

 <b>4CREEKS</b> Date: 11/8/2023	<h3>Distance to Schools and Airports</h3> <h2>Sherwood South Subdivision</h2> <p>City of Tulare</p>	  1 in = 0.5 miles
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Figure 3-5: Distance to Schools and Airports

## **Regulatory Setting**

### **Department of Toxic Substances Control**

The EPA has delegated much of its regulatory authority to the individual states. The DTSC of CalEPA enforces hazardous materials and waste regulations in California in conjunction with the EPA. The DTSC is responsible for regulating the management of hazardous substances, including the remediation of sites contaminated by hazardous substances. California hazardous materials laws incorporate federal standards but are often more strict than federal laws.

### **Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. Code [U.S.C.] §9601 et seq.)**

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or the Superfund Act) authorizes the President to respond to releases or threatened releases of hazardous substances into the environment.

### **Occupational Safety and Health Administration**

The Occupational Safety and Health Administration (OSHA) sets and enforces Occupational Safety and Health Standards to ensure safe working conditions. OSHA provides training, outreach, education, and compliance assistance to promote safe workplaces. The proposed Project would be subject to OSHA requirements during construction, operation, and maintenance.

### **Toxic Substances Control Act of 1976 (15 U.S.C. §2601 et seq.)**

The Toxic Substance Control Act was enacted by Congress in 1976 and authorized the EPA to regulate any chemical substances determined to cause an unreasonable risk to public health or the environment.

### **Hazardous Waste Control Law, Title 26**

The Hazardous Waste Control Law creates hazardous waste management program requirements. The law is implemented by regulations contained in Title 26 of the California Code of Regulations (CCR), which contains requirements for the following aspects of hazardous waste management:

- Identification and classification;
- Generation and transportation;
- Design and permitting of recycling, treatment, storage, and disposal facilities;
- Treatment standards;
- Operation of facilities and staff training; and
- Closure of facilities and liability requirements.

### **California Code of Regulations, Title 22, Chapter 11**

Title 22 of the California Code of Regulations contains regulations for identifying and classifying hazardous wastes. The CCR defines waste as hazardous if it has the following characteristics: ignitability, corrosivity, reactivity, and/or toxicity.

### **California Emergency Services Act**

The California Emergency Services Act created a multi-agency emergency response plan for California. The Act coordinates various agencies, including CalEPA, Caltrans, the California Highway Patrol, regional water quality control boards, air quality management districts, and county disaster response offices.

### **Hazardous Materials Release Response Plans and Inventory Law of 1985**

According to the Hazardous Materials Release Response Plans and Inventory Law of 1985, local agencies are required to develop “area plans” for response to releases of hazardous materials and wastes.

### **Tulare County Environmental Health Division**

Tulare County Environmental Health Services Division (TCEHSD) is the local agency responsible for implementing the State-mandated Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (MJLHMP). Tulare County has prepared a Hazardous Materials Business Plan and the MJLHMP, which serves as the County’s emergency response plan for hazardous materials emergency incidents. In addition, the TCEHSD acts as a lead agency to ensure proper remediation of leaking underground petroleum storage tank sites and specific other contaminated sites.

### **Waste Disposal Regulations**

The disposal of contaminated soil is regulated by the RWQCB, in this case, the Central Valley Region, and is regulated based on the concentrations of present chemical constituents. Soils having concentrations of contaminants higher than certain acceptable levels must be handled and disposed of as hazardous waste when excavated. CCR Title 22, Section 66261.20-24 contains technical descriptions of characteristics that would cause soil to be classified as hazardous waste.

### **City of Tulare General Plan**

The City of Tulare 2035 General Plan *Safety Element* includes the following goals and policies intended to protect the City’s resources and are relevant to the proposed Project.

- Goal SAF-1: To regulate future development to ensure the protection of public health and safety from hazards and hazardous materials and the adequate provision of emergency services.
  - *Policy SAF-1.1: Development Constraints*. The City shall permit development only in areas where the potential danger to the health and safety of people and property can be mitigated to an acceptable level.

- *Policy SAF-1.2: Development Compliance with Federal, State, and Local Regulations.* The City shall ensure that all development within the designated floodway or floodplain zones conforms to Federal Emergency Management Administration (FEMA) regulations.
- *Policy SAF-1.3: Hazardous Lands.* The City shall designate areas with a potential for significant hazardous conditions for open space, agriculture, and other appropriate low intensity uses.
- *Policy SAF-1.4: Building and Codes.* Except as otherwise allowed by State law, the City shall ensure that all new buildings intended for human habitation are designed in compliance with the latest edition of the California Building Code, California Fire Code, and other adopted standards based on risk (e.g., seismic hazards, flooding), type of occupancy, and location (e.g., floodplain, fault).

### **Discussion**

#### **a) Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

**Less than Significant Impact with Mitigation:** Project construction activities would involve the use and transport of hazardous materials, including gasoline, diesel fuel, oils, lubricants, solvents, detergents, degreasers, paints, welding and soldering supplies, pressurized gases, etc. The use of these materials would be considered minimal and would not require these materials to be stored in bulk form. These materials would be stored in designated construction staging areas within the boundaries of the Project site, and the construction contractor must ensure that they are transported, handled, used, stored, and disposed of in accordance with all applicable federal, state, and local laws and regulations. Potential impacts related to using and transporting hazardous materials during construction would be addressed by implementing the Storm Water Pollution Prevention Plan (SWPPP). SWPPPs are required to include BMPs to control potential discharges of hazardous pollutants. The Central Valley Regional Water Quality Control Board implements and enforces the SWPPP. It would conduct inspections of the Project Site to ensure effective implementation of the BMPs specified in the SWPPP. If import soil/fill material is required for grading the Project Site, the Project applicant shall document the source of imported material and shall ensure imported soil/fill is suitable for the intended residential land use through appropriate sampling and analytical testing based on the source of the material and prior land use knowledge. Imported fill shall meet applicable residential screening levels for contaminants of concern. These requirements are incorporated as Mitigation Measure HAZ-2.

Operation of the Project would involve transporting, using, and disposing of limited amounts of hazardous materials typically found in residential homes, including cleaning products, motor vehicle fuel, paint, degreasers, pesticides, herbicides, and fire suppressants. Although the Project would introduce additional amounts of commercially

available potentially hazardous materials to the Project site, the routine transport, use, and/or disposal of these substances would be subject to applicable federal, state, and local health and safety laws and regulations, minimizing the health risk to the public associated with hazardous materials.

In summary, SWPPPs and following all laws required for the Project would ensure that hazardous materials used in construction and operation are handled, stored, and disposed of under the specified BMPs and plan measures. In addition, implementation of Mitigation Measure HAZ-2 would ensure that any imported soil/fill used for grading is documented, sampled and analytically tested as appropriate to the source/origin and prior land use, and meets applicable residential screening levels for contaminants of concern prior to placement on-site. With SWPPP implementation, compliance with applicable hazardous materials handling regulations, and Mitigation Measure HAZ-2, the potential for impacts to the public and the environment from routine transport, use, and disposal of hazardous materials during Project construction and operation would be *less than significant with mitigation*.

**b) Would the Project 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 with Mitigation:** The proposed project is a residential subdivision. There is no reasonably foreseeable condition or incident involving the project that could result in release of hazardous materials into the environment, other than any potential accidental releases of standard fuels, solvents, or chemicals encountered during typical construction of a residential subdivision. In addition, because the site has a history of agricultural use, there is a potential for previously unknown contaminated soils associated with historical agricultural practices to be encountered during ground disturbance; therefore, Mitigation Measure HAZ-1 would be implemented prior to grading to evaluate and appropriately manage such conditions. If any oil, gas, or geothermal well feature is unexpectedly discovered during construction, the Project would stop work in the immediate area and notify CalGEM and comply with CalGEM direction pursuant to Mitigation Measure HAZ-3.

As discussed above, the Project would be required to implement a SWPPP during construction and follow all required laws and regulations. The SWPPP would include procedures specifically developed to prevent a significant risk to the public or environment in the event of accident conditions involving the release of hazardous materials. With SWPPP implementation, compliance with applicable regulations, and implementation of Mitigation Measures HAZ-1 and HAZ-3, accident conditions involving the release of hazardous materials would not pose a significant hazard to the public or the environment. As such, impacts are considered *less than significant with mitigation*.

- c) Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**Less than significant impact:** No existing or planned schools within 0.25 miles of the proposed Project Site exist. Mulcahy Middle School is approximately .65 miles west of the Project Site. The Project's construction and operation will have procedures and practices specifically developed to prevent a significant risk to the public in the event of a release of hazardous materials. Therefore, there is a *less than significant impact*.

- d) Would the Project be located on a Site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

**No Impact:** The Project Site is not listed as a hazardous materials site according to Government Code Section 65962.5 and is not included on a list compiled by the Department of Toxic Substances Control (DTSC). Therefore, there is *no impact*.

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

**No Impact:** The proposed Project is not located within an airport land use plan or two miles from a public airport. The Mefford Field Airport is the nearest public airport to the Project Site, approximately 3.5 miles away. Implementing the proposed Project would not result in a safety hazard or excessive noise for people residing or working in the Project area. There is *no impact*.

- f) Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

**No Impact:** Tulare's Site plan review procedures ensure compliance with emergency response and evacuation plans. In addition, the Site plan has been reviewed by the Fire Department per standard City procedure to ensure consistency with emergency response and evacuation needs. Therefore, the proposed Project would have *no impact* on emergency evacuation.

- g) Would the Project expose people or structures, either directly or indirectly, to significant risk of loss, injury or death involving wildland fires?**

**No Impact:** The land surrounding the Project Site is developed with urban, suburban, and agricultural uses and is not considered wildlands. No wildland areas exist in the City of Tulare. The City of Tulare Fire Department would provide fire and emergency services at the

site in the event of an emergency. The proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, and there is *no impact*.

### **Mitigation Measures for Hazards and Hazardous Materials**

**Mitigation Measure HAZ-1:** Prior to issuance of grading permits, the Project applicant shall retain a qualified environmental professional to prepare and implement an agricultural chemical screening work plan for the Project site's shallow soils based on historical agricultural use. The screening shall evaluate pesticides and organochlorine pesticides and, as warranted by historical use information, shall include analysis for DDT, toxaphene, and dieldrin, and shall include analysis for arsenic. Sampling locations shall include areas most likely to have elevated concentrations (former chemical mixing/loading/storage areas, drainage ditches, and locations of any former structures/outbuildings if present based on records). If the screening identifies concentrations above applicable residential screening levels or approved local baselines/thresholds, the applicant shall prepare and implement additional assessment and remediation/response actions under appropriate agency oversight prior to residential occupancy and shall document completion to the City.

**Mitigation Measure HAZ-2:** If imported soil/fill is used, the Project applicant shall maintain documentation of the origin of imported soil/fill and shall require analytical testing, as appropriate to the source and prior land use, to demonstrate that imported soil/fill meets applicable residential screening levels for contaminants of concern prior to placement on-site. Imported soil/fill that does not meet applicable residential screening levels shall not be used within areas planned for residential use, parks, or other sensitive receptor locations.

**Mitigation Measure HAZ-3:** If an oil, gas, or geothermal well (or well-related feature) is discovered during grading or construction, the Project applicant shall stop work in the immediate area and notify CalGEM. Work shall not resume in the affected area until the applicant has complied with CalGEM direction, including any required evaluation, leak testing, or re-abandonment actions pursuant to PRC section 3208.1 and other applicable requirements. Any contaminated soil encountered shall be characterized and disposed of in accordance with applicable local, state, and federal laws.

## X. HYDROLOGY AND WATER QUALITY

<b>Would the Project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise sustainably degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?	<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 or through the addition of impervious surfaces, in a manner, which would:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(i) result in substantial erosion or siltation on- or off-Site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones risk the release of pollutants due to Project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater movement plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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## **Environmental Setting**

### **Hydrologic System**

The proposed Project Site is located within the San Joaquin Valley Groundwater Basin, which covers roughly 15,880 square miles in the Central Valley of California. The San Joaquin Valley Groundwater Basin is divided into seven sub-basins. The City of Tulare and the proposed Project Site lie directly over the Kaweah Subbasin, a large subbasin spanning 696 square miles in the southern portion of the San Joaquin Valley Groundwater Basin. The Tule Subbasin bounds the subbasin to the south, the Tulare Lake Subbasin to the west, the Kings Subbasin to the north, and the crystalline bedrock of the Sierra Nevada foothills on the east. The significant water sources in the subbasin include the runoff from the Sierra Nevada Mountains, surface runoff from creeks, irrigation ditches, percolation ponds, and the Kaweah River, which is considered the primary surface water source for groundwater recharge. Within the Kaweah Subbasin, the Site is located within the boundary of the Mid-Kaweah Groundwater Sustainability Agency. The City of Tulare Water Division regulates water in Tulare. Groundwater is the sole source of water supply for the Tulare. Groundwater used by Tulare is extracted from the underlying Kaweah Subbasin.

### **Groundwater**

The City of Tulare consists of 27 active wells that supply potable water to the City, each pumping water directly into the water system. The system contains 227 miles of water transmission and distribution mains connecting 17,849 service connections. The City's entire water supply comes from a series of deep groundwater wells scattered throughout the city and pumped into an interconnected water system. Additionally, the City of Tulare, the City of Visalia, and the Tulare Irrigation District (TID) have joined a Joint Power Authority (JPA) Agreement to form the Mid-Kaweah Groundwater Sustainability Agency (GSA). The JPA states the Board of Directors is responsible for developing, adopting, and implementing a Groundwater Sustainability Plan as required by the Sustainable Groundwater Management Act of 2014.

### **Surface Waters**

There are no significant surface water features in Tulare; however, the Elk Bayou runs south of the City. All other surface water is from manmade channels and basins. Hooper ditch, downstream from the Railroad Ditch, exists along the Site's northern border. Hooper Ditch is an open water canal that may be subject to CDFW jurisdiction under Fish and Game Code section 1600 et seq. Any Project activity that may substantially divert or obstruct flow; substantially change or use material from the bed, bank, or channel (including removal of riparian vegetation); or deposit debris, waste, or other materials into Hooper Ditch requires prior

notification to CDFW pursuant to Fish and Game Code section 1602 and may require a Lake or Streambed Alteration Agreement prior to construction.

None of the City's potable water is supplied through surface water. However, the City and TID have entered into an agreement whereby the City pays TID, based on its extractions, an amount for surface water through the Federal Project Water entitlements held by TID. Such purchased water is used in various groundwater recharge basins within TID's jurisdictional boundaries.

### **Floodplains**

The Federal Emergency Management Agency (FEMA) provides data on flood hazard areas as part of the National Flood Insurance Program by issuing Flood Insurance Rate Maps (FIRMs). Flood hazards are indicated by the calculated chance of occurrence each year and defined as having a 1% annual chance of occurring; otherwise, they are known as the 100-year Special Flood Hazard Area (SFHA) flood zone. According to the FEMA FIRM map that includes the Project site, the site is located within Zone X, which is considered to be an area with a 0.2% annual chance of occurring or an area with 1% chance of occurring but at flood depths of less than 1 foot or drainage areas of less than 1 square mile, or areas protected by levees from the 1% annual chance flood (although none are present in the vicinity of the Project site) (FEMA 2009).

### **Regulatory Setting**

#### **Clean Water Act**

The Clean Water Act (CWA) is enforced by the U.S. EPA and was developed in 1972 to regulate discharges of pollutants into the waters of the United States. The Act made it unlawful to discharge any pollutant from a point source into navigable waters unless a National Pollution Discharge Elimination System (NPDES) Permit is obtained.

- Section 401, Water Quality Certification. Section 401 of the CWA requires that, prior to issuance of any federal permit or license, any activity, including river or stream crossing during road, pipeline, or transmission line construction, which may result in discharges into waters of the U.S., must be certified by the state, as administered by the RWQCB. This certification ensures that the proposed activity does not violate state and/or federal water quality standards.
- Section 402, National Pollutant Discharge Elimination System. Section 402 of the CWA authorizes the State Water Resources Control Board (SWRCB) to issue a NPDES General Construction Storm Water Permit (Water Quality Order 2009-0009-DWQ), referred to as the "General Construction Permit." Construction activities can comply with and be covered under the General Construction Permit provided that they:
  - Develop and implement a Storm Water Pollution Prevention Plan (SWPPP) which specifies best management practices (BMPs) that will prevent all construction pollutants from contacting stormwater and with the intent of keeping all products of erosion from moving off site into receiving waters.

- Eliminate or reduce non-stormwater discharges to storm sewer systems and other waters of the nation.
- Perform inspections of all BMPs.

NPDES regulations are administered by the Central Valley RWQCB. Projects that disturb one or more acres, including the proposed project, are required to obtain NPDES coverage under the Construction General Permit.

- Section 404, Discharge of Dredged or Fill Materials. Section 404 of the CWA establishes programs to regulate the discharge of dredged and fill material in waters of the U.S., including wetlands. For purposes of section 404 of the CWA, the limits of non-tidal waters extend to the ordinary high-water line, defined as the line on the shore established by the fluctuation of water and indicated by physical characteristics, such as natural line impressed on the bank, changes in the character of the soil, and presence of debris. When an application for a Section 404 permit is made the applicant must show it has:
  - Taken steps to avoid impacts to wetlands or waters of the U.S. where practicable;
  - Minimized unavoidable impacts on waters of the U.S. and wetlands; and
  - Provided mitigation for unavoidable impacts.

Section 404 of the CWA requires a permit for construction activities involving placement of any kind of fill material into waters of the U.S. or wetlands. A water quality certification pursuant to Section 401 of the CWA is required for Section 404 permit actions. If applicable, construction would also require a request for water quality certification (or waiver thereof) from the Central Valley RWQCB. Project activities would adhere to state and federal water quality standards and would be in compliance with Sections 401 and 404 of the CWA.

- Section 303, Water Quality Standards and Implementation Plans. Section 303(d) of the CWA (33 U.S. Code 1250, et seq., at 1313(d)) requires states to identify “impaired” water bodies as those which do not meet water quality standards. States are required to compile this information in a list and submit the list to the U.S. Environmental Protection Agency for review and approval. This list is known as the Section 303(d) list of impaired waters. As part of this listing process, states are required to prioritize waters and watersheds for future development of total maximum daily loads (TMDL) requirements. The SWRCB and RWQCBs have ongoing efforts to monitor and assess water quality, to prepare the Section 303(d) list, and to develop TMDL requirements.

### **Porter-Cologne Water Quality Control Act of 1969**

The Porter-Cologne Water Quality Control Act was established to regulate and protect the quality of water in California. It created the State Water Resources Control Board (SWRCB) and divided the state into nine regional basins, each governed by a Regional Water Quality Control Board (RWQCB). The primary responsibility of the SWRCB is to safeguard the quality of surface and groundwater supplies in the state, while the regional boards are tasked with developing and enforcing water quality objectives and implementation plans.

The Project falls under the jurisdiction of the Central Valley RWQCB. The Porter-Cologne Act grants the SWRCB the authority to establish state policies about water quality, as outlined in Section 303 of the Clean Water Act (CWA). Additionally, the SWRCB is empowered to issue Waste Discharge Requirements (WDRs) for projects that involve discharging substances into state waters.

According to the Porter-Cologne Act, both the SWRCB and the Central Valley RWQCB are required to adopt water quality control plans, also known as basin plans, to protect water quality. These basin plans serve several purposes: they identify the beneficial uses of water that need protection, establish water quality objectives to reasonably safeguard these beneficial uses, and establish an implementation program to achieve the defined water quality objectives.

