City of Tulare
Planning and Building Department
411 East Kern Avenue
Tulare, CA 93274

Proposed Initial Study/Mitigated Negative Declaration

Project Title: H Street Improvements Between Prosperity Avenue and Cross Avenue

This document is the Initial Study/Mitigated Negative Declaration on the proposed construction of various H Street improvements, including storm drain, water and sewer line replacements, installation of curb/gutters, ADA ramps and sidewalks. The City of Tulare will act as the Lead Agency for this project pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

PURPOSE

The purpose of this environmental document is to implement the California Environmental Quality Act (CEQA). Section 15002(a) of the CEQA Guidelines describes the basic purposes of CEQA as follows.

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

This Initial Study of environmental impacts has been prepared to conform to the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.).

According to Section 15070(a), a Negative Declaration is appropriate if it is determined that:

(1) The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

1. **Project Title:** H Street Improvements Project (Between Prosperity Ave. and Cross Ave.)

2. **Lead Agency:** City of Tulare
411 E. Kern Avenue
Tulare, CA 93274
(559) 684-4029

3. **Applicant:** City of Tulare
411 E. Kern Avenue
Tulare, CA 93274
(559) 684-4029

4. **Contact Person:** Nick Bartsch
City of Tulare
411 E. Kern Avenue
Tulare, CA 93274
(559) 684-4029

5. **Project Location:**
The proposed project is located on H Street between E. Prosperity and E. Cross.

6. **General Plan Designation:**
N/A – public road/right-of-way

7. **Zoning Designation:**
N/A – public road/right-of-way

8. **Surrounding Land Uses and Settings:**
The roadway section is located in neighborhood commercial, public lands, multiple family and single family residential neighborhoods primarily consisting of single family homes and a park (See Figure 1).

9. **Project Description**
The proposed project will include the following improvements to H Street between E. Prosperity Avenue and E. Cross Avenue (See Figure 1):
   - Replacement of approximately 2,100 linear feet of water main and affected services between Cross Avenue and Pleasant Avenue;
   - Installation of ADA approved ramps (where needed);
   - Tree removal and installation of curb, gutter, sidewalk and paveout across one parcel with 125 feet of street frontage;

- Replacement of approximately 920 linear feet of existing sewer main and affected laterals between Cross Avenue and Maple Avenue;
- Replacement of approximately 400 linear feet of existing sewer main between Prosperity and Maple;
- Installation of approximately 855 linear feet of new sewer main between Stadium Avenue and a point approximately 115 feet south of Prosperity Avenue;
- Repair of existing storm drain later connections between Cross Avenue and Pleasant Avenue.

10. **Parking and access:** Road access will continue throughout the project (with appropriate construction signage) with the exception of a short timespan during the overlay curing process, that vehicles cannot drive on or park on the street.

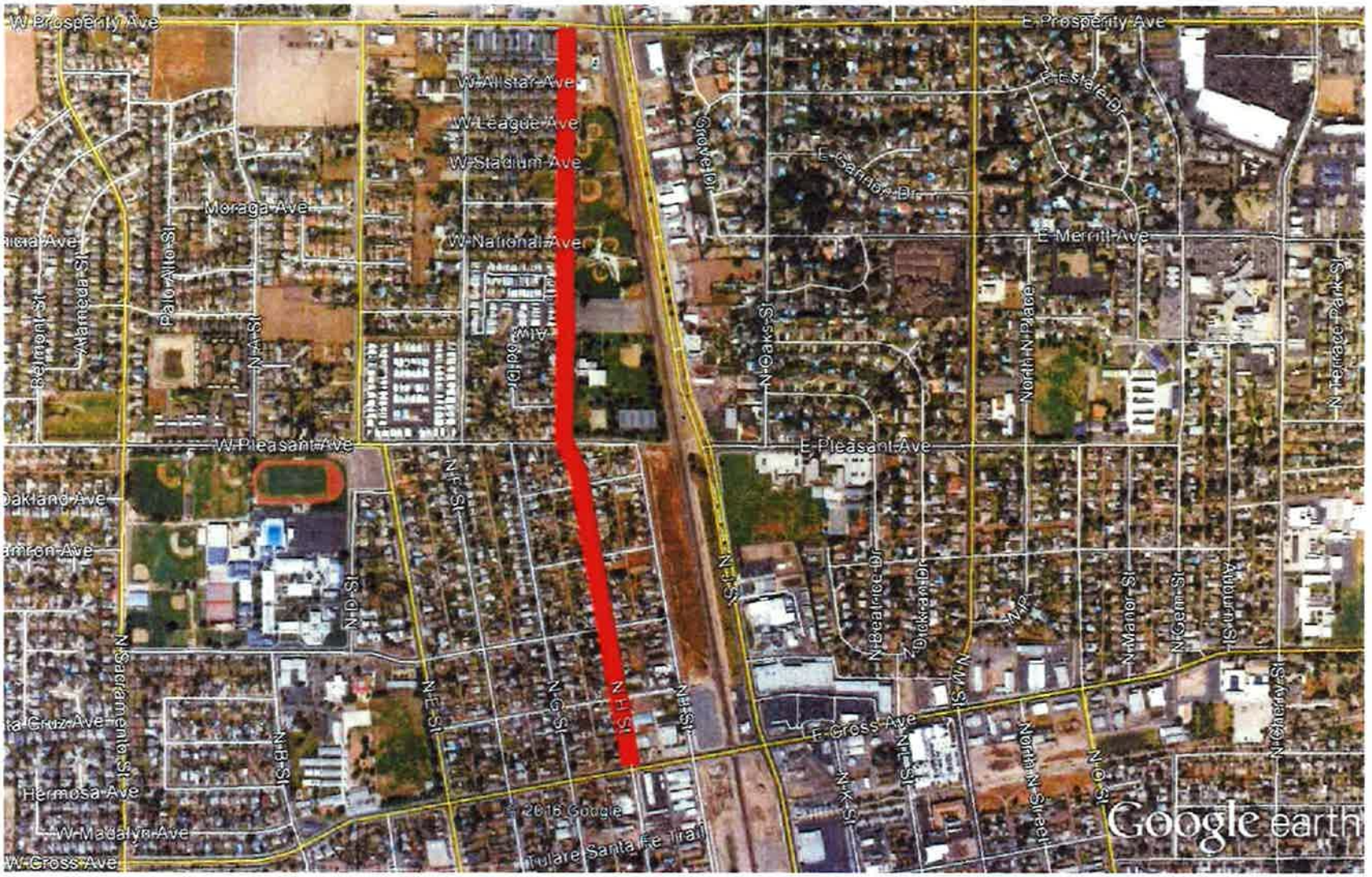
11. **Landscaping and Design**: The project does not include any landscaping components, except to replace any landscaping that had to be removed as part of the project.

