



# MITIGATED NEGATIVE DECLARATION

## Eastgate Hotel Development

September 2016

PREPARED FOR:



City of Tulare  
411 East Kern Avenue  
Tulare, CA 93274

PREPARED BY:



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Initial Study/Mitigated Negative Declaration  
**Eastgate Hotel Development**

Prepared for:



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Tulare, CA 93274  
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September 2016



Project Reference No. 015-1506

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# Chapter 1

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## INTRODUCTION

# INTRODUCTION

## 1.1 Project Summary

This document is the Initial Study/Mitigated Negative Declaration describing the potential environmental effects of the Eastgate Hotel Development (Project) proposed by Monterey Dynasty, LLC (Applicant) in the City of Tulare. The Project Applicant intends to construct and operate a new 136-room hotel with conference center in north Tulare. The proposed Project will require a Zone Change, General Plan Amendment and the approval of a Conditional Use Permit issued by the City of Tulare.

The proposed Project is more fully described in Chapter Two – Project Description.

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*.

## 1.2 Document Format

This IS/MND contains five chapters, and appendices. Section 1, Introduction, provides an overview of the project and the CEQA environmental documentation process. Chapter 2, Project Description, provides a detailed description of project objectives and components. Chapter 3, Initial Study Checklist, presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of significance, and feasible mitigation measures. If the proposed project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level. Chapter 4, Mitigation Monitoring and Reporting Program, provides the proposed mitigation measures, completion timeline, and person/agency responsible for implementation and Chapter 5, List of Preparers, provides a list of key personnel involved in the preparation of the IS/MND.

Environmental impacts are separated into the following categories:

**Potentially Significant Impact.** This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

**Less Than Significant After Mitigation Incorporated.** This category applies where the incorporation of mitigation measures would reduce an effect from a “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

**Less Than Significant Impact.** This category is identified when the project would result in impacts below the threshold of significance, and no mitigation measures are required.

**No Impact.** This category applies when a project would not create an impact in the specific environmental issue area. “No Impact” answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (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.)

Regardless of the type of CEQA document that must be prepared, the basic purpose of the CEQA process as set forth in the CEQA Guidelines Section 15002(a) is to:

- (1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- (2) Identify 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.

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

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

The Initial Study contained in Section Three of this document has determined that with mitigation measures and features incorporated into the project design and operation, the environmental impacts are less than significant and therefore a Mitigated Negative Declaration will be adopted.

## Chapter 2

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# PROJECT DESCRIPTION

# Project Description

## 2.1 Location

The proposed Project is located at the southwest corner of the Cartmill Avenue at State Route (SR) 99 interchange, with access on M Street. The 4.74-acre proposed Project site is in the northernmost portion of the City of Tulare, Tulare County and would occupy Assessor Parcel Number (APN) 166-24-008 (see Figure 1 - Regional Location Map and Figure 2 - Aerial Map: note that the Aerial Map still shows the previous land use. The site is currently a vacant lot.). The entire site is within the Tulare USGS 7.5 minute quadrangle and within the northwest quarter of Section 35, Township 19 S, Range 24 E, Mount Diablo Base and Meridian.

## 2.2 Setting and Surrounding Land Use

The proposed Project site is currently being used as a vacant dirt lot. The site is also partially developed with a church parking lot under a shared parking agreement, as seen in the photos below.



Photo 1: Looking northeast over the proposed Project site.



Photo 2: Looking north over the proposed Project site, M Street on left.

The site is located in an urban, built up area characterized by a mix of land uses. Immediately east of the site is State Route 99 while immediately west of the site is M Street, followed by single family residential and a mobile home park. City of Tulare Fire Station 63 is immediately to the north while a church is immediately to the south. The proposed Project will share a parking lot with the church under a shared parking agreement. The site is currently zoned low density residential (R-1-7). Approximately 0.17 miles south of the site is Blain Park and Los Tules Middle School is less than a mile southwest of the site.

Figure 1 – Regional Location Map

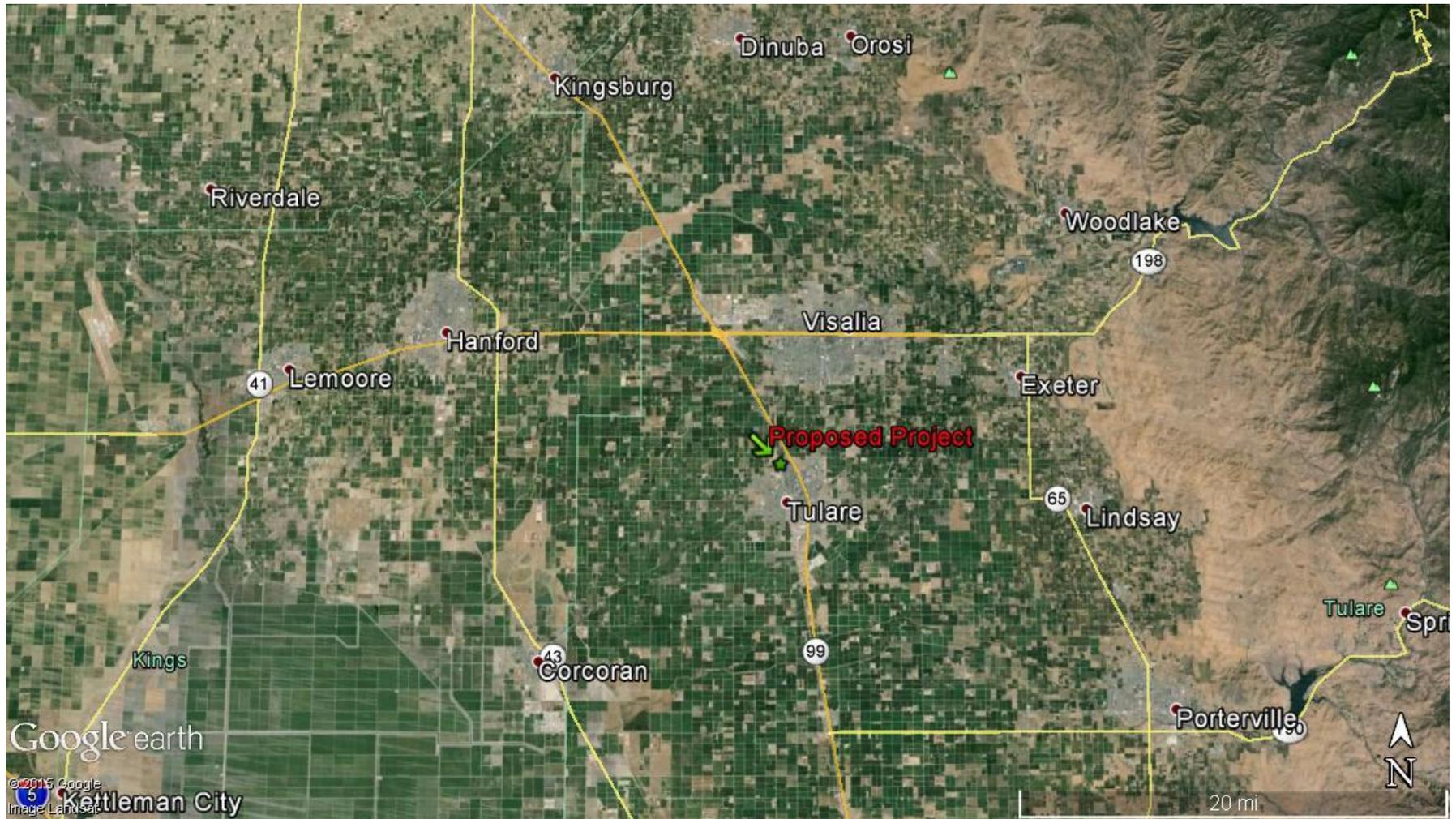


Figure 2 – Aerial Map



## 2.3 Project Description

The Project Applicant intends to construct and operate a 24,500 square foot, 136-room hotel located on a 4.74-acre site on M Street, just south of Cartmill Avenue (see Figure 3 – Site Plan).

The proposed Project includes the following components:

- Construction and operation of a 24,500 square foot, 136-room hotel development including:
  - 4,000 square foot café
  - 60-seat wedding venue
  - 400-seat convention hall for business conferences/meetings and similar events (up to 100 events per year)
- Installation of heavy landscape screening along M Street
- Installation of curb and gutter to City specifications along M Street
- Construction of a 223-stall parking lot and driveway on M Street for ingress/egress
- Installation of a 75-foot freeway sign

Existing City services (water, sewer and stormwater) are located on M Street and the proposed Project will be issued a 23' double-wide trash enclosure. The Applicant will be required to tie into these existing facilities.

The proposed Project will require a General Plan Amendment (GPA) and Zone change to change the land use designations from Suburban Residential and Low Density Residential to Community Commercial. The Project Conditional Use Permit (CUP) will be modified to include the 75-foot freeway sign. The Project Applicant will also request for a permit from the CA Department of Alcoholic Beverage Control (ABC) for onsite sale of alcohol.



## 2.4 Objectives

The following are the primary goals of the City of Tulare's Eastgate Development Project:

- To provide hotel and conference space for local and regional use.
- To create a hotel complex that will promote economic growth due to the proximity of the Tulare Outlet Mall and the newly-constructed Cartmill Interchange at Highway 99 and Cartmill Avenue in the City of Tulare.

## 2.5 Other Required Approvals

The proposed Project would include, but not be limited to, the following regulatory requirements:

- The adoption of a Mitigated Negative Declaration by the City of Tulare
- Approval of a General Plan Amendment by the City of Tulare
- Approval of a Zone Change by the City of Tulare
- Approval of a Stormwater Pollution Prevention Plan by the Central Valley Regional Water Quality Control Board
- Dust Control Plan Approval letter from the San Joaquin Valley Air Pollution Control District
- Rule 9510 compliance with the San Joaquin Valley Air Pollution Control District
- Compliance with other federal, state and local requirements.
- Permit from the City and the CA Department of Alcoholic Beverage Control (ABC) for sale of alcoholic beverages.

## Chapter 3

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# IMPACT ANALYSIS

# Initial Study Checklist

## 3.1 Environmental Checklist Form

**Project title:**

Eastgate Hotel Development

**Lead agency name and address:**

City of Tulare  
411 E. Kern Avenue  
Tulare, CA 93274

**Contact person and phone number:**

Rob Hunt, Community Development Director  
City of Tulare  
(559) 684-4217

**Project location:**

See Section 2.1

**Project sponsor's name/address:**

Monterey Dynasty, LLC  
21701 Stevens Creek Blvd. #2610  
Cupertino, CA 95014

**General plan designation:**

Low Density Residential

**Zoning:**

R-1-7

**Description of project:**

See Section 2.3

**Surrounding land uses/setting:**

See Section 2.2

**Other public agencies whose approval or consultation is required (e.g., permits, financing approval, participation agreements):**

See Section 2.5

### 3.2 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.

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture Resources and Forest Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources                         | <input type="checkbox"/> Geology /Soils                     |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials              | <input type="checkbox"/> Hydrology / Water Quality          |
| <input type="checkbox"/> Land Use / Planning      | <input type="checkbox"/> Mineral Resources                          | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Transportation/Traffic   | <input type="checkbox"/> Utilities / Service Systems                | <input type="checkbox"/> Mandatory Findings of Significance |

### 3.3 Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT 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 required.

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Rob Hunt  
  
Community Development Director  
  
City of Tulare

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Date

# 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## SETTING

### Environmental Setting

The proposed Project site is located on the San Joaquin Valley floor in the northern portion of the City of Tulare, California. The proposed Project site is bounded by residential development to the west, State Route 99 to the east, a fire station and gas station/convenience store to the north and a church to the south. The proposed site is currently a vacant lot, as seen in Photos 1 through 4 in Chapter 2. Approximately 0.17 miles south of the site is Blain Park.

There are no scenic resources or scenic vistas in the area<sup>1</sup>. State Routes (SR) in the proposed Project vicinity include 198, 137, and 99.

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<sup>1</sup> City of Tulare Draft Environmental Impact Report, General Plan, Transit-Oriented Development, and Climate Action Plan. November, 2013. SCH# 2012071067. Page 4.1-8.

## **Regulatory Setting**

### *Federal*

Aesthetic resources are protected by several federal regulations, none of which are relevant to the proposed Project because it will not be located on lands administered by a federal agency, and the proposed Project applicant is not requesting federal funding or a federal permit.

### *State*

#### **California Scenic Highway Program**

The Scenic Highway Program allows county and city governments to apply to the California Department of Transportation (Caltrans) to establish a scenic corridor protection program which was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263. While not Designated State Scenic Highways, two Eligible State Scenic Highways occur in Tulare County, SR 198 and SR 190.

## **RESPONSES**

### a. Have a substantial adverse effect on a scenic vista?

**Less than Significant Impact.** The proposed Project involves the construction and operation of a five story 136-room hotel, with associated café and wedding venue.

The City of Tulare General Plan does not identify any scenic vistas within the Project area. A scenic vista is generally considered a view of an area that has remarkable scenery or a resource that is indigenous to the area.

Construction activities will be visible from the adjacent roadsides; however, the construction activities will be temporary in nature and will not affect a scenic vista. The impact will be *less than significant*.

**Mitigation Measures:** None are required.

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

**Less than Significant Impact.** There are no state designated scenic highways within the immediate proximity to the Project site. California Department of Transportation Scenic Highway Mapping System identifies SR 198 east of SR 99 as an Eligible State Scenic Highway. This is the closest highway, located approximately six miles north of the Project site; however, the Project site is both physically and visually separated from SR 198 by intervening land uses. In addition, no scenic highways or roadways are listed within the Project area in the City of Tulare’s General Plan or Tulare County’s General Plan. Based on the National Register of Historic Places (NRHP) and the City’s General Plan, no historic buildings exist on the Project site. The proposed Project would not damage any trees, rock outcroppings or historic buildings within a State scenic highway corridor. Any impacts would be considered *less than significant*.

**Mitigation Measures:** None are required.

c. Substantially degrade the existing visual character or quality of the site and its surroundings?

**Less than Significant Impact.** The proposed Project would be visible to most of the residences and other developments in the immediate vicinity, along with passengers traveling M Street, Cartmill Avenue, and State Route 99. The proposed Project site is located in an area that is substantially surrounded by urban uses and will not result in a use that is visually incompatible with the surrounding area. The proposed hotel will have a shared parking agreement with the church to the south and will provide heavy landscape screening along M Street. The building will conform to design standards set forth by the City’s General Plan and Zoning Ordinance and curb, gutter and sidewalk will be improved along M to provide streamlined appearance. Proposed site elevations can be seen in Appendix A. The only aesthetic feature in the area is Blain Park, approximately 0.17 miles south of the site; however, neither construction nor operation of the proposed Project will impede any views to or from the park.

As stated previously, 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 most 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 proposed Project will include a 5-story hotel and therefore some obstruction of these features may occur on and, potentially, off-site, as a result of project implementation. The City of Tulare does not identify views of these features as required to be “protected.” Based upon this, and the lack of view of the features on a majority of days in the year both on and off site, any obstruction that may occur that would be caused by the project would not cause a

significant impact. As such, the proposed Project will not substantially degrade the existing visual character or quality of the area or its surroundings.

The impact will be *less than significant*.

**Mitigation Measures:** None are required.

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

**Less Than Significant Impact.** Nighttime lighting is necessary to provide and maintain safe, secure, and attractive environments; however, these lights have the potential to produce spillover light and glare and waste energy, and if designed incorrectly, could be considered unattractive. Light that falls beyond the intended area is referred to as “light trespass.” Types of light trespass include spillover light and glare. Minimizing all these forms of obtrusive light is an important environmental consideration. A less obtrusive and well-designed energy efficient fixture would face downward, emit the correct intensity of light for the use, and incorporate energy timers.

Spillover light is light emitted by a lighting installation that falls outside the boundaries of the property on which the installation is sited. Spillover light can adversely affect light-sensitive uses, such as residential neighborhoods at nighttime. Because light dissipates as it travels from the source, the intensity of a light fixture is often increased at the source to compensate for the dissipated light. This can further increase the amount of light that illuminates adjacent uses. Spillover light can be minimized by using only the level of light necessary, and by using cutoff type fixtures or shielded light fixtures, or a combination of fixture types.

Glare results when a light source directly in the field of vision is brighter than the eye can comfortably accept. Squinting or turning away from a light source is an indication of glare. The presence of a bright light in an otherwise dark setting may be distracting or annoying, referred to as discomfort glare, or it may diminish the ability to see other objects in the darkened environment, referred to as disability glare. Glare can be reduced by design features that block direct line of sight to the light source and that direct light downward, with little or no light emitted at high (near horizontal) angles, since this light would travel long distances. Cutoff-type light fixtures minimize glare because they emit relatively low-intensity light at these angles.

Currently the sources of light in the proposed Project area are from street lights, the vehicles traveling along M Street and Cartmill Avenue, the residences to the west, security lighting at the fire station to the north, and security lighting at the church facility to the south. The Project would include nighttime

lighting for building and parking lot security, as well as potentially illuminated signage for the hotel. Such lighting would be subject to General Plan Policies LU-P13.24 and LU-P13.25, which ensure that lighting in residential areas, roadways and all future development be designed to prevent light spillover. Lighting fixtures for security would be designed with “cutoff” type fixtures or shielded light fixtures, or a combination of fixture types to cast light downward, thereby providing lighting at the ground level for safety while reducing glare to adjacent properties. Accordingly, the proposed Project would not create substantial new sources of light or glare. Potential impacts are *less than significant*.

**Mitigation Measures:** None are required.

## II. AGRICULTURE AND FOREST RESOURCES

**Would the project:**

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## SETTING

### Environmental Setting

The proposed Project site is located in an area of the City considered urban, built up land by the State Farmland Mapping and Monitoring Program. No *Prime Farmland*, *Unique Farmland*, or *Farmland of Statewide Importance* or land under the Williamson Act contracts occurs in the Project area.

### Regulatory Setting

#### *Federal*

Federal regulations for agriculture and forest resources are not relevant to the proposed Project because it is not a federal undertaking (the Project site is not located on lands administered by a federal agency, and the Project applicant is not requesting federal funding or a federal permit).

#### *State*

State regulations for agriculture and forest resources are not relevant to the proposed Project because no agricultural resources exist on the site.

## RESPONSES

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

**No Impact.** The Project site is located in an area of the City considered urban, built up land by the State Farmland Mapping and Monitoring Program. No *Prime Farmland*, *Unique Farmland*, or *Farmland of Statewide Importance* or land under the Williamson Act contracts occurs in the Project area. Therefore, no land conversion from Farmland would occur for the Project. Surrounding land uses include residential, commercial, and recreational uses; as such, the proposed Project does not have the potential to result in the conversion of Farmland to non-agricultural uses or forestland uses to non-forestland. There is *no impact*.

**Mitigation Measures:** None are required.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

**No Impact.** The Project site is not zoned for agriculture nor is the site covered by a Williamson Act contract; No impacts would occur. The Project is not zoned for forestland and does not propose any zone changes related to forest or timberland. There is *no impact*.

**Mitigation Measures:** None are required.

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

**No Impact.** The Project is not zoned for forestland and does not propose any zone changes related to forest or timberland. There is *no impact*.

**Mitigation Measures:** None are required.

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

**No Impact.** No conversion of forestland, as defined under Public Resource Code or General Code, as referenced above, would occur as a result of the Project. There is *no impact*.

**Mitigation Measures:** None are required.

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

**No Impact.** No land conversion from Farmland would occur for the Project. Surrounding land uses include residential, commercial, and recreational uses; as such, the proposed Project does not have the potential to result in the conversion of Farmland to non-agricultural uses or forestland uses to non-forestland. There is *no impact*.

**Mitigation Measures:** None are required.

### III. AIR QUALITY

**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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### SETTING

**Environmental Setting**

The climate of the San Joaquin Valley is characterized by long, hot summers and stagnant, foggy, winters. Precipitation is low and temperature inversions are common. These characteristics are conducive to the formation and retention of air pollutants and are in part influenced by the surrounding mountains which intercept precipitation and act as a barrier to the passage of cold air and air pollutants.