Basin plans serve as a technical foundation for determining waste discharge requirements, initiating enforcement actions, and evaluating proposals for grants related to clean water. It is important to note that basin plans are regularly reviewed and updated every three years, following Article 3 of the Porter-Cologne Act and Section 303(c) of the Clean Water Act (Central Valley RWQCB, 2004, with approved amendments).

#### **Central Valley RWQCB**

The proposed Project Site is within the jurisdiction of the Central Valley. The Central Valley RWQCB requires an NPDES Permit and Stormwater Pollution Prevention Plan (SWPPP) for Projects disturbing more than one acre of total land area. Because the Project is greater than one acre, an NPDES Permit and SWPPP will be required.

#### **Sustainable Groundwater Management Act**

In September 2014, the California Legislature introduced three bills (AB 1739, SB 1168, and SB 1319) collectively known as the Sustainable Groundwater Management Act (SGMA). This legislation established a framework for the sustainable management of groundwater resources. The primary goal of SGMA is to empower local agencies to develop and implement groundwater management plans specifically tailored to their communities' unique needs and resources.

SGMA intends to ensure that sustainable groundwater management practices are in place to mitigate the impacts of drought and climate change. By adopting such practices, communities can secure reliable water supplies regardless of unpredictable weather patterns. SGMA is an integral part of the comprehensive California Water Action Plan, encompassing various initiatives such as water conservation, water recycling, expanded water storage, safe drinking water, and restoration of wetlands and watersheds. It is important to note that SGMA does not infringe upon existing rights related to surface water and groundwater, nor does it interfere with ongoing measures to address drought conditions.

If local agencies fail to establish a groundwater sustainability agency or neglect to adopt or implement a groundwater sustainability plan, the State Water Resources Control Board (SWRCB) may intervene to address the situation.

### **Tulare Urban Water Management Plan**

The City of Tulare's 2020 Urban Water Management Plan (UWMP) assesses water demand and potential supply, considering projected population growth and expansion of urban areas. According to Water Code Section 10644(a), urban water suppliers are obligated to submit their UWMPs to the Department of Water Resources (DWR), the California State Library, and any relevant city or county where the water supplier provides its services. The UWMP provides a comprehensive overview of the City's water system, including analyzing system demands, available system supplies, assessments of water supply reliability, and contingency plans for water shortages. Additionally, the plan incorporates measures aimed at managing and reducing water demand.

### **City of Tulare General Plan**

The City of Tulare 2035 General Plan *Conservation and Open Space Element* includes the following goals and policies intended to protect the City's water resources and are relevant to the proposed Project.

- Goal COS-1: To preserve and enhance surface waterways and aquifers.
  - *Policy COS-1.2: Groundwater Recharge Area Protection.* When considering new development, the City shall protect existing open spaces, natural habitat, floodplains, and wetland areas that serve as groundwater recharge areas.
  - *Policy COS-1.3: Continued Recharge of Groundwater Basin.* In known or identified groundwater recharge areas, the predominant land use and resource activities should be designed to promote recharge of the groundwater basin and protection of groundwater quality at a level superior to standard development practices. When appropriate to the land use designation, clustered development should be encouraged to promote open space and continue infiltration.
  - *Policy COS-1.4: Groundwater Wells:* The City shall protect and monitor its groundwater wells to ensure a sufficient groundwater supply.
  - *Policy COS-1.8: Water Conservation.* The City shall promote efficient water use and reduced water demand by:
    - a) Requiring water-conserving design and equipment in new construction;
    - b) Encouraging water-conserving landscaping and other conservation measures; and
    - c) Encourage retrofitting existing development with water conserving devices.
    - d) Providing public education programs.
    - e) Distributing outdoor lawn watering guidelines.
    - f) Promoting water audit and leak detection programs.
    - g) Enforcing water conservation programs.

- *COS-1.11: Water for Irrigation.* Whenever possible, the City shall require new development to use recycled or non-potable water for irrigation in landscaped areas.
  - *COS-1.13: Pollution from Runoff.* New projects (excluding residential parcel maps) will be required to provide onsite detention facilities designed to retain the first inch of runoff from a site.
- Goal COS-2: To preserve and protect sensitive significant habitats, enhance biodiversity, and promote healthy ecosystems throughout the Urban Development Boundary (UDB).
    - *Policy COS-2.2: Protection of Natural Areas.* The City shall support preservation, maintenance, restoration, and enhancement of natural systems, waterways, and open space.
    - *Policy COS-2.5: Open Space Buffers.* The City shall require buffer areas between development projects and significant watercourses, riparian vegetation, wetlands, and other sensitive habitats and natural communities.

The City of Tulare 2035 General Plan *Land Use Element* includes the following goals and policies intended to protect the City's water resources and are relevant to the proposed Project.

- Goal LU-11: To provide optimal municipal facilities and services, consistent with available resources, that are adequate to meet the needs of desired future growth.
  - *Policy LU-11.3: System Expansion.* The City shall require new development be responsible for expansion of existing facilities such as water systems, sewer systems, storm drainage systems, parks and other capital facilities made necessary to serve the new development.
  - *Policy LU-11.16: Detention Facilities.* The City shall utilize stormwater detention facilities to mitigate drainage impacts and reduce storm drainage system costs. To the extent practical, stormwater detention facilities should be designed for multiple purposes, including recreational and/or stormwater quality improvement.

## **Discussion**

### **a) Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

**Less than Significant with Mitigation:** The Project will result in less than significant impacts on water quality due to potentially polluted runoff generated during construction activities. Construction would include excavation, grading, and other earthworks that may occur across most of the Project Site. During storm events, exposed construction areas across the Project Site may cause runoff to carry pollutants, such as chemicals, oils, sediment, and debris. No direct discharges into surface water are expected. The Project will require implementing a stormwater pollution prevention plan (SWPPP). An SWPPP identifies all

potential sources of pollution that could affect stormwater discharges from the Project Site and identifies best management practices (BMPs) related to stormwater runoff. The SWPPP will prevent and control pollutant discharges associated with construction activities, including accidental discharges that could enter the ditch on the northern boundary of the Site. In addition, Mitigation Measure HYD-4 would apply to any work that may affect Hooper Ditch, including activities that may substantially divert or obstruct flow, change or use material from the bed, bank, or channel, remove riparian vegetation, or deposit debris, waste, or other materials, thereby providing an additional compliance framework to avoid degradation of water quality.

After Project construction, the ratio of impermeable to permeable surfaces is expected to be greater than in existing conditions. However, the amount of exposed asphalt surface areas that introduce oil and rubber particulates into stormwater runoff would be substantially reduced due to BMPs. As such, though surface water runoff after project construction would still likely contain similar combinations of pollutants otherwise found in other urban areas in Tulare, it is likely to contain less quantities of oil, rubber, and related pollutants due to the Project's land uses and BMPs implemented. No significant long-term deleterious change in runoff water quality is expected. As such, implementing Mitigation Measures HYD-1, HYD-2, HYD-3, and HYD-4 will ensure impacts remain *less than significant with mitigation*.

**b) Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?**

**Less than Significant Impact:** The City of Tulare will provide water services upon development. The City's only water supply source is 27 wells that extract water from an underground aquifer. According to Tulare's Urban Water Management Plan (UWMP), updated in 2021, the projected water demand for Tulare in 2025 is 6,255 million gallons (MG), an increase from the 2020 demand of 5,519 MG. Future projected water uses are estimated at 6,421 MG in 2030, 6,910 MG in 2035, and 7,436 MG in 2040.

The total water demand of the proposed Project was estimated using the City of Tulare UWMP. For residential uses, Tulare used 242 gallons per capita per day (gpcd). Due to the indoor residential water use standards discussed in AB 1668 and SB 606, Tulare is projecting a demand of 220 and 200 gpcd for 2025 and 2030 and beyond, respectively. Landscaping is included with the residential uses. Using the 2030 average per person water use in the City of Tulare (200 gpcd) and the average household size in Tulare (3.32 persons; 2022 U.S. Census Bureau, Table DP02), the water demand for the proposed 285 units is estimated to be approximately 189,240 gallons per day (GPD), 69 million gallons per year (MGPY), or 212 Acre feet per year (AFY).

The Site was historically used for orchard cultivation. Comparable almond orchard sites require an average of 3.5 AFY per acre (California Water Impact Network). Given the 59.3-acre area of the Project site, the prior agricultural water use would have been approximately 208 AFY. This is only slightly less than the Project's estimated demand of 212 AFY, representing a difference of less than 2% that would not constitute a substantial change in consumption. Therefore, the conversion from fallowed orchards to residential development would result in a negligible increase in water use relative to historical agricultural demands, and the Project would not substantially decrease groundwater supplies beyond existing conditions.

From 2020 to 2025, the City plans to increase the water supply by 736 MG/year to meet demands. The supply and demand of water is projected to increase every year. The City would have sufficient groundwater supplies for the Project.

The proposed Project is consistent with the City's General Plan land use designation. As such, the Project would not affect groundwater supplies in the Kaweah Subbasin beyond what is already analyzed in the most current General Plan EIR and Water Management Plan.

The Project would result in the nearly complete development of the site, outside of the park and storm basin, which would convert pervious surfaces to impervious surfaces. However, this would not significantly interfere with groundwater recharge because all stormwater will be collected and diverted to the planned storm retention basin on the western portion of the Project site for groundwater recharge. All stormwater is accounted for in the new stormwater basin. The Project will require 22 acre-feet (AF) of storage, and the planned basin will have a capacity of 22.1 AF.

Because the addition of impervious surfaces would not interfere substantially with groundwater recharge, and the Project would not utilize groundwater resources beyond what has been previously analyzed in the City's General Plan EIR, the impact would be *less than significant*.

**c) Substantially alter the existing drainage pattern of the Site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would:**

**i. Result in substantial erosion or siltation on- or off-Site?**

**Less than Significant Impact with Mitigation:** The proposed Project would result in the addition of impervious surfaces and alter existing drainage patterns on the Site, which would have the potential to result in erosion or siltation on or off-site. The disturbance of soils during construction could cause erosion, resulting in temporary construction impacts. However, this impact would be appropriately mitigated by implementing a Stormwater Pollution Prevention Plan (SWPPP), which includes mandated erosion

control measures developed to prevent significant impacts related to erosion caused by runoff during construction (Mitigation Measure HYD-1). The Project proponent will also be required to prepare drainage plans (Mitigation Measure HYD-2) and a Development Maintenance Manual (Mitigation Measure HYD-3) to maintain existing drainage patterns during Project operations. The Project would not result in substantial erosion or siltation on or off-site.

Additionally, if any Project work may affect Hooper Ditch along the northern boundary of the Site, the Project would comply with Mitigation Measure HYD-4, which requires notification to CDFW pursuant to Fish and Game Code section 1602 and implementation of all conditions of any required Agreement, thereby further reducing the potential for erosion or sedimentation effects to the ditch. The impact is *less than significant with the implementation of these mitigation measures*.

**ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?**

**Less than Significant Impact with Mitigation:** The proposed Project would result in the addition of impervious surfaces on the Site, which could potentially increase surface runoff resulting in flooding on or off-site. This impact would be appropriately mitigated through the implementation of Mitigation Measure HYD-2, which requires the Project to submit drainage plans to the City Engineer before the issuance of grading permits. The drainage plans will include BMPs to ensure runoff from the Project will not result in flooding on- or off-site. Therefore, impacts are *less than significant with mitigation*.

**iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

**Less than Significant with Mitigation:** The proposed Project would add impervious surfaces and alter existing drainage patterns on the Site. This could impact existing stormwater drainage systems or provide additional sources of polluted runoff. The disturbance of soils during construction could cause erosion, resulting in temporary construction impacts. However, this impact would be appropriately mitigated by implementing a Stormwater Pollution Prevention Plan (SWPPP), which includes mandated erosion control measures developed to prevent significant impacts related to erosion caused by runoff during construction (Mitigation Measure HYD-1). In addition, if any work may affect Hooper Ditch, compliance with Mitigation Measure HYD-4 would govern activities that could affect the bed/bank/channel or result in deposition of debris or materials, providing additional protection against pollutant transport to the ditch.

During Project operations, the proposed impervious surfaces, including roads, building pads, and parking areas, would collect automobile-derived pollutants such as oils, greases, rubber, and heavy metals. This could contribute to point and non-point source pollution if these pollutants were transported into waterways during storm events. The Project proponent will be required to prepare drainage plans (Mitigation Measure HYD-2) and a Development Maintenance Manual (Mitigation Measure HYD-3) to ensure that the Project will not overwhelm existing or planned stormwater drainage systems or result in discharges of polluted runoff into local waterways. The impact is *less than significant with the implementation of these mitigation measures*.

#### **iv. Impede or redirect flood flows?**

**Less than Significant with Mitigation:** The proposed Project would result in the addition of impervious surfaces on the Site, which could affect drainage and flood patterns. However, the Site is generally flat, and not located within a FEMA flood zone. This impact would be appropriately mitigated through the implementation of Mitigation Measure HYD-2, which requires the Project to submit drainage plans to the City Engineer before the issuance of grading permits. The drainage plans will include BMPs to ensure the Project will not impede or redirect flood flows. Therefore, impacts are *less than significant with mitigation*.

#### **d) Would the Project, in flood hazard, tsunami, or seiche zones, risk the release of pollutants due to Project inundation?**

**No Impact:** The proposed Project is located inland and not near a flood hazard zone, ocean, or large body of water. The Federal Emergency Management Agency (FEMA) states that the Site is entirely in Zone X, or an "Area of Minimal Flood Hazard." The proposed Project is in a relatively flat area and would not be impacted by inundation related to mudflow. Since the Project is in an area that is not susceptible to inundation, the Project would not risk the release of pollutants due to Project inundation. As such, there is *no impact*.

#### **e) Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**No Impact:** The proposed Project will not conflict with or obstruct the implementation of a water quality control plan. The proposed Project will be subject to the requirements of the NPDES Stormwater Program. It will be required to comply with an SWPPP, which will identify all potential sources of pollution that could affect stormwater discharges from the Project Site and identify BMPs to prevent significant impacts related to stormwater runoff.

The proposed Project Site is within the jurisdiction of the Mid-Kaweah Groundwater Sustainability Agency. The Mid-Kaweah GSA adopted a Groundwater Sustainability Plan (GSP) in January 2020. The plan was reviewed for consistency with the proposed Project,

and it was determined that it does not conflict with and would not obstruct the implementation of the GSP. There is *no impact*.

### **Mitigation Measures for Hydrology and Water Quality**

**Mitigation Measure HYD-1:** Before issuing grading permits, the Project proponent shall submit an NOI and SWPPP to the RWQCB to obtain coverage under the General Permit for Discharges of Stormwater Associated with Construction Activity. The SWPPP shall specify and require the implementation BMPs to keep all erosion products from moving offsite and into receiving waters during construction. The requirements of the SWPPP shall be incorporated into design specifications and construction contracts. Recommended BMPs for the construction phase shall include, but are not limited to, the following:

- Stockpiling and disposing of demolition debris, concrete, and soil properly;
- Protecting existing storm drain inlets and stabilizing disturbed areas;
- Implementing erosion controls;
- Properly managing construction materials; and
- Managing waste, aggressively controlling litter, and implementing sediment controls.

The developer shall provide the City of Tulare Engineering Division with evidence of an approved SWPPP before issuing grading permits.

**Mitigation Measure HYD-2:** Before issuance of grading permits, the Project proponent shall prepare a drainage plan for the Project for approval by the City Engineer that identifies postconstruction treatment, control, and design measures that minimize surface water runoff, erosion, siltation, and pollution. The drainage plan shall be prepared per the City's SWMP and California Stormwater Quality Association's Storm Water Best Management Practices Handbook and the City Engineer's Technical Specifications and Public Improvement Standards. During the Project's final design, the Project proponent shall implement a suite of post-construction stormwater treatment and control BMPs designed to address the most likely sources of stormwater pollutants resulting from the operation and maintenance of the Project. These measures shall account for the proposed development at the Project Site. Stormwater infrastructure will be designed adhering to methods and standards described in Section E.12.e.ii.c of the SWRCB Phase II Small MS4, General Permit (Order No. 2013-0001-DWQ).

Incorporation of City Engineer-approved BMPs and design features into the Project design and construction documents shall ensure that operational water quality exceeds applicable water quality standards. The City Engineer may also require other necessary BMPs and design features. The Project proponent shall also prepare and submit an Operations and Maintenance Agreement to the City of Tulare for its approval identifying appropriate procedures to ensure that stormwater quality control measures work properly during operations.

**Mitigation Measure HYD-3:** A Development Maintenance Manual for the Project shall include comprehensive procedures for maintenance and operations of any stormwater facilities to ensure long-term operation and maintenance of post-construction stormwater controls. The maintenance manual shall require that stormwater BMP devices be inspected, cleaned, and maintained following the manufacturer's maintenance conditions. The manual shall require that devices be cleaned before the onset of the rainy season (i.e., mid-October) and immediately after the end of the rainy season (i.e., mid-May). The manual shall also require that all devices be checked after significant storm events. The Development Maintenance Manual shall include the following:

- Runoff shall be directed away from the trash and loading dock areas;
- Bins shall be lined or otherwise constructed to reduce the leaking of liquid wastes;
- Trash and loading dock areas shall be screened or walled to minimize offsite transport of trash; and,
- Impervious berms, trench catch basins, drop inlets, or overflow containment structures nearby docks and trash areas shall be installed to minimize the potential for leaks, spills, or washdown water to enter the drainage system.

**Mitigation Measure HYD-4:** Prior to initiation of any work that may affect Hooper Ditch (including, but not limited to, activities that may substantially divert or obstruct flow; change or use material from the bed, bank, or channel; remove riparian vegetation; or deposit debris or other materials), the Project applicant shall notify CDFW pursuant to Fish and Game Code section 1602 and shall obtain a Lake and Streambed Alteration Agreement if determined necessary by CDFW. The Project applicant shall implement all measures and conditions required by any such Agreement prior to and during construction.

## XI. LAND USE AND PLANNING

<b>Would the Project:</b>	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) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **Environmental Setting**

The proposed Project Site is in the western portion of the City of Tulare. The Site is currently vacant (formerly used as an orchard) and designated Low-Density Residential by the City of Tulare 2035 General Plan. The Project Site's existing General Plan land use designation is Residential Low Density, with a current zoning designation of R-1-4 (Single Family Residential, 4,000 Square Foot Minimum Site Area). The proposed General Plan designation is Residential Low Density with a portion of the Site designated as Medium Density Residential, to accommodate the increased density that comes with multi-family zoning. The Project's proposed zoning is R-1-4 and RM (Medium Family Residential). The project requires both a zoning change and a General Plan Land Use Amendment.

The surrounding land is agricultural, single-family housing, or is vacant. The planned uses of these properties from the Tulare General Plan vary. To the north and east, the land will remain low-density residential. To the west and south side, the properties are planned for agriculture or open space.

### **Regulatory Setting**

#### **City of Tulare General Plan**

The City of Tulare 2035 General Plan *Land Use Element* includes the following goals and policies intended to protect the City's water resources and are relevant to the proposed Project.

