) inherent to the project design; and/or (2) required by federal or Tribal regulations. In accordance with the IAM; Part 59, Chapter 3.3(D), it is the policy of the BIA to:

- Take the appropriate steps to ensure negative environmental effects are prevented, minimized or mitigated whenever possible.
- Monitor for and assess the effectiveness of mitigation measures identified to mitigate adverse environmental impacts in EAs.

Table 4-1: Mitigation Measures

Resource Area	Proposed Mitigation
Cultural Resources	CUL-1: Inadvertent Discovery Protocols 1. In the event that a cultural resource is inadvertently discovered during Project activities, work must be halted within 30 feet of the find and a qualified archaeologist (36 CFR Part 61) 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. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and would be discussed in consultation with the BIA, affiliated tribal organizations, and any other relevant regulatory agencies or invested parties, as appropriate. CUL-2: Human Remains 1. Although unlikely, the discovery of human remains is always a possibility. State of California Health and Safety Code Section 7050.5 covers these discoveries, except on federal lands. This code section states that no further disturbance may occur until the County Coroner has made a determination of origin and disposition of the remains pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately upon discovery. If the human remains are determined to be of Native American origin, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendent (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.

Section 5 | Consultation and Coordination

Federal Agencies Consulted

- **Federal Emergency Management Agency (FEMA):** The FEMA Map Service Center was utilized to review Flood Information Rate Maps.
- **Federal Transportation Administration:** FTA guidance manuals were consulted regarding transit noise and vibration standards.
- **U.S. Bureau of Labor Statistics:** Reviewed website to obtain labor statistics.
- **U.S. Census Bureau:** Reviewed website for information concerning demographical data.
- **U.S. Department of Agriculture Natural Resources Conservation Service (NRCS):** Consulted website for data concerning farmland and soil characteristics information.
- **U.S. Department of Health and Human Services:** Reviewed website for information concerning federal poverty guidelines to determining poverty.
- **U.S. Environmental Protection Agency:** Reviewed website for information regarding National Ambient Air Quality Standards (NAAQS) Attainment status. Additionally, the USEPA's Waterbody Reports database was queried for information regarding water quality. The Enforcement and Compliance History Online database was consulted.
- **U.S. Fish and Wildlife Service (USFWS):** Consulted to obtain a list of federally listed special-status species with the potential to occur in the Vicinity of the Subject Property. Additionally, the USFWS National Wetlands Inventory was consulted to identify potential wetlands and waters in the vicinity of the Subject Property.
- **U.S. Geological Survey (USGS):** Reviewed website for information concerning geological and hydrological information in addition to geological hazards, such as volcanic information.

State Agencies Consulted

- **California Department of Conservation (DOC), California Geological Survey:** Reviewed website for geological information for the County of Tulare.
- **California Department of Forestry and Fire Protection (Cal Fire):** Reviewed website for information concerning wildfire data within the State.
- **California Department of Toxic Substances Control:** EnviroStor Database search for documentation of local hazardous materials.
- **California Department of Water Resources:** Website and publications were reviewed for information about local groundwater basins.
- **California Historical Resources Information System (CHRIS):** Consulted in order to obtain resource records and reports about specific cultural resources.
- **California Native Plant Society's database *Inventory of Rare and Endangered Plants of California*:** Online database was reviewed to obtain a list of rare and endangered plants of California.
- **California Natural Diversity Database (CNDDB):** Online database was reviewed to obtain a list of threatened, endangered, and sensitive species with the potential to occur in the vicinity of the Subject Property. The online database was also consulted to obtain maps of sensitive habitat and sensitive species' ranges.

- **California Department of Transportation:** State Scenic Highway System list was used to identify any state scenic highways, or County designated scenic highways.
- **California State Historic Preservation Officer:** The California Office of Historic Preservation may be consulted regarding the potential for the project alternatives to impact cultural resources in accordance with the NHPA.
- **State Water Resources Control Board (SWRCB):** GeoTracker database was searched for documentation of local hazardous materials.
- **California Department of Resources Recycling and Recovery (CalRecycle):** Website was reviewed to obtain solid waste numbers by land use.
- **Native American Heritage Commission:** A record search of the NAHC SLF, and list of Native American tribes who may also have knowledge of cultural resources in the project area was conducted.

Local Agencies and Service Providers

- **Tulare County:** Tulare County website, reports, and planning documents, such as the General Plan, were consulted for information regarding numerous environmental topics, such as land use, public services, taxes, and cumulative projects.
- **Tulare County Sheriff's Office:** Website was reviewed to obtain information on law enforcement services in the Project vicinity.
- **Southern California Edison:** Website was reviewed to obtain information about electricity services.
- **SoCalGas:** Website was reviewed to obtain information about gas services.
- **Tulare County Parks and Recreation:** Website was reviewed to obtain information about parks and recreational facilities in the Project vicinity.
- **Tulare County Fire Department:** Website was reviewed to obtain fire and emergency services information for the department.
- **Porterville Unified School District:** Website was reviewed to obtain information about the schools in the Project vicinity.

Section 6 | Preparers

Name	Qualifications	Participation
Acorn Environmental – Environmental Assessment		
Bibiana Sparks	BS; 17 years of experience	Project Director; EA Author
Chad Broussard	BS; 24 years of experience	Project Director; EA Author
John Fox	BS; MBA 36 years of experience	Senior Environmental Analyst; EA Author
Shadde Rosenblum	BA, MS; 25 years of experience	Senior Environmental Analyst; EA Author
Kimberly Fuchs	BS; 25 years of experience	Senior Environmental Analyst; EA Author
Kristen Miner	BS, MS; 11 years of experience	Senior Environmental Analyst; EA Author
Kimberlina Gomez	BS, MS; 3 years of experience	Environmental Analyst; EA Author
Emma Miller	BA; 3 years of experience	Environmental Analyst; EA Author
Dana Hirschberg	24 years of experience	Graphics

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