12. **Utilities and Electrical Services:** The project includes installation of a water and sewer line. No additional utilities are associated with the project.

Acronyms

BMP	Best Management Practices
CAA	Clean Air Act
CCR	California Code of Regulation
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CWA	California Water Act
DHS	Department of Health Services
FEIR	Final Environmental Impact Report
FPPA	Farmland Protection Policy Act
ISMND	Initial Study Mitigated Negative Declaration
MCL	Maximum Contaminant Level
ND	Negative Declaration
NAC	Noise Abatement Criteria
RCRA	Resource Conservation and Recovery Act of 1976
RWQCB	Regional Water Quality Control Board
SHPO	State Historic Preservation Office
SJVAPCD	San Joaquin Valley Air Pollution Control District
SWPPP	Storm Water Pollution Prevention Plan

Figure 1: Project Site Location



EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "no Impact" answers that are adequately support by the information sources a lead agency cites, in the parentheses following each question. A "No Impact" answer is adequately supported if the reference information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR if required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequate analyzed in an earlier EIR or negative declaration. Section 15063(c) (3)(D). In this case, a brief discussion should identify the following.

    a) Earlier Analysis Used. Identify and state where they are available for review.
    b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated." Describe and mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

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

On the basis of this initial evaluation:

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

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

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

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

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

Michael W. Miller — 05/12/16

SIGNATURE — DATE

Michael Miller, City Engineer — City of Tulare

PRINTED NAME — Agency

ENVIRONMENTAL ANALYSIS

The following section provides an evaluation of the impact categories and questions contained in the checklist and identify mitigation measures, if applicable.

I. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☑
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within state scenic highway?	☐	☐	☐	☑
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☑
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☑

Environmental Setting

The proposed project is located in an established neighborhood in central Tulare. To the west of H Street is a residential neighborhood and to the east is neighborhood commercial and park.

Discussion:

a) **No Impact:** A scenic vista is defined as a viewpoint that provides expansive views of highly valued landscape for the benefit of the general public. The Sierra Nevada Mountains are the only natural and visual resource in the project area. Views of these distant mountains are afforded only during clear conditions. Due to poor air quality in the valley, this mountain range is not visible on the majority days. Distant views of the Sierra Nevada Mountains would largely be unaffected by the development of the project because of the distance and limited visibility of these features. The City of Tulare does not identify views of these features as required to be "protected." The project consists of underground pipelines and surface improvements (sidewalks, ADA ramps and street overlay) which will not obstruct or alter any existing views. Based upon this, and the lack of view of the features on a majority of days in the year both on and off site, there is *no impact*.

b) **No Impact:** The project site is located in established commercial, park, and residential areas in west Tulare. The site does not contain any rock outcropping or historic buildings. Additionally, there are no highways within the planning area that are designated by State

or local agencies as "Scenic highways." Therefore, the proposed project would have *no impact* to any scenic resources.

c) **No Impact:** The project consists of underground pipelines and surface improvements (sidewalks, ADA ramps and street overlay) which will not obstruct or alter any existing views. The new sidewalks and ADA ramps will be similar to others in the area. Therefore, the proposed project would have *no impact* on the visual character of the area.

d) **No Impact:** The project does not include any lighting components. Therefore, the proposed project would have *no impact* from light/glare.

II. AGRICULTURE AND FOREST RESOURCES:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California air Resources Board. - -Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☑
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☑
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or	☐	☐	☐	☑

timberland zoned timberland Production (as defined by Government Code section 51104(g)?				
d) Result in the loss of forestland or conversion of forest land to non-forest use?	☐	☐	☐	☑
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	☐	☐	☐	☑

Discussion:

a) **No Impact:** The proposed project site consists of street and sidewalk in a commercial, park, and residential area and is located in an area of the City considered Vacant/Disturbed Land by the State Farmland Mapping and Monitoring Program (FMMP). No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance or land under Williamson Act contracts occurs in the project area. Therefore, the project has *no impacts*.

b) **No Impact:** The project site is not under Williamson Act contract and therefore would create *no impacts.*

c) **No Impact:** The project site is not zoned for agriculture use and there is no zone change proposed for the site, therefore *no impacts* would occur.

d) **No Impact:** No conversion of forestland, as defined under Public Resource Code or General Code, will occur as a result of the project and would create *no impacts*.

e) **No Impact:** The site is within an urban area and the City's General Plan designation for the area is community commercial, residential, and parks and recreation. Therefore, the project has *no impacts*.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☑	☐

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☑	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	☐	☐	☑	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☑	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☑	☐

CURRENT POLICIES AND REGULATIONS

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

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

The state and federal standards for the criteria pollutants are presented in (see Table 1, page 14). These standards are designed to protect public health and welfare. The "primary" standards have been established to protect the public health. The "secondary" standards are intended to protect the nation's welfare and account for air pollutant effects on soils, water, visibility, materials, vegetation and other aspects of general welfare. The U.S. EPA revoked the national 1-hour ozone standard on June 15, 2005, and the annual PM_{10} standard on September 21, 2006, when a new $PM_{2.5}$ 24-hour standard was established.