- o Goal LU-1: To ensure that Tulare's future growth will proceed in an orderly manner, provide for an appropriate mix of land use opportunities, encourage and provide incentives for

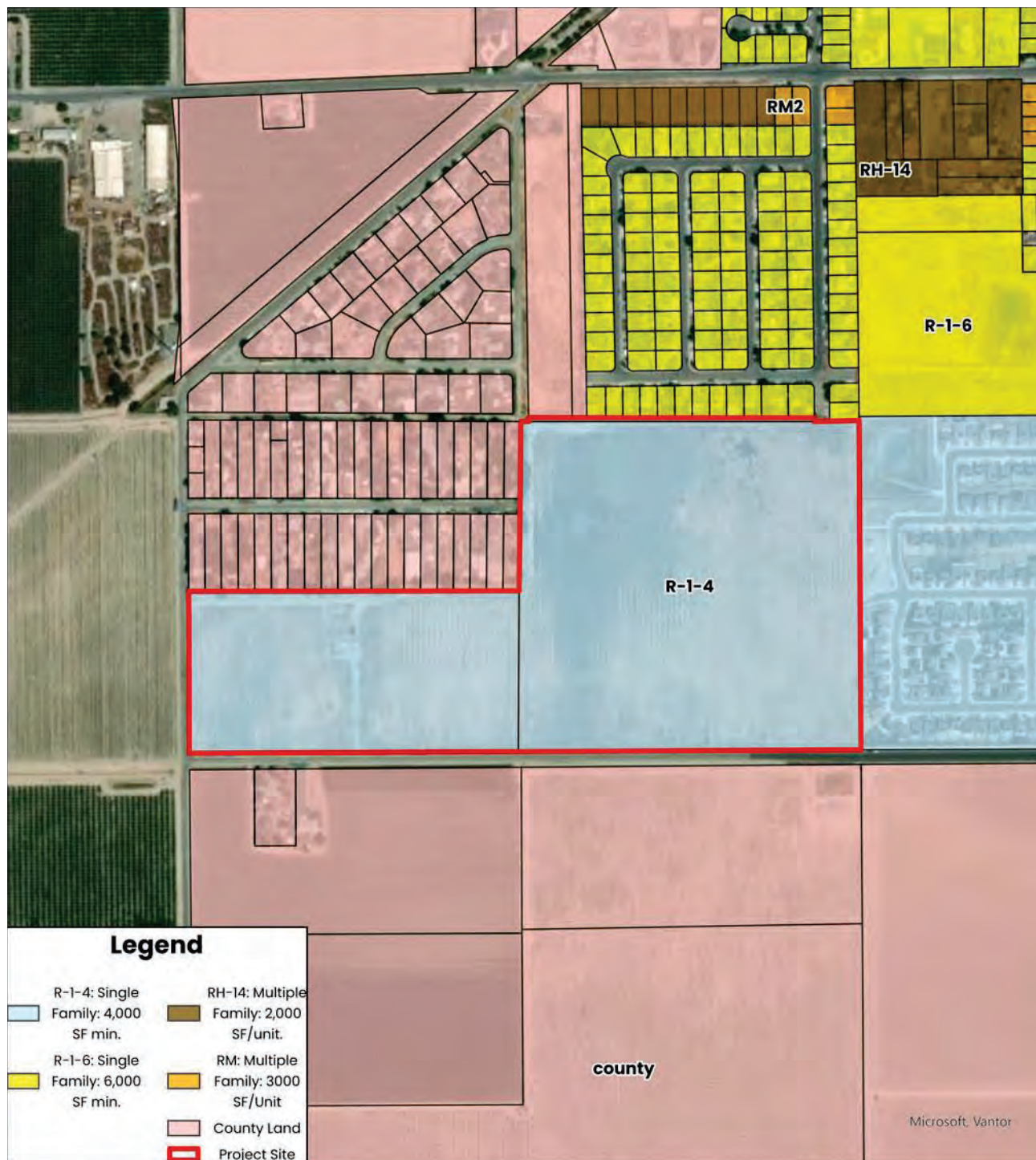
infill development, prevent urban sprawl, and promote the efficient and equitable provision of public services to all neighborhoods.

- *Policy LU-1.2: Land Use Designations.* The City will utilize the land use designations presented on the following pages for regulating future growth within the UDB:
  - Low Density Residential (LDR): This designation establishes areas for single-family residences in a suburban configuration. Uses typically allowed include detached single-family homes, secondary dwellings, and residential support uses such as churches, schools, and other necessary public utilities and safety facilities.
    - Density Range: 3.1-7.0 DU/A
    - Minimum Lot Size: 4,000 Square Feet
  - Medium Density Residential (MDR): This land designation establishes areas for single-family and low-density multi-family dwellings located near neighborhood serving uses such as, grocery stores, schools, parks, and other public services. Uses typically allowed include single-family dwellings, second units, town homes, duplexes, triplexes, and mobile home parks.
    - Density Range 7.1-14.0 DU/A
    - Minimum Lot Size 6,000 Square Feet
- Goal LU-2: To grow in an orderly pattern consistent with the economic, social, and environmental needs of Tulare and taking regional impacts into account.
  - *Policy LU-2.2: Compact Development.* The City shall promote development patterns that are compact and use space in an efficient but aesthetic manner to promote more walking, biking, and use of public transit.
  - *Policy LU-2.3: Infill Development.* The City shall encourage and provide incentives for infill development to occur within or adjacent to existing development in order to maximize the use of land within existing urban areas as well as downtown revitalization, and not focus solely on development of undeveloped areas. This policy will help to maximize the use of land within existing urban areas, minimize the conversion of existing agricultural land, and minimize environmental concerns associated with new development.
  - *Policy LU-2.4: Self-Sufficient Community.* The City shall establish a growth pattern that reduces reliance on areas outside of the city for shopping needs, and furthers the City's desire to be a self-sufficient, full-service community.
  - *Policy LU-2.14: Development Impact Fees.* The City shall keep and maintain current development impact fee categories for new construction so that new construction adequately mitigates potential impacts to existing levels of service of infrastructure and public services.
- Goal LU-3: To designate, protect, and provide land to ensure sufficient residential development capacity and variety to meet community needs and projected population growth.

- *Policy LU-3.6: High Density Residential Locations.* The City shall encourage the development of higher density housing including near commercial services, employment centers, principal arterial routes, and public transportation.
- Goal LU-4: To promote commercial development that meets present and future needs of Tulare residents, the regional community, and visitors and to enhance economic vitality and sustainability.
  - *Policy LU-4.1: Neighborhood Commercial.* The City shall encourage the distribution of neighborhood commercial centers (typically anchored by a grocery store) throughout the city to ensure convenient access to Tulare residents and promote Tulare as a sufficient, full-service community.
  - *Policy LU-4.8: Buffer Commercial Land Uses.* The City shall require buffers between commercial and residential land uses through techniques such as landscaping, soundwalls, living walls, berms, fencing, open space setbacks/greenbelts, and building orientation.
  - *Policy LU-4.12: Commercial Signage.* The City shall require that signage in commercial development complement, rather than detract, from the visual quality of the commercial development and surrounding neighborhoods.
  - *Policy LU-4.13: Incorporation of Alternative Transportation.* Commercial facilities should be designed to encourage and promote transit, pedestrian, and bicycle access. The City shall require, when feasible, that new commercial development be designed to encourage and facilitate pedestrian and bicycle circulation within and between commercial sites and nearby residential areas.
  - *Policy LU-4.14: Minimize Visual Impact.* The City shall require new commercial development to be designed to minimize the visual impact of parking areas on public roadways.



Figure 3-6: City of Tulare General Plan Land Use Designations.



## Zoning Map Sherwood South Subdivision City of Tulare



Figure 3-7: Zoning Designations for the City of Tulare.

## **Discussion**

### **a) Would the Project physically divide an established community?**

**No Impact:** The Project proposes a single-family development on a property planned for and zoned for low-density residential use. The Project would provide pedestrian and vehicular connectivity to neighboring residential developments and will not be a physical barrier within a community. The Site is entirely within the City's Limits and Urban Development Boundary. There is *no impact*.

### **b) Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

**No Impact:** The proposed Project requires both a zoning change and a General Plan land Use Amendment to accommodate the increased housing density. Upon approval of these entitlements, these proposed changes will not conflict with any land use plans but work towards accomplishing the City's goals. The City of Tulare's General Plan establishes Goal LU-3, a land use goal to protect and provide land to ensure sufficient residential development with variety to meet community needs and growth. Policy LU-P3.1 and LU-P3.9 within this goal encourages creating neighborhoods with mixed uses and varying densities that meets various socio-economic needs. This Project aims to provide a mix of housing densities that aligns with the City's overall goal of creating a healthy, balanced community. This Project will have an impact on existing land use plan, policy, and regulation for the Project area, but would provide a mixed density neighborhood that is compliant with the City's Land Use goals. There will be a *less than significant impact*.

## XII. MINERAL RESOURCES

<b>Would the Project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally - important mineral resource recovery Site delineated on a local general plan, specific plan or other lands use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **Environmental Setting**

Tulare represents one of California's diverse geomorphic provinces in the Central Valley province. The region holds notable economic significance due to its mineral resources, particularly in eastern Tulare County, where sand, gravel, and crushed stone serve as vital sources for aggregate in road construction and other developments. The aggregate extraction primarily relies on two primary sources: alluvial deposits found in riverbeds and floodplains and hard rock quarries. As a result, mining operations are predominantly concentrated along rivers at the base of the Sierra foothills. To ensure responsible mining practices and safeguard public health and the environment, California regulates surface mining through the Surface Mining and Reclamation Act (SMARA), a State law established in 1975. SMARA serves the dual purpose of securing a continuous supply of mineral resources for the state while safeguarding the welfare of the community and natural surroundings. Accordingly, SMARA necessitates that all cities incorporate approved mapped mineral resource designations from the State Mining and Geology Board into their general plans. In Tulare County, four primary streams, namely the Kaweah River, Lewis Creek, Deer Creek, and the Tule River, have been pivotal sources of high-quality sand and gravel, further contributing to the region's development and infrastructure projects.

No mineral extraction occurs on or adjacent to the proposed Project Site. The City has not previously or currently designated important mineral resources recovery areas within or immediately adjacent to the City.

In addition, the Project site does not contain any oil or gas extraction wells. The nearest well to the Project site is a plugged dry hole located approximately 2,500 feet west of the Project site.

## **Regulatory Setting**

### **California State Surface Mining and Reclamation Act**

The California State Surface Mining and Reclamation Act was adopted in 1975 to regulate surface mining, prevent adverse environmental impacts, and preserve the state's mineral resources. The California Department of Conservation's Division of Mine Reclamation enforces the Act. The Act creates surface mining and reclamation policy to ensure that:

- Production and conservation of minerals is encouraged;
- Environmental effects are prevented or minimized;
- Consideration is given to recreational activities, watersheds, wildlife, range and forage, and aesthetic enjoyment;
- Mined lands are reclaimed to a useable condition once mining is completed; and
- Hazards to public safety both now and in the future are eliminated.

### **City of Tulare General Plan**

The City of Tulare 2035 General Plan *Conservation and Open Space Element* includes the following goals and policies intended to protect the City's mineral resources and are relevant to the proposed Project.

- Goal COS-8: To protect the current and future extraction of mineral resources that are important to the City's economy while minimizing impacts of this use on the public and the environment.
  - *Policy COS-8.5: Incompatible Development.* Proposed incompatible land uses shall not be on lands containing, or adjacent to, identified mineral deposits or along key access roads, unless adequate mitigation measures are adopted or a statement of overriding considerations stating public benefits and overriding reasons for permitting the proposed use are adopted.

## **Discussion**

### **a) Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

**No Impact:** The Project Site has no known mineral resources that would be of value to the region and the residents of the state. The Project is not located on an abandoned quarry or mine. No mineral resource recovery sites are located on or near the Project Site. Implementing the proposed Project would not result in the loss of availability of a known mineral resource or resource recovery site. Therefore, the proposed Project would not result in the loss or impede the mining of regionally or locally important mineral resources. There is *no impact*.

**b) Would the Project result in the loss of availability of a locally - important mineral resource recovery Site delineated on a local general plan, specific plan or other lands use plan?**

**No Impact:** No known mineral resources are in the region. The Project Site is not designated under the City's or County's General Plan as an important mineral resource recovery Site. Therefore, the proposed Project would not result in the loss of availability of known regionally or locally important mineral resources. There is *no impact*.

**XIII. NOISE**

<b>Would the Project result in:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground-borne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a Project located within the vicinity of a private airstrip or, an airport land use plan or, where such a plan has not been adopted, within two miles of public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

Noise is described as an unwanted sound. Sound is the variation in air pressure that the human ear can detect. If the pressure variations occur at least 20 times per second, they can be detected by the human ear. The number of pressure variations per second is called the frequency of sound and is expressed as cycles per second, called Hertz (Hz).

Ambient noise is the “background” noise of an environment. Ambient noise levels on the proposed Site are primarily due to agricultural activities and traffic. Construction activities usually result in an increase in sound above ambient noise levels.

Noise levels are higher during the day and early evening when there is more traffic, commercial, and industrial activity. However, noise sources experienced during nighttime hours when background levels are generally lower can be potentially more noticeable and annoying to the listener. To evaluate noise in a way that considers periodic fluctuations

experienced throughout the day and night, a concept called “community noise equivalent level” (CNEL) was developed. CNEL is a measure of noise weighted, added, and averaged over a 24-hour period to reflect magnitude, duration, frequency, and time of occurrence.

The day-night average sound level (Ldn) is a measure of noise that is weighted, added, and averaged over a 24-hour period to reflect magnitude, duration, frequency, and time of occurrence. The noise level measurements between 22:00 and 07:00 are artificially increased by 10 dB before averaging. This noise is weighted to consider the decrease in community background noise of 10 dB during this period. The Federal Aviation Administration has established this measure as a community noise exposure metric to aid airport noise analyses under Federal Aviation Regulation Part 150. The FAA says that a maximum day-night average sound level of higher than 65 dB is incompatible with residential communities.

Other types of measurements are used to characterize the time-varying nature of sound. These measurements include:

- Decibel (dB): A unitless measure of sound on a logarithmic scale, which indicates the squared ratio of sound pressure amplitude to a reference sound pressure amplitude.
- A-weighted decibel (dBA): An overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear.
- Equivalent sound level (Leq): The constant level that, over a given time period, transmits the same amount of acoustic energy as the actual time-varying sound. Equivalent sound levels are the basis for both the Ldn and CNEL scales.
- Maximum sound level (Lmax): The maximum sound level measured during the measurement period.
- Minimum sound level (Lmin): The minimum sound level measured during the measurement period.
- Percentile-exceeded sound level (Lxx): The sound level exceeded X% of a specific time period. L10 is the sound level exceeded 10% of the time, L50 is the median sound level, and L90 is the sound level exceeded 90% of the time.

## **Regulatory Setting**

### **Federal Transit Administration**

In the FTA’s Transit Noise and Vibration Impact Assessment guidance manual, the FTA recommends a daytime construction noise level threshold of 80 dBA Leq over an eight-hour period when detailed construction noise assessments are performed to evaluate potential impacts to community residences surrounding a project (FTA 2018). Although this FTA guidance is not a regulation, it can serve as a quantified standard in the absence of such limits at the state and local jurisdictional levels. The FTA identifies a construction-related vibration damage threshold of 0.3 ips PPV for typical residential structures (0.12 ips PPV for fragile historic structures).

### **State of California General Plan Guidelines**

The State of California General Plan Guidelines (OPR 2003) offer guidelines concerning the noise elements within local General Plans, encompassing a sound level/land use compatibility chart that classifies outdoor Ldn (Day-Night Sound Level) ranges into four categories: normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable. It is worth noting that certain land uses may exhibit overlapping Ldn ranges for two or more compatibility categories, signifying the importance of context-specific assessments. The guideline chart delineates the Ldn value ranges for various land uses. Low-density residential uses are generally deemed normally acceptable when Ldn values remain below 60 dB, while the conditionally acceptable range is established between 55 dB and 70 dB. High-density residential uses are considered normally acceptable when Ldn values remain below 65 dB and conditionally acceptable between 60 dB and 70 dB. Similarly, educational and medical facilities are categorized as normally acceptable when Ldn values are below 70 dB, while the conditionally acceptable range falls within 60 dB to 70 dB. For office and commercial land uses, Ldn values below 70 dB are considered normally acceptable, and Ldn values of 67.5 dB to 77.5 dB are categorized as conditionally acceptable. In situations where noise levels fall within the conditionally acceptable range, new construction must only proceed after conducting a comprehensive analysis of the necessary noise reduction measures and ensuring that appropriate noise insulation requirements are incorporated into the design. The inclusion of overlapping Ldn ranges serves as a guideline to underscore the significance of accounting for local conditions, such as existing sound levels and community perceptions of dominant sound sources, when assessing the compatibility of land uses at specific locations. This approach ensures that noise concerns are addressed effectively while promoting harmonious and sustainable development within the community.

### **City of Tulare General Plan**

The City of Tulare 2035 General Plan *Noise Element* includes the following goals and policies intended to protect the City's noise resources and are relevant to the proposed Project.

- Goal NOI-1: Protect the citizens of Tulare County from the harmful effects of exposure to excessive noise.
  - *Policy NOI-1.2: Sound Attenuation Features*. The City shall require sound attenuation features such as walls, berming, heavy landscaping, and setbacks between commercial, industrial, and residential uses to reduce noise and vibration impacts.
  - *Policy NOI-1.3: Noise Buffering*. The City shall require noise buffering or insulation in new development along major streets, highways, and railroad tracks.
  - *Policy NOI-1.5: Construction Noise*. Reduce noise associated with construction activities by requiring properly maintained mufflers on construction vehicles, requiring the placement of stationary construction equipment as far as possible from developed areas, and requiring temporary acoustical barriers/shielding to minimize construction noise impacts at adjacent receptors. Special attention

- should be paid to noise-sensitive receptors (including residential, hospital, school, and religious land uses).
- *Policy NOI-1.6: Limiting Construction Activities.* The City shall limit construction activities to the hours of 6 am to 10 pm, Monday through Saturday.
  - *Policy NOI-1.11: Domestic Noise.* Reduce the negative effects of domestic noise sources, such as residential maintenance activities (e.g., leaf blowers or automobile repair), car alarms, barking dogs, and loud music through the establishment and enforcement of municipal codes. The enforcement provisions should ensure that response(s) to resident noise complaints are prompt and effective so as to maintain a quiet and peaceful environment within the city.
  - *Policy NOI-1.12: Noise Ordinance.* Maintain, enforce, and update as necessary the City of Tulare Noise Ordinance to prevent transmission of excessive noise between properties.
  - *Policy NOI-1.13: Noise Ordinance-Limits on Hours of Operation.* Amend the noise ordinance to include limits on the intensity and hours of use for selected noise sources such as construction equipment, manufacturing equipment, motors, delivery trucks, and parking lot vacuum equipment. Limits on hours of operation should be consistent with and achieve the goals of the land use compatibility standards.
  - *Policy NOI-1.18: Construction-related Vibration.* Evaluate individual projects that use vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, near sensitive receptors for potential vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses (i.e., exceed the Federal Transit Administrations vibration annoyance criterion shown on Table 4.10-6), additional requirements, such as use of less-vibration-intensive equipment or construction techniques, should be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).
- Goal NOI-2: Protect the economic base of Tulare County by preventing the encroachment of incompatible land uses near known noise producing industries, railroads, airports, and other sources.
    - *Policy NOI-2.1:* New development of residential or other noise-sensitive land uses which require discretionary approval under the Tulare County Zoning Ordinance or the Tulare County Subdivision Ordinance (e.g. use permits, zone changes, subdivision maps, parcel maps) will not be permitted in noise-impacted areas unless effective mitigation measures are incorporated into the specific design of such projects to reduce noise levels to 60 dB Ldn (or CNEL) or less within outdoor activity areas and 45 dB Ldn (or CNEL) or less within interior living spaces. No noise-sensitive land uses which require approval under the Tulare County Zoning Ordinance or the Tulare County Subdivision Ordinance shall be permitted within the 60 CNEL contour of the public use airports identified in this Plan. Where it is not possible to reduce exterior noise levels within outdoor activity areas to 60 dB Ldn