The proposed Project lies within the San Joaquin Valley Air Basin, which is managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD or Air District). National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established

for the following criteria pollutants: carbon monoxide (CO), ozone (O<sub>3</sub>), sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), and lead (Pb). The CAAQS also set standards for sulfates, hydrogen sulfide, and visibility.

Air quality plans or attainment plans are used to bring the applicable air basin into attainment with all state and federal ambient air quality standards designed to protect the health and safety of residents within that air basin. Areas are classified under the Federal Clean Air Act as either “attainment”, “non-attainment”, or “extreme non-attainment” areas for each criteria pollutant based on whether the NAAQS have been achieved or not. Attainment relative to the State standards is determined by the California Air Resources Board (CARB). The San Joaquin Valley is designated as a State and Federal extreme non-attainment area for O<sub>3</sub>, a State and Federal non-attainment area for PM<sub>2.5</sub>, a State non-attainment area for PM<sub>10</sub>, and Federal and State attainment area for CO, SO<sub>2</sub>, NO<sub>2</sub>, and Pb.

### **Regulatory Setting**

#### *Federal*

#### **Clean Air Act**

The federal Clean Air Act of 1970 (as amended in 1990) required the U.S. Environmental Protection Agency (EPA) to develop standards for pollutants considered harmful to public health or the environment. Two types of National Ambient Air Quality Standards (NAAQS) were established. Primary standards protect public health, while secondary standards protect public welfare, by including protection against decreased visibility, and damage to animals, crops, landscaping and vegetation, or buildings. NAAQS have been established for six “criteria” pollutants: carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), ozone (O<sub>3</sub>), particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), and lead (Pb).

#### *State*

#### **California Air Resources Board**

The California Air Resources Board (CARB) is the state agency responsible for implementing the federal and State Clean Air Acts. CARB has established California Ambient Air Quality Standards (CAAQS), which include all criteria pollutants established by the NAAQS, but with additional regulations for Visibility Reducing Particles, sulfates, hydrogen Sulfide (H<sub>2</sub>S), and vinyl chloride.

The proposed Project is located within the San Joaquin Valley Air Basin, which includes San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and parts of Kern counties and is managed by the SJVAPCD.

Air basins are classified as attainment, nonattainment, or unclassified. Attainment is achieved when monitored ambient air quality data is in compliance with the standards for a specified pollutant. Non-compliance with an established standard will result in a nonattainment designation and an unclassified designation indicates insufficient data is available to determine compliance for that pollutant.

Standards and attainment status for listed pollutants in the Air District can be found in Table 1. Note that both state and federal standards are presented.

**Table 1  
Standards and Attainment Status for Listed Pollutants in the Air District**

	<b>Federal Standard</b>	<b>California Standard</b>
Ozone	0.075 ppm (8-hr avg)	0.07 ppm (8-hr avg) 0.09 ppm (1-hr avg)
Carbon Monoxide	9.0 ppm (8-hr avg) 35.0 ppm (1-hr avg)	9.0 ppm (8-hr avg) 20.0 ppm (1-hr avg)
Nitrogen Dioxide	0.053 ppm (annual avg)	0.30 ppm (annual avg) 0.18 ppm (1-hr avg)
Sulfur Dioxide	0.03 ppm (annual avg) 0.14 ppm (24-hr avg) 0.5 ppm (3-hr avg)	0.04 ppm (24-hr avg) 0.25 ppm (1hr avg)
Lead	1.5 µg/m <sup>3</sup> (calendar quarter) 0.15 µg/m <sup>3</sup> (rolling 3-month avg)	1.5 µg/m <sup>3</sup> (30-day avg)
Particulate Matter (PM10)	150 µg/m <sup>3</sup> (24-hr avg)	20 µg/m <sup>3</sup> (annual avg) 50 µg/m <sup>3</sup> (24-hr avg)
Particulate Matter (PM2.5)	15 µg/m <sup>3</sup> (annual avg)	35 µg/m <sup>3</sup> (24-hr avg) 12 µg/m <sup>3</sup> (annual avg)

*µg/m<sup>3</sup> = micrograms per cubic meter*

Additional State regulations include:

CARB Portable Equipment Registration Program – This program was designed to allow owners and operators of portable engines and other common construction or farming equipment to register their equipment under a statewide program so they may operate it statewide without the need to obtain a permit from the local air district.

U.S. EPA/CARB Off-Road Mobile Sources Emission Reduction Program – The California Clean Air Act (CCAA) requires CARB to achieve a maximum degree of emissions reductions from off-road mobile sources to attain State Ambient Air Quality Standards (SAAQS); off- road mobile sources include most

construction equipment. Tier 1 standards for large compression-ignition engines used in off-road mobile sources went into effect in California in 1996. These standards, along with ongoing rulemaking, address emissions of nitrogen oxides (NOX) and toxic particulate matter from diesel engines. CARB is currently developing a control measure to reduce diesel PM and NOX emissions from existing off-road diesel equipment throughout the state.

California Global Warming Solutions Act – Established in 2006, Assembly Bill 32 (AB 32) requires that California’s GHG emissions be reduced to 1990 levels by the year 2020. This will be implemented through a statewide cap on GHG emissions, which will be phased in beginning in 2012. AB 32 requires CARB to develop regulations and a mandatory reporting system to monitor global warming emissions levels.

In addition, the proposed Project is being evaluated pursuant to CEQA.

#### *Local*

#### **San Joaquin Valley Air Pollution Control District**

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the local agency charged with preparing, adopting, and implementing mobile, stationary, and area air emission control measures and standards. The SJVAPCD has rules and regulations that may apply to the Project, including, but not limited to:

Rules 4101 (Visible Emissions) and 4102 (Nuisance) – These rules apply to any source of air contaminants and prohibits the visible emissions of air contaminants or any activity which creates a public nuisance.

Regulation VIII (Fugitive PM<sub>10</sub> Prohibitions) – This regulation, a series of eight regulations, is designed to reduce PM<sub>10</sub> emissions by reducing fugitive dust. Regulation VIII requires implementation of control measures to ensure that visible dust emissions are substantially reduced. The control measures are summarized in Table 2.

**Table 2**  
**San Joaquin Valley Air Pollution Control District**  
**Regulation VIII Control Measures**

<b>The following are required to be implemented at all construction sites:</b>
All disturbed areas, including storage piles, which are not actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizers/suppressants, covered with a tarp or other similar cover, or vegetative
All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions during construction using water or chemical stabilizer
All land clearing, grubbing, scraping, excavation, land leveling, grading cut and fill, and demolition activities during construction shall be effectively controlled of fugitive dust emissions utilizing application of water or pre-soaking.
When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from top of 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
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 at the end of each workday.
Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.

## RESPONSES

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

**Less than Significant Impact.** The San Joaquin Valley Air Basin (SJVAB) is designated nonattainment of state and federal health based air quality standards for ozone and PM<sub>2.5</sub>. The SJVAB is designated nonattainment of state PM<sub>10</sub>. To meet Federal Clean Air Act (CAA) requirements, the SJVAPCD has multiple air quality attainment plan (AQAP) documents, including:

- Extreme Ozone Attainment Demonstration Plan (EOADP) for attainment of the 1-hour ozone standard (2004);
- 2007 Ozone Plan for attainment of the 8-hour ozone standard;
- 2007 PM<sub>10</sub> Maintenance Plan and Request for Redesignation; and
- 2008 PM<sub>2.5</sub> Plan.

Because of the region's non-attainment status for ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>, if the project-generated emissions of either of the ozone precursor pollutants (ROG or NO<sub>x</sub>), PM<sub>10</sub>, or PM<sub>2.5</sub> were to exceed the SJVAPCD's significance thresholds, then the project uses would be considered to conflict with the attainment plans. In addition, if the project uses were to result in a change in land use and corresponding increases in vehicle miles traveled, they may result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans.

As discussed in Impact c), below, predicted construction and operational emissions would not exceed the SJVAPCD's significance thresholds for ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. As a result, the Project uses would not conflict with emissions inventories contained in regional air quality attainment plans, and would not result in a significant contribution to the region's air quality non-attainment status. Additionally, the Project would comply with all applicable rules and regulations. Therefore, this impact is *less than significant*.

**Mitigation Measures:** None are required.

b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

**Less than Significant Impact.** Because ozone is a regional pollutant<sup>2</sup>, the pollutants of concern for localized impacts are CO and fugitive PM<sub>10</sub> dust from construction. Ozone and PM<sub>10</sub> exhaust impacts are addressed under Impact c), below. The proposed Project would not result in localized CO hotspots or PM<sub>10</sub> impacts, as discussed below. Therefore, the proposed Project would not violate an air quality standard or contribute to a violation of an air quality standard in the proposed Project area.

**Localized PM<sub>10</sub>**

Localized PM<sub>10</sub> would be generated by proposed Project construction activities, which would include earth-disturbing activities. The SJVAPCD indicates that all control measures in Regulation VIII are required for all construction sites by regulation. The SJVAPCD's Guide for Assessing and Mitigating Air Quality Impacts<sup>3</sup> (GAMAQI) lists additional measures that may be required of very large projects or projects close to sensitive receptors. If all appropriate "enhanced control measures" in the GAMAQI

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<sup>2</sup> San Joaquin Valley Air Pollution Control District. Air Quality Plans. Ozone Plans, 8-hour ozone standard. [https://www.valleyair.org/Air\\_Quality\\_Plans/Ozone\\_Plans.htm](https://www.valleyair.org/Air_Quality_Plans/Ozone_Plans.htm). Accessed 11/15.

<sup>3</sup> San Joaquin Valley Air Pollution Control District. March 19, 2015. Guide for Assessing and Mitigating Air Quality Impacts. [http://www.valleyair.org/transportation/GAMAQI\\_3-19-15.pdf](http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf). Accessed 11/15.

are not implemented for very large projects or those close to sensitive receptors, then construction impacts would be considered significant (unless the Lead Agency provides a satisfactory detailed explanation as to why a specific measure is unnecessary). The GAMAQI also lists additional control measures (Optional Measures) that may be implemented if further emission reductions are deemed necessary by the Lead Agency. The SJVAPCD's Regulation VIII (Fugitive PM<sub>10</sub> Prohibitions) has been updated and expanded since the GAMAQI guidance was written in 2002. Regulation VIII now includes the "enhanced control measures" contained in the GAMAQI.

The proposed Project would comply with the SJVAPCD's Regulation VIII dust control requirements during any proposed construction (including Rules 8011, 8031, 8041, and 8071). Compliance with this regulation would reduce the potential for significant localized PM<sub>10</sub> impacts to *less than significant* levels.

### **CO Hotspot**

Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. The SJVAPCD provides screening criteria to determine when to quantify local CO concentrations based on impacts to the level of service (LOS) of roadways in the Project vicinity.

As further discussed in the Transportation/Traffic checklist evaluation, the Project would not generate, or substantially contribute to, additional traffic that would reduce the level of service on local roadways. Therefore, the Project would not significantly contribute to an exceedance that would exceed state or federal CO standards. Impacts are considered *less than significant*.

**Mitigation Measures:** None are required.

- 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)?

**Less than Significant Impact.** The nonattainment pollutants for the SJVAPCD are ozone, PM<sub>10</sub> and PM<sub>2.5</sub>. Therefore, the pollutants of concern for this impact are ozone precursors, regional PM<sub>10</sub>, and PM<sub>2.5</sub>. Ozone is a regional pollutant formed by chemical reaction in the atmosphere, and the Project's incremental increase in ozone precursor generation is used to determine the potential air quality impacts, as set forth in the GAMAQI.

The annual significance thresholds to be used for the Project for construction and operational emissions are as follows<sup>4</sup>:

- 10 tons per year ROG
- 10 tons per year NO<sub>x</sub>
- 15 tons per year PM<sub>10</sub>
- 15 tons per year PM<sub>2.5</sub>
- 100 tons per year CO

The estimated annual operational emissions are shown below. The California Emissions Estimator (CalEEMod), Version 2013.2.2, was used to estimate construction and operational (vehicle trips) emissions. The modeling results are provided in Table 3 and the CalEEMod output files are provided in Appendix B.

**Table 3**  
**Proposed Project Construction and Operation Emissions**

	VOC (ROG) (tons/year)	NO <sub>x</sub> (tons/year)	PM10 (tons/year)	CO2 (tons/year)
<b>Total Project Construction Emissions</b>	1.98	4.62	0.51	544.33
<b>Total Project Operation and Area</b>	2.20	3.79	1.04	1,804.20
<b>Total Project Emissions</b>	4.18	8.41	1.55	2,348.53
<b>Threshold of Significance</b>	10	10	15	--

Any impacts would be considered *less than significant*.

**Mitigation Measures:** None are required.

d. Expose sensitive receptors to substantial pollutant concentrations?

**Less than Significant Impact.** Sensitive receptors are those segments of the population most susceptible to poor air quality (i.e., children, the elderly, and those with pre-existing serious health problems affected by air quality). Land uses where sensitive individuals are most likely to spend time include schools and school yards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities are also considered sensitive receptors<sup>5</sup>. The nearest sensitive receptors to

<sup>4</sup> San Joaquin Valley Air Pollution Control District. March 19, 2015. Guide for Assessing and Mitigating Air Quality Impacts. [http://www.valleyair.org/transportation/GAMAQI\\_3-19-15.pdf](http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf). Page 80. Accessed 11/15.

<sup>5</sup> San Joaquin Valley Air Pollution Control District. March 19, 2015. Guide for Assessing and Mitigating Air Quality Impacts. [http://www.valleyair.org/transportation/GAMAQI\\_3-19-15.pdf](http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf). Page 44. Accessed 11/15.

the proposed Project site are the elementary school approximately 0.85 miles to the southwest, Blain Park, approximately 0.17 mile to the south, the residential developments immediately to the west, Merritt Manor Convalescent Hospital approximately 1.18 miles to the southeast, and Tulare Regional Hospital approximately 1.26 miles to the southeast.

While both construction and operation would take place within the vicinity of sensitive receptors, construction and operational emissions would be well below SJVAPCD thresholds and therefore, would not expose sensitive receptors to substantial pollutant concentrations. Impacts to sensitive receptors would be *less than significant*.

e. Create objectionable odors affecting a substantial number of people?

**Less than Significant Impact.** If the proposed Project were to result in a sensitive odor receptor being located in the vicinity of an undesirable odor generator, the impact would be considered significant. The SJVAPCD regulates odor sources through its nuisance rule, Rule 4102, but has no quantitative standards for odors. The SJVAPCD presents a list of project screening trigger levels for potential odor sources in its GAMAQI, which is displayed in Table 4. If the project were to result in sensitive receptors being located closer to an odor generator in the list in Table 4 than the recommended distances, a more detailed analysis including a review of SJVAPCD odor complaint records is recommended.

**Table 4  
Screening Levels for Potential  
Odor Sources<sup>6</sup>**

<b>Odor Generator</b>	<b>Distance (Miles)</b>
Wastewater Treatment Facilities	2
Sanitary Landfill	1
Transfer Station	1
Composting Facility	1
Petroleum Refinery	2
Asphalt Batch Plant	1
Chemical Manufacturing	1
Fiberglass Manufacturing	1
Painting/Coating Operations (e.g., auto body shop)	1
Food Processing Facility	1
Feed Lot/Dairy	1
Rendering Plant	1

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<sup>6</sup> San Joaquin Valley Air Pollution Control District. March 19, 2015. Guide for Assessing and Mitigating Air Quality Impacts. [http://www.valleyair.org/transportation/GAMAQI\\_3-19-15.pdf](http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf). Page 103. Accessed 11/15.

Significant odor problems are defined as:

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

The proposed Project includes the construction and operation of a hotel, restaurant and wedding venue. These land uses are not considered sources of objectionable odors. Therefore, objectionable odors are not expected to be a significant concern during either proposed Project construction or operations. As such, any impacts would be considered *less than significant*.

**Mitigation Measures:** None are required.

# IV. BIOLOGICAL RESOURCES

**Would the project:**

Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- 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?

## SETTING

### Environmental Setting

The proposed Project site is located in a portion of the central San Joaquin Valley that has, for decades, experienced intensive agricultural and urban disturbances. Current agricultural endeavors in the region include dairies, groves, and row crops.

The climate of the Tulare area is described as Mediterranean, which is typified by hot, dry summers and mild winters. Temperatures recorded at Visalia, located six miles north of Tulare, show the mean monthly high temperature for July to be 96° F, while the mean low temperature for January is 37° F. It is not uncommon for maximum temperature to exceed 100° F during the summer months<sup>7</sup>.

The proposed Project area is described as developed/urbanized land by the General Plan and is defined as “areas of intensive use with much of the land covered by structures.”<sup>8</sup> Wildlife species that inhabit urbanized areas include primarily bird species, which may nest in landscaped areas in developed areas. Additionally, some terrestrial vertebrates, such as coyotes, raccoons, and striped skunks, are commonly observed in developed areas<sup>9</sup>.

The proposed Project site is currently a vacant lot that shares a parking area with the church immediately to the south of the site. Other than the maintained landscaping surrounding the parking area, there are no trees or natural vegetation on site. The majority of the site is temporarily being used as a construction staging area for improvements to the Cartmill Avenue and State Route 99 Interchange.

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<sup>7</sup> City of Tulare Draft Environmental Impact Report, General Plan, Transit-Oriented Development, and Climate Action Plan. November, 2013. SCH# 2012071067. Page 4.3-10.

<sup>8</sup> Ibid. Page 4.4-10.

<sup>9</sup> Ibid.

The surrounding residential and other developed areas support a few tree species. No aquatic or wetland features occur on the propose Project site; therefore, jurisdictional waters are considered absent from the site.

## **Regulatory Setting**

### *Federal*

#### **Endangered Species Act**

The Federal Endangered Species Act (FESA) protects plants and wildlife that are listed as endangered or threatened by the USFWS and National Oceanic and Atmospheric Administration (NOAA) Fisheries. Section 9 of the FESA prohibits the taking of listed wildlife, where taking is defined as “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct” (50 CFR 17.3). For plants, this statute governs removing, possessing, maliciously damaging, or destroying any listed plant on federal land and removing, cutting, digging-up, damaging, or destroying any listed plant on non-federal land in knowing violation of state law (16USC1538). Pursuant to Section 7 of the FESA, federal agencies are required to consult with the USFWS if their actions, including permit approvals or funding, could adversely affect a listed plant or wildlife species or its critical habitat. Through consultation and the issuance of a biological opinion, the USFWS may issue an incidental take statement allowing take of the species that is incidental to another authorized activity, provided the action will not jeopardize the continued existence of the species. Section 10 of the FESA provides for issuance of incidental take permits to private parties, provided a Habitat Conservation Plan (HCP) is developed.

#### **Migratory Bird Treaty Act**

The MBTA implements international treaties devised to protect migratory birds and any of their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. As authorized by the MBTA, the USFWS issues permits to qualified applicants for the following types of activities: falconry, raptor propagation, scientific collecting, special purposes (rehabilitation, education, migratory game bird propagation, and salvage), take of depredating birds, taxidermy, and waterfowl sale and disposal. The regulations governing migratory bird permits are in 50 CFR part 13 General Permit Procedures and 50 CFR part 21 Migratory Bird Permits. The State of California has incorporated the protection of birds of prey in Sections 3800, 3513, and 3503.5 of the CDFG Code.

### *State*

#### **California Endangered Species Act**

The California Endangered Species Act (CESA) generally parallels the main provisions of the FESA, but unlike its federal counterpart, the CESA applies the take prohibitions to species proposed for listing (called candidates by the state). Section 2080 of the CDFG Code prohibits the taking, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit or in the regulations. Take is defined in Section 86 of the CDFG Code as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” The CESA allows for take incidental to otherwise lawful development projects. State lead agencies are required to consult with the CDFG to ensure that any action they undertake is not likely to jeopardize the continued existence of any endangered, threatened, or candidate species or result in destruction or adverse modification of essential habitat. The CDFG administers the act and authorizes take through Section 2081 agreements (except for designated fully protected species).

