DRAFT
Environmental Impact Report
Shirk and Riggin Industrial Project
City of Visalia, Tulare County, California

State Clearinghouse Number 2022080658

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ACRONYMS AND ABBREVIATIONS

°C	degrees Celsius (Centigrade)
°F	degrees Fahrenheit
µg/m^3	micrograms per cubic meter
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACEP	Agricultural Conservation Easement Program
ACHP	Advisory Council on Historic Preservation
ACM	asbestos-containing material
ACP	Alternative Compliance Plan
ACS	American Community Survey
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
AFY	acre-feet per year
AIA	Airport Influence Area
AIC	Archaeological Information Center
AICUZ	Air Installation Compatibility Use Zone
Air Basin	San Joaquin Valley Air Basin
AIRFA	American Indian Religious Freedom Act
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Compatibility Plan
AMSL	above mean seal level
APCD	Air Pollution Control District
APE	Area of Potential Effect
APN	Assessor's Parcel Number
AQMD	Air Quality Management District
ARB	California Air Resources Board
ARPA	Archaeological Resources Protection Act
AST	aboveground storage tank
ATCM	Airborne Toxic Control Measures
ATP	Active Transportation Plan
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
BAU	business-as-usual
BCF	billion cubic feet

BCF/year	billion cubic feet per year
BERD	Built Environment Resource Directory
BGS	below ground surface
BMP	Best Management Practice
BP	Before Present
BTU	British Thermal Unit
BVOC	biogenic volatile organic compound
C^2ES	Center for Climate and Energy Solution
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy
CalEEMod	California Emissions Estimator Model
Cal/EPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire Protection
CalGEM	California Department of Conservation Geologic Energy Management
Cal/OSHA	California Occupational Health and Safety Administration
Caltrans	California Department of Transportation
Cal Water	California Water Service
CAP	Climate Action Plan
CAPCOA	California Air Pollution Control Officers Association
CBC	California Building Standards Code
CCAP	Climate Change Action Plan
CCCC	California Climate Change Center
CCR	California Code of Regulations
CCS	Carbon Capture and Storage
CDF	California Department of Finance
CDFW	California Department of Fish and Wildlife
CDP	Census Designated Places
CDR	Carbon Dioxide Removal
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CFC	chlorofluorocarbon
CFL	Compact Fluorescent Light
CFR	Code of Federal Regulations
cfs	cubic feet per second
CH_4	methane
CHL	California Historical Landmarks

CHRIS	California Historical Resources Information System
CIP	Capital Improvement Program
CMP	Congestion Management Plan
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CNRA	California Natural Resources Agency
CO	carbon monoxide
CO_2e	carbon dioxide equivalent
CPHI	California Points of Historical Interest
CPUC	California Public Utilities Commission
CRA	Cultural Resources Assessment
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency
CUWCC	California Urban Water Conservation Council
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibel
DBH	diameter at breast height
DPM	diesel particulate matter
DTSC	California Department of Toxic Substances Control
du	dwelling unit
du/acre	dwelling unit per acre
DWR	California Department of Water Resources
EDR	Environmental Data Resources, Inc.
EIR	Environmental Impact Report
EISA	Energy Independence and Security Act of 2007
EOP	Emergency Operations Plan
EPA	United States Environmental Protection Agency
EV	electric vehicle
EVA	Emergency Vehicle Access
FAA	Federal Aviation Administration
FAR	floor area ratio
FCS	FirstCarbon Solutions
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zone
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map

FMMP	Farmland Mapping and Monitoring Program
FRA	Federal Responsibility Area
FRAP	Fire and Resource Assessment Program
ETo	evapotranspiration
GAMAQI	Guide for Assessing and Mitigating Air Quality Impacts
GHG	greenhouse gas
GMP	Groundwater Management Plan
GPD	gallons per day
gpm	gallons per minute
GPS	Global Positioning System
GSP	Groundwater Sustainability Plan
GWh	gigawatt-hours
GWh/y	gigawatt-hours per year
GWP	global warming potential
HAP	Hazardous Air Pollutants
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HFC	hydrofluorocarbon
HHRA	Human Health Risk Assessment
HOV/HOT	High Occupancy Vehicle/High Occupancy Toll
HRA	Health Risk Assessment
HRI	California Historic Resources Inventory
HVAC	heating, ventilation, and air conditioning
IBC	International Building Code
ICC	International Code Council
IPCC	United Nations Intergovernmental Panel on Climate Change
IRWM	Integrated Regional Water Management
ISTEA	Intermodal Surface Transportation Efficiency Act
KDWCD	Kaweah Delta Water Conservation District
kW	kilowatts
kWh	kilowatt-hour
LAFCo	Local Agency Formation Commission
LCFS	Low Carbon Fuel Standard
L_{dn}	day/night average sound level
LED	light-emitting diode
L_{eq}	equivalent sound level
LEV	low-emission vehicle
LOS	Level of Service

LRA	Local Responsibility Area
LSE	load-serving entities
M&I	Municipal and Industrial
MBTA	Migratory Bird Treaty Act
mgd	million gallons per day
MJLHMP	Multi-Jurisdictional Local Hazard Mitigation Plan
MKGSS	Mid-Kaweah Groundwater Sustainability Agency
MLD	Most Likely Descendant
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
MOU	Memorandum of Understanding
mph	miles per hour
MPO	Metropolitan Planning Organization
MS4	Municipal Separate Storm Sewer System
MSR	Municipal Services Review
MTS	Metropolitan Transportation System
MW	megawatt
MWD	Metropolitan Water District of Southern California
MWELO	Model Water Efficient Landscape Ordinance
MXD	mixed-use development
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NEHRP	National Earthquake Hazards Reduction Program
NEPA	National Environmental Policy Act
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NFPA	National Fire Protection Association
NHM	Natural History Museum of Los Angeles County
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NO_2	nitrogen dioxide
NOAA Fisheries	National Marine Fisheries Service
NOC	Notice of Completion
NOP	Notice of Preparation
NO_x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service

NRHP	National Register of Historic Places
NWIC	Northwest Information Center
O_3	ozone
OAL	Office of Administrative Law
OEHHA	California Office of Environmental Health Hazard Assessment
OHWM	ordinary high water mark
ONAC	Federal Office of Noise Abatement and Control
OPR	Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PACE	Property Assessed Clean Energy
PCB	polychlorinated biphenyl
pCi/L	picocuries per liter
PEV	plug-in electric vehicle
PFC	perfluorocarbon
PG&E	Pacific Gas and Electric Company
Phase I ESA	Phase I Environmental Site Assessment
PM_{10}	particulate matter 10 micrometers or less in diameter
$PM_{2.5}$	particulate matter 2.5 micrometers or less in diameter
PM_x	particulate matter
ppb	parts per billion
ppm	parts per million
PPV	peak particle velocity
PRC	Public Resources Code
psi	pounds per square inch
PVC	polyvinyl chloride
RCRA	Resource Conservation and Recovery Act
Recology	Integrated Resource Recovery Company
RecycleSmart	Central Contra Costa County Solid Waste Authority
REL	Reference Exposure Level
RHNA	Regional Housing Needs Assessment
RMP	Risk Management Plan
rms	root mean square
RNG	renewable natural gas
ROG	reactive organic gases
RPS	Renewables Portfolio Standard
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
Sacramento Metro AQMD	Sacramento Metropolitan Air Quality Management District

SB	Senate Bill
SCE	Southern California Edison
SCS	Sustainable Communities Strategy
SEI	Strategic Energy Innovation
SF_6	sulfur hexafluoride
SFPUC	San Francisco Public Utilities Commission
SGMA	Sustainable Groundwater Management Act
SLCP	Short-Lived Climate Pollutant
SNAP	California Significant New Alternatives Policy
SO_2	sulfur dioxide
SoCalGas	Southern California Gas Company
SOI	Sphere of Influence
South Coast AQMD	South Coast Air Quality Management District
SR	State Route
SRA	State Responsibility Area
SSJVIC	Southern San Joaquin Valley Information Center
State Water Board	California State Water Resources Control Board
SVP	Society of Vertebrate Paleontology
SWIS	Solid Waste Information System
SWMP	Storm Water Management Plan
SWPPP	Storm Water Pollution Prevention Plan
TAC	toxic air contaminants
TAZ	Traffic Analysis Zone
TCAG	Tulare County Association of Governments
TCM	transportation control measures
TCR	Tribal Cultural Resource
TDM	Transportation Demand Management
TDS	total dissolved solids
TDV	Time Dependent Valuation
TEA-21	Transportation Equity Act for the 21st Century
Tg	teragram
therms/y	therms per year
TIA	Traffic Impact Analysis
TID	Tulare Irrigation District
TIS	Traffic Impact Study
TMA	Transportation Management Association
TMDL	Total Maximum Daily Load
TOD	Transit Oriented Development

TRU	Transport Refrigeration Unit
UAB	Urban Area Boundary
UBC	Uniform Building Code
UDB	Urban Development Boundary
UGB	Urban Growth Boundary
UPS	United Parcel Service
USACE	United States Army Corps of Engineers
USC	United States Code
USDA	United States Department of Agriculture
USDOT	United States Department of Transportation
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
UV	ultraviolet
UWMP	Urban Water Management Plan
V/C	volume to capacity ratio
Valley Air District	San Joaquin Valley Air Pollution Control District
VDECS	Verified Diesel Emission Control Strategies
VECC	Visalia Emergency Communication Center
VERA	Voluntary Emissions Reduction Agreements
VFD	Visalia Fire Department
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
VOC	volatile organic compound
VPD	Visalia Police Department
VUSD	Visalia Unified School District
WCP	Water Conservation Plant
WDR	Waste Discharge Requirements
WEAP	Worker Environmental Awareness Program
WQMP	Water Quality Management Plan
WSA	Water Supply Assessment
WUI	wildland urban interface
WWTP	Wastewater Treatment Plant
ZEV	Zero-Emission Vehicle

EXECUTIVE SUMMARY

Purpose

This Draft Environmental Impact Report (Draft EIR) is prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with the implementation of the Shirk and Riggin Industrial Project (State Clearinghouse No. 2022080658). This document is prepared in conformance with CEQA (Public Resources Code [PRC] § 21000, *et seq*.) and the CEQA Guidelines (California Code of Regulations [CCR], Title 14, § 15000, *et se*q.).

The purpose of this Draft EIR is to inform decision-makers, representatives of affected and responsible agencies, the public, and other interested parties of the potential environmental effects that may result from implementation of the proposed project. This Draft EIR describes potential impacts relating to a wide variety of environmental issues and methods by which these impacts can be mitigated or avoided.

Project Summary

Project Location

The project site is generally bound by Riggin Avenue to the south, Shirk Street to the east, Kelsey Street to the west, and Modoc Ditch to the north. A private road intersects the project site from south to north. The project site consists of three existing parcels: Assessor's Parcel Numbers [APNs] 077-840-004, 077-840-005, and 077-840-006 (formerly APNs 077-840-001, 077-840-002, and 077-840-003). The project site is within the City's Planning Area,[1] Urban Development Boundary (UDB) Tier 1 of the City, and the City's Sphere of Influence (SOI).

Project Description

The project applicant proposes to convert existing agricultural lands and develop the approximately 284-acre project site into an industrial park, consisting of eight industrial buildings used for warehouse, distribution, and light manufacturing; six flex industrial buildings; two drive-through restaurants; a convenience store; a recreational vehicle (RV) and self storage facility; gas station; and a car wash. The total building footprint is approximately 3,720,149 square feet. The project site would include sufficient amounts of trailer stalls and car parking stalls to serve the proposed uses in accordance with applicable City requirements. The proposed project would also involve necessary infrastructure and improvements sufficient to serve the proposed uses. These would include detention basins on the east, west, and central portions of the project site and other necessary stormwater facilities to be sized and installed in accordance with all applicable requirements and standards. Access would be provided via three access points along Shirk Street, three access points along Riggin Avenue, and five access points along Kelsey Street. Clancy Street south of the project site would be extended to replace the existing private road and would traverse south to north of the

[1] Planning area refers to the land area addressed by a General Plan, including land within the city limits and land outside the city limits that bears a relation to the City's planning. This area is not all intended for development; the Urban Growth Boundary shows the future development area.

site. On-site orchards would need to be removed, and that appropriate landscaping and lighting would be incorporated into the overall site design consistent with applicable City requirements and guidelines.

The proposed project would need to be annexed into the city limits, and upon annexation, would be served by the City of Visalia for purposes of water and wastewater. In addition, the other entitlements associated with this project include a Tentative Parcel Map and a Conditional Use Permit for some of the uses proposed (convenience store, drive-through lanes), some of the proposed lot sizes in the light industrial zoning, and lots without public street frontage.

Chapter 2, Project Description, provides a complete description of the proposed project.

Project Objectives

The fundamental purpose and goal of the proposed project is to accomplish the orderly development of the project site as proposed, consistent with the General Plan's industrial land use designation, which would provide economic benefits to the City, among others. As stated in Chapter 2, Project Description, the objectives of the proposed project are to:

- Ensure that development of the project site is accomplished in an economically viable manner consistent with applicable goals and policies as set forth in the City's General Plan, including the land use vision set forth therein that contemplates light industrial and industrial uses, taking into account necessary site plan considerations including efficient access and loading.
- Maximize development of the existing underutilized project site and generate increased revenue and economic development for the City in order to support the City's ongoing City operations.
- Develop a mixed-use industrial park, with light manufacturing, warehouse, distribution, and/or flex industrial uses, in the City that is designed to meet market demand and contemporary industry standards, including building size and clear height requirements, modern façades, articulated concrete panels, a natural color palette, and expansive glass entry features.
- Create employment-generating businesses in the City to reduce the need for members of the local workforce to commute outside the area for employment and to improve the jobs-to-housing balance.
- Maximize placement of industrial uses in close proximity to the State Highway system (SR-99) and other major transportation corridors to avoid or shorten truck-trip lengths, as feasible, on other roadways and to avoid locating industrial buildings in close proximity to residential uses or other sensitive receptors.
- Develop innovative industrial uses providing a range of building sizes with cross dock and rear load capability that have ready access to available infrastructure, including major transportation corridors and utilities to be used as part of the Central Valley supply chain and goods movement network.

Significant Unavoidable Adverse Impacts

As required under CEQA, the proposed project was analyzed for potentially significant impacts related to each of the environmental topic areas discussed in Sections 3.1 through 3.16. The results of the analysis indicate that the proposed project would result in the following significant and unavoidable impacts:

- **Project-level conversion of prime farmland:** Although the proposed project is consistent with the project site's General Plan designation and conversion of the project site to industrial use has long been envisioned as part of buildout under the General Plan, the proposed project would result in the loss of agricultural land and conversion of Prime Farmland to urban uses. There are no feasible mitigation measures available to reduce this impact. Accordingly, despite the fact that this conversion was previously evaluated and disclosed as part of the General Plan EIR, this Draft EIR has evaluated and hereby discloses that the proposed project would result in significant and unavoidable impacts related to the conversion of Important Farmland identified by Farmland Mapping and Monitoring Program (FMMP) mapping to nonagricultural use.
- **Cumulative conversion of prime farmland:** Much of the City's UDB consists of Important Farmland that would be converted to nonagricultural uses with implementation of future development already envisioned by the General Plan Land Use Element. Development within Tier II and III of the UDB that would convert Prime Farmland is subject to the 1:1 ratio of agricultural land preservation elsewhere outside of the City's UDB. Although cumulative projects occurring in Tier II and III of the UDB would be required to preserve agricultural land elsewhere, loss of Prime Farmland would still occur and the cumulative impact remains significant. The development of the proposed project would further contribute to this already significant cumulative impact, due to the loss of approximately 284 acres of Prime Farmland, which has been identified as an individual significant and unavoidable impact due to lack of feasible mitigation. Moreover, the proposed project's contribution to this significant cumulative effect to agricultural resources would be considered cumulatively considerable.
- **Project-level impact related to implementation of the applicable Air Quality Plan:** The proposed project is consistent with the project site's General Plan designation which means the proposed industrial use was accounted for in the Air Quality Plan (AQP) land use projections. However, the proposed project could create a localized violation of State or federal air quality standards, significantly contribute to cumulative nonattainment pollutant violations, and could expose sensitive receptors to substantial pollutant concentrations. The proposed project would be required to implement MM AIR-2a through MM AIR-2g. However, because MM AIR-2a through MM AIR-2f would not reduce construction or operational impacts below the applicable thresholds and full implementation of MM AIR-2g cannot be guaranteed due to potential technical and/or financial feasibility, the proposed project's potentially significant impact is conservatively identified as significant and unavoidable. Therefore, the proposed project is inconsistent with Criterion 1 of the AQP even after the incorporation of feasible mitigation. The impact would be significant and unavoidable.

- **Project-level impact related to cumulatively considerable net increase of nitrogen oxide (NO_X) during construction, and reactive organic gas (ROG), NO_X, and particulate matter 10 micrometers or less in diameter (PM_{10}) during operation:** For purposes of a conservative analysis, this Draft EIR evaluated the potential impacts assuming that none of the three anticipated project phases overlapped (sequential), and also considered the potential impacts if the project phases did, in fact, overlap (concurrent). In the sequential phasing scenario, after the incorporation of MM AIR-2a and MM AIR-2b, construction of the proposed project would not exceed the applicable San Joaquin Valley Air Pollution Control District (Valley Air District) daily emission screening levels for an Ambient Air Quality Analysis (AAQA), pursuant to District Rule 2201. However, if the three phases of construction occur concurrently, emissions of carbon monoxide (CO) and NO_X would exceed the applicable Valley Air District's significance thresholds even after implementation of feasible mitigation. As such, this impact would remain significant and unavoidable after implementation of identified mitigation.

  During operation, unmitigated emissions would exceed applicable Valley Air District thresholds of significance for CO, ROG, and NO_X. Therefore, MM AIR-2c through MM AIR-2g would be required to mitigate operational emissions to below Valley Air District thresholds. However, the full implementation of MM AIR-2c through MM AIR-2f would not reduce emissions below the applicable thresholds and MM AIR-2g cannot be guaranteed during project operation; therefore, the reasonable worst-case operational emissions would exceed the applicable Valley Air District's significance thresholds for CO, ROG, NO_X, and PM_{10} and this impact would remain significant and unavoidable.

- **Cumulative significant air quality impact:** Because the proposed project would exceed certain identified construction and operational significance thresholds, its emissions would also be cumulatively considerable.
- **Project-level impact related to mobile source operational noise:** Without development of the proposed project, nearly every roadway segment is estimated to experience noise increases from a minimum 0.9 A-weighted decibel (dBA) equivalent sound level (L_{eq}) maximum 8.6 dBA L_{eq} by 2028, compared to existing traffic noise levels. The addition of the proposed project's traffic would increase noise levels up to an additional 3.7 dBA L_{eq} upon full buildout. The proposed project would contribute to increasing traffic volumes—and therefore traffic-related noise levels—in its primary trip distribution area, which is generally bounded by the project site/Riggin Avenue to the north, State Route (SR) 99 to the west, Akers Street to the east, and SR-198 to the south. There are no feasible mitigation measures available to reduce this impact to less than significant. The proposed project's off-site mobile source operational noise impact from traffic generation would be considered significant and unavoidable.
- **Cumulative noise impact:** The proposed project would exceed the identified operational significance threshold, its impact would also be cumulatively considerable.

Summary of Project Alternatives

Below is a summary of the alternatives to the proposed project considered in Chapter 5, Alternatives to the Proposed Project.

No Project Alternative

Under this alternative, development of the project site would not occur, and the project site would remain in its current existing condition.

Reduced Footprint Alternative

Under this alternative, the proposed project would be developed in such a way as to reduce some construction and operational air quality impacts, operational noise impacts, and protect some of the on-site Prime Farmland by reducing the overall footprint of the developed areas. The eastern half of the project site, approximately 142 acres, would be preserved and would remain in agricultural production, and half of the total warehouse and industrial park land uses would be developed. The proposed associated commercial uses would be relocated to the western half of the site. The stormwater basins would be sized accordingly. It is assumed that culvert crossings over Modoc Ditch would be required, similar to the proposed project.

Alternative Location

Under this alternative, the proposed project would be constructed in the approximately 290-acre parcel west of Plaza Drive and Riggin Avenue. This parcel is selected as it is one of the remaining parcels within Tier I of the UDB that is designated as Industrial and therefore generally suitable for the proposed development. The proposed project would require a General Plan Amendment to re-designate a portion of the site as Light Industrial for the proposed associated flex industrial/commercial uses conditionally allowed under Light Industrial. This site would be approximately 650 feet from the nearest sensitive receptors located to the southwest.

Areas of Controversy

Pursuant to CEQA Guidelines Section 15123(b), a summary section must address areas of controversy known to the lead agency, including issues raised by agencies and the public, and it must also address issues to be resolved, including the choice among alternatives and whether or how to mitigate the significant effects.

A Notice of Preparation (NOP) for the proposed project was issued on August 30, 2022. The NOP describing the original concept for the project and issues to be addressed in the EIR was distributed to the State Clearinghouse, responsible agencies, and other interested parties for a 30-day public review period extending from August 30, 2022, through September 28, 2022. The NOP identified the potential for significant impacts on the environment related to the following topical areas:

- Aesthetics
- Agricultural Resources and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources and Tribal Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Transportation
- Utilities and Service Systems
- Wildfire

Disagreement Among Experts

This Draft EIR contains substantial evidence to support all the conclusions presented herein. It is possible that there will be disagreement among various parties regarding these conclusions, although the City of Visalia is not aware of any disputed conclusions at the time of this writing. Both the CEQA Guidelines and case law clearly provide the standards for treating disagreement among experts. Where evidence and opinions conflict on an issue concerning the environment, and the lead agency knows of these controversies in advance, the EIR must acknowledge the controversies, summarize the conflicting opinions of the experts, and include sufficient information to allow the public and decision-makers to make an informed judgment about the environmental consequences of the proposed project.

Potentially Controversial Issues

Below is a list of potentially controversial issues that may be raised during the public review and hearing process of this Draft EIR:

- Construction and operational emissions and Health Risk Assessment.
- Potential impacts to the Swainson's hawk, Crotch's bumblebee, and the northern legless lizard.
- Tribal consultation requirements and cultural resource assessment.

It is also possible that evidence will be presented during the 45-day, statutory Draft EIR public review period that may create disagreement. Decision-makers would consider this evidence during the public hearing process.

In rendering a decision on a project where there is disagreement among experts, the decision-makers are not obligated to select the most environmentally preferable viewpoint. Decision-makers are vested with the ability to choose whatever viewpoint is preferable and need not resolve a dispute among experts. In their proceedings, decision-makers must consider comments received concerning the adequacy of the Draft EIR and address any objections raised in these comments. However, decision-makers are not obligated to follow any directives, recommendations, or suggestions presented in comments on the Draft EIR, and can certify the Final EIR without needing to resolve disagreements among experts.

Public Review of the Draft EIR

Upon completion of the Draft EIR, the City of Visalia filed a Notice of Completion (NOC) with the State Office of Planning and Research to begin the public review period (PRC § 21161). Concurrent with the NOC, this Draft EIR has been distributed to responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, as well as all parties requesting a copy of the Draft EIR in accordance with Public Resources Code 21092(b)(3). During the public review period, the Draft EIR, including the technical appendices, is available for review at the City's Planning Department. The address is provided below:

Visalia City Hall
315 East Acequia Avenue
Visalia, CA 93291

The Draft EIR is also available for review at the following website:
https://www.visalia.city/depts/community_development/planning/ceqa_environmental_review.asp

Agencies, organizations, and interested parties have the opportunity to comment on the Draft EIR during the 45-day public review period. Written comments on this Draft EIR should be addressed to:

Brandon Smith, Principal Planner
City of Visalia
315 East Acequia Avenue
Visalia, CA 93291
559.713.4636
brandon.smith@visalia.city

Submittal of electronic comments in Microsoft Word or Adobe PDF format is encouraged. Upon completion of the public review period, written responses to all significant environmental issues raised will be prepared and made available for review by the commenting agencies at least 10 days prior to the public hearing before the City of Visalia on the project, at which the certification of the Final EIR will be considered. Comments received and the responses to comments will be included as part of the record for consideration by decision-makers for the project.

Executive Summary Matrix

Table ES-1 below summarizes the impacts, mitigation measures, and resulting level of significance after mitigation for the relevant environmental issue areas evaluated for the proposed project. The table is intended to provide an overview; narrative discussions for the issue areas are included in the corresponding section of this EIR. Table ES-1 is included in the EIR as required by CEQA Guidelines Section 15123(b)(1).

Table ES-1: Executive Summary Matrix

Impacts	Mitigation Measures	Level of Significance After Mitigation
Section 3.1—Aesthetics, Light, and Glare		
Impact AES-1: The proposed project would not have a substantial adverse effect on a scenic vista.	No mitigation measures are required.	Less than significant impact.
Impact AES-2: The proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway.	No mitigation measures are required.	No impact.
Impact AES-3: The proposed project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point).	No mitigation measures are required.	Less than significant impact.
Impact AES-4: The proposed project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	No mitigation measures are required.	Less than significant impact.
Cumulative Impact: The proposed project would not have a cumulative impact related to aesthetics, light, and glare.	No mitigation measures are required.	Less than significant impact.
Section 3.2—Agriculture and Forest Resources		
Impact AG-1: The proposed project would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use.	No feasible mitigation measures available.	Significant and unavoidable impact.
Impact AG-2: The proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act Contract.	No mitigation measures are required.	Less than significant impact.
Impact AG-3: The proposed project would not conflict with existing zoning for, or cause rezoning of, forest land	No mitigation measures are required.	No impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
(as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).		
Impact AG-4: The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use.	No mitigation measures are required.	No impact.
Impact AG-5: The proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use.	No mitigation measures are required.	Less than significant impact.
Cumulative Impact: The proposed project would have significant and unavoidable impacts related to agricultural resources.	No feasible mitigation measures are available.	Significant and unavoidable with respect to the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.
Section 3.3—Air Quality		
Impact AIR-1: The proposed project would conflict with or obstruct implementation of the applicable air quality plan.	Implement MM AIR-2a through MM AIR-2g (see Impact AIR-2).	Significant and unavoidable impact.
Impact AIR-2: The proposed project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard.	**MM AIR-2a: Use of Tier IV or Tier IV Equivalent Construction Off-Road Equipment** Before a construction permit is issued for the proposed project, the project sponsors shall submit construction emissions minimization plans to the City of Visalia for review and approval. The construction emissions minimization plans shall detail compliance with the following requirements: (1) Subject to same being commercially available, all off-road equipment utilized in connection with the subject individual development proposal shall have engines that meet either EPA or ARB Tier IV Final off-road emission standards. Provided, however, if engines that comply with Tier IV Final off-road emission standards are not commercially available, then the construction contractor shall use the next cleanest piece of off-road equipment (e.g., Tier IV Interim)	Significant and unavoidable impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	available. For purposes of this mitigation measure, "commercially available" shall mean the availability of Tier IV Interim engines taking into consideration factors such as (i) critical-path timing of construction; (ii) costs of utilizing same are commercially practicable; and (iii) geographic proximity to the project site of equipment. The relevant contractor's provision to the City letters from at least two rental companies for each piece of off-road equipment that reasonably documents the lack of commercially available off-road equipment shall be deemed sufficient for purposes of complying with this mitigation measure. The project applicant and contractor shall consider the use of near zero-emission or electric construction equipment if that type of equipment is commercially available at the time of grading permit submittal. (2) Post signage on the project site stating that construction equipment idling times shall not exceed five minutes. **MM AIR-2b: Super Compliant Architectural Coating During Construction** Prior to issuance of a grading permit in connection with an individual specific development proposal for the proposed project, the relevant project sponsor shall submit to the City of Visalia Planning Division construction contracts and/or subcontracts reasonably documenting that all architectural coating material utilized in connection with the subject individual specific development proposal would not exceed 10 grams of volatile organic compound (VOC) per liter of coating. To satisfy the above, the relevant project sponsor shall include in any construction contracts and/or subcontracts for the subject individual specific development proposal a requirement that all interior and exterior architectural coatings used in project construction meet the "super-compliant" coating VOC content standard of 10 grams or less of VOC per liter of coating. The relevant project sponsor shall also specify in the subject construction contracts and/or subcontracts the requirement to use high-volume, low-pressure spray guns during coating applications to reduce coating waste.	

	MM AIR-2c: Electric or Zero-Emission On-site Off-Road and On-Road Service Equipment Prior to issuance of the construction grading permit in connection with an individual specific development proposal for the proposed project, the relevant project sponsor shall provide reasonable documentation to demonstrate to the City of Visalia Planning Division that all on-site off-road and on-road service equipment will utilize zero-emission technology, subject to the same being commercially practicable. Additionally, the relevant project sponsor shall provide reasonable documentation to the City of Visalia Planning Division that all proposed buildings in connection with the subject individual specific development proposal that would use on-site service equipment will be designed to include electric outlets to equipment support the use of all-electric or zero-emission on-site service equipment, subject to the same being commercially practicable. **MM AIR-2d: Electric Vehicle Charging Infrastructure** Prior to issuance of the grading or building permit in connection with an individual specific development proposal for the proposed project, whichever occurs first, the relevant project sponsor shall provide reasonable documentation to the City of Visalia Planning Division demonstrating that the subject individual specific development proposal shall incorporate infrastructure for electric vehicle (EV) charging stations into a minimum of 20 percent of all vehicle parking spaces (including parking for trucks), consistent with the applicable California Green Building Standards Code Tier 1 Nonresidential Mandatory Measure (Section A5.106.5.3). To satisfy the foregoing, EV charging spaces must provide electrical vehicle charging infrastructure to support future installation of EV supply equipment and shall meet the applicable design space requirements of California Green Building Standards Code Section 5.106.5.3. In addition, the buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed to supply power for the future installation of EV truck charging stations on the site. Conduit should be installed from the electrical room to tractor trailer parking spaces in a logical location(s) on the site determined by the project applicant during construction document plan check, for the purpose of accommodating the future installation of EV truck charging stations at such time this	

Impacts	Mitigation Measures	Level of Significance After Mitigation
	technology becomes commercially available and the buildings are being served by trucks with electric-powered engines. **MM AIR-2e: On-Site Signage and Pavement Markings** In connection with an individual specific development proposal for the proposed project, whichever occurs first, the relevant project sponsor shall provide reasonable documentation to the City of Visalia Planning Division demonstrating signage and pavement marking that show on-site circulation routes have been or will be included along the relevant portions of the project site driveways and internal roadways. **MM AIR-2f: Vegetative Barrier** Prior to issuance of the grading or building permit in connection with an individual specific development proposal for the proposed project, whichever occurs first, the relevant project sponsor shall provide reasonable documentation to the City of Visalia Planning Division demonstrating the inclusion of a vegetative barrier along the south and east property boundaries of the project site. Prior to issuance of first occupancy permit, the project applicant shall demonstrate to the Visalia Planning Division the installation of the vegetative barrier at the described locations. **MM AIR-2g: Voluntary Emission Reduction Agreement** Prior to issuance of the grading or building permit in connection with an individual specific development proposal for the proposed project, whichever occurs first, the relevant project sponsor shall consult with the City of Visalia Planning Division about the feasibility of entering into a Voluntary Emissions Reduction Agreement (VERA) with the Valley Air District.	
Impact AIR-3: The proposed project would not expose sensitive receptors to substantial pollutant concentrations.	No mitigation measures are required.	Less than significant impact.
Impact AIR-4: The proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.	No mitigation measures are required.	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
Cumulative Impact: The proposed project would have a significant and unavoidable cumulative impact related to air quality.	Implement MM AIR-2a through MM AIR-2g.	Significant and unavoidable impact.
Section 3.4—Biological Resources		
Impact BIO-1: The proposed project could have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service.	**MM BIO-1a: Pre-construction Surveys for Swainson's Hawk** Prior to initial ground disturbance or building permits of any project area, if during the nesting season for Swainson's hawk (March 20 to July 20), a qualified Biologist shall conduct Swainson's hawk nesting surveys on-site and within a 0.5-mile radius of the project site to determine whether nests are present and if so, occupied. Occupancy shall be determined through observation of all accessible areas, including from public roads or other publicly accessible observation areas of Swainson's hawk activity (e.g., foraging) on and near the project site. If ground disturbance occurs outside the nesting season, no further action is required. A qualified Biologist shall follow the survey protocol outlined in the California Department of Fish and Wildlife (CDFW) Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley, which recommends surveys according to the following survey periods: 1. January–March 20: Conduct one survey total. 2. March 20–April 5: Conduct three surveys total. Surveys shall be conducted between sunrise to 10:00 a.m. and/or 4:00 p.m. to sunset. 3. April 5–April 20: Conduct three surveys total. Surveys shall be conducted between sunrise to 12:00 p.m. and/or 4:30 p.m. to sunset. 4. April 21–June 10: Initiating surveys are not recommended. Monitoring of known nest sites only. 5. June 10–July 30: (post-fledging) Conduct three surveys total. Surveys shall be conducted between sunrise to 12:00 p.m. and/or 4:00 p.m. to sunset. Pre-construction surveys shall be completed for at least the two survey periods immediately prior to the subject ground-disturbing activities being initiated, with the latest survey no more than 10 days prior to the start of the subject ground-disturbing A copy of the survey results shall be submitted to the lead agency as evidence of compliance.	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	MM BIO-1b: Swainson's Hawk Avoidance and Minimization and Construction Monitoring If nests are located and determined to be occupied, minimization measures must be implemented by the relevant applicant in connection with a specific individual development application, and construction monitoring conducted as follows: 1. Construction activities shall be prohibited within 600 feet of an active and occupied Swainson's hawk nest or within 600 feet of nests under construction to prevent nest abandonment unless a smaller buffer is approved pursuant to subsection (2) below. This incorporates the maximum avoidance buffer size stated in the California Department of Fish and Wildlife (CDFW) Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. 2. If site-specific conditions or the nature of the construction activity (e.g., other nearby development, limited activities) indicate that a smaller buffer, or no buffer at all, could be used, the project developer may seek approval from the qualified Biologist who, in coordination with the CDFW, shall determine the appropriate buffer size, which, once approved, shall govern. 3. No tree containing an active Swainson's hawk nest shall be removed. If (i) no nests are located or (ii) if nests are located and determined not to be occupied, then no minimization measures shall need to be implemented and no further mitigation under this MM BIO-1b shall be required. **MM BIO-1c: Pre-Construction Surveys for Burrowing Owl (includes avoidance and passive relocation if found)** To determine whether burrowing owl have occupied the project site prior to its development, a qualified Biologist shall perform a pre-construction burrowing owl survey to determine burrow locations within 30 days prior to construction activities using California Department of Fish and Wildlife (CDFW) Guidelines. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed. Surveys for occupied burrows shall be completed within all construction areas and within 300 feet of the proposed project impact area (where possible and appropriate based on locations of barren or ruderal habitats). At least 15	

Impacts	Mitigation Measures	Level of Significance After Mitigation
	days prior to the expected start, or restart, of any project-related ground disturbance activities, the project applicant shall provide a burrowing owl survey report with mapping exhibits to the CDFW. If no burrowing owl are detected during the pre-construction survey, no further action is necessary. If burrowing owl are detected during the pre-construction survey, the following actions shall be taken to offset impacts during construction (as outlined in the CDFW 2012 Guidelines): • During the nonbreeding season (September 1 through January 31), no disturbance shall occur within an approximately 160-foot radius of an occupied burrow. During the nesting season (February 1 through August 31), occupied burrows shall not be disturbed within a 300-foot radius unless a qualified Biologist approved by the CDFW verifies through non-invasive methods that either (1) the birds have not begun egg-laying and incubation or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival. • If owls must be moved away from the disturbance area, passive relocation techniques (as outlined by the CDFW [i.e., use of one-way doors]) should be used rather than trapping. At least one or more weeks will be necessary to accomplish this and to allow the owls to acclimate to alternate burrows. • If unpaired owls or paired owls are present in or within 300 feet of areas scheduled for disturbance or degradation (e.g., grading) and nesting is not occurring, owls are to be removed per CDFW-approved passive relocation protocols. Passive relocation requires the use of one-way exclusion doors, which must remain in place at least 48 hours prior to site disturbance to ensure owls have left the burrow prior to construction. A CDFW-approved exclusion plan would be required to implement this measure. • If paired owls are nesting in areas scheduled for disturbance or degradation, nest(s) shall be avoided from February 1 through August 31 by a minimum 300-foot buffer or until fledging has occurred. Following fledging, owls may be passively relocated.	