- (or CNEL) or less after the practical application of the best available noise reduction technology, an exterior noise level of up to 65 dB Ldn (or CNEL) will be allowed. Under no circumstances will an interior noise exceeding 45 dB Ldn be allowed with the windows and doors closed. It should be noted that in instances where the windows and doors must remain closed to achieve the required acoustical isolation, mechanical ventilation or air conditioning must be provided.
- *NOI-2.4: Reducing Exposure to Operational Noise.* In new residential and mixed-use developments, require that stationary equipment (such as air conditioning units and condensers) be placed in separate spaces, rooftops, or other areas such that noise impacts to interior living areas will be reduced. Similarly, potentially noisy common spaces, such as trash collection areas and loading zones, should be located away from residential units or other noise sensitive spaces.
- Goal NOI-3: Amended policies from resolution 3432.
    - *Policy NOI-3.1:* Areas within the City of Tulare shall be designated as noise impacted if exposed to existing or projected future noise levels at the exterior of buildings which exceed 60 dB Ldn (or CNEL). Maps which indicate areas exposed to existing or projected future noise levels exceed 60 dB Ldn (or CNEL) for the major noise sources identified in Figure 7-1 are included in Appendix B of the Policy Document.
    - *Policy NOI-3.2:* New development of residential or other noise-sensitive land uses may not be permitted in noise-impacted areas unless effective mitigation measures are incorporated into the specific design of such projects to reduce noise levels to 60 dB Ldn (or CNEL) or less within outdoor activity areas and 45 dB Ldn (or CNEL) or less within indoor living areas. Where it is not possible to reduce exterior noise levels within outdoor activity areas to 60 dB Ldn (or CNEL) or less after the practical application of the best available noise reduction technology, an exterior noise level of up to 65 dB Ldn (or CNEL) may be allowed.
    - *Policy NOI-3.5:* Tulare County and its incorporated cities shall enforce the State Noise Insulation Standards (California Administrative Code, Title 24) and Chapter 35 of the Uniform Building Code (UBC). Title 24 requires that interior noise levels not exceed 45 dB Ldn (or CNEL) with the windows and doors closed within new developments of multi-family dwellings, condominiums, hotels or motels. UBC Chapter 35 requires that common wall and floor/ceiling assemblies within multi-family dwellings comply with minimum standards concerning the transmission of airborne sound and structure-borne impact noise. Title 24 requires that conformance with the above-described standards be documented by the submission of an acoustical analysis whenever new multi-family dwellings, condominiums, hotels or motels are proposed for areas within the 60 dB Ldn (or CNEL) contour of a major noise source as determined by the local jurisdiction.
    - *Policy NOI-3.6: Acoustical Study Requirement.* Require acoustical studies for new developments in areas where the noise levels exceed the 'normally acceptable' levels for the proposed land use; based on Table EH-2. For residential uses, the

analysis should include mitigation measures to limit the noise exposure in interior living spaces to 45 dB Ldn, consistent with California Title 24.

- *Policy NOI-3.8:* New development of industrial, commercial, or other noise generating land uses will not be permitted if resulting noise levels will exceed 60 dB Ldn (or CNEL) at the boundary of areas planned and zoned for residential or other noise-sensitive land uses, unless determined to be necessary to promote the public health, safety, and welfare of the County.

### **City of Tulare Noise Ordinance**

Section 6.40 of the City's Municipal Code contains the City's noise ordinance, establishing exterior noise level standards. Applicable regulations are as follows:

#### Section 6.40.030 – Special Restrictions

*Between the hours of 10:00 p.m. of one day and 6:00 a.m. of the following day, it shall be unlawful for any person to create cause to be created or maintained sources of noise which shall cause annoyance or discomfort to a reasonable person of normal sensitivity in the neighborhood. The sources shall include, but not be limited to, the following:*

- a) Excessively loud noises caused by the use or operation of radios, musical instruments and drums, phonographs, television sets or other machines or devices for the production, reproduction or amplification of sound;*
- b) Operation of equipment or performance of any outside construction or repair work on buildings, structures or projects, or operation of construction type devices, except that contractors may apply for a permit from the Planning and Building Department to allow construction where extreme heat requires work to occur between 10:00 p.m. and 6:00 a.m.;*
- c) Excessively loud sounds, cries or behavioral noise caused by the keeping or maintenance of animals or fowls;*
- d) Excessively loud noise caused by the operation of any machinery, equipment, device, pump, fan, compressor, air conditioning apparatus or similar mechanical device;*
- e) Operation of chimes, bells or other devices for the purpose of advertising or inviting the patronage of any person or persons to any business enterprise;*
- f) Repairing, rebuilding or testing of motor vehicles or operating of any motor driven vehicle off public streets or highways; and*
- g) Excessively loud noise caused by calling, shouting, laughing or crying.*

#### Section 6.40.040 – Schools, Hospitals and Churches

It shall be unlawful for any person to create any noise on any street, sidewalk or public place adjacent to any school, institution of learning or church while the same is in the use or adjacent to any hospital, which noise unreasonably interferes with the workings of the institutions or which disturbs or unduly annoys patients in the hospital, providing conspicuous signs are displayed in such streets, sidewalk or any public place indicating the presence of a school, church or hospital.

Section 6.40.071 – Amplified Sound Noise Standards.

- a) It is unlawful for any person at any location within the city to create any amplified sound on property owned, leased, occupied or otherwise controlled by such person which causes the noise level, when measured at the property line of any affected area, to exceed the decibel level of 70 during the hours of 6:00 a.m. and 10:00 p.m.
- b) Parades/community events. Activities pursuant to Municipal Code Chapter 8.70 shall not exceed 85 decibels.
- c) Public park/city facilities.
  - 1. Sound or noise produced by sound amplification equipment used at all city parks and other city facilities shall be measured at points not greater than 100 feet from the sound source within city parks or facilities and shall not exceed 85 decibels.
  - 2. Failure of the event sponsor to enforce the sound limits may result in any or all of the following:
    - a. The forced curtailment of activities as ordered by the Police Department.
    - b. Citation issued by the Police Department pursuant to § 6.40.090.
    - c. Forfeiture of deposits placed with the city by the sponsor for use of the facility.

Section 6.40.073 – Noise Source Exemptions

The following activities shall be exempted from the decibel limits of this chapter:

- (a) Activities conducted on public or private athletic fields;
- (b) Events held at the Tulare County Fairgrounds;
- (c) Events held at the International Agri-Center;
- (d) Noise sources associated with the collection of waste or garbage from commercially zoned, industrially zoned, or residentially zoned property by the city or its authorized franchisee;
- (e) Any activity to the extent regulation thereof has been preempted by state or federal law.

Section 6.40.080 – Emergency Equipment

The provisions of this chapter shall have no application to the sounding of a siren or the making of other usual signals by any police or other peace officers in the performance of their duties, nor to the sounding of any siren upon any ambulance or firefighting equipment in the usual and customary manner.

**Discussion**

**a) Would the Project result in generation of a substantial temporary or permeant increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

**Less than Significant Impact:** The nearest sensitive receptor is the single-family homes north of the Site. The nearest homes border the Project Site and are approximately 50 feet away. By following the General Plan policies, the noise impact of the Project's construction will remain less than significant.

**Project Construction**

Project construction is anticipated to last approximately 66 months for the full buildout and will involve temporary noise sources in the vicinity of the project. The average noise levels generated by construction equipment that will likely be used in the proposed project are provided in Table 3-11. Typically, construction equipment operates in alternating cycles of full power and low power, producing average noise levels over time that are less than the listed maximum noise level. The average sound level of construction activity also depends on the amount of time that the equipment operates and the intensity of construction activities during that time.

The City of Tulare regulates noise under Chapter 6.40 of the Municipal Code, which adopts a nuisance-based approach rather than establishing specific decibel thresholds for construction activities. Prohibited noises include those that are loud or unnecessary, and that disturb the peace or quiet of residents. Enforcement considers factors such as noise volume, duration, time of occurrence, zoning context, and frequency. Between 10:00 p.m. and 6:00 a.m., construction activities are generally unlawful if they create such disturbances. During daytime hours (6:00 a.m. to 10:00 p.m.), operations must avoid constituting a nuisance.

The nearby sensitive receptors are approximately 50 feet away from the Project boundary. The noise at this distance would be expected to have a maximum construction noise of approximately 85 dB. Although this exceeds the 70 dBA guideline for non-transportation uses in sensitive outdoor areas under the General Plan (which does not apply directly to temporary construction noise), the impacts will be intermittent, short-term, and confined to the construction phase.

Neither the Municipal Code nor the General Plan set dB thresholds for construction noise. Instead, the Project's construction will follow General Plan policies NOI-P1.5 and NOI-P1.6. NOI-P1.5 requires properly maintained mufflers, equipment to be as far away from developed areas as possible, and acoustical barriers to minimize the noise level at the sensitive receptors. NOI-P1.6 will limit construction to 6am-10pm, Monday through Saturday. These will make the impact from construction noise *less than significant*.

Type of Equipment	dBA at 50 feet
<b>Air Compressors</b>	<b>81</b>
<b>Excavators</b>	<b>81</b>
<b>Cranes</b>	<b>83</b>
<b>Forklifts</b>	<b>75</b>
<b>Generators</b>	<b>81</b>
<b>Pavers</b>	<b>89</b>
<b>Rollers</b>	<b>74</b>
<b>Tractors</b>	<b>84</b>
<b>Loaders</b>	<b>85</b>
<b>Backhoes</b>	<b>80</b>
<b>Graders</b>	<b>85</b>
<b>Scrapers</b>	<b>89</b>
<b>Welders</b>	<b>74</b>

Table 3-11. Noise Levels of Noise Generating Construction Equipment. Source: FHA Construction Noise Handbook.

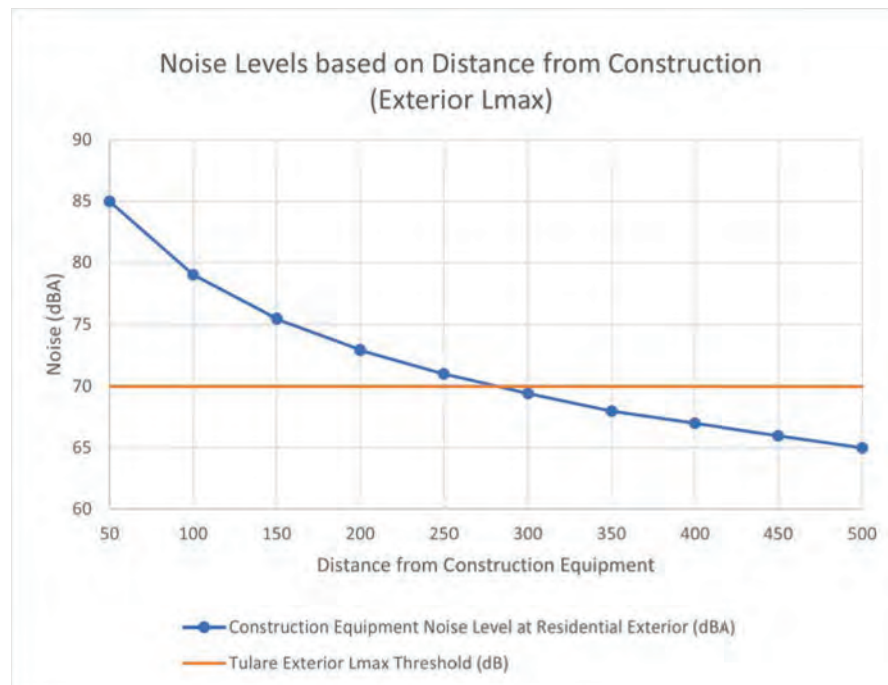


Figure 3-8: Construction Related Noise Levels Based on Distance from Construction Equipment

**Project Operation**

The Project itself will not lead to a significant increase in ambient noise. Long-term noise levels would include those generated from traffic and noise found in typical single-family neighborhoods. All residents within the completed Project would be required to comply with the City of Tulare Noise Standards, which restricts hours of operation for noise-generating activities between 6:00 AM and 10:00 PM. The Project does not involve installing a stationary noise source; the only long-term noise generated by the Project would be typical suburban environment noise. Such "typical suburban" noise levels generated by the proposed project are anticipated to be compatible with the City of Tulare's General Plan standards and Tulare's Noise Element. The Project will not have any impacts beyond what has been analyzed in the General Plan.

Because noise generated from construction would be temporary, construction activities would comply with all measures established by the City to limit construction-related noise impacts, and operational noise would not exceed existing ambient noise levels; the impact is *less than significant*.

**b) Would the Project result in generation of excessive ground-borne vibration or groundborne noise levels?**

**Less than Significant Impact:** Construction of the proposed project would require minor excavation and earthwork activities. Although these activities could result in infrequent periods of high noise, this noise would not be sustained and would occur only during the temporary construction period. No pile driving or construction activity that would generate high noise levels or ground-borne vibration would occur within the project site. Therefore, the proposed project would have *less than a significant impact* on ground-borne noise.

**c) For a Project located within the vicinity of a private airstrip or, an airport land use plan or, where such a plan has not been adopted, within two miles of public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?**

**No Impact:** The Project Site is not in an airport land use plan. The Mefford Field Airport is the nearest public airport, approximately 3.5 miles from the proposed Project Site. There is *no impact*.

#### XIV. POPULATION AND HOUSING

<b>Would the Project:</b>	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **Environmental Setting**

The United States Census Bureau estimated the population in the City of Tulare to be 70,693 persons in 2022. This population increased from the 2010 census, which counted 59,278. Factors that influence population growth include job availability, housing availability, and the capacity of existing infrastructure.

#### **Regulatory Setting**

The Development Code and Land Use Element of the General Plan controls the population size in the City of Tulare. These documents regulate the number of dwelling units per acre allowed on various land uses and establish minimum and maximum lot sizes. These factors have a direct impact on the City's population size.

Tulare's General Plan designates the proposed Site as Low-Density Residential. The existing and proposed zoning is R-1-5, Single Family Residential: 5,000 sqft per unit.

**City of Tulare General Plan:** The *Land Use Element* provides the following goals and policies regarding population growth and infrastructure:

- o Goal LU-3: To designate, protect, and provide land to ensure sufficient residential development capacity and variety to meet community needs and projected population growth.

- *Policy LU-3.1: Neighborhood Housing Mix.* The City shall encourage mixed use neighborhoods to have a variety of housing types and densities to help create an overall healthy, balanced community.
- *Policy LU-3.2: Executive Housing.* The City shall encourage the development of “upper end” housing to better accommodate the local market for “executive housing.”
- *Policy LU-3.3: Neighborhood Protection.* The City shall seek to prevent residential blight and promote healthy neighborhoods through public and private resources/programs (e.g. enforcement of all codes, neighborhood rehabilitation programs, and redevelopment actions).
- *Policy LU-3.5: Future Residential Development.* The City shall direct future residential development to areas adjacent or in close proximity to existing and future neighborhoods and neighborhood commercial areas to further Tulare as a self-sufficient, full-service city.
- *Policy LU-3.7: Neighborhood Noise Abatement.* The City shall require the abatement of significant noise intrusion into existing and proposed new residential developments from the freeway, major arterials, the railroad, the airport, and other significant noise sources. The burden for mitigation shall be on the new user.
- *Policy LU-3.8: Incompatible Uses.* The City shall protect existing residential neighborhoods from the encroachment of incompatible activities and land uses (i.e. traffic, noise, odors, or fumes) and environmental hazards (i.e. flood, soil instability).

### **2022 TCAG Regional Housing Needs Plan**

The State Housing Law mandates the RHNA as part of periodically updating local housing elements in city and county general plans. TCAG produces the RHNA and contains a forecast of housing needs within each jurisdiction within the TCAG region. The current RHNA is for the sixth housing element cycle and covers an 8.5-year projection period (June 30, 2023 – December 31, 2031). The RHNA provides an allocation of the existing and future housing needs by jurisdiction, representing the jurisdiction’s fair share allocation of the projected regional population growth. The future housing needs allocations are broken down by income level, so each jurisdiction is responsible for developing affordable housing units to meet future housing needs. By the end of 2031, Tulare County must plan to accommodate a total of 33,214 housing units. This is broken down by income levels: 8,497 *Very Low-Income* units, 5,205 *Low Income* units, 5,424 *Moderate Income* units, and 14,055 *Above Moderate* units. (TCAG 2022).

**Discussion**

- a) **Would the Project induce substantial unplanned population growth in an area, either directly (for example, by new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

**Less than Significant Impact:** The Project would not induce substantial unplanned population growth in the area directly or indirectly. The Project would result in the construction of 209 new single-family homes and 76 new multi-family residential units. The Project is consistent with the housing goal of TCAG to create 33,214 housing units. The Project would create planned population growth in an ideal location; therefore, the proposed Project would not induce substantial population growth in the surrounding area. Impacts are considered *less than significant*.

- b) **Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

**No Impact:** The Project does not involve the removal of existing residences and would not displace any people. There is *no impact*.

**XV. PUBLIC SERVICES**

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

**Environmental Setting****Fire**

The Tulare Fire Department (TFD) will serve the City of Tulare, including the Project Site. The TFD will continue to provide fire protection services to the Site upon development. The nearest station is the Tulare Westside Fire Station, which is about 1.3 miles from the Project at 138 E Street. TFD has 40 sworn members, 2 non-sworn members, and 1 Senior Administrative Assistant.

**Police**

Law enforcement services are provided to the City of Tulare and the Project Site via the Tulare Police Department (TPD). The City of Tulare will continue to provide police protection services to the Site upon its development. The Tulare PD headquarters is at 260 M Street, approximately two miles east of the Project.

**Schools**

The proposed Project Site is within the Tulare City School District for elementary and middle school and Tulare Joint Union High School District for high school. The City has eleven elementary, five middle, and three high schools. The Project is within the boundaries of Roosevelt Elementary School, Mulcahy Middle School, and Tulare Western High School.

### **Regulatory Setting**

**City of Tulare General Plan:** The School Districts in the City of Tulare are regulated by the California Department of Education, and the California Department of Justice regulates the Tulare Police Department. Objectives and Policies relating to Law Enforcement, Fire Protection, Parkland, and School Facilities are included in Tulare's General Plan's Land Use Element and Conservation and Open Space Element. The Goals and Policies potentially applicable to the proposed project are as follows:

- Goal SAF-3: To provide adequate emergency services.
  - *Policy SAF-3.1: Emergency Services Near Assisted Living Housing.* In approving new facilities, such as nursing homes, housing for the elderly, and other housing for the mentally and physically infirm, to the extent possible the City shall seek to ensure that such facilities are located within reasonable distance of fire and law enforcement stations.
  - *Policy SAF-1.8: Police and Fire Department Review.* The Planning process should continue to seek the input of the Police and Fire Departments in reviewing development plans and permits. Such a coordinated effort should be aimed at reducing property loss and affecting a reduction of injury and loss of life.
- Goal LU-2: To grow in an orderly pattern consistent with the economic, social, and environmental needs of Tulare and taking regional impacts into account.
  - *Policy LU-2.14: Development Impact Fees.* The City shall keep and maintain current development impact fee categories for new construction so that new construction adequately mitigates potential impacts to existing levels of service of infrastructure and public services.
- Goal LU-9: To organize new development areas into vibrant, neighborhoods characterized by a mix of land uses, pedestrian and transit accessibility, and neighborhood identity.
- Goal LU-11: To provide optimal municipal facilities and services, consistent with available resources, that are adequate to meet the needs of desired future growth.
  - *Policy LU-11.1: Adequate Municipal Services.* The City shall approve development only when adequate municipal services are available or can be efficiently provided.
  - *Policy LU-11.3: System Expansion.* The City shall require new development be responsible for expansion of existing facilities such as water systems, sewer systems, storm drainage systems, parks and other capital facilities made necessary to serve the new development.