### **Fully Protected Species**

The State of California first began to designate species as fully protected prior to the creation of the CESA and FESA. Lists of fully protected species were initially developed to provide protection to those animals that were rare or faced possible extinction, and included fish, amphibians, reptiles, birds, and mammals. Most fully protected species have since been listed as threatened or endangered pursuant to the CESA and/or FESA. The regulations that implement the Fully Protected Species Statute (CDFG Code Section 4700) provide that fully protected species may not be taken or possessed at any time. Furthermore, the CDFG prohibits any state agency from issuing incidental take permits for fully protected species, except for necessary scientific research.

### **Native Plant Protection Act**

Regarding listed rare and endangered plant species, the CESA defers to the California Native Plant Protection Act (NPPA) of 1977 (CDFG Code Sections 1900 to 1913), which prohibits importing of rare and endangered plants into California, and the taking and selling of rare and endangered plants. The CESA includes an additional listing category for threatened plants that are not protected pursuant to NPPA. In this case, plants listed as rare or endangered pursuant to the NPPA are not protected pursuant to CESA, but can be protected pursuant to the CEQA. In addition, plants that are not state listed, but that meet the standards for listing, are also protected pursuant to CEQA (Guidelines, Section 15380). In practice, this is generally interpreted to mean that all species on lists 1B and 2 of the CNPS Inventory potentially qualify for protection pursuant to CEQA, and some species on lists 3 and 4 of the CNPS Inventory may qualify for protection pursuant to CEQA. List 3 includes plants for which more information is needed on taxonomy or distribution. Some of these are rare and endangered enough to qualify for protection pursuant to CEQA. List 4 includes plants of limited distribution that may qualify

for protection if their abundance and distribution characteristics are found to meet the standards for listing.

In addition, the proposed Project is being evaluated pursuant to CEQA.

## RESPONSES

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

### **Less than Significant Impact with Mitigation.**

The site is currently a vacant lot and is temporarily being used as a staging area for the nearby construction of the Cartmill Street State Route 99 Interchange. No habitat for sensitive species exists on site; however, construction activities could disturb nesting birds in the street trees and landscaping trees located immediately to the south. Proposed ground disturbance activities would occur within 50 feet of the off-site trees. Mitigation Measure BIO-1 would reduce impacts to a less than significant level. Impacts would be *less than significant with mitigation incorporation*.

### **Mitigation Measures:**

#### **BIO-1**

To avoid impacts to nesting bird species or birds protected under the Migratory Bird Treaty Act, all ground disturbing activities conducted between February 1 and September 1 shall be preceded by a pre-construction survey for active nests, to be conducted by a qualified biologist. This survey shall be conducted within 14 days prior to any construction activities. The purpose of this survey is to determine the presence or absence of nests in an area to be potentially disturbed. If nests are found, a buffer ranging in size from 75 to 200 feet, depending upon the species and as determined by a qualified biologist, shall be demarcated with bright orange construction fencing. No ground disturbing or other construction activities shall occur within this buffer until the qualified biologist has confirmed that breeding/nesting is complete and the young have fledged the nest. Nesting bird surveys are not required for ground disturbing activities occurring between September 2 and January 31.

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

**Less than Significant Impact.** The proposed Project site does not contain any riparian or sensitive natural community, nor is it in the vicinity of such habitat. The site itself and all surrounding sites are heavily disturbed. As such, any impacts would be *less than significant*.

**Mitigation Measures:** None are required.

- c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

**Less than Significant Impact.** No wetlands occur in or immediately adjacent to the Project site. Impacts would be *less than significant*.

**Mitigation Measures:** None are required.

- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

**No Impact.** The proposed Project site is completely surrounded by urban uses, which do not support wildlife movement and do not contain migratory corridors. The proposed Project would not restrict regional wildlife movement or wildlife migration patterns. *No impact* would occur.

**Mitigation Measures:** None are required.

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

**No Impact.** Due to the absence of biological resources on the proposed Project site, the Project would not conflict with local policies for the protection of biological resources. *No impact* would occur.

**Mitigation Measures:** None are required.

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?

**No Impact.** The proposed Project is not located within an area subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the proposed Project would have *no impact*.

**Mitigation Measures:** None are required.

# 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 §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## SETTING

**Environmental Setting**

Archaeological resources are places where human activity has measurably altered the earth or left deposits of physical remains. Archaeological resources may be either prehistoric (before the introduction of writing in a particular area) or historic (after the introduction of writing). The majority of such places in this region are associated with either Native American or Euroamerican occupation of the area. The most frequently encountered prehistoric and early historic Native American archaeological sites are village settlements with residential areas and sometimes cemeteries; temporary camps where food and raw materials were collected; smaller, briefly occupied sites where tools were manufactured or repaired; and special-use areas like caves, rock shelters, and sites of rock art. Historic archaeological sites may include foundations or features such as privies, corrals, and trash dumps.

Tulare County was inhabited by indigenous California Native American groups consisting of the Southern Valley Yokuts, Foothill Yokuts, Monache, and Tubatulabal. Most information regarding these groups is based on Spanish government and Franciscan mission records of the 18th and 19th centuries, and in studies conducted during the 1900s to 1930s by American and British ethnographers. The

ethnographic setting presented below is derived from the early works, compiled by W. J. Wallace, Robert F.G. Spier, and Charles R. Smith, with statistical information provided by the California Native American Heritage Commission.

Of the four main groups inhabiting the Tulare County area, the Southern Valley Yokuts occupied the largest territory, which is defined roughly by the crest of the Diablo Range on the west and the foothills of the Sierra Nevada on the east, and from the Kings River on the north, to the Tehachapi Mountains on the south. The Foothill Yokuts inhabited the western slopes of the Sierra Nevada, between the Fresno River and Kern River, with settlements generally occurring between the 2,000 to 4,000-foot elevations. The Tubatulabal inhabited the Sierra Nevada Mountains, at the higher elevations, near Mt. Whitney in the east, extending westward along the drainages of the Kern River, and the Kern River-South Fork. The Monache were comprised of six small groups that lived in the Sierras east of the Foothill Yokuts, in locations ranging between 3,000 to 7,000 foot elevations.

The proposed Project site has been highly disturbed for many years due to the commercial nature of the site. A records search was conducted at the Southern San Joaquin Valley Information Center (SSJVIC), California Historical Resources Information System (See Appendix C) in November 2015. According to the SSJVIC records, there are no recorded cultural resources within the proposed Project area and there is one resource, the Liberty Ditch, within a ½ mile radius that is listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

### **Regulatory Setting**

#### *Federal*

Cultural resources are protected by several federal regulations, none of which are relevant to this proposed Project because it will not be located on lands administered by a federal agency and the Project applicant is not requesting federal funding.

#### *State*

The proposed Project is subject to CEQA which requires public or private projects financed or approved by public agencies to assess their effects on historical resources. CEQA uses the term “historical resources” to include buildings, sites, structures, objects or districts, each of which may have historical, prehistoric, architectural, archaeological, cultural, or scientific importance. CEQA states that if implementation of a project results in significant effects on historical resources, then alternative plans or mitigation measures must be considered; however, only significant historical resources need to be

addressed (CCR 15064.5, 15126.4). For the purposes of this CEQA document, a significant impact would occur if project implementation:

- Causes a substantial change in the significance of a historical resource
- Causes a substantial adverse change in the significance of an archaeological resource
- Disturbs any human remains, including those interred outside of formal cemeteries

### **Senate Bill 18**

SB 18 requires cities and counties to contact, and consult with California Native American tribes prior to amending or adopting any general plan or specific plan, or designating land as open space.

### **Human Remains**

Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper and dignified treatment of the remains and associated grave artifacts.

### **Paleontological Resources**

Paleontological resources are the fossilized remains of plants and animals and associated deposits. The Society of Vertebrate Paleontology has identified vertebrate fossils, their taphonomic and associated environmental indicators, and fossiliferous deposits as significant nonrenewable paleontological resources. Botanical and invertebrate fossils and assemblages may also be considered significant resources.

CEQA requires that a determination be made as to whether a project would directly or indirectly destroy a unique paleontological resource or site or unique geological feature (CEQA Appendix G(v)(c)). If an impact is significant, CEQA requires feasible measures to minimize the impact (CCR Title 14(3) §15126.4 (a)(1)). California Public Resources Code §5097.5 (see above) also applies to paleontological resources.

## RESPONSES

### a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

**Less than Significant Impact with Mitigation.** The records search conducted at the SSJVIC (Appendix C) indicated that there are no recorded cultural resources within the proposed Project area and it is unknown if any exist. Since the project will require a General Plan Amendment, the proposed Project is subject to the provisions of Senate Bill 18 which requires consultation with California Native American Tribes. The City of Tulare recently completed and adopted a General Plan Update. As part of this process in 2012, the City initiated Native American consultations. Following a request for a search of the Sacred Lands File (SLF) and consultation by the City of Tulare, the NAHC responded on August 29, 2012 that no Native American cultural resources were identified within the General Plan Area and provided a contact list of four Native American groups having traditional lands or cultural places within the Draft General Plan Area: Santa Rosa Rancheria, Tule River Indian Tribe, Kern Valley Indian Council, and Wuksache Indian Tribe/Eshom Valley Band. The City of Tulare sent requests for consultation to the aforementioned tribes on September 6, 2012 and no responses were received. (General Plan EIR, page 4.5-6). The proposed project area is located within the study area of the General Plan. The City does not anticipate any formal reply from a Tribe, however, any consultation will be completed prior to Project construction.

Construction activities associated with the proposed Project would require site grading, which could potentially damage or destroy previously undiscovered historic resources. This could be considered a potentially significant impact; however, implementation of Mitigation Measure CUL-1 would ensure that significant impacts remain *less than significant with mitigation incorporation*.

#### CUL-1

If a potentially significant historical, archaeological, or paleontological resource, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains or trash deposits are encountered during subsurface construction activities (i.e., trenching), all construction activities within a 100-foot radius of the identified potential resource shall cease until a qualified archaeologist evaluates the item for its significance and records the item on the appropriate State Department of Parks and Recreation (DPR) forms. The archaeologist shall determine whether the item requires further study. If, after the qualified archaeologist conducts appropriate technical analyses, the item is determined to be significant under California Environmental Quality Act, the archaeologist shall recommend feasible mitigation measures, which may include avoidance, preservation in place or other appropriate measure.

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

**Less than Significant Impact with Mitigation.** The possibility exists that subsurface construction activities may encounter undiscovered archaeological resources. This would be a potentially significant impact. Implementation of Mitigation Measure CUL-1 would require inadvertently discovery practices to be implemented should previously undiscovered archeological resources be located. As such, impacts to undiscovered archeological resources would be *less than significant with mitigation incorporation*.

c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

**Less than Significant Impact with Mitigation.** There are no unique geological features or known fossil-bearing sediments in the vicinity of the proposed Project site. However, there remains the possibility for previously unknown, buried paleontological resources or unique geological sites to be uncovered during subsurface construction activities. Implementation of Mitigation Measure CUL-1 would require inadvertently discovery practices to be implemented should previously undiscovered paleontological resources be located. As such, impacts to undiscovered paleontological resources would be *less than significant with mitigation incorporation*.

d. Disturb any human remains, including those interred outside of formal cemeteries?

**Less than Significant Impact.** Although unlikely given the disturbed nature of the site and the records search did not indicate the presence of such resources, subsurface construction activities associated with the proposed Project could potentially disturb previously undiscovered human burial sites. Accordingly, this is a potentially significant impact. The California Health and Safety Code Section 7050.5 states that if human remains are discovered on-site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition. If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC. The NAHC shall identify the person or persons it believes to be the “most likely descendant” (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work,

for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resource Code Section 5097.98.

Although considered unlikely subsurface construction activities could cause a potentially significant impact to previously undiscovered human burial sites, however compliance with regulations would reduce this impact to *less than significant*.

**Mitigation Measures:** None are required.

## VI. GEOLOGY AND SOILS

### Would the project:

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 known fault? Refer to Division of Mines and Geology Special Publication 42.

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

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

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d. Be located on expansive soil, as defined in Table 18-1-B of the most recently

Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

adopted Uniform Building Code  
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?

## SETTING

### Environmental Setting

The City of Tulare is part of what is known as the Central Valley Province, and like the rest of the western portion of the Central Valley, consists of a flat, alluvial plain underlain by both marine and non-marine sedimentary rocks. The Sierra Nevada Mountains rise at the easternmost expanse of the Central Valley and are the likely source of much of the area’s soil material.<sup>10</sup>

### **Faulting and Seismicity**

Tulare is located in the San Joaquin Valley, which generally has fewer active faults and is less subject to seismic activity than the California coast and the Sierra Nevada. Tulare and its immediate surroundings do not host any State-designated Alquist-Priolo Fault Zones with the nearest being over 25 miles to the south of Tulare, near the towns of Delano and McFarland. Additionally, the California Geological Survey characterizes the City of Tulare as being in an area of relatively low earthquake shaking hazard.<sup>11</sup>

### **Soils**

Soils in the proposed Project site and immediate vicinity are Colpien loam, a moderately well-drained soil.<sup>12</sup>

### Regulatory Setting

<sup>10</sup> City of Tulare Draft Environmental Impact Report, General Plan, Transit-Oriented Development, and Climate Action Plan. November, 2013. SCH# 2012071067. Page 4.6-4.

<sup>11</sup> Ibid. Page 4.6-7.

<sup>12</sup> Ibid. Page 4.6-4.

*Federal*

Federal regulations for geology and soils are not relevant to the proposed Project because it is not a federal undertaking (the Project site is not located on lands administered by a federal agency, and the Project applicant is not requesting federal funding or a federal permit).

*State***Uniform Building Code**

The California Code of Regulations (CCR) Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. The California Building Code incorporates by reference the Uniform Building Code with necessary California amendments. The Uniform Building Code is a widely adopted model building code in the United States published by the International Conference of Building Officials. About one-third of the text within the California Building Code has been tailored for California earthquake conditions.

In addition, the proposed Project is being evaluated pursuant to CEQA.

**RESPONSES**

a-i. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

**No Impact.** The proposed Project site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone. Since no known surface expression of active faults is believed to cross the site, fault rupture through the site is not anticipated. *No impacts* would occur.

**Mitigation Measures:** None are required.

a (ii-iv). Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking, liquefaction or landslides?

**Less than Significant Impact.** Tulare County has extremely low seismic activity levels, although shaking may be felt from earthquakes whose epicenter lie to the south and west. The proposed Project would comply with existing building code standards or design and construction, which would

minimize any impacts resulting from ground shaking or liquefaction. Due to the relatively flat topography of the proposed Project area, impacts associated with landslides are not anticipated. Impacts would be *less than significant*.

**Mitigation Measures:** None are required.

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

**Less than Significant Impact.** The proposed Project site has a generally flat topography, is in an established urban area and does not include any Project features that would result in soil erosion or loss of topsoil. Therefore, the impact is *less than significant*.

**Mitigation Measures:** None are required.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

**Less than Significant Impact.** The City of Tulare's sandy soils are considered to be either too coarse or too clayey to be easily susceptible to liquefaction. Moreover, Tulare and its surrounding area would only very infrequently experience the sort of strong ground-shaking typically associated with liquefaction. For these reasons, the California Geological Survey has not conducted studies or mapping of liquefaction susceptibility in the Tulare area<sup>13</sup> and as such, any impacts would be *less than significant*.

**Mitigation Measures:** None are required.

d. Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial risks to life or property?

**Less than Significant Impact.** See Impact VI (c). The impact is *less than significant*.

**Mitigation Measures:** None are required.

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<sup>13</sup> City of Tulare Draft Environmental Impact Report, General Plan, Transit-Oriented Development, and Climate Action Plan. November, 2013. SCH# 2012071067. Page 4.6-8.

- 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?

**No Impact.** The proposed Project would connect to City water and sewer. Therefore, the proposed Project would not require the use of an alternative sewer system, nor the use of a septic tank. There is *no impact*.

**Mitigation Measures:** None are required.

# VII. GREENHOUSE GAS EMISSIONS

**Would the project:**

Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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## SETTING

**Environmental Setting**

Various gases in the earth’s atmosphere play an important role in moderating the earth’s surface temperature. Solar radiation enters earth’s atmosphere from space and a portion of the radiation is absorbed by the earth’s surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. GHGs are transparent to solar radiation, but are effective in absorbing infrared radiation. Consequently, radiation that would otherwise escape back into space is retained, resulting in a warming of the earth’s atmosphere. This phenomenon is known as the greenhouse effect. Scientific research to date indicates that some of the observed climate change is a result of increased GHG emissions associated with human activity. Among the GHGs contributing to the greenhouse effect are water vapor, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), ozone, Nitrous Oxide (NO<sub>x</sub>), and chlorofluorocarbons. Human-caused emissions of these GHGs in excess of natural ambient concentrations are considered responsible for enhancing the greenhouse effect. GHG emissions contributing to global climate change are attributable, in large part, to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation. Global climate change is, indeed, a global issue. GHGs are global pollutants, unlike criteria pollutants and toxic air contaminants (which are pollutants of regional and/or local concern). Global climate change, if it occurs, could potentially affect water resources in California. Rising temperatures could be anticipated to result in sea-level rise (as polar ice caps melt) and possibly change the timing and amount of precipitation, which could alter water quality. According to some research, climate change could result in more extreme weather patterns; both

heavier precipitation that could lead to flooding, as well as more extended drought periods. There is uncertainty regarding the timing, magnitude, and nature of the potential changes to water resources as a result of climate change; however, several trends are evident.

Snowpack and snowmelt may also be affected by climate change. Much of California's precipitation falls as snow in the Sierra Nevada and southern Cascades, and snowpack represents approximately 35 percent of the state's useable annual water supply. The snowmelt typically occurs from April through July; it provides natural water flow to streams and reservoirs after the annual rainy season has ended. As air temperatures increase due to climate change, the water stored in California's snowpack could be affected by increasing temperatures resulting in: (1) decreased snowfall, and (2) earlier snowmelt.

### **Regulatory Setting**

#### *Federal*

The USEPA Mandatory Reporting Rule (40 CFR Part 98), which became effective December 29, 2009, requires that all facilities that emit more than 25,000 metric tons CO<sub>2</sub>-equivalent per year beginning in 2010, report their emissions on an annual basis. On May 13, 2010, the USEPA issued a final rule that established an approach to addressing GHG emissions from stationary sources under the CAA permitting programs. The final rule set thresholds for GHG emissions that define when permits under the New Source Review Prevention of Significant Deterioration and title V Operating Permit programs are required for new and existing industrial facilities.

In addition, the Supreme Court decision in *Massachusetts v. EPA* (Supreme Court Case 05-1120) found that the USEPA has the authority to list GHGs as pollutants and to regulate emissions of GHGs under the CAA. On April 17, 2009, the USEPA found that CO<sub>2</sub>, CH<sub>4</sub>, NO<sub>x</sub>, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride may contribute to air pollution and may endanger public health and welfare. This finding may result in the USEPA regulating GHG emissions; however, to date the USEPA has not proposed regulations based on this finding.

#### *State*

California is taking action to reduce GHG emissions. In June 2005, Governor Schwarzenegger signed Executive Order S-3-05 to address climate change and GHG emissions in California. This order sets the following goals for statewide GHG emissions:

- Reduce to 2000 levels by 2010
- Reduce to 1990 levels by 2020
- Reduce to 80 percent below 1990 levels by 2050

In 2006, California passed AB 32, the California Global Warming Solutions Act of 2006 (Act). The Act requires ARB to design and implement emission limits, regulations, and other feasible cost-effective measures to reduce statewide GHG emissions to 1990 levels by 2020. Senate Bill 97 was signed into law in August 2007. The Senate Bill required the Office of Planning and Research (OPR) to prepare, develop, and transmit to the Resource Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions by July 1, 2009. On April 13, 2009, the OPR submitted to the Secretary for Natural Resources its recommended amendments to the State CEQA Guidelines for addressing GHG emissions. On July 3, 2009, the Natural Resources Agency commenced the Administrative Procedure Act rulemaking process for certifying and adopting the amendments. Following a 55-day public comment period and 2 public hearings, and in response to comments, the Natural Resources Agency proposed revisions to the text of the proposed Guidelines amendments. The Natural Resources Agency transmitted the adopted amendments and the entire rulemaking file to the Office of Administrative Law on December 31, 2009. On February 16, 2010, the Office of Administrative Law approved the amendments, and filed them with the Secretary of State for inclusion in the CCR. The Amendments became effective on March 18, 2010.