Impacts	Mitigation Measures	Level of Significance After Mitigation
	MM BIO-1d: Pre-construction Special-status Species Wildlife Surveys and Protective Measures if Found, Including Standard Avoidance Measures for San Joaquin Kit Fox. Not more than 14 days before start of ground disturbance, a qualified Biologist shall conduct surveys to determine the presence/absence of the following special-status wildlife species: Crotch's bumblebee, San Joaquin kit fox, western burrowing owl, and American badger. Should any of the foregoing special-status wildlife species be detected, the qualified Biologist shall coordinate with the California Department of Fish and Wildlife (CDFW) and/or the United States Fish and Wildlife Service (USFWS) (as appropriate) to determine adequate protection measures as may be required under applicable laws and regulations, and the relevant project developer shall implement all such measures in connection with the development proposal at issue. Copies of all reports and communication with the appropriate wildlife agencies shall be submitted to the lead agency as evidence of compliance. The following standardized recommendations as outlined by the USFWS for the protection of San Joaquin Kit Fox shall be implemented during project construction: 1. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Nighttime construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited. 2. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the Service and the California Department of Fish and Game (CDFG) shall be contacted as noted under measure 13 referenced below.	

Impacts	Mitigation Measures	Level of Significance After Mitigation
	3. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the Service has been consulted. If necessary, and under the direct supervision of the Biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped. 4. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site. 5. No firearms shall be allowed on the project site. 6. No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens. 7. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox. 8. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service. 9. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain	

Impacts	Mitigation Measures	Level of Significance After Mitigation
	endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site. 10. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be re-contoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. 11. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance. 12. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFG immediately in the case of a dead, injured or entrapped kit fox. 13. The Sacramento Fish and Wildlife Office and CDFG shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. 14. New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below.	

	MM BIO-1e: Protection of Active Bird Nests (includes pre-construction survey and implementation of avoidance buffer, if found). 1. Removal of trees shall occur in compliance with and as required by the City's Tree Preservation Ordinance. 2. If project development requires trees to be removed during the nesting season, pre-construction nesting bird surveys shall be conducted 7 days prior to tree removal to determine whether active nests are present. 3. If an active nest is located during pre-construction surveys, a qualified Biologist shall determine an appropriately sized avoidance buffer based on species and anticipated disturbance level. The buffer shall be 250 feet for migratory bird species and 500 feet for raptors. That no-disturbance buffer can be reduced if it is determined whether a qualified on-site monitor determines through monitoring the effects of activities on the nest that the buffer can be reduced without nest abandonment or otherwise affecting nest success. 4. The relevant applicant of the proposed development at issue shall physically mark the nest protection zone with Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. The nest protection zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently, as determined by a qualified Biologist. No construction activities or construction foot traffic is allowed to occur within the nest protection zones until the young have fledged and are foraging independently, as determined by a qualified Biologist. 5. The qualified Biologist shall monitor the active nest(s) periodically during construction activities to prevent any significant impacts that may result from the construction of the proposed project, until the young have fledged. Copies of the survey report shall be submitted to the lead agency as evidence of compliance. If no active nests are located, then no minimization measures shall need to be implemented and no further mitigation under this MM BIO-1e shall be required. **MM BIO-1f: Protection of Roosting Bats (includes pre-construction survey and implementation of avoidance buffer, if found).** If tree removal or demolition of existing structures is proposed in connection with project development, trees and/or structures with	

Impacts	Mitigation Measures	Level of Significance After Mitigation
	features capable of supporting roosting bats shall be surveyed by a qualified Biologist for bat roosts or evidence of bat roosting (guano, urine staining and scent, dead bats) not more than 14 days before the start of ground disturbance, including vegetation removal. If active roosts are discovered, a protection zone of no less than 50 feet around the active roost shall be established by the qualified Biologist. Disturbance may occur within the buffer once active roosting ceases, as determined by the qualified Biologist. If roosts are determined to be present and must be removed, the bats shall be excluded from the roosting site before the tree or structure is removed. A bat Exclusion Plan shall be reviewed and approved by the California Department of Fish and Wildlife (CDFW) prior to implementation. Exclusion methods may include use of one-way doors at roost entrances (bats may leave, but not reenter), or sealing roost entrances when the site can be confirmed to contain no bats. Exclusion efforts shall be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). Copies of the survey report shall be submitted to the lead agency as evidence of compliance. If no active roosts are located, then no minimization measures shall need to be implemented and no further mitigation under this MM BIO-1f shall be required.	
Impact BIO-2: The proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service.	No mitigation measures are required.	Less than significant impact.
Impact BIO-3: The proposed project could have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	**MM BIO-3**: The project developer shall submit the preliminary Jurisdictional Delineation (JD) and coordinate with the appropriate regulating agencies (Central Valley Regional Water Quality Control Board [RWQCB], California Department of Fish and Wildlife [CDFW] and the United States Army Corps of Engineers [USACE]) to determine whether the Modoc Ditch is protected under Section 404 and 401 of the Clean Water Act (CWA), Porter-Cologne Water Quality Control Act, and/or Fish and Game Code 1602.	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	If Modoc Ditch is considered jurisdictional by the regulating agencies, the relevant project developer shall, in accordance with all applicable laws and regulations, obtain the relevant permit applications based on coordination with the appropriate regulating agencies, if required prior to impacting any waters. As part of these authorizations, compensatory mitigation may be required by the regulating agencies to offset the loss of aquatic resources. If so, and as part of the permit application process, a qualified professional shall draft a Mitigation and Monitoring Plan to address implementation and monitoring requirements under the permit(s) to ensure that the subject development proposal would result in no net loss of habitat functions and values. The Plan shall contain, at a minimum, mitigation goals and objectives, mitigation location, a discussion of actions to be implemented to mitigate the impact, monitoring methods and performance criteria, extent of monitoring to be conducted, actions to be taken in the event that the mitigation is not successful, and reporting requirements. The Plan shall be approved by the appropriate regulatory agencies and compensatory mitigation shall take place either on-site or at an appropriate off-site location, if required. Copies of the Plan and associated report shall be submitted to the lead agency as evidence of compliance. Any material/spoils generated from project activities containing hazardous materials shall be located away from jurisdictional areas or special-status habitat and protected from stormwater runoff using temporary perimeter sediment barriers such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate and feasible. Protection measures should follow project-specific criteria as developed in a Storm Water Pollution Prevention and Protection Plan (SWPPP). Equipment containing hazardous liquid materials shall be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage from contaminating the ground and at least 50 feet outside the delineated boundary of jurisdictional water features. Any spillage of material shall be stopped if it can be done safely and in a feasible manner. In the event of any such spillage, the contaminated area shall be cleaned by the party responsible for the spillage, and any	

Impacts	Mitigation Measures	Level of Significance After Mitigation
	contaminated materials properly disposed. For all spills, the project foreman or designated environmental representative shall be notified.	
Impact BIO-4: The proposed project could interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites.	Implement MM BIO-1e and MM BIO-1f.	Less than significant impact with mitigation incorporated.
Impact BIO-5: The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	No mitigation measures are required.	Less than significant impact.
Impact BIO-6: The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan.	No mitigation measures are required.	No impact.
Cumulative Impact: The proposed project would not have a significant cumulative impact related to biological resources with mitigation incorporated.	MM BIO-1a through MM BIO-1f and MM BIO-3.	Less than significant impact with mitigation incorporated.
Section 3.5—Cultural Resources and Tribal Cultural Resources		
Impact CUL-1: The proposed project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.	**MM CUL-1: Archaeological Spot-Monitoring and Halt of Construction Upon Encountering Historical or Archaeological Materials** Prior to any ground disturbance in connection with project development, a surface inspection of the relevant portion(s) of the project site shall be conducted by a qualified Archaeologist; a Tribal Monitor/Cultural Staff from a culturally affiliated Native American tribe identified by the Native American Heritage Commission (NAHC) shall be permitted to observe, subject to an executed agreement between the Tribe and the relevant applicant (as noted below). The Archaeologist (and Tribal Monitor/Cultural Staff, subject to an executed agreement with the relevant applicant) shall monitor the relevant portion(s) of the project site during initial ground disturbance activities that occur in connection with the subject proposal.	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	The relevant applicant shall offer, in good faith and based on commercially reasonable terms, a culturally affiliated Native American tribe identified by the NAHC the opportunity to provide a Native American Monitor during ground-disturbing activities that occur in connection with the subject proposal. Tribal participation would be dependent upon the availability and interest of the Tribe as well as the parties being able to reach mutually acceptable terms. In addition, the relevant applicant shall with diligence and good faith coordinate with the Tribal Monitor/Cultural Staff to enter into an agreement on commercially reasonable terms wherein the Tribal Monitor/Cultural Staff shall provide pre- project-related activities training to supervisory personnel and any excavation contractor, which shall include information on potential cultural material finds and on the procedures to be enacted if Tribal Cultural Resources (TCRs) are found. Subject to such an executed agreement, the Tribal Monitor/Cultural Staff shall provide the foregoing activities prior to any ground disturbance in connection with an individual specific development proposal. In the event that TCRs are discovered during project-related subsurface construction activities, operations shall stop within 100 feet of the find and a qualified Archaeologist shall determine whether the resource requires further study. In consultation with the City of Visalia and consulting tribes, the qualified Archaeologist shall determine the measures that shall be implemented to protect the discovered resources, including, but not limited to, excavation of the finds and evaluation of the finds in accordance with CEQA Guidelines Section 15064.5. Measures may include avoidance, preservation in place, recordation, additional archaeological resting, and data recovery, among other options. Any previously undiscovered resources found during project-related subsurface construction activities shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance. No further ground disturbance shall occur in the immediate vicinity of the discovery until approved by the qualified Archaeologist.	
Impact CUL-2: The proposed project could cause a substantial adverse change in the significance of an	Implement MM CUL-1. **MM CUL-2:** Prior to the initiation of ground disturbance activities for project development, the relevant developer shall ensure that all	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
archaeological resource pursuant to CEQA Guidelines Section 15064.5.	construction personnel conducting ground disturbance at the project site in connection with the subject individual specific development proposal shall be provided a Worker Environmental Awareness Program (WEAP) cultural resources "tailgate" training. The training shall include visual aids, a discussion of applicable laws and statutes relating to archaeological resources, types of resources that may be found within the project site, and procedures to be followed in the event such resources are encountered. The training shall be conducted by an Archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology. Any Native American Monitors or representatives consulting on the proposed project shall be invited to attend and participate in the training session. **MM CUL-3:** In the event that prehistoric or historic-period archaeological resources are encountered during construction in connection with an individual specific development proposal, all construction activities associated therewith within 100 feet of the find shall halt and the City of Visalia and an Archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology shall be notified by the relevant applicant. Prehistoric archaeological materials may include obsidian and chert flaked stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. The Archaeologist shall inspect the findings within 24 hours of discovery or as soon thereafter as is reasonable and commercially practicable. If it is determined that the construction associated with the subject individual specific development proposal could significantly damage a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with Public Resources Code Section 21083.2 and Section 15126.4 of the CEQA Guidelines, with a preference for preservation in place. If avoidance is not feasible, a qualified Archaeologist shall prepare and the relevant applicant	

Impacts	Mitigation Measures	Level of Significance After Mitigation
	shall implement a detailed treatment plan in consultation with the City of Visalia. Treatment of unique archaeological resources shall follow the applicable requirements of Public Resources Code Section 21083.2. Treatment for most resources would consist of (but would not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the proposed project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and State repositories, libraries, and interested professionals.	
Impact CUL-3: The proposed project could disturb human remains, including those interred outside of formal cemeteries.	**MM CUL-4:** In the event of the accidental discovery or recognition of any human remains during ground disturbance activities in connection with an individual specific development proposal, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 shall be followed by the relevant applicant. Specifically, the following steps shall be taken: 1. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resource Code Section 5097.98. 2. Where any of the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity, either in accordance with the recommendations of the MLD or on the project site in a location not subject to further subsurface disturbance:	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	• The NAHC is unable to identify an MLD. • The identified MLD fails to make a recommendation within 48 hours after being notified by the commission. • The landowner or his or her authorized representative rejects the recommendation of the identified MLD and mediation by the NAHC fails to provide measures acceptable to the landowner. Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American remains: • When an initial study identifies the existence of, or the probable likelihood of, Native American remains within a project, a lead agency shall work with the appropriate Native Americans as identified by the NAHC as provided in Public Resources Code Section 5097.98. Each relevant applicant in connection with its individual specific development proposal may develop a plan for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the NAHC.	
Impact CUL-4: The proposed project may 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 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).	Implement MM CUL-1 through MM CUL-4.	Less than significant impact with mitigation incorporated.
Impact CUL-5: The proposed project may 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	Implement MM CUL-1 through MM CUL-4.	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
with cultural value to a California Native American tribe, and that is 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.		
Cumulative Impact: The proposed project could have a significant cumulative impact related to cultural resources.	Implement MM CUL-1 through MM CUL-4.	Less than significant impact with mitigation incorporated.
Section 3.6—Energy		
Impact ENER-1: The proposed project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.	None required.	Less than significant impact.
Impact ENER-2: The proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency.	None required.	Less than significant impact.
Cumulative Impact: The proposed project would have a less than significant impact related to energy.	None required.	Less than significant impact.
Section 3.7—Geology and Soils		
Impact GEO-1a: The proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	No mitigation measures are required.	Less than significant impact.
Impact GEO-1b: The proposed project could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:	**MM GEO-1:** Prior to issuance of the grading permit for each project development, the final grading, foundation, and construction plans for the subject proposal shall incorporate all the site-specific earthwork,	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
ii) Strong seismic ground shaking.	foundation, floor slab, lateral earth pressure, and pavement design recommendations, as detailed in a Geotechnical Evaluation prepared by a qualified Geotechnical Engineer. The final grading and construction plans for the subject individual specific development shall be reviewed by the City-approved Geotechnical Engineer to confirm compliance with this mitigation measure. Grading operations performed in connection with the subject individual specific development proposal shall satisfy all applicable recommendations included in the Geotechnical Evaluation. During construction performed in connection with the specific development, the City-approved Geotechnical Engineer shall monitor this construction to ensure the earthwork operations are properly performed in accordance with the foregoing requirements.	
Impact GEO-1c: The proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving: iii) Seismic-related ground failure, including liquefaction.	No mitigation measures are required.	Less than significant impact.
Impact GEO-1d: The proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving: iv) Landslides.	No mitigation measures are required.	Less than significant impact.
Impact GEO-2: The proposed project would not result in substantial soil erosion or the loss of topsoil.	**MM GEO-2:** In order to reduce on-site erosion due to project construction and operation, an erosion control plan and Storm Water Pollution Prevention Plan (SWPPP) shall be prepared for the site preparation, construction, and post-construction periods by a registered civil engineer or certified professional. The erosion control plan shall incorporate Best Management Practices (BMPs) consistent with the requirements of the National Pollutant Discharge Elimination System (NPDES). The erosion component of the plan must at least meet the requirements of the SWPPP required by the Central Valley Regional Water Quality Control Board (RWQCB). If earth-disturbing activities are proposed between October 15 and April 15, these activities shall be limited to the extent feasible to minimize potential erosion-related impacts. Additional erosion control measures may be implemented in consultation with the City of Visalia. Prior to the issuance of any permit, the project proponent shall submit detailed plans to the satisfaction of the City of Visalia. The components of	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	the erosion control plan and SWPPP shall be monitored for effectiveness by the City of Visalia. Erosion control measures may include, but not be limited to, the following: i. Limit disturbance of soils and vegetation disturbance removal to the minimum area necessary for access and construction; ii. Confine all vehicular traffic associated with construction to the right-of-way of designated access roads; iii. Adhere to construction schedules designed to avoid periods of heavy precipitation or high winds; iv. Ensure that all exposed soil is provided with temporary drainage and soil protection when construction activity is shut down during the winter periods; and v. Inform construction personnel prior to construction and periodically during construction activities of environmental concerns, pertinent laws and regulations, and elements of the proposed erosion control measures.	
Impact GEO-3: The proposed project could be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the proposed project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.	Implement MM GEO-1.	Less than significant impact with mitigation incorporated.
Impact GEO-4: The proposed project could be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.	Implement MM GEO-1.	Less than significant impact with mitigation incorporated.
Impact GEO-5: The proposed project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.	No mitigation measures are required.	No impact.
Impact GEO-6: The proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	**MM GEO-3:** In the event a fossil is discovered during construction performed in connection with project development, the relevant project developer/contractor shall cease ground-disturbing activities within 15 feet of the find. The qualified Paleontologist shall evaluate the significance of the resources and recommend appropriate treatment measures which	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	shall be implemented by the relevant applicant. In addition, all recovered fossils should be deposited in an appropriate repository, such as the University of California Museum of Paleontology, located on the campus of the University of California, Berkeley, where they will be properly curated and made accessible for future study.	
Cumulative Impact: The proposed project would not have a significant cumulative impact with mitigation incorporated.	MM GEO-1, MM GEO-2, and MM GEO-3.	Less than significant impact with mitigation incorporated.
Section 3.8—Greenhouse Gas Emissions		
Impact GHG-1: The proposed project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	None required.	Less than significant impact.
Impact GHG-2: The proposed project could conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.	**Implement MM AIR-2d and** **MM GHG-2a: Rooftop Solar** Prior to issuance of the first building permit in connection with an individual specific development proposal, the relevant project applicant shall provide the City of Visalia Planning Department reasonable documentation demonstrating that each of the buildings that are covered by the subject individual specific development proposal would be designed with one of the following: (i) rooftop photovoltaic solar panels, (ii) solar-ready rooftop design that shall support the installation of rooftop photovoltaic panel, as feasible, or (iii) roofing material contains light coloring with a solar reflective index greater than 78. **MM GHG-2b:** Warehouse usage shall be limited to dry storage. If the warehouse is used for cold storage, then prior to the issuance of occupancy permits, the City of Visalia shall confirm that tenant lease agreements include contractual language that requires all Transport Refrigeration Units (TRUs) entering the project site be plug-in capable. Electrical hookups shall be provided as part of the tenant improvements for any tenant that requires cold storage. The electrical hookups shall be provided at loading bays for truckers to plug in any onboard auxiliary equipment and power refrigeration units while their truck is stopped.	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
Cumulative Impact: The proposed project could have a significant cumulative impact related to greenhouse gas emissions.	Implement MM AIR-2d, MM GHG-2a, and MM GHG-2b.	Less than significant impact with mitigation incorporated.
Section 3.9—Hazards and Hazardous Materials		
Impact HAZ-1: The proposed project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	No mitigation measures are required.	Less than significant impact.
Impact HAZ-2: The proposed project could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.	**MM HAZ-1** (a) Any known wells on the project site shall be delineated on an engineered site plan with a minimum 10-foot radius no build area. (b) In the event that any abandoned or unrecorded wells are uncovered or damaged during excavation or grading activities, all work shall cease in the vicinity of the well, and the California Department of Conservation Geologic Energy Management (CalGEM), shall be contacted for requirements and approval; copies of said approvals shall be submitted to the City of Visalia Community Development Department. CalGEM may determine that remedial plugging operations may be required. (c) The following note shall appear on all final maps and grading plans: "If during grading or construction, any plugged and abandoned or unrecorded wells are uncovered or damaged, CalGEM will be contacted to inspect and approve any remediation required.	Less than significant impact with mitigation incorporated.
Impact HAZ-3: The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	No mitigation measures are required.	Less than significant impact.
Impact HAZ-4: The proposed project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code	No mitigation measures are required.	No impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.		
Impact HAZ-5: 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, the proposed project would not result in a safety hazard or excessive noise for people residing or working the project area.	No mitigation measures are required.	Less than significant impact.
Impact HAZ-6: The proposed would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	No mitigation measures are required.	Less than significant impact.
Impact HAZ-7: The proposed project would not expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires.	No mitigation measures are required.	Less than significant impact.
Cumulative Impact: The proposed project would have a less than significant impact related to hazards and hazardous materials with mitigation incorporated.	Implement MM HAZ-1.	Less than significant impact with mitigation incorporated.
Section 3.10—Hydrology and Water Quality		
Impact HYD-1: The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.	Implement MM GEO-2.	Less than significant impact with mitigation incorporated.
Impact HYD-2: The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.	No mitigation measures are required.	Less than significant impact.
Impact HYD-3: The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the	Implement MM GEO-2.	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
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; ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; 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 iv. impede or redirect flood flows?		
Impact HYD-4: The proposed project would not be located in a flood hazard zone, tsunami, or seiche zone, or risk release of pollutants due to project inundation.	No mitigation measures are required.	Less than significant impact.
Impact HYD-5: The proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	No mitigation measures are required.	Less than significant impact.
Cumulative Impact: The proposed project would have a less than significant impact related to hydrology and water quality.	Implement MM GEO-2.	Less than significant impact with mitigation incorporated.
Section 3.11—Land Use and Planning		
Impact LAND-1: The proposed project would not physically divide an established community.	No mitigation measures are required.	Less than significant impact.
Impact LAND-2: The proposed project would not 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 mitigation measures are required.	Less than significant impact.
Cumulative Impact: The proposed project would not have a cumulative impact related to land use and planning.	No mitigation measures are required.	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
Section 3.12—Noise		
Impact NOI-1: The proposed project would generate 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.	**MM NOI-1:** (a) Prior to the issuance of building permit for a drive-through car wash, an in-depth acoustical study prepared by a qualified acoustic professional shall be submitted for review and approval to the City Community Development Department that demonstrates that the design and operations of a proposed drive-through car wash would not result in exceedances of the Visalia Municipal Code's applicable daytime and nighttime noise limits for residential land uses. The study shall evaluate factors such as: • The location and orientation of noise-generating equipment, such as dryer blowers and vacuums. • The location and orientation of the drive-through car wash tunnel. • The hours of operation. • The location of the drive-through car wash on the project site. (b) Based on the results of the acoustical study, the project applicant shall be required to incorporate, at a minimum, design features or reduction measures to reduce any identified operational noise impact to meet applicable noise performance criteria. These reduction measures shall be included on all relevant plans, specifications, and other permitting documents. Measures and design features may include, but are not limited to the following: • Locating the car wash facility further away from sensitive receptors, therefore reducing its noise impacts at nearby residential land uses. • Orienting the facility so that the carwash exit (where the drying blowers would be located) is located facing away from nearby residential land uses. • Providing sound blankets to hang around the edge of the carwash exit tunnel to help shield the dryer blower noise. • Locating the dryer blowers further inside the car wash tunnel to help shield the dryer blower noise. • Providing screening, such as a structure or sound wall, to shield the carwash exit where the dryer blowers would be located from nearby residential land uses.	Significant and unavoidable impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	MM NOI-2: (a) When specific uses within the project area are proposed that could result in a noise-related conflict between an industrial or other stationary noise source and existing or future noise-sensitive receptors, an acoustical analysis shall be required by the City that quantifies the proposed use's operational noise levels and recommends appropriate reduction measures, as necessary, to achieve compliance with the City's noise standards. The analysis shall be prepared by a qualified acoustic professional. All recommended design features or reduction measures shall be noted on plans, specifications, and other relevant permitting documents prior to the issuance of building permits. (b) Based on the results of the acoustical study, the project applicant shall be required to incorporate, at a minimum, design features or reduction measures to reduce any identified operational noise impact to meet applicable noise performance criteria. Reduction measures and design features may include, but are not limited to the following: • Locating the warehouse facility further away from sensitive receptors, therefore reducing its noise impacts at nearby residential land uses. • Orienting the facility so that the warehouse truck loading/unloading areas are located facing away from nearby residential land uses. • Providing gasket loading dock doors to help shield truck loading and unloading noise. • Providing screening, such as a structure or sound wall, to shield truck loading and unloading areas from nearby residential land uses.	
Impact NOI-2: The proposed project would not result in generation of excessive groundborne vibration or groundborne noise levels.	None required.	Less than significant impact.
Impact NOI-3: The proposed project would not expose people residing or working in the project area to excessive noise levels 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 a public airport or public use airport.	None required.	No impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
Cumulative Impact: The proposed project would have a significant and unavoidable impact related to cumulative traffic noise impacts.	None available.	Significant and unavoidable impact.
Section 3.13—Public Services		
Impact PUB-1: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection and emergency medical services.	No mitigation measures are required.	Less than significant impact.
Impact PUB-2: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection.	No mitigation measures are required.	Less than significant impact.
Impact PUB-4: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental park facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks or other recreational facilities.	No mitigation measures are required.	Less than significant impact.
Impact PUB-5: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental library facilities, need for new or physically altered	No mitigation measures are required.	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities, such as libraries.		
Cumulative Impact: The proposed project would not result in cumulative impacts related to public services.	No mitigation measures are required.	Less than significant impact.
Section 3.14—Transportation and Traffic		
Impact TRANS-1: The proposed project could conflict with a program plan, ordinance or policy of the circulation system, including transit, roadways, bicycle and pedestrian facilities.	**MM TRANS-1:** Prior to the issuance of building permits, the project shall comply with the City's Active Transportation Plan (ATP) and dedicate 28 feet for a pedestrian trail along the south side of Modoc Ditch. **MM TRANS-2:** Prior to the building permits, the developer shall appropriate Storm Drainage and Waterways impact fees. **MM TRANS-3:** Plaza Drive and Riggin Avenue: Prior to the issuance of grading permits the proposed project shall provide site plans that show modification of the raised median to extend the existing westbound left-turn pocket by 100 feet, to provide a 400-foot left-turn pocket. The existing northbound right-turn stripe shall be extended to 300 feet. These improvements shall occur in the year 2026. The project proponent shall be financially responsible for these improvements. "Financially responsible" shall equate to implementing the project as well as paying for the project. **MM TRANS-4:** Shirk Street and Riggin Avenue: The proposed project shall provide dual northbound left-turn pockets (300-foot minimum) and a 300-foot minimum southbound left-turn pocket. Since a 300-foot eastbound right-turn pocket would already be installed by the Capital Improvement Plan (CIP) project, additional recommendations are not proposed. These improvements shall occur in the year 2025. The project's contribution into the Transportation Impact Fees (TIF) will assist in paying for these improvements. **MM TRANS-5:** Shirk Street and Ferguson Avenue: Prior to the issuance of final occupancy of any project area, the proposed project shall signalize the intersection, subject to pro rata cost sharing with the adjacent Carlton Acres Specific Plan project. This improvement would allow the intersection	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	to operate at an acceptable Level of Service (LOS) for the deficient scenarios, while reducing the vehicles queues for all intersection turn pockets below the storage capacity. Costs of implementing MM TRANS-5 are expected to be shared by Carlton Acres Specific Plan (CASP) and the proposed project as it provides access to both sites. **MM TRANS-6:** Roeben Street and Ferguson Avenue: Prior to final occupancy of any portion of Phase 3, the proposed project shall make a 26.2 percent fair share contribution toward signalizing this intersection. Based on the estimated signalization and interconnect cost of $500,000, the proposed project shall contribute up to $131,000 for these future improvements. **MM TRANS-7:** Akers Street and Riggin Avenue: The proposed project shall provide an additional northbound left-turn pocket and through lane and provide an additional eastbound/westbound through lane. Costs of implementing MM TRANS-7 are expected to be shared by Carlton Acres Specific Plan (CASP), the proposed project, and others as it provides access to multiple sites under development. **MM TRANS-8:** Akers Street and Ferguson Avenue: The proposed project shall provide an additional northbound/southbound through lane and right-turn pocket (150-foot minimum) and provide an eastbound right-turn pocket (150-foot minimum). Costs of implementing MM TRANS-8 are expected to be shared by Carlton Acres Specific Plan (CASP) and the proposed project as it provides access to both sites. **MM TRANS-9:** Akers Street and Goshen Avenue: The proposed project shall modify the raised median to extend the existing southbound left-turn pocket to 400 feet. It is not recommended to exceed this length further in order to maintain access to the existing driveway north of the intersection. The existing southbound right-turn stripe shall be extended to 400 feet minimum. Costs of implementing MM TRANS-9 are expected to be shared by Carlton Acres Specific Plan (CASP) and the proposed project as it provides access to both sites.	
Impact TRANS-2: The proposed project could conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).	**MM TRANS-10a:** Prior to the issuance of building permits, the site plan shall include the location of up to six secured bicycle storage lockers near each of the buildings entrances and the future transit stop. Up to 10	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	potential locations shall be included, for a total of up to 60 lockers throughout the site. Lockers shall be provided for approximately 1.5 percent of the 4,178 site's daily employees with flexibility to add future lockers based on demand. **MM TRANS-10b:** Prior to final occupancy of any portion of Phase 1, the developer shall construct a bike path along Modoc Ditch, between Kelsey Street and Shirk Street (approximately 1-mile). The existing Class I bike path along Modoc ditch runs to the east of the proposed project, between Dinuba Boulevard and the St. John's River Trail. The Carlton Acres Specific Plan (CASP) project also proposed to construct a portion of the Class I path within the site. Therefore, the bike path shall connect to a new path proposed within the CASP site and future segments to the east and west. This mitigation is subject to contractability and approval by Cal Water.	
Impact TRANS-3: The proposed project could substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	**MM TRANS-11:** Prior to the issuance of construction permits, the project developer shall prepare and submit a Construction Traffic Control Plan to the City of Visalia for approval and implement the approved Construction Traffic Control Plan during construction. The Construction Traffic Control Plan shall be prepared in accordance with both the California Department of Transportation Manual on Uniform Traffic Control Devices and Work Area Traffic Control Handbook and shall include, but not be limited to, the following issues: a. Timing of deliveries of heavy equipment and building materials; b. Directing construction traffic with a flag person; c. Placing temporary signing, lighting, and traffic control devices if required, including, but not limited to, appropriate signage along access routes to indicate the presence of heavy vehicles and construction traffic; d. Ensuring access for emergency vehicles to the project site; e. Temporarily closing travel lanes or delaying traffic during materials delivery, transmission line stringing activities, or any other utility connections; f. Maintaining access to adjacent property; and, g. Specifying both construction-related vehicle travel and oversize load haul routes, minimizing construction traffic during the AM and PM	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	peak-hour, distributing construction traffic flow across alternative routes to access the project sites, and avoiding residential neighborhoods to the maximum extent feasible.	
Impact TRANS-4: The proposed project could result in inadequate emergency access.	Implement MM TRANS-11.	Less than significant impact with mitigation incorporated.
Cumulative Impact: Impacts related to transportation would be less than significant with mitigation incorporated.	Implement MM TRANS-1 through MM TRANS-11.	Less than significant impact with mitigation incorporated.
Section 3.15—Utilities and Service Systems		
Impact UTIL-1: The proposed project would not 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 relocation of which could cause significant environmental effects?	None required.	Less than significant impact.
Impact UTIL-2: The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	None required.	Less than significant impact.
Impact UTIL-3: The proposed project would 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.	None required.	Less than significant impact.
Impact UTIL-4: The proposed project could 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?	**MM UTIL 1: Debris and waste generated shall be recycled to the extent feasible.** The provisions listed below shall apply to the project during construction activities in connection with project development. a. An on-site Recycling Coordinator shall be designated by the project proponent/contractor to facilitate recycling.	Less than significant impact with mitigation incorporated.

Impacts	Mitigation Measures	Level of Significance After Mitigation
	b. The Recycling Coordinator shall facilitate recycling of all construction waste through coordination with contractors, local waste haulers, and/or other facilities that recycle construction/demolition wastes. c. The on-site Recycling Coordinator shall also be responsible for ensuring wastes requiring special disposal are handled according to State and County regulations that are in effect at the time of disposal. d. Contact information of the coordinator shall be provided to the City of Visalia prior to issuance of building permits. e. The project proponent/operator shall provide a storage area for recyclable materials within the fenced project area that is clearly identified for recycling. This area shall be maintained on the site during construction and operations. A site plan showing the recycling storage area shall be submitted prior to the issuance of any grading or building permit for the site.	
Impact UTIL-5: The proposed project would comply with federal, State, and local statutes and regulations related to solid waste.	None required.	Less than significant impact.
Cumulative Impact: Impacts related to utilities would be less than significant with mitigation incorporated.	Implement MM UTIL-1.	Less than significant impact with mitigation incorporated.
Section 3.16—Wildfire		
Impact WILD-1: The proposed project would not be located in or near an SRA or lands classified as a VHFHSZ and would not substantially impair an adopted emergency response plan or emergency evacuation plan.	No mitigation is necessary.	Less than significant impact.
Impact WILD-2: The proposed project would not be located in or near an SRA or lands classified as a VHFHSZ, and would not 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.	No mitigation measures are required.	Less than significant impact.
Impact WILD-3: The proposed project would not be located in or near an SRA or lands classified as a VHFHSZ and would not require the installation or maintenance of	No mitigation measures are required.	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
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.		
Impact WILD-4: The proposed project would not be located in or near an SRA or lands classified as a VHFHSZ, and would not 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.	No mitigation measures are required.	Less than significant impact.
Cumulative Impact: The proposed project would not have a significant cumulative impact related to wildfire.	No mitigation measures are required.	Less than significant impact.

CHAPTER 1: INTRODUCTION

1.1 - Overview of the CEQA Process

This Draft Environmental Impact Report (Draft EIR) is prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with the implementation of the Shirk and Riggin Industrial Project (State Clearinghouse [SCH] No. 2022080658) This document is prepared in conformance with CEQA (California Public Resources Code [PRC], § 21000, *et seq*.) and the CEQA Guidelines (California Code of Regulations [CCR], Title 14, § 15000, *et seq*.). In accordance with Sections 21067, 15367, and 15050–15053 of the CEQA Guidelines, the City of Visalia (City) is the lead agency under whose authority this document has been prepared. As an informational document, this Draft EIR is intended to serve as an informational document for the public agency decision-makers and the public regarding the proposed project.

1.1.1 - Overview

The project applicant proposes to convert existing agricultural lands and develop the approximately 284-acre project site into an industrial park, consisting of eight industrial buildings used for warehouse, distribution, and light manufacturing; six flex industrial buildings; two drive-thru restaurants; a convenience store; a recreational vehicle (RV) and self storage facility; and a car wash. The total building footprint is approximately 3,720,149 square feet. The project site would include sufficient amounts of trailer stalls and car parking stalls to serve the proposed uses in accordance with applicable City requirements. The proposed project would also involve necessary infrastructure and improvements sufficient to serve the proposed uses. These would include detention basins on the east, west, and central portions of the project site and other necessary stormwater facilities to be sized and installed in accordance with all applicable requirements and standards. Access would be provided via three access points along Shirk Street, three access points along Riggin Avenue, and five access points along Kelsey Street. Clancy Street south of the project site would be extended to replace the existing private road and would traverse south to north of the site. On-site orchards would need to be removed, and appropriate landscaping and lighting, consistent with applicable City requirements and guidelines, would be incorporated into the overall site design.