- *Policy LU-11.7: Adequate Infrastructure Capacity.* The City shall only approve new development when it can be demonstrated by the applicant that adequate system capacity in the service area is or will be available to handle increases related to the project.
- *Policy LU-11.8: Conditions of Approval.* During the development review process, the City shall not approve new development unless the following conditions are met:
  - a) The applicant can demonstrate that all necessary infrastructures to serve the project will be installed or adequately financed;
  - b) Infrastructure improvements are consistent with City infrastructure plans; and
  - c) Infrastructure improvements incorporate a range of feasible measures that can be implemented to reduce public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required improvement.
- *Policy LU-11.9: Adequate City Service Capacity.* The City shall only approve new development when it can be demonstrated by the applicant that adequate public service capacity in the area is or will be available to handle increases related to the project. School capacity will be discussed in the review of each development, and the City will ensure early coordination with the school districts serving the site. School capacity will be addressed as allowed under State law.
- *Policy LU-11.13: Adequate Storm Drainage Facilities.* The City shall provide storm drainage facilities with sufficient capacity to protect the public and private property from stormwater damage. The facilities will also be implemented in a manner that reduces public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required drainage improvements (i.e., drainage basins, etc.).
- *Policy LU-11.17: Fair Share Improvements.* The City shall ensure new development is required to participate on a fair-share basis in the completion of improvements to the existing sewer system, and/or the construction of new sewer trunk lines as described in the City's adopted Sewer Master Plan.
- *Policy LU-11.22: Dedicated Sites.* The City shall negotiate with proponents of future development projects to secure the dedication of adequate sites for future fire and police stations.
- *Policy LU-11.23: School Site Dedication.* The City shall negotiate with proponents of future development projects to secure the dedication of adequate sites for future school construction to meet anticipated future elementary, junior high, and high school expansion needs.
- *Policy LU-11.26: Evaluate Fiscal Impacts.* The City shall evaluate the fiscal impacts of new development and encourage a pattern of development that allows the City to provide and maintain a high level of urban services (including, but not limited to, water, sewer, transportation, fire stations, police stations, libraries,

administrative, and parks), and community facilities, and utility infrastructure, as well as attract targeted businesses and a stable labor force.

- Goal COS-4: To provide parks and recreation facilities and services that adequately meet the existing and future needs of all Tulare residents.
  - *Policy COS-4.1: Parkland/Open Space Standards*. The City's goal is to provide 4 acres of developed parkland per 1,000 residents. New residential or mixed-use developments containing a residential component may be required to provide parkland, or pay in-lieu fees, in this ratio as directed by the City.
  - *Policy COS-4.3: Adequate Sites*. The City shall provide adequate and convenient park sites to meet the City's existing and anticipated future park and recreation needs.
  - *Policy COS-4.5: Fair Share Responsibilities*. The City shall ensure all future residential development is responsible for its fair share of the City's cumulative park and recreational service and facilities maintenance needs.
  - *Policy COS-4.6: Land Dedication*. The City shall continue its practice of requiring the dedication of community and neighborhood park lands as a condition of approval for large residential development projects (50 or more lots), if applicable.
  - *Policy COS-4.7: Fees In Lieu of Parkland Dedication*. The City shall allow the payment of fees in lieu of parkland dedication, especially in areas where dedication is not feasible, as provided under the Quimby Act.
  - *Policy COS-4.8: Pocket Parks*. The City will promote the utilization of pocket parks (approximately 0.25 to 0.50 acre) to establish a passive recreational and social gathering area in neighborhoods where it is deemed appropriate.
  - *Policy COS-4.9: Neighborhood Parks*. The City shall encourage the development of adequate neighborhood parks, 5 to 15 acres in size. These neighborhood facilities should include children's play equipment, paved games areas, free play fields, and perhaps a passive recreation area for parents and senior citizens.
  - *Policy COS-4.14: Collocation with Schools*. The City may promote, when feasible, the collocation of parks with school facilities for the purpose of enhancing available open space and recreation.
  - *Policy COS-4.16: Funding and Maintenance of Recreational Facilities*. The City shall ensure the continued funding of new recreational facilities and maintenance and improvement of existing City-owned recreational facilities and require new development and existing residents to participate in alternate maintenance funding mechanisms wherever appropriate.
  - *Policy COS-4.17: Siting to Maximize Security*. The City shall require that new parks be located and designed in such a way as to facilitate their security and policing.

### **City of Tulare Municipal Code**

Chapter 8.56 (Development Impact Mitigation Fee) of the Municipal Code imposes development fees on all new projects and is collected at the time of issuance of building permits by the City. The charges imposed by this regulation serve to finance fire, police, library,

parks, and other services. As such, the proposed Project would be required to comply with this regulation.

## **Discussion**

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

### **a. Fire protection?**

**Less Than Significant Impact:** The City of Tulare Fire Department will provide fire protection services to the proposed development. The nearest station is Tulare Westside Fire Department, which is 1.3 miles from the Project. The proposed Project will not require additional new or altered fire protection services and will not alter acceptable service ratios or response times. The proposed Project consists of a new residential development that could increase the demand for the Tulare Fire Department. However, the Project itself is not large enough to require the development of additional Fire Department facilities. Additionally, the Project will pay development impact fees to contribute towards necessary fire protection equipment or facilities.

The timing of when new fire service facilities would be required or details about size and location cannot be known until such facilities are planned and proposed, and any attempt to analyze impacts on a potential future facility would be speculative. As new or expanded fire service facilities become necessary, construction or expansion Projects would be subject to their own separate CEQA review to identify and mitigate potential environmental impacts. Therefore, the impact is *less than significant*.

### **b. Police protection?**

**Less than Significant Impact:** The Tulare Police Department will provide services to the proposed development. The nearest station is the headquarters two miles east of the Project.

The development would increase the demand for police coverage. The project itself is not large enough to require the development of additional police facilities. The proposed residential use is not anticipated to increase the response time to the Project Site by the Tulare Police Department, nor would the project adversely affect the department's ability to respond to emergencies within the Project area. However, the Project would compensate for the increased demand for law enforcement services by paying the appropriate development fees based on the City's adopted fee calculations.

While the payment of development fees could result in the construction of new or altered police facilities, no specific projects have been identified at this time. As new or expanded police service facilities become necessary, construction or expansion Projects would be subject to their own separate CEQA review to identify and mitigate potential environmental impacts. Therefore, the impact is *less than significant*.

**c. Schools?**

**Less than Significant Impact:** The proposed Project Site is within the Tulare City School District for elementary and middle school and Tulare Joint Union High School District for high school. The City has eleven elementary schools, five middle schools, and three high schools. The Project is within the boundaries of Roosevelt Elementary School, Mulcahy Middle School, and Tulare Western High School.

Since the proposed Project includes the addition of 285 new residential units, the number of students within these schools will increase. The proposed Project Site is located within the Tulare Planning Area and is designated as Residential Low Density. Therefore, growth associated with the Project has been planned and expected. In addition to the goals and policies of the City's General Plan, future development is required to pay development impact fees to the school districts at the time of building permit issuance. These impact fees are used by the school districts to maintain existing and develop new facilities, as needed. Therefore, the impact is *less than significant*.

**d. Parks?**

**Less Than Significant Impact:** The demand for additional public park facilities is expected to rise due to the proposed project. Following Policy COS-4.1, the City's goal is to provide 4 acres of developed parkland per 1,000 residents. Using the average household size in Tulare (3.32 persons; 2022 U.S. Census Bureau, Table DP02), the population for the proposed 285 units is estimated to be 946. This would require 3.78 acres of parkland. The Project will include a 2.76-acre park, which will be incorporated into the formation of a landscape maintenance district to establish a dedicated funding mechanism for the long-term maintenance of the park space provided. This park alone is not enough to compensate for all of the expected population growth, but Mulcahy Park also lies within a one-mile radius of the site and will also serve the proposed development. However, the Project itself would not lead to substantial physical deterioration of any recreational facilities, would not have any related significant impacts, and would contribute its fair share to parks facilities through in-lieu fees. The impact is *less than significant*.

**e. Other public facilities?**

**Less than Significant Impact:** The proposed Project would be required to pay development impact fees to offset increased demand for public services related to transportation, water, wastewater, storm drainage, and general governmental services.

While the payment of development fees could result in the construction of new or altered public service facilities, no specific Projects have been identified at this time. As new or expanded public service facilities become necessary, construction or expansion Projects would be subject to their own separate CEQA review to identify and mitigate potential environmental impacts. Therefore, the impact is *less than significant*.

## XVI. PARKS AND RECREATION

<b>Would the Project:</b>	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

### **Environmental Setting**

According to Tulare’s General Plan, the City maintains a total of 363 acres of land within its Parks Division, including 295.65 acres of parkland, 35 acres of Landscape and Lighting Districts, and approximately 32 acres of green belts, medians, tree-lined streets, and building landscapes. The closest park is Mulcahy Park, approximately 0.65 miles west of the Project site. Based on the 2022 population of 70,693, the City currently has 4.18 acres of parkland per 1,000 residents and 5.13 acres of all land in the Parks Division per 1,000 residents.

### **Regulatory Setting**

#### **State Open Space Standards**

State planning law (GC Section 65560) provides a structure for the preservation of open space by requiring every city and county in the state to prepare, adopt, and submit to the Secretary of the Resources Agency a “local open-space plan for the comprehensive and long-range preservation and conservation of open-space land within its jurisdiction.” The following open space categories are identified for preservation:

- Open space for public health and safety, including, but not limited to, areas that require special management or regulation due to hazardous or special conditions.
- Open space for the preservation of natural resources, including, but not limited to, natural vegetation, fish and wildlife, and water resources.

- Open space for resource management and production, including, but not limited to, agricultural and mineral resources, forests, rangeland, and areas required for the recharge of groundwater basins.
- Open space for outdoor recreation, including, but not limited to, parks and recreational facilities, areas that serve as links between major recreation and open space reservations (such as trails, easements, and scenic roadways), and areas of outstanding scenic and cultural value.

### **Quimby Act**

The 1975 Quimby Act, as stated in Government Code Section 66477, grants cities and counties the authority to implement ordinances that require developers to reserve land, donate conservation easements, or pay fees to improve parks within their developments. The Act specifies that the dedication of parkland can be set at a minimum of three acres per thousand residents or even higher, up to five acres per thousand residents, if the existing parkland ratio surpasses the minimum standard. Funds collected through in-lieu fees and the Quimby Act cannot be utilized to operate and maintain existing park facilities. This ensures these funds are specifically directed towards enhancing and expanding park amenities and resources.

In 1982, significant amendments were made to the Act. These amendments provided clearer definitions of acceptable uses or restrictions for Quimby funds. They also introduced specific acreage and population standards and established formulas to determine the amount required as an exaction from developers. Additionally, the amendments highlighted the importance of establishing a close connection (referred to as "nexus") between the exactions and the impacts of the development projects, as identified through studies mandated by the California Environmental Quality Act (CEQA). This ensures that the funds collected through the Quimby Act are directly tied to mitigating the impacts of the developments on parkland and recreational resources in the community.

### **City of Tulare General Plan**

The City of Tulare 2035 General Plan includes the following goals and policies intended to protect the City's recreational resources and are relevant to the proposed Project.

- Goal COS-4: To provide parks and recreation facilities and services that adequately meet the existing and future needs of all Tulare residents.
  - *Policy COS-4.1: Parkland/Open Space Standards.* The City's goal is to provide 4 acres of developed parkland per 1,000 residents. New residential or mixed-use developments containing a residential component may be required to provide parkland, or pay in-lieu fees, in this ratio as directed by the City.
  - *Policy COS-4.2: Recreation and Cultural Opportunities.* The City will encourage a variety of enjoyable leisure, recreation, and cultural opportunities that are accessible, physically attractive, safe, and uncrowded. The City shall provide an adequate balance of recreational opportunities including facilities to serve the varying needs and interests of the Tulare population.

- *Policy COS-4.3: Adequate Sites.* The City shall provide adequate and convenient park sites to meet the City's existing and anticipated future park and recreation needs.
  - *Policy COS-4.5: Fair Share Responsibilities.* The City shall ensure all future residential development is responsible for its fair share of the City's cumulative park and recreational service and facilities maintenance needs.
  - *Policy COS-4.6: Land Dedication.* The City shall continue its practice of requiring the dedication of community and neighborhood park lands as a condition of approval for large residential development projects (50 or more lots), if applicable.
  - *Policy COS-4.7: Fees In Lieu of Parkland Dedication.* The City shall allow the payment of fees in lieu of parkland dedication, especially in areas where dedication is not feasible, as provided under the Quimby Act.
  - *Policy COS-4.8: Pocket Parks.* The City will promote the utilization of pocket parks (approximately 0.25 to 0.50 acre) to establish a passive recreational and social gathering area in neighborhoods where it is deemed appropriate.
  - *Policy COS-4.9: Neighborhood Parks.* The City shall encourage the development of adequate neighborhood parks, 5 to 15 acres in size. These neighborhood facilities should include children's play equipment, paved games areas, free play fields, and perhaps a passive recreation area for parents and senior citizens.
  - *Policy COS-4.13: Park Location and Design.* The City shall effectively locate, design, and use public park facilities to serve the greatest number of Tulare citizens.
  - *Policy COS-4.16: Funding and Maintenance of Recreational Facilities.* The City shall ensure the continued funding of new recreational facilities and maintenance and improvement of existing City-owned recreational facilities and require new development and existing residents to participate in alternate maintenance funding mechanisms wherever appropriate.
  - *Policy COS-4.17: Siting to Maximize Security.* The City shall require that new parks be located and designed in such a way as to facilitate their security and policing.
  - *Policy COS-4.18: Incorporation of Open Space.* The City shall encourage the development of natural open space areas in regional and community parks.
- Goal LU-2: To grow in an orderly pattern consistent with the economic, social, and environmental needs of Tulare and taking regional impacts into account.
    - *LU-2.14: Development Impact Fees.* The City shall keep and maintain current development impact fee categories for new construction so that new construction adequately mitigates potential impacts to existing levels of service of infrastructure and public services.
  - Goal LU-9: To organize new development areas into vibrant, neighborhoods characterized by a mix of land uses, pedestrian and transit accessibility, and neighborhood identity.

- *LU-9.12: Funding for Parks and Open Space.* Specific Plans shall include provisions to establish maintenance district financing or equivalent financing mechanisms to support park and open space maintenance.
  - *Policy LU-9.13: Trail and Open Space Connections.* The City shall require each village, and the neighborhoods they contain, to provide a well-connected network of trails, bikeways, and open spaces that provide convenient paths throughout the village and connect the village to surrounding neighborhoods and other existing or planned trails, bikeways, and open spaces in the City.
  - *Policy LU-9.14: Parkland Distribution.* The City shall encourage parks within each village to be distributed proportionally to match the distribution of population within the village. Park sizes and location will typically be in keeping with serving the population within a walking distance of the park (¼-mile). At least one community park should be placed within walking distance (¼-mile) of the neighborhood centers.
- Goal LU-11: To provide optimal municipal facilities and services, consistent with available resources, that are adequate to meet the needs of desired future growth.
    - *Policy LU-11.3: System Expansion.* The City shall require new development be responsible for expansion of existing facilities such as water systems, sewer systems, storm drainage systems, parks and other capital facilities made necessary to serve the new development.
    - *LU-11.24: Co-Location of Facilities.* The City shall encourage community facilities (such as community centers, schools, parks, libraries, fire stations with community rooms), when proposed in the same area, to be co-located to form a stronger activity node within the neighborhood.
    - *LU-11.26: Evaluate Fiscal Impacts.* The City shall evaluate the fiscal impacts of new development and encourage a pattern of development that allows the City to provide and maintain a high level of urban services (including, but not limited to, water, sewer, transportation, fire stations, police stations, libraries, administrative, and parks), and community facilities, and utility infrastructure, as well as attract targeted businesses and a stable labor force.

## **Discussion**

### **a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

**No Impact:** The proposed Project includes single-family homes that will increase the City's population. However, the Project itself would not lead to substantial physical deterioration of any recreational facilities and would not have any related significant impacts. The City of Tulare has a Quimby Act requirement, which mandates the dedication of parkland or payment of in-lieu fees to mitigate impacts on recreational facilities. Following Policy COS-

4.1, the City's goal is to provide 4 acres of developed parkland per 1,000 residents. Using the average household size in Tulare (3.32 persons; 2022 U.S. Census Bureau, Table DP02), the population for the proposed 285 units is estimated to be 946. This would require 3.73 acres of parkland. The Project will include a 2.76-acre park, which will be maintained long term by a landscape maintenance district, so the Project falls short of the requirement by 0.77 acres. This park alone is not enough to compensate for all of the expected population growth; however, the Project will contribute its equitable share to enhance local parks and recreational amenities through in-lieu fees. The impact is *less than significant*.

**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 includes recreational facilities in the form of a 2.76-acre community park to serve nearby residents. This would not increase the demand for recreational facilities such that it could require the construction of new or expanded recreational facilities. The park would not have an adverse physical effect on the environment beyond the effects anticipated from developing the site with single family homes. Moreover, the addition of parkland on the site would align with the City's goals to provide adequate parkland to existing and future residents of Tulare. There is *no impact*.

## XVII. TRANSPORTATION

<b>Would the Project:</b>	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with the CEQA guidelines Section 15064.3, Subdivision (B)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **Environmental Setting**

This section describes the environmental setting for transportation, incorporating information from the Transportation Impact Analysis (TIA) for the Sherwood South Residential Project, prepared by LSA in November 2025 (Appendix E).

### **Existing Circulation Network**

The Project study area encompasses several major roadways, classified according to the Transportation and Circulation Element of the Tulare 2035 General Plan. Key roadways include:

- **Inyo Avenue (SR-137):** This east-west roadway serves as a portion of State Route 137 (SR-137) and functions as a two- to four-lane undivided arterial near the project site. It is designated as an arterial between Enterprise Street and 'O' Street, transitioning to a local roadway east of 'O' Street. Speed limits vary: 45 mph from Gemini Street to West Street, 35 mph from West Street to 'J' Street, and 30 mph from 'J' Street to 'M' Street. On-street parking is permitted in select segments, but no bike lanes are present.
- **Tulare Avenue (SR-137):** As another segment of SR-137, this east-west four-lane undivided arterial extends from 'M' Street to Blackstone Street, transitioning to a major arterial east of Blackstone Street. The posted speed limit is 35 mph, with no on-street parking allowed.

- **'M' Street (SR-137)**: Connecting Inyo Avenue and Tulare Avenue, this two- to four-lane collector has a posted speed limit of 30 mph. On-street parking is available on both sides, but no bike lanes exist.
- **Enterprise Street (Road 84)**: This north-south major arterial borders the project site and extends beyond city boundaries as a two-lane roadway. No speed limit is posted, and neither on-street parking nor bike lanes are provided.
- **Bardsley Avenue**: Bordering the project site, this east-west two- to four-lane undivided arterial features Class II on-street bike lanes between Pratt Street and 'H' Street. Speed limits are 40 mph from West Street to 'H' Street and 45 mph from 'H' Street to Blackstone Street, with on-street parking permitted from West Street to 'H' Street.
- **West Street**: A north-south two-lane undivided arterial with a 45 mph speed limit, it includes Class II bike lanes and on-street parking on both sides.
- **Blackstone Street**: This north-south two- to four-lane arterial has a 45 mph speed limit and permits parking on the east side, but lacks bike lanes.
- **Gemini Street**: A north-south local roadway providing access to the project site, with on-street parking allowed on both sides and no bike lanes.
- **State Route 99 (SR-99)**: A north-south state highway with four lanes in the study area, featuring interchanges at Tulare Avenue (SR-137) and Bardsley Avenue.