Table 1

Ambient Air Quality Standards				
Pollutant	**Averaging Time**	**California Standards**	**National Standards**	
			Primary	**Secondary**
Ozone (O_3)	1-hour	0.09 ppm (180 ug/m^3)		Same as Primary Standard
	8-hour			
Respirable Particulate Matter (PM_{10})	Annual Geometric Mean	20 ug/m^3	-	Same as Primary Standard
	24-Hour	50 ug/m^3	150 ug/m^3	
	Annual Arithmetic Mean	-	50 ug/m^3	
Fine Particulate Matter ($PM_{2.5}$)	24-Hour	No Separate State Standard 12 ug/m^3	65 ug/m^3	
	Annual Arithmetic Mean		15 ug/m^3	
Carbon Monoxide (CO)	8-hour	9.0 ppm (10 mg/m^3)	9 ppm (10 mg/m^3)	None
	1-Hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)	
	8-Hour (Lake Tahoe)	6 ppm (7 mg/m^3)	-	
Nitrogen Dioxide (NO_2)	Annual Arithmetic Mean	0.030 ppm (57 ug/m^3)	0.053ppm[f] (100ug/m^3)	Same as Primary Standard
	1-hour	0.18 ppm (339 ug/m^3)	0.1 ppm[f] (188 ug/m^3)	-
Sulfur Dioxide (SO_2)	24-Hour	0.04 ppm (105 ug/m^3)	0.14 ppm (365ug/m^3)	-
	3-Hour	-	-	0.5 ppm (1300 ug/m^3)
	1-Hour	0.25 ppm (655 ug/m^3)	75 ppb[g] (196 ug/m^3)	-
Lead[h]	30-day Average	-	-	
	Calendar Quarter	(1.5 ug/m^3)	(1.5ug/m^3)	Same as Primary Standard
	Rolling 3-month Average[i]	-	(0.15ug/m^3)	
Sulfates	24-Hour	25 ug/m^3	No National Standard	
Hydrogen Sulfide	1-Hour	0.03 ppm (42 ug/m^3)		
Vinyl Chloride	24-Hour	0.01 ppm (26 ug/m^3		
Visibility-Reducing Particle Matter	8-Hour	Extinction coefficient of 0.23 per kilometer –visibility of 10 miles or more because of particles when the relative humidity is less than 70%.		
Notes:				

Ambient Air Quality Standards				
Pollutant	Averaging Time	California Standards	National Standards	
			Primary	Secondary

1. California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter –PM 10, PM2.5, and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations,
2. National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150ug/m3 is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, equal to or less than the standard. Contact U.S. EPA for further clarification and current federal policies.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25° C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25° C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent procedure which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Primary Standards: The levels of air quality necessary to protect the public welfare from protect the public welfare from any known or anticipate adverse effects of a pollutant.
7. Reference method as described by the EPA. An "Equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the EPA.
8. To attain the standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 0.100 ppm (effective January 22, 2010). Note that the EPA standards are in units of parts per billion (PPB). California standards are in units of parts per million (PPM). To directly compare the national standards to the California standards are in units of parts per million from ppb to ppm. In this case, the national standards of 53 ppb and 100 ppb are identical to 0.053 ppm and 0.100 ppm, respectively.
9. On June 2, 2010, the U. S. EPA established a new 1-hour SO_2 standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. EPA also proposed a new automated Federal Reference Method (FRM) have adequately permeated Stat-monitoring networks. The EPA also revoked both the existing 24-hour SO_2 standard of 0.030 ppm effective August 23, 2010. The secondary SO2 standard was not revised at that time; however, the secondary standard is undergoing a separate review by EPA. Not that the new standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the new primary national standard to the California standard of 75 ppb is identical to 0.075 ppm.
10. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no thresholds level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
11. National lead standard, rolling 3-month average; final rule signed October 15, 2008.

Source: ARB 2010; EPA 2010

Air quality is described in terms of emissions rate and concentration of emissions. An emissions rate is the amount of pollutant released into the atmosphere by a given source over a specified time period. Emissions rates are generally expressed in units such as pounds per hour (1lbs/hr) or tons per year. Concentrations of emissions, on the other hand, represent the amount of pollutant in a given space at any time. Concentration is usually expressed in units such as micrograms per cubic meter, kilograms per metric ton, or parts per million. There are

4 primary sources of air pollution within the SJVAB: motor vehicles, stationary sources, agricultural activities, and construction activities.

Criteria air pollutants are classified in each air basin, county, or, in some cases, within a specific urbanized area. The classification is determined by comparing actual monitoring data with state and federal standards. If a pollutant concentration is lower than the standard, the pollutant is classified as "attainment" in that area. If an area exceeds the standard, the pollutant is classified as "non attainment." If there are not enough data available to determine whether the standard is exceeded in an area, the area is designated "unclassified."

Air quality in the vicinity of the proposed project is regulated by several jurisdictions including the State and Federal Environmental Protection Agency (EPA), California Resources Board (CARB), and the San Joaquin Valley Air Pollution Control District (SJVAPCD). Each jurisdiction develops rules, regulations, policies, and/or goals to attain the directives imposed upon them through Federal and State legislation.

The Clean Air Act (CAA) of 1990 requires emission controls on factories, businesses, and automobiles by:

- Lowering the limits on hydrochloric acid and nitrogen oxides (NO_X) emissions, requiring the increased use of alternative-fuel cars, on-board canisters to capture vapors during refueling, and extending emission-control warranties.

- Reducing airborne toxins by requiring factories to install "maximum achievable control technology" and installing urban pollution control programs.

- Reduction Acid rain production by cutting sulfur dioxide emissions for coal-burning power plants.

In July of 1997, the EPA adopted a $PM_{2.5}$ standard in recognition of increased concern over particulate matter 2.5 microns in diameter ($PM_{2.5}$). Ending several years of litigation, EPA's $PM_{2.5}$ regulations were upheld by the U.S. Supreme Court on February 27, 2001. According to information provided by the EPA, designations for the new $PM_{2.5}$ standards began in the year 2002 with attainment plans submitted by 2005 for regions that violate the standard. $PM_{2.5}$ measurements have not yet been conducted to determine if the City is in attainment under the new federal $PM_{2.5}$ standards. A $PM_{2.5}$ monitoring network plan has been developed by the CARB and local air districts in California, and data is in the process of being collected.

The following rules and regulations have been adopted by the Air District to reduce emissions throughout the San Joaquin Valley and verification by the City of compliance with these rules and regulations will be required, as applicable, to construct and operation of the project.

- Rule 4002 – National Emission Standards for Hazardous Air Pollutants

There are no existing structures located on the proposed site.