The proposed project would need to be annexed into the City limits and, upon annexation, would be served by the City of Visalia for purposes of water and wastewater. In addition, the other entitlements associated with this project include a Tentative Parcel Map and a Conditional Use Permit for some of the uses proposed (convenience store, drive-thru lanes), some of the proposed lot sizes in the light industrial zoning, and lots without public street frontage.

Chapter 2, Project Description provides a complete description of the proposed project.

1.1.2 - Purpose and Authority

This Draft EIR provides a project-level analysis of the environmental effects of the Shirk and Riggin Industrial Project. The environmental impacts of the proposed project are analyzed in the EIR to the degree of specificity appropriate, in accordance with CEQA Guidelines Section 15146. This document

addresses the potentially significant adverse environmental impacts that may be associated with the planning, construction, or operation of the project. It also identifies appropriate and feasible mitigation measures and alternatives that may be adopted to significantly reduce or avoid these impacts.

CEQA requires that an EIR contain, at a minimum, certain specific elements. These elements are contained in this Draft EIR and include:

- Table of Contents
- Introduction
- Executive Summary
- Project Description
- Environmental Setting, Significant Environmental Impacts, and Mitigation Measures
- Cumulative Impacts
- Significant Unavoidable Adverse Impacts
- Alternatives to the Proposed Project
- Growth-Inducing Impacts
- Effects Found not to be Significant
- Areas of Known Controversy

1.1.3 - Lead Agency Determination

The City of Visalia is designated as the lead agency for the project. CEQA Guidelines Section 15367 defines the lead agency as ". . . the public agency, which has the principal responsibility for carrying out or approving a project." Other public agencies may use this Draft EIR in the decision-making or permit process and consider the information in this Draft EIR along with other information that may be presented during the CEQA process.

This Draft EIR was prepared by FirstCarbon Solutions (FCS), an environmental consultant. Prior to public review, it was extensively reviewed and evaluated by the City of Visalia. This Draft EIR reflects the independent judgment and analysis of the City of Visalia as required by CEQA. Lists of organizations and persons consulted and the report preparation personnel is provided in Section 7 of this Draft EIR.

1.2 - Scope of the EIR

This Draft EIR addresses the potential environmental effects of the proposed project. The City of Visalia issued a Notice of Preparation (NOP) for the proposed project on August 30, 2022, which circulated between August 30, 2022, and September 28, 2022, for the statutory 30-day public review period. The scope of this Draft EIR includes the potential environmental impacts identified in the NOP and issues raised by agencies and the public in response to the NOP. The NOP is contained in Appendix A of this Draft EIR.

Pursuant to Section 15083 of the CEQA Guidelines, the NOP provided notice that the City would hold a public scoping meeting on September 13, 2022, at 5:30 p.m. Pacific Standard Time (PST) at the City Hall East Conference Room and via a videoconference platform. At this meeting, attendees were

given an opportunity to provide comments and express concerns about the potential effects of the proposed project; however, no public comments were received during the scoping meeting.

One comment letter was received in response to the NOP during the 30-day public review period. Two comment letters were received after the close of the 30-day public review period but were considered, nonetheless. The three letters are listed in Table 1-1 and provided in Appendix A of this Draft EIR.

Table 1-1: NOP Comment Letters

Agency/Organization	Author	Date	Comment Summary	Coverage in the Draft EIR
Public Agencies				
Native American Heritage Commission	Cameron Vela, Cultural Resources Analyst	9.8.2022	Compliance with Assembly Bill (AB) 52 and Senate Bill (SB) 18 regarding the requirements of tribal consultation as a result of an EIR and NOP. Author provides examples of appropriate mitigation measures if applicable. The author provides recommendations for cultural resource assessments and the necessary steps to follow in order to fully determine the existence and significance of tribal cultural resources on or near the project site.	Section 3.5, Cultural Resources and Tribal Cultural Resources
San Joaquin Valley Air Pollution Control District	Brian Clements, Director of Permit Services	9.30.2022	The commenter provides comments related to criteria air pollutant emissions, construction emissions, operational emissions, recommended using the California Emissions Estimator Model (CalEEMod), Truck Routing, cleanest available trucks, reduce idling of heavy-duty trucks, use of on-site electric road equipment, voluntary emission reduction agreement, health risk assessment, a health impact discussion, ambient air quality analysis, and cumulative air impacts.	Section 3.3, Air Quality, and Section 3.8, Greenhouse Gas Emissions
California Department of Fish and Wildlife	Julie Vance, Regional Manager	10.17.2022	The commenter provides comments related to Swainson's hawk (*Buteo swainsoni*), the Crotch's bumblebee (*Bombus crotchii*), and the northern legless lizard (*Anniella pulchra*). The commenter recommends a qualified Biologist conduct a habitat assessment as part of the biological technical study.	Section 3.4, Biological Resources

Source: FirstCarbon Solutions (FCS). 2023.

1.2.1 - Environmental Issues Determined not to be Significant

The NOP identified topical areas that were determined not to be significant. An explanation of why each area is determined not to be significant is provided in Chapter 4, Effects Found not to be Significant. These topical areas are as follows:

- Mineral Resources
- Population and Housing
- Parks and Recreation

1.2.2 - Potentially Significant Environmental Issues

The NOP found that the following topical areas may contain potentially significant environmental issues that will require further analysis in the Draft EIR. These sections are as follows:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources and Tribal Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Transportation
- Utilities and Service Systems
- Wildfire

1.3 - Organization of the Draft EIR

This Draft EIR is organized into the following main sections:

- **Chapter ES: Executive Summary.** This chapter includes a summary of the proposed project and alternatives to be addressed in the Draft EIR. A brief description of the areas of controversy and issues to be resolved, and overview of the Mitigation Monitoring and Reporting Program (MMRP), in addition to a table that summarizes the impacts, mitigation measures, and level of significance after mitigation, are also included in this section.
- **Chapter 1: Introduction.** This chapter provides an introduction and overview describing the purpose of this Draft EIR, its scope and components, and its review and certification process.

- **Chapter 2: Project Description.** This chapter includes a detailed description of the proposed project, including its location, site, and project characteristics. A discussion of the project objectives, intended uses of the Draft EIR, responsible agencies, and approvals that are needed for the proposed project is also provided.
- **Chapter 3: Environmental Impact Analysis.** This chapter analyzes the environmental impacts of the proposed project. Impacts are organized into major topic areas. Each topic area includes a description of the environmental setting, methodology, significance criteria, impacts, mitigation measures, and significance after mitigation. The specific environmental topics that are addressed within Chapter 3 are as follows:

  Section 3.1—Aesthetics, Light, and Glare: Addresses the potential visual impacts of development intensification and the overall increase in illumination produced by the proposed project.
  Section 3.2—Agriculture and Forestry Resources: Addresses the potential for conversion of Important Farmland to nonagricultural use and forest land to non-forest use.
  Section 3.3—Air Quality: Addresses potential air quality impacts associated with project implementation and emissions of criteria pollutants. The section also evaluates project emissions of toxic air contaminants.
  Section 3.4—Biological Resources: Addresses potential impacts on special-status habitat, vegetation, and wildlife; potential degradation or elimination of important habitat for special-status species; and impacts on listed, proposed, and candidate threatened and endangered species.
  Section 3.5—Cultural Resources and Tribal Cultural Resources: Addresses potential impacts on historical resources, archaeological resources, burial sites, and tribal cultural resources.
  Section 3.6—Energy: Addresses potential project impacts related to energy usage.
  Section 3.7—Geology and Soils: Addresses potential impacts related to soils and assesses effects of project-related development in relation to geologic and seismic conditions. Also addresses potential impacts related to paleontological or unique geologic resources.
  Section 3.8—Greenhouse Gas Emissions: Addresses potential project emissions of greenhouse gases.
  Section 3.9—Hazards and Hazardous Materials: Addresses potential for presence of hazardous materials or conditions on the project site and in the project area that may have potential to create a significant hazard to the public or the environment.
  Section 3.10—Hydrology and Water Quality: Addresses potential impacts related to local hydrological conditions, including drainage areas and changes in flow rates, as well as the proposed project's potential impacts to water quality, erosion, and groundwater supplies.
  Section 3.11—Land Use and Planning: Addresses the potential land use impacts associated with division of an established community and consistency with relevant land use plans, policies and regulations adopted for the purpose of avoiding or mitigating an environmental impact.
  Section 3.12—Noise: Addresses potential noise impacts during construction and at project buildout from mobile and stationary sources on sensitive receptors. The section also addresses potential impact related to groundborne vibration and groundborne noise.

Section 3.13—Public Services: Addresses potential impacts of the proposed project upon public services, including fire protection, law enforcement, schools, parks, recreational facilities, and library facilities in terms of the need to provide new or physical alter facilities in order to maintain acceptable service ratios, response times, or other performance objectives.

Section 3.14—Transportation and Traffic: Addresses potential impacts related to the local and regional roadway system with respect to Vehicle Miles Traveled (VMT) and public transportation, bicycle, and pedestrian access. Also includes a non-CEQA operational analysis for informational purposes.

Section 3.15—Utilities and Services Systems: Addresses potential impacts related to service providers, including water supply, stormwater, wastewater, solid waste, and energy (electric and natural gas) providers and telecommunications, with respect to the proposed project's potential to require or result in the construction of new or expanded infrastructure.

Section 3-16—Wildfire: Addresses potential impacts related to wildfire including lands within State Responsibility Areas and lands classified as very high fire hazard severity zones.

- **Chapter 4: Effects Found not to be Significant.** This chapter contains analysis of the topical sections not addressed in Chapter 3.
- **Chapter 5: Other CEQA Considerations.** This chapter provides a summary of significant environmental impacts, including unavoidable and growth-inducing impacts, as well as significant irreversible environmental changes.
- **Chapter 6: Alternatives to the Proposed Project.** This chapter compares the impacts of the proposed project with three land-use project alternatives: the No Project Alternative, Reduced Footprint Alternative, and the Alternative Location. An environmentally superior alternative is identified. In addition, alternatives initially considered but rejected from further consideration are discussed.
- **Chapter 7: Persons and Organizations Consulted/List of Preparers.** This chapter also contains a full list of persons and organizations that were consulted during the preparation of this Draft EIR. This chapter also contains a full list of the authors who assisted in the preparation of the Draft EIR, by name and affiliation.
- **Appendices.** The Draft EIR appendices include notices and other procedural documents pertinent to the Draft EIR, as well as supporting technical materials. The following supporting materials and technical studies and analyses were prepared for the proposed project in support of preparation of this Draft EIR:

  Appendix A: EIR Public Involvement (NOP, EIR Public Scoping Comments)
  Appendix B: Air Quality, Greenhouse Gas, and Energy Supporting Information
  Appendix C: Biological Resources Supporting Information
  Appendix D: Cultural and Tribal Cultural Resources Supporting Information
  Appendix E: Geology and Soils Supporting Information
  Appendix F: Hazards and Hazardous Materials Supporting Information
  Appendix G: Agricultural Resources and Forestry Supporting Information
  Appendix H: Noise Supporting Information
  Appendix I: Transportation Supporting Information

Appendix J: Water Supply Assessment
Appendix K: Aesthetics

1.4 - Documents Incorporated by Reference

As permitted by CEQA Guidelines Section 15150, this Draft EIR has referenced several technical studies, analyses, and previously certified environmental documentation. Information from the documents, which have been incorporated by reference, has been briefly summarized in the appropriate section(s). The relationship between the incorporated part of the referenced document and the Draft EIR has also been described. The documents and other sources that have been used in the preparation of this Draft EIR include but are not limited to:

- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- CEQA Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan), passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sanitary Sewer Master Plan. City of Visalia, 1994.
- 2020 Urban Water Management Plan, Visalia District. California Water Service Company, June 2021.
- City of Visalia Zoning Ordinance Update. City of Visalia, March 2017.

The City of Visalia General Plan, City of Visalia General Plan EIR, City of Visalia Zoning Code, and the referenced documents and other sources used in preparation of the EIR can be viewed here: https://www.visalia.city/depts/community_development/planning/gp.asp. The above-referenced documents and other sources used in the preparation of the Draft EIR will also be available to the public for inspection at the addresses shown in Section 1.5 in accordance with CEQA Guidelines Section 15150(b).

1.5 - Review of the Draft EIR

Upon completion of the Draft EIR, the City filed a Notice of Completion (NOC) with the State Office of Planning and Research to begin the public review period (PRC § 21161). Concurrent with the NOC, this Draft EIR has been distributed to responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, as well as all parties requesting a copy of the Draft EIR in accordance with Public Resources Code 21092(b)(3). During the public review period, the Draft EIR, including the technical appendices, is available for review at the City's Planning Department. The address is provided below:

Visalia City Hall
315 East Acequia Avenue
Visalia, CA 93291

The Draft EIR is also available for review at the following website:
https://www.visalia.city/depts/community_development/planning/ceqa_environmental_review.asp.

Agencies, organizations, and interested parties have the opportunity to comment on the Draft EIR during the 45-day public review period. Written comments on this Draft EIR should be addressed to:

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Visalia, CA 93291
559.713.4636
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Submittal of electronic comments in Microsoft Word or Adobe PDF format is encouraged. Upon completion of the 45-day public review period, written responses to all significant environmental issues raised will be prepared and made available for review by the commenting agencies, organizations and public at least 10 days prior to the public hearing before the Visalia City Council on the proposed project, at which the certification of the Final EIR will be considered prior to the Council taking action on the proposed project. Comments received and the responses to comments will be included as part of the record for consideration by decision-makers for the proposed project.

CHAPTER 2: PROJECT DESCRIPTION

This Draft Environmental Impact Report (Draft EIR) is prepared in accordance and in compliance with the applicable criteria, standards, and procedures of the California Environmental Quality Act (CEQA), as amended (California Public Resources Code [PRC], § 21000, *et seq*.) and the CEQA Guidelines (California Code of Regulations [CCR], Title 14, § 15000, *et seq*.) (collectively, CEQA). This Draft EIR analyzes the potential environmental effects of the proposed Shirk and Riggin Industrial Project (proposed project), located in unincorporated Tulare County (County), adjacent to the City of Visalia (City). This section includes all contents required by CEQA Guidelines Section 15124 including a detailed project site map as well as regional map, a statement of project objectives, a description of the project's technical, economic, and environmental characteristics, a list of responsible and trustee agencies, a list of approvals and permits required to implement the proposed project, and a summary of review and consultation requirements.

2.1 - Overview

Seefried Industrial Properties, Inc. (applicant) is proposing to develop a mixed-use industrial park and related improvements and infrastructure (proposed project) on an approximately 284-acre site that is currently within unincorporated Tulare County, adjacent to the northern municipal boundary of the City of Visalia, California.

2.2 - Project Location and Setting

2.2.1 - Regional Setting

The City of Visalia, located in the Central Valley, covers an area of approximately 36 square miles (Exhibit 2-1).[1] The City is situated in northwestern Tulare County, north of the City of Tulare and west of the City of Farmersville. The City of Hanford, in Kings County, lies 12 miles to the west. Most of the remaining land uses surrounding the City are agricultural in nature. Major roadway networks include Highway 198, which passes east–west through the center of the City; Highway 99, which runs north–south along the western edge of the City; and Highway 63, which passes north–south through the center of the City.

2.2.2 - Local Setting

The project site is generally bound by Riggin Avenue to the south, Shirk Street to the east, Kelsey Street to the west, and Modoc Ditch to the north (Exhibit 2-2). A private road intersects the project site from south to north. The project site consists of three existing parcels: APNs 077-840-004, 077-840-005, and 077-840-006 (formerly APNs 077-840-001, 077-840-002, and 077-840-003).[2] The project site is

[1] City of Visalia. 2014. General Plan Environmental Impact Report (EIR). Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=30490. Accessed August 17, 2022.

[2] The combined area of the three APNs is 279.73, rounded to 280; the project site area referred to in this Draft EIR is 284.58, rounded to 284, and includes the 4.72 acres of street dedication along the eastern and western project site boundaries. The difference between 279.56 (284.58 acres minus 4.72 acres of street dedication) and 279.73 can be attributed to multiple-digit rounding.

within the City's Planning Area,[3] Urban Development Boundary (UDB) Tier 1 of the City (Exhibit 2-3), and the City's Sphere of Influence (SOI).

2.3 - Environmental Setting

2.3.1 - Historical and Existing Uses

Agricultural uses have existed on the project site since 1937, and several structures previously existed in the central, northern, and southeastern portions of the site to support these agricultural uses. Several of the structures in the northern and southeastern portion were demolished by 1969, and the central portion of the site was graded. The graded land in the central portion of the site was redeveloped for agricultural use by 1984. The remaining structures were demolished, and the project site was developed in its current configuration by 1984. The project site currently consists of an actively managed almond orchard, established around 2018. A pump house and small structures are adjacent to the detention basin.

2.3.2 - Site Characteristics

Currently, all orchard areas on the project site are actively managed, with sparse herbaceous understory plant cover that consists of managed ruderal non-native grasses and forbs. In addition to the orchard, there are non-native planted ornamental trees, including a double row of 35 olive trees and a cluster of two tall elm trees, and one cedar along a private road that runs south to north along the project site.

Although not rooted within the project site, a substantial portion of the canopy of a mature valley oak overlaps onto the project site on the northern boundary. The oak tree is rooted on the neighboring property, at the northern bank of Modoc Ditch. The project site provides suitable foraging habitat with potential to support birds of prey, including Swainson's hawk.

Modoc Ditch is a man-made, actively managed irrigation canal aligned along the northern boundary of the project site. It is approximately 15 feet wide and carried approximately a foot of water at the time of the survey; water levels are expected to fluctuate based on agricultural activity. Flows of the canal are sustained by water that is pumped in through the regional irrigation infrastructure, and the flows are typically disconnected from St. John's River to the east but can likely be connected to St. John's River under flooding conditions.

The project site contains a man-made and actively managed detention basin for irrigation purposes, located at the northern portion of the site. Water levels likely fluctuate depending on agriculture activities and needs. Water is actively pumped into the detention basin from Modoc Ditch. The detention basin was constructed during establishment of the almond orchard in 2018.

In addition, there are access roads that traverse the project site, which are currently dirt with small amounts of managed, non-native invasive grasses and forbs on edges.

[3] Planning area refers to the land area addressed by a General Plan, including land within the city limits and land outside the city limits that bears a relation to the City's planning. This area is not all intended for development; the Urban Growth Boundary shows the future development area.

See Exhibit 2-4 for an aerial image depicting the on-site features discussed above, and Exhibit 2-5a and Exhibit 2-5b for site photos.

The project site is gently sloping toward the east with a ground surface elevation of approximately 300 to 305 feet above mean sea level. The entire project site is considered Prime Farmland as mapped by the California Department of Conservation Farmland Mapping and Monitoring Program. Prime Farmland is land which has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods.[4] The project site is encumbered by a Williamson Act contract. The landowner submitted a Notice of Non-renewal application to Tulare County in July 2021, beginning a nine-year process to formally expire the contract. Based on the date of the Notice of Non-renewal, the contract would have expired on December 31, 2030. However, given the anticipated timing to commence construction of the proposed project, rather than waiting for the contract to expire automatically by operation of law pursuant to the Notice of Non-renewal, the landowner moved forward with cancellation proceedings under State law. To that end, the landowner obtained approval, subject to compliance with certain conditions, from the Board of Supervisors of Tulare County to remove 280 acres from the subject County Agricultural Preserve No. 0293 and to tentatively cancel the contract (WAC No. 2880) pursuant to Government Code Sections 51281 and 51282 on November 29, 2022 (see Tulare County Board of Supervisors Resolution No. 2022-1005, attached as Appendix G2). The Final Certificate of Cancellation will be executed and recorded upon satisfaction of the conditions enumerated in the Certificate of Partial Tentative Cancellation of Land Conservation Contract (recorded as Document No. 2022-0073141 on December 1, 2022) (attached as Appendix G2)."

Most of the project site is located within Zone X: 0.2 Percent Annual Chance Flood Hazard, and the southeast corner of the site is located within Zone X: Minimal Flood Hazard.[5]

2.3.3 - Existing Land Use and Zoning Designations

County of Tulare

The County has adopted various City Plans for all eight incorporated cities in the County to guide County land use decisions outside of city limits but within the County's Urban Development Boundaries and Urban Area Boundaries surrounding each City. The project site is within the General Plan's "County Adopted City Plan" for Visalia.

The project site is zoned AE-40 on the County's Zoning Map. The AE-40 Zone is intended for intensive and extensive agricultural uses and for those uses which are a necessary and integral part of intensive and extensive agricultural operations.

Exhibit 2-6 depicts the County's zoning designation for the project site.

[4] Department of Conservation. Important Farmland Mapping Categories and Soil Taxonomy Terms. Website: https://www.conservation.ca.gov/dlrp/fmmp/Documents/soil_criteria.pdf. Accessed August 18, 2022.

[5] Federal Emergency Management Agency (FEMA). 2022. National Flood Hazard Layer FIRMette. August 18. Website: https://msc.fema.gov/portal/search?AddressQuery=8029%20W%20Riggin%20Ave%2C%20Visalia%2C%20CA%2093291#searchresultsanchor. Accessed August 18, 2022.

City of Visalia

The project site has City of Visalia General Plan (General Plan) land use designations of Industrial and Light Industrial.[6]

The General Plan Land Use Element presents a framework to guide future land use decisions and development in the City while also enhancing community character and improving the City's look and feel. The Light Industrial designation is intended for light manufacturing, warehousing, storage, distribution, research and development enterprises, and secondary office (limited customer access) uses. This designation also conditionally permits uses like convenience store and drive-through restaurants. The maximum floor area ratio (FAR) for this designation is 0.5. The Industrial designation allows uses such as primary manufacturing, processing, refining, and similar activities including those with outdoor facilities. It also accommodates warehousing and distribution with supporting commercial services and office space. Retail uses are not permitted. The maximum FAR for this designation is 0.6.

Exhibit 2-7 depicts the City's General Plan land use designation of the project site. Upon completion of the annexation process to the City, the project site would be zoned Industrial and Light Industrial.

The project site is currently used for agricultural purposes but as noted above, has been planned by the City for light industrial and industrial uses pursuant to the identified General Plan land use designations.

2.3.4 - Surrounding Uses: Land Use and Zoning

The area surrounding the project site has both an agricultural and industrial character. Land uses east and north of the project site (east of Shirk Street and north of Modoc Ditch) consist of agricultural uses. Land uses west of the project site (west of Kelsey Street) consist of the Amazon distribution center and United Parcel Service (UPS) distribution hub. Land uses south of the project site (south of Riggin Avenue) consist of various industrial uses, four trailer homes, and agricultural uses (including a dairy farm). The nearest sensitive receptors are the trailer homes and multi-family residences immediately south and southeast of Riggin Avenue, respectively.

2.4 - Project Objectives

Section 15124 of the State CEQA Guidelines requires an EIR project description to include a description of project objectives. In addition to addressing the underlying project purpose(s), the objectives are relevant to the development of the alternatives considered in the EIR and in the preparation of findings or a statement of overriding considerations, if necessary, in support of the decision-making action by the City.

The fundamental purpose and goal of the proposed project is to accomplish the orderly development of the project site as proposed, consistent with the General Plan's industrial land use

[6] City of Visalia. 2014. General Plan Land Use Element. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=30474. Accessed August 17, 2022.

designation, which would provide economic benefits to the City, among others. The applicant's objectives of the proposed project consist of the following:

1. Ensure that development of the project site is accomplished in an economically viable manner consistent with applicable goals and policies as set forth in the City's General Plan, including the land use vision set forth therein that contemplates light industrial and industrial uses, taking into account necessary site plan considerations, including efficient access and loading.
2. Maximize development of the existing underutilized project site and generate increased revenue and economic development for the City in order to support the City's ongoing City operations.
3. Develop a mixed-use industrial park, with light manufacturing, warehouse, distribution, and/or flex industrial uses, in the City that is designed to meet market demand and contemporary industry standards, including building size and clear height requirements, modern façades, articulated concrete panels, natural color palette, and expansive glass entry features.
4. Create employment-generating businesses in the City to reduce the need for members of the local workforce to commute outside the area for employment and to improve the jobs-to-housing balance.
5. Maximize placement of industrial warehouse uses in close proximity to the State Highway system (State Route [SR] 99) and other major transportation corridors to avoid or shorten truck-trip lengths, as feasible, on other roadways and to avoid locating industrial buildings in close proximity to residential uses or other sensitive receptors.
6. Develop an innovative industrial use providing a wide range of building sizes with cross dock and rear load capability that have ready access to available infrastructure, including major transportation corridors and utilities to be used as part of the Central Valley supply chain and goods movement network.

2.5 - Project Description

2.5.1 - Development Summary

The proposed project would discontinue the existing agricultural uses, demolish remaining on-site structures that serve agricultural uses, and develop a mixed-use industrial park totaling approximately 3,720,149 square feet of light industrial and flex industrial uses along with car/trailer parking areas and related on- and off-site improvements (Exhibit 2-8 and Exhibit 2-9). Parking and loading areas to serve the industrial uses would be provided around the project site pursuant to the City's applicable parking and loading standards. The proposed project would include eight stormwater detention basins that would surround the parking/loading areas. Access would be provided via three access points along Shirk Street, three access points along Riggin Avenue, and three access points along Kelsey Street. Clancy Street south of the project site would be extended to replace the existing private road and would traverse south to north of the site. There would also be other compatible non-industrial uses, consisting of self-storage/RV parking, a convenience store, a

car wash, a gas station, and two drive-through restaurants. The proposed buildings would comply with the development standards for industrial districts set forth in Visalia Municipal Code Chapter 17.22, Industrial Zones, related to, but not limited to minimum lot area and width, setbacks, distance between buildings, FAR, maximum building height and landscape area.

The industrial park would involve both flex industrial and light industrial uses. Flex industrial uses would consist of small incubator space available for small manufacturing, storage, limited warehouse space, while the light industrial uses would consist of warehouse, distribution, storage, and light manufacturing. The proposed project would include the following buildings:

Table 2-1: Development Summary

Building	Square Footage
Light Industrial Building No. 1	+/- 786,240 square feet
Light Industrial Building No. 2	+/- 1,078,440 square feet
Light Industrial Building No. 3	+/- 144,300 square feet
Light Industrial Building No. 4	+/- 173,160 square feet
Light Industrial Building No. 5	+/- 156,140 square feet
Light Industrial Building No. 6	+/- 109,890 square feet
Light Industrial Building No. 7	+/- 513,240 square feet
Light Industrial Building No. 8	+/- 513,240 square feet
Flex Industrial Buildings	+/- 84,480 square feet
Self-Storage/Recreation Vehicle (RV) Buildings	+/- 144,800 square feet
Convenience Store and Gas Station	+/- 6,922 square feet
Drive-through Restaurant No. 1	+/- 2,368 square feet
Drive-through Restaurant No. 2	+/- 2,368 square feet
Car Wash	+/- 4,560 square feet
Water Quality Management Basins	+/- 31.3 acres
Landscaping	+/- 30.68 acres

Operation

The proposed project would have a total of approximately 4,177 employees at buildout.[7] The proposed industrial and flex industrial buildings are assumed to operate 24 hours a day, 7 days a week and typically consist of both day and night shifts. The proposed RV and self-storage, car wash, drive through restaurants, and convenience store would have operation hours that adhere to any

[7] Consistent with the project traffic study, the employee amount at buildout is based on the conversion of ITE trip generation for building size and employee.

requirements set forth in the City's zoning ordinance and conditional use permit, and otherwise consistent with industry standard practice.

Building and Design

As shown in Exhibit 2-10a and Exhibit 2-10b, the industrial buildings would have light gray walls with white, gray, and blue accents and gray and white aluminum composite metal panels. Minimally reflective materials, such as dark bronze colored glass, would be used for the windows. Design and height of the flex industrial, car wash, drive-through restaurants, and convenience store would be consistent with applicable City design standards. The proposed project is designed to meet contemporary industry standards including modern façades, articulated concrete panels, natural color palette, and expansive glass entry features. Project design features would reduce energy usage and water usage including native plants and vegetation for landscaped areas to reduce water use, low-water-usage plumbing fixtures, clerestory windows, recycling collection and storage areas inside each building for all types of recyclables, and low-emitting finish materials. The proposed industrial buildings would have a maximum height of 45 feet. The final design would be submitted as part of the design review submittal to the City to ensure a desirable environment for its occupants, visiting public, and its neighbors through the appropriate use of materials, texture, and color, and would remain aesthetically appealing and be appropriately maintained.

Vehicle Access and Circulation

Regional access to the project site is available from SR-99 via the Betty Drive interchange. Access would be provided via three access points along Shirk Street, three access points along Riggin Avenue, and five access points along Kelsey Street. Clancy Street south of the project site would be extended to replace the existing private road and would traverse south to north of the site. An internal network of driveways and drive aisles would connect the overall project. A series of pedestrian sidewalks would be provided throughout the project site.

The applicant would dedicate easements along the east side of Kelsey Street, west side of Shirk Street, and Clancy Street to the City after construction of the road improvements to be completed as part of the project, consisting of sidewalk improvements, curb and gutter, and signing and striping (Exhibit 2-11).

Parking

Parking would be provided pursuant to applicable parking requirements of Visalia Municipal Code Section 17.34.020. Manufacturing plants and other industrial uses are required to have one parking space for each employee during shift of maximum employment, plus one parking space per vehicle used in conjunction with the use.[8] Restaurants are required to have one parking space per 150 square feet of building area, and convenience stores are required to have one parking space per 500 square feet of building area. Parking for self-storage facilities is not defined in City code. It is generally accepted that parking will be provided for any on-site manager and as needed based on the project concept. Table 2-2 below summarizes the required parking calculations.

[8] City of Visalia. 2022. Municipal Code Section 17.34.020 Schedule of Off-Street Parking Space Requirements. Website: https://codelibrary.amlegal.com/codes/visalia/latest/visalia_ca/0-0-0-35278. Accessed August 23, 2022.

Page PK-5 of the City of Visalia Engineering Design and Improvement Standards provides the requirements for the minimum number of accessible stalls required based on the total number of stalls proposed.[9] For projects proposing greater than 1,001 parking stalls, the minimum number of disabled accessible parking spaces is 20 plus one for each 100 or fraction thereof over 1,000. Therefore, the proposed project would require approximately 47 accessible parking spaces based on the proposed 3,750 total spaces. Page PK-3 of the City of Visalia Engineering Design and Improvement Standards states that one in every six accessible parking stalls shall be van accessible. Therefore, of the 47 accessible spaces, at least eight must be van accessible.

Table 2-2: Required and Proposed Parking

Land Use	Building Area (SF) (approx.)	Parking Requirements		Parking Required (Number of Spaces) (approx.)			Parking Proposed (Number of Spaces) (approx.)		
		Spaces/ Employees (approx.)	Spaces/ Building Area (approx.)						
Flex Industrial	84,480	800	–	244			269		
Light Industrial	3,474,650	1 space/ employee during shift of maximum employment, plus one parking space per vehicle used in conjunction with the use	–	2,316 employee parking			3,331		
Self-Storage	144,800	–	–	–			35		
C-Store	6,922	–	1 space/ 500 SF	14			24		
Drive-through Restaurants	4,736	–	1 space/ 150 SF	32			74		
Car Wash	4,560	–	1 space/ 500 SF	9			17		
Total	3,720,149	–	–	Standard	ADA	Total	Standard	ADA	Total
				2,579	36	2,616	3,750	47	3,750
Notes: SF = square feet ADA = Americans with Disabilities Act									

[9] City of Visalia. 2016. Parking Standards. September. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=34593. Accessed August 23, 2022.

Landscaping

Landscaping would be provided in accordance with the City's Landscape Standard Specifications.[10] The proposed project contains approximately 31.3 acres of water quality management basins to retain stormwater on-site. The detention basins would be planted with species including the Berkeley sedge, Canyon Prince wild rye, Hummingbird sage, and California goldenrod.

Outside of the building footprints, roads, parking lots, and stormwater basins, approximately 30.68 acres remain for landscaping within the project boundary. Trees to be used for parking area landscaping would include species with very low to medium water needs, including but not limited to coast live oak, autumn gold ginkgo, London plane tree, zelkova, Arizona cypress, and southern magnolia. Shrubs and groundcovers would feature species with low water needs, such as buffalo grass, Bermuda grass, feather reed grass, blue fescue, pink muhly grasses, and heavenly bamboo.

Lighting

Exterior lighting is designed to maximize employee safety and security while complying with applicable Visalia Municipal Code standards, the CALGreen Code, and the Title 24 Energy Efficiency Standards, as applicable. New sources of light that would be located on-site and primarily include parking lot pole-mounted lights, and building-mounted outdoor security lighting. The lighting would be directed away from adjoining properties and the public right-of-way. Exhibit 2-12 depicts the photometric plan for the project; the proposed lighting would be confined within developed areas of the site and a small portion of Riggin Avenue.

2.5.2 - Utilities

The proposed project would require connection to various City-operated utility and infrastructure systems. These include City-provided services such as water, wastewater, and stormwater facilities. Non-City provided infrastructure includes natural gas (to be provided by Southern California Gas Company) and electrical services (to be provided by Southern California Edison [SCE]). The proposed project would be responsible for construction of the necessary connection points to the City's existing infrastructure. Proposed infrastructure improvements for water, sewer, and stormwater facilities are described below. The proposed project would remove or modify the existing detention basin and would potentially require two new culvert crossings over Modoc Ditch and extension of one existing culvert crossing.

Water Demand and Supply

Potable water is anticipated to be supplied to the proposed project by California Water Service (Cal Water), which is a wholesale provider to the City. Service laterals would be extended from an existing water line located within Kelsey Street. As shown in Exhibit 2-13, the proposed project would be served by a series of new 8-inch and 12-inch water lines throughout the project site.

It is estimated that the proposed project would have an average potable usage of approximately 124.1 acre-feet per year at project buildout.[11]

[10] City of Visalia. 2013. Landscape Standard Specifications. August 5. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=15472. Accessed August 23, 2022.
[11] 4Creeks, Inc. 2022. Water Supply Technical Memorandum Shirk and Riggin Industrial Park. September.

As discussed in the Cal Water Visalia District 2020 Urban Water Management Plan, future water demands are expected to be comprised only of potable water use. The City of Visalia has entered into agreements with Tulare Irrigation District to supply recycled water from its wastewater treatment facilities for groundwater recharge uses. None of the recycled water supplied to Tulare Irrigation District is expected to be used to meet the future water demands of District customers.

Wastewater

Wastewater generated by the proposed project would be treated by the City's Water Conservation Plant. The proposed project would install and extend all City master planned sewer lines to the extent determined by the City Engineer pursuant to the applicant's development phasing plans and in accordance with legal nexus requirements. Service laterals would be extended from an existing sewer line located within Riggin Avenue and Kelsey Street. As shown in Exhibit 2-14, the proposed project would be served by a series of new 8-inch and 12-inch sewer lines throughout the project site.

Storm Drainage

The proposed project would install an on-site storm drainage system consisting of inlets, underground piping, and basins. Approximately 31.3 acres of water quality management basins would be installed. Runoff would drain to drainage system located throughout the project site (Exhibit 2-15). The system would be designed to meet all applicable standards and requirements including accommodating a 100-year storm event and detaining runoff and release it at a rate no greater than the pre-development condition of the project site. The proposed project would be required to retain the stormwater per the City's drainage requirements and all other applicable standards.