### **Bicycle Facilities**

The Tulare County Regional Active Transportation Plan (RATP), adopted in April 2022, classifies bikeways into four categories: Class I (multi-use paths separated from roadways), Class II (on-street striped lanes), Class III (shared routes for continuity), and Class IV (separated bikeways with physical barriers). Bicycle travel is not a primary mode in Tulare County outside urban areas. Within the study area, existing facilities include Class II bike lanes on Bardsley Avenue (Pratt Street to 'H' Street) and West Street. Proposed enhancements include a Class III bikeway on Inyo Avenue (ending at 'M' Street and resuming on Tulare Avenue east of Blackstone Street), a Class II bikeway on Bardsley Avenue extending across the study area, a Class I bike lane on Enterprise Street, and a Class II bike lane on West Street.

### **Pedestrian Facilities**

The City of Tulare emphasizes enhanced pedestrian linkages through sidewalks and trails connecting residential areas, schools, parks, and commercial centers to promote walkability. Standard paved and non-standard unpaved trails are utilized by pedestrians and bicyclists. Currently, no paved sidewalks exist along Bardsley Avenue or Enterprise Street adjacent to the project site. The Project will construct new sidewalks along its frontage on both roadways, improving pedestrian safety and connectivity without impeding future transit, pedestrian, or bicycle facilities.

### **Transit Facilities**

Tulare Intermodal Express (TIME), a member of the Tulare County Regional Transit Agency (TCRTA), provides primary transit services in Tulare, connecting to nearby cities. Four routes operate in the study area:

- **T2 Route:** Serves southeast Tulare, operating Monday–Saturday (7:00 a.m.–7:34 p.m.) and Sunday (8:00 a.m.–5:34 p.m.), with a stop at Bardsley Avenue and Blackstone Street.
- **T3 Route:** Covers west Tulare, operating Monday–Saturday (7:00 a.m.–7:34 p.m.) and Sunday (8:00 a.m.–5:34 p.m.), with a stop at Inyo Avenue and Pratt Street.
- **T5 Route:** Serves southwest Tulare, operating Monday–Saturday (7:00 a.m.–7:37 p.m.) and Sunday (8:00 a.m.–5:37 p.m.), with the nearest stop at Pratt Street and 'K' Street.
- **T6 Route:** Covers eastern Tulare, operating Monday–Saturday (7:00 a.m.–7:35 p.m.) and Sunday (8:00 a.m.–5:35 p.m.), with a stop at Bardsley Avenue and Irwin Street.

### **Safety Analysis on County Facilities**

A safety analysis of county facilities within a 2-mile radius of the Project Site, using data from the Transportation Injury Mapping System (TIMS) for June 2020–June 2025, identified 20 reported collisions: four fatal (resulting in five fatalities) and 16 injury-related (resulting in 19 injuries). Six involved pedestrians, and three involved bicycles. These represent approximately 0.2 percent of countywide injury and fatal collisions, 1 percent of fatal collisions, 0.2 percent of broadside collisions, 1.3 percent of vehicle/pedestrian collisions, and 1 percent of bicycle collisions in Tulare County during the period.

### **Vehicular Access**

Vehicular access to the Project is available via one entrance on Enterprise Street and one on Bardsley Avenue. Gemini Street and Alpine Avenue will also be extended to connect with the Project. The proposed development will include internal drives with sidewalks consistent with Tulare’s requirements. The improvements on Bardsley Avenue and Enterprise Street include a newly widened road, sidewalk, and landscaping.

### **Parking**

Homes in the Project will contain garages and driveways for parking. During construction, workers will utilize on-site temporary site staging areas for parking vehicles and equipment.

### **Regulatory Setting**

#### **CA OPR Technical Advisory on Evaluating Transportation Impacts in CEQA**

The State of California Governor’s Office of Planning and Research document entitled Technical Advisory on Evaluating Transportation Impacts in CEQA dated December 2018 (Technical Advisory) guides determining a Project’s transportation impacts based on VMT. The City adopted its VMT guidelines through a memorandum “Implementing Vehicle Miles Traveled Thresholds in CEQA Analysis Required by SB 743”, June 26, 2020. The memo contains the VMT screening criterion to determine whether a project could be screened out from a detailed VMT analysis.

#### **City of Tulare Improvement Standards**

The City of Tulare’s Standard Plans are developed and enforced by the City of Tulare’s Engineering Department to guide the development and maintenance of City Roads as well as

other city infrastructure, including the sewer system, storm drainage system, landscaping, and water system. The cross-section drawings in the City Improvement Standards dictate the development of roads within the City.

### **City of Tulare General Plan**

The City of Tulare 2035 *Transportation and Circulation Element* includes the following goals and policies intended to protect the City's transportation and are relevant to the proposed Project.

### **Roadway System**

- Goal TR-2: To maintain an efficient, affordable, and safe roadway system throughout Tulare in a way that is economically sustainable and fits within the projected budgeted resources.
  - *Policy TR-2.2: Roadway Standards.* The City shall utilize the roadway standards shown on Table 3-2 for new roadways, for determining improvements for new projects, and as part of City projects for roadway enhancements and maintenance.
  - *Policy TR-2.14: Driveway/Curb Cut Consolidation.* The City shall encourage the consolidation of driveways, access points, and curb cuts along existing developed major arterials or arterials when new development or a change in the intensity of existing development or land uses occurs or when traffic operation or safety warrants.
  - *Policy TR-2.15: Shopping Center Ingress/Egress.* The City shall ensure ingress and egress to shopping centers are carefully designed in order to promote traffic safety. Left hand movements into and out of commercial areas should be minimized and existing points of ingress and egress shall be consolidated whenever possible.
  - *Policy TR-2.16: Commercial Driveway Separation.* The City shall ensure the distance between driveways along commercially developed arterials is not less than 400 feet (measurement shall be from centerline to centerline). Where this spacing is not practical, the proposed development shall provide acceptable traffic mitigation measures.
  - *Policy TR-2.17: Driveway Siting.* The City shall encourage that driveways be located on adjacent collector streets rather than on arterial streets.
  - *Policy TR-2.18: Dual Access.* The City shall require at least two (2) independent access routes for all major development areas.
  - *Policy TR-2.20: Major Activity Center Access.* The City shall ensure that driveway access to major activity centers is located no closer than 200 feet to the adjacent intersection of a collector or arterial street. (Measurement shall be from the curb return to the nearest edge of the driveway).
  - *Policy TR-2.21: Median Design.* The City shall encourage the use of concrete medians where left turn control is needed and shall also use painted medians on two-way left turn pockets where appropriate. Where concrete medians are provided, median breaks should be spaced not less than 300 feet apart.

- *The Policy TR-2.25: Roadway Standard Consistency.* City shall require new development to construct public streets within their project boundaries to standards adequate to serve projected traffic volumes. The City shall ensure that plan lines and right-of-ways be provided to meet the standards of the appropriate street designation.
  - *Policy TR-2.34: Street Design.* The City shall promote street design that provides an environment which encourages transit use, biking, and pedestrian movements.
  - *Policy TR-3.1: Roadway Improvement Responsibility.* The City shall ensure future development is responsible for its fair-share of street improvements required by cumulative traffic increases.
  - *Policy TR-3.2: Fair Share Improvements and Maintenance.* The City shall ensure that responsibility for all major arterial, arterial, and collector street improvement and maintenance needs, existing and future, is allocated on a fair-share basis between the City and benefiting future development.
  - *Policy TR-3.4: Developer Dedication.* The City shall require the dedication of right-of-way or construction of planned facilities within and adjacent to new development projects when such improvements are deemed necessary to promote safe and efficient circulation patterns.
- Goal TR-5: To provide adequate convenient parking in the city.
    - *Policy TR-5.2 Adequate Parking throughout City.* The City shall ensure that adequate and convenient parking is provided in all residential neighborhoods, and industrial, office, and commercial areas.
    - *Policy TR-5.5 Convenient Walking Distance.* The City shall ensure parking is within convenient walking distance and is not separated by arterial or collector streets from the development it serves.
    - *Policy TR-5.7: Shared Parking.* The City shall promote shared parking among adjacent land uses, especially those whose demand for parking peaks at different times, to minimize land consumption, paving, and curb cuts.
  - Goal TR-6: To maintain an efficient and safe non-vehicular circulation system through Tulare.
    - *Policy TR-6.1: Pedestrian Facilities.* The City shall strive to provide continuous and safe sidewalks, paths, and appropriate crosswalks along all city streets and through appropriate open space areas, especially near schools, parks, in the Downtown area, and in other areas with substantial pedestrian traffic.
    - *Policy TR-6.2: Provision of Sidewalks for New Development.* The City shall require all new development to provide sidewalks or other suitable pedestrian facilities. Whenever feasible, pedestrian paths should be developed to allow for unobstructed pedestrian flow to major destinations such as bus stops, schools, parks, and shopping centers.
    - *Policy TR-6.4: Non-Vehicular Access.* The City shall ensure all recreation areas, public places, and commercial developments are designed to facilitate easy

access by pedestrians and bicycles. Development designs for these land uses shall include benches, bike racks, etc., when appropriate.

## **Discussion**

### **a) Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

**Less Than Significant:** The Project would not conflict with a program, policy, plan, or ordinance addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, as discussed below. The TIA assesses the existing circulation network and confirms that the Project integrates with and enhances local facilities without impeding their function or future development. Impacts would be less than significant.

#### **City of Tulare General Plan Transportation Element**

This Project would be consistent with the goals and objectives outlined in the City's General Plan Transportation Element. The Project supports the development of a safe, efficient, and affordable transportation system by extending Gemini Street, Alpine Avenue, and Justice Avenue to connect with the surrounding network, and by widening Bardsley Avenue and Enterprise Street with added sidewalks and landscaping. These improvements accommodate pedestrians and bicyclists in accordance with the Plan's Policy TR-P1.2 and TR-P2.21. The Project incorporates a network of local streets designed to handle projected traffic volumes while meeting City standards encouraged by Policy P-2.25. The TIA's analysis of intersection and roadway levels of service, including recommended mitigations such as traffic signals and lane restriping, ensures operational efficiency consistent with Policy TR-P2.9.

#### **Tulare County Regional Transportation Plan/Sustainable Communities Strategy**

The Project would be consistent with the applicable goals and objectives outlined in the 2022 TCAG Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The Project recommends a diversity of housing types including both low and medium density housing as well as green space that is available for the residents within the development. This mixed-use approach is interconnected via a complete sidewalk network, promoting enhanced connectivity within and beyond the site. The TIA's Vehicle Miles Traveled (VMT) screening determines that the Project is located in a low-VMT area per City guidelines, aligning with RTP/SCS objectives for sustainable growth and reduced transportation emissions. Existing transit routes (T2, T3, T5, and T6) operated by Tulare Intermodal Express (TIME) serve nearby stops, and the Project does not obstruct potential expansions. Bicycle and pedestrian facilities are improved by new sidewalks along Project frontages and compatibility with proposed Class I and II bikeways in the Tulare County Regional Active Transportation Plan.

The Project would not conflict with a plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. All improvements, including those related to transit, roadway, bicycle, and pedestrian facilities, are subject to City review and approval to ensure compliance with all plans, ordinances, and policies related to circulation. The proposed Project will not conflict with the City's circulation plan and standards making the impact *less than significant*.

**b) Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b)?**

**Less than Significant Impact:**

The State of California Governor's Office of Planning and Research document entitled Technical Advisory on Evaluating Transportation Impacts in CEQA dated December 2018 (OPR Guidelines) provides guidance for determining a project's transportation impacts based on vehicle miles traveled (VMT). For residential projects, the OPR Guidelines indicate: "A proposed project exceeding a level of 15 percent below existing VMT per capita may indicate a significant transportation impact. Existing VMT per capita may be measured as regional VMT per capita or as city VMT per capita." Project-specific traffic modeling was performed by the Tulare County Association of Governments (TCAG) to estimate the average VMT per capita for the Project as well as the regional average VMT per capita. The results provided by TCAG are provided in Appendix E.

The OPR Guidelines designate a value of 15 percent below the regional average as the threshold for a significant impact. The results of the TCAG traffic modeling indicate that the average home-based trip length in the Tulare region is 11.70 miles. The threshold value 15 percent below the regional average is  $0.85 * 11.70 = 9.95$ . Therefore, if the average homebased trip length generated by the Project is greater than 9.95, the Project would cause a significant transportation impact.

The TCAG modeling indicates the average home-based trip length for the Project is 9.1 miles, which is below the threshold of 9.95 miles. Therefore, the proposed project's transportation impact is determined to be *less than significant*.

**c) Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

**Less than Significant:** The Project does not include any features such as sharp curves or dangerous intersections that would increase hazards, nor are any incompatible uses are proposed. The Project includes new vehicle access points via Gemini Street, West Bardsley Avenue, Enterprise Street, West Alpine Avenue, and Justice Avenue. All newly constructed internal access roads would comply with the City of Tulare Improvement Standards (2016) for local roads and be subject to review by the City engineer, as new access points may pose a safety risk due to Project design. The TIA's Site Access Analysis includes a sight

distance evaluation, assessing both stopping sight distance and corner sight distance at these driveways. Stopping sight distance requirements, based on the Caltrans Highway Design Manual (July 2020), are 300 feet for Bardsley Avenue (40 mph design speed) and 200 feet for Enterprise Street (30 mph design speed). Corner sight distances, evaluated conservatively, require 440 feet for left-turn maneuvers from Driveway 1 and 330 feet from Driveway 2. The analysis demonstrates that both driveways exceed these minimums, providing over 500 feet in all directions, thereby ensuring safe ingress and egress without visibility-related hazards. The proposed Project would not substantially increase hazards in or around the Project area with incorporation of conditions from the Engineering Division and compliance with City Public Improvement Standards. The impact is *less than significant*.

**d) Would the Project result in inadequate emergency access?**

**No Impact:** This Project would not result in inadequate emergency access. Internal streets within the proposed Project property. Access to the Project is provided via two driveways on Bardsley Avenue and Enterprise Street, supplemented by extensions of Alpine Avenue, Gemini Street, and Justice Avenue. These connections, along with internal streets, ensure comprehensive access to all dwelling units within the development. The TIA's analyses of intersection levels of service, queuing, and sight distance identify no operational deficiencies that would obstruct emergency vehicles, such as excessive queues or visibility impairments. The Project would have *no impact* on emergency access.

## XVIII. TRIBAL CULTURAL RESOURCES

<p><b>Would the Project:</b></p> <p>Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a Site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
<p>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### **Environmental Setting**

#### **Records Search**

A Cultural Records Search (Appendix C) was completed by the Southern San Joaquin Valley Information Center (SSJVIC) on November 15, 2023. The records search covered the Project area and all land within a 0.5-mile radius of the Project. It included a review of the following sources: the Archaeological Resources Directory, the National Register of Historic Places, the California Registry of Historic Resources, the California Points of Historical Interest, the California

Historical Landmarks, the California State Historic Resources Inventory, and a review of cultural resources reports on file with the SSJVIC. Archival research of available historical maps, aerial photographs, records, and databases was also conducted.

The records search revealed one cultural resource report within the Project boundary. This report is an archaeological pedestrian survey that previously surveyed a 30-meter diameter area around two deteriorated pole locations on the Project site. The survey resulted in negative findings.

Eleven cultural resource studies have been conducted within a one-half-mile radius. According to the search, two cultural resources are within a 0.5-mile radius. The first resource was a former railroad segment of the Atchison, Topeka, and Santa Fe Railroad located approximately 0.17 miles north of the Project site. This segment was not evaluated for potential eligibility for listing in federal, state, or local historic registries. A preliminary review of historic aerial photographs shows the railroad was present in 1994 and removed sometime between 1994 and 2003 (Google Earth 2023). The second resource is a historic era ditch called Hooper Ditch; a segment of the ditch runs along the northern portion of the Project boundary. Hooper Ditch was evaluated in 2018 and was recommended as eligible for listing in the National Register of Historic Places (NRHP) under Criterion A and in the California Register of Historic Resources (CRHR) under Criterion 1, as both an individual historic property and as a component of the Tulare Irrigation Historical District. However, a subsequent evaluation conducted on November 17, 2025, by Amber Long, under contract to Taylored Archaeology, determined that the Hooper Ditch dates to at least 1927 but has not maintained its historical integrity due to multiple realignments and modifications. As a result, it is not eligible for inclusion in the NRHP under Criteria A, B, C, or D, nor in the CRHR under Criteria 1, 2, 3, or 4. Consequently, the Hooper Ditch does not meet the definition of a historical resource under CEQA or a historic property under Section 106 of the National Historic Preservation Act.

## **Regulatory Setting**

### **National Historic Preservation Act**

The National Historic Preservation Act was adopted in 1966 to preserve historic and archeological sites in the United States. The Act created the National Register of Historic Places, the list of National Historic Landmarks, and the State Historic Preservation offices.

### **California Historic Register**

The California Historic Register was developed as a program to identify, evaluate, register, and protect Historical Resources in California. California Historical Landmarks are sites, buildings, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, experimental, or other value. In order for a resource to be designated as a historical landmark, it must meet the following criteria:

- The first, last, only, or most significant of its type in the state or within a large geographic region (Northern, Central, or Southern California).
- Associated with an individual or group having a profound influence on the history of California.
- A prototype of, or an outstanding example of, a period, style, architectural movement or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer or master builder.

### **City of Tulare General Plan**

The City of Tulare General Plan includes the following goals and policies pertaining to tribal cultural resources:

### **Cultural Resources**

- Goal COSP 4.14A: Protect the cultural heritage of Tulare.
  - COSP4.14.1: Archaeological and historical resources shall be protected and preserved to the maximum extent feasible.
  - COSP4.14.4: Protect significant historical and archaeological resources in accordance with the California Environmental Quality Act.
  - COSP4.14.5: Update the City of Tulare inventory of historic and archaeological resources to determine sites or buildings of local, State, or Federal significance.

### **Discussion**

**Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a Site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**

**Less Than Significant Impact with Mitigation:** The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, nor is it listed or eligible for listing in the California Register of Historical Resources or a local register of historic resources. Based on the results of the cultural resources records search, NAHC SLF search, and tribal outreach, no previously recorded tribal cultural resources are located within the Project Site. Although no tribal cultural resources were identified, the presence of remains or unanticipated cultural resources under the ground surface is possible. Implementing Mitigation Measures CUL-1 and CUL-2 will ensure that impacts to this checklist item will be *less than significant with mitigation incorporation*.

- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

**Less Than Significant Impact with Mitigation:** The lead agency has not determined there to be any known tribal cultural resources located within the Project area. Additionally, no human remains are believed to be buried within the Project area's vicinity. However, if resources were found to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resources to a California Native American Tribe. Implementing Mitigation Measures CUL-1 and CUL-2 will ensure that any impacts resulting from Project implementation remain *less than significant with mitigation incorporation*.

**Mitigation Measures for Impacts to Cultural Resources:**

**Mitigation Measure CUL-1:** Construction shall stop near the find if previously unknown resources are encountered before or during grading activities. A qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavating the finds and evaluating the discoveries following Section 15064.5 of the CEQA Guidelines and the County's General Plan.