The AB 32 Scoping Plan contains the main strategies California will use to reduce GHG emissions that cause climate change. The scoping plan has a range of GHG reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 cost of implementation fee regulation to fund the program. The first regulation adopted by the ARB pursuant to AB 32 was the regulation requiring mandatory reporting of GHG emissions. The regulation requires large industrial sources emitting more than 25,000 metric tons of CO<sub>2</sub> per year to report and verify their GHG emissions from combustion of both fossil fuels and biomass-derived fuels. The California Cap and Trade program is being developed and the ARB adopted regulations on January 1, 2011. Finally, Governor Schwarzenegger directed the ARB, pursuant to Executive Order S-21-09, to adopt a regulation by July 31, 2010, requiring the state's load serving entities to meet a 33 percent renewable energy target by 2020.

In addition, the proposed Project is being evaluated pursuant to CEQA.

## RESPONSES

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Less than Significant Impact.** As shown in Table 3, the Project is estimated to produce 2,348.53 tons per year of CO<sub>2</sub> (combined construction and operational totals), which is less than 10% of the reporting threshold set by the USEPA. Therefore the Project would not generate significant greenhouse gas emissions, conflict with an applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions, or result in significant global climate change impacts. Impacts would be *less than significant*.

**Mitigation Measures:** None are required.

# VIII. HAZARDS AND HAZARDOUS MATERIALS

**Would the project:**

- 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

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 a 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

**SETTING**

**Environmental Setting**

The proposed Project site is located in the northern portion of the City adjacent to residential and community commercial land uses. The site is currently a vacant lot that is temporarily being used as a construction staging area. It also hosts a shared parking lot with the church to the south.

The proposed Project site is bounded by residential development to the west, State Route 99 to the east, a fire station and gas station/convenience store to the north and a church to the south. The Project site is approximately 5.45 miles north of the Mefford Field Airport while Fresno-Yosemite International Airport is the closest regional airport to the proposed Project site, approximately 41 miles northwest.

The Visalia Landfill is approximately 10 miles northwest of the proposed Project site, while the Tulare Wastewater Treatment Plant is located approximately 3.6 miles southwest of the site. The site is approximately 0.85 miles northeast of Los Tules Middle School.

**Regulatory Setting**

*Federal*

The primary federal agencies with responsibility for hazardous materials management include the EPA, U.S. Department of Labor Occupational Safety and Health Administration (OSHA), and the U.S. Department of Transportation (DOT). The Environmental Protection Agency (EPA) was created to protect human health and to safeguard the natural environment – air, water and land – and works

closely with other federal agencies, and state and local governments to develop and enforce regulations under existing environmental laws. Where national standards are not met, EPA can issue sanctions and take other steps to assist the states in reaching the desired levels of environmental quality. EPA also works with industries and all levels of government in a wide variety of voluntary pollution prevention programs and energy conservation efforts.

### *State*

The California Department of Industrial Relations, Division of Occupational Safety and Health is the administering agency designed to protect worker health and general facility safety. The California Department of Forestry and Fire Protection has designated the area that includes the proposed Project site as a Local Responsibility Area, defined as an area where the local fire jurisdiction is responsible for emergency fire response.

In addition, the proposed Project is being evaluated pursuant to CEQA.

## **RESPONSES**

- a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

**Less than Significant Impact.** This impact is associated with hazards caused by the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Proposed Project construction activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Compliance would ensure that human health and the environment are not exposed to hazardous materials. In addition, the Project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) permit program through the submission and implementation of a Stormwater Pollution Prevention Plan during construction activities to prevent contaminated runoff from leaving the Project site. Therefore, no significant impacts would occur during construction activities.

The operational phase of the proposed Project would occur after construction is completed and employees and guests move in to occupy the structures on a day-to-day basis. The proposed Project includes land uses that are considered compatible with the surrounding uses, including single family residential uses and community commercial areas. None of these land uses routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the exception of common

residential grade hazardous materials such as household and commercial cleaners, paint, etc. The proposed Project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials, nor would a significant hazard to the public or to the environment through the reasonably foreseeable upset and accidental conditions involving the likely release of hazardous materials into the environment occur. Therefore, the proposed Project will not create a significant hazard to the public or the environment and any impacts would be *less than significant*.

**Mitigation Measures:** None are required.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

**Less than Significant Impact.** See Impact VIII (a) above. Any impacts would be *less than significant*.

**Mitigation Measures:** None are required.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

**No Impact.** Los Tules Middle School is the closest school to the proposed Project site at approximately 0.85 miles to the southwest. As there is no school within one-quarter (0.25) mile of the proposed Project site, there is *no impact*.

**Mitigation Measures:** None are required.

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

**No Impact.** The proposed Project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.<sup>14</sup> The nearest Department of Toxic Substances Control listed site is the Moore Aviation site located at 596 Cartmill Avenue in Tulare (approximately 0.5 miles east of the

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<sup>14</sup> California Department of Toxic Substance Control. EnviroStor. [http://www.envirostor.dtsc.ca.gov/public/mapfull.asp?global\\_id=&x=-119&y=37&z=18&ms=640,480&mt=m&findaddress=True&city=cartmill%20avenue%20tulare&zip=&county=&federal\\_superfund=true&state\\_response=true&voluntary\\_cleanup=true&school\\_cleanup=true&ca\\_site=true&tiered\\_permit=true&evaluation=true&military\\_evaluation=true&school\\_investigation=true&operating=true&post\\_closure=true&non\\_operating=true](http://www.envirostor.dtsc.ca.gov/public/mapfull.asp?global_id=&x=-119&y=37&z=18&ms=640,480&mt=m&findaddress=True&city=cartmill%20avenue%20tulare&zip=&county=&federal_superfund=true&state_response=true&voluntary_cleanup=true&school_cleanup=true&ca_site=true&tiered_permit=true&evaluation=true&military_evaluation=true&school_investigation=true&operating=true&post_closure=true&non_operating=true). Accessed 11/15.

Project site), which was voluntarily cleaned up in 2010. There are no hazardous materials sites that impact the Project. As such, *no impacts* would occur that would create a significant hazard to the public or the environment.

**Mitigation Measures:** None are required.

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

**No Impact.** The proposed Project site is approximately 5.45 miles north of Mefford Field Airport and outside of the airport’s safety zone. There is *no impact*.

**Mitigation Measures:** None are required.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

**No Impact.** There are no private airstrips in the Project vicinity and as such, there is *no impact*.

**Mitigation Measures:** None are required.

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**Less than Significant Impact.** The proposed Project site will be accessible via the existing site entrance currently being used as a construction staging area. As such, the Project will not interfere with any adopted emergency response or evacuation plan. Any impacts are *less than significant*.

**Mitigation Measures:** None are required.

h. Expose people or structures to a 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?

**No Impact.** There are no wildlands on or near the proposed Project site. There is *no impact*.

**Mitigation Measures:** None are required.

# 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

# IX. HYDROLOGY AND WATER QUALITY

**Would the project:**

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?

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
f.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## SETTING

**Environmental Setting**

The City of Tulare is located in the Tulare Lake Hydrological Region, an approximately 10.9-million-acre area which spans the southern half of the San Joaquin Valley and includes all of Kings and Tulare counties, as well as large portions of Fresno and Kern counties. The City of Tulare is located in the

Kaweah Groundwater Subbasin, which is in a current state of critical overdraft.<sup>15</sup> Precipitation varies over the year, with the heaviest rainfall occurring from November to April. Average monthly rainfall can range from a summer low of 0.01 inches to almost two inches in the winter. Average annual rainfall is 10.15 inches.<sup>16</sup> The City of Tulare relies exclusively on groundwater for its water supply. The City has 44 groundwater supply wells, with a capacity of approximately 45.5 million gallons per day (mgd).<sup>17</sup> The Tulare Irrigation Canal runs in an east-west direction approximately 0.10 mile south of the proposed Project site.

## **Regulatory Setting**

### *Federal*

#### **Clean Water Act**

The Clean Water Act (CWA) is intended to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 CFR 1251). The regulations implementing the CWA protect waters of the U.S. including streams and wetlands (33 CFR 328.3). The CWA requires states to set standards to protect, maintain, and restore water quality by regulating point source and some non-point source discharges. Under Section 402 of the CWA, the National Pollutant Discharge Elimination System (NPDES) permit process was established to regulate these discharges.

The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, Federal Emergency Management Agency (FEMA) has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes.

### *State*

#### **State Water Resources Control Board**

The State Water Resources Control Board (SWRCB), located in Sacramento, is the agency with jurisdiction over water quality issues in the State of California. The SWRCB is governed by the Porter-Cologne Water Quality Act (Division 7 of the California Water Code), which establishes the legal framework for water quality control activities by the SWRCB. The intent of the Porter-Cologne Act is to regulate factors which may affect the quality of waters of the State to attain the highest quality which is

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<sup>15</sup> City of Tulare Draft Environmental Impact Report, General Plan, Transit-Oriented Development, and Climate Action Plan. November, 2013. SCH# 2012071067. Page 4.9-9.

<sup>16</sup> City of Tulare Draft Environmental Impact Report, General Plan, Transit-Oriented Development, and Climate Action Plan. November, 2013. SCH# 2012071067. Page 4.9-7.

<sup>17</sup> Ibid. Page 4.9-9

reasonable, considering a full range of demands and values. Much of the implementation of the SWRCB's responsibilities is delegated to its nine Regional Boards. The proposed Project site is located within the Central Valley Region.

### **Regional Water Quality Board**

The Regional Water Quality Control Board (RWQCB) administers the NPDES storm water-permitting program in the Central Valley region. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The General Construction Permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The plan will include specifications for Best Management Practices (BMPs) that will be implemented during proposed Project construction to control degradation of surface water by preventing the potential erosion of sediments or discharge of pollutants from the construction area. The General Construction Permit program was established by the RWQCB for the specific purpose of reducing impacts to surface waters that may occur due to construction activities. BMPs have been established by the RWQCB in the California Storm Water Best Management Practice Handbook (2003), and are recognized as effectively reducing degradation of surface waters to an acceptable level. Additionally, the SWPPP will describe measures to prevent or control runoff degradation after construction is complete, and identify a plan to inspect and maintain these facilities or project elements.

In addition, the proposed Project is being evaluated pursuant to CEQA.

## **RESPONSES**

### a. Violate any water quality standards or waste discharge requirements?

**Less than Significant Impact.** The State Water Resources Control Board requires any new construction project over an acre to complete a Stormwater Pollution Prevention Plan (SWPPP). A SWPPP involves site planning and scheduling, limiting disturbed soil areas, and determining best management practices to minimize the risk of pollution and sediments being discharged from construction sites. Implementation of the SWPPP will minimize the potential for the proposed Project to substantially alter the existing drainage pattern in a manner that will result in substantial erosion or siltation onsite or offsite.

The proposed Project will result in wastewater from individual restrooms, laundry and kitchen facilities that will be discharged into the City's existing wastewater treatment system.

City Engineering staff estimated the Project's water demand based on similar uses within the City and performed a water system analysis using the City's Capacity Versus Demand Comparison Tool to determine the anticipated water use impacts of the Project. In June 2016<sup>18</sup>, the City determined that "the City's water system will have sufficient capacity to accommodate pending/approved projects plus the proposed Monterey Dynasty project." (aka Eastgate Hotel Development). City staff recommended conditional approval for the new connections associated with the hotel and associated development.

The composition of the wastewater will be similar to residential wastewater (e.g. restroom facilities, kitchen, laundry, etc.) and therefore will not result in exceedance of any wastewater quality standards.

In addition, the City's Sewer System Master Plan identifies and plans for necessary wastewater improvements to accommodate a higher population growth than the City's General Plan (essentially over-building: the City's General Plan projects a population of 100,970 by 2035 and the Sewer System Master Plan projects a population of 130,975 by 2030). As such, there is projected to be an excess of wastewater capacity at buildout of the General Plan. Therefore, there is adequate wastewater capacity and the proposed Project will not violate any water quality standards and will not impact waste discharge requirements. The impact will be *less than significant*.

**Mitigation Measures:** None are required.

- 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 pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

**Less than Significant Impact.** The City of Tulare (and proposed Project site) is located in the Kaweah Groundwater Subbasin, an area significantly affected by overdraft. The Department of Water Resources (DWR) has estimated the groundwater by hydrologic region and for the Tulare Lake Basin; the total overdraft is estimated at 820,000 acre-feet per year, the greatest overdraft projected in the state, and 56 percent of the statewide total overdraft. The proposed Project site is located within the Tule Sub-basin portion of the greater San Joaquin Valley Groundwater Basin. According to the City's General Plan EIR, wells in and around the city have shown a moderate groundwater level decline of about 0.75 feet per year over the past 20 years.

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<sup>18</sup> June 16, 2016 Tulare Board of Public Utilities Meeting Agenda Item: Gen Bus. 2.

According to the California Department of General Services (<http://www.dgs.ca.gov/travel/Programs/GreenLodgingProgram.aspx>), a typical hotel uses 218 gallons of water per day per occupied room. This takes into account not only the in-room water use, but also water use associated with landscaping, cooling systems, laundry facilities, etc. At full capacity of 136 rooms (“worst-case” scenario), the hotel could use up to 29,648 gallons of water per day, or 10,821,520 gallons per year, or 33.2 acre/feet/year.

For comparison purposes, the existing zoning on-site could allow for up to 22 single family dwelling units. Twenty-two single family units would have approximately 74 people (according to the State Department of Finance, Tulare’s average household size was 3.35 persons per household). The City’s Urban Water Management Plan (UWMP) indicates that the City’s average water use in 2010 was 262 gallons per day per capita. Based on 74 people, this equates to approximately 19,388 gallons of water per day, or 7,076,620 gallons per year, or 21.7 acre/feet per year.

The proposed hotel, if fully occupied every day of the year, would result in an increased water use of 11.5 acre/feet per year. However, it is unlikely that the hotel will be 100% booked every day of the year, and thus water use will likely be less than the stated worst case scenario. In addition, the City’s General Plan indicates that by 2035 (at full buildout of the General Plan) the total City-wide water demand will be 26,937 acre/feet per year, but the water supply will be 42,964 acre/feet per year, resulting in a surplus of 16,027 acre/feet per year. Thus, there will be adequate water supplies to serve the proposed project, even with the change in designated land use.

According to the City’s General Plan and Urban Water Management Plan (UWMP), future demand within the City planning area can be met with continued groundwater pumping, surface water purchases and conservation measures. Therefore, the proposed Project will not result in additional groundwater use that was not already accounted for in the City’s UWMP. As such, there is *a less than significant impact* to this impact area.

**Mitigation Measures:** None are required.

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

**Less than Significant Impact.** There are no natural lakes or streams within or adjacent to the Project area. The site is presently a vacant dirt lot, temporarily utilized as a construction staging area. The proposed Project will introduce new impervious surfaces (structures and pavement) to the entire 4.74

acre site (with the exception of on-site landscaping). The site will be designed so that storm water is collected and deposited in the City's existing storm drain system, which has adequate capacity. The storm water collection system design will be subject to review and approval by the City Public Works Department. Storm water during construction will be managed as part of the Storm Water Pollution Prevention Plan (SWPPP). A copy of the SWPPP will be retained on-site during construction. As a result, impacts would be *less than significant*.

**Mitigation Measures:** None are required.

- 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 amount of surface runoff in a manner which would result in flooding on- or off-site?

**Less than Significant Impact.** Impacts regarding the alteration of drainage patterns to increase runoff that will potentially induce flooding have been discussed in the impact analysis for Response IX-c. Storm water will be managed as part of the Storm Water Pollution Prevention Plan (SWPPP). A copy of the SWPPP will be retained on-site during construction. As a result, impacts are *less than significant*.

**Mitigation Measures:** None are required.

- 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?

**Less than Significant Impact.** See Responses a, c and d. Implementation of the proposed Project will not require expansion of the City's existing stormwater system, nor will it result in additional sources of polluted runoff. The impact is *less than significant*.

**Mitigation Measures:** None are required.

- f. Otherwise substantially degrade water quality?

**Less than Significant Impact.** See Responses a, c and d. The Project would not otherwise degrade water quality and therefore the impact is *less than significant*.

**Mitigation Measures:** None are required.

- 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?

**No Impact.** The Project site is not within a 100-year flood zone, as shown on Figure 4-9.1 of the General Plan EIR.<sup>19</sup> There is no housing associated with this proposed Project. Therefore, there is *no impact*.

**Mitigation Measures:** None are required.

- h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

**No Impact.** The Project site is not within a 100-year flood zone, as shown on Figure 4-9.1 of the General Plan EIR, therefore there is *no impact*.

**Mitigation Measures:** None are required.

- 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?

**No Impact.** Flows into the Kaweah River and its associated tributaries are controlled by the Terminus Dam located approximately 22.5 miles upstream from the City. A dam failure is usually the result of neglect, poor design, or structural damage caused by a major event such as an earthquake. Dams must be operated and maintained in a safe manner, which is ensured through inspections for safety deficiencies, analyses using current technologies and designs, and taking corrective actions as needed based on current engineering practices.

The proposed Project site is not located within the Terminus Dam inundation area, as shown on Figure 4-9.1 of the General Plan EIR.<sup>20</sup> As such, there are *no impacts*.

**Mitigation Measures:** None are required.

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<sup>19</sup> City of Tulare Draft Environmental Impact Report, General Plan, Transit-Oriented Development, and Climate Action Plan. November, 2013. SCH# 2012071067. Page 4.9-8.

<sup>20</sup> City of Tulare Draft Environmental Impact Report, General Plan, Transit-Oriented Development, and Climate Action Plan. November, 2013. SCH# 2012071067. Page 4.9-8.

j. Inundation by seiche, tsunami, or mudflow?

**No Impact.** There are no inland water bodies that could be potentially susceptible to a seiche in the Project vicinity. The Project site is more than 100 miles from the Pacific Ocean, a condition that precludes the possibility of inundation by tsunami. There are no steep slopes that would be susceptible to a mudflow in the Project vicinity, nor are there any volcanically active features that could produce a mudflow in the City of Tulare. This precludes the possibility of a mudflow inundating the Project site. *No impacts* would occur.

**Mitigation Measures:** None are required.

# 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## SETTING

**Environmental Setting**

The proposed Project site is located in the northern part of the City of Tulare and is currently a vacant lot temporarily utilized as a construction staging area. See Figure 2 – Aerial Map. The site is located in an urban, built up area characterized by a mix of land uses. Immediately east of the site is State Route 99, a fire station and church are immediately north and south, respectively, and a mobile home park is immediately west of the site. The site is currently zoned R-1-7 (Low Density Residential) and the General Plan designates the site as “Low Density Residential”.

**Regulatory Setting**

The proposed Project is being evaluated pursuant to CEQA; however, there are no federal, state or local regulations, plans, programs, and guidelines associated with Land Use and Planning that are applicable to the proposed Project.

## RESPONSES

a. Physically divide an established community?

**No Impact.** The proposed Project is located within the northern portion of the City of Tulare. The construction and operation of the Project would not cause any land use changes in the surrounding vicinity nor would it divide an established community. *No impacts* would occur as a result of this Project.

**Mitigation Measures:** None are required.

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?

**Less than Significant Impact.** The proposed Project will require a General Plan Amendment (GPA) and Zone change to change the land use designations from Suburban Residential and Low Density Residential to Community Commercial. The Project applicant intends to construct and operate a 136-room hotel, which includes a 4,000 square foot restaurant and wedding venue, which is an allowed use within the Community Commercial land use designation. In addition to the GPA and Zone Change, the Conditional Use Permit would ensure that the proposed Project would be consistent with applicable land use and zoning designations. Any impacts would be *less than significant*.

**Mitigation Measures:** None are required.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

**No Impact.** The proposed Project site is not included in any adopted habitat conservation plans or natural community conservation plans. Therefore, the Project would not conflict with any such plans and *no impact* would result.