2.5.3 - Phasing and Construction

For the purposes of the environmental analysis in this EIR and in accordance with the applicant's project development goals, construction of the proposed project is anticipated to begin in March 2024 and completed in March 2028, with operations commencing upon the completion of construction of the proposed project.[12]

As described above, given its size and nature, it is reasonable to assume the proposed project would be constructed in phases over time. However, because various market, economic and other considerations would ultimately determine how construction phasing would occur in connection with individual specific development proposal(s), this Draft EIR utilizes the following assumptions based on reasonably available information for purposes of a conservative analysis. As shown in Exhibit 2-16, "Phase 1" of project construction is defined herein to consist of approximately 1,864,700 square feet of light industrial space, occurring generally in the locations shown on Exhibit 2-16. Construction of Phase 1 is assumed to begin in March 2024 and end in March 2025.

"Phase 2" of project construction is defined herein to consist of approximately 830,700 square feet of light industrial space as well as the car wash, the convenience store with gasoline pumps, and

[12] Because vehicle fuel use becomes more efficient through time in compliance with applicable federal and State laws and regulations, these dates support a conservative evaluation of potential impacts. If the actual dates of construction are delayed, associated effects would be reduced accordingly.

both drive-through, quick serve/fast food restaurants. Construction of Phase 2 is assumed to begin in September 2025 and end in September 2026.

"Phase 3" of project construction is defined herein to consist of the remaining approximately 779,270 square feet of light industrial space as well as approximately 84,480 square feet of flex industrial space and the self-storage facility. Construction of Phase 3 is assumed to begin in March 2027 and end in March 2028.

The necessary landscaped areas, parking areas, and the water quality management basins would be included in each of the three Phases, in amounts sufficient to serve each relevant Phase.

While the above-described preliminary construction schedule for the proposed project assumes that Phases 1 through 3 would be built sequentially (i.e., none of the three Phases would overlap), the potential remains for project Phases to be constructed concurrently. Therefore, for the purpose of analyzing the reasonable worst-case scenario and fully disclosing all potential impacts, this Draft EIR also evaluates impacts that could occur if there were concurrent (rather than sequential) phasing for the proposed project, as detailed more fully in Section 3.3, Air Quality, Section 3.8, Greenhouse Gas Emissions, Section 3.12 Noise, and Section 3.14 Transportation. Accordingly, impact discussions and mitigation measures related to each construction Phase would be applicable to an individual specific development proposal taking place within the development area covered by the relevant Phase.

Construction equipment to be used for the proposed project includes, but is not limited to air compressors, concrete industrial saws, cranes, excavators, forklifts, generator sets, graders, pavers, paving equipment, rollers, rubber-tired bulldozers, tractors, loaders, backhoes, and welders.

Construction hours would be in accordance with City of Visalia Municipal Code Section 8.36.050(C), which prohibits operation of construction equipment between the weekday hours of 7:00 p.m. and 6:00 a.m. and between the weekend hours of 7:00 p.m. and 9:00 a.m.

Cut and Fill

The proposed project includes approximately 130,000 cubic yards of material to be cut, approximately 260,000 cubic yards of fill material, and a net import of approximately 130,000 cubic yards of new material.

2.6 - Required Actions and Approvals

The proposed project would require the certification of the EIR and the following discretionary approvals from the City:

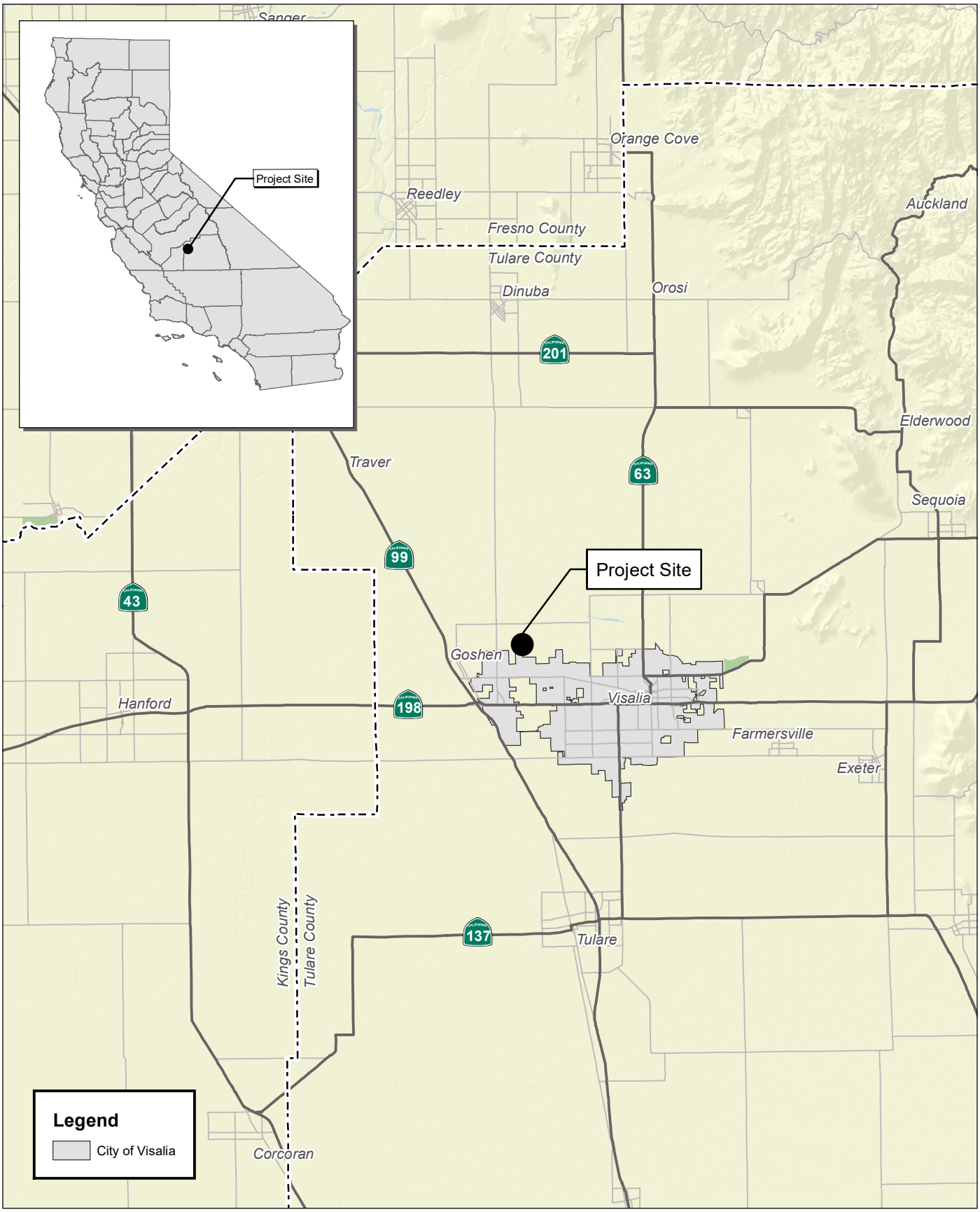
- Approval of a Development Agreement
- Approval of Resolution Initiating Annexation Proceedings
- Approval of the Site Plan
- Approval of Tentative Parcel Map
- Conditional Use Permit for the conditionally permitted uses proposed (convenience store, drive-through restaurants), some of the proposed lot sizes in the light industrial zoning, and lots without public street frontage.

In addition to the above discretionary approvals from the City, the proposed project would also require approvals of various ministerial permits including a parcel map, demolition permit(s), grading permit(s), building permit(s), certificate(s) of occupancy, right-of-way dedications, and encroachment permit(s).

Other Public Agencies Approval and Consultation

The proposed project would require various permits, approvals and/or entitlements from other public agencies that have jurisdiction over aspects of the proposed project. These may include, but not be limited to the following:

- Tulare County Local Agency Formation Commission (LAFCo)
- Tulare County Board of Supervisors
- San Joaquin Valley Air Pollution Control District (Valley Air District)
- Regional Water Quality Control Board (RWQCB)
- United States Fish and Wildlife Service (USFWS)
- California Department of Fish and Wildlife (CDFW)
- United States Army Corps of Engineers (USACE)
- California Department of Transportation (Caltrans)



Source: Census 2000 Data, The California Spatial Information Library (CaSIL).

FIRSTCARBON SOLUTIONS™

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Exhibit 2-1
Regional Location Map

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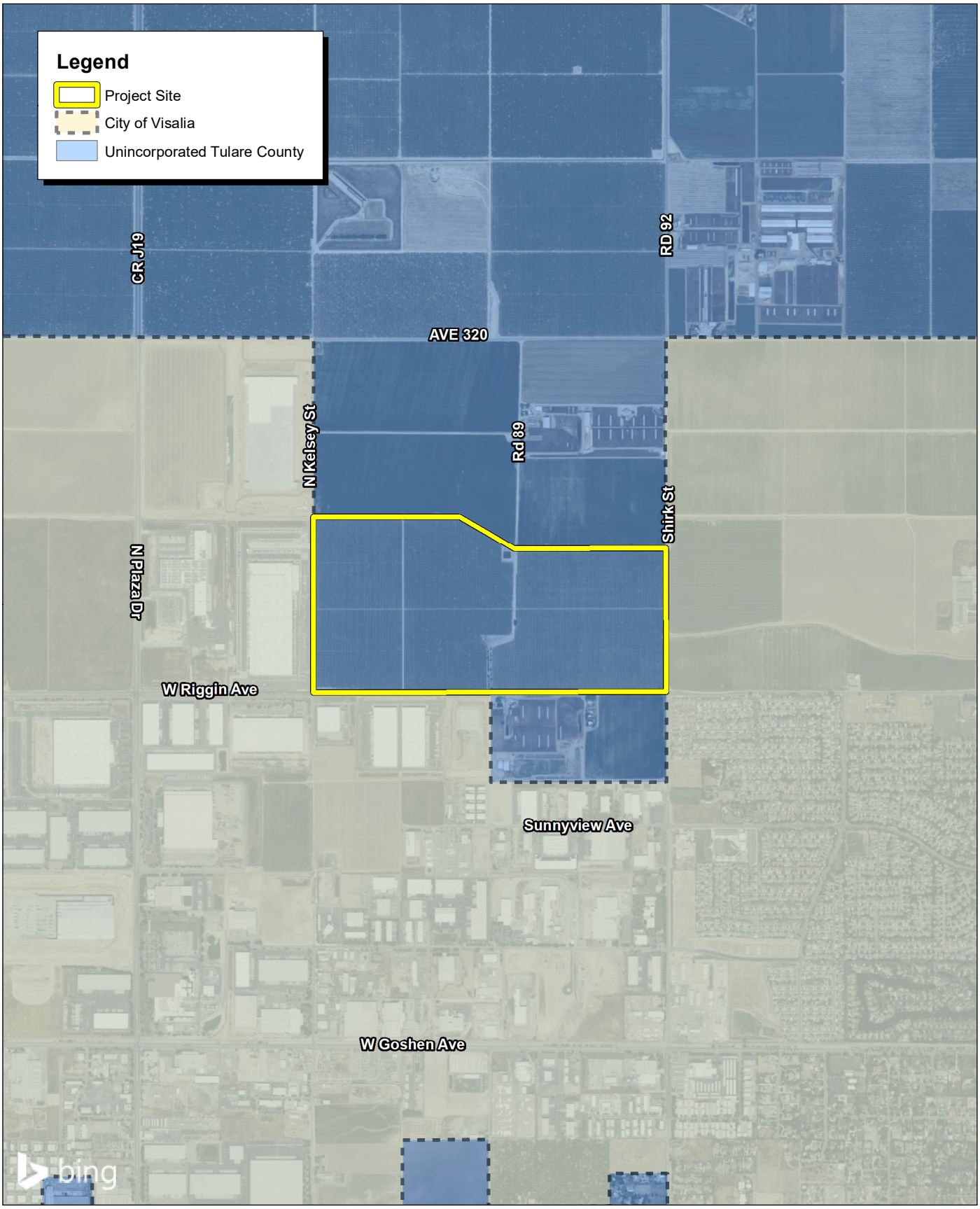

Source: Bing Aerial Imagery; City of Visalia, March 2024.

FIRSTCARBON SOLUTIONS™

2,000 1,000 0 2,000 Feet

Exhibit 2-2
Local Vicinity Map

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CITY OF VISALIA
SHIRK & RIGGIN INDUSTRIAL PROJECT
ENVIRONMENTAL IMPACT REPORT

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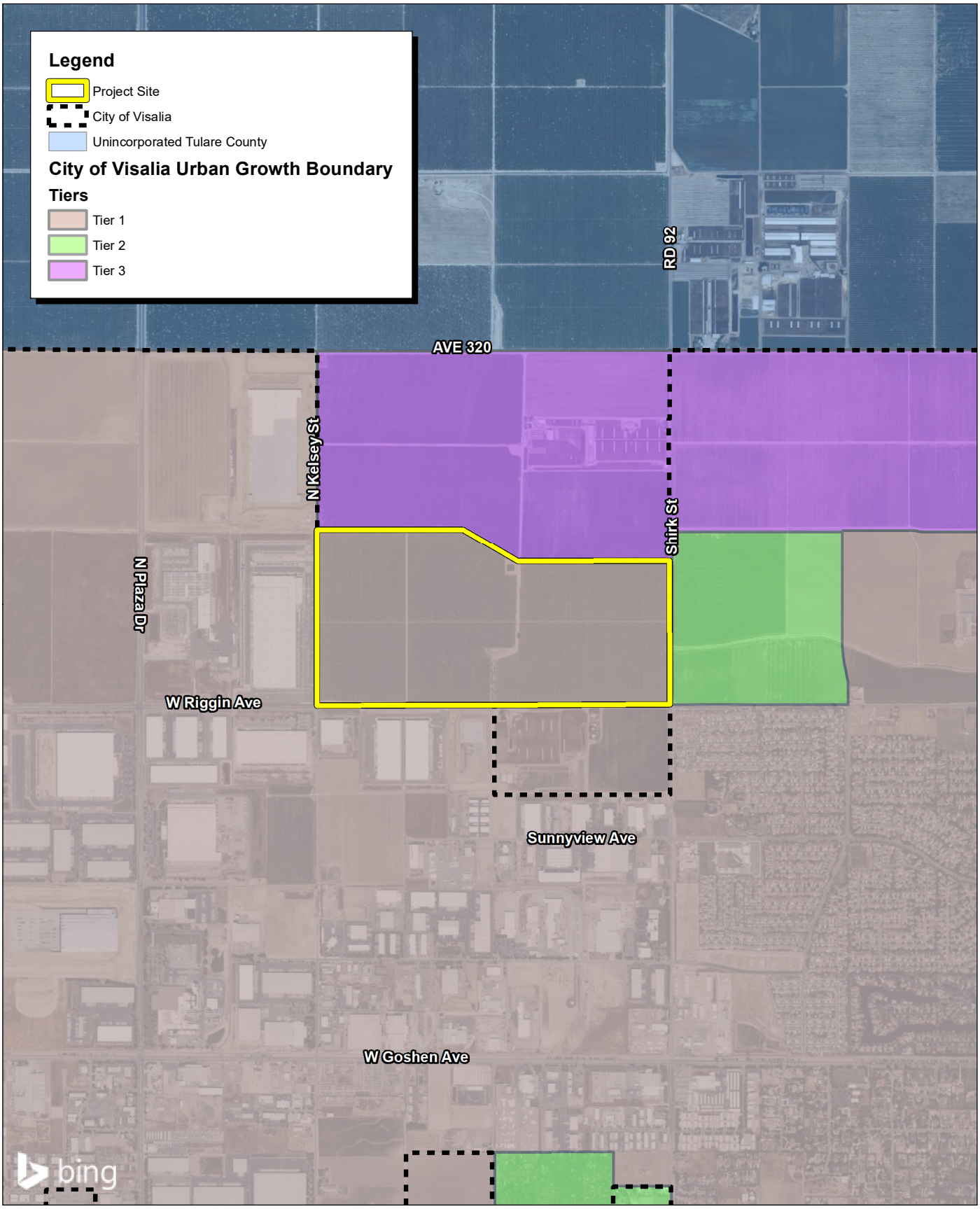

Source: Bing Aerial Imagery. City of Visalia, March 2024.

FIRSTCARBON SOLUTIONS™

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Exhibit 2-3
City of Visalia
Urban Growth Boundary

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Source: Bing Aerial Imagery.

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500 250 0 500 Feet

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Exhibit 2-4
Existing Setting

CITY OF VISALIA
SHIRK & RIGGIN INDUSTRIAL PROJECT
ENVIRONMENTAL IMPACT REPORT

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Photograph 1: View from the southeast corner of the project site at Shirk Street and Riggin Avenue; facing northwest.

Photograph 2: View from southwest corner of the project site at Kelsey Street and Riggin Avenue, looking northeast.

Photograph 3: View of northeast corner of the project site and the water pump on site.

Photograph 4: View from road 89 looking south.

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Exhibit 2-5a
Site Photos

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Photograph 5: Bird's eye view of the northeastern portion of the project site and the adjacent oak tree.

Photograph 6: Bird's eye view of the northern portion of the project site and modoc ditch.

Photograph 7: Bird's eye view of the retention basin, southwest of road 89 and modoc ditch.

Photograph 8: Pump house at northern boundary of project site.

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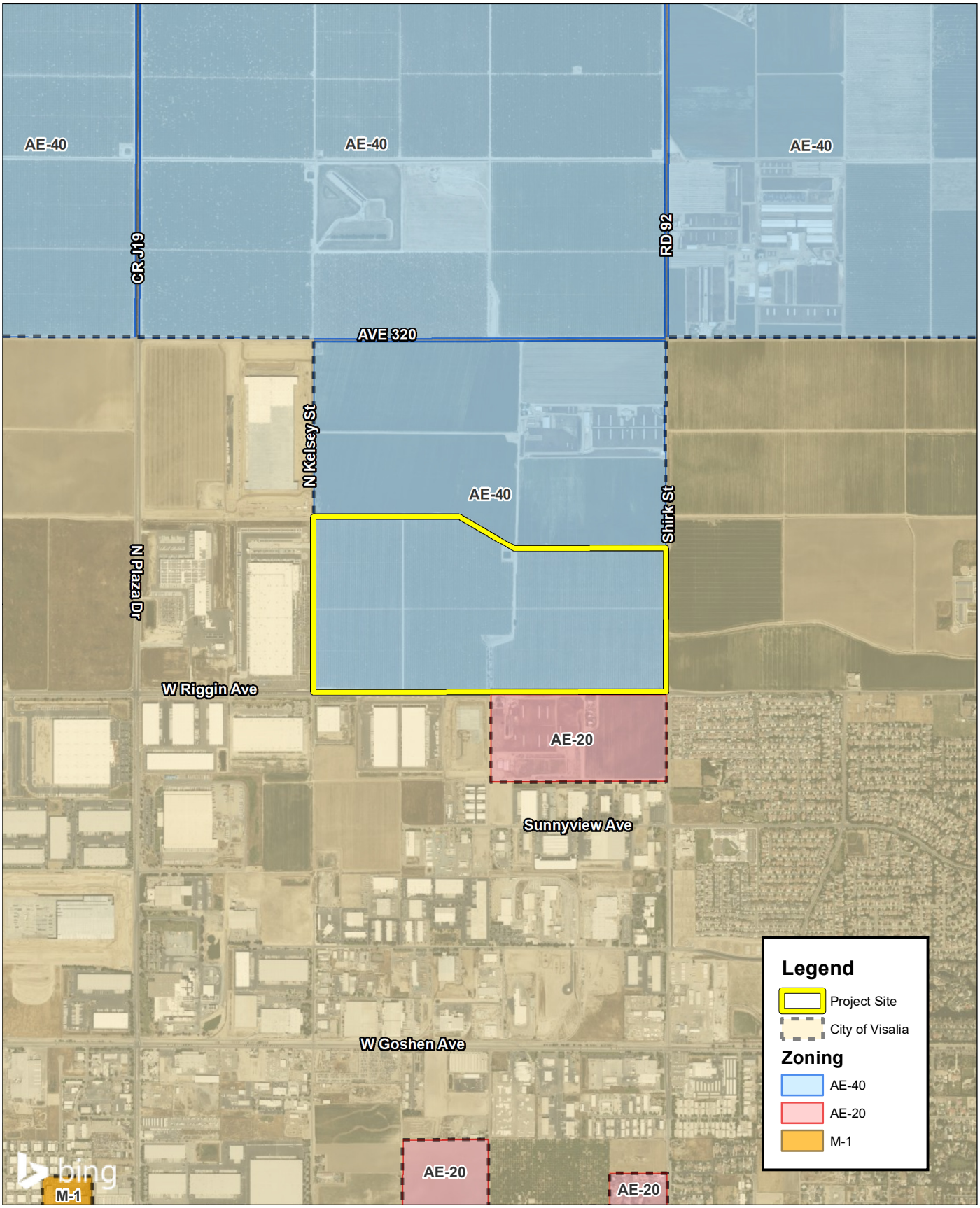

Source: Bing Aerial Imagery. City of Visalia, March 2024. County of Tulare.

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Exhibit 2-6
County of Tulare Zoning Designation

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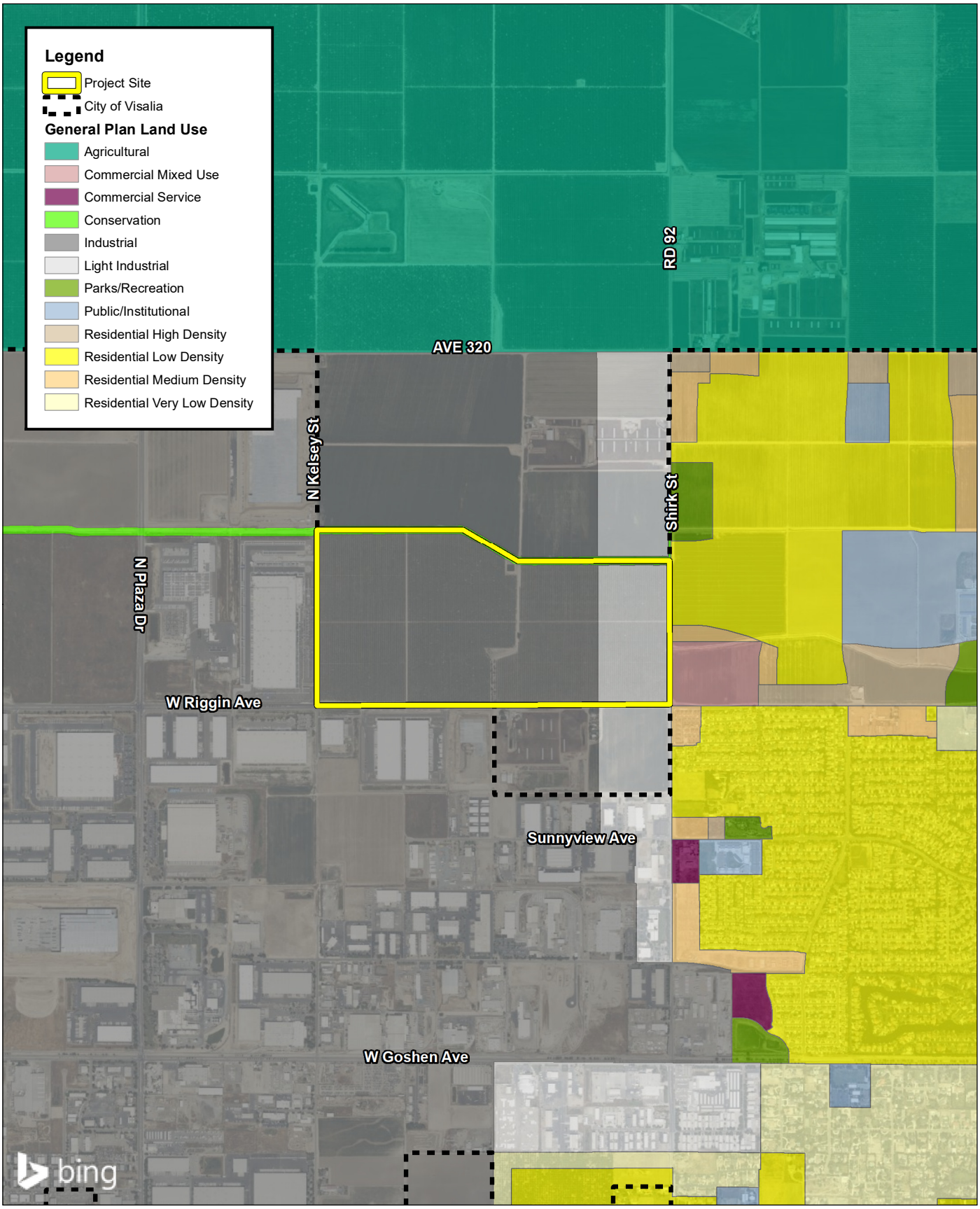

Source: Bing Aerial Imagery. City of Visalia, March 2024.

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Exhibit 2-7
City of Visalia
General Plan Land Use Designations

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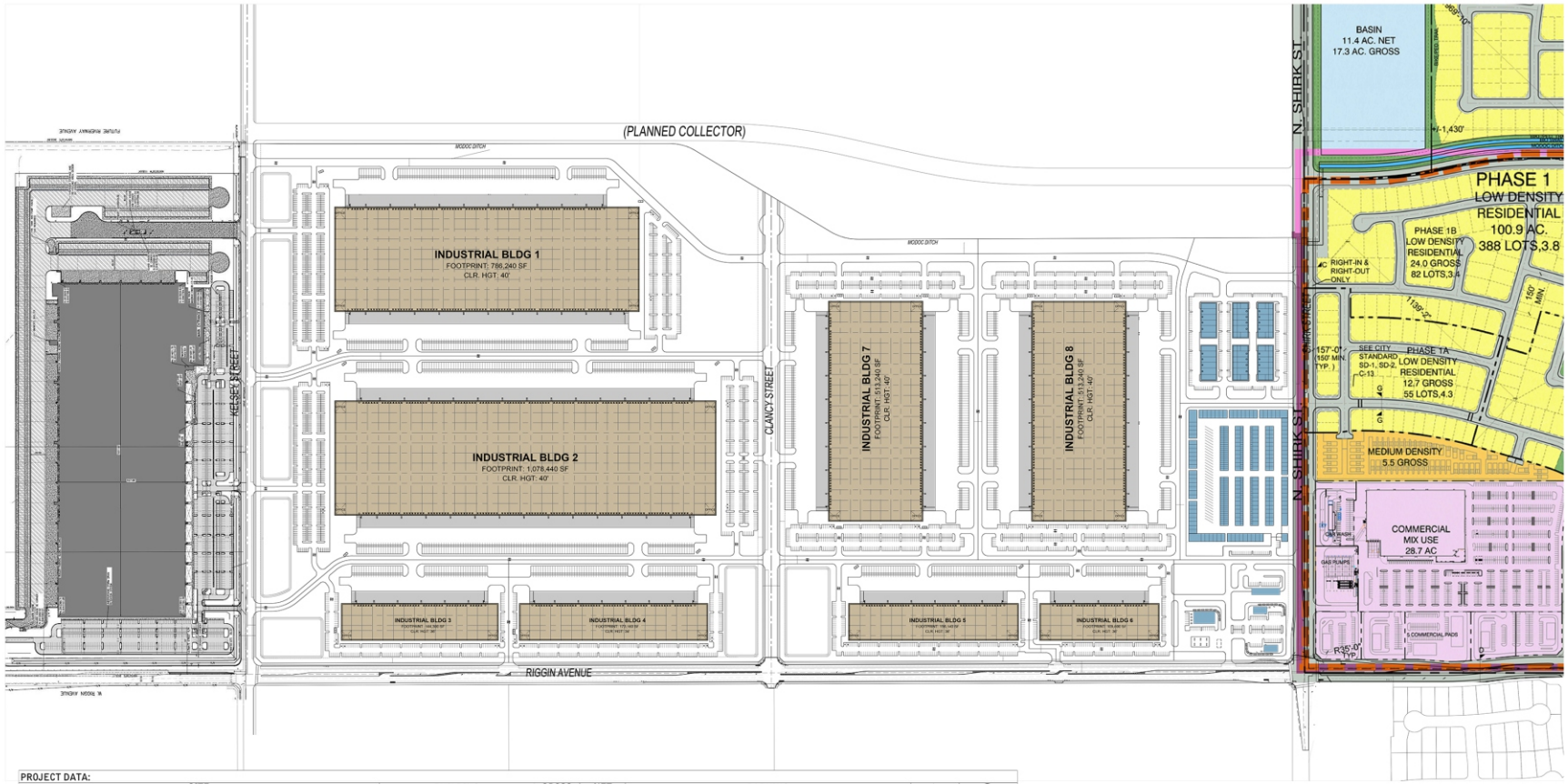
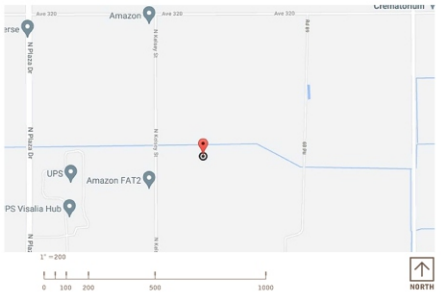


PROJECT DATA:

SITE						BUILDING		GROSS	NET	PARKING				▲	○
SITE	SITE AREA (SF)	SITE AREA (ACRE)	DETENTION (SF)	DETENTION (%)	NET SITE AREA (SF)	BLDG.	BUILDING FOOTPRINT	GROSS COVERAGE	NET COVERAGE	PARKING PROVIDED	PARKING RATIO	REQ. ACC. STALLS	TRAILER PARKING	DOCK-HIGH DOORS	GRADE-LEVEL DOORS
						1	786,240			598	@0.76/1000 SF	*12 STALLS*	193	171	4
						2	1,078,440			687	@0.64/1000 SF	*14 STALLS*	246	214	4
						3	144,300			244	@1.69/1000 SF	*7 STALLS*	47	43	2
						4	173,160			275	@1.59/1000 SF	*7 STALLS*	60	54	2
						5	156,140			244	@1.56/1000 SF	*7 STALLS*	57	47	2
						6	109,890			177	@1.61/1000 SF	*6 STALLS*	37	29	2
						7	513,240			578	@1.13/1000 SF	*12 STALLS*	147	128	4
1	12,194,988	279.96	1,363,370	11.2%	10,831,618	8	513,240	30.5%	34.3%	528	@1.03/1000 SF	*11 STALLS*	147	128	4
						FLEX IND	84,480			269	@3.18/1000 SF	*7 STALLS*	-	-	-
						SELF STORAGE	144,800			35	@0.24/1000 SF	*2 STALLS*	-	-	-
						CARWASH	4,560			17	@3.73/1000 SF	*1 STALLS*	-	-	-
						DRIVE-THRU 1	2,368			37	@15.62/1000 SF	*2 STALLS*	-	-	-
						DRIVE-THRU 2	2,368			37	@15.62/1000 SF	*2 STALLS*	-	-	-
						C-STORE	6,922			24	@3.47/1000 SF	*1 STALLS*	-	-	-
TOTAL	12,194,988	280	1,363,370	11.2%	10,831,618		3,720,149	30.5%	34.3%	3,750	@1.01/1000 SF	*102 STALLS*	934	814	24



Source: Seefried Industrial Properties; Ware Malcomb, 09/15/2022.

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Exhibit 2-8
Site Plan

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Site Aerial View

Cross-Dock Perspective View - SW

Source: Seefried Industrial Properties; Ware Malcomb, 09/15/2022.

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Exhibit 2-9
Project Simulation

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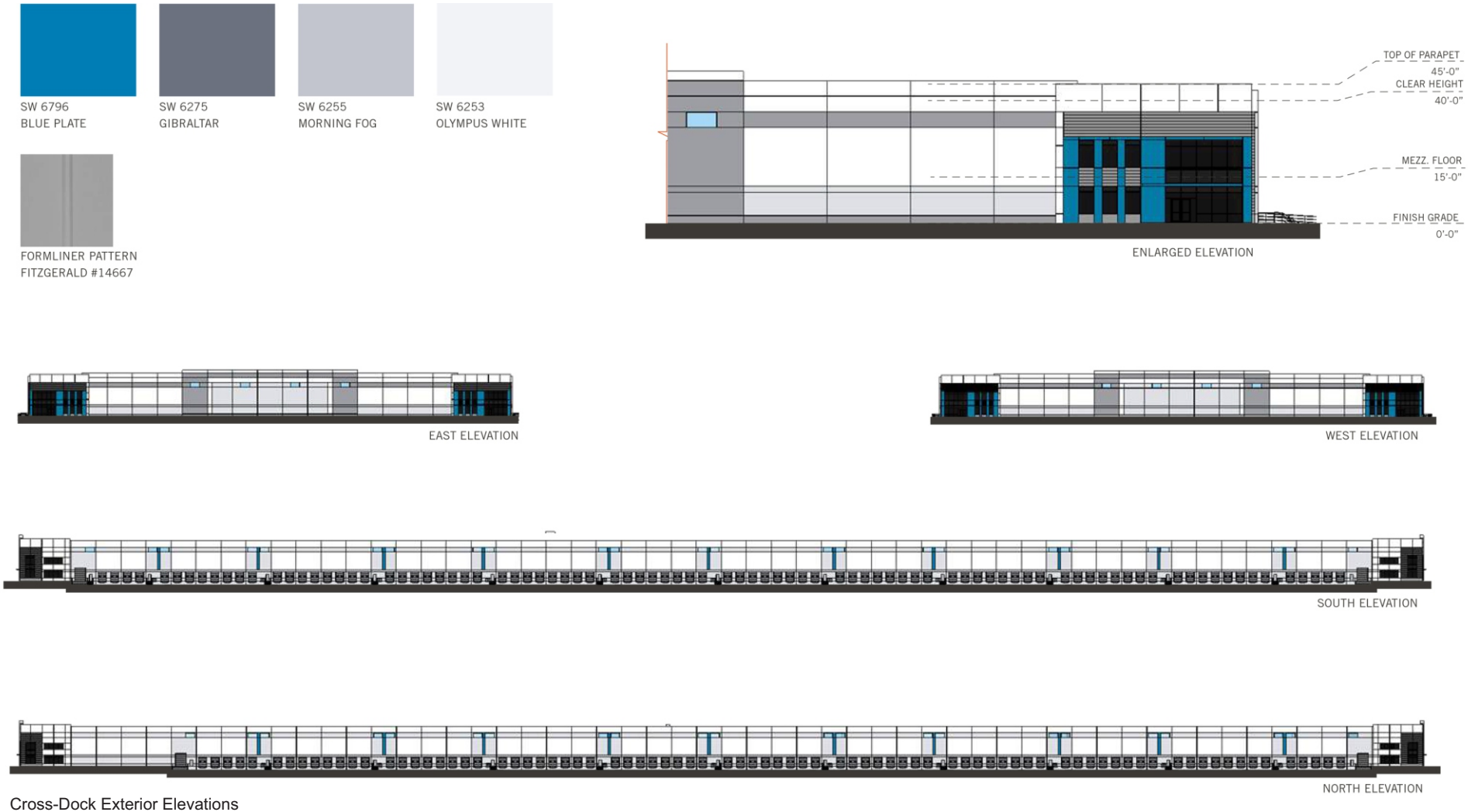

Cross-Dock Exterior Elevations

Source: Seefried Industrial Properties; Ware Malcomb, 09/15/2022.