- Rule 4102 – Nuisance
  This rule applies to any source operation that emits or may emit air contaminants or other materials. In the event that the project or construction of the project creates a public nuisance, it could be in violation and b subject to district enforcement action.

- Rule 4601 – Architectural coatings.
  The purpose of this rule is to limit volatile organic compound (VOC) emissions from architectural coatings. Emission are reduced by limits on VOC content and providing requirements on coatings storage, cleanup, and labeling

- Rule 4641- Cutback, slow cure, and emulsified asphalt, paving and maintenance operations. The purpose of this rule is to limit VOC emissions from asphalt paving and maintenance operations. If asphalt paving will be used, then the paving operations will be subject to Rule 4641.

- Rule 9510 – Indirect Source Review (ISR)
  This rule reduces the impact PM_{10} and NO_X emissions from growth on the SJVB. This rule places application and emission reduction requirements on applicable development projects in order to reduce emissions through onsite mitigation, offsite SJVAPCD-administered projects, or a combination of the two. This project will submit an Air Impact Assessment (AIA) application in accordance with Rule 9510's requirements.

- Compliance with SJVAPCD Rule 9510 (ISR) reduces the emissions impact of the project through incorporation of onsite measures as well as payment of an offsite fee that funds emissions reduction projects in the SJVAB. A number of "optional"/Above and Beyond" mitigation measures included in this project can be created as Rule 9510 – onsite mitigation measures.

- Regulation VIII – fugitive PM_{10} Prohibitions
  Rules 8011 – 8081 are designed to reduce PM_{10} emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and track-out etc. Among the Regulation VIII Rules applicable to the project are the following:

  1. Rule 8011 – Fugitive Dust Administrative Requirements for Control of Fine Particulate Matter (PM_{10})

  2. Rule 8021 – Fugitive Dust Requirements for Control of fine Particulate Matter (PM_{10}) from Construction, Excavation, and Extraction Activities

3. Rule 8030 – Fugitive dust Requirements for Control of Fine Particulate Matter (PM_{10}) from Handling and Storage of Fine Bulk Materials.

4. Rule 8060 – Fugitive dust Requirements for Control of fine Particulate Matter (PM_{10}) from Paved and Unpaved Roads.

5. Rule 8070 - Fugitive Dust Requirements for Control of Fine Particulate Matter P_{10}) from Vehicle and/or Equipment Parking, Shipping, Receiving, Transfer, Fueling, and Service Areas.

6. Rule 8071 – Unpaved vehicle/equipment traffic areas. The purpose of this rule is to limit dust emissions from travel on unpaved parking areas. If the project exceeds the applicability threshold of 25 daily vehicle trips by vehicles and three or more axles, control requirements listed in the rule must be met.

Discussion:

a) **Less-Than-Significant-Impact:** The proposed project is located within the boundaries of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAPCD is responsible for bringing air quality in the City into compliance with federal and state air quality standards. The proposed project does not include land use changes that would conflict with the long-range air quality projects of the San Joaquin Valley Air Pollution Control District. The project is being constructed to support and account for existing and projected demand identified in the City's General Plan. The project does not have any component that would cause an increase in vehicle miles traveled unaccounted for in regional emissions inventories. Therefore, the project would not conflict with or obstruct implementation of any SJVAPCD plans or guidelines and impacts would be *less than significant*.

b) **Less-than-significant-Impact:** Construction of the proposed project involves demolition, excavation, and use of construction equipment. Project construction would result in short-term air pollutant emissions from use of construction equipment, earth-moving activities (grading), construction workers' commutes, materials deliveries and short-distance earth and debris hauling.

To aid in evaluating potentially significant construction and/or operational impacts of a project, SJVAPCD has prepared an advisory document, the Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI), which contains standard procedures for addressing air quality in CEQA documents (SJVAPCD, 2002), which was updated in March of 2015.

GAMAQI presents a three-tiered approach to air quality analysis. The Small Project Analysis Level (SPAL) is first used to screen the project for potentially significant impacts. A project that meets the screening criteria at this level requires no further analysis and

air quality impacts of the project may be deemed less than significant. If a project does not meet all the criteria at this screening level, additional screening is recommended at the Cursory Analysis Level and, if warranted, the Full Analysis Level.

GAMAQI 5-3(b) (Table 2), which SJVAPCD recommends using as part of the initial screening process, shows the maximum trips per day to be considered a SPAL project. The project would not generate any additional trips, therefore, the project meets the SPAL criterion for project type and is excluded from quantifying criteria pollutant emissions for CEQA purposes.

SJVAPCD Regulation VIII mandates requirements, as seen in Table 2, for any type of ground moving activity and would be adhered to during the construction; however, during construction, air quality impacts would be less than SJVAPCD thresholds for non-attainment pollutants and operation of the project would not result in impacts to air quality standards for criteria pollutants. As such, any impacts would be *less than significant*.

Table 2

Regulation VIII Control Measures for Construction Emissions of PM-10

The following controls are required to be implemented at all construction sites in the San Joaquin Valley Air Basin
• All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover. • All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant. • All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking. • With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition. • When materials are transported off-site, all materials shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained. • All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions). (Use of blower devices is expressly forbidden). • Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant. • Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.

• Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.

c) **Less-Than-Significant-Impact:** The SJVAPCD accounts for cumulative impacts to air quality in its "Guide for Assessing and Mitigating Air Quality Impacts" Technical Document Information for Preparing Air Quality Sections in EIRs" and its "Guide for Assessing and Mitigating Air Quality Impacts". The SJVAPCD considered basin-wide cumulative impacts to air quality when developing its significance thresholds (SJVAPCD, 2002b). Since the project does not produce any vehicle trips, the cumulative impacts to air quality from construction/operation of the proposed project are considered to be *less than significant*.

d) **Less-Than-Significant-Impact:** The nearest sensitive receptors (a residential neighborhood) are the residential houses that border H Street. The project does not include any project components identified by the California Air Resources Board that could potentially impact any sensitive receptors. These include heavily traveled roads, distribution centers, fueling stations and dry cleaning operations. The proposed project would not expose sensitive receptors to substantial pollutant concentrations and therefore there will be *less than significant impacts.*

e) **Less-Than-Significant-Impact:** The project will create temporary typical construction odors as the project develops. The proposed project will not introduce a conflicting land use (surrounding land includes residential neighborhoods, a park, and neighborhood commercial) to the area and will does not have any component that would typically emit odors. The project would not create objectionable odors affecting a substantial number of people and therefore there will be *less than significant impacts.*

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. fish and Wildlife Service?	☐	☐	☐	☑
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or	☐	☐	☐	☑

regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				
c) Have a substantial adverse effect on federally protected wet-lands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through director removal, filling, hydrological interruption, or other means?	☐	☐	☐	☑
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☑
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☑	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☑

Federal, State, and local laws, regulations and policies.