**Mitigation Measures:** None are required.

# XI. MINERAL RESOURCES

**Would the project:**

Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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- 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 land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## SETTING

**Environmental Setting**

The most economically important minerals that are extracted in Tulare County are sand, gravel, crushed rock, and natural gas. The four streams that have provided the main source of high quality sand and gravel in Tulare County to make Portland cement concrete and asphaltic concrete are the Kaweah River, Lewis Creek, Deer Creek and the Tule River.<sup>21</sup>

**Regulatory Setting**

The proposed Project is being evaluated pursuant to CEQA; however, there are no federal, state or local regulations, plans, programs, and guidelines associated with Mineral Resources that are applicable to the proposed Project.

## RESPONSES

- 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?

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<sup>21</sup> Tulare County General Plan 2030 Update Recirculated Draft EIR. February 2010. Page 3.7-9.

**No Impact.** Although there are 26 mines permitted to operate in Tulare County, none of them are in or adjacent to the proposed Project site.<sup>22</sup> Most mineral resource production sites in the County are located in the Sierra Foothills. There is *no impact*.

**Mitigation Measures:** None are required.

b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

**No Impact.** The proposed Project site is not delineated on a local general plan, specific plan, or other land use plan as having importance regarding mineral resources. Therefore, there is *no impact*.

**Mitigation Measures:** None are required.

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<sup>22</sup> City of Tulare Draft Environmental Impact Report, General Plan, Transit-Oriented Development, and Climate Action Plan. November, 2013. SCH# 2012071067. Page 4.6-10.

## 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## SETTING

### Environmental Setting

The proposed Project site is located in the northern part of the City of Tulare and is currently an existing vacant lot temporarily being used as a construction staging area. See Figure 2 – Aerial Map. The site is located in an urban, built up area that provides a mix of land uses. Immediately east of the site is a single-family residential neighborhood while a church and fire station are immediately south and north, respectively. Immediately east of the site is State Route 99 and the entire proposed Project site is located within the State Route 99 established noise contour, as shown in Figure 4.11-1 of the City’s General Plan EIR.<sup>23</sup>

### Regulatory Setting

#### *Federal*

The Federal Railway Administration (FRA) and the Federal Transit Administration (FTA) have published guidance relative to vibration impacts. The FRA has determined that ground vibrations from construction activities do not often reach the levels that can damage structures, but they can be within the audible and perceptible ranges in buildings very close to the site.<sup>24</sup> The FTA has identified the human annoyance response to vibration levels as 80 RMS.<sup>25</sup>

#### *State*

The California Noise Control Act was enacted in 1973 (Health and Safety Code § 46010 et seq.), and states that the Office of Noise Control (ONC) should provide assistance to local communities in developing local noise control programs. It also indicates that ONC staff will work with the OPR to provide guidance for the preparation of the required noise elements in city and county General Plans, pursuant to Government Code § 65302(f). California Government Code § 65302(f) requires city and county general plans to include a noise element. The purpose of a noise element is to guide future development to enhance future land use compatibility.

In addition, this proposed Project is being evaluated pursuant to CEQA.

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<sup>23</sup> City of Tulare Draft Environmental Impact Report, General Plan, Transit-Oriented Development, and Climate Action Plan. November, 2013. SCH# 2012071067. Page 4.11-23.

<sup>24</sup> U.S. Federal Railroad Administration. High Speed Ground Transportation Noise and Vibration Impact Assessment. Final Report No. DOT/FRA/ORD-12/15. September 2012. Page 10-11.

<sup>25</sup> U.S. Federal Transit Administration. Transit Noise and Vibration Impact Assessment. Final Report No. FTA-VA-90-1003 prepared by Harris Miller Miller & Hanson Inc., May 2006. Page 7-5. [http://www.rtd-fastracks.com/media/uploads/nm/14\\_Section\\_38\\_NoiseandVibration\\_Part3.pdf](http://www.rtd-fastracks.com/media/uploads/nm/14_Section_38_NoiseandVibration_Part3.pdf). Accessed 11/15.

*Local*

Measuring and reporting noise levels involves accounting for variations in sensitivity to noise during the daytime versus nighttime hours. Noise descriptors used for analysis need to factor in human sensitivity to nighttime noise when background noise levels are generally lower than in the daytime and outside noise intrusions are more noticeable. Common descriptors include the Community Noise Equivalent Level (CNEL) and the Day-Night Average Level (Ldn). Both reflect noise exposure over an average day with weighting to reflect the increased sensitivity to noise during the evening and night. The two descriptors are roughly equivalent. The CNEL descriptor is used in relation to major continuous noise sources, such as aircraft or traffic, and is the reference level for the Noise Element under State planning law. The City of Tulare Noise Element has established that noise levels between 50 and 65 dBA are normally acceptable and noise levels between 60 and 70 dBA are conditionally acceptable for transient lodging (motels and hotels).

## RESPONSES

- 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?

**Less than Significant Impact With Mitigation.** According to the City's General Plan EIR, major noise sources in Tulare are related to roadways, vehicle traffic, and railroad noises. All of the Project area, along with the northern and southern parcels adjacent to the Project site is in an established noise contour (State Route 99) for noise levels greater than 60 dB as shown in Figure 4.11-1 of the City's General Plan Noise Element.

The site itself is located in an urban area adjacent to roadways that are heavily travelled. Noise from the Project will be similar to existing conditions and will generally include noise from vehicles, air conditioner units and other similar equipment. Because of its location at a heavily used intersection and its location in a noise contour, it is not expected that the proposed Project will result in a discernable increase in noise to surrounding land uses.

Proposed Project construction related activities will involve temporary noise sources and are anticipated to last approximately six months. Typical construction related equipment include graders, trenchers, small tractors and excavators. During the proposed Project construction, noise from construction related activities will contribute to the noise environment in the immediate vicinity. Activities involved in construction will generate maximum noise levels, as indicated in Table 5, ranging

from 79 to 91 dBA at a distance of 50 feet, without feasible noise control (e.g., mufflers) and ranging from 75 to 80 dBA at a distance of 50 feet, with feasible noise controls.

**Table 5  
Typical Construction Noise Levels**

Type of Equipment	dBA at 50 ft	
	Without Feasible Noise Control	With Feasible Noise
Dozer or Tractor	80	75
Excavator	88	80
Scraper	88	80
Front End Loader	79	75
Backhoe	85	75
Grader	85	75
Truck	91	75

The City of Tulare’s General Plan Noise Element does not identify a short-term, construction-noise-level threshold. The distinction between short-term construction noise impacts and long-term operational noise impacts is a typical one in both CEQA documents and local noise ordinances, which generally recognize the reality that short-term noise from construction is inevitable and cannot be mitigated beyond a certain level. Thus, local agencies frequently tolerate short-term noise at levels that they would not accept for permanent noise sources. A more severe approach would be impractical and might preclude the kind of construction activities that are to be expected from time to time in urban environments. Most residents of urban areas recognize this reality and expect to hear construction activities on occasion.

Although impacts are considered less than significant, implementation of Mitigation Measure NO-1 through NO-3 will ensure that impacts remain *less than significant with mitigation incorporation*.

**NO-1** Delivery trucks serving the Project shall be limited to between 6:00 A.M. and 9:00 P.M. Monday through Friday and between 7:00 A.M. and 5:00 PM on Saturday or Sunday to avoid noise-sensitive hours of the day.

**NO-3** Construction activities shall be limited to between 6:00 A.M. and 9:00 P.M. Monday through Friday and between 7:00 A.M. and 5:00 PM on Saturday or Sunday to avoid noise-sensitive hours of the day. Construction activities shall be prohibited on holidays (President’s Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, Day after Thanksgiving, Christmas Day, and New Year’s Day).

**NO-3** The construction contract shall require the construction contractor to ensure that construction equipment noise is minimized by muffling and shielding intakes and exhaust on construction

equipment (in accordance with the manufacturer’s specifications) and by shrouding or shielding impact tools.

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

**Less than Significant Impact.** Typical outdoor sources of perceptible ground borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. Construction vibrations can be transient, random, or continuous. Construction associated with the proposed Project would include scrapers, backhoes, drilling rigs and miscellaneous equipment (i.e. pneumatic tools, generators and portable air compressors).

The approximate threshold of vibration perception is 65 VdB, while 85 VdB is the vibration acceptable only if there are an infrequent number of events per day<sup>26</sup>. Table 6 describes the typical construction equipment vibration levels.

**Table 6**  
**Typical Construction Vibration Levels**

Equipment	VdB at 25 ft
Small Bulldozer	58
Jackhammer	79

Vibration from construction activities will be temporary and not exceed the Federal Transit Authority threshold for the nearest residence which is located approximately 125 feet west of the site. The impact will be *less than significant*.

**Mitigation Measures:** None are required.

c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

**Less than Significant Impact.** See Impact XII (a). There will be no substantial permanent increase in ambient noise levels and therefore the impact is *less than significant*.

**Mitigation Measures:** None are required.

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<sup>26</sup> Transit Noise and Vibration Impact Assessment. Final Report No. FTA-VA-90-1003 prepared for the U.S. Federal Transit Administration by Harris Miller Miller & Hanson Inc., May 2006. Page 7-5. [http://www.rtd-fastracks.com/media/uploads/nm/14\\_Section\\_38\\_NoiseandVibration\\_Part3.pdf](http://www.rtd-fastracks.com/media/uploads/nm/14_Section_38_NoiseandVibration_Part3.pdf). Accessed 11/15.

# 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 proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## SETTING

**Environmental Setting**

In 2010, the U.S. Census reported that the population of Tulare was 59,278, which is a 34.7% increase from 43,994 in 2000.<sup>27</sup> The California Department of Finance (DOF) releases annual estimates, benchmarked to the US Census and relying on data from local, state, and federal agencies. These estimates provide information on the number of households and residents in cities, counties, and statewide. In January 2012, the City of Tulare was estimated to have a population of 60,627 and 19,141 housing units.<sup>28</sup>

**Regulatory Setting**

The proposed Project is being evaluated pursuant to CEQA; however, there are no federal, state or local regulations, plans, programs, and guidelines associated with population or housing that are applicable to the proposed Project.

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<sup>27</sup> City of Tulare Draft Environmental Impact Report, General Plan, Transit-Oriented Development, and Climate Action Plan. November, 2013. SCH# 2012071067. Page 4.12-3.  
<sup>28</sup> Ibid.

## RESPONSES

- a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

**No Impact.** There are no new homes associated with the proposed Project. The 10 new employment opportunities that would be created by the proposed Project could be readily filled by the existing employment base, given the City's existing unemployment rates. The proposed Project will not affect any regional population, housing, or employment projections anticipated by City policy documents. There is *no impact*.

**Mitigation Measures:** None are required.

- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

**Less than Significant.** The proposed Project is currently a vacant lot that is temporarily being utilized as a construction staging area. No housing or people would be displaced and as such, *no impact* would occur.

**Mitigation Measures:** None are required.

- c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**No Impact.** The proposed Project will not displace any people and therefore there is *no impact*.

**Mitigation Measures:** None are required.

# XIV. PUBLIC SERVICES

**Would the project:**

	Less than Significant			
Potentially Significant Impact	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 service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## SETTING

**Environmental Setting**

The nearest fire station is Station 63, which is immediately north adjacent to the proposed Project site. The City of Tulare Police department is located at 260 South M Street, approximately 2.2 miles south of the site.

The Visalia Landfill plant is approximately 10.3 miles northwest of the proposed Project site, while the Tulare Wastewater Treatment Plant is located approximately 3.6 miles to the southwest. Los Tules Middle School is approximately 0.85 mile to the southwest and Blain Park is 0.17 miles to the south.

**Regulatory Setting**

### *Federal*

There are no federal regulations regarding Public Services that are applicable to the proposed Project.

### *State*

#### **California Fire Code and Building Code**

The 2007 California Fire Code (Title 24, Part 9 of the California Code of Regulations) establishes regulations to safeguard against hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The Fire Code also establishes requirements intended to provide safety and assistance to fire fighters and emergency responders during emergency operations. The provision of the Fire Code includes regulations regarding fire-resistance rated construction, fire protection systems such as alarm and sprinkler systems, fire service features such as fire apparatus access roads, fire safety during construction and demolition, and wildland urban interface areas.

In addition, the proposed Project is being evaluated pursuant to CEQA.

## **RESPONSES**

- a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

#### Fire protection?

**Less Than Significant Impact.** The proposed Project site will continue to be served by City of Tulare Fire Station 63, which is immediately north of the Project site. In 2014, Station 63 responded to 36 fires and 810 rescue and emergency medical incidents. No additional fire personnel or equipment is anticipated. The impact is *less than significant*.

#### Police Protection?

**Less than Significant Impact.** The proposed Project will continue to be served by the City of Tulare police department. No additional police personnel or equipment is anticipated. The impact is *less than significant*.

#### Schools, Parks, Other Public Facilities?

**No Impact.** The proposed Project would not increase the number of residents in the City, as the Project does not include residential units. Because the demand for schools, parks, and other public facilities is driven by population, the proposed Project would not increase demand for those services. As such, the proposed Project would result in *no impact*.

**Mitigation Measures:** None are required.

# XV. RECREATION

**Would the project:**

	Less than Significant	With Mitigation	Less than Significant	No Impact
Potentially Significant Impact		Incorporation	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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## SETTING

**Environmental Setting**

The City of Tulare maintains a total of 363 acres of land within its Parks Division, including 295.65 acres of park land, 35 acres of Landscape and Lighting Districts, and approximately 32 acres of green belts, medians, tree-lined streets, and building landscapes. Additionally, there are number of elementary schools within Tulare which provide public open space during non-school hours.<sup>29</sup>

**Regulatory Setting**

The proposed Project is being evaluated pursuant to CEQA; however, there are no additional federal, state or local regulations, plans, programs, and guidelines associated with recreation that are applicable to the proposed Project.

## RESPONSES

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<sup>29</sup> City of Tulare Draft Environmental Impact Report, General Plan, Transit-Oriented Development, and Climate Action Plan. November, 2013. SCH# 2012071067. Page 4.13-31.

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**No Impact.** The proposed Project does not include the construction of residential uses and would not directly or indirectly induce population growth. Therefore, the proposed Project would not cause physical deterioration of existing recreational facilities from increased usage or result in the need for new or expanded recreational facilities. The Project would have *no impact* to existing parks.

**Mitigation Measures:** None are required.

- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**No Impact.** The proposed Project does not include the construction of residential uses and would not directly induce population growth. Therefore, the Project would not cause physical deterioration of existing recreational facilities from increased usage or result in the need for new or expanded recreational facilities. There is *no impact*.

**Mitigation Measures:** None are required.

# XVI. TRANSPORTATION/ TRAFFIC

Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
--------------------------------------	---	------------------------------------	--------------

**Would the project:**

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| <p>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?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <p>b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?</p>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <p>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?</p>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <p>d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</p>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <p>e. Result in inadequate emergency access?</p>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

- 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?

## SETTING

### Environmental Setting

The transportation infrastructure in the immediate proposed Project area is fully developed. M Street is a collector street that is constructed to its ultimate width, along with bicycle and parking lanes. Cartmill Avenue is an arterial street, recently constructed to its ultimate width, with 6 lanes and raised medians, west of Road 100.

Two significant transportation infrastructure projects have been completed in the nearby area in the last couple years, a railroad grade separation and an interchange reconstruction.

The Cartmill railroad grade separation project was completed in 2012. This project constructed an overpass to allow Cartmill Avenue to cross both J Street and the UP railroad, approximately ½ mile west of the Eastgate Hotel Project. A connector from J Street to Cartmill Avenue is located to the east of J Street. Cartmill Avenue was also constructed to its ultimate cross section between J Street and M Street, along with raised median.

The Cartmill Avenue at SR 99 interchange project completely reconstructed the interchange between M Street and Road 100. New ramps, including slip ramps and a partial cloverleaf, a completely new Cartmill Avenue overcrossing, and traffic signals were constructed as a part of this project. Cartmill Avenue re-opened in October 2015.

### Regulatory Setting

The proposed Project is being evaluated pursuant to CEQA; however, there are no federal, state or local regulations, plans, programs, and guidelines associated with Transportation/Traffic that are applicable to the proposed Project.

## RESPONSES

- 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?

**Less than Significant Impact.** A Traffic Memorandum was prepared for the proposed project (See Appendix D). Utilizing the ITE *Trip Generation Manual, 9<sup>th</sup> Edition*, the Project’s trip generation is calculated for the current zoning and the proposed Project use. The ITE Manual does not provide an applicable land use for the proposed conference center, although it does for a hotel. As such, the following assumptions are proposed for the conference center trip generation:

- 400 seats
- Typical event lasts from 9 a.m. to 4 p.m.
- Average vehicle occupancy = 2.0
- Average event attendance = 70% occupancy
- Average attendants staying at hotel = 50%
- 20% additional trips throughout the day

The trip generation comparison is shown in Table 7.

**Table 7  
Project Trip Generation**

Land Use	ITE Land Use	Unit #	Daily 1-way trips	AM Peak Hour		PM Peak Hour	
				Enter	Exit	Enter	Exit
<b>R-1-7</b>	Single Family Residential	22 dwelling units*	211	4	12	14	8
<b>Proposed Hotel</b>	Hotel	136 rooms	1,111	43	30	42	40
<b>Proposed Conference Center</b>	n/a	400 seats	252	105	0	0	105
<b>Increase</b>			1,152	144	18	28	137

\*The number of potential dwelling units is based on the number of 7,000 sf lots can be constructed on the Project site, assuming 75% of the area dedicated to lots:  $4.74 \text{ acres} * 43,560 \text{ sf} / \text{acre} * 75\% / 7,000 \text{ sf} = 22.1 \text{ dwelling units}$

The Cartmill Avenue at SR 99 interchange project included significant transportation operational analysis within the proposed Project vicinity. This analysis included existing conditions (2007) as well as future (2033) with and without the interchange project. The final interchange project designed all affected roadways and intersections to accommodate complete build out of the surrounding land and

transportation system. This included construction of the Eastgate Hotel Project Site based on the currently zoned land use (residential).

The intersection of M Street at Cartmill Avenue will be the intersection most impacted by the increase in trips from the existing zoning to the proposed Eastgate Hotel Project. The environmental analysis prepared by Caltrans for the interchange project found that this intersection is projected to operate at LOS “C” in the AM peak hour and “D” in the PM peak hour in the year 2033. The 2033 ADT on Cartmill Avenue is projected to be 49,800 vehicles per day according to the interchange environmental report. Assuming that 2/3 of the Eastgate Hotel project trips utilize Cartmill Avenue, this represents an increase of 2% on Cartmill Avenue. Given the moderate increase in traffic associated with the change in Project land use, the previously calculated LOS is not anticipated to increase beyond the accepted LOS standards.

Impacts to M Street are similarly anticipated to be minimal since this roadway is not an arterial and does not carry significant traffic volumes. Impacts to other roadways are expected to be minimal as trips disperse the further they get from the Project Site.

The proposed Project’s primary access point is located on M Street. This driveway will be aligned with the centerline of Oaks Street at its intersection with M Street, thus creating a de facto four-legged intersection. Oaks Street is already stop controlled, while M Street allows free flowing traffic through this intersection. The proposed Project driveway will also be stop controlled, providing two-way stop control at this intersection. Due to the relatively low peak hour traffic generation, there is not anticipated to be significant delay or vehicle queuing at this stop controlled driveway.

As such, level of service standards would not be exceeded and the Project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. However, the City is concerned with potential impacts from southbound traffic making left-turn movements into the project site with regard to flow of thru-traffic on M Street. As such, the City will evaluate the existing signage and pavement delineation as identified in Mitigation Measure TR-1. In addition, the Project will be required to pay its fair share of the City’s established Development Impact Fee for City streets and State highways (TR-2). Although impacts are considered less than significant, implementation of Mitigation Measure TR-1 will ensure that impacts remain *less than significant*.

#### **Mitigation Measures:**

**TR-1** As determined by the City, the Project Applicant shall revise / update signage and pavement delineation as necessary to create dedicated left-turn lanes for southbound and northbound traffic at the intersection of M Street and Oaks Street.