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Exhibit 2-10a
Industrial Building Elevation Plans

CITY OF VISALIA
SHIRK & RIGGIN INDUSTRIAL PROJECT
ENVIRONMENTAL IMPACT REPORT

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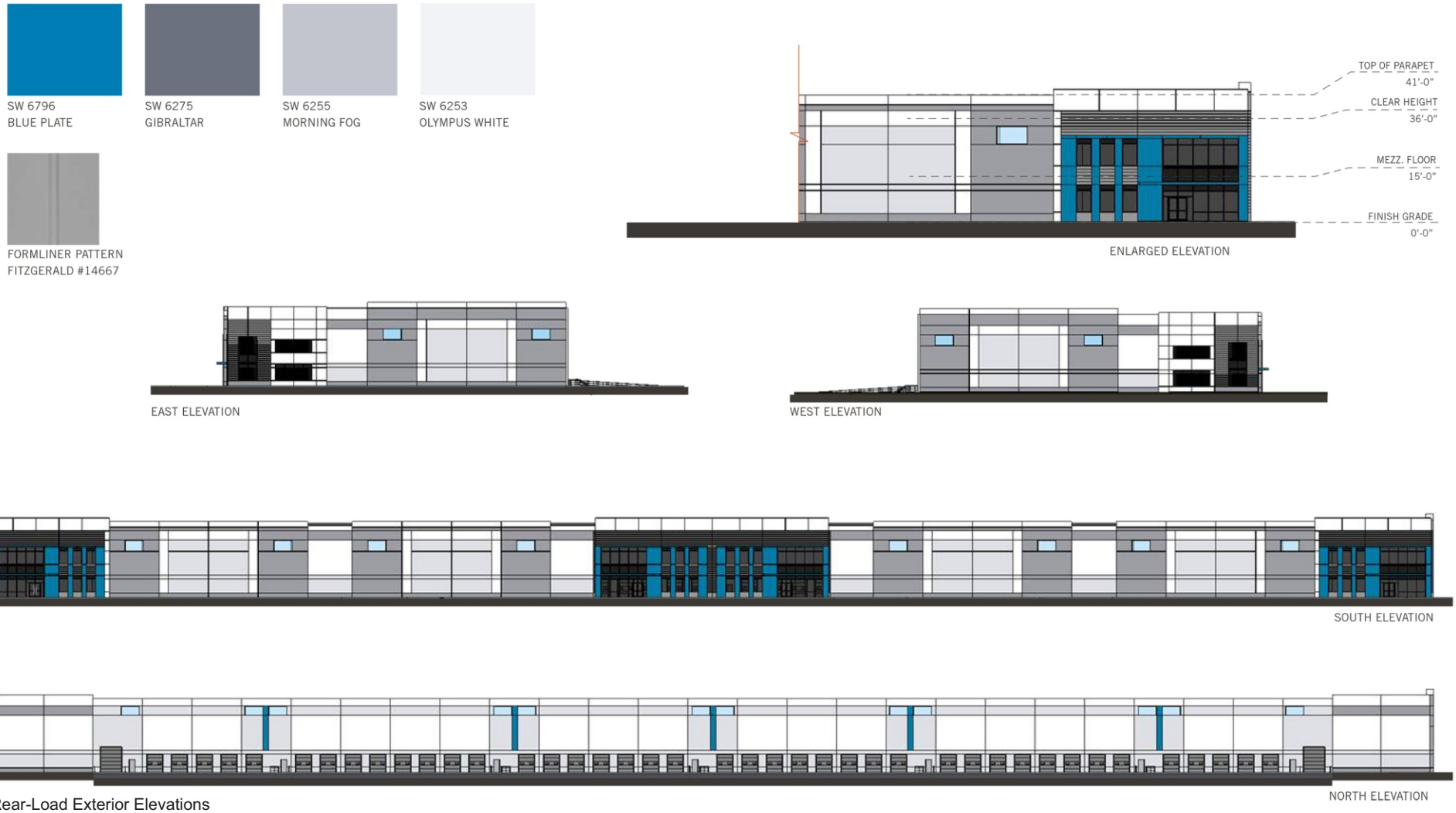

Rear-Load Exterior Elevations

Source: Seefried Industrial Properties; Ware Malcomb, 09/15/2022.

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Exhibit 2-10b
Industrial Building Elevation Plans

CITY OF VISALIA
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ENVIRONMENTAL IMPACT REPORT

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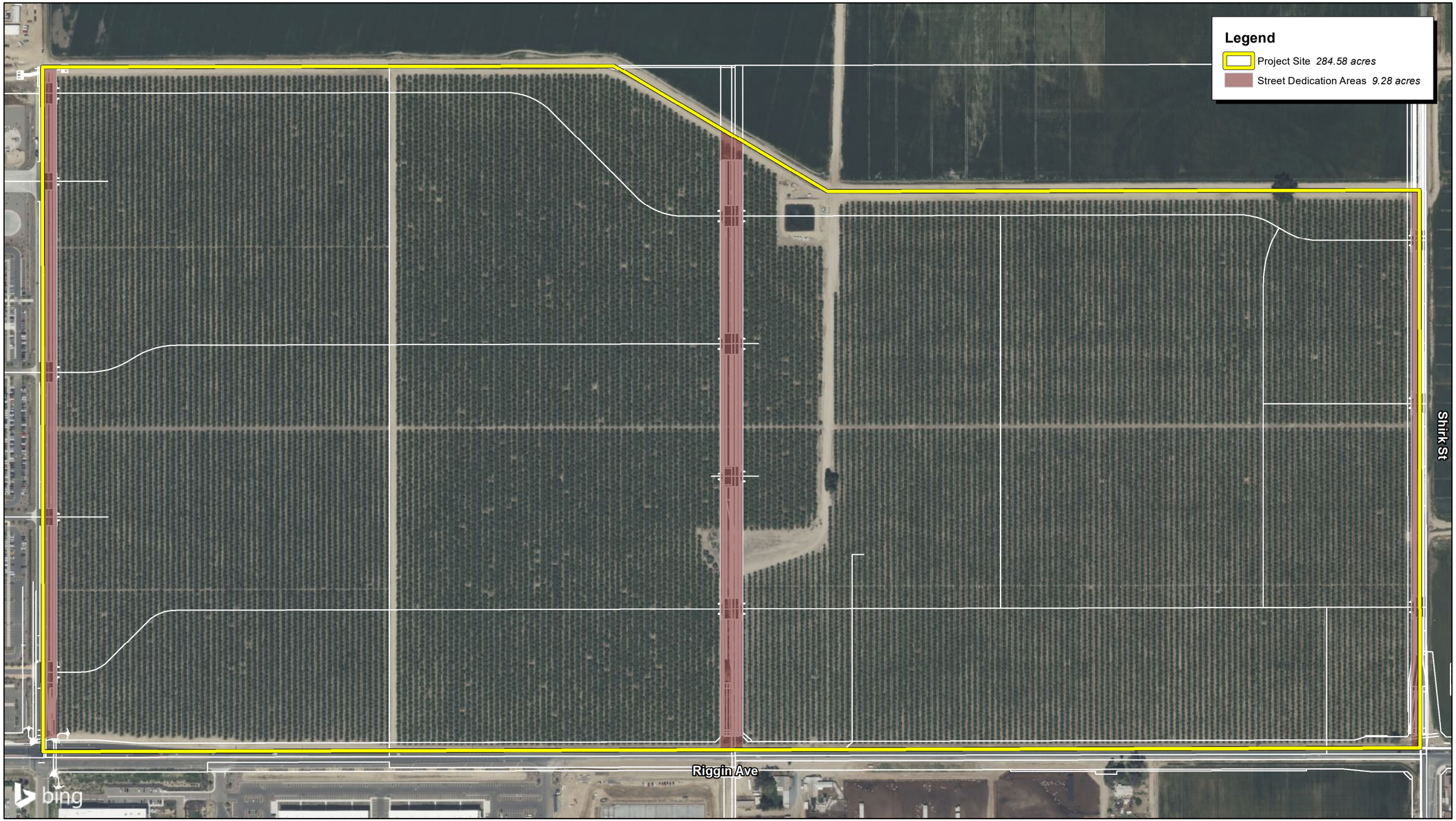

Source: Bing Aerial Imagery. 4-Creeks, September 2022.

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350 175 0 350
Feet

41150039 • 10/2022 | 2-11_street_dedication.mxd

Exhibit 2-11
Street Dedication

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SHIRK & RIGGIN INDUSTRIAL PROJECT
ENVIRONMENTAL IMPACT REPORT

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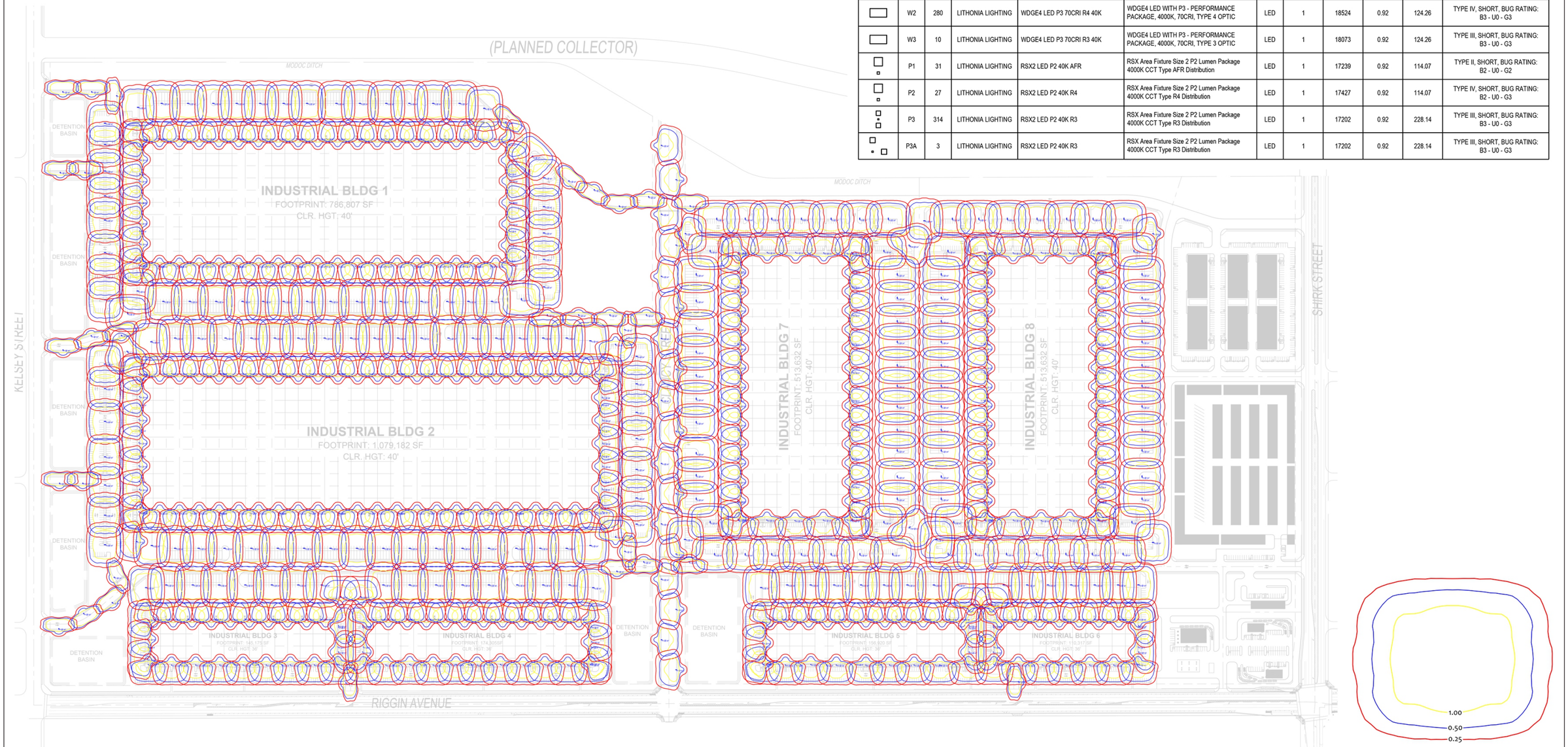
SCHEDULE

SYMBOL	LABEL	QTY	MANUFACTURER	CATALOG NUMBER	DESCRIPTION	LAMP	NUMBER OF LAMPS	LUMENS PER LAMP	LIGHT LOSS FACTOR	WATTAGE	DISTRIBUTION
	EX	22	SIGNTEX, INC	MUE10X-T	EXTRUDED ALUMINUM HOUSING, FROSTED PLASTIC ENCLOSURE.	LED	1	494	0.92	10.7	
	W1	166	LITHONIA LIGHTING	WDGE1 LED P1 40K 80CRI VW	WDGE1 LED WITH P1 - PERFORMANCE PACKAGE, 4000K, 80CRI, VISUAL COMFORT WIDE OPTIC	LED	1	1229	0.92	10.00	TYPE II, VERY SHORT, BUG RATING: B0 - U0 - G0
	W2	280	LITHONIA LIGHTING	WDGE4 LED P3 70CRI R4 40K	WDGE4 LED WITH P3 - PERFORMANCE PACKAGE, 4000K, 70CRI, TYPE 4 OPTIC	LED	1	18524	0.92	124.26	TYPE IV, SHORT, BUG RATING: B3 - U0 - G3
	W3	10	LITHONIA LIGHTING	WDGE4 LED P3 70CRI R3 40K	WDGE4 LED WITH P3 - PERFORMANCE PACKAGE, 4000K, 70CRI, TYPE 3 OPTIC	LED	1	18073	0.92	124.26	TYPE III, SHORT, BUG RATING: B3 - U0 - G3
	P1	31	LITHONIA LIGHTING	RSX2 LED P2 40K AFR	RSX Area Fixture Size 2 P2 Lumen Package 4000K CCT Type AFR Distribution	LED	1	17239	0.92	114.07	TYPE II, SHORT, BUG RATING: B2 - U0 - G2
	P2	27	LITHONIA LIGHTING	RSX2 LED P2 40K R4	RSX Area Fixture Size 2 P2 Lumen Package 4000K CCT Type R4 Distribution	LED	1	17427	0.92	114.07	TYPE IV, SHORT, BUG RATING: B2 - U0 - G3
	P3	314	LITHONIA LIGHTING	RSX2 LED P2 40K R3	RSX Area Fixture Size 2 P2 Lumen Package 4000K CCT Type R3 Distribution	LED	1	17202	0.92	228.14	TYPE III, SHORT, BUG RATING: B3 - U0 - G3
	P3A	3	LITHONIA LIGHTING	RSX2 LED P2 40K R3	RSX Area Fixture Size 2 P2 Lumen Package 4000K CCT Type R3 Distribution	LED	1	17202	0.92	228.14	TYPE III, SHORT, BUG RATING: B3 - U0 - G3



Source: Ware Malcomb, 2022.

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Exhibit 2-12
Site Photometric Plan

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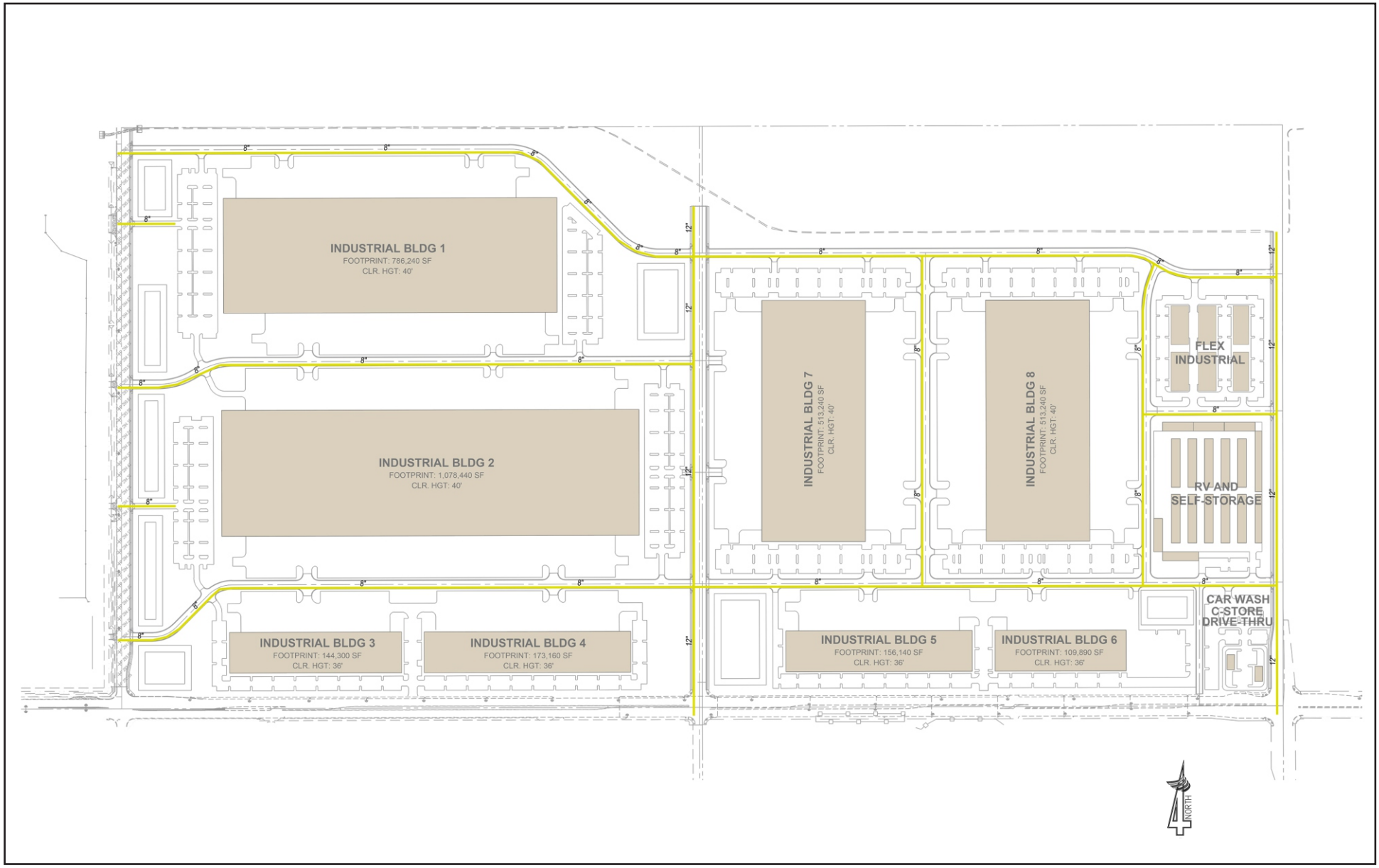

Source: 4Creeks, Inc.

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41150039 • 03/2023 | 2-13_water_lines

Exhibit 2-13
Proposed Water Lines

CITY OF VISALIA
SHIRK & RIGGIN INDUSTRIAL PROJECT
ENVIRONMENTAL IMPACT REPORT

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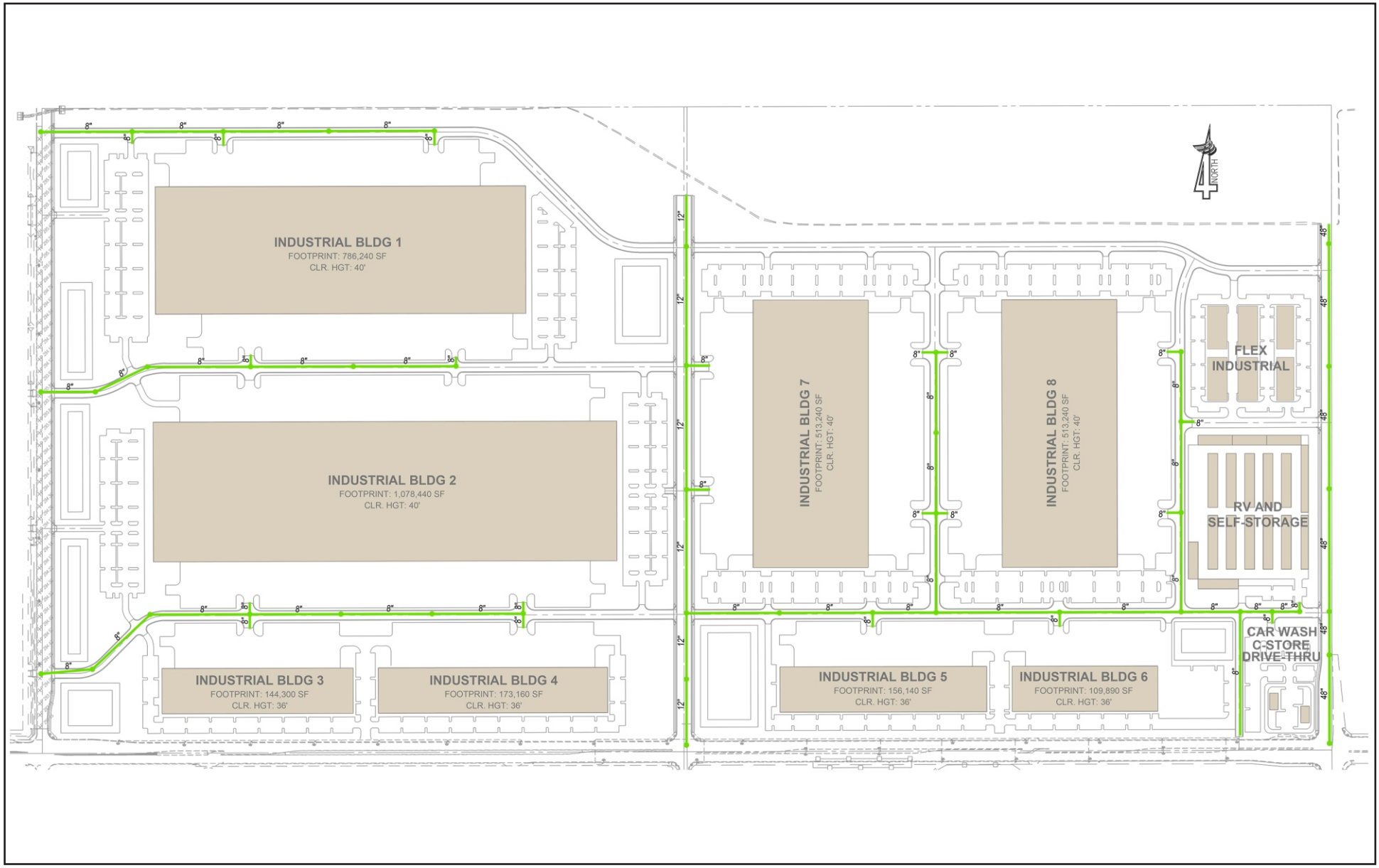

Source: 4Creeks, Inc.

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41150039 • 03/2023 | 2-14_sewer_lines

Exhibit 2-14
Proposed Sewer Lines

CITY OF VISALIA
SHIRK & RIGGIN INDUSTRIAL PROJECT
ENVIRONMENTAL IMPACT REPORT

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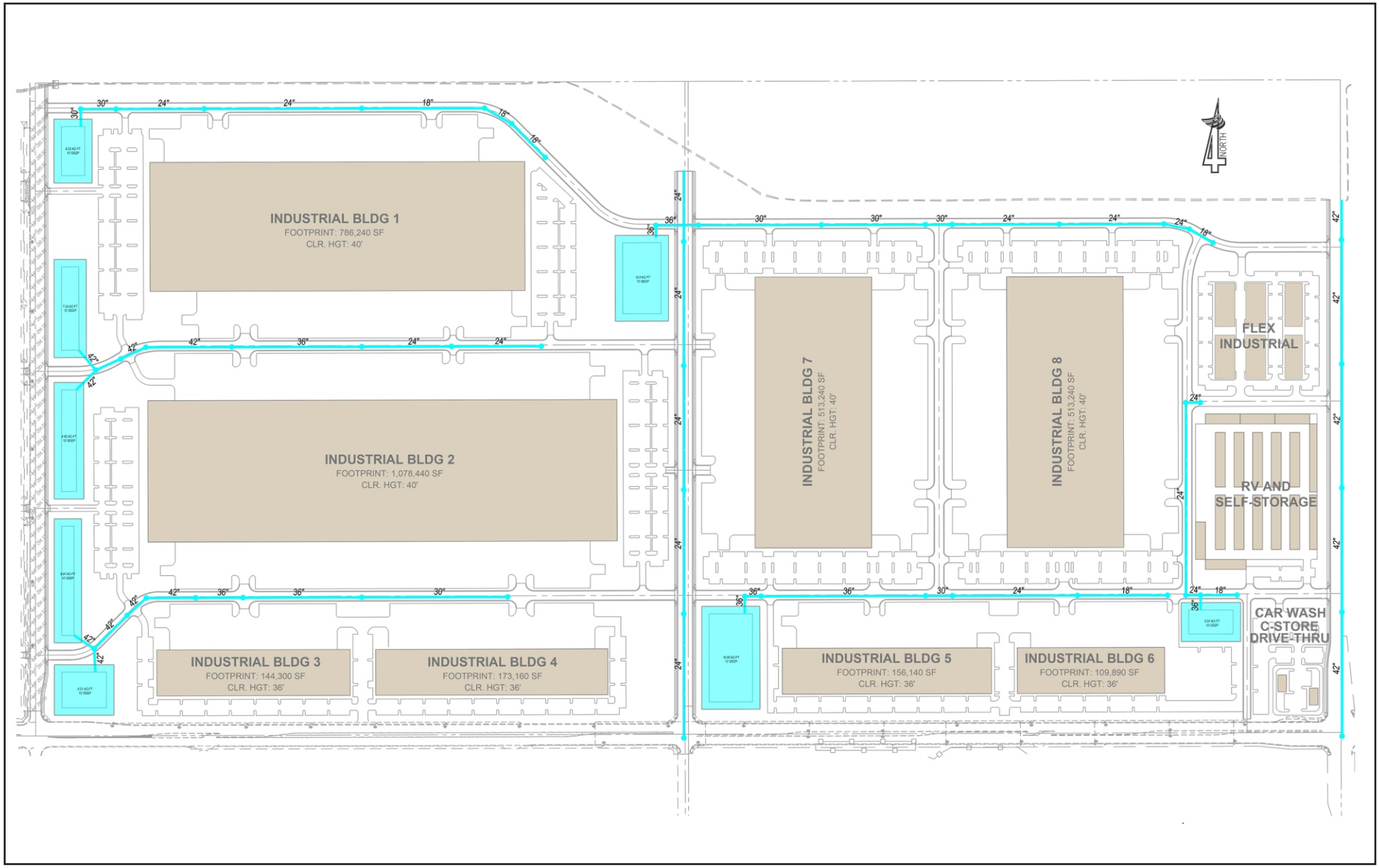

Source: 4Creeks, Inc.

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41150039 • 03/2023 | 2-15_storm_drainage_system

Exhibit 2-15
Proposed Storm Drainage System

CITY OF VISALIA
SHIRK & RIGGIN INDUSTRIAL PROJECT
ENVIRONMENTAL IMPACT REPORT

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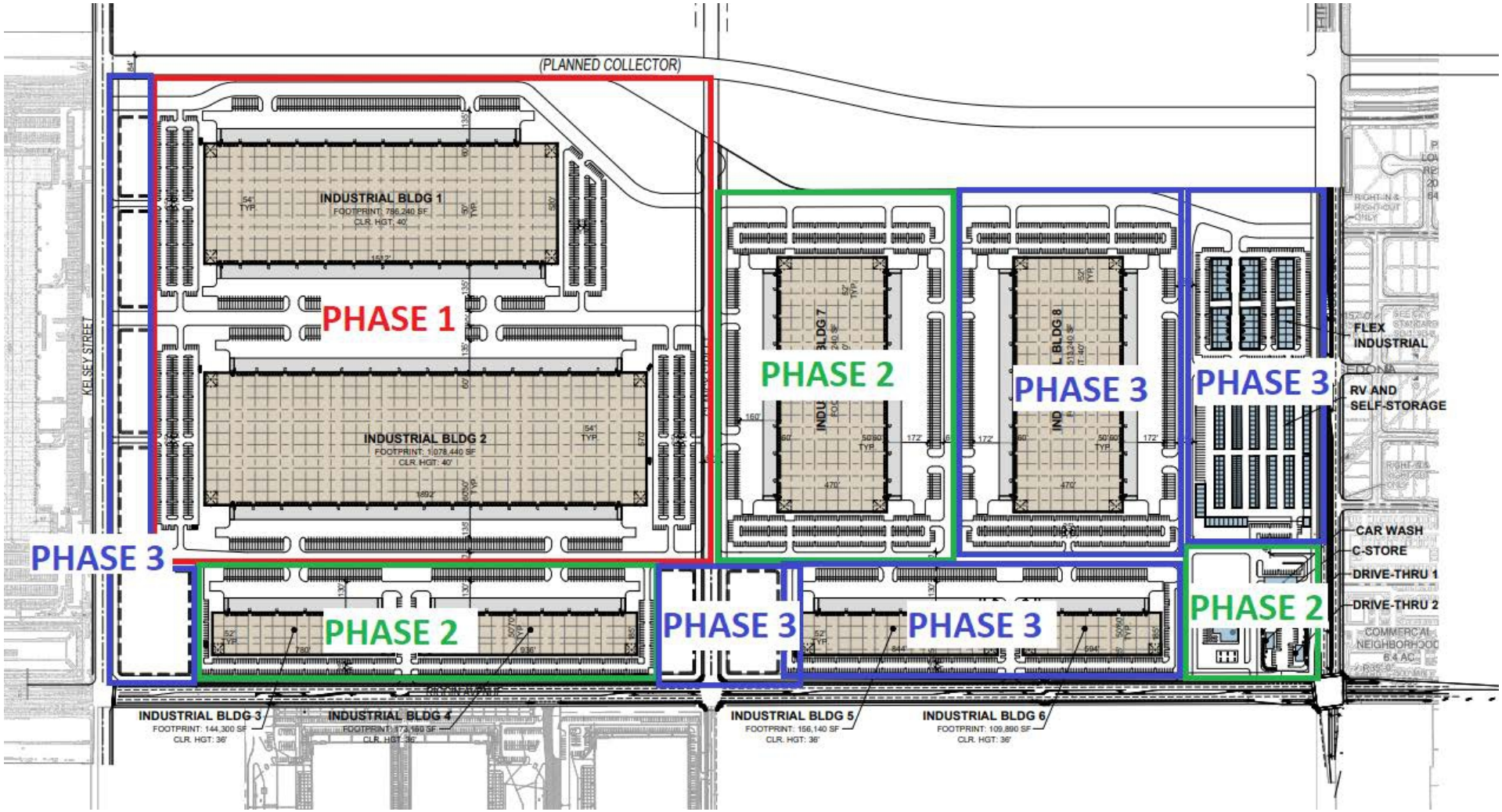

***The necessary landscaped areas, parking areas, and the water quality management basins could be constructed with any phase as needed (e.g. Phase 1/2/3)**

Source: Seefried Industrial Properties, Inc. 2022.

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41150039 • 05/2023 | 2-16_project_phasing.cdr

Exhibit 2-16
Project Phasing

CITY OF VISALIA
SHIRK & RIGGIN INDUSTRIAL PROJECT
ENVIRONMENTAL IMPACT REPORT

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CHAPTER 3: ENVIRONMENTAL IMPACT ANALYSIS

Organization of Issue Areas

This chapter sets forth the physical and regulatory environmental setting and addresses the organization of the discussion of the environmental impacts of the proposed project with respect to 17 environmental resource areas. The discussions of the environmental setting describe present physical conditions, or baseline conditions, on the project site and in the vicinity. For purposes of this analysis, the baseline used for the evaluation of environmental impacts under the California Environmental Quality Act (CEQA) reflects the conditions present at the time the Notice of Preparation (NOP) for this Draft Environmental Impact Report (Draft EIR) was published. To determine the proposed project's individual impacts, potential impacts of the proposed project are compared against the existing baseline conditions for each environmental resource. For purposes of the cumulative analysis, the impacts of the proposed project in combination with other past, present, and reasonably foreseeable future projects are analyzed to determine whether overall long-term impacts of all such projects would be cumulatively significant, and to determine whether the proposed project itself would cause a "cumulatively considerable" incremental contribution to any such cumulatively significant impacts.

Issues Addressed in this Draft EIR

The following environmental issues are addressed in Chapter 3:

- Aesthetics, Light, and Glare
- Agriculture Resources and Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources and Tribal Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Transportation and Traffic
- Utilities and Service Systems
- Wildfire

Level of Significance

Determining the severity of project impacts is fundamental to achieving the objectives of CEQA. CEQA Guidelines Section 15091 requires that decision-makers mitigate, as completely as is feasible, the significant impacts identified in the EIR. If the EIR identifies any significant unmitigated impacts, CEQA Guidelines Section 15093 requires decision-makers in approving a project to adopt a statement of overriding considerations that explains why the benefits of the proposed project outweigh the adverse environmental consequences identified in the EIR.

The level of significance for each impact examined in this Draft EIR was determined by considering the predicted magnitude of the impact against the applicable threshold. Thresholds were developed

using criteria from the CEQA Guidelines and checklist; State, federal, and local regulatory schemes; local/regional plans and ordinances; accepted practice; consultation with recognized experts; and other professional opinions.

Format of the Environmental Analysis

Each resource area analyzed in this Draft EIR includes the subsections summarized below.

Introduction

This subsection summarizes what is discussed in the respective environmental topic section, states what informational documents are used as the basis for the section, and indicates what related comments, if any, were received during the Draft EIR public scoping period.

Environmental Setting

This subsection describes existing, baseline physical conditions of the project site and the surroundings (e.g., existing land uses, transportation conditions, noise environment) with respect to each resource topic at the time the NOP was issued. Conditions are described in sufficient detail and breadth to allow a general understanding of environmental impacts of the proposed project based on reasonably available information.

Regulatory Framework

This subsection describes relevant federal, State, regional (if applicable), and local regulatory requirements that are directly applicable to the environmental topic being analyzed.

Impacts and Mitigation Measures

This subsection evaluates potential for the proposed project to result in direct and indirect adverse impacts on the existing physical environment, with consideration of both short-term and long-term impacts. The analysis covers construction and operation of the proposed project. The City is utilizing Appendix G of the State CEQA Guidelines as thresholds of significance for this project. The significance thresholds for environmental impacts are defined at the beginning of this subsection, and the discussion of the approach to the analysis explains how significance thresholds have been applied to evaluate impacts of the proposed project.

Indirect impacts are discussed only for those resources for which they have potential to occur (e.g., cultural resources, air quality, and biological resources). Both individual-level and cumulative impacts are analyzed. Individual-level impacts could result from actions related to implementation of the proposed project as compared to the existing, baseline conditions. Cumulative impacts could result from implementation of the proposed project in combination with other cumulative projects in the relevant study area. As discussed in “Cumulative Impacts,” below, the projects listed in Table 3-1, in conjunction with the proposed project, are considered the cumulative scenario for analysis of cumulative impacts.

Impacts are analyzed and the respective assessment and findings are included in this Draft EIR, applying the following levels of significance:

- **No Impact.** A conclusion of No Impact is reached if no potential exists for impacts or if the environmental resource does not occur in the project site or the relevant study area of potential impacts.
- **Less than significant impact.** This determination applies if the impact does not exceed the defined significance criteria or would be eliminated or reduced to a less than significant level through compliance with existing local, State, and federal laws and regulations. No mitigation is required for impacts determined to be less than significant.
- **Less than significant impact with mitigation.** This determination applies if the proposed project would result in a significant impact, exceeding the established significance criteria, but feasible mitigation is available that would reduce the impact to a less than significant level.
- **Significant and unavoidable impact.** This determination applies if the proposed project would result in an adverse impact that exceeds the established significance criteria, and no feasible mitigation is available to reduce the impact to a less than significant level. Therefore, the residual impact would be significant and unavoidable.