Federal Endangered Species Act (FESA) - defines an *endangered species* as "any species or subspecies that is in danger of extinction throughout all or a significant portion of its range." A threatened species is defined as "any species or subspecies that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range."

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

California Endangered Species Act (CESA) – prohibits the take of any state-listed threatened and endangered species. CESA defines *take* as "any action or attempt to hunt, pursue, catch,

capture, or kill any listed species." If the proposed project results in a take of a listed species, a permit pursuant to Section 2080 of CESA is required from the CDFG.

Discussion:

a) **No Impact:** The project consists of installation of underground pipelines and surface improvements (sidewalks, ADA ramps, curb and gutters) in an existing residential neighborhood, neighborhood commercial, and a park. The project area consists of single family residences, residential landscaping, streets, parks, sidewalks and other related improvements. The project area contains no suitable habitat for any protected state or federal species. Therefore, the project will have *no impact* on any protected species.

b) **No Impact:** As identified in the City's General Plan EIR, the project site in not located within or adjacent to an identified sensitive riparian habitat or other natural community. Therefore, the proposed project would have *no impact* to riparian habitat.

c) **No Impact:** As identified in the City's General Plan EIR, there are no known wetlands located in or around the project site as reviewed on the U.S. Fish and Wildlife Service National Wetlands Inventory map. Therefore, the project will have *no impact* on federally protected wetlands as defined in Section 404 of the Clean Water Act.

d) **No Impact:** As identified in the City's General Plan EIR, there are no identified migratory corridors on or near the site. Therefore, the proposed project would have *no impacts*.

e) **Less Than Significant Impact:** The City of Tulare has an oak tree preservation policy according to Tulare Municipal Code 8.52.100 (Preservation of Heritage Trees). It is not anticipated that the project will require removal of oak trees. However, if oak trees are removed, replacement and/or replanting shall be done in accordance with the City's municipal code. Any impacts would be *less than significant*.

f) **No Impact:** There are no local or regional habitat conservation plans for the area and *no impacts* would occur.

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☑	☐	☐

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☑	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☑	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☑	☐	☐

Discussion:

a) **Less Than Significant Impact With Mitigation:** A cultural records search was conducted for the project by the Southern San Joaquin Valley Information Center (See Appendix A). According to the records search, there are no recorded cultural resources within the immediate project area according to the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historical Resources, or the California State Historic Landmarks. There are no known historical resources located within the immediate project area; however, there are 118 recorded resources within a one-half mile radius. All of the resources are historic era structures and they primarily consist of historic era single and multi-family properties. While the proposed improvements will take place within the existing road right-of-way and not impact any existing structures, it is impossible to know if undiscovered underground historical resources are present. Implementation of Mitigation Measure CUL-1 will ensure that impacts to this checklist item will be *less than significant with mitigation* incorporation.

Mitigation Measure CUL-1: Pursuant to CEQA Guidelines 15064.5 (f), provisions for historical or unique archaeological resources accidentally discovered during construction should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and a qualified archaeologist or paleontologist shall be contacted to assess the significance of the find. If any find is determined to be significant, project proponents and the qualified archaeologist and/or paleontologist would meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards. If the discovery includes human remains, CEQA Guidelines 15064.5 (e)(1) shall be followed.

b) **Less Than Significant Impact With Mitigation:** There are no known archaeological resources located within the project area. Implementation of Mitigation Measure CUL-1 will ensure that potential impact will be *less than significant with mitigation* incorporation.

c) **Less Than Significant Impact With Mitigation:** There are no known paleontological resources located within the project area. However, implementation of Mitigation Measure CUL-1 will ensure that any impacts resulting from project implementation remain *less than significant with mitigation* incorporation.

d) **Less Than Significant Impact With Mitigation:** There are no known human remains buried in the project vicinity. If human remains are unearthed during development, there is a potential for a significant impact. As such, implementation of Mitigation Measure CUL-1 will ensure that impacts remain *less than significant with mitigation* incorporation.

VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a know fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☑	☐
ii) Strong seismic ground shaking?	☐	☐	☑	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☑	☐
iv) Landslides?	☐	☐	☐	☑
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☑	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☑	☐
d) Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☑

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

Discussion:

a-i and ii) **Less Than Significant Impact:** According to the City of Tulare General Plan EIR, no active faults underlay the project site. Although the project is located in an area of low seismic activity, the project could be affected by groundshaking from nearby faults. The potential for strong seismic ground shaking on the project site is not a significant environmental concern due to the infrequent seismic activity of the area and distance to the faults. Furthermore, the proposed project would not expose people to seismic ground shaking beyond the conditions that currently exist throughout the project area. The project would be constructed to the standards of the most recent seismic Uniform Building and Safety Code (UBSC). Compliance with these design standards will ensure potential impacts related to strong seismic ground shaking would be *less than significant.*

a-iii) **Less-Than-Significant-Impact:** Liquefaction is a phenomenon whereby unconsolidated and/or near-saturated soils lose cohesion and are converted to a fluid state as a result of severe vibratory motion. The relatively rapid loss of soil shear strength during strong earthquake shaking results in temporary, fluid-like behavior of the soil. The project area does not contain soils suitable for liquefaction. Furthermore, soil conditions on the site are not prone to soil instability due to their low shrink-swell behavior. The impact would be *less than significant.*

a-iv) **No Impact:** The project site is generally flat and previously disturbed. There are no hill slopes in the area and no potential for landslides. No geologic landforms exist on or near the site that would result in a landslide event. There would be *no impact.*

b) **Less-Than-Significant-Impact:** The project will not result in loss of top soil as it includes installation of an underground pipe and repair/replacement of existing sidewalk and asphalt. Implementation of adopted management practices and compliance with the SJVAPCD standard measures (regarding wind/dust/erosion) will ensure that these impacts remain *less than significant.*

c) **Less-Than-Significant-Impact:** Substantial grade change would not occur in the topography to the point where the project would expose people or structures to potential adverse effects on, or offsite, such as landslides, lateral spreading, subsidence, liquefaction or collapse. The impact would be *less than significant.*

d) **No Impact:** No subsidence-prone soils, oil or gas production exists at the project site. The soils within the area are described as sandy loam soils which are not prone to soil instability due to their moderate shrink-swell. There would be *no impact*.