**TR-2** The Project Applicant shall pay its fair share of the City’s established Development Impact Fees for City Streets and State Highways.

b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

**Less than Significant Impact.** As shown in Response Impact XVI (a), the proposed Project will have a *less than significant* impact on any existing level of service or other travel demand measures. The proposed Project will not conflict with any congestion management programs, as none are applicable to the Project.

**Mitigation Measures:** None are required.

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?

**No Impact.** The proposed Project site is approximately 5.45 miles north of the Mefford Field Airport and is out of the airport safety zone. There are no characteristics of the proposed Project that would have any impact on air traffic patterns. There is *no impact*.

**Mitigation Measures:** None are required.

d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**No Impact.** No roadway design features associated with this proposed Project would result in an increase in hazards due to a design feature or be an incompatible use. See also Impact XVI (a). There is *no impact*.

**Mitigation Measures:** None are required.

# 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

statutes and regulations related to solid waste?

## SETTING

### Environmental Setting

The Visalia Landfill plant is approximately 10.28 miles north of the proposed Project site, while the Tulare Wastewater Treatment Plant is located approximately 3.6 miles southwest of the site.

### Regulatory Setting

#### *State*

#### **State Water Resources Control Board (SWRCB)**

Waste Discharge Requirements Program. State regulations pertaining to the treatment, storage, processing, or disposal of solid waste are found in Title 27, CCR, Section 20005 et seq. (hereafter Title 27). In general, the Waste Discharge Requirements (WDRs) Program (sometimes also referred to as the "Non Chapter 15 (Non 15) Program") regulates point discharges that are exempt pursuant to Subsection 20090 of Title 27 and not subject to the Federal Water Pollution Control Act. Exemptions from Title 27 may be granted for nine categories of discharges (e.g., sewage, wastewater, etc.) that meet, and continue to meet, the preconditions listed for each specific exemption. The scope of the WDRs Program also includes the discharge of wastes classified as inert, pursuant to section 20230 of Title 2744. Several SWRCB programs are administered under the WDR Program, including the Sanitary Sewer Order and recycled water programs.

#### **National Pollutant Discharge Elimination System (NPDES) Permit**

As authorized by the Clean Water Act (CWA), the National Pollutant Discharge Elimination System (NPDES) Permit Program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. In California, it is the responsibility of Regional Water Quality Control Boards (RWQCB) to preserve and enhance the quality of the state's waters through the development of water quality control plans and the issuance of waste discharge requirements (WDRs). WDRs for discharges to surface waters also serve as NPDES permits. Tulare County is within the Central Valley RWQCB's jurisdiction.

In addition, the proposed Project is being evaluated pursuant to CEQA.

## RESPONSES

### a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

**Less than Significant Impact.** The proposed Project will result in wastewater from restroom, laundry and kitchen facilities that will be discharged into the City's existing wastewater treatment system. According to the Bureau of Materials Management and Compliance Assurance "Guidance For Design of Large-Scale On-Site Wastewater Renovation Systems" (2006), the average in-room water use (and subsequently wastewater production) for hotels ranges from 68.1 to 86.5 gal/room with an average of 78.1 gal/room. This average was derived from metered hotels in Irvine, Phoenix, San Diego, and Santa Monica. At 78.1 gal/room, the hotel (at full capacity) would produce approximately 10,622 gallons of wastewater per day (78.1 gal/room @ 136 rooms). As described earlier, the hotel will not always be operating at full capacity. However, based on a worst case scenario of full capacity every day of the year, the hotel could produce up to 3,876,884 gallons per year or 11.9 acre/feet/year of wastewater. The composition of the wastewater will be similar to residential wastewater (e.g. restroom facilities, kitchen, laundry, etc.) and therefore will not result in exceedance of any wastewater quality standards.

For comparison purposes, the existing zoning on-site could allow for up to 22 single family dwelling units. Twenty-two single family units would have approximately 74 people (according to the State Department of Finance, Tulare's average household size was 3.35 persons per household). According to the City's General Plan EIR, each person produces approximately 78 gallons of wastewater per day. Thus, 74 people at 78 gallons per day is 5,772 total gallons per day of wastewater, or 2,106,780 gallons/year, or 6.5 acre/feet/year of wastewater. Therefore, at full capacity, the proposed Project would result in approximately 54% more wastewater than what would be produced by 22 single family residential units on site. However, it is unlikely that the hotel will be 100% booked every day of the year, and thus wastewater production will likely be less than the stated worst case scenario. In addition, the City's Sewer System Master Plan identifies and plans for necessary wastewater improvements to accommodate a higher population growth than the City's General Plan (essentially over-building: the City's General Plan projects a population of 100,970 by 2035 and the Sewer System Master Plan projects a population of 130,975 by 2030). As such, there is projected to be an excess of wastewater capacity at buildout of the General Plan. Therefore, there is adequate wastewater capacity and the proposed Project will not violate any water quality standards and will not impact waste discharge requirements. The impact will be *less than significant*.

The City has indicated that it has capacity to serve the Project.

As such, the proposed Project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. The impact will be *less than significant*.

**Mitigation Measures:** None are required.

- b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

**Less Than Significant Impact.** See Response a, above. The proposed Project will not require construction of any new water or wastewater facilities. Therefore, there is *less than significant*.

**Mitigation Measures:** None are required.

- 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?

**Less than Significant Impact.** The proposed Project will introduce new impervious surfaces (pavement) to the entire 4.74 acre site (with the exception of on-site landscaping). The site will be designed so that storm water is collected and deposited in the City's existing storm drain system, which has adequate capacity. The storm water collection system design will be subject to review and approval by the City Public Works Department. Storm water during construction will be managed as part of the Storm Water Pollution Prevention Plan (SWPPP). A copy of the SWPPP is retained on-site during construction. As a result, any impacts are *less than significant*.

**Mitigation Measures:** None are required.

- d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

**Less Than Significant Impact.** The City of Tulare (and proposed Project site) is located in the Tulare Lake Basin, an area significantly affected by overdraft. The Department of Water Resources (DWR) has estimated the groundwater by hydrologic region and for the Tulare Lake Basin; the total overdraft is estimated at 820,000 acre-feet per year, the greatest overdraft projected in the state, and 56 percent of the statewide total overdraft. The proposed Project site is located within the Tule Sub-basin portion of the greater San Joaquin Valley Groundwater Basin. According to the City's General Plan EIR, wells in and around the city have shown a moderate groundwater level decline of about 0.75 feet per year over the past 20 years.

According to the California Department of General Services (<http://www.dgs.ca.gov/travel/Programs/GreenLodgingProgram.aspx>), a typical hotel uses 218 gallons of water per day per occupied room. This takes into account not only the in-room water use, but also water use associated with landscaping, cooling systems, laundry facilities, etc. At full capacity of 136 rooms (“worst-case” scenario), the hotel could use up to 29,648 gallons of water per day, or 10,821,520 gallons per year, or 33.2 acre/feet/year.

For comparison purposes, the existing zoning on-site could allow for up to 22 single family dwelling units. Twenty-two single family units would have approximately 74 people (according to the State Department of Finance, Tulare’s average household size was 3.35 persons per household). The City’s Urban Water Management Plan (UWMP) indicates that the City’s average water use in 2010 was 262 gallons per day per capita. Based on 74 people, this equates to approximately 19,388 gallons of water per day, or 7,076,620 gallons per year, or 21.7 acre/feet per year.

The proposed hotel, if fully occupied every day of the year, would result in an increased water use of 11.5 acre/feet per year. However, it is unlikely that the hotel will be 100% booked every day of the year, and thus water use will likely be less than the stated worst case scenario. In addition, the City’s General Plan indicates that by 2035 (at full buildout of the General Plan) the total City-wide water demand will be 26,937 acre/feet per year, but the water supply will be 42,964 acre/feet per year, resulting in a surplus of 16,027 acre/feet per year. Thus, there will be adequate water supplies to serve the proposed project, even with the change in designated land use.

As such, there is *a less than significant impact* to this impact area.

**Mitigation Measures:** None are required.

- 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?

**Less than Significant Impact.** The proposed Project will result in wastewater from restroom, laundry and kitchen facilities that will be discharged into the City’s existing wastewater treatment system. See Response a. The City has indicated that it has capacity to serve the Project. There is *a less than significant impact*.

**Mitigation Measures:** None are required.

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

**Less than Significant Impact.** Proposed Project construction and operation will generate minimal amounts of solid waste. Solid waste from the site during operation, as well as any construction debris that is not recycled will be received at the Visalia Landfill. Any impacts will be *less than significant*.

**Mitigation Measures:** None are required.

g. Comply with federal, state, and local statutes and regulations related to solid waste?

**Less than Significant Impact.** The proposed Project will comply with all federal, state and local statutes and regulations related to solid waste. As such, any impacts would be *less than significant*.

**Mitigation Measures:** None are required.

# XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

**Would the project:**

	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
Potentially Significant 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?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**RESPONSES**

- 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?

**Less than Significant Impact With Mitigation.** The analyses of environmental issues contained in this Initial Study indicate that the proposed Project is not expected to have substantial impact on the environment or on any resources identified in the Initial Study. Mitigation measures have been incorporated in the project design to reduce all potentially significant impacts to *less than significant*.

- b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

**Less than Significant Impact.** CEQA Guidelines Section 15064(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). The impact is *less than significant*.

- c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**Less than Significant Impact With Mitigation.** 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*.

## Chapter 4

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# Mitigation Monitoring & Reporting Program

# MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Eastgate Hotel Development proposed by Monterey Development, LLC in the City of Tulare. The MMRP lists mitigation measures recommended in the IS/MND for the proposed Project and identifies monitoring and reporting requirements as well as conditions recommended by responsible agencies who commented on the project.

The first column of the Table identifies the mitigation measure. The second column, entitled “Party Responsible for Implementing Mitigation,” names the party responsible for carrying out the required action. The third column, “Implementation Timing,” identifies the time the mitigation measure should be initiated. The fourth column, “Party Responsible for Monitoring,” names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last column will be used by the City to ensure that individual mitigation measures have been monitored.

Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
<p><b>BIO-1</b> To avoid impacts to nesting bird species or birds protected under the Migratory Bird Treaty Act, all ground disturbing activities conducted between February 1 and September 1 shall be preceded by a pre-construction survey for active nests, to be conducted by a qualified biologist. This survey shall be conducted within 14 days prior to any construction activities. The purpose of this survey is to determine the presence or absence of nests in an area to be potentially disturbed. If nests are found, a buffer ranging in size from 75 to 200 feet, depending upon the species and as determined by a qualified biologist, shall be demarcated with bright orange construction fencing. No ground disturbing or other construction activities shall occur within this buffer until the qualified biologist has confirmed that breeding/nesting is complete and the young have fledged the nest. Nesting bird surveys are not required for ground disturbing activities occurring between September 2 and January 31.</p>	City of Tulare	Prior to construction	City of Tulare	
<p><b>CUL-1</b> If a potentially significant historical, archaeological, or paleontological resource, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains or trash deposits are encountered during subsurface construction activities (i.e., trenching), all</p>	City of Tulare	Prior to and during construction	City of Tulare	

Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
<p>construction activities within a 100-foot radius of the identified potential resource shall cease until a qualified archaeologist evaluates the item for its significance and records the item on the appropriate State Department of Parks and Recreation (DPR) forms. The archaeologist shall determine whether the item requires further study. If, after the qualified archaeologist conducts appropriate technical analyses, the item is determined to be significant under California Environmental Quality Act, the archaeologist shall recommend feasible mitigation measures, which may include avoidance, preservation in place or other appropriate measure.</p>				
<p><b>NO-1</b> Delivery trucks serving the Project shall be limited to between 6:00 A.M. and 9:00 P.M. Monday through Friday and between 7:00 A.M. and 5:00 PM on Saturday or Sunday to avoid noise-sensitive hours of the day.</p> <p><b>NO-3</b> Construction activities shall be limited to between 6:00 A.M. and 9:00 P.M. Monday through Friday and between 7:00 A.M. and 5:00 PM on Saturday or Sunday to avoid noise-sensitive hours of the day. Construction activities shall be prohibited on holidays (President's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, Day after Thanksgiving, Christmas Day, and New Year's Day).</p> <p><b>NO-3</b> The construction contract shall require the construction contractor to ensure that construction equipment noise is minimized by muffling and shielding intakes and exhaust on construction</p>	City of Tulare	During construction and on-going operations	City of Tulare	

<b>Mitigation Measure</b>	<b>Party responsible for Implementing Mitigation</b>	<b>Implementation Timing</b>	<b>Party responsible for Monitoring</b>	<b>Verification (name/date)</b>
equipment (in accordance with the manufacturer's specifications) and by shrouding or shielding impact tools.				
<p><b>TR-1</b> As determined by the City, the Project Applicant shall revise / update signage and pavement delineation as necessary to create dedicated left-turn lanes for southbound and northbound traffic at the intersection of M Street and Oaks Street.</p> <p><b>TR-2</b> The Project Applicant shall pay its fair share of the City's established Development Impact Fees for City Streets and State Highways.</p>	City of Tulare	Prior to Construction	City of Tulare	

# Chapter 5

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## Preparers

# LIST OF PREPARERS AND REFERENCES

## List of Preparers

### **Crawford & Bowen Planning, Inc.**

- Travis Crawford, AICP, Principal Environmental Planner
- Emily Bowen, LEED AP, Principal Environmental Planner

## Persons and Agencies Consulted

### **City of Tulare**

- David Duda, Contract City Planner
- Traci Myers, Deputy Community Development Director

### **California Historic Resources Information System**

- Celeste Thomson, Coordinator

### **Ruettgers & Schuler Civil Engineers**

- Ian Parks, P.E.

### **Native American Heritage Commission**

- Katy Sanchez

# Appendices

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Appendix A

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Site Elevation

Appendix B

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CalEEMod Output Files

## Eastgate Hotel

### San Joaquin Valley Unified APCD Air District, Annual

### 1.0 Project Characteristics

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#### 1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Hotel	136.00	Room	4.53	197,472.00	0
Quality Restaurant	4.00	1000sqft	0.09	4,000.00	0

#### 1.2 Other Project Characteristics

<b>Urbanization</b>	Rural	<b>Wind Speed (m/s)</b>	2.7	<b>Precipitation Freq (Days)</b>	45
<b>Climate Zone</b>	3			<b>Operational Year</b>	2016
<b>Utility Company</b>					
<b>CO2 Intensity (lb/MWhr)</b>	0	<b>CH4 Intensity (lb/MWhr)</b>	0	<b>N2O Intensity (lb/MWhr)</b>	0

#### 1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - project includes a 136-room hotel with a 4,000 sq ft restaurant inside.

Construction Phase -

Table Name	Column Name	Default Value	New Value
tblProjectCharacteristics	OperationalYear	2014	2016
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural

### 2.0 Emissions Summary

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## 2.2 Overall Operational

### Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.9271	1.0000e-005	1.3200e-003	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	2.5000e-003	2.5000e-003	1.0000e-005	0.0000	2.6500e-003
Energy	0.0324	0.2942	0.2471	1.7700e-003		0.0224	0.0224		0.0224	0.0224	0.0000	320.2471	320.2471	6.1400e-003	5.8700e-003	322.1961
Mobile	1.2388	3.4981	13.0211	0.0176	0.9752	0.0455	1.0206	0.2620	0.0418	0.3037	0.0000	1,439.5875	1,439.5875	0.0520	0.0000	1,440.6803
Waste						0.0000	0.0000		0.0000	0.0000	15.8556	0.0000	15.8556	0.9370	0.0000	35.5335
Water						0.0000	0.0000		0.0000	0.0000	1.4797	0.0000	1.4797	0.1520	3.5900e-003	5.7836
<b>Total</b>	<b>2.1982</b>	<b>3.7923</b>	<b>13.2696</b>	<b>0.0194</b>	<b>0.9752</b>	<b>0.0678</b>	<b>1.0430</b>	<b>0.2620</b>	<b>0.0641</b>	<b>0.3261</b>	<b>17.3353</b>	<b>1,759.8372</b>	<b>1,777.1725</b>	<b>1.1472</b>	<b>9.4600e-003</b>	<b>1,804.1962</b>

## 2.2 Overall Operational

### Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.9271	1.0000e-005	1.3200e-003	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	2.5000e-003	2.5000e-003	1.0000e-005	0.0000	2.6500e-003
Energy	0.0324	0.2942	0.2471	1.7700e-003		0.0224	0.0224		0.0224	0.0224	0.0000	320.2471	320.2471	6.1400e-003	5.8700e-003	322.1961
Mobile	1.2388	3.4981	13.0211	0.0176	0.9752	0.0455	1.0206	0.2620	0.0418	0.3037	0.0000	1,439.5875	1,439.5875	0.0520	0.0000	1,440.6803
Waste						0.0000	0.0000		0.0000	0.0000	15.8556	0.0000	15.8556	0.9370	0.0000	35.5335
Water						0.0000	0.0000		0.0000	0.0000	1.4797	0.0000	1.4797	0.1520	3.5900e-003	5.7836
<b>Total</b>	<b>2.1982</b>	<b>3.7923</b>	<b>13.2696</b>	<b>0.0194</b>	<b>0.9752</b>	<b>0.0678</b>	<b>1.0430</b>	<b>0.2620</b>	<b>0.0641</b>	<b>0.3261</b>	<b>17.3353</b>	<b>1,759.8372</b>	<b>1,777.1725</b>	<b>1.1472</b>	<b>9.4600e-003</b>	<b>1,804.1962</b>

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

## 3.0 Construction Detail

### Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	1/1/2016	1/28/2016	5	20	
2	Site Preparation	Site Preparation	1/29/2016	2/4/2016	5	5	
3	Grading	Grading	2/5/2016	2/16/2016	5	8	
4	Building Construction	Building Construction	2/17/2016	1/3/2017	5	230	
5	Paving	Paving	1/4/2017	1/27/2017	5	18	
6	Architectural Coating	Architectural Coating	1/28/2017	2/22/2017	5	18	

**Acres of Grading (Site Preparation Phase): 0**

**Acres of Grading (Grading Phase): 4**

**Acres of Paving: 0**

**Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 302,208; Non-Residential Outdoor: 100,736 (Architectural Coating – sqft)**

**OffRoad Equipment**

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	2	6.00	9	0.56
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Excavators	3	8.00	162	0.38
Building Construction	Cranes	1	7.00	226	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Grading	Excavators	1	8.00	162	0.38
Paving	Pavers	1	8.00	125	0.42
Paving	Rollers	2	6.00	80	0.38
Demolition	Rubber Tired Dozers	2	8.00	255	0.40
Grading	Rubber Tired Dozers	1	8.00	255	0.40
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Generator Sets	1	8.00	84	0.74
Grading	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading	Graders	1	8.00	174	0.41
Paving	Paving Equipment	2	6.00	130	0.36
Site Preparation	Rubber Tired Dozers	3	8.00	255	0.40
Building Construction	Welders	1	8.00	46	0.45

### Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	15.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Grading	6	15.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	85.00	33.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Paving	8	20.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	17.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT

### 3.1 Mitigation Measures Construction

### 3.2 Demolition - 2016

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0429	0.4566	0.3503	4.0000e-004		0.0229	0.0229		0.0214	0.0214	0.0000	37.0974	37.0974	0.0101	0.0000	37.3092
<b>Total</b>	<b>0.0429</b>	<b>0.4566</b>	<b>0.3503</b>	<b>4.0000e-004</b>		<b>0.0229</b>	<b>0.0229</b>		<b>0.0214</b>	<b>0.0214</b>	<b>0.0000</b>	<b>37.0974</b>	<b>37.0974</b>	<b>0.0101</b>	<b>0.0000</b>	<b>37.3092</b>

### 3.2 Demolition - 2016

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	tons/yr										MT/yr						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	6.6000e-004	1.0700e-003	0.0104	2.0000e-005	1.8600e-003	1.0000e-005	1.8800e-003	5.0000e-004	1.0000e-005	5.1000e-004	0.0000	1.6547	1.6547	9.0000e-005	0.0000	1.6566	
<b>Total</b>	<b>6.6000e-004</b>	<b>1.0700e-003</b>	<b>0.0104</b>	<b>2.0000e-005</b>	<b>1.8600e-003</b>	<b>1.0000e-005</b>	<b>1.8800e-003</b>	<b>5.0000e-004</b>	<b>1.0000e-005</b>	<b>5.1000e-004</b>	<b>0.0000</b>	<b>1.6547</b>	<b>1.6547</b>	<b>9.0000e-005</b>	<b>0.0000</b>	<b>1.6566</b>	