Impacts are defined in terms of their context and intensity. Context is related to the uniqueness of a resource; intensity refers to severity of the impact. Where applicable, Best Management Practices (BMPs), project improvement measures (otherwise referred to as project design features), or both, are incorporated into the proposed project to limit potential for a significant impact. Where necessary, feasible mitigation measures are identified for significant impacts to limit the degree or lower the magnitude of the impact; rectify the impact by repairing, rehabilitating, or restoring the affected environment; or compensate for the impact by replacing or providing substitute resources or environments. These impacts conclude with a finding of *Less than significant impact with mitigation*. Where no mitigation measures are necessary, relevant impacts are concluded to be *Less than significant* or to have **No impact.**

As part of the impact analysis, mitigation measures are identified, where feasible, for impacts considered significant or potentially significant consistent with CEQA Guidelines Section 15126.4, which states that an EIR "shall describe feasible measures which could minimize significant adverse impacts." CEQA requires that mitigation measures have an essential nexus and be roughly proportional to the significant impact identified in the EIR. The project sponsor may be required to implement all identified mitigation measures identified in this Draft EIR, as reflected in an adopted Mitigation Monitoring and Reporting Program (MMRP) and the lead agency (in this case, the City of Visalia) is responsible for overseeing the project sponsor's implementation of mitigation measures, which occurs through the imposition of the MMRP as enforceable conditions of approval. Pursuant to CEQA Guidelines Section 15126.4, mitigation measures are not required for environmental impacts that are found not to be significant.

Impacts are numbered and shown in bold type. The corresponding mitigation measures, where identified, are numbered, indented, and follow the impact statements. Impacts and mitigation measures are numbered consecutively within each topic and include an abbreviated reference to the impact section (e.g., "LAND" for Land Use and Planning). The following abbreviations are used for individual topics:

- Aesthetics (AES)
- Agriculture and Forestry Resources (AG)
- Air Quality (AIR)
- Biological Resources (BIO)
- Cultural Resources and Tribal Cultural Resources (CUL)
- Energy (ENER)
- Geology and Soils (GEO)
- Greenhouse Gas Emissions (GHG)
- Hazards and Hazardous Materials (HAZ)
- Hydrology and Water Quality (HYD)
- Land Use and Planning (LAND)
- Noise (NOI)
- Public Services (PUB)
- Transportation (TRANS)
- Utilities and Service Systems (UTIL)
- Wildfire (WILD)

Cumulative Impacts

The discussion of cumulative impacts in this subsection analyzes cumulative impacts of the proposed project, taken together with other past, present, and reasonably foreseeable future projects producing related impacts. The goal of this analysis is to determine whether overall long-term impacts of all such projects would be cumulatively significant, and to determine whether the proposed project itself would cause a "cumulatively considerable" incremental contribution to any such cumulatively significant impacts. To determine whether the overall long-term impacts of all such projects would be cumulatively significant, the analysis generally considers the following:

- The area in which impacts of the proposed project would be experienced;
- The impacts of the proposed project that are expected in the area;
- Other past, proposed, and reasonably foreseeable projects that have had or are expected to have impacts in the same area;
- The impacts or expected impacts of these other projects; and
- The overall impact that can be expected if the individual impacts from each project are allowed to accumulate.

"Cumulative impacts" refers to two or more individual impacts that, when considered together, are considerable, or that compound or increase other environmental impacts (CEQA Guidelines § 15355). Cumulative impacts can result from individually minor but collectively significant impacts taking place over time (40 Code of Federal Regulations [CFR] § 1508.7). This analysis will determine whether the potential exists for the proposed project, taken together with other past, present, and reasonably foreseeable future projects, would result in a significant or adverse cumulative impact.

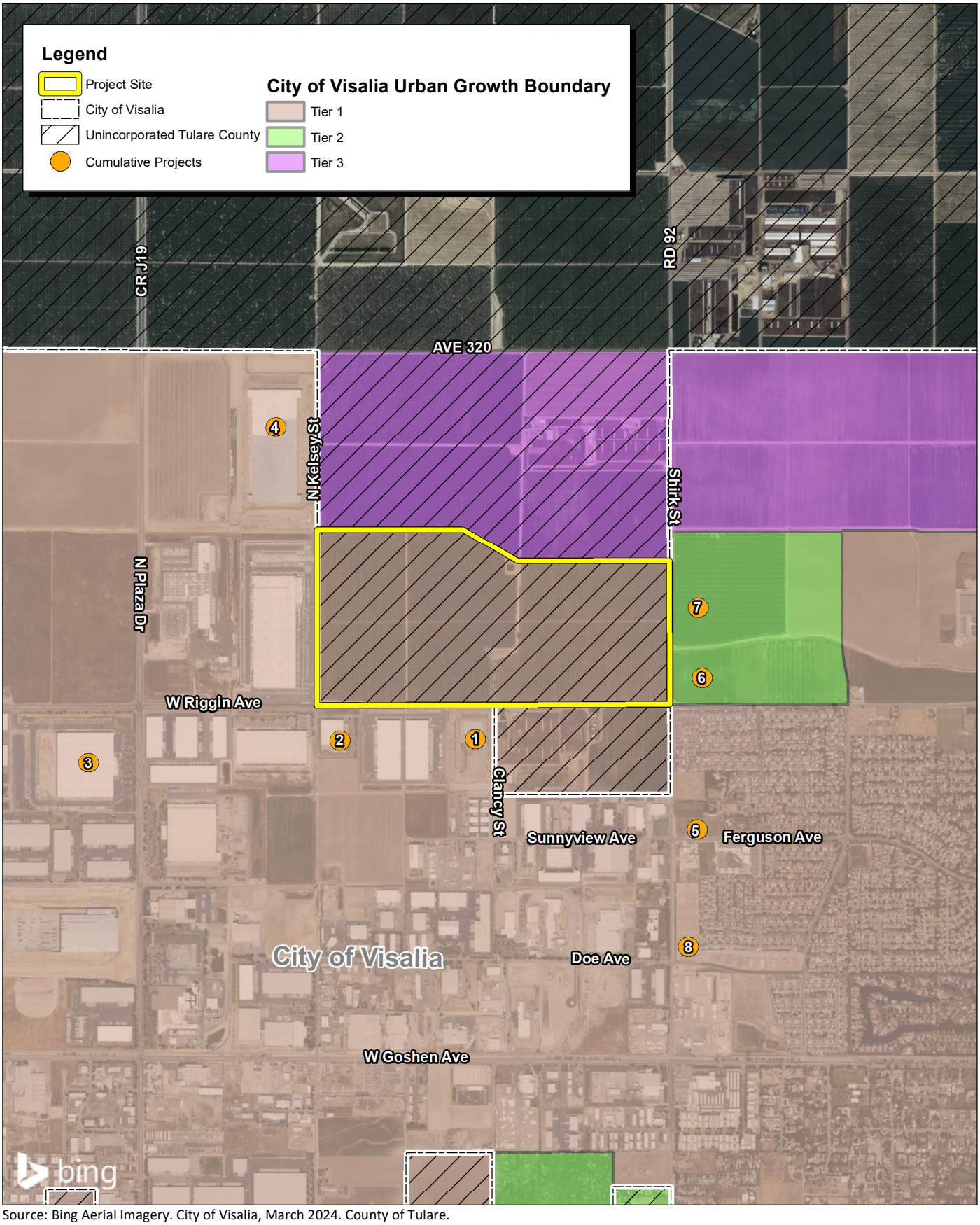
The cumulative impact analysis for each individual resource topic is presented in each resource section of this chapter immediately after the description of direct project impacts and identified mitigation measures. The geographic scope for the cumulative analysis is described for each type of resource. This analysis evaluates whether the impacts of the proposed project, together with the impacts of cumulative development, could result in a cumulatively significant impact related to historical, archaeological, and tribal cultural resources. This analysis would then determine whether the proposed project's incremental contribution to any significant cumulative impact is itself significant (i.e., "cumulatively considerable"). Both conditions must apply for the project's cumulative effects to rise to the level of significance.

In addition to relevant past and present cumulative projects, Table 3-1 lists relevant cumulative projects considered for the environmental analysis and Exhibit 3-1, Cumulative Projects Map, shows the locations of the cumulative projects. The cumulative projects list includes past, present, and future projects. Future projects include pipeline projects that are considered reasonably foreseeable.

Table 3-1: Cumulative Projects

No.	Project	Characteristics	Project Development			
			Units	Square Footage	Location	Status
City of Visalia						
1	YS Industrial Park Phase 2	Warehouse and Distribution	–	354,000	Southwest Corner of Riggin Avenue and Clancy Street	Under Construction
2	Sandridge Partners, LP–Visalia Industrial	Industrial Warehouse–Interior Offices	–	100,000	Southeast Corner of Kelsey Street and Riggin Avenue	Under Construction
3	Central Point III	Warehouse and Distribution	–	2,680,000	3807 North Plaza Drive	Under Review
4	YS Industrial Park Phase I	Warehouse and Distribution	–	1,112,000	Southwest Corner of Kelsey Street and Avenue 320	Under Review
5	Pheasant Ridge Unit No. 7 Phase 1	Single-family Residential	22	–	Northeast Corner of Shirk Street and West Ferguson Avenue	Under Construction
6	Costco at Carleton Acres	Commercial	–	161,000	Northeast Corner of Shirk Street and Riggin Avenue	Under Review
7	Carleton Acres	Mix Use Development Specific Plan	3,368 residential units	14.7 acres of commercial development	Northeast Corner of Riggin Avenue and Shirk Street	Under Review
8	Shirk and Doe Apartment Complex	Multi-Family Residential	200	–	North Shirk Street and West Doe Avenue	Under Construction

No.	Project	Characteristics	Project Development			
			Units	Square Footage	Location	Status
Sources: City of Visalia. 2021. Site Plan Review Agenda. August 25. City of Visalia. 2021. Site Plan Review Agenda. October 13. City of Visalia. 2022. Site Plan Review Agenda. July 13. City of Visalia. 2022. Site Plan Review Agenda. April 20. City of Visalia. 2022. Site Plan Review Agenda. May 4.						



Source: Bing Aerial Imagery. City of Visalia, March 2024. County of Tulare.

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Exhibit 3-1
Cumulative Projects Map

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CITY OF VISALIA
SHIRK & RIGGIN INDUSTRIAL PROJECT
ENVIRONMENTAL IMPACT REPORT

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3.1 - Aesthetics, Light, and Glare

3.1.1 - Introduction

This section describes the existing aesthetics, light, and glare conditions on the project site and vicinity, well as the relevant regulatory framework. This section also evaluates the potential impacts related to aesthetics, light, and glare that could result from implementation of the proposed project, as well as identifies feasible mitigation measures that would reduce any significant impacts, if and to the extent required. The descriptions and analysis in this section are based, in part, on-site reconnaissance, as well as review of relevant portions of the City of Visalia General Plan (General Plan) and City of Visalia Municipal Code (Municipal Code).

No comments were received during the Notice of Preparation (NOP) comment period related to aesthetics, light, and glare.

3.1.2 - Environmental Setting

Visual Character

Visual character in the California Environmental Quality Act (CEQA) context is an impartial description of defining physical features, landscape patterns, and distinctive physical qualities within a landscape. Visual character is informed by the composition of land, vegetation, water, and structures and their relationship (or dominance) to one another, and by prominent elements of form, line, color, and texture that combine to define the composition of views. Visual character-defining resources and features within a landscape may derive from notable landforms, vegetation, land uses, building design and façade treatments, transportation facilities, overhead utility structures and lighting, historic structures or districts, or panoramic open space.

City of Visalia

The City of Visalia (City) is located on the generally flat, agricultural plain of the San Joaquin Valley, about 10 miles west of the Sierra Nevada foothills. The high mountain peaks, about 40 miles distant, create a dramatic backdrop on clear days. The City has grown concentrically around its historic core and is surrounded by productive agricultural land.

Project Site

The project site is generally flat with a gentle upward slope to the east and is currently used as an almond orchard, with associated infrastructure and an irrigation canal (Modoc Ditch) along its northern edge. The canopy of a mature valley oak overhangs the project site's northern boundary. The majority of the project site is currently covered with a cultivated orchard. There is also a pump house, retention basin, ditch, and water pump on the site. No other structures or residences are located within the project site. In addition to the orchard areas, there are non-native planted ornamental trees, including a double row of 35 olive trees with a cluster of two tall elm trees and one cedar along a private road that runs south to north along the project site.

Scenic Resources and Views

Scenic resources typically involve prominent, unique, and identifiable natural features in the environment (e.g., trees, rock outcroppings, islands, ridgelines, channels of water, and aesthetically appealing open space) and/or cultural features or resources, such as regional or architecturally distinctive buildings or structures that serve as a focal point of interest.

Views may be generally described as panoramic views of a large geographic area for which the field of view can be wide and extend into the distance and are identified or known for high scenic quality. Associated vantage points provide an orientation from publicly accessible locations. Examples of distinctive views include urban skylines, valleys, mountain ranges, or large bodies of water.

City of Visalia

Visalia is surrounded by agricultural lands and natural open space. While some edges of the City are well defined by physical features like State Route (SR) 99, the St. Johns River, and the airport, development transitions into more predominantly agricultural areas.[1] Noted visual vistas include views of the Sierra Nevada range to the east and agricultural lands beyond the edges of the City. The Sierra Nevada range, rising to an elevation of nearly 14,494 feet, is the most prominent topographical feature in the area. The Sierra Nevada range and its foothills stretch along the east area of Tulare County (County) and are a valuable aesthetic resource.

Valley oak trees, both individually and in groves, also provide an important scenic feature and link to the natural setting of the San Joaquin Valley. Some groves are protected as part of regional parkland, while others are on agricultural land or within the City itself. Visalia's regular urban grid overlays the natural forms of the Kaweah Delta. While the St. Johns River plays an important role in defining the City's edge to the northeast, smaller creeks and ditches generally have little visibility in the urbanized environment today.

Project Site

The area surrounding the project site has a mixture of agricultural, industrial, and residential uses and characteristics, including agricultural lands, residential development, and industrial warehouses (Exhibits 2-5a and 2-5b). Views from the project site include agricultural lands to the north and east and industrial/urban development to the south and west. The Sierra Nevada range is visible from the project site on clear days; Sequoia National Park and waterways such as the St. Johns River are not visible from the project site.

Light and Glare

Light is defined as nighttime illumination that stimulates sight and makes things visible; glare is defined as difficulty seeing in the presence of bright light, such as direct or reflected sunlight.

The primary sources of nighttime light in the project vicinity are from vehicle headlights traveling along Riggin Avenue, Shirk Street, and Kelsey Street, as well as other surrounding roadways. There are also intermittent streetlights along the roadways and residential development. There are also

[1] City of Visalia. 2014. General Plan Environmental Impact Report.

industrial buildings with outdoor security lighting in the project vicinity and some large reflective surfaces associated with buildings in the project vicinity that contribute to daytime glare.

The one agricultural structure on-site may include exterior nighttime lighting; however, such lighting is minimal. There are streetlights on the southern corners of the project site at the intersection of Riggin Avenue with Kelsey Street and Shirk Street; there are no streetlights at the northern corners of the project site. No other features on the project site produce light or glare.

3.1.3 - Regulatory Framework

State

California Scenic Highway Program

The State Legislature created the California Scenic Highway Program, maintained by the California Department of Transportation (Caltrans), in 1963. The purpose of the State Scenic Highway Program is to preserve and protect the natural scenic beauty of California highways and adjacent corridors, from change that would diminish the aesthetic value of highway lands through special conservation treatment. The State laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263. A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been officially designated. A scenic corridor is land generally adjacent to and visible from the highway and is identified using a motorist's line of vision.

The status of a proposed State Scenic Highway changes from eligible to officially designated when the local governing body applies to Caltrans for scenic highway approval, adopts a Corridor Protection Program, and receives notification that the highway has been officially designated a Scenic Highway. The Corridor Protection Program seeks to encourage quality development that does not degrade scenic value of corridors. Minimum requirements for scenic corridor protection include:

- Regulation of land use and density of development
- Detailed land and site planning
- Control of outdoor advertising (including a ban on billboards)
- Careful attention to and control of earthmoving and landscaping
- Careful attention to design and appearance of structures and equipment

Title 24 of the California Code of Regulations Building Energy Efficiency Standards

The California Building Code (California Code of Regulations [CCR], Title 24)—including Title 24, Part 6—includes Section 132 of the Building Energy Efficiency Standards, which regulates lighting characteristics, such as maximum power and brightness, shielding, and sensor controls to turn lighting on and off. Different lighting standards are set by classifying areas by lighting zone. The classification is based on population figures of the 2000 Census. Areas can be designated as LZ1 (dark), LZ2 (rural), or LZ3 (urban). Lighting requirements for dark and rural areas are stricter, to protect the areas from the introduction of new sources of light pollution and light trespass.

Local

City of Visalia General Plan

The General Plan establishes the following goals and policies related to aesthetics, light, and glare that are relevant to this analysis:

Land Use Element

Objectives

LU-O-14 Create an overall urban form centered on a vital downtown and a higher-density core, surrounded by viable residential neighborhoods with walkable, mixed-use neighborhood centers.

LU-O-15 Maintain and enhance Visalia's physical diversity, visual qualities and small-town characteristics.

LU-O-16 Create a safe, walkable and attractive urban environment for current and future generations of residents.

Policies

LU-P-37 Adopt specific development standards for scenic entryways (gateways) and roadway corridors into the City, including special setback and landscape standards, open space and park development, and/or land use designations.

These standards will apply to the west and east entries into Visalia along Highway 198 and to the "gateway boulevards" identified in the Transportation Element: Caldwell and Riggin Avenues; Shirk Road; and Lovers Lane.

LU-P-38 Develop a Citywide street tree and landscape master plan that enhances the City's overall identity and lends distinct character to specific streets and districts.

LU-P-39 Improve tree planting, landscaping and site design standards to minimize the visual impact of large parking lots and buildings, to enhance and promote natural characteristics compatible with urban form, to minimize heat gain and promote energy conservation, and to improve stormwater infiltration.

Standards should establish tree spacing and size requirements, and shading requirements for parking lots and usable open space. Standards should be integrated with requirements for stormwater infiltration and the use of native, drought-tolerant plants.

LU-P-40 Where possible, through the Site Plan Review process, retain native trees as landscape elements and for shading.

LU-P-42 Develop scenic corridor and gateway guidelines that will maintain the agricultural character of Visalia at its urban fringe.

City of Visalia Municipal Code

Chapter 12.24 Oak Tree Preservation

Articles 1–5 describe the City restrictions related to oak trees during development planning and implementation, including (see Code for more details):

Article 1 **Purpose and Definitions–**Valley Oak Tree (Quercus lobata) and "Landmark" trees

Article 2 **Destruction Prohibition–Removal Permit Requirements**

- Willful destruction of oak trees prohibited
- Oak tree removal permit required
- Removal standards
- Mitigation requirements

Article 3 **Pruning Standards and Requirements**–Pruning notice required

Article 4 **Development Proposals; Protection of Oak Trees**–Encroachment into canopy dripline of oak trees during construction

Article 5 **Enforcement**–Enforcement proceedings and penalties

Chapter 17.22 Industrial Zones: 17.22.040 Required Conditions

A. No use shall be permitted and no process, equipment or materials shall be employed which is determined by the planning commission to be injurious to persons residing or working in the vicinity or injurious to property located in the vicinity by reason of odor, fumes, dust, smoke, cinder, refuse, noise, vibration, illumination, glare or heavy truck traffic or to involve any hazard of fire or explosion or to emit electrical disturbances that adversely affect commercial or electronic equipment outside the boundaries of the site.

Chapter 17.02 Article 1. General Provisions: 17.02.100 Addition of Permitted/Conditional Uses

The following portions of the Municipal Code are relevant to aesthetics, light, and glare for purposes of this analysis:

A. Upon application or on its own initiative, the City Planning Commission may add to the list of permitted or conditional uses, if the commission makes the following findings:
   5. That the use will not create more odor, dust, dirt, smoke, noise, vibration, illumination, glare, unsightliness or be more objectionable than the uses permitted in the zone.

Chapter 17.22 Industrial Zones: 17.22.010 Purposes

A. The two types of industrial zones included in this chapter are designed to achieve the following:
   8. Protect residential and commercial properties and nuisance-free nonhazardous industrial uses from noise, odor, dust, dirt, smoke, vibration, heat, glare, fire, explosion, noxious fumes, radiation and other hazards and objectionable influence incidental to certain industrial uses;

Chapter 17.28 Site Plan Review Permit: 17.28.010 Purpose and Intent

The purpose of the site plan review permit is to assure that developments, new and remodeled buildings and structures, and improvements to land are reviewed to ensure substantial compliance with the general plan, municipal code, policies, and improvement standards of the City. (Ord. 2017-01 (part), 2017: prior code § 7422)

Chapter 17.28 Site Plan Review Permit: 17.28.030 Application Procedure

A. Information. The community development department shall make available a site plan review application form. The site plan shall be drawn to a scale that clearly indicates all dimensions and includes the following information as well as information identified in the site plan review application form:
19. Lighting, including the location and height of all exterior fixtures;

Chapter 17.28 Site Plan Review Permit: 17.28.040 Issuance and re-submittal

B. Within 30 working days after submission, the site plan review committee shall provide, in writing to the applicant, either to proceed with applying for necessary City permits, either with or without required revisions, or require resubmittal of the site plan review and identify required revisions. The site plan review committee shall consider each project's consistency with current City ordinances and whether it will affect the public health, safety, and general welfare. In issuing direction to proceed, the committee shall consider the following:
   3. That proposed lighting is so arranged as to deflect the light away from adjoining properties and will not cause a traffic hazard;

Chapter 17.30 Development Standards: 17.30.015 Development Standards

A. Site Area. The minimum parcel size varies according to the zone district in which the parcel is located. However, this title shall not preclude parcels of less than the required minimum, which exist at the time of adoption of this title, from securing site plan review permits and building permits. Parcels of less than the required minimum size may be created upon approval of an acceptable master plan by the site plan review committee.

B. Setback. The minimum building setbacks in each zone district shall be conformed to the requirements set forth in that zone district. However, the site plan review committee may grant an exception to the required standards based on the uniqueness of the property or the specific design needs of the project. The average setback and landscaping under such exception shall be equal to the required standard.

C. Landscaping. The City will review and approve all landscaping for developments approved or reviewed through the site plan review permit process in order to maintain high quality developments in Visalia. If landscaping is required as a result of request for building permit, the landscape and irrigation plans shall be submitted as a part of the building plans. The minimum landscaping areas shall conform to the requirements set forth in applicable zone district development standards and also the following standards:
   1. General

a. All areas within a required setback to contain living ground covering or nonliving ground coverings. All plants within required setbacks to be of species suited to valley conditions, using Sunset Western Garden Book Zones 8 and 9 as a guide. The use of low water-using varieties, grouped by similar water usage is strongly recommended. All landscape areas shall meet the requirements of the State Model Water Efficient Landscape Ordinance, or if applicable, the Water Efficient Landscape Ordinance of the City of Visalia.
b. Islands of a minimum area of 80 square feet shall be established at a maximum separation of 10 continuous parking stalls. The islands shall be landscaped with ground covers and with a minimum of one 15 gallon tree planted in each island. Actual numbers of trees will be based on size of project as determined by the planning division.
c. All landscaping as required within section shall be reviewed by the Planning Department as to the type, density of planting and size of plants intended for use. All landscaped areas shall be permanently maintained by the property owner.
d. All landscaped areas shall be surrounded with six-inch high concrete curbing, unless waived by the site plan review committee.
e. All landscaping on public property and parks shall conform to standards adopted by the park and recreation commission.
f. Exceptions to landscaping requirements may be granted by the historic preservation advisory board for sites located within a historic district or for sites listed on the local register.

H. Lighting. No on-site lighting shall directly or indirectly illuminate adjacent properties or the public street that provides access. The lights and standard to be used shall be approved by the site plan review committee.

Chapter 17.34: Off-street Parking and Loading Facilities : 17.34.030 Standards for Off-street Parking Facilities

J. If the parking area is illuminated, lighting shall be deflected away from abutting residential sites so as to cause no annoying glare.

Chapter 17.34: Off-street Parking and Loading Facilities: 17.34.080 Standards for Off-street Loading Facilities

B. If the loading area is illuminated, lighting shall be deflected away from abutting residential sites to prevent annoying glare.

Chapter 17.48 Signs: 17.48.080 General Sign Standard

1. Light Intensity. Sign lighting must not be of an intensity or brightness that will create a nuisance for residential buildings in a direct line of sight to the sign.

4. Light Sources Adjacent to Residential Areas. Illuminated signs located adjacent to any residential area shall be controlled by a rheostat or other acceptable method to reduce glare that will create a nuisance for residential buildings in a direct line of sight to the sign.

Chapter 15.08 California Building Code: 15.08.010 Adoption of the 2019 California Building Code

A. That certain building code, in book form known and designated as the 2019 California Building Code (CBC), Title 24, Part 2, Volumes 1 and 2, and published by The International Code Council, is adopted as the Building Code of the City, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein, except for those deletions, modifications, and amendments set forth below. If any section, subsection, sentence, clause, or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

The 2019 edition of the CBC is based on the 2018 International Building Code (IBC) published by the International Code Council. The code is updated triennially, and the 2019 edition of the CBC was published by the California Building Standards Commission in 2019 and took effect starting January 1, 2020. The new 2022 edition of the CBC became effective January 1, 2023.

3.1.4 - Methodology

Potential project impacts with respect to aesthetics, light, and glare through site reconnaissance and review of applicable plans and policies was evaluated. A site visit and survey of the project site was conducted in August 2022 to document existing site conditions and relationships to surrounding land uses with photographs. A review of aerial photographs, topographical maps, and street maps, to identify surrounding land uses, and of project plans and elevations was made in order to evaluate potential impacts. The General Plan and Municipal Code were reviewed to determine applicable policies, requirements, development standards, and design guidelines relevant to this analysis. A photometric plan was prepared as well (see Exhibit 2-12).

This analysis provides a discussion of the impacts to aesthetic resources associated with the proposed project and its potential impact upon the project site and the vicinity. Several variables affect the degree of visibility, visual contrast, and ultimately the determination as to project impacts: (1) scale and size of facilities, (2) viewer types and activities, (3) distance and viewing angle, and (4) influences of adjacent scenery or land uses. Key Observation Points are along Riggin Avenue and Shirk Street since these roads would be the key locations from which the viewers can see the project site. Viewer response and sensitivity vary depending on viewer attitudes and expectations. Viewer sensitivity is distinguished among project viewers in identified scenic corridors and from publicly accessible recreational areas and public vantage points. Recreational areas and scenic corridors are considered to have relatively high sensitivity. Drivers along Riggin Avenue and Shirk Street are considered to have relatively low sensitivity because these roadways are not scenic corridors and do not contain scenic resources, as described below. There are few sensitive receptors in the project vicinity as the area is generally developed with industrial and commercial operations or ongoing agriculture. Viewers from public parks, recreational trails, and/or culturally important sites have high visual sensitivities; therefore, such locations are considered sensitive viewpoints. Viewers in commercial, military, and industrial areas are not typically focused on the views and the areas do not promote enjoyment of views; therefore, viewers in these locations are assumed to have low sensitivity. There are no nearby parks or recreational trails in the project vicinity. The analysis of light and glare impacts in this section focuses on the nature and magnitude of changes in light and glare

conditions of the project site and surrounding area. If light and glare conditions of the proposed project and the existing environment are similar, then the visual compatibility would be high and any resulting impacts would be less than significant. If light and glare conditions of the proposed project would strongly contrast with existing light and glare or applicable General Plan policies and guidelines and/or any applicable Municipal Code requirements, then light and glare compatibility would be low and significant impacts may result. Relevant urban design policies, requirements and guidelines are used to provide conclusions regarding the significance of individual- and cumulative-level light and glare impacts.

3.1.5 - Thresholds of Significance

The City, as lead agency, has elected in its discretion, to utilize the criteria in CEQA Guidelines Appendix G Environmental Checklist to determine whether aesthetics, light, and glare impacts resulting from the implementation of the proposed project would be considered significant.

Specifically, except as provided in Public Resources Code Section 20199, it would be a significant impact if the proposed project would:

a) Have a substantial adverse effect on a scenic vista?

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). Alternatively, if the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

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

3.1.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with construction and operation of the proposed project and provides feasible mitigation measures, if and to the extent required.

Scenic Vistas

Impact AES-1:	**Would the project have a substantial adverse effect on a scenic vista?**

Impact Analysis

Scenic vistas are areas that are considered to be a viewpoint, or identified or known for high scenic quality, either naturally occurring or man-made, that would be pleasing to the general public and as a result provide a benefit to the area. The General Plan does not expressly designate any specific scenic vistas within the City. Within the Visalia area, there are views of the Sierra Nevada range to the east and views of agricultural lands beyond the edge of the City. The City also has views of

waterways, including the St. Johns River, ponds, and irrigation canals.[2] Valley oak trees, both individually and in groves, are also identified as an important scenic feature.[3] In addition, the St. Johns River is noted as a defining feature,[4] although the smaller creeks and ditches generally have little visibility in the City. Further, the City identifies SR-198, Mooney Boulevard, and Dinuba Boulevard as entry corridors to the City that provide scenic value. Within the City, these entry corridors are highly commercial, and do not have a strong streetscape character. Some corridors have been landscaped or planted with trees, providing a more scenic quality to the urban environment.

The Sierra Nevada range is approximately 18 miles east of the project site and is visible from the project site on clear days. There are also no scenic vistas of waterways, such as St. Johns River, which are visible from the project site. Also, the project site is more than 2 miles north of SR-198, more than 5 miles northwest of Mooney Boulevard, and more than 4 miles from Dinuba Boulevard. Because of the distance from these corridors, the proposed project would not have a significant impact on the views available from these entry corridors.

However, the General Plan identifies the vast agricultural lands beyond the edge of the City as one of the City's scenic resources. The project site currently consists of cultivated agricultural lands and allows views of other agricultural lands in the vicinity. These views can be seen from the northern boundary of the project site, Shirk Street, and the intersection of Riggin Avenue and Shirk Street.

Construction-Related Impacts

Project construction would include demolition, site preparation, and grading. However, while construction vehicles would be on-site, those vehicles would not be tall enough to obstruct the views of adjacent agricultural lands. Dust caused by construction would be kicked up intermittently but would not significantly obstruct these views; any minor obstruction as a result of dust would be temporary in nature and thus would not occur for extended periods of time. In addition, as described in Section 3.3, Air Quality, the proposed project would be required to incorporate dust control measures as stipulated by District Rule 8021, which would help to further reduce any such impacts, which would be less than significant.

Operational-Related Impacts

With respect to potential impacts to scenic vistas that could occur as a result of project operations, while the proposed project would remove existing agricultural land, the proposed industrial use (including the buildings and related improvements) would be consistent with the long-term land use vision for the project site as reflected in the existing Industrial and Light Industrial General Plan land use designations.[5] The proposed project would involve new buildings and related facilities that would be urban in nature. Operation of the proposed project would impact views of expansive

[2] City of Visalia. 2014. Visalia General Plan Draft Environmental Impact Report (EIR), Chapter 3.13, Visual Resources.
[3] Ibid.
[4] City of Visalia. 2024. Visalia General Plan. Open Space and Conservation Element.
[5] For example, the General Plan EIR determined that public views of panoramic vistas or significant landscape features or landforms would not be significantly altered or blocked by the buildout of the General Plan, which would include the contemplated industrial land use for the project site as envisioned by the Industrial and Light Industrial land use designations. Although some views may be obstructed in localized areas due to proposed new development, public views would not be impacted on an area-wide basis, and the General Plan determined that it, "is expected that overall, new views will compensate for any lost views."

agricultural lands on and adjacent to the project site from publicly accessible roadways. However, this type of change was envisioned by the City in the General Plan and is in keeping with the General Plan goals, objectives policies described above as well as other surrounding urbanized uses in the general vicinity.

Moreover, the proposed project would be required to incorporate new landscaping in accordance with the City's Landscape Standard Specifications, including native plants and vegetation. On-site detention basins would be planted with species including the Berkeley sedge, Canyon Prince wild rye, hummingbird sage, and California goldenrod. Trees to be used for parking area landscaping would include native species such as coast live oak. The planting of these types of landscaping species will further soften the industrial character of the project and reduce its overall visual impact.

There is a mature valley oak, adjacent to the project site's northern boundary, with a substantial portion of its canopy overlapping onto the project site. Oak tree species, specifically the valley oak tree (*Quercus lobata*), and any tree recognized by City Council resolution as a Landmark Tree are protected under the City's Oak Tree Preservation Ordinance, including against "Encroachment into canopy dripline of oak trees during construction." The proposed project does not include vertical structures, soil disturbance, or access road construction at the location of the tree, and therefore the proposed project would not result in encroachment into the canopy dripline of the tree (see Exhibit 3.4-2 for on-site limits of disturbance).

Furthermore, the proposed project is bound by Riggin Avenue to the south and Shirk Street to the east, and therefore, consistent with the General Plan, the proposed project would provide street trees, plantings, and lighting in accordance with applicable requirements and standards.

Based on the foregoing, the proposed project would have a less than significant impact on scenic vistas.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Scenic Highways

Impact AES-2:	**Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?**

Impact Analysis

There are no Officially Designated State Scenic Highways within the City of Visalia. The 44-mile stretch of SR-198 between SR-99 and Sequoia National Park is classified as an eligible Scenic Highway. However, the proposed project is more than 2 miles from SR-198 and is not visible to travelers along this potentially eligible scenic highway. Therefore, there would be no impact in this regard.

Mitigation Measures

No mitigation measures are required.

Level of Significance

No impact.

Visual Character

Impact AES-3: Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point)?

Impact Analysis

Pursuant to Public Resources Code Section 21071, in relevant part, an "urbanized area" in an unincorporated area is defined as: (A) land that is either (1) completely surrounded by one or more incorporated cities (with the population of the unincorporated area and the surrounding cities equaling not less than 100,000 persons, and the population density of the unincorporated area at least equaling the population density of the surrounding cities), or (2) located within an urban growth boundary and has an existing residential population of at least 5,000 persons per square mile; and (B) the relevant Board of Supervisors has taken certain actions that reflect principles to encourage compact development.[6] While the project site is in unincorporated area partially surrounded by the City of Visalia, and is within the City's Planning Area, [7] Urban Development Boundary (UDB) Tier 1 of the City (Exhibit 2-3), and the City's Sphere of Influence (SOI), it does not have an existing residential population of at least 5,000 persons or otherwise meet the criteria to be considered as an "urbanized area." Therefore, the proposed project is not considered an urbanized area, and thus this analysis utilizes the threshold for non-urbanized areas for purposes of this impact evaluation.

The project site is located in an area that has both an agricultural and industrial character. The area surrounding the project site has agricultural, industrial, and residential characteristics, with neighboring properties to all four sides of the project site consisting of predominately agricultural lands and industrial warehouses. Public views from the project site include agricultural lands to the north and east (Exhibits 2-5a and 2-5b). The Sierra Nevada range and waterways such as the St. Johns River are not visible from the project site.