e) **No Impact:** The project does not include installation of any sewer or septic components. There would be *no impact.*

VII. GREENHOUSE GAS EMISSIONS

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

Climate Change - (also referred to as Global Climate change) is sometimes used to refer to all forms of climatic inconsistency, but because the earth's climate is never static, the term is more properly used to imply a significant change from one climatic condition to another. In some cases, climate change has been used synonymously with the term "global warming." Scientists however, tend to use the term in the wider sense to address uneven patterns of predicted global warning and cooling and include natural changes in climate.

Global Warming - refers to an increase in the near surface temperature of the earth. Global warming has occurred in the distant past as the result of natural influences, but the term is commonly used to refer to the warming predicted to occur because of increased emissions of greenhouse gases. Scientists generally agree that the earth's surface has warmed by about 1° F in the past 140 years, but warming is not predicted evenly around the globe. Due to predicted changes in the ocean currents, some places that are currently moderated by warm ocean currents are predicted to fall into deep freeze as the pattern changes.

Greenhouse Effect - is the warming of the earth's atmosphere attributed to a buildup of carbon dioxide (CO_2) or other gases; some scientists think that this build-up allows the sun's rays to heat the earth, while making the infrared radiation atmosphere opaque to infrared radiation, thereby preventing a counterbalancing loss of heat.

Greenhouse Gases - are those that absorb infrared radiation in the atmosphere. GHG include water vapor, CO_2, methane, nitrous oxide (N_2O), halogenated fluorocarbons, ozone, per fluorinated carbons PFCs), and hydroflurocarbons.

Discussion:

a) **Less-Than-Significant-Impact:**

Construction: Greenhouse gas emissions, generated during construction, would include activities such as site preparation, excavation, installation of sidewalk/ramps, paving, etc. The District does not have a recommendation for assessing the significance to construction-related emissions. Construction activities occurring before 2020, the year when the State is required to reduce its GHG emissions to 1990 levels, are therefore considered *less than significant.*

Operation: The project does not include any long-term emissions (usually associated with vehicle trips, etc.). As such, operational GHG emissions are considered *less than significant.*

b) **No Impact:** California State Legislature, in 2006 enacted AB32, the California Global Warming Solutions Act of 2006. AB 32 focuses on reducing greenhouse gas emissions in California. See VII.a) above. Projects implementing of Best Performance Standards and SJVAPCD Regulation VIII would be determined to have a less than significant individual and cumulative impact on global climate change. The project does not conflict with any applicable plan, policy, or regulation of an agency adopted for reducing GHG emissions. There would be *no impact.*

VIII. HAZARDS AND HAZARDOUS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☑	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☑
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☑	☐

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☑
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☑
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☑
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☑
h) Expose people or structures to significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☑

Discussion:

a) **Less-Than-Significant-Impact:** Project construction activities may involve the use and transport of hazardous materials. The use of such materials would be considered minimal and would not require these materials to be stored in bulk form. The construction contractor will be responsible for proper storage and use of any hazardous substances. The project must adhere to applicable zoning and fire regulations regarding the use and storage of any hazardous substances. Further, there is no evidence that the site has been used for underground storage of hazardous materials. Therefore, the proposed project will have *less than significant impacts* to hazardous materials.

b) **No Impact:** There is no reasonably foreseeable condition or incident involving the project that could result in release of hazardous materials into the environment. There are *no impacts.*

c) **Less Than Significant Impact:** The project site is located approximately ¼ mile to the east of Maple Elementary School; however, there is no reasonably foreseeable condition or incident involving the project that could affect the existing school site. Any impacts would be *less than significant.*

d) **No Impact:** The project site is not listed as a hazardous materials site pursuant to Government Code Section 65962.5 and is not included on a list compiled by the Department of Toxic Substances Control. There would be *no impact*.

e) **No Impact:** The proposed project is not located within two miles of a public airport or private airstrip. There would be *no impact*.

f) **No Impact:** There are no private airstrips in the vicinity of the proposed project. Based on the absence of any private airstrips, there would be *no impact* from private airstrips.

g) **No Impact:** The City's design and environmental review procedures shall ensure compliance with emergency response and evacuation plans. In addition, the site plan will be reviewed by the Fire Department per standard City procedure to ensure consistency with emergency response and evacuation needs. Therefore, the proposed project would have *no impact* on emergency evacuation.

h) **No Impact:** The land surrounding the project site is heavily developed residential units and a highly maintained park. The site is currently disturbed and weedy vegetation is absent. Therefore, the proposed project would have *no impact* to wildland fires.

IX. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☑	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of preexisting nearby wells would drop to a level which would not support existing land use or planned uses for which permits have been granted)?	☐	☐	☑	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	☐	☐	☑	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the	☐	☐	☑	☐

course of a stream or river, or substantially increase the rate or mount of surface runoff in a manner which would result in flooding on or off-site?				
e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☑	☐
f) Otherwise substantially degrade water quality?	☐	☐	☑	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☑
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	☐	☐	☐	☑
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☑
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☑