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0429	0.4566	0.3503	4.0000e-004		0.0229	0.0229		0.0214	0.0214	0.0000	37.0973	37.0973	0.0101	0.0000	37.3092
<b>Total</b>	<b>0.0429</b>	<b>0.4566</b>	<b>0.3503</b>	<b>4.0000e-004</b>		<b>0.0229</b>	<b>0.0229</b>		<b>0.0214</b>	<b>0.0214</b>	<b>0.0000</b>	<b>37.0973</b>	<b>37.0973</b>	<b>0.0101</b>	<b>0.0000</b>	<b>37.3092</b>

### 3.2 Demolition - 2016

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	6.6000e-004	1.0700e-003	0.0104	2.0000e-005	1.8600e-003	1.0000e-005	1.8800e-003	5.0000e-004	1.0000e-005	5.1000e-004	0.0000	1.6547	1.6547	9.0000e-005	0.0000	1.6566
<b>Total</b>	<b>6.6000e-004</b>	<b>1.0700e-003</b>	<b>0.0104</b>	<b>2.0000e-005</b>	<b>1.8600e-003</b>	<b>1.0000e-005</b>	<b>1.8800e-003</b>	<b>5.0000e-004</b>	<b>1.0000e-005</b>	<b>5.1000e-004</b>	<b>0.0000</b>	<b>1.6547</b>	<b>1.6547</b>	<b>9.0000e-005</b>	<b>0.0000</b>	<b>1.6566</b>

### 3.3 Site Preparation - 2016

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0452	0.0000	0.0452	0.0248	0.0000	0.0248	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0127	0.1366	0.1028	1.0000e-004		7.3500e-003	7.3500e-003		6.7600e-003	6.7600e-003	0.0000	9.2193	9.2193	2.7800e-003	0.0000	9.2777
<b>Total</b>	<b>0.0127</b>	<b>0.1366</b>	<b>0.1028</b>	<b>1.0000e-004</b>	<b>0.0452</b>	<b>7.3500e-003</b>	<b>0.0525</b>	<b>0.0248</b>	<b>6.7600e-003</b>	<b>0.0316</b>	<b>0.0000</b>	<b>9.2193</b>	<b>9.2193</b>	<b>2.7800e-003</b>	<b>0.0000</b>	<b>9.2777</b>

### 3.3 Site Preparation - 2016

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	tons/yr										MT/yr						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-004	3.2000e-004	3.1100e-003	1.0000e-005	5.6000e-004	0.0000	5.6000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4964	0.4964	3.0000e-005	0.0000	0.4970	
<b>Total</b>	<b>2.0000e-004</b>	<b>3.2000e-004</b>	<b>3.1100e-003</b>	<b>1.0000e-005</b>	<b>5.6000e-004</b>	<b>0.0000</b>	<b>5.6000e-004</b>	<b>1.5000e-004</b>	<b>0.0000</b>	<b>1.5000e-004</b>	<b>0.0000</b>	<b>0.4964</b>	<b>0.4964</b>	<b>3.0000e-005</b>	<b>0.0000</b>	<b>0.4970</b>	

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	tons/yr										MT/yr						
Fugitive Dust					0.0452	0.0000	0.0452	0.0248	0.0000	0.0248	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0127	0.1366	0.1028	1.0000e-004		7.3500e-003	7.3500e-003		6.7600e-003	6.7600e-003	0.0000	9.2193	9.2193	2.7800e-003	0.0000	9.2777	
<b>Total</b>	<b>0.0127</b>	<b>0.1366</b>	<b>0.1028</b>	<b>1.0000e-004</b>	<b>0.0452</b>	<b>7.3500e-003</b>	<b>0.0525</b>	<b>0.0248</b>	<b>6.7600e-003</b>	<b>0.0316</b>	<b>0.0000</b>	<b>9.2193</b>	<b>9.2193</b>	<b>2.7800e-003</b>	<b>0.0000</b>	<b>9.2777</b>	

### 3.3 Site Preparation - 2016

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-004	3.2000e-004	3.1100e-003	1.0000e-005	5.6000e-004	0.0000	5.6000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4964	0.4964	3.0000e-005	0.0000	0.4970
<b>Total</b>	<b>2.0000e-004</b>	<b>3.2000e-004</b>	<b>3.1100e-003</b>	<b>1.0000e-005</b>	<b>5.6000e-004</b>	<b>0.0000</b>	<b>5.6000e-004</b>	<b>1.5000e-004</b>	<b>0.0000</b>	<b>1.5000e-004</b>	<b>0.0000</b>	<b>0.4964</b>	<b>0.4964</b>	<b>3.0000e-005</b>	<b>0.0000</b>	<b>0.4970</b>

### 3.4 Grading - 2016

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0262	0.0000	0.0262	0.0135	0.0000	0.0135	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0147	0.1538	0.1043	1.2000e-004		8.7900e-003	8.7900e-003		8.0900e-003	8.0900e-003	0.0000	11.2266	11.2266	3.3900e-003	0.0000	11.2977
<b>Total</b>	<b>0.0147</b>	<b>0.1538</b>	<b>0.1043</b>	<b>1.2000e-004</b>	<b>0.0262</b>	<b>8.7900e-003</b>	<b>0.0350</b>	<b>0.0135</b>	<b>8.0900e-003</b>	<b>0.0216</b>	<b>0.0000</b>	<b>11.2266</b>	<b>11.2266</b>	<b>3.3900e-003</b>	<b>0.0000</b>	<b>11.2977</b>

### 3.4 Grading - 2016

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	tons/yr										MT/yr						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.6000e-004	4.3000e-004	4.1400e-003	1.0000e-005	7.5000e-004	1.0000e-005	7.5000e-004	2.0000e-004	1.0000e-005	2.0000e-004	0.0000	0.6619	0.6619	4.0000e-005	0.0000	0.6626	0.6626
<b>Total</b>	<b>2.6000e-004</b>	<b>4.3000e-004</b>	<b>4.1400e-003</b>	<b>1.0000e-005</b>	<b>7.5000e-004</b>	<b>1.0000e-005</b>	<b>7.5000e-004</b>	<b>2.0000e-004</b>	<b>1.0000e-005</b>	<b>2.0000e-004</b>	<b>0.0000</b>	<b>0.6619</b>	<b>0.6619</b>	<b>4.0000e-005</b>	<b>0.0000</b>	<b>0.6626</b>	<b>0.6626</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0262	0.0000	0.0262	0.0135	0.0000	0.0135	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0147	0.1538	0.1043	1.2000e-004		8.7900e-003	8.7900e-003		8.0900e-003	8.0900e-003	0.0000	11.2265	11.2265	3.3900e-003	0.0000	11.2977
<b>Total</b>	<b>0.0147</b>	<b>0.1538</b>	<b>0.1043</b>	<b>1.2000e-004</b>	<b>0.0262</b>	<b>8.7900e-003</b>	<b>0.0350</b>	<b>0.0135</b>	<b>8.0900e-003</b>	<b>0.0216</b>	<b>0.0000</b>	<b>11.2265</b>	<b>11.2265</b>	<b>3.3900e-003</b>	<b>0.0000</b>	<b>11.2977</b>

### 3.4 Grading - 2016

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	tons/yr										MT/yr						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.6000e-004	4.3000e-004	4.1400e-003	1.0000e-005	7.5000e-004	1.0000e-005	7.5000e-004	2.0000e-004	1.0000e-005	2.0000e-004	0.0000	0.6619	0.6619	4.0000e-005	0.0000	0.6626	0.6626
<b>Total</b>	<b>2.6000e-004</b>	<b>4.3000e-004</b>	<b>4.1400e-003</b>	<b>1.0000e-005</b>	<b>7.5000e-004</b>	<b>1.0000e-005</b>	<b>7.5000e-004</b>	<b>2.0000e-004</b>	<b>1.0000e-005</b>	<b>2.0000e-004</b>	<b>0.0000</b>	<b>0.6619</b>	<b>0.6619</b>	<b>4.0000e-005</b>	<b>0.0000</b>	<b>0.6626</b>	<b>0.6626</b>

### 3.5 Building Construction - 2016

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.3883	3.2497	2.1098	3.0600e-003		0.2243	0.2243		0.2107	0.2107	0.0000	276.0551	276.0551	0.0685	0.0000	277.4929
<b>Total</b>	<b>0.3883</b>	<b>3.2497</b>	<b>2.1098</b>	<b>3.0600e-003</b>		<b>0.2243</b>	<b>0.2243</b>		<b>0.2107</b>	<b>0.2107</b>	<b>0.0000</b>	<b>276.0551</b>	<b>276.0551</b>	<b>0.0685</b>	<b>0.0000</b>	<b>277.4929</b>

### 3.5 Building Construction - 2016

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	tons/yr										MT/yr						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0501	0.3485	0.5937	8.2000e-004	0.0221	6.0000e-003	0.0281	6.3400e-003	5.5100e-003	0.0119	0.0000	73.9310	73.9310	6.5000e-004	0.0000	73.9447	
Worker	0.0428	0.0693	0.6692	1.4400e-003	0.1205	9.0000e-004	0.1214	0.0320	8.2000e-004	0.0328	0.0000	106.8965	106.8965	5.6800e-003	0.0000	107.0158	
<b>Total</b>	<b>0.0929</b>	<b>0.4178</b>	<b>1.2629</b>	<b>2.2600e-003</b>	<b>0.1426</b>	<b>6.9000e-003</b>	<b>0.1495</b>	<b>0.0384</b>	<b>6.3300e-003</b>	<b>0.0447</b>	<b>0.0000</b>	<b>180.8275</b>	<b>180.8275</b>	<b>6.3300e-003</b>	<b>0.0000</b>	<b>180.9605</b>	

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.3883	3.2497	2.1098	3.0600e-003		0.2243	0.2243		0.2107	0.2107	0.0000	276.0548	276.0548	0.0685	0.0000	277.4926
<b>Total</b>	<b>0.3883</b>	<b>3.2497</b>	<b>2.1098</b>	<b>3.0600e-003</b>		<b>0.2243</b>	<b>0.2243</b>		<b>0.2107</b>	<b>0.2107</b>	<b>0.0000</b>	<b>276.0548</b>	<b>276.0548</b>	<b>0.0685</b>	<b>0.0000</b>	<b>277.4926</b>

### 3.5 Building Construction - 2016

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	tons/yr										MT/yr						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0501	0.3485	0.5937	8.2000e-004	0.0221	6.0000e-003	0.0281	6.3400e-003	5.5100e-003	0.0119	0.0000	73.9310	73.9310	6.5000e-004	0.0000	73.9447	
Worker	0.0428	0.0693	0.6692	1.4400e-003	0.1205	9.0000e-004	0.1214	0.0320	8.2000e-004	0.0328	0.0000	106.8965	106.8965	5.6800e-003	0.0000	107.0158	
<b>Total</b>	<b>0.0929</b>	<b>0.4178</b>	<b>1.2629</b>	<b>2.2600e-003</b>	<b>0.1426</b>	<b>6.9000e-003</b>	<b>0.1495</b>	<b>0.0384</b>	<b>6.3300e-003</b>	<b>0.0447</b>	<b>0.0000</b>	<b>180.8275</b>	<b>180.8275</b>	<b>6.3300e-003</b>	<b>0.0000</b>	<b>180.9605</b>	

### 3.5 Building Construction - 2017

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	3.1000e-003	0.0264	0.0181	3.0000e-005		1.7800e-003	1.7800e-003		1.6700e-003	1.6700e-003	0.0000	2.3948	2.3948	5.9000e-004	0.0000	2.4072
<b>Total</b>	<b>3.1000e-003</b>	<b>0.0264</b>	<b>0.0181</b>	<b>3.0000e-005</b>		<b>1.7800e-003</b>	<b>1.7800e-003</b>		<b>1.6700e-003</b>	<b>1.6700e-003</b>	<b>0.0000</b>	<b>2.3948</b>	<b>2.3948</b>	<b>5.9000e-004</b>	<b>0.0000</b>	<b>2.4072</b>

### 3.5 Building Construction - 2017

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	tons/yr										MT/yr						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	3.8000e-004	2.7000e-003	4.7600e-003	1.0000e-005	1.9000e-004	4.0000e-005	2.4000e-004	6.0000e-005	4.0000e-005	1.0000e-004	0.0000	0.6374	0.6374	1.0000e-005	0.0000	0.6375	
Worker	3.2000e-004	5.4000e-004	5.1400e-003	1.0000e-005	1.0600e-003	1.0000e-005	1.0600e-003	2.8000e-004	1.0000e-005	2.9000e-004	0.0000	0.9003	0.9003	5.0000e-005	0.0000	0.9012	
<b>Total</b>	<b>7.0000e-004</b>	<b>3.2400e-003</b>	<b>9.9000e-003</b>	<b>2.0000e-005</b>	<b>1.2500e-003</b>	<b>5.0000e-005</b>	<b>1.3000e-003</b>	<b>3.4000e-004</b>	<b>5.0000e-005</b>	<b>3.9000e-004</b>	<b>0.0000</b>	<b>1.5377</b>	<b>1.5377</b>	<b>6.0000e-005</b>	<b>0.0000</b>	<b>1.5388</b>	

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	3.1000e-003	0.0264	0.0181	3.0000e-005		1.7800e-003	1.7800e-003		1.6700e-003	1.6700e-003	0.0000	2.3948	2.3948	5.9000e-004	0.0000	2.4072
<b>Total</b>	<b>3.1000e-003</b>	<b>0.0264</b>	<b>0.0181</b>	<b>3.0000e-005</b>		<b>1.7800e-003</b>	<b>1.7800e-003</b>		<b>1.6700e-003</b>	<b>1.6700e-003</b>	<b>0.0000</b>	<b>2.3948</b>	<b>2.3948</b>	<b>5.9000e-004</b>	<b>0.0000</b>	<b>2.4072</b>

### 3.5 Building Construction - 2017

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	tons/yr										MT/yr						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	3.8000e-004	2.7000e-003	4.7600e-003	1.0000e-005	1.9000e-004	4.0000e-005	2.4000e-004	6.0000e-005	4.0000e-005	1.0000e-004	0.0000	0.6374	0.6374	1.0000e-005	0.0000	0.6375	
Worker	3.2000e-004	5.4000e-004	5.1400e-003	1.0000e-005	1.0600e-003	1.0000e-005	1.0600e-003	2.8000e-004	1.0000e-005	2.9000e-004	0.0000	0.9003	0.9003	5.0000e-005	0.0000	0.9012	
<b>Total</b>	<b>7.0000e-004</b>	<b>3.2400e-003</b>	<b>9.9000e-003</b>	<b>2.0000e-005</b>	<b>1.2500e-003</b>	<b>5.0000e-005</b>	<b>1.3000e-003</b>	<b>3.4000e-004</b>	<b>5.0000e-005</b>	<b>3.9000e-004</b>	<b>0.0000</b>	<b>1.5377</b>	<b>1.5377</b>	<b>6.0000e-005</b>	<b>0.0000</b>	<b>1.5388</b>	

### 3.6 Paving - 2017

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0149	0.1512	0.1124	1.7000e-004		9.0500e-003	9.0500e-003		8.3400e-003	8.3400e-003	0.0000	15.2992	15.2992	4.5600e-003	0.0000	15.3950
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<b>Total</b>	<b>0.0149</b>	<b>0.1512</b>	<b>0.1124</b>	<b>1.7000e-004</b>		<b>9.0500e-003</b>	<b>9.0500e-003</b>		<b>8.3400e-003</b>	<b>8.3400e-003</b>	<b>0.0000</b>	<b>15.2992</b>	<b>15.2992</b>	<b>4.5600e-003</b>	<b>0.0000</b>	<b>15.3950</b>

### 3.6 Paving - 2017

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	tons/yr										MT/yr						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	6.9000e-004	1.1400e-003	0.0109	3.0000e-005	2.2400e-003	2.0000e-005	2.2500e-003	5.9000e-004	1.0000e-005	6.1000e-004	0.0000	1.9065	1.9065	1.0000e-004	0.0000	1.9085	
<b>Total</b>	<b>6.9000e-004</b>	<b>1.1400e-003</b>	<b>0.0109</b>	<b>3.0000e-005</b>	<b>2.2400e-003</b>	<b>2.0000e-005</b>	<b>2.2500e-003</b>	<b>5.9000e-004</b>	<b>1.0000e-005</b>	<b>6.1000e-004</b>	<b>0.0000</b>	<b>1.9065</b>	<b>1.9065</b>	<b>1.0000e-004</b>	<b>0.0000</b>	<b>1.9085</b>	

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0149	0.1512	0.1124	1.7000e-004		9.0500e-003	9.0500e-003		8.3400e-003	8.3400e-003	0.0000	15.2991	15.2991	4.5600e-003	0.0000	15.3950
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<b>Total</b>	<b>0.0149</b>	<b>0.1512</b>	<b>0.1124</b>	<b>1.7000e-004</b>		<b>9.0500e-003</b>	<b>9.0500e-003</b>		<b>8.3400e-003</b>	<b>8.3400e-003</b>	<b>0.0000</b>	<b>15.2991</b>	<b>15.2991</b>	<b>4.5600e-003</b>	<b>0.0000</b>	<b>15.3950</b>

### 3.6 Paving - 2017

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	tons/yr										MT/yr						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	6.9000e-004	1.1400e-003	0.0109	3.0000e-005	2.2400e-003	2.0000e-005	2.2500e-003	5.9000e-004	1.0000e-005	6.1000e-004	0.0000	1.9065	1.9065	1.0000e-004	0.0000	1.9085	
<b>Total</b>	<b>6.9000e-004</b>	<b>1.1400e-003</b>	<b>0.0109</b>	<b>3.0000e-005</b>	<b>2.2400e-003</b>	<b>2.0000e-005</b>	<b>2.2500e-003</b>	<b>5.9000e-004</b>	<b>1.0000e-005</b>	<b>6.1000e-004</b>	<b>0.0000</b>	<b>1.9065</b>	<b>1.9065</b>	<b>1.0000e-004</b>	<b>0.0000</b>	<b>1.9085</b>	

### 3.7 Architectural Coating - 2017

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	1.4007					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.9900e-003	0.0197	0.0168	3.0000e-005		1.5600e-003	1.5600e-003		1.5600e-003	1.5600e-003	0.0000	2.2979	2.2979	2.4000e-004	0.0000	2.3030
<b>Total</b>	<b>1.4037</b>	<b>0.0197</b>	<b>0.0168</b>	<b>3.0000e-005</b>		<b>1.5600e-003</b>	<b>1.5600e-003</b>		<b>1.5600e-003</b>	<b>1.5600e-003</b>	<b>0.0000</b>	<b>2.2979</b>	<b>2.2979</b>	<b>2.4000e-004</b>	<b>0.0000</b>	<b>2.3030</b>

### 3.7 Architectural Coating - 2017

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.8000e-004	9.7000e-004	9.2500e-003	2.0000e-005	1.9000e-003	1.0000e-005	1.9200e-003	5.1000e-004	1.0000e-005	5.2000e-004	0.0000	1.6205	1.6205	8.0000e-005	0.0000	1.6222
<b>Total</b>	<b>5.8000e-004</b>	<b>9.7000e-004</b>	<b>9.2500e-003</b>	<b>2.0000e-005</b>	<b>1.9000e-003</b>	<b>1.0000e-005</b>	<b>1.9200e-003</b>	<b>5.1000e-004</b>	<b>1.0000e-005</b>	<b>5.2000e-004</b>	<b>0.0000</b>	<b>1.6205</b>	<b>1.6205</b>	<b>8.0000e-005</b>	<b>0.0000</b>	<b>1.6222</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	1.4007					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.9900e-003	0.0197	0.0168	3.0000e-005		1.5600e-003	1.5600e-003		1.5600e-003	1.5600e-003	0.0000	2.2979	2.2979	2.4000e-004	0.0000	2.3030
<b>Total</b>	<b>1.4037</b>	<b>0.0197</b>	<b>0.0168</b>	<b>3.0000e-005</b>		<b>1.5600e-003</b>	<b>1.5600e-003</b>		<b>1.5600e-003</b>	<b>1.5600e-003</b>	<b>0.0000</b>	<b>2.2979</b>	<b>2.2979</b>	<b>2.4000e-004</b>	<b>0.0000</b>	<b>2.3030</b>