If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoiding or capping, incorporating the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the discovery area until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person capable of providing long-term preservation to allow future scientific study.

**Mitigation Measure CUL-2:** In the event that human remains are unearthed during the excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings regarding origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased

Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and consult with the descendants all reasonable options regarding the descendants' preferences for treatment.

**XIX. UTILITIES AND SERVICE SYSTEMS**

<b>Would the Project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's Projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The City of Tulare provides water, sewer, and garbage services to residential, commercial, industrial, and institutional customers located within the City.

**Wastewater**

The Wastewater Treatment Plant Division operates and maintains the wastewater treatment facilities (WWTF) in the City of Tulare. These facilities consist of a domestic plant with a capacity of 6.0 million gallons per day (MGD) and an industrial plant with a capacity of 12.0 MGD. The domestic plant currently handles approximately 4.15 MGD of wastewater, while the industrial plant processes about 7.5 MGD. Additional operations include 320 acres of storage ponds, 2,200 acres of farmland under permit for beneficial reuse of treated wastewater and self-generating renewable energy.

The division's responsibilities encompass various aspects of the treatment process, including operating, maintaining, and repairing essential treatment structures such as lift stations, sedimentation tanks, digesters, filters, pumps, and control buildings. In addition to these tasks, the division manages 320 acres of storage ponds and 2,200 acres of farmland permitted for the beneficial reuse of treated wastewater. Moreover, the division actively participates in self-generating renewable energy by utilizing an anaerobic bulk volume fermenter, 5.6 MW of fuel cells, and 3.45 MW of solar photovoltaic panels.

Furthermore, the division conducts critical laboratory analyses on samples of both domestic and industrial waste, as well as domestic water samples. This analytical work is crucial in ensuring that wastewater treatment adheres to the discharge requirements set by the State Regional Water Quality Control Board. To guarantee compliance with the specified discharge standards, precise control of wastewater treatment processes and regular maintenance of equipment are of utmost importance. As part of the Board of Public Utilities, the Wastewater Divisions operate under its direction and supervision.

Overall, the Wastewater Treatment Plant Division is vital in safeguarding the environment and public health through effectively treating and managing wastewater in the City of Tulare. The Project will connect to the system via an existing 10' pipe on Gemini Street and a 30' pipe on Enterprise Street.

**Solid Waste and Recycling**

Tulare's Solid Waste/Street Sweeping Division provides a solid waste collection service. This Division is responsible for collecting and disposing of residential, commercial, industrial, and roll-off refuse, green waste, and recyclables generated within the boundaries of the City. The facility is located at 3981 South K Street in Tulare. Collected solid waste is transported to two facilities in the County: Visalia or Woodville.

The Visalia Landfill, located at 8614 Avenue 328 in Visalia, serves the cities of Visalia, Farmersville, Dinuba, Exeter, Tulare, Woodlake, Fresno, and unincorporated areas of northern Tulare and southern Fresno counties. The Visalia Landfill has a maximum permitted throughput of 2,000 tons per day. It has a maximum capacity of 18,630,666 cubic yards, with a remaining capacity of 14,815,501 cubic yards.

The Woodville Landfill, located at 19800 Road 152 near Tulare, serves the cities of Visalia, Farmersville, Exeter, Tulare, Woodlake, Lindsay, Woodlake, and unincorporated areas of central Tulare County. The Woodville Landfill has a maximum permitted throughput of 1,078 tons per day. It has a maximum capacity of 13,120,200 cubic yards, with a remaining capacity of 7,093,145 cubic yards. Between the two sites, there is an available capacity of 21,908,646 cubic yards.

### **Water**

The City of Tulare will provide water services. The Water Division is responsible for supplying safe and sanitary water to safeguard the long-term sustainability of underground aquifers while ensuring sufficient water supply and appropriate pressure for fire protection. The City's water system comprises several essential components, including 27 active wells, storage tanks, water treatment facilities, fire hydrants, and a distribution system of pipes throughout the service area. Additionally, seven well sites are equipped with Granular Activated Carbon (GAC) treatment filters.

The City's water supply is drawn from a series of deep wells strategically distributed throughout the community to meet the necessary demand. The water is then efficiently pumped into an interconnected water system to ensure a balanced water supply and adequate water pressure for all users in Tulare. No surface water is used for the water supply; however, surface water and treated wastewater are used for groundwater percolation to offset the groundwater extraction.

The division's responsibilities encompass a range of services, including monitoring water quality compliance, implementing water conservation measures, conducting groundwater recharge activities, performing maintenance and repairs on the water system, conducting hydrant flushing and testing, and conducting annual backflow testing. Additionally, the division coordinates with the Utility Billing Division for meter repair, turn-ons, and shut-offs. Operating under the direction of the Board of Public Utilities, the water service division plays a crucial role in providing essential water services to the community of Tulare while prioritizing water quality, conservation, and the overall efficiency and reliability of the water system.

The Project will connect to the City's system via existing 12' pipes on Gemini Street, Sonora Avenue, and Haven Street.

### **Storm Drainage**

Tulare's Surface Water Management Division is responsible for Groundwater Recharge, Surface Water Pollution Control, and Flood Control. According to the 2009 Storm Drainage Master Plan, Tulare divided its planning area into distinct subbasins, each consisting of a system of conveyance facilities to collect and dispose of runoff. The majority of the surface water in the city is collected and pumped into the Tulare Irrigation District canal system under provisions of an agreement entered into in 2005. Surface water flows into park/ponding basins and storm

drainage retention basins. The surface water management facilities capture as much of the rain events and nuisance water as possible to maximize recharge from the runoff. All recharge adds to the City's water supply via percolation into the groundwater subbasin.

The Project site will include the development of a storm drainage basin. All stormwater from the site will be retained in this basin. It will have a storage capacity of 22.5 acre-feet. The Site is subject to the Federal Phase II Storm Water NPDES permit requirements.

### **Electricity**

The City of Tulare receives its power supply from Southern California Edison Company (SCE). As a subsidiary of Edison International, SCE serves more than 15 million residents in California, making it one of the largest electric utilities in the country. Notably, SCE stands as the nation's leading purchaser of renewable power, emphasizing its commitment to sustainable energy sources.

The electrical facilities network in Tulare comprises a combination of overhead and underground lines. For new development projects, the installation of underground service lines is mandated, ensuring a modern and efficient power distribution system that aligns with safety and aesthetic considerations. The Project will connect to the existing electricity infrastructure via underground lines along Bardsley Avenue.

### **Regulatory Setting**

#### **CalRecycle**

California Code of Regulations, Title 14, Natural Resources – Division 7 contains all current CalRecycle regulations regarding nonhazardous waste management in the state. These regulations include standards for the handling of solid waste, standards for the handling of compostable materials, design standards for disposal facilities, and disposal standards for specific types of waste.

#### **Water Conservation Act of 2009 (SB X7-7)**

The State legislative package sets forth a clear mandate to achieve a 20 percent reduction in urban per capita water use across the entire state by 2020. The package includes provisions that require urban water suppliers to establish reduction targets based on their existing water usage levels. Likewise, agricultural water suppliers are obligated to create agricultural water management plans.

Under the guidelines of SB X7-7, urban water management plans must include both baseline water use assessments and reduction targets. Furthermore, these plans must provide regular reports on their progress meeting these targets. As for agricultural water suppliers, they are required to adopt agricultural water management plans and implement a specified methodology approved by the Department of Water Resources (DWR) to measure the volume

of water delivered. Additionally, they must adopt efficient water management practices outlined in the legislation.

To enforce compliance, the legislative package stipulates penalties for non-compliance, which may include disqualification for State water grants and loans. Moreover, any failure to meet the reduction targets beyond the 2020 deadline would be regarded as a violation of the law. In summary, this legislative package demonstrates the State's commitment to promoting responsible water usage and sustainability, imposing measures to ensure that both urban and agricultural water suppliers play their part in achieving the mandated water use reduction targets.

### **Central Valley RWQCB**

The Central Valley RWQCB requires a Stormwater Pollution Prevention Plan (SWPPP) for Projects disturbing more than one acre of total land area. Because the Project is more significant than one acre, an SWPPP to manage stormwater generated during construction will be required.

The Central Valley RWQCB regulates Wastewater Discharges to Land by establishing thresholds for discharged pollutants and implementing monitoring programs to evaluate program compliance. This program regulates approximately 1,500 dischargers in the region.

The Central Valley RWQCB is also responsible for implementing the federal program, the National Pollutant Discharge Elimination System (NPDES). The NPDES Program is the federal permitting program that regulates the discharges of pollutants to the surface waters of the U.S. Under this program, an NPDES permit is required to discharge pollutants into the Waters of the U.S. There are 350 permitted facilities within the Central Valley Region.

### **City of Tulare Municipal Code**

*City of Tulare Water Conservation Ordinance*: The City of Tulare implemented its Water Conservation Ordinance in 1989 and later amended it in July 2020. This ordinance is detailed in Chapter 7.32 of the Municipal Code. Its primary purpose is to establish regulations to minimize outdoor water usage and curb unnecessary potable water consumption. The ordinance explicitly defines and imposes restrictions on wasteful water practices and outlines water conservation alert stages that are to be activated during water scarcity.

Additionally, the City of Tulare operates a recycled water system, which supplies undisinfected, secondary effluent to approved users for specific purposes. This recycled water is distributed to customers authorized to utilize it under the terms and conditions of the Wastewater Discharge Requirements (WDR). To distribute recycled water to new users, the city must obtain necessary approvals from the California Department of Public Health (CDPH) and the Regional Water Quality Control Board (RWQCB) per the Recycled Water Ordinance. This ensures that recycled water distribution complies with relevant health and environmental regulations. The ordinance related to recycled water was passed as Ordinance 13-05 on October 1, 2013.

City of Tulare Solid Waste: Chapter 7.16 of the City's Municipal Code outlines policies and procedures for garbage collection and street sweeping services provided by the City of Tulare to provide residential and commercial collections to dispose of solid waste safely and appropriately.

City of Tulare Municipal Code Chapter 7.18 Recycling and Diversion of Construction and Demolition Procedures: The City of Tulare's Recycling and Diversion of Construction and Demolition materials was put in place to increase the recycling and reuse of construction and demolition debris, consistent with the goals of the California Integrated Waste Management Act of 1989.

### **City of Tulare General Plan**

The City of Tulare 2035 *Land Use Element and the Conservation and Open Space Element* includes the following goals and policies intended to protect the City's resources and are relevant to the proposed Project.

- Goal COS-2: To preserve and enhance surface waterways and aquifers.
  - *Policy COS-2.1: Regional Groundwater Protection*. The City shall work with Tulare County and special districts to help protect groundwater resources from overdraft by promoting water conservation and groundwater recharge efforts.
  - *Policy COS-2.2: Groundwater Recharge Area Protection*. When considering new development, the City shall protect existing open spaces, natural habitat, floodplains, and wetland areas that serve as groundwater recharge areas.
  - *Policy COS-2.13: Pollution from Runoff*. New projects (excluding residential parcel maps) will be required to provide onsite detention facilities designed to retain the first inch of runoff from a site.
  
- Goal LU-11: To provide optimal municipal facilities and services, consistent with available resources, that are adequate to meet the needs of desired future growth.
  - *Policy LU-11.3: System Expansion*. The City shall require new development to be responsible for expansion of existing facilities such as water systems, sewer systems, storm drainage systems, parks and other capital facilities made necessary to serve the new development.
  - *Policy LU-11.5: Water Supply for New Development*. For all new development, prior to the approval of any subdivision applications, the developers shall assure that there is sufficient available water supply to meet projected buildout.
  - *Policy LU-11.6: Adequate System Maintenance*. The City shall require maintenance funding for streets, storm drainage, and ponding basins for new development.
  - *Policy LU-11.7: Adequate Infrastructure Capacity*. The City shall only approve new development when it can be demonstrated by the applicant that adequate system capacity in the service area is or will be available to handle increases related to the project.

- *Policy LU-11.8: Conditions of Approval.* During the development review process, the City shall not approve new development unless the following conditions are met:
  - a) The applicant can demonstrate that all necessary infrastructure to serve the project will be installed or adequately financed;
  - b) Infrastructure improvements are consistent with City infrastructure plans; and
  - c) Infrastructure improvements incorporate a range of feasible measures that can be implemented to reduce public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required improvement.
- *Policy LU-11.9: Adequate City Service Capacity.* The City shall only approve new development when it can be demonstrated by the applicant that adequate public service capacity in the area is or will be available to handle increases related to the project. School capacity will be discussed in the review of each development, and the City will ensure early coordination with the school districts serving the site. School capacity will be addressed as allowed under State law.
- *Policy LU-11.10: Sewer Capacity.* The City shall provide adequate additional City sewer system capacity through the improvement of existing collection system lines and the construction of new trunk lines as proposed in the Sewer Master Plan.
- *Policy LU-11.12: Drainage Systems.* The City shall expand existing storm drainage systems as necessary to serve existing and future development.
- *Policy LU-11.13: Adequate Storm Drainage Facilities.* The City shall provide storm drainage facilities with sufficient capacity to protect the public and private property from stormwater damage. The facilities will also be implemented in a manner that reduces public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required drainage improvements (i.e., drainage basins, etc.).
- *Policy LU-11.16: Detention Facilities.* The City shall utilize stormwater detention facilities to mitigate drainage impacts and reduce storm drainage system costs. To the extent practical, stormwater detention facilities should be designed for multiple purposes, including recreational and/or stormwater quality improvement.
- *Policy LU-11.17: Fair Share Improvements.* The City shall ensure new development is required to participate on a fair-share basis in the completion of improvements to the existing sewer system, and/or the construction of new sewer trunk lines as described in the City's adopted Sewer Master Plan.
- *Policy LU-11.18: Solid Waste.* The City shall promote maximum use of solid waste source reduction, recycling, composting, and environmentally safe transformation of wastes.

### **Discussion**

- a) Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or**

**telecommunications facilities, the construction or relation of which could cause significant environmental effects?**

**Less than Significant Impact:** The proposed Project will connect to existing utility services. Existing utilities exist on the streets surrounding the Site. Connecting the Project to these utilities is not anticipated to cause a significant environmental effect because the extension would occur within the right-of-way before construction to minimize environmental impacts.

**Wastewater**

The proposed Project would tie into the City's sewer system on Gemini Street and Enterprise Street. The domestic wastewater plant has a capacity of 6.0 MGD and currently processes 4.15 MGD. The current remaining capacity is 1.85 MGD. The City has existing wastewater infrastructure that runs along the east and west borders of the site. The City's current infrastructure will be able to support this Project and is not anticipated to increase demand beyond planned conditions. The impact is *less than significant*.

**Water**

The Project would tie into existing water lines along Gemini Street, Sonora Avenue, and Haven Street. The proposed Project is consistent with the City's General Plan land use designation. As such, the Project would not affect groundwater supplies in the Kaweah Subbasin beyond what is already analyzed in the current Urban Water Management Plan. Tulare is planning to increase water demand due to new developments. The impact is *less than significant*.

**Stormwater**

The Project includes the construction of a stormwater basin on the Site's western edge. It will have a storage capacity of 22.5 acre-feet of stormwater. All stormwater from the Site will be collected and diverted into the new basin. This basin can accommodate all stormwater produced by the proposed Project. No existing drainage pipes are present on the Site; however, new drainage pipes will be added to convey stormwater to the basin and accommodate the entire Site. It is not anticipated that new or expanded stormwater facilities would be required. The impact is *less than significant*.

**Electric Power**

The City of Tulare receives its electricity supply from Southern California Edison Company (SCE), a subsidiary of Edison International that serves more than 15 million residents and is a leading purchaser of renewable power. The local electrical facilities network includes a combination of overhead and underground lines, with underground service lines mandated for new development projects to enhance safety and aesthetics. The proposed Project will connect to the existing electricity infrastructure via underground lines along Bardsley Avenue. It is not anticipated that the proposed Project will require the relocation

or construction of new or expanded electric power facilities. The impact is *less than significant*.

### **Natural Gas**

No natural gas will be used in the proposed Project. As such, no connection to natural gas facilities is required, and no relocation or construction of new or expanded natural gas facilities is anticipated. The impact is *less than significant*.

### **Telecommunications**

Comcast will provide telecommunications services for the proposed Project and connect to existing facilities. It is not anticipated that the proposed Project will result in the relocation or construction of new or expanded telecommunications facilities. The impact is *less than significant*.

## **b) Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?**

**Less than Significant Impact:** The City of Tulare will provide water services upon development. The City's only water supply source is 27 wells that extract water from an underground aquifer. According to Tulare's Urban Water Management Plan (UWMP), updated in 2021, the projected water demand for Tulare in 2025 is 6,255 million gallons (MG), an increase from the 2020 demand of 5,519 MG. Future projected water uses are estimated at 6,421 MG in 2030, 6,910 MG in 2035, and 7,436 MG in 2040.

The total water demand of the proposed Project was estimated using the City of Tulare UWMP. For residential uses, Tulare residents used 242 gallons per capita per day (gpcd). Due to the indoor residential water use standards discussed in AB 1668 and SB 606, Tulare is projecting a demand of 220 and 200 gpcd for 2025 and 2030 and beyond, respectively. Outdoor landscaping is included in these gpcd estimates. Using the 2030 average per person water use in the City of Tulare (200 gpcd) and the average household size in Tulare (3.32 persons; 2022 U.S. Census Bureau, Table DP02), the water demand for the proposed 285 units is estimated to be approximately 225,544 gallons per day (GPD), or 71 million gallons per year (MGPY).

From 2020 to 2030, the City plans to increase the annual water supply by 902 MG, from 5,519 MG to 6,421 MG, to meet the demands of an expanding population. Both the supply and demand of water are projected to increase every year. The City will have sufficient groundwater supplies for the Project.

The City engages in a variety of strategies to ensure that adequate water resources are available throughout normal, dry, and multiple dry years. These strategies include a water conservation staging ordinance, which establishes five progressively more restrictive stages of water conservation to be implemented during dry and consecutive-dry years.

Using the 2030 average per person water use in the City of Tulare (200 gpcd) and the average household size in Tulare (3.32 persons; 2022 U.S. Census Bureau, Table DP02), the water demand for the proposed 285 units is estimated to be approximately 189,240 gallons per day (GPD), 69 million gallons per year (MGPY), or 212 Acre feet per year (AFY). This would be a reduction in water demand for the project site from existing water demand from historical agricultural use of the property.

The proposed Project is consistent with the City's General Plan land use designation. As such, the Project would not affect groundwater supplies in the Kaweah Subbasin beyond what is already analyzed in the most current Urban Water Management Plan. The impacts would be *less than significant*.

**c) Would the Project 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:** As discussed above in this section, wastewater generated by the Project would be collected and treated at the City's domestic wastewater treatment plant. It has a capacity of 6.0 MGD and currently treats approximately 4.15 MGD. The current remaining capacity is 1.85 MGD. The City of Tulare General Plan projects a citywide population of 130,975 people in 2030 and the City of Tulare Sewer System Master Plan projects an average daily flow (ADF) of 12.9 million gallons per day (MGD). This corresponds to an ADF of about 98.4 gallons per capita per day for the year 2030. Using 932 as the expected population of the Project in that year, the expected sewage flow that will result from this development will be 917,088 gallons per day, or 0.78 million gallons per day. This Project will account for less than 5% of the City Sewer System's remaining capacity. The City's current infrastructure will be able to support this Project and is not anticipated to increase demand beyond planned conditions. The impact is *less than significant*.