Discussion:

a) **Less-Than-Significant-Impact:** During construction, the project will have minimal impacts on the water quality and waste discharge requirements and will be subject to City and State standards for water discharge. Once constructed, the project will not have an ongoing water discharge component. Therefore there will be a *less than significant impact.*

b) **Less-Than-Significant-Impact:** Minimal amounts of water will be used during construction. Once constructed, the project will not require water. Therefore, the proposed project would not substantially deplete ground water supplies or interfere substantially with groundwater recharge. The project will result in *less than significant impacts.*

c) **Less-Than-Significant-Impact:** The proposed project will not alter the existing drainage pattern of the street. There are no rivers, streams, or other water courses that will be impacted with the development of this project, and therefore there will be *less than significant impacts.*

d) **Less-Than-Significant-Impact:**
(See discussion IX.c) above for discussion of project-related changes to site drainage and runoff. The project does not include alteration of the existing drainage pattern. As such,

the potential for flooding on or off-site as a result of the project is considered *less than significant.*

e) **Less-Than-Significant-Impact:** The proposed project includes replacing segments of the existing storm drainage system. Implementation of adopted management practices and compliance with the provisions of the National Pollutant Discharge Elimination System (NPDES) permit will ensure that these impacts remain *less than significant.*

f) **Less-Than-Significant-Impact:** The project is not a source which would otherwise create substantial degradation of water quality and would be considered a *less than significant impact.*

g,h) **No Impact:** The site is not within a 100-year flood hazard zone (City General Plan EIR). There is *no impact.*

i) **No Impact:** The proposed project is located in a relatively flat area and is not located near any levees or dams. The two closest dams that could cause flooding are Terminus Dam and Success Dam, both of which are located more than 20 miles away. Although there are numerous Tulare Irrigation District Canals located throughout the City of Tulare, the canals do not include storage of large amounts of aboveground water that could be released suddenly due to a structural failure. Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. *No impact* would occur.

j) **No Impact:** The proposed project is located inland and not near an ocean or large body of water, therefore, would not be affected by a tsunami. The proposed project is located in a relatively flat area and would not be impacted by inundation related to mudflow. Therefore, the proposed project would have *no impact* to seiche, tsunami, or mudflow.

X. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☑
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning	☐	☐	☐	☑

ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☑

Discussion:

a) **No Impact:** The proposed project will not physically divide an established community and there will be *no impacts*.

b) **No Impact:** The project is located within neighborhood commercial, park, multiple family, and residentially zoned areas and is proposing a compatible use. The project does not conflict with any applicable land use plan or General Plan policies and therefore would create *no impacts*.

c) **No Impact:** A review of the City's General Plan indicates the project site is not within an adopted or proposed conservation plan area. There would be *no impact* to an adopted or proposed conservation plan area.

XI. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☑
b) Result in the loss of availability of a locally - important mineral resource recovery site delineated on a local general plan, specific plan or other lands use plan?	☐	☐	☐	☑

Discussion:

a,b) **No Impact:** There are no known mineral resources of importance to the region and the project site is not designated under the City's General Plan as an important mineral resource recovery site. Therefore, the proposed project would not result in the loss or impede the mining of regionally or locally important mineral resources and less than significant impact would result. There is *no impact*.

XII. NOISE

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☑	☐
b) Exposure of persons to or generation of excessive ground-borne vibration or groundborne noise levels?	☐	☐	☑	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑

The City of Tulare's Noise Element was adopted in 1988 to protect the citizens of the City of Tulare from harmful effects of exposure to excessive noise and to protect the economic base of the City by preventing the encroachment of incompatible land uses near known noise-producing industries, railroads, airports and other sources. Noise is defined as unwanted or excessive sound. Sound is a variation in air pressure that the human ear can detect. This pressure is measured within the human hearing range as decibels on the A scale (dBA). As the pressure of sound waves increases, the sound appears louder and the dBA level increases logarithmically. A noise level of 120 dB represents a million fold increases in sound pressure above the 0 dB level.

Discussion:

a) **Less-than-Significant-Impact:** The proposed project will not result in an increase in vehicle or other operational noise sources. Therefore, exposure of persons to or generation of noise levels in excess of standards established in the General Plan would be *less-than-significant.*

b) **Less-Than-Significant-Impact:** Operation of the proposed project will not result in excessive grounde-borne vibration. Therefore, there would be a *less-than-significant* impact.

c) **Less-Than-Significant-Impact:** The proposed project will not result in an increase in vehicle or other operational noise sources. Therefore, the potential impacts from ambient noise would be *less than significant.*

d) **Less-Than-Significant-Impact:** Construction activities associated with implementation of the proposed project could temporarily increase ambient noise levels. Typical construction equipment would include scrapers, backhoes, drilling rigs and miscellaneous equipment (i.e. pneumatic tools, generators and portable air compressors). Typical noise levels generated by this type of construction equipment at various distances from the noise source are scraper, dump truck, water, truck, backhoe, and generator. High noise levels resulting from construction activities generally would be limited to daytime hours. The City's Ordinance requires noise-producing equipment used during construction shall be restricted to the hours of 6:00 a.m. to 10:00 p.m. These noise levels would be intermittent and short term, and would be considered *less than significant.*

e) **No Impact:** There are no private or public airstrips in the vicinity of the proposed project. Based on the absence of any airstrips, there would be *no impact*.

f) **No Impact:** There are no private or public airstrips in the vicinity of the proposed project. Based on the absence of any airstrips, there would be *no impact*.

XIII. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by new homes and businesses) or directly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☑

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑

Discussion:

a,b,c) **No Impact:** The proposed project is in response to existing and proposed growth as identified in the City's General Plan. The project itself will not induce population growth and there are no new homes or businesses associated with the project. Therefore, there is *no impact*.

XIV. PUBLIC SERVICES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable serve ratios, response times of other performance objectives for any of the public services:				
a. Fire protection?	☐	☐	☐	☑
b. Police protection?	☐	☐	☐	☑
c. Schools?	☐	☐	☐	☑
d. Parks?	☐	☐	☐	☑
e. Other public facilities?	☐	☐	☐	☑

Discussion:

a. **No Impact:** The City of Tulare will provide fire protection services to the project site. The project does not include any increase in population. Therefore, there is *no impact*.

b. **No Impact:** The City of Tulare will provide police protection services to the project site. The project does not include any increase in population. Therefore, there is *no impact.*

c. **No Impact:** The potentially affected school districts are the Tulare Joint Union High School District and Tulare City Elementary School District. The project does not include any increase in population and/or students. Therefore, there is *no impact.*

d. **No Impact:** There are no parkland or recreational facilities associated with the project. The project does not include any increase in population. Therefore, there is *no impact.*

e. **No Impact**: The project does not include any increase in population. Therefore, there is *no impact.*