SR-198, Mooney Boulevard, and Dinuba Boulevard are noted as entry corridors to the City that provide scenic value. Within the City, these major corridors are highly commercial and do not have a strong streetscape character. Some corridors have been landscaped or planted with trees, providing a more scenic quality to the urban environment. The General Plan Circulation Element recommends six-lane arterials that could Include Caldwell Avenue and Riggin Avenue, Shirk Street, and Lovers

[6] See Public Resources Code Section 21071(b)(2)(A), (B) (". . . (A)(i) Promotes efficient transportation systems, economic growth, affordable housing, energy efficiency, and an appropriate balance of jobs and housing. (ii) Protects the environment, open space, and agricultural areas. (B) Submitted a draft finding to the Office of Planning and Research at least 30 days prior to issuing a final finding, and allowed the office 30 days to submit comments on the draft findings to the board of supervisors.")

[7] Planning Area refers to the land area addressed by the General Plan, including land within the city limits and land outside the city limits that bears a relation to the City's planning. This area is not all intended for development; the Urban Growth Boundary shows the future development area.

Lane, to be designed as "Gateway Boulevards," and recommends streetscape improvements such as double rows of trees, enhanced plantings, and lighting elements for these Gateway Boulevards.

Construction-Related Impacts

Construction-related activities would influence the character of the project site and associated off-site project areas, as viewed from surrounding uses by motorists, bicyclists, and pedestrians. Graded surfaces, construction debris, construction equipment, and truck traffic would be visible throughout the estimated 4 years of construction. Additionally, soil would be stockpiled and equipment for grading activities would be staged at various locations throughout the proposed project site. The duration and intensity of project construction would vary with each stage. Equipment used for construction would vary day-to-day depending on the activity, but would include scrapers/earthmovers, wheeled dozers, water trucks, forklifts, wheeled loaders, and/or motor graders. As part of the project design features discussed in Chapter 2, Project Description, all stationary construction equipment would be placed away or screened from nearby residential uses southeast of the site. This would reduce some impacts to visual character during construction. Nonetheless, the proposed project would be subject to the requirements of the Municipal Code and standard conditions of approval, and grading plans would be required to be submitted to the Planning Department concurrently with the development plans. All grading and earth work activities would be conducted in accordance with an approved construction grading plan and grading permit issued by the City Engineer.

Operational-Related Impacts

As is evident in Exhibit 2-7, there are existing industrial uses immediately west and southwest of the project site. The proposed industrial buildings and related improvements would be consistent with the existing visual characteristics of the adjacent industrial uses in terms of height and design.

Moreover, the proposed project would provide ample landscaping in accordance with the City's Landscape Standard Specifications. For example, outside of the building footprints, roads, parking lots, and stormwater basins, approximately 30.68 acres remain for landscaping within the project boundary. Numerous trees would be planted and maintained for parking area landscaping, including but not limited to coast live oak, autumn gold ginkgo, London plane tree, zelkova, Arizona cypress, and southern magnolia. Shrubs and groundcovers such as buffalo grass, Bermuda grass, feather reed grass, blue fescue, pink muhly grasses, and heavenly bamboo would also be planted pursuant to applicable requirements and standards. The addition of landscaping with native plants such as coast live oak would help to further ensure the visual character and quality of public views of the project site and vicinity would not be substantially degraded. Additionally, the project is sited to screen the view of the loading and parking areas from adjacent properties to ensure a cohesive aesthetic view from the ground and adjacent buildings (Exhibit 2-9).

Furthermore, as shown in the visual simulations prepared for the proposed project and included in Appendix K, the proposed project would include landscaping, such as trees and shrubs, and appropriate setbacks to screen the view of the proposed buildings and parking areas from adjacent properties and reduce impacts related to aesthetics. The visual simulation from Key Observation Point (KOP) 1, shows a viewpoint from West Riggin Avenue near the southwestern corner of the project site. From this viewpoint, the proposed buildings would only be slightly visible because they

would be screened by trees, shrubs, and other existing development. The visual simulation from KOP 2 shows a viewpoint from West Riggin Avenue near the southeastern corner of the project site. The view from this point would be changed from agricultural fields to buildings and parking areas screened by trees. Additionally, the intersection at West Riggin Avenue and Shirk Street would be improved, including crosswalks and a signalized intersection. Overall, the proposed project would be mostly obscured from public view from West Riggin Avenue due to additional landscaping, creating a cohesive aesthetic view from the ground.

Consistent with the development envisioned in the General Plan, the proposed project is in an increasingly urbanized area that is currently planned for further urbanization, as reflected in the project site's existing Industrial and Light Industrial General Plan land use designations. The Light Industrial designation is intended for light manufacturing, warehousing, storage, distribution, research and development enterprises, and secondary office (limited customer access) uses. This designation also conditionally permits uses like convenience store and drive-thru restaurants. The Industrial designation allows uses such as primary manufacturing, processing, refining, and similar activities including those with outdoor facilities. It also accommodates warehousing and distribution with supporting commercial services and office space. Proposed improvements would be required to be constructed in accordance with applicable City development standards, including, among others, those relating to height, floor area ratio (FAR), lot coverage, setbacks, undergrounding of utilities, loading/parking requirements, and landscaping.

Based on the foregoing, the proposed project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point).

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Light and Glare

Impact AES-4:	**Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

Impact Analysis

Since the project site is currently in agricultural operation, there are minimal sources of light and glare being generated. Existing sources of light and glare on the project site include minimal exterior lighting on the project site, lighting from adjacent industrial buildings that spill onto the project site, and streetlights at the intersection of Riggin Avenue with Kelsey Street and Shirk Street, as well as vehicles traveling along adjacent roadways.

Construction

The proposed construction activities would occur during daylight hours given the applicable restrictions for construction hours. Construction hours would be in accordance with Municipal Code Section 8.36.050(C), which prohibits construction equipment from operating between the weekday hours of 7:00 p.m. and 6:00 a.m. and between the weekend hours of 7:00 p.m. and 9:00 a.m. There would be increased truck traffic and the transport of construction materials and equipment to the project site, which would temporarily increase light and glare conditions during construction. However, any such increase in light and glare would be minimal and temporary in nature. In addition, as part of the project design features discussed in Chapter 2, Project Description, all stationary construction equipment would be placed away or screened from nearby residential uses southeast of the site. This would reduce some of the light and glare generated from stationary construction equipment. Construction would not occur at night, in the event that some nighttime lighting is needed for security purposes, security lighting would comply with Section 17.30.015.H of the Zoning Ordinance that prohibits on-site lighting from directly or indirectly illuminating adjacent properties or public right-of-way. Therefore, construction of the proposed project would not create a new source of substantial light or glare that would affect daytime or nighttime views in the area. Impacts would be less than significant.

Operation

Proposed improvements include approximately 3,720,149 square feet of light industrial uses, flex industrial uses, self-storage/RV parking, a convenience store, a car wash, and two drive-through restaurants, as well as driveways and parking lots and related on- and off-site improvements and infrastructure. These new uses would include sources of light and glare similar to those in the surrounding industrial areas, including street lighting, illuminated signage, building-mounted lighting, and freestanding exterior lighting. Many of these uses would be illuminated during the nighttime and early morning hours for safety and security purposes.

The proposed project would be required to comply with applicable development standards, which are designed to minimize impacts related to excessive light and glare. For example, the light fixtures used for the proposed project would be required to be consistent with applicable provisions of the General Plan and Municipal Code and would be required to meet all applicable safety standards pursuant to the CBC. For purposes of the nighttime lighting that would be necessary to provide and maintain a safe, secure, and attractive environment, the proposed project would be required to incorporate down casting light fixtures to reduce the amount of spillover, in accordance with applicable City standards. Exhibit 2-12 presents the project photometric plan; as shown, proposed lighting would be confined within developed areas of the project site and a small portion of Riggin Avenue and would not result in light trespass to adjacent properties.

Sources of daytime glare typically include direct beam sunlight and reflections from windows, architectural coatings, glass, and other reflective surfaces. The proposed buildings would be constructed primarily with non-reflective materials (such as concrete). Although the proposed industrial buildings would contain some glass elements, the glass areas are broken up by aluminum and concrete panels and would not contribute to a substantial amount of glare. This glare would be

partially obscured by landscaping, depending on the time of day and the location of the reflecting light source.

Therefore, impacts resulting from lighting and glare would be minimized through compliance with all applicable development standards and requirement, which would be confirmed during the site plan review process for each individual specific development proposal for the proposed project to ensure the proposed lighting is so arranged as to deflect the light away from adjoining properties, not cause a significant traffic hazard, or otherwise create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. Therefore, impacts in this regard would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

3.1.7 - Cumulative Impacts

Visual Character and Views

For purposes of evaluating the proposed project's cumulative impacts on aesthetic resources such as scenic vistas, visual character and views, the relevant geographic scope of review is the land within the immediate vicinity surrounding the project site. This is the area within view of the proposed project and therefore, the area most likely to experience changes in visual character or impacts to views. The cumulative setting includes relevant past, present, and reasonably foreseeable future development, including existing agricultural and industrial uses located in the above-referenced geographic scope. There are several cumulative projects located near the project site, including those shown in Exhibit 3-1. Because of distance and intervening development, Cumulative Project 8 and Cumulative Project 3 are not within view of the project site; all other projects (Cumulative Projects 1, 2, 4, 5, 6, and 7) are within view of the project site.

As described above, the project site and vicinity have long been planned for urban development, and already reflect an area transitioning from agricultural to more urbanized uses, including primarily industrial uses similar to the proposed project. Moreover, cumulative development would be subject to applicable City General Plan and Municipal Code provisions, development standards and design policies and guidelines including, among others, those related to building heights, setbacks, undergrounding of utilities, landscaping, signage, and permitted and conditionally land uses as described above, which would serve to further reduce impacts to aesthetic resources. Because the past, present, and reasonably foreseeable cumulative projects would be consistent with the types of projects envisioned in the General Plan and reflect the increasingly urbanized nature of this area, and would adhere to all applicable regulations and policies, the cumulative impact of these projects is less than significant.

Furthermore, as shown in the visual simulations prepared for the proposed project (Appendix K), the proposed project would include landscaping, such as trees and shrubs, and appropriate setbacks to

screen the view of the proposed buildings and parking areas from adjacent properties and reduce impacts related to aesthetics. Overall, the proposed project would be mostly obscured from public view from West Riggen Avenue due to additional landscaping, creating a cohesive aesthetic view from the ground. Therefore, the proposed project would not have a cumulatively considerable impact related to aesthetics.

As described above, the proposed project would have no impact with respect to scenic highways. With respect to impacts to scenic vistas, views, and visual character, the proposed project would be consistent with long-planned urbanizing vision for this area, would be compatible with existing, nearby industrial projects, would incorporate high-quality building and site design features as well as ample landscaping, and would otherwise ensure there would not be significant impacts. Based on the foregoing reasons, the proposed project would not have a cumulatively considerable contribution to the already less than significant cumulative impact with respect to scenic vistas, visual character, and views.

Light and Glare

For the purpose of evaluating the cumulative impacts on light and glare, the relevant geographic scope of review is the land within the immediate vicinity surrounding the project site. This is the area within view of the proposed project and therefore, the area most likely to experience changes in light and glare. The cumulative setting includes relevant past, present, and reasonably foreseeable future development, including existing agricultural and industrial uses located in the above-referenced geographic scope. Cumulative Projects 1, 2, 4, 6, and 7 are located adjacent to the project site, as shown in Exhibit 3-1. Existing and new buildings associated with the cumulative projects would result in an increase in light and glare impacts on surrounding uses, particularly for those areas that have not yet urbanized, which would result due to on-site improvements as well as mobile sources. However, the cumulative projects would be required to adhere to the above-described applicable development standards and design guidelines provided in the General Plan and Municipal Code intended to reduce daytime glare and nighttime lighting; moreover, the City would confirm consistency with these requirements as part of the site plan review process, as outlined in Section 17.28.040 of the Municipal Code. Therefore, there is a less than significant cumulative impact to light and glare.

As discussed above, the proposed project would increase the amount of light and glare on the project site and vicinity. For example, it would include sources of daytime glare such as direct beam sunlight and reflections from windows, architectural coatings, glass, and other reflective surfaces. Nighttime illumination would include stationary sources such as structure lighting and decorative landscaping, lighted signs, solar panels, and streetlights. Mobile nighttime sources would primarily be from headlights from motor vehicles. However, for the reasons described above, the proposed project, similar to cumulative projects, would be required to adhere to all applicable requirements and standards provided in the General Plan and Municipal Code intended to reduce daytime glare and nighttime lighting, and would not result in significant impacts with respect to light and glare. As such, the proposed project, in conjunction with other cumulative projects, would not result in a cumulatively considerable contribution to the already less than significant cumulative impact with respect to light and glare.

Mitigation Measures

No mitigation measures are required.

Level of Cumulative Significance

Less than significant impact.

3.2 - Agricultural Resources and Forestry Resources

3.2.1 - Introduction

This section describes existing agricultural resources on the project site and its surrounding area and potential environmental effects resulting from the proposed project. Descriptions and analyses in this section are based, in part, on information contained in the City of Visalia General Plan (General Plan), the Land Evaluation and Site Assessment for the project site (Appendix G), and California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) maps. No public comments were received during the Environmental Impact Report (EIR) scoping period related to Agricultural Resources and Forestry Resources.

3.2.2 - Environmental Setting

Project Site

Farmland Classifications

The City's Planning Area comprises approximately 66,640 acres, consisting of all of the land within the City as well as neighboring unincorporated land, including the community of Goshen.[1] According to the General Plan, farmland comprises approximately 44,374 acres, approximately 67 percent of its Planning Area. Land within the city limits contains approximately 33,991 acres of Prime Farmland, approximately 7,353 acres of Farmland of Statewide Importance, approximately 181 acres of Unique Farmland, and approximately 1,630 acres of Farmland of Local Importance.[2] Additionally, approximately 1,218 acres of the Planning Area is Other Land used for Confined Animal Agriculture.

As shown in Chapter 2, Project Description, Exhibit 2-3, the project site is located within Tier 1 of the Urban Development Boundary (UDB).

Within the State of California, there are approximately 24.5 million acres of farmland as classified by the United States Department of Agriculture (USDA).[3] According to the most recent California Farmland Conversion Report, irrigated farmland in the State of California decreased by 11,165 net acres between 2014 and 2016. The highest quality farmland, known as Prime Farmland, decreased by 18,312 net acres, coupled with a Farmland of Statewide Importance decrease of 26,557 net acres. Partially offsetting these losses was the addition of 33,704 net acres of irrigated crops on lesser quality soils, mapped as Unique Farmland. Additionally, during the 16 biennial reporting cycles since FMMP was established, nearly 1.5 million acres of agricultural land in California were converted to nonagricultural purposes.[4]

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1 City of Visalia. 2014. General Plan 2030. Introduction. October.
2 City of Visalia. 2014. General Plan 2030. Open Space and Conservation Element, Table 6-1: Farmland Classification in the Study Area. October.
3 United States Department of Agriculture (USDA) National Agricultural Statistics Service. 2017. 2017 Census Volume 1, Chapter 1: State Level Data: California, Table 1: Historical Highlights: 2017 and Earlier Census Years. Website: https://www.nass.usda.gov/Publications/AgCensus/2017/Full_Report/Volume_1,_Chapter_1_State_Level/California/st06_1_0001_0001.pdf. Accessed May 4, 2023.
4 California Department of Conservation. 2023. 2014-2026 Farmland Conversion Report. Website: https://www.conservation.ca.gov/dlrp/fmmp/Pages/2014-2016_Farmland_Conversion_Report.aspx. Accessed May 4, 2023.

As of 2016, there was a total of 858,119 acres of Important Farmland[5] in Tulare County, including 366,136 acres of Prime Farmland; 322,355 acres of Farmland of Statewide Importance; 11,691 acres of Unique Farmland; and 157,937 acres of Farmland of Local Importance. Between 2014 and 2016, there was a net loss of 1,052 acres of Important Farmland within Tulare County. A total of 11,495 acres of Important Farmland in Tulare County was converted to another use between 2014 and 2016.[6]

Soils

The City's Planning Area is in a basin bounded by the Sierra Nevada foothills and mountains to the east and the Coast Ranges to the west and is filled with deep layers of sediment from the Sierra Nevada. The St. Johns River flows through the northeastern portion of the Planning Area, along with smaller streams and canals; these form alluvial fans.[7]

The Planning Area is basically flat, lying at an elevation of approximately 330 feet above sea level. Surface soils exhibit various characteristics dependent on location, slope, parent rock, climate, and drainage. The most prevalent soils in the Planning Area are Nord fine sandy loam (19,200 acres); Grangeville sandy loam, drained (15,700 acres); Tagus loam (12,500 acres); and Akers-Akers, saline-sodic, complex (8,100 acres). These are generally very deep, well-drained soils formed in alluvium derived from granitic rock sources, with slopes of 0 to 2 percent.

The project site soils consist of Akers-Akers, saline-sodic complex (0-2% slope) and Grangeville sandy loam (0-2% slope).

Williamson Act Contract

In 2010, 511 parcels totaling 25,724 acres were under Williamson Act Contracts. Of these, 65 parcels totaling 2,417 acres were in nonrenewal, meaning that the contracts will not be renewed when they expire at the end of their 10-year period.

Timber Land and Forest Land

Pursuant to California Public Resources Code Section 4526, timberland is defined as " . . . land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees . . . ." Timberland zoned as Timberland Production, as defined by California Government Code Section 51104(g) is an area " . . . devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses . . . ." As mapped by the California Department of Fish and Wildlife (CDFW), there are no private timberlands or public lands with forests within the City's Planning Area.[8]

[5] "Important Farmland" includes Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance.
[6] California Department of Conservation. 2014-2026 Farmland Conversion Report, Appendix A – County Conversion Tables.
[7] City of Visalia. 2014. General Plan 2030. Open Space and Conservation Element. October.
[8] California Department of Fish and Wildlife (CDFW). California Forests and Timberlands. Website: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109917&inline. Accessed October 12, 2022.

Agricultural Economy

According to the General Plan, the primary drivers of the region's economy are agriculture and food processing; manufacturing; warehousing and distribution; government; and to a smaller extent, health care and professional services.[9] Within the City's Planning Area, farmland is the most prominent land use, covering 44,374 acres. Over 90 percent of the agricultural lands are outside of the city limits, with 2,800 acres located within the City's incorporated area.[10]

Soils

A full discussion of soil types and characteristics can be found in Section 3.7, Geology, Soils, and Seismicity.

3.2.3 - Existing Conditions

Project Site

Farmland Classifications

According to the FMMP, almost all of the project site is designated as Prime Farmland except for a small, approximately 0.31-acre portion, which is designated in the Other Land category of Confined Animal Agriculture (Exhibit 3.2-1).[11]

As shown in Chapter 2, Project Description, Exhibit 2-3, the project site is located within Tier 1 and does not contain any lands identified as Tier II or Tier III. General Plan Policy LU-P-34 identifies specific requirements for properties located in Tiers II and III but specifically exempts lands located in Tier I from these requirements.

Soils

According to the Geotechnical Evaluation, the project site is underlain by silty sand, sandy silt, and alluvium/alluvial fan deposits at depths below 2 feet.[12] A full discussion of soil types and characteristics can be found in Section 3.7, Geology, Soils, and Seismicity.

Williamson Act Contract

According to the FMMP, the project site is subject to a Williamson Act Contract. The site owner filed a cancellation petition with Tulare County. A partial Nonrenewal of the Williamson Act Contract was (WAC No. 2880) approved by the Tulare County Board of Supervisors on May 3, 2022, as Resolution No., 2022-0677. Cancellation of the Williamson Act Contract was approved by the Board of Supervisors per Resolution No. 2022-1005 on November 29, 2022 (see Tulare County Board of Supervisors Resolution No. 2022-1005, attached as Appendix G2). Accordingly, the final cancellation of the Williamson Act Contract will be executed and recorded upon payment of cancellation fees and satisfaction of the other identified conditions.

[9] City of Visalia. 2014. General Plan 2030. Land Use Element. October.
[10] City of Visalia. 2014. General Plan 2030. Open Space and Conservation Element, Table 6-1: Farmland Classification in the Study Area. October.
[11] City of Visalia. 2014. General Plan 2030. Open Space and Conservation Element. October.
[12] Ninyo & Moore. 2022. Preliminary Geotechnical Evaluation Shirk & Riggin Industrial Park. August 2.

Timber Land and Forest Land

Most of the project site is occupied by row crops and is used as almond orchard. The project site does not contain any forest land or timberland as defined by Public Resource Code Section 4526, nor does it contain any timberland zoned Timberland Production as defined by Government Code Section 51104(g).

3.2.4 - Regulatory Framework

Federal

United States Department of Agriculture, Natural Resources Conservation Service

The United States Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) maps soils and farmland uses to provide comprehensive information necessary for understanding, managing, conserving, and sustaining the nation's limited soil resources. In addition to many other natural resource conservation programs, the NRCS manages the Farmland Protection Program, which provides funds to help purchase development rights to keep productive farmland in agricultural uses. Working through existing programs, USDA joins with state, tribal, or local governments to acquire conservation easements or other interests from landowners. The NRCS also classifies soils according to their suitability for agricultural use. The categories of the NRCS Soil Capability Classification System are as follows:

Class I Soils have few limitations that restrict their use.

Class II Soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices**.**

Class III Soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both.

Class IV Soils have very severe limitations that reduce the choice of plants or that require very careful management, or both.

Class V Soils are not likely to erode but have other limitations, impractical to remove, that limit their use.

Class VI Soils have severe limitations that make them generally unsuitable for cultivation.

Class VII Soils have very severe limitations that make them unsuitable for cultivation.

Federal Farmland Protection Policy Act

The NRCS oversees the Farmland Protection Policy Act (FPPA) (7 United States Code [USC] § 4201 *et seq*.; see also 7 Code of Federal Regulations [CFR] 658). The FPPA (a subtitle of the 1981 Farm Bill) is national legislation designed to protect farmland. The FPPA states its purpose is to "minimize the extent to which federal programs contribute to the unnecessary conversion of farmland to nonagricultural uses." The FPPA applies to projects and programs that are sponsored or financed in whole or in part by the federal government. The FPPA does not apply to private construction projects subject to federal permitting and licensing, projects planned and completed without assistance from a federal agency, federal projects related to national defense during a national emergency, or projects proposed on land already committed to urban development. The FPPA spells out requirements to ensure federal programs to the extent practical are compatible with state, local, and private programs and policies to protect farmland and calls for the use of the Land Evaluation and Site Assessment (LESA) system to aid in analysis. Because the City of Visalia may ultimately seek some federal funding for transportation or other capital improvements, the FPPA is considered in this document.

State

Farmland Classifications

The California Department of Conservation FMMP classifies cultivated agricultural land into four categories, listed below:

- **Prime Farmland:** Land with the best combination of physical and chemical features able to sustain the long-term production of agricultural crops. These lands have the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the 4 years prior to the mapping date.
- **Farmland of Statewide Importance:** Land similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to hold and store moisture. Land must have been used for irrigated agricultural production at some time during the 4 years prior to the mapping date.
- **Unique Farmland:** Land of lesser quality soils used for the production of the State's leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards, as found in some climactic zones in California. Land must have been used for irrigated agricultural production at some time during the 4 years prior to the mapping date.
- **Farmland of Local Importance:** Land of importance in the local agricultural economy, as determined by each County's Board of Supervisors and a local advisory committee.
- **Other Land:** Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

Williamson Act Contract

Williamson Act Contracts are formed between a county or city and a landowner to restrict specific parcels of land to agricultural or related open space use in exchange for reduced property tax assessments. Private lands within locally designated agricultural preserve areas are also eligible for enrollment under a contract. The minimum term for contracts is 10 years; however, since the contract term automatically renews annually, the actual term may continue indefinitely. Williamson Act Contracts are described in more detail in Section 3.2.4, Regulatory Framework.

California Department of Conservation Classification

The California Department of Conservation, Division of Land Resource Protection developed the FMMP in 1984 to analyze impacts to California's agricultural resources. In the FMMP, land ratings are based on a land capability classification system, and land use.

California Land Conservation Act (Williamson Act)

The California Land Conservation Act of 1965 (Williamson Act) enables local governments to enter contracts with private landowners to restrict specific parcels of land to maintain agricultural or related open space use. As an incentive, landowners receive lower property tax assessments based on agricultural or open space land uses, as opposed to real estate value of the land for urban uses.

California Farmland Conservancy Program

The California Farmland Conservancy Program (Public Resources Code [PRC] § 10200 *et seq*.) supports the voluntary granting of agricultural conservation easements from landowners to qualified nonprofit organizations, such as land trusts, as well as local governments. Conservation easements are voluntarily established restrictions that are permanently attached to property deeds, with the general purpose of retaining land in its natural, open space, agricultural, or other condition while preventing uses that are deemed inconsistent with the specific conservation purposes expressed in the easements. Agricultural conservation easements define conservation purposes that are tied to keeping land available for continued use as farmland. Such farmlands remain in private ownership and the landowner retains all farmland use authority, but the farmland is restricted in its ability to be subdivided or used for nonagricultural purposes, such as urban uses.

Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000

The purpose of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Local Agency Formation Commission [LAFCo] Law) is to encourage orderly growth and development which are essential to the social, fiscal, and economic well-being of the State. In enacting LAFCo Law, the Legislature recognized that the logical formation and determination of local agency boundaries is an important factor in promoting orderly development and in balancing that development with sometimes competing state interests of discouraging urban sprawl, preserving open space and prime agricultural lands, and efficiently extending government services (Government Code § 56001). These boundary decisions are made by LAFCo that are situated in each county throughout California (each, an LAFCo).

Among other things, an LAFCo has the power to review and approve, conditionally approve, modify, or disapprove proposals for changes of organization or reorganization, consistent with adopted

written policies, procedures, and guidelines (Government Code § 56375(a)(1)). Factors to be considered include, among others, the present and planned land uses including agricultural and open space lands, the present and probable need for public facilities and services, the present capacity of public facilities and adequacy of public services, the existence of any social or economic communities of interest in the area, and the present and probable need for public facilities and services of any disadvantaged unincorporated communities within the existing sphere (See Government Code § 56668).

Pursuant to Government Code Section 56377, in reviewing and approving or disapproving proposals that could reasonably be expected to induce, facilitate, or lead to the conversion of existing open space lands to uses other than open space uses, LAFCo shall consider all of the following policies and priorities:

a) Development or use of land for other than open space uses shall be guided away from existing prime agricultural lands in open space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.

b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open space lands for non-open space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency."

Under LAFCo law, "prime agricultural land" means an area of land, whether a single parcel or contiguous parcels that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

a) Land that qualifies, if irrigated, for rating as class I or class II in the United States Department of Agriculture (USDA) Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.

b) Land that qualifies for rating 80 through 100 Storie Index Rating.

c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.

d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than 5 years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars ($400) per acre.

e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars ($400) per acre for 3 of the previous 5 calendar years.

Local

Tulare County General Plan Environmental Resource Element

The Tulare County General Plan Environmental Resource Element includes measures to preserve agriculture, as well as an agricultural resources section. The purpose of the agricultural resources section is to evaluate the County's farmland preservation programs and Williamson Act policies in order to preserve agricultural resources, as they are a vital component of the County's economy. The policies included in the agriculture section of the General Plan aim to achieve the following:

- Promote the long-term preservation of productive and potentially productive agricultural lands and to accommodate agricultural-support services and agriculturally related activities that support the viability of agriculture and further the County's economic development goals.
- Support increased viability of agriculture production and promote high-value, employment-intensive, and diverse agricultural production and processing in Tulare County; and
- Support the reasonable development and economic viability of animal confinement facilities.[13]

Tulare County Code Agricultural Land Policies

Chapter 29 of the Tulare County Code contains the County's Agricultural Land Policies. As the value of agricultural land and production is an important asset to Tulare County, it is the County's responsibility to prevent the loss of agricultural resources. Article 3 of this code clearly defines the "Right to Farm" and its purposes: Where nonagricultural land uses, especially residential development, extend into agricultural areas, or locate in the vicinity of agricultural land, agricultural operations may be the subject of nuisance complaints.[14]

City of Visalia General Plan

Chapter 2: Land Use Element

LU-P-19 Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy. The General Plan Land Use Diagram establishes three growth rings to accommodate estimated City population for the years 2020 and 2030. The Urban Development Boundary I (UDB I) shares its boundaries with the 2012 city limits. The Urban Development Boundary II (UDB II) defines the urbanizable area within which a full range of urban services will need to be extended in the first phase of anticipated growth with a target buildout population of 178,000. The Urban Growth Boundary (UGB) defines full buildout of the General Plan with a target buildout population of 210,000. Each growth ring enables the City to expand in all four quadrants, reinforcing a concentric growth pattern.

[13] Tulare County. 2012. 2030 Update Tulare County General Plan. August.
[14] Tulare County. 2022. Tulare County Code. January 11.

LU-P-20 Allow annexation and development of residential, commercial, and industrial land to occur within the "Tier I" Urban Development Boundary (UDB) at any time, consistent with the City's Land Use Diagram.

LU-O-12 Provide for an orderly and efficient transition from rural to urban land uses.

LU-P-32 Continue to maintain a 20-acre minimum for parcel map proposals in areas designated for Agriculture to encourage viable agricultural operations in the Planning Area.

LU-P-34 Work with Tulare County and other state and regional agencies, neighboring cities, and private land trust entities to prevent urban development of agricultural land outside of the current growth boundaries and to promote the use of agricultural preserves, where they will promote orderly development and preservation of farming operations within Tulare County. Conduct additional investigation of the efficacy of agricultural conservation easements by engaging local, regional, and state agencies and stakeholders in order to further analyze their ongoing efforts and programs that attempt to mitigate impacts from the conversion of agricultural lands through the use of agricultural conservation easements. Support regional efforts to prevent urban development of agricultural lands, specifically at the county level. Tulare County's General Plan 2030 Update Policy contains two policies (AG-1.6 Conservation Easements and AG-1.18 Farmland Trust and Funding Sources) that discuss establishing and implementing an Agricultural Conservation Easement Program (ACEP). The City supports the implementation of these measures by the County, in which the City may then participate. Such a regional program could include a fee to assist and support agricultural uses, and would be most feasibly and strategically developed on a countywide or other regional basis.

In addition to supporting regional efforts to prevent urban development of agricultural lands, the City shall create and adopt a mitigation program to address conversion of Prime Farmland and Farmland of Statewide Importance in Tiers II and III. This mitigation program shall require a 1:1 ratio of agricultural land preserved to agricultural land converted and require agricultural land preserved to be equivalent to agricultural land converted. The mitigation program shall also require that the agricultural land preserved demonstrate adequate water supply and agricultural zoning, and shall be located outside the City UDB, and within the southern San Joaquin Valley. The mitigation program shall, to the extent feasible and practicable, be integrated with the agricultural easement programs adopted by the County and nearby cities. The City's mitigation program shall allow mitigation to be provided by purchase of conservation easement or payment of fee, but shall indicate a preference for purchase of easements. The mitigation program shall require easements to be held by a qualifying entity, such as a local land trust, and require the submission of annual monitoring reports to the City. The mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I, or

conversion of agricultural lands for agricultural processing uses, agricultural buffers, public facilities, and roadways.

LU-P-35 Adopt the County's Right to Farm ordinance to support continued agricultural operations at appropriate locations within the city limits, with no new provisions. This ordinance should not limit urban development contemplated by the General Plan.

Pursuant to LU-P-34, the City, together with a consultant, began working in September 2022 on the development of an Agriculture Preservation Ordinance (APO) in order to implement the contemplated Agricultural Mitigation Program. This effort was preceded in late 2020/early 2021 by the development of a Feasibility Study that identifies an APO's impact on the cost of development, potential benefits and challenges, and how the changes in state law would impact APO. After public hearings and community input, the City Council passed and adopted the APO on May 15, 2023.[15]

3.2.5 - Impacts and Mitigation Measures

Significance Criteria

The City, as the lead agency, has elected in its discretion to utilize the criteria in the California Environmental Quality Act (CEQA) Guidelines Appendix G, to determine whether impacts to agriculture and forestry resources are significant environmental effects. Would the proposed project:

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

b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

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

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

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

Approach to Analysis

Potential impacts on agricultural resources are based on a review of FMMP and Williamson Act land use maps, site plans, and applicable local and State plans and policies.

[15] City of Visalia. Agriculture Preservation Ordinance. Website: https://www.visalia.city/depts/community_development/planning/agricultural_preservation_ordinance.asp. Accessed March 23, 2024.

Impact Evaluation

Convert Farmland to Nonagricultural Use

Impact AG-1: Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?

The project site contains approximately 284 acres of Prime Farmland pursuant to the current FMMP mapping (Exhibit 3.2-1).[16] The project site is in current agricultural cultivation that would cease with the development of the proposed project.

The proposed project is consistent with the land use designation and intensity of development established by the General Plan; thus, conversion to industrial use was envisioned as part of buildout under the General Plan and was evaluated and disclosed in the General Plan EIR. According to the General Plan EIR, buildout of the General Plan would result in the conversion of 14,265 acres (or 33 percent) of the existing Important Farmland within the Planning Area to urban uses, which may include park and open space designations. Of this land, 12,490 acres is classified as Prime Farmland, representing 37 percent of the existing Prime Farmland within the Planning Area. The General Plan EIR determined that, aside from preventing development altogether, conversion of farmland could not be directly mitigated to a less than significant level.

General Plan policies identified in Impact 3.5-1 of the General Plan EIR assist in reducing the severity of impacts related to the loss of Prime Farmland while still supporting the General Plan's goals of accommodating a certain amount of growth within the Planning Area. In particular, LU-P-34 requires the City to create and adopt a mitigation program to address the conversion of Prime Farmland and Farmland of Statewide Importance in Tiers II and III of the UDB. This mitigation program for Tiers II and III requires a 1:1 ratio of agricultural land preserved to agricultural land converted and also requires agricultural land to be preserved equivalent to agricultural land converted. As noted above, the City is in the process of adopting an Agricultural Preservation Ordinance pursuant to Policy LU-P-34 but has not done so as of the writing of this Draft EIR. Moreover, as noted above, Policy LU-P-34 explicitly exempts conversions of agricultural lands located in UDB Tier I, such as the project site, from the mitigation program. Therefore, the mitigation program required in LU-P-34 is not applicable to the proposed project. Although implementation of policies in the General Plan would reduce some agricultural impacts for General Plan buildout, over 14,000 acres of the existing Important Farmland would be lost. Therefore, the General Plan EIR determined that conversion of farmland from General Plan buildout would be significant and unavoidable.

Although previously addressed in the certified General Plan EIR, for purposes of a comprehensive and conservative analysis, this Draft EIR acknowledges that the proposed project would result in the loss of Prime Farmland as a result of the construction of the proposed urban uses. Furthermore, despite the fact this conversion was already evaluated and disclosed as part of the General Plan EIR, this Draft EIR conservatively concludes that the proposed project would result in significant and

[16] California Department of Conservation. 2016. California Important Farmland Finder (FMMP). Website: https://maps.conservation.ca.gov/DLRP/CIFF/: Accessed September 16, 2022.

unavoidable impacts related to the conversion of Farmland. Because, however, Policy LU-P-34 does not apply to Tier 1 lands and further because there is no adopted Agricultural Preservation Ordinance, there is no feasible method to mitigate the loss of this Important Farmland. However, as noted above, the project site has long been identified for conversion to urban uses. This reflects the City's overall land use strategy that ensure the areas identified for growth are contiguous to existing development and to each other, and policies clearly require sequencing of growth so that minimal fragmentation of agricultural land will occur. The General Plan's three-tier growth management system reinforces Visalia's compact form, minimizing the interface between farming and urban uses. The General Plan establishes greenbelt buffers along the urban edge in some places, while providing requirements for buffering and screening of private development elsewhere. Furthermore, the City's urbanized land use vision for the project site vicinity is evident in that the adjacent surrounding uses consist of industrial uses such as an Amazon distribution center and United Parcel Service (UPS) distribution hub. However, as discussed above, impacts would be significant and unavoidable.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

No feasible mitigation measures available.