**d) Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

**Less Than Significant Impact:** Solid waste collection service will be provided by the City of Tulare. Solid waste would be hauled to the Visalia or Woodville Landfills. Solid waste is anticipated as a result of Project implementation; however, the Project does not include any components that would generate excessive waste, and the existing facilities have the sufficient permitted capacity to accommodate the Project's solid waste disposal needs. The two landfills have a maximum permitted throughput of 3,078 tons per day. Between the two sites, there is an available capacity of 21,908,646 cubic yards. The impact is *less than significant*.

**e) Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

**No Impact:** This proposed Project conforms to all applicable management and reduction statutes and regulations related to solid waste disposal. The development will comply with the adopted policies related to solid waste and all applicable federal, state, and local statutes and regulations regarding solid waste disposal, including recycling. Therefore, the proposed Project would have *no impact* on solid waste regulations.

**XX. WILDFIRE**

<b>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Regulatory Setting****Definitions:**

*Fire hazard severity zones:* geographical areas designated pursuant to California Public Resources Codes Sections 4201 through 4204 and classified as Very High, High, or Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code, Sections 51175 through 51189.

## **Discussion**

**a) Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?**

**No Impact:** The Project is not located in an area classified as a Fire Hazard Severity Zone and would not substantially impair an adopted emergency response or evacuation plan. There is *no impact*.

**b) Due to slope, prevailing winds, and other factors, would the Project exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

**No Impact:** The Project is located on a flat land area with little risk of fire. The Project would not exacerbate wildfire risks and expose occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. There is *no impact*.

**c) Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

**No Impact:** The Project's construction involves adding new and relocated utilities. Utilities such as emergency water sources and power lines would be included as part of the proposed development; however, all improvements would be subject to City standards and fire chief approval. The Project is not located in an area classified as a Fire Hazard Severity Zone, and the proposed Project would not exacerbate fire risk. There is *no impact*.

**d) Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire instability, or drainage changes?**

**No Impact:** The Project Site is not located in an area designated as a Fire Hazard Severity Zone, and lands associated with the Project Site are relatively flat. Therefore, the Project would not be susceptible to downslope, downstream flooding, or landslides due to post-fire instability or drainage changes. There is *no impact*.

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

<b>Would the Project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Does the Project have the potential substantially to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## **Discussion**

- a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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:** As discussed in Sections 3-4, Biological Resources, several species have special status near the Project area. However, mitigation measures BIO-1 through BIO-5 reduce the potential to reduce habitats substantially, special species populations, and the range of rare or endangered plant species. With these mitigation measures in place, the project would not substantially degrade the environment or wildlife within the project area.

Based on the findings discussed in Cultural Resources and Tribal Cultural Resources in Section 3-5 and Section 3-18, respectively, the Project site is not known to be archaeologically sensitive. However, this may change due to the possibility of the unanticipated discovery of archaeological resources during ground-disturbing activities. Therefore, Project construction activities could potentially impact major periods of California's history or prehistory. However, implementing Mitigation Measures CUL-1 and CUL-2 would reduce these potential impacts to a less than significant level.

The Project is expected to result in the alteration of drainage patterns and erosion and siltation on-or off-site as mentioned in Section 3-10, Hydrology and Water Quality. However, mitigation measure HYD-1 through HYD-4 requires the project proponent to submit plans that minimize stormwater runoff and pollution in both the construction and operational phase. These mitigations will lessen potential impacts to less than significant levels. Implementing the identified mitigation measures for each respective section would ensure that impacts are *less than significant with mitigation incorporation*.

- 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 significance of the cumulative effects of a Project must, therefore, be assessed 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., an increase in population could lead to an increased need for housing, an increase in traffic, air pollutants, etc). Impacts would be *less than significant*.

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

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

### 3.6 MITIGATION MONITORING AND REPORTING PROGRAM

As required by Public Resources Code Section 21081.6, subd. (a)(1), a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Project to monitor the implementation of the mitigation measures adopted for the Project. This Mitigation Monitoring and Reporting Program (MMRP) has been created based on the Initial Study/Mitigated Negative Declaration (IS/MND) findings for the Sherwood Soth Subdivision Project in the City of Tulare.

The first column of the table identifies the mitigation measure. The second column names the party responsible for carrying out the required action. The third column, "Timing of Mitigation Measure," identifies when the mitigation measure should be initiated. The fourth column, "Responsible Party for Monitoring," names the party ensuring the mitigation measure is implemented. The City of Tulare will use the last column to ensure that the individual mitigation measures have been monitored.

Plan checking and verification of mitigation compliance shall be the City of Tulare's responsibility.

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<p><b>Mitigation Measure BIO-1:</b> A qualified biologist shall conduct Swainson's hawk protocol surveys in accordance with the Swainson's Hawk Technical Advisory Committee methodology (SWHA TAC 2000) during the nesting season immediately preceding construction, covering a ¼-mile radius around the Project site and completing the required multiple survey visits within the defined survey period. If Project activities occur during the nesting season (March 1–September 15) and an active Swainson's hawk nest is present (whether detected by survey or incidentally), the Project shall establish and maintain a minimum ½-mile no-disturbance buffer around each active nest. The buffer shall remain in effect until the end of the breeding season or until a qualified biologist confirms that the young have fledged and are independent of the nest and parental care. If a ½-mile buffer is not feasible, the Project applicant shall consult with CDFW to identify measures to avoid take; if take cannot be avoided, the applicant shall obtain an Incidental Take Permit pursuant to Fish and Game Code section 2081(b) prior to conducting activities that would result in take.</p>	<p>Project Sponsor</p>	<p>Prior to initiation of ground-disturbing and/or vegetation-disturbing activities if work may occur March 1–September 15; maintain buffers/avoidance through nesting season as applicable.</p>	<p>City of Tulare</p>	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<p><b>Mitigation Measure BIO-2a:</b> If feasible, ground-disturbing and vegetation-disturbing activities shall be scheduled outside the bird nesting season (February 1–September 15). If work occurs during the nesting season, a qualified biologist shall conduct pre-construction nesting bird surveys for active nests no more than 10 days prior to ground or vegetation disturbance. Surveys shall encompass the Project site and a sufficient surrounding area to identify nests that could be affected directly or indirectly (including through noise, vibration, or construction activity). For any active nest identified, the biologist shall establish a behavioral baseline and shall monitor nests for behavioral changes indicative of disturbance during construction. If disturbance is observed, the Project shall halt the causative work and implement additional avoidance or minimization measures in coordination with CDFW. If continuous monitoring is not feasible, the Project shall maintain a minimum 250-foot no-disturbance buffer around active nests of non-listed non-raptor bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors until the breeding season ends or a qualified biologist confirms that young have fledged and are independent. Variances may be implemented only when supported by a qualified biologist for compelling biological or ecological reasons and after notifying CDFW.</p>	<p>Project Sponsor</p>	<p>If work occurs Feb 1–Sep 15: surveys ≤10 days prior to disturbance; monitoring/buffers maintained until nests no longer active or season ends.</p>	<p>City of Tulare</p>	
<p><b>Mitigation Measure BIO-2b:</b> If an active nest, roost, burrow, or den is located during pre-construction surveys or monitoring, the Project shall avoid active nests, roosts, burrows, or dens, and a no-disturbance buffer shall be determined and established by a Designated Biologist in coordination with applicable agency guidance, as appropriate. The buffer shall be kept in place until after the breeding/nesting season or until the Designated Biologist confirms that young have fledged, are foraging independently, and the nest/roost/burrow/den is no longer active for the season. The extent of these buffers shall be determined by the Designated Biologist based on the species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient noise and other disturbances, and topographical or artificial barriers. Burrowing owl shall be addressed pursuant to Mitigation Measure BIO-3. If an active San Joaquin kit fox den is located, consultation with the U.S. Fish and Wildlife Service shall be required to document the presence of this federally listed species and to avoid take.</p>	<p>Project Sponsor</p>	<p>As needed upon detection of an active nest/roost/burrow/den; buffers maintained until no longer active/season ends.</p>	<p>City of Tulare</p>	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<p><b>Mitigation Measure BIO-2c:</b> If a lapse in Project-related work of fourteen (14) calendar days or longer occurs during the nesting season (February 1–September 15), the Designated Biologist shall conduct updated pre-construction nesting bird surveys for active nests no more than ten (10) days prior to reinitiating ground-disturbing or vegetation-disturbing activities in areas that have not yet been disturbed, and shall update buffers and/or monitoring requirements as necessary consistent with Mitigation Measure BIO-2a.</p>	<p>Project Sponsor</p>	<p>During nesting season, after any ≥14-day lapse and ≤10 days before restarting disturbance in undisturbed areas.</p>	<p>City of Tulare</p>	
<p><b>Mitigation Measure BIO-3:</b> A qualified biologist shall conduct focused western burrowing owl surveys in accordance with the protocols in the Staff Report on Burrowing Owl Mitigation (CDFW 2012) during the appropriate survey season immediately preceding ground disturbance. If a burrowing owl or burrow (active or inactive) is detected during surveys or incidentally during construction, the Project shall implement no-disturbance buffers as specified in CDFW’s Staff Report on Burrowing Owl Mitigation (CDFW 2012) for the applicable season (wintering and/or breeding) and shall maintain buffers prior to and throughout ground-disturbing activities to avoid take. If the recommended buffers cannot be feasibly implemented, the Project applicant shall consult with CDFW to identify measures to avoid take; if take cannot be avoided, the applicant shall obtain an Incidental Take Permit pursuant to Fish and Game Code section 2081(b) prior to conducting activities that would result in take.</p>	<p>Project Sponsor</p>	<p>Focused surveys prior to ground disturbance during appropriate season; buffers implemented/maintained as applicable.</p>	<p>City of Tulare</p>	
<p><b>Mitigation Measure BIO-4:</b> A qualified biologist shall conduct focused western spadefoot surveys using appropriate methods prior to any ground-disturbing activities. If occupied burrows, cracks, loose soil, or other refugia are identified, the Project shall delineate and maintain a 50-foot no-disturbance buffer around these features and all potential breeding habitat (including temporary pools, agricultural sumps, irrigation ditches, and briefly ponded areas—even when dry). If any western spadefoot life stage is observed on site, the Project shall immediately halt nearby activities to allow voluntary departure and shall implement additional avoidance and minimization measures as recommended by the qualified biologist. If western spadefoot becomes a candidate species or is listed under the California Endangered Species Act and full avoidance is infeasible, the Project applicant shall obtain an Incidental Take Permit pursuant to Fish and Game Code section 2081(b), as applicable, prior to conducting activities that would result in take, and shall consult early with CDFW to evaluate avoidance options or initiate ITP proceedings.</p>	<p>Project Sponsor</p>	<p>Focused surveys prior to ground disturbance; buffers/stop-work measures implemented as needed during construction.</p>	<p>City of Tulare</p>	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<p><b>Mitigation Measure BIO-5:</b> For any special-status species detections during Project surveys, the Project applicant shall submit a California Natural Diversity Database field survey form to CDFW. The Lead Agency shall pay the applicable CDFW environmental document filing fee upon filing the Notice of Determination, consistent with Fish and Game Code section 711.4 and California Code of Regulations, title 14, section 753.5. CNDDDB reporting shall apply to special-status species detections identified through implementation of Mitigation Measures BIO-1 through BIO-4.</p>	<p>Project Sponsor</p>	<p>Following detections and consistent with CDFW submittal procedures</p>	<p>City of Tulare</p>	
<p><b>Mitigation Measure CUL-1:</b> Construction shall stop near the find if previously unknown resources are encountered before or during grading activities. A qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavating the finds and evaluating the discoveries following Section 15064.5 of the CEQA Guidelines and the County's General Plan.</p> <p>If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoiding or capping, incorporating the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the discovery area until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person capable of providing long-term preservation to allow future scientific study.</p>	<p>Project Sponsor</p>	<p>Ongoing During Construction</p>	<p>City of Tulare</p>	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<p><b>Mitigation Measure CUL-2:</b> in the event that human remains are unearthed during the excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings regarding origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and consult with the descendants all reasonable options regarding the descendants' preferences for treatment.</p>	<p>Project Sponsor</p>	<p>Ongoing During Construction</p>	<p>City of Tulare</p>	
<p><b>Mitigation Measure HYD-1:</b> Prior to issuance of grading permits, the Project proponent shall submit a NOI and SWPPP to the RWQCB to obtain coverage under the General Permit for Discharges of Stormwater Associated with Construction Activity. The SWPPP shall specify and require the implementation BMPs, with the intent of keeping all products of erosion from moving offsite and into receiving waters during construction. The requirements of the SWPPP shall be incorporated into design specifications and construction contracts. Recommended BMPs for the construction phase shall include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Stockpiling and disposing of demolition debris, concrete, and soil properly;</li> <li>• Protecting existing storm drain inlets and stabilizing disturbed areas;</li> <li>• Implementing erosion controls;</li> <li>• Properly managing construction materials; and</li> <li>• Managing waste, aggressively controlling litter, and implementing sediment controls.</li> </ul> <p>The developer shall provide the City of Tulare Engineering Division with evidence of an approved SWPPP prior to issuance of grading permits.</p>	<p>Project Sponsor</p>	<p>Prior to issuance of grading permits.</p>	<p>City of Tulare</p>	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<p><b>Mitigation Measure HYD-2:</b> Prior to issuance of grading permits, the Project proponent shall prepare a drainage plan for the Project for approval by the City Engineer that identifies postconstruction treatment, control, and design measures that minimize surface water runoff, erosion, siltation, and pollution. The drainage plan shall be prepared in accordance with the City's SWMP and California Stormwater Quality Association's Storm Water Best Management Practices Handbook as well as the City Engineer's Technical Specifications and Public Improvement Standards. During final design of the Project, the Project proponent shall implement a suite of post-construction stormwater treatment and control BMPs designed to address the most likely sources of stormwater pollutants resulting from operation and maintenance of the Project. These measures shall account for the proposed development at the Project Site. Stormwater infrastructure will be designed adhering to methods and standards described in Section E.12.e.ii.c of the SWRCB Phase II Small MS4, General Permit (Order No. 2013-0001-DWQ). The City Engineer may also require other necessary BMPs and design features. Incorporation of City Engineer-approved BMPs and design features into the Project design and construction documents shall ensure that operational water quality exceeds applicable water quality standards. The Project proponent shall also prepare and submit an Operations and Maintenance Agreement to the City of Tulare for its approval identifying appropriate procedures to ensure that stormwater quality control measures work properly during operations.</p>	<p>Project Sponsor</p>	<p>Prior to issuance of grading permits.</p>	<p>City of Tulare</p>	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<p><b>Mitigation Measure HYD-3:</b> A Development Maintenance Manual for the Project shall include comprehensive procedures for maintenance and operations of any stormwater facilities to ensure long-term operation and maintenance of post-construction stormwater controls. The maintenance manual shall require that stormwater BMP devices be inspected, cleaned and maintained in accordance with the manufacturer’s maintenance conditions. The manual shall require that devices be cleaned prior to the onset of the rainy season (i.e., mid-October) and immediately after the end of the rainy season (i.e., mid-May). The manual shall also require that all devices be checked after major storm events. The Development Maintenance Manual shall include the following:</p> <ul style="list-style-type: none"> <li>• Runoff shall be directed away from trash and loading dock areas;</li> <li>• Bins shall be lined or otherwise constructed to reduce leaking of liquid wastes;</li> <li>• Trash and loading dock areas shall be screened or walled to minimize offsite transport of trash; and,</li> <li>• Impervious berms, trench catch basin, drop inlets, or overflow containment structures nearby docks and trash areas shall be installed to minimize the potential for leaks, spills or wash down water to enter the drainage system.</li> </ul>	Project Sponsor	Prior to issuance of grading permits.	City of Tulare	
<p><b>Mitigation Measure HYD-4:</b> Prior to initiation of any work that may affect Hooper Ditch (including, but not limited to, activities that may substantially divert or obstruct flow; change or use material from the bed, bank, or channel; remove riparian vegetation; or deposit debris or other materials), the Project applicant shall notify CDFW pursuant to Fish and Game Code section 1602 and shall obtain a Lake and Streambed Alteration Agreement if determined necessary by CDFW. The Project applicant shall implement all measures and conditions required by any such Agreement prior to and during construction.</p>	Project Sponsor	Prior to issuance of grading permits and prior to initiation of any work that may affect Hooper Ditch; implement continuously during construction for any applicable activities.	City of Tulare	

### 3.7 Supporting Information and Sources

1. [California Air Resources Board's \(CARB's\) Air Quality and Land Use Handbook](#)
2. [California Building Code](#)
3. [California Department of Conservation Important Farmland Categories](#)
4. [California Department of Water Resources Groundwater Levels](#)
5. [California Energy Efficiency Strategic Plan: New Residential Zero Net Energy Action Plan 2015-2020, June 2015](#)
6. [California Environmental Protection Agency \(CEPA\)](#)
7. [California Public Resources Code](#)
8. [California Office of Emergency Services MyHazards](#)
9. [California Stormwater Pollution Prevention Program \(SWPPP\)](#)
10. [CalFlora Plant Search](#)
11. [Caltrans Scenic Highways](#)
12. [City Code of Tulare - Chapter 19 Site Plan Review](#)
13. [City of Tulare Climate Action Plan](#)
14. [City of Tulare General Plan](#)
15. [City of Tulare General Plan EIR](#)
16. [City of Tulare Urban Water Management Plan \(2020\)](#)
17. [City of Tulare Sewer System Master Plan \(2016\)](#)
18. [City of Tulare Standard Plans \(2019\)](#)
19. [City of Tulare Wastewater Treatment Plant Master Plan \(2006\)](#)
20. [City of Tulare Water Shortage Contingency Plan \(2021\)](#)
21. [City of Tulare Water System Master Plan \(2014\)](#)
22. [City of Tulare Zoning Ordinance](#)
23. [CNDDDB Listing Descriptions](#)
24. ["Construction Noise Handbook." U.S. Department of Transportation/Federal Highway Administration.](#)
25. [FEMA Flood Map Service Center](#)
26. [Tulare County General Plan](#)
27. [Tulare County Multi-Jurisdictional Hazard Mitigation Plan \(2018\)](#)
28. [Tulare Code of Ordinances](#)
29. [Government Code Section 65962.5](#)
30. [San Joaquin Valley Air Pollution Control District Mitigation Measures](#)
31. [SJVAPCD Regulations and Guidelines](#)
32. [Sustainable Groundwater Management Act - Viewer](#)
33. [US Census \(2014-2018\). QuickFacts Tulare city, California.](#)

- 34.** [2022 California Environmental Quality Act \(CEQA\) Guidelines](#)
- 35.** [Tulare Municipal Service Review](#)
- 36.** [FCOG Regional Transportation Plan](#)
- 37.** [Tulare Bicycle and Pedestrian Mobility Plan](#)
- 38.** [California Almond Water Usage](#)



## **City of Tulare**

411 E Kern Avenue  
Tulare, CA 93274

### **SECTION 4 List of Preparers**

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***Project Title: Sherwood South Subdivision***

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#### **List of Preparers**

##### **4-Creeks Inc.**

- David Duda, AICP, GISP
- Nate Antepencko, Associate Planner

#### **Persons and Agencies Consulted**

The following individuals and agencies contributed to this Initial Study/Mitigated Negative Declaration:

##### **City of Tulare**

- Mario Anaya, Community Development Director
- Steven Sopp, Principal Planner

##### **Taylor Archaeology**

- Consuelo Y. Sauls, Archaeologist

##### **Krazan & Associates**

- Mark D. Edwards, PG, Senior Project Manager
- Dulcinea De Leon, Staff Geologist

##### **SOAR Environmental Consulting**

- Joe Bashore, Environmental Planner

##### **LSA Associates**

- Ambarish Mukherjee, PE, AICP