XV. PARKS AND RECREATION

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

Discussion:

a) **No Impact:** The project includes the installation of sidewalk, curb and gutter in compliance with ADA immediately adjacent to Centennial Park. While improvements will be made within the vicinity of the park, no improvements would be made directly to the park which could increase the use of the park. Therefore, there is *no impact.*

b) **No Impact:** No recreational facilities will be altered as a result of this project. Therefore, there is *no impact.*

XVI. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☑
b) Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☑
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	☐	☐	☑	☐
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☑	☐
e) Result in inadequate emergency access?	☐	☐	☐	☑
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☑

Discussion:

a) **No Impact:** The proposed project does not include any component that would result in additional vehicular traffic. Therefore, there is *no impact.*

b) **No Impact:** The project will not conflict with an applicable congestion management program. As stated in (a) the project will have *no impact* based on trips and current operation Level of Service.

c) **No Impact:** The project will have *no impact* on air traffic patterns.

d) **Less -Than-Significant-Impact:** The proposed project would not include any sharp curves or hazardous roadway design elements. The impacts will be *less than significant.*

e) **No Impact:** Emergency access to the site will be maintained throughout construction. Long term access along this road is not expected to be impacted by the proposed project. The project would not result in inadequate emergency access and there would be *no impacts.*

f) **No Impact:** The project would not conflict with any other travel policies plans or programs regarding public transit, bicycle, or pedestrian facilities. There would be *no impact.*

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☑
b) Require or result in the construction of new water or waste-water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☑	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects:	☐	☐	☑	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☑	☐
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☑	☐

f) Be serve by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☑	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☑	☐

Discussion:

a,b) **Less Than Significant Impact:** During construction, the project will utilize portable restroom facilities that will be provided by the construction contractor for the construction workers. The wastewater would be contained within the portable unit and disposed of at an approved site according to regulations. The project itself will not violate any water quality standards of waste discharge requirements. Once constructed, the project will not require any additional wastewater facilities. This project will have minimal impacts on the water quality and waste discharge requirements and therefore there will be a *less than significant impact.*

c) **Less Than Significant Impact:** The proposed project will not alter the existing drainage pattern within the project area. There are no rivers, streams, or other water courses that will be impacted with the development of this project, and therefore there will be *less than significant impacts.*

d) **Less-Than-Significant-Impact:** Minimal amounts of water will be used during construction. Once constructed, the project will not require water. Therefore, the proposed project would not substantially deplete ground water supplies or interfere substantially with groundwater recharge. The project will result in *Less than significant impacts.*

e) **Less-Than-Significant-Impact:** During construction, the project will utilize portable restroom facilities that will be provided by the construction contractor for the construction workers. The wastewater would be contained within the portable unit and disposed of at an approved site according to regulations. The project itself will not violate any water quality standards of waste discharge requirements. Once constructed, the project will not require any additional wastewater facilities. This project will have minimal impacts on the water quality and waste discharge requirements and therefore there will be a *less than significant impact.*

f) **Less-Than-Significant-Impact:** The City of Tulare disposes of its solid waste at the Woodville Disposal Site, 10 miles southeast of the City. The landfill has sufficient permitted capacity to accommodate the project's solid was disposal needs (construction only). Any impacts would be *less than significant*.

g) **Less-Than-Significant-Impact:** The proposed project (construction only) would be serviced by an existing waste handling service, provided by the City of Tulare. The

Woodville Landfill that would serve the proposed project also conforms to all applicable statutes and regulations. The proposed project would comply with the adopted policies related to solid waste, and would comply with all applicable federal, state, and local statutes and regulations pertaining to disposal of solid waste, including recycling. Therefore, the proposed project would result in *less than significant impact* to solid waste regulations.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion:

a) **Less-Than-Significant-Impact:** This initial study/mitigated negative declaration found the project would not have the potential to degrade the quality of the environment or have significant adverse impacts to fish and wild life or plant species including special status species are not anticipated or reduce the number or restrict the range of a rare or endangered plant or animal. Impacts would be *less than significant*.

b) **Less-Than-Significant-Impact:** CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. Due to the nature of the project and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable. The proposed project would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increase need for housing, increase in traffic, air pollutants, etc). Impacts would be *less than significant*.

c) **Less-Than-Significant-Impact:** The analyses of environmental issues contained in this Initial Study indicate that the project is not expected to have substantial impact on human beings, either directly or indirectly. Mitigation measures have been incorporated in the project design to reduce all potentially significant impacts to less than significant, which results in a *less than significant* impact to this checklist item.

Supporting Information and Sources

1) *Tulare General Plan, Land Use Element (1993)*
2) *City of Tulare Zoning Ordinance*
3) *Final Program EIR Land Use and Circulation Element Update (SCH 89062606)*
4) *SJVAPCD Regulations and Guidelines*
5) *Tulare General Plan, Housing Element (December 2003)*
6) *Tulare General Plan Seismic-Safety Element*
7) *Tulare County Seismic Element, Volume I and II*
8) *Flood Insurance Rate Maps*
9) *Tulare General Plan, Circulation Element*
10) *Tulare General Plan, Noise Element*
11) *City of Tulare Sewer Systems Master Plan (June 1991)*
12) *(Draft) City of Tulare Sewer Systems Master Plan (2008)*
13) *Engineering Standards, City of Tulare*
14) *City of Tulare's Municipal Code*
15) *Tulare Heritage Tree Ordinance*
16) *Tulare County Environmental Resources Management Element*
17) *Source Reduction and Recycling Element*
18) *City of Tulare Urban Water Management Plan (December 2007)*
19) *City of Tulare Water System Master Plan) (2008)*
20) *CalTrans, encroachment permit*
21) *City of Tulare Emergency Response Plan*
22) *Tulare Municipal Airport-Mefford Field Master Plan, (February 2005)*
23) *Tulare County Airport Land Use Compatibility Plan*

25) *California Air Resources Board's (CARB's) Air Quality and Land Use Handbook*
26) *2014 (California Environmental Quality Act CEQA Guidelines*
27) *The Five County Seismic Safety Element*
28) *California Building Code*
30) *California Stormwater Pollution Prevention Program (SWPPP)*
31) *Government Code Section 65962.5*
32) *California Environmental Protection Agency (CEPA)*