### 3.7 Architectural Coating - 2017

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.8000e-004	9.7000e-004	9.2500e-003	2.0000e-005	1.9000e-003	1.0000e-005	1.9200e-003	5.1000e-004	1.0000e-005	5.2000e-004	0.0000	1.6205	1.6205	8.0000e-005	0.0000	1.6222
<b>Total</b>	<b>5.8000e-004</b>	<b>9.7000e-004</b>	<b>9.2500e-003</b>	<b>2.0000e-005</b>	<b>1.9000e-003</b>	<b>1.0000e-005</b>	<b>1.9200e-003</b>	<b>5.1000e-004</b>	<b>1.0000e-005</b>	<b>5.2000e-004</b>	<b>0.0000</b>	<b>1.6205</b>	<b>1.6205</b>	<b>8.0000e-005</b>	<b>0.0000</b>	<b>1.6222</b>

### 4.0 Operational Detail - Mobile

#### 4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	1.2388	3.4981	13.0211	0.0176	0.9752	0.0455	1.0206	0.2620	0.0418	0.3037	0.0000	1,439.5875	1,439.5875	0.0520	0.0000	1,440.6803
Unmitigated	1.2388	3.4981	13.0211	0.0176	0.9752	0.0455	1.0206	0.2620	0.0418	0.3037	0.0000	1,439.5875	1,439.5875	0.0520	0.0000	1,440.6803

**4.2 Trip Summary Information**

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Hotel	1,111.12	1,113.84	809.20	2,146,550	2,146,550
Quality Restaurant	359.80	377.44	288.64	418,150	418,150
<b>Total</b>	<b>1,470.92</b>	<b>1,491.28</b>	<b>1,097.84</b>	<b>2,564,700</b>	<b>2,564,700</b>

**4.3 Trip Type Information**

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Hotel	14.70	6.60	6.60	19.40	61.60	19.00	58	38	4
Quality Restaurant	14.70	6.60	6.60	12.00	69.00	19.00	38	18	44

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.413014	0.062673	0.156172	0.176687	0.051255	0.007895	0.018867	0.100331	0.001803	0.001598	0.006448	0.000946	0.002310

**5.0 Energy Detail**

~~4.4 Fleet Mix~~

Historical Energy Use: N

**5.1 Mitigation Measures Energy**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
NaturalGas Mitigated	0.0324	0.2942	0.2471	1.7700e-003		0.0224	0.0224		0.0224	0.0224	0.0000	320.2471	320.2471	6.1400e-003	5.8700e-003	322.1961
NaturalGas Unmitigated	0.0324	0.2942	0.2471	1.7700e-003		0.0224	0.0224		0.0224	0.0224	0.0000	320.2471	320.2471	6.1400e-003	5.8700e-003	322.1961

**5.2 Energy by Land Use - NaturalGas**  
**Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Hotel	5.15204e+006	0.0278	0.2526	0.2121	1.5200e-003		0.0192	0.0192		0.0192	0.0192	0.0000	274.9327	274.9327	5.2700e-003	5.0400e-003	276.6059
Quality Restaurant	849160	4.5800e-003	0.0416	0.0350	2.5000e-004		3.1600e-003	3.1600e-003		3.1600e-003	3.1600e-003	0.0000	45.3144	45.3144	8.7000e-004	8.3000e-004	45.5902
<b>Total</b>		<b>0.0324</b>	<b>0.2942</b>	<b>0.2471</b>	<b>1.7700e-003</b>		<b>0.0224</b>	<b>0.0224</b>		<b>0.0224</b>	<b>0.0224</b>	<b>0.0000</b>	<b>320.2471</b>	<b>320.2471</b>	<b>6.1400e-003</b>	<b>5.8700e-003</b>	<b>322.1961</b>

### 5.2 Energy by Land Use - NaturalGas

#### Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Quality Restaurant	849160	4.5800e-003	0.0416	0.0350	2.5000e-004		3.1600e-003	3.1600e-003		3.1600e-003	3.1600e-003	0.0000	45.3144	45.3144	8.7000e-004	8.3000e-004	45.5902
Hotel	5.15204e+006	0.0278	0.2526	0.2121	1.5200e-003		0.0192	0.0192		0.0192	0.0192	0.0000	274.9327	274.9327	5.2700e-003	5.0400e-003	276.6059
<b>Total</b>		<b>0.0324</b>	<b>0.2942</b>	<b>0.2471</b>	<b>1.7700e-003</b>		<b>0.0224</b>	<b>0.0224</b>		<b>0.0224</b>	<b>0.0224</b>	<b>0.0000</b>	<b>320.2471</b>	<b>320.2471</b>	<b>6.1400e-003</b>	<b>5.8700e-003</b>	<b>322.1961</b>

### 5.3 Energy by Land Use - Electricity

#### Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Hotel	1.80687e+006	0.0000	0.0000	0.0000	0.0000
Quality Restaurant	124760	0.0000	0.0000	0.0000	0.0000
<b>Total</b>		<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>

### 5.3 Energy by Land Use - Electricity

#### Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Hotel	1.80687e+006	0.0000	0.0000	0.0000	0.0000
Quality Restaurant	124760	0.0000	0.0000	0.0000	0.0000
<b>Total</b>		<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>

### 6.0 Area Detail

#### 6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.9271	1.0000e-005	1.3200e-003	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	2.5000e-003	2.5000e-003	1.0000e-005	0.0000	2.6500e-003
Unmitigated	0.9271	1.0000e-005	1.3200e-003	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	2.5000e-003	2.5000e-003	1.0000e-005	0.0000	2.6500e-003

## 6.2 Area by SubCategory

### Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.1401					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.7869					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	1.3000e-004	1.0000e-005	1.3200e-003	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	2.5000e-003	2.5000e-003	1.0000e-005	0.0000	2.6500e-003
<b>Total</b>	<b>0.9271</b>	<b>1.0000e-005</b>	<b>1.3200e-003</b>	<b>0.0000</b>		<b>0.0000</b>	<b>0.0000</b>		<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>2.5000e-003</b>	<b>2.5000e-003</b>	<b>1.0000e-005</b>	<b>0.0000</b>	<b>2.6500e-003</b>

### Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.1401					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.7869					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	1.3000e-004	1.0000e-005	1.3200e-003	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	2.5000e-003	2.5000e-003	1.0000e-005	0.0000	2.6500e-003
<b>Total</b>	<b>0.9271</b>	<b>1.0000e-005</b>	<b>1.3200e-003</b>	<b>0.0000</b>		<b>0.0000</b>	<b>0.0000</b>		<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>2.5000e-003</b>	<b>2.5000e-003</b>	<b>1.0000e-005</b>	<b>0.0000</b>	<b>2.6500e-003</b>

## 7.0 Water Detail

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### 7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	1.4797	0.1520	3.5900e-003	5.7836
Unmitigated	1.4797	0.1520	3.5900e-003	5.7836

### 7.2 Water by Land Use

#### Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Hotel	3.44988 / 0.38332	1.0945	0.1124	2.6500e-003	4.2780
Quality Restaurant	1.21413 / 0.077498	0.3852	0.0396	9.3000e-004	1.5056
<b>Total</b>		<b>1.4797</b>	<b>0.1520</b>	<b>3.5800e-003</b>	<b>5.7836</b>

## 7.2 Water by Land Use

### Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Hotel	3.44988 / 0.38332	1.0945	0.1124	2.6500e-003	4.2780
Quality Restaurant	1.21413 / 0.077498	0.3852	0.0396	9.3000e-004	1.5056
<b>Total</b>		<b>1.4797</b>	<b>0.1520</b>	<b>3.5800e-003</b>	<b>5.7836</b>

## 8.0 Waste Detail

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### 8.1 Mitigation Measures Waste

#### Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	15.8556	0.9370	0.0000	35.5335
Unmitigated	15.8556	0.9370	0.0000	35.5335

## 8.2 Waste by Land Use

### Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Hotel	74.46	15.1147	0.8933	0.0000	33.8730
Quality Restaurant	3.65	0.7409	0.0438	0.0000	1.6604
<b>Total</b>		<b>15.8556</b>	<b>0.9370</b>	<b>0.0000</b>	<b>35.5335</b>

### Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Hotel	74.46	15.1147	0.8933	0.0000	33.8730
Quality Restaurant	3.65	0.7409	0.0438	0.0000	1.6604
<b>Total</b>		<b>15.8556</b>	<b>0.9370</b>	<b>0.0000</b>	<b>35.5335</b>

## 9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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## **10.0 Vegetation**

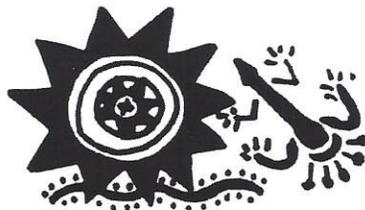
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Appendix C

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CHRIS Records Search

**CALIFORNIA  
HISTORICAL  
RESOURCES  
INFORMATION  
SYSTEM**



**FRESNO  
KERN  
KINGS  
MADERA  
TULARE**

Southern San Joaquin Valley  
Information Center  
California State University, Bakersfield  
Mail Stop: 46 MEC  
9001 Stockdale Highway  
Bakersfield, California 93311-1022  
(661) 654-2289 FAX (661) 654-2415  
E-mail: ssjvic@csu.edu

**To:** Emily Bowen  
Crawford Bowen Planning, Inc.  
113 N. Church Street, Suite 302  
Visalia, CA 93291

**Date:** December 1, 2015

**Re:** City of Tulare Eastgate Hotel Development

**County:** Tulare

**Map(s):** Tulare 7.5'

**Record Search 15-455**

**CULTURAL RESOURCES RECORDS SEARCH**

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law. The following are the results of a search of the cultural resource files at the Southern San Joaquin Valley Information Center. These files include known and recorded cultural resources sites, inventory and excavation reports filed with this office, and resources listed on the National Register of Historic Places, Historic Property Directory (3/18/13), California State Historical Landmarks, California Register of Historical Resources, California Inventory of Historic Resources, and California Points of Historical Interest. Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area.

**PRIOR CULTURAL RESOURCE STUDIES CONDUCTED WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS**

According to the information in our files, there have been no previous cultural resource studies conducted within the project area. There have been nine studies conducted within the one-half mile radius, TU-00102, 00103, 01008, 01059, 01310, 01311, 01324, 01646, and 01677.

**KNOWN/RECORDED CULTURAL RESOURCES WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS**

There are no recorded cultural resources within the project area and it is not known if any exist there. There is one recorded resource within the one-half mile radius, P-54-005211. This resource is Liberty Ditch.

There are no recorded cultural resources within the project area or radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

**COMMENTS AND RECOMMENDATIONS**

We understand this project consists of the construction of a 24,500 square foot hotel on currently vacant land. Because this land has not been previously developed and no cultural resources study has taken place, it is unknown if any cultural resources exist there. Therefore, we recommend a qualified, professional archaeologist conduct a field survey, prior to ground disturbance activities, to determine if cultural resources are present. A list of qualified, professional consultants is available at [www.chrisinfo.org](http://www.chrisinfo.org).

We also recommend that you contact the Native American Heritage Commission in Sacramento. They will provide you with a current list of Native American individuals/organizations that can assist you with information regarding cultural resources that may not be included in the CHRIS Inventory and that may be of concern to the Native groups in the area. The Commission will consult their "Sacred Lands Inventory" file in order to determine what sacred resources, if any, exist within this project area and the way in which these resources might be managed. Finally, please consult with the lead agency on this project to determine if any other cultural resource investigation is required. If you need any additional information or have any questions or concerns, please contact our office at (661) 654-2289.

By:



Celeste M. Thomson, Coordinator

**Date:** December 1, 2015

Please note that invoices for Information Center services will be sent under separate cover from the California State University, Bakersfield Accounting Office.

Appendix D

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Traffic Memo



August 28, 2016

Mr. Travis Crawford  
Crawford & Bowen Planning, Inc.  
113 N Church St. Suite 302  
Visalia, CA 93291

Subject: Traffic Impact Statement for the Eastgate Hotel

Dear Mr. Crawford,

This analysis is prepared for the proposed Eastgate Hotel project. The Project site is located on the southwest corner of the Cartmill Avenue at State Route (SR) 99 interchange, with access on M Street. The 4.74 acre Project site is located within the City of Tulare. The site is currently zoned R-1-7 (single family residential, minimum 7,000 sf lots), but is proposed as C-3 (Retail Commercial). The proposed hotel has a capacity of 136 rooms with a 400 seat conference center.

### **Project Vicinity**

The Project is located on the northwest side of the City of Tulare. The areas to the south and west are completely developed, primarily with residential. The areas to the north and east are currently undeveloped, but significant development, primarily commercial, is planned in these areas.

The transportation infrastructure in the immediate area is fully developed. M Street is a collector street that is constructed to its ultimate width, along with bicycle and parking lanes. Cartmill Avenue is an arterial street, recently constructed to its ultimate width, with 6 lanes and raised medians, west of Road 100.

### **Transportation Infrastructure Improvements**

Two significant transportation infrastructure projects have been completed in the nearby area in the last couple years, a railroad grade separation and an interchange reconstruction.

The Cartmill railroad grade separation project was completed in 2012. This project constructed an overpass to allow Cartmill Avenue to cross both J Street and the UP railroad, approximately ½ mile west of the Eastgate Hotel Project. A connector from J Street to Cartmill Avenue is located to the east of J Street. Cartmill Avenue was also constructed to its ultimate cross section between J Street and M Street, along with raised median.

The Cartmill Avenue at SR 99 interchange project completely reconstructed the interchange between M Street and Road 100. New ramps, including slip ramps and a partial cloverleaf, a completely new Cartmill Avenue overcrossing, and traffic signals were constructed as a part of this project. Cartmill Avenue recently re-opened, with complete opening of the interchange to occur shortly.

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**Trip Generation**

Utilizing the ITE *Trip Generation Manual, 9<sup>th</sup> Edition*, the Project’s trip generation is calculated for the current zoning and the proposed Project use. The trip generation comparison is shown in Table 1.

<b>Table 1: Project Trip Generation</b>							
<b>Land Use</b>	<b>ITE Land Use</b>	<b>Number of Units</b>	<b>Daily Trips (1-Way)</b>	<b>AM Peak Hour</b>		<b>PM Peak Hour</b>	
				<b>Enter</b>	<b>Exit</b>	<b>Enter</b>	<b>Exit</b>
<b>R-1-7</b>	Single Family Residential	22 dwelling units	211	4	12	14	8
<b>Proposed Hotel</b>	Hotel	136 rooms	1,111	43	30	42	40
<b>Proposed Conference Center</b>	n/a	400 seats	252	105	0	0	105
<b>Increase</b>			<b>1,152</b>	<b>144</b>	<b>18</b>	<b>28</b>	<b>137</b>

The number of potential dwelling units is based on the number of 7,000 sf lots can be constructed on the Project site, assuming 75% of the area dedicated to lots:

$$4.74 \text{ acres} * 43,560 \text{ sf / acre} * 75\% / 7,000 \text{ sf} = 22.1 \text{ dwelling units}$$

The ITE *Trip Generation Manual* does not provide an applicable land use for the proposed conference center, although it does for the Hotel. While many of the sites surveyed for the ITE “Hotel” land use may have included conference rooms, it is unlikely that the proposed ratio of rooms to conference space (136 rooms : 400 seats) should be considered included in the Hotel component’s trip generation calculation. As such, the following assumptions are proposed for the conference center trip generation:

- 400 seats
- Assume typical event lasts from 9 am to 4 pm
- Average vehicle occupancy = 2.0
- Average event attendance = 70% occupancy
- Average attendants staying at the Hotel = 50%
  - 50% of the guests arriving on the morning of the event and staying overnight
  - 50% of the guests arriving the night before the event and leaving after the event
- 20% additional trips throughout the day

These assumptions were used to prepare the conference center trip generation included in Table 1.

**Potential Transportation Impacts**

The Cartmill Avenue at SR 99 interchange project included significant transportation operational analysis within the Project vicinity. This analysis included existing conditions (2007) as well as future (2033) with and without the interchange project. The final interchange project designed all affected roadways and intersections to accommodate complete build out of the surrounding land and transportation system. This included construction of the Eastgate Hotel Project Site based on the currently zoned land use (residential).

The City of Tulare requested operational analysis of the intersection of Oaks Street at M Street. This intersection was counted for peak hour intersection turning movements on the week of August 22, 2016. Project trips were then distributed assuming 65% to/from the north, 5% west, and 30% south. The study intersection was then analyzed for level of service (LOS) using the Highway Capacity Manual 2010 methodologies. The Existing and Existing Plus Project AM and PM peak hour LOS and delay for the worst movement at the intersection are shown in Table 2. The LOS calculation worksheets are attached.

<b>Table 2: Level of Service Analysis</b>				
<b>Oaks Street at M Street</b>	<b>AM Peak Hour</b>		<b>PM Peak Hour</b>	
	<b>LOS</b>	<b>Delay<sup>1</sup></b>	<b>LOS</b>	<b>Delay<sup>1</sup></b>
<b>Existing Conditions</b>	<b>B</b>	<b>13.8</b>	<b>C</b>	<b>15.2</b>
<b>Existing Plus Project Conditions</b>	<b>D</b>	<b>30.0</b>	<b>D</b>	<b>25.7</b>

<sup>1</sup> Average seconds of delay per vehicle

As shown in Table 2, the Project is anticipated to increase the delay at the study intersection. However, the LOS “D” under the Existing Plus Project intersection does not exceed the City of Tulare’s established LOS threshold (LOS “D”).

The intersection of M Street at Cartmill Avenue was not analyzed for peak hour intersection operational capacity. The environmental analysis prepared by Caltrans for the interchange project found that this intersection is projected to operate at LOS “C” in the AM peak hour and “D” in the PM peak hour in the year 2033. The 2033 ADT on Cartmill Avenue is projected to be 49,800 vehicles per day according to the interchange environmental report. Assuming that 2/3 of the Eastgate Hotel project trips utilize Cartmill Avenue, this represents an increase of 2% on Cartmill Avenue. Given the moderate increase in traffic associated with the change in Project land use, the previously calculated LOS is not anticipated to increase beyond the accepted LOS standards. Impacts to other roadways are expected to be minimal as trips disperse the further they get from the Project Site.

**Project Site Circulation**

The Project’s primary access point is located on M Street. This driveway will be aligned with the centerline of Oaks Street at its intersection with M Street, thus creating a de facto four-legged intersection. Oaks Street is already stop controlled, while M Street allows free flowing traffic through this intersection. The Project driveway will also be stop controlled, providing two-way stop control at this intersection. Due to the relatively low peak hour traffic generation, there is not anticipated to be significant delay or vehicle queuing at this stop controlled driveway.

On-site circulation is typical of a hotel, with parking located as close as possible to the building, in aisles with 90 degree parking stalls, with the exception of parking along M Street. The Eastgate Hotel parking lot will connect to the existing Living Christ Church parking lot fronting M Street. This connection provides alternate access points with M Street, further to the southeast.

### **Conclusions**

The analysis above leads to the following conclusions:

- The proposed zoning change will increase the Project Site's daily traffic generation by approximately 1,152 trips per day.
- The increase in Project Site trips is not anticipated to significantly affect roadway operations in the vicinity.
- The planned Project Site access and on-site circulation appears adequate to the size of the project and type of trips that will be made.

### **Recommendations**

It is recommended that the Project pay its fair share of the City's established Development Impact Fees for City Streets and State Highways. In addition, the Project will also construct its required frontage improvements on M Street as required by the City of Tulare.

Sincerely,



Wally Hutcheson, TE

Attachments: LOS Worksheets