Level of Significance After Mitigation

Significant and unavoidable impact.

Conflict with Existing Zoning or Williamson Act Contract

Impact AG-2:	**Would the project conflict with existing zoning for agricultural use, or a Williamson Act Contract?**

Agricultural Zoning

The project site is zoned AE-40 under the County's Zoning Ordinance (Chapter 2, Project Description, Exhibit 2-6).[17] The AE-40 Zone is intended for agricultural uses. However, the applicant is requesting pre-zoning to Industrial and Light Industrial, which would take effect upon annexation into the City. This zoning district would be consistent with the existing Industrial and Light Industrial General Plan designations under the General Plan that currently apply to the project site. Because the pre-zoning allows for industrial and light industrial use, the change in zoning from AE-40 under the County's Zoning Ordinance to the City's Industrial and Light Industrial zones would ensure there is no conflict with existing zoning. Impacts would be less than significant.

Williamson Act Contracts

All three parcels comprising the project site are subject to a Williamson Act Contract.[18] Pursuant to the applicable provisions of the California Government Code, the landowner initiated a Notice of

[17] Tulare County Public Parcel Zoning Lookup. Website: https://tularecounty.maps.arcgis.com/apps/webappviewer/index.html?id=e7d7da648dab43e1a9eb0233889b7c32. Accessed August 17, 2022.

[18] See Chapter 2 Project Description for clarification regarding the project site area and the area subject to the Williamson Act contract.

Nonrenewal in July 2021 for the contract, beginning a 9-year process to formally expire the contract. Based on the date of the Notice of Nonrenewal, the contract would have expired in December 2030. However, in order for the project to be developed, State law provides a detailed procedure to cancel a Williamson Act Contract. The landowner filed a cancellation petition with Tulare County in November 2022, which was approved by the Board of Supervisors pursuant to Section 51282(a). The lead agency notes that a Williamson Act Contract cancellation is an option under the limited circumstances and conditions set forth in Government Code Section 51280, *et seq.* In such cases, landowners may petition a board/council for Williamson Act Contract cancellation. The board/council may grant tentative cancellation only if it makes the required statutory findings.

To determine that the cancellation is valid, the board/council must find the following:

1. The cancellation is for land on which a Notice of Non-Renewal has been filed.
2. Cancellation is not likely to result in the removal of adjacent lands from agricultural use.
3. Cancellation is for an alternate use that is consistent with the adopted General Plan.
4. Cancellation will not result in discontinuous patterns of urban development.
5. That there is no proximate non-contracted land which is both available and suitable for the use to which it is proposed the contracted land be put or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land.

Because the Board of Supervisors determined these findings can be, and were, made and thus approved the cancellation on November 29, 2022 (see Appendix G2), contingent upon payment of cancellation fees and satisfaction of the other identified conditions, there would be no conflict with the existing agricultural zoning or adjacent Williamson Act contracted land. Impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Conflict with Existing Forest Land Zoning

Impact AG-3:	**Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?**

The project site does not contain any forest land or timberland, as defined by Public Resource Code Section 4526, nor does it contain any timberland zoned Timberland Production, as defined by Government Code Section 51104(g). Additionally, according to the CDFW, there are no private timberlands or public lands with forests within the project site.[19] This condition precludes the

[19] California Department of Fish and Wildlife (CDFW). California Forests and Timberlands. Website: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109917&inline. Accessed October 12, 2022.

possibility of the proposed project conflicting with forest zoning of forest land or timberland. No impact would occur.

Mitigation Measures

No mitigation measures are required.

Level of Significance

No impact.

Conversion of Forest Land to Non-Forest Use

Impact AG-4:	**Would the project result in the loss of forest land or conversion of forest land to non-forest use?**

As explained more fully above, the project site is adjacent to urbanized, industrial land uses (with these surrounding uses also not containing any forest land) and does not contain any forest land. This condition precludes the possibility of the proposed project converting forest land to non-forest use. Therefore, no impacts would occur.

Mitigation Measures

No mitigation measures are required.

Level of Significance

No impact.

Other Changes to Convert Farmland to Nonagricultural Use or Forest Land to Non-forest Use

Impact AG-5:	**Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?**

Tulare County classifies the areas north, east, and south of the project site (outside City limits) as within the AG-20 and AG-40, Exclusive Agricultural zone districts.[20] The land to the west and some of the land to the south of the project site is within the City's Sphere of Influence (SOI) and is designated Industrial and Light Industrial by the General Plan.

Chief causes for the loss of Farmland include development of low-density rural residences and ecological restoration projects, such as wetlands and wildlife habitat. The proposed project does not fall in either of these categories. It would be speculative to determine that the project would promote growth and result in the conversion of adjacent lands to non-agricultural uses.

Additionally, these lands would need to be annexed into the City of Visalia and would require the completion of CEQA analysis prior to the discretionary approval of any development. However, the proposed project does not include the annexation of these lands and, therefore, would not result in

[20] Tulare County Public Parcel Zoning Lookup. Website: https://tularecounty.maps.arcgis.com/apps/webappviewer/index.html?id=e7d7da648dab43e1a9eb0233889b7c32. Accessed August 17, 2022.

a change in the existing environment that could result in conversion of Farmland to nonagricultural use. Though there is a possibility this land would be converted to nonagricultural uses in the future, the proposed project would not be the cause of that conversion.

With respect to the conversion of forest land, as explained more fully above, the project site is adjacent to urbanized, industrial land uses; these adjacent lands do not contain any forest land. As explained above, neither the project site nor the Planning Area contains timberlands or forestlands.[21] This condition precludes the possibility of the proposed project converting forest land to non-forest use.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

3.2.6 - Cumulative Impacts

Given the nature of agricultural resources, the geographic scope of this cumulative analysis includes past, present and reasonably foreseeable future projects on lands within the City's Planning Area. As shown in Exhibit 3-1, the relevant Cumulative Projects 1, 2, 3, 4, and 6 are industrial uses; the relevant Cumulative Projects 5 and 8 are residential projects; and the relevant Cumulative Project 7 is a Mixed-Use Development Specific Plan. The General Plan EIR addressed this issue at length in considering the impacts associated with its planned growth, including that being pursued by these relevant other projects, and already disclosed impacts to agricultural resources due to conversion as a significant and unavoidable impact.

The General Plan identifies the need for the conversion of agricultural land to urban development. The City has set aside three-tiered areas planned for development that contain land designated as Prime Farmland and Farmland of Statewide Importance. The proposed project is within Tier 1, which has been deemed as land to be converted from agricultural land to urban development. Much of the Tier I area that is identified for development of various Cumulative Developments consists of Important Farmland that would be converted to nonagricultural uses with implementation of same, consistent with development already envisioned by the General Plan Land Use Element.[22] Development within Tier II and III of the UDB that would convert Prime Farmland is subject to the 1:1 ratio of agricultural land preservation elsewhere outside of the City's UDB. Cumulative Projects 1–5 and Cumulative Project 8 are in Tier I of the UDB, and Cumulative Projects 6 and 7 are in Tier II. According to the General Plan, all of the foregoing development is planned growth occurring within areas designated or otherwise planned for industrial and residential development. The certified General Plan EIR specifies that, while the growth of the City will incur unavoidable losses of farmland, the severity of the losses can be minimized to the extent feasible through adherence to the compact, concentric development plan outlined in the General Plan and long contemplated for

[21] United States Department of Agriculture (USDA). Forest Service, National Forest Type Groups. No date. Website: https://data.fs.usda.gov/geodata/rastergateway/forest_type/index.php. Accessed October 7, 2022.
[22] City of Visalia. 2014. General Plan 2030. Land Use Element. October.

development by both the City and County.[23] Development in this fashion will help to maintain the maximum amount of contiguous Important Farmland, avoiding "patchwork" easements and dispersed development in a manner that cannot be guaranteed through the requirement of purchasing agricultural easements.[24]

All cumulative development would be required to comply with the applicable provisions of the General Plan, implement application mitigation required by the General Plan EIR, and adhere to other applicable laws and regulations addressing loss of agricultural resources (i.e., Agricultural Preservation Ordinance when adopted and Right to Farm provisions when adopted). However, even with adherence to the foregoing and General Plan's overall land use vision and strategy, development of the Cumulative Projects would result in a cumulatively significant and unavoidable impact.

The development of the proposed project would further contribute to this already significant cumulative impact, due to the loss of approximately 284 acres of Prime Farmland, which has been identified as an individual significant and unavoidable impact due to lack of feasible mitigation. Moreover, the proposed project's contribution to this significant cumulative effect to agricultural resources would be considered cumulatively considerable.

Impacts associated with the Williamson Act Contract were less than significant; however, the proposed project would result in the loss of Williamson Act lands, which is cumulatively considerable. The proposed project's contribution to this significant cumulative effect to Williamson Act lands would be considered cumulatively considerable.

Forestry Resources

Similar to the relevant geographic scope for agricultural resources described above, the geographic scope of this cumulative analysis with respect to forestry resources is lands within the City of Visalia Planning Area. As mapped by the USDA Forest Service, there are no National Forest lands within the City or the City's Planning Area.[25] The project site and the other sites upon which the Cumulative Developments would be developed do not contain forest land or timberland, as defined by Public Resource Code Section 4526, nor do they contain any timberland zoned Timberland Production, as defined by Government Code Section 51104(g). Therefore, the Cumulative Projects would not conflict with forest zoning or converting forest land to non-forest use, and thus there would be no significant cumulative impact in this regard. Furthermore, because there is no forest land or timberland on the project site, there are no cumulative impacts to forestry resources.

Likewise, the proposed project, in conjunction with the cumulative projects, would not conflict with forest zoning or converting forest land to non-forest use since there is no forest land or timberland on the project site. Therefore, the proposed project's contribution to this less than significant impact would not be cumulatively considerable, and the proposed project would not have a cumulatively

[23] City of Visalia. 2014. General Plan EIR 2030. Agricultural Resources. October.
[24] Ibid.
[25] United States Department of Agriculture (USDA). Forest Service, National Forest Type Groups. No date. Website: https://data.fs.usda.gov/geodata/rastergateway/forest_type/index.php. Accessed October 7, 2022.

considerable contribution to the already less than significant cumulative impact to forestry resources.

Level of Cumulative Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

No feasible mitigation measures are available.

Level of Cumulative Significance After Mitigation

Significant and unavoidable with respect to the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

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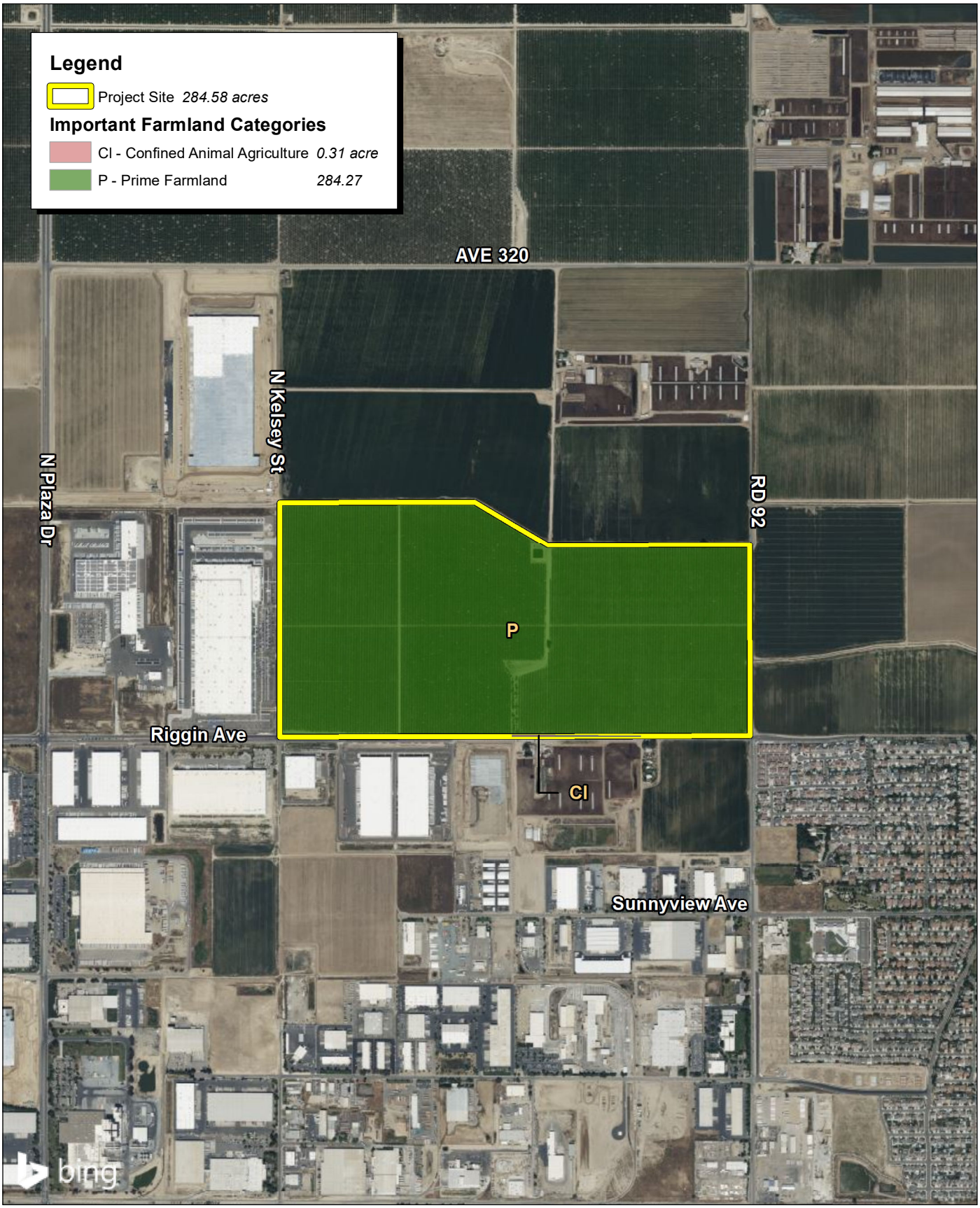

Source: Bing Aerial Imagery. CA Department of Conservation Tulare County 2018.

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Exhibit 3.2-1
Important Farmland Map

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CITY OF VISALIA
SHIRK AND RIGGIN INDUSTRIAL PROJECT
ENVIRONMENTAL IMPACT REPORT

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3.3 - Air Quality

This section describes existing air quality conditions regionally and locally as well as the relevant regulatory framework. This section also evaluates the possible impacts related to air quality that could result from implementation of the project. Information included in this section is based on the Air Quality, Greenhouse Gas Emissions, and Energy Analysis Report prepared for the proposed project (Appendix B). The project-specific air quality modeling results included in this report utilized California Emissions Estimator Model (CalEEMod) Version 2020.4.0 and the American Meteorological Society/United States Environmental Protection Agency (EPA) Regulatory Model (AERMOD), Version 22112, which is approved by the San Joaquin Valley Air Pollution Control District (Valley Air District) for air dispersion assessments. Complete modeling output files are provided in Appendix B.

One public comment was received during the Environmental Impact Report (EIR) scoping period related to air quality.

- Valley Air District dated September 28, 2022, related to project construction and operational emissions, Health Risk Assessment (HRA) criteria, and recommended air pollutant reduction strategies.

3.3.1 - Environmental Setting

Topography

The topography of a region is important for air quality because mountains can block airflow that would help disperse pollutants and can channel air from upwind areas that transports pollutants to downwind areas. The San Joaquin Valley Air Basin (Air Basin) is generally shaped like a bowl. It is open in the north and is surrounded by mountain ranges on all other sides. The Sierra Nevada mountains are along the eastern boundary (8,000 to 14,000 feet in elevation), the Coast Ranges are along the western boundary (3,000 feet in elevation), and the Tehachapi Mountains are along the southern boundary (6,000 to 8,000 feet in elevation).

Climate

Climate is important for air quality because of differences in the atmosphere's ability to trap pollutants close to the ground, creating adverse air quality, or to rapidly disperse pollutants over a wide area, preventing high concentrations from accumulating under different climatic conditions. The Air Basin has an "inland Mediterranean" climate and is characterized by long, hot, dry summers and short, foggy winters. Sunlight can be a catalyst in the formation of some air pollutants (such as ozone); the Air Basin averages over 260 sunny days per year.

Dominant airflows provide the driving mechanism for transport and dispersion of air pollution. The mountains surrounding the Air Basin form natural horizontal barriers to the dispersion of air contaminants. The wind generally flows south-southeast through the valley and Tulare County, through the Tehachapi Pass and into the Mojave Desert Air Basin portion of Kern County. As the wind moves through the Air Basin, it mixes with the air pollution generated locally, generally transporting air pollutants from the north to the south in the summer and in a reverse flow in the winter.

Sensitive Receptors

Sensitive receptors are land uses or people considered to be more sensitive than others to air pollutants. The reasons for greater than average sensitivity include pre-existing health problems, proximity to emissions sources, or duration of exposure to air pollutants. Residences, schools, hospitals, convalescent homes, and parks are considered to be relatively sensitive to poor air quality because children, elderly people, and the infirm are more susceptible to respiratory distress and other air quality-related health problems than the general public. Residential areas are considered sensitive to poor air quality because people usually stay home for extended periods of time, with associated greater exposure to ambient air quality. Recreational uses are also considered sensitive due to greater exposure to ambient air quality conditions because vigorous exercise associated with recreation places a high demand on the human respiratory system.

The nearest sensitive receptors to the site include the following:

- Single-family residential homes located directly to the southeast across the intersection of Riggin Avenue and Shirk Street, with the closest home approximately 160 feet to the southwest.
- Denton Elementary School located approximately 2,200 feet to the southwest. The City of Visalia General Plan Land Use Element[1] designates an area as Multi-Family Residential approximately 2,700 feet to the east of the project site, which could result in new sensitive receptors.
- The Carleton Acres Specific Plan area located to the east of the North Shirk Avenue and West Riggin Avenue intersection, which could result in up to 3,368 residential units to the east of the project site.

Air Pollutant Types, Sources, and Effects

Criteria Air Pollutants

Concentrations of criteria air pollutants are used as indicators of air quality conditions. Air pollutants are termed criteria air pollutants if they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. According to the United States Environmental Protection Agency (EPA), criteria air pollutants are ozone, particulate matter (PM_{10} and $PM_{2.5}$), nitrogen dioxide (NO_2), carbon monoxide (CO), lead, and sulfur dioxide (SO_2). Table 3.3-1 provides a summary of the types, sources, and effects of criteria air pollutants.

Toxic Air Contaminants

A TAC is defined as an air pollutant that may cause or contribute to an increase in mortality or serious illness, or that may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air; however, their high toxicity or health risk may pose a threat to public health even at low concentrations. There are no ambient air quality standards for TAC emissions. TACs are regulated in terms of health risks to individuals and populations exposed to the pollutants. The 1990 Clean Air Act Amendments significantly expanded the EPA's authority to regulate

[1] City of Visalia. General Plan Land Use Interactive Map. Website: https://www.visalia.city/depts/community_development/planning/gp.asp. Accessed June 1, 2023.

Hazardous Air Pollutants (HAPs). Section 112 of the Clean Air Act lists 187 HAPs to be regulated by source category. Authority to regulate these pollutants was delegated to individual states. The ARB and local air districts regulate TACs and HAPs in California.

The California Almanac of Emissions and Air Quality—2009 Edition presents the relevant concentration and cancer risk data for the 10 TACs that pose the most substantial health risk in California based on available data.[2] The 10 TACs are acetaldehyde, benzene, 1.3-butadiene, carbon tetrachloride, hexavalent chromium, para-dichlorobenzene, formaldehyde, methylene chloride, perchloroethylene, and diesel particulate matter (DPM).

Diesel Particulate Matter

Some studies indicate that DPM poses the greatest health risk among the TACs listed above. A 10-year research program demonstrated that DPM from diesel-fueled engines is a human carcinogen and that chronic (long-term) inhalation exposure to DPM poses a chronic health risk. In addition to increasing the risk of lung cancer, exposure to diesel exhaust can have other health effects. Diesel exhaust can irritate the eyes, nose, throat, and lungs, and it can cause coughs, headaches, lightheadedness, and nausea. Diesel exhaust is a major source of fine particulate pollution as well, and studies have linked elevated particle levels in the air to increased hospital admissions, emergency room visits, asthma attacks, and premature deaths among those suffering from respiratory problems.

DPM differs from other TACs in that it is not a single substance, but a complex mixture of hundreds of substances. Although DPM is emitted by diesel-fueled, internal combustion engines, the composition of the emissions varies depending on engine type, operating conditions, fuel composition, lubricating oil, and whether an emission control system is present. However, no ambient monitoring data are available for DPM because no routine measurement method currently exists. The ARB has made preliminary concentration estimates based on a DPM exposure method. This method uses the ARB emissions inventory's PM_{10} database, ambient PM_{10} monitoring data, and the results from several studies to estimate concentrations of DPM.

Benzene

Benzene, naphthalene, and ethylbenzene are the only TACs with cancer toxicity values from gasoline dispensing facilities, with benzene accounting for nearly 85 percent of cancer risk from gasoline. According to CAPCOA, not until the benzene emissions are three orders of magnitude above the rate of an increase of 10 per million cancer risk, do the emissions of xylene begin to cause acute adverse health effects.

Benzene is found in the air from emissions from burning coal and oil, gasoline service stations, and motor vehicle exhaust. Acute (short-term) inhalation exposure of humans to benzene may cause drowsiness, dizziness, headaches, as well as eye, skin, and respiratory tract irritation, and, at high levels, unconsciousness. Chronic (long-term) inhalation exposure has caused various disorders in the blood, including reduced numbers of red blood cells and aplastic anemia, in occupational settings.

[2] California Air Resources Board (ARB). 2013. The California Almanac of Emissions and Air Quality—2013 Edition. Website: https://ww2.arb.ca.gov/our-work/programs/almanac-emissions-air-quality. Accessed June 1, 2023

Reproductive effects have been reported for women exposed by inhalation to high levels, and adverse effects on the developing fetus have been observed in animal tests. Increased incidence of leukemia (cancer of the tissues that form white blood cells) have been observed in humans occupationally exposed to benzene. EPA has classified benzene as known human carcinogen for all routes of exposure.[3] Table 3.3-1 provides a summary of the types, sources, and effects of TACs.

[3] United States Environmental Protection Agency (EPA). 1992, with updates in 2000 and 2012. Benzene. Website: https://www.epa.gov/sites/default/files/2016-09/documents/benzene.pdf. Accessed June 1, 2023.

Table 3.3-1: Description of Toxic Air Contaminants of National and California Concern

Air Pollutant	Averaging Time	California Standard	Federal Standard	Most Relevant Effects from Pollutant Exposure	Properties	Sources
Ozone	1 Hour	0.09 ppm	—	Irritate respiratory system; reduce lung function; breathing pattern changes; reduction of breathing capacity; inflame and damage cells that line the lungs; make lungs more susceptible to infection; aggravate asthma; aggravate other chronic lung diseases; cause permanent lung damage; some immunological changes; increased mortality risk; vegetation and property damage.	Ozone is a photochemical pollutant as it is not emitted directly into the atmosphere but is formed by a complex series of chemical reactions between volatile organic compounds (VOC), nitrogen oxides (NO_X), and sunlight. Ozone is a regional pollutant that is generated over a large area and is transported and spread by the wind. Hot, sunny, and calm weather conditions are favorable to ozone formation.	Ozone is a secondary pollutant; thus, it is not emitted directly into the lower level of the atmosphere. The primary sources of ozone precursors (VOC and NO_X) are mobile sources (on-road and off-road vehicle exhaust).
	8 Hours	0.070 ppm	0.070 ppm[f]			
CO	1 Hour	20 ppm	35 ppm	Ranges depend on exposure: slight headaches; nausea; aggravation of angina pectoris (chest pain) and other aspects of coronary heart disease; decreased exercise tolerance in persons with peripheral vascular disease and lung disease; impairment of central nervous system functions; possible increased risk to fetuses; death.	CO is a colorless, odorless, toxic gas. CO is somewhat soluble in water; therefore, rainfall and fog can suppress CO conditions. CO enters the body through the lungs, dissolves in the blood, replaces oxygen as an attachment to hemoglobin, and reduces available oxygen in the blood.	CO is produced by incomplete combustion of carbon-containing fuels (e.g., gasoline, diesel fuel, and biomass). Sources include motor vehicle exhaust, industrial processes (metals processing and chemical manufacturing), residential wood-burning, and natural sources.
	8 Hours	9.0 ppm	9 ppm			
NO_2[b]	1 Hour	0.18 ppm	0.100 ppm	Potential to aggravate chronic respiratory disease and respiratory symptoms in sensitive groups; risk to public health implied by pulmonary and extra-pulmonary biochemical and cellular changes and pulmonary structural changes; contribution to atmospheric discoloration; increased visits to hospital for respiratory illnesses.	During combustion of fossil fuels, oxygen reacts with nitrogen to produce nitrogen oxides—NO_X (NO, NO_2, NO_3, N_2O, N_2O_3, N_2O_4, and N_2O_5). NO_X is a precursor to ozone, PM_{10}, and $PM_{2.5}$ formation. NO_X can react with compounds to form nitric acid and related small particles and result in PM-related health effects.	NO_X is produced in motor vehicle internal combustion engines and fossil fuel-fired electric utility and industrial boilers. NO_2 forms quickly from NO_X emissions. NO_2 concentrations near major roads can be 30 to 100 percent higher than those at monitoring stations.
	Annual	0.030 ppm	0.053 ppm			

Air Pollutant	Averaging Time	California Standard	Federal Standard	Most Relevant Effects from Pollutant Exposure	Properties	Sources
SO_2[c]	1 Hour	0.25 ppm	0.075 ppm	Bronchoconstriction accompanied by symptoms which may include wheezing, shortness of breath and chest tightness, during exercise or physical activity in persons with asthma. Some population-based studies indicate that the mortality and morbidity effects associated with fine particles show a similar association with ambient SO_2 levels. It is not clear whether the two pollutants act synergistically, or one pollutant alone is the predominant factor.	SO_2 is a colorless, pungent gas. At levels greater than 0.5 ppm, the gas has a strong odor like rotten eggs. Sulfur oxides (SO_X) include SO_2 and sulfur trioxide. Sulfuric acid is formed from SO_2, which can lead to acid deposition and can harm natural resources and materials. Although SO_2 concentrations have been reduced to levels well below State and federal standards, further reductions are desirable because SO_2 is a precursor to sulfate and PM_{10}.	Human caused sources include fossil fuel combustion, mineral ore processing, and chemical manufacturing. Volcanic emissions are a natural source of SO_2. The gas can also be produced in the air by dimethyl sulfide and hydrogen sulfide. SO_2 is removed from the air by dissolution in water, chemical reactions, and transfer to soils and ice caps. The SO_2 levels in the State are well below the maximum standards.
	3 Hours	—	0.5 ppm			
	24 Hours	0.04 ppm	0.14 (for certain areas)			
	Annual	—	0.030 ppm (for certain areas)			
Particulate matter (PM_{10})	24 hours	50 µg/m^3	150 µg/m^3	• Short-term exposure (hours/days): irritation of the eyes, nose, throat; coughing; phlegm; chest tightness; shortness of breath; aggravate existing lung disease, causing asthma attacks and acute bronchitis; those with heart disease can suffer heart attacks and arrhythmias. • Long-term exposure: reduced lung function; chronic bronchitis; changes in lung morphology; death.	Suspended particulate matter is a mixture of small particles that consist of dry solid fragments, droplets of water, or solid cores with liquid coatings. The particles vary in shape, size, and composition. PM_{10} refers to particulate matter that is between 2.5 and 10 microns in diameter, (1 micron is one-millionth of a meter). $PM_{2.5}$ refers to particulate matter that is 2.5 microns or less in diameter, about one-thirtieth the size of the average human hair.	Stationary sources include fuel or wood combustion for electrical utilities, residential space heating, and industrial processes; construction and demolition; metals, minerals, and petrochemicals; wood products processing; mills and elevators used in agriculture; erosion from tilled lands; waste disposal, and recycling. Mobile or transportation-related sources are from vehicle exhaust and road dust. Secondary particles form from reactions in the atmosphere.
	Mean	20 µg/m^3	—			
Particulate matter ($PM_{2.5}$)	24 Hours	—	35 µg/m^3			
	Annual	12 µg/m^3	12 µg/m^3			
Visibility-reducing particles	8 Hours	See note below[d]				
Sulfates	24 Hours	25 µg/m^3	—	Decrease in ventilatory function; aggravation of asthmatic symptoms; aggravation of cardiopulmonary disease; vegetation damage; degradation of visibility; and property damage.	The sulfate ion is a polyatomic anion with the empirical formula SO_4^{2-}. Sulfates occur in combination with metal and/or hydrogen ions. Many sulfates are soluble in water.	Sulfates are particulates formed through the photochemical oxidation of SO_2. In California, the main source of sulfur compounds is combustion of gasoline and diesel fuel.

Air Pollutant	Averaging Time	California Standard	Federal Standard	Most Relevant Effects from Pollutant Exposure	Properties	Sources
Lead[e]	30 days	1.5 µg/m^3	—	Lead accumulates in bones, soft tissue, and blood and can affect the kidneys, liver, and nervous system. It can cause impairment of blood formation and nerve conduction, behavior disorders, mental retardation, neurological impairment, learning deficiencies, and low IQs.	Lead is a solid heavy metal that can exist in air pollution as an aerosol particle component. Leaded gasoline was used in motor vehicles until around 1970. Lead concentrations have not exceeded State or federal standards at any monitoring station since 1982.	Lead ore crushing, lead ore smelting, and battery manufacturing are currently the largest sources of lead in the atmosphere in the United States. Other sources include dust from soils contaminated with lead-based paint, solid waste disposal, and crustal physical weathering.
	Quarter	—	1.5 µg/m^3			
	Rolling 3-month average	—	0.15 µg/m^3			
Vinyl chloride[e]	24 Hours	0.01 ppm	—	Short-term exposure to high levels of vinyl chloride in the air causes central nervous system effects, such as dizziness, drowsiness, and headaches. Epidemiological studies of occupationally exposed workers have linked vinyl chloride exposure to development of a rare cancer, liver angiosarcoma, and have suggested a relationship between exposure and lung and brain cancers.	Vinyl chloride, or chloroethene, is a chlorinated hydrocarbon and a colorless gas with a mild, sweet odor. In 1990, the ARB identified vinyl chloride as a TAC and estimated a cancer unit risk factor.	Most vinyl chloride is used to make polyvinyl chloride plastic and vinyl products, including pipes, wire and cable coatings, and packaging materials. It can be formed when plastics containing these substances are left to decompose in solid waste landfills. Vinyl chloride has been detected near landfills, sewage plants, and hazardous waste sites.
Hydrogen sulfide	1 Hour	0.03 ppm	—	High levels of hydrogen sulfide can cause immediate respiratory arrest. It can irritate the eyes and respiratory tract and cause headache, nausea, vomiting, and cough. Long exposure can cause pulmonary edema.	Hydrogen sulfide (H_2S) is a flammable, colorless, poisonous gas that smells like rotten eggs.	Manure, storage tanks, ponds, anaerobic lagoons, and land application-sites are the primary sources of hydrogen sulfide. Anthropogenic sources include the combustion of sulfur containing fuels (oil and coal).
VOC		There are no State or federal standards for VOCs because they are not classified as criteria pollutants.		Although health-based standards have not been established for VOCs, health effects can occur from exposures to high concentrations because of interference with oxygen uptake. In general, concentrations of VOCs are suspected to cause eye, nose, and throat irritation;	Reactive organic gases (ROGs), or VOCs, are defined as any compound of carbon—excluding CO, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate—that participates in atmospheric photochemical reactions. Although	Indoor sources of VOCs include paints, solvents, aerosol sprays, cleansers, tobacco smoke, etc. Outdoor sources of VOCs are from combustion and fuel evaporation. A reduction in VOC emissions reduces certain chemical reactions that contribute to the formulation of

Air Pollutant	Averaging Time	California Standard	Federal Standard	Most Relevant Effects from Pollutant Exposure	Properties	Sources
				headaches; loss of coordination; nausea and damage to the liver, the kidneys, and the central nervous system. Many VOCs have been classified TACs.	there are slight differences in the definition of ROG and VOCs, the two terms are often used interchangeably.	ozone. VOCs are transformed into organic aerosols in the atmosphere, which contribute to higher PM_{10} and lower visibility.
Diesel particulate matter (DPM)		There are no ambient air quality standards for DPM.		Some short-term (acute) effects of DPM exposure include eye, nose, throat, and lung irritation, coughs, headaches, lightheadedness, and nausea. Studies have linked elevated particle levels in the air to increased hospital admissions, emergency room visits, asthma attacks, and premature deaths among those suffering from respiratory problems. Human studies on the carcinogenicity of DPM demonstrate an increased risk of lung cancer, although the increased risk cannot be clearly attributed to diesel exhaust exposure.	DPM is a source of $PM_{2.5}$—diesel particles are typically 2.5 microns and smaller. Diesel exhaust is a complex mixture of thousands of particles and gases that is produced when an engine burns diesel fuel. Organic compounds account for 80 percent of the total particulate matter mass, which consists of compounds such as hydrocarbons and their derivatives, and polycyclic aromatic hydrocarbons and their derivatives. Fifteen polycyclic aromatic hydrocarbons are confirmed carcinogens, several which are found in diesel exhaust.	Diesel exhaust is a major source of ambient particulate matter pollution in urban environments. Typically, the main source of DPM is from combustion of diesel fuel in diesel-powered engines. Such engines are in on-road vehicles such as diesel trucks, off-road construction vehicles, diesel electrical generators, and various pieces of stationary construction equipment.
Asbestos	—	—	Inhalation exposures not exceed 100,000 fibers with lengths greater than or equal to 5 µm per m^3 of air (0.1 fibers/mL).	Exposure to asbestos is a health threat; exposure to asbestos fibers may result in health issues such as lung cancer, mesothelioma (a rare cancer of the thin membranes lining the lungs, chest, and abdominal cavity), and asbestosis (a non-cancerous lung disease that causes scarring of the lungs).	Asbestos is the name given to several naturally occurring fibrous silicate minerals that have been mined for their useful properties, such as thermal insulation, chemical and thermal stability, and high tensile strength. The three most common types of asbestos are chrysotile, amosite, and crocidolite. Chrysotile, also known as white asbestos, is the most common type of asbestos found in buildings. Chrysotile makes up approximately	Asbestos fibers can come from naturally occurring sources of asbestos or from the wearing down or disturbance of manufactured products including insulation, automotive brakes and clutches, ceiling and floor tiles, dry wall, roof shingles, and cement. However, these products do not always contain asbestos.

Air Pollutant	Averaging Time	California Standard	Federal Standard	Most Relevant Effects from Pollutant Exposure	Properties	Sources
					90 to 95 percent of all asbestos contained in buildings in the United States. Asbestos fibers do not evaporate into air or dissolve in water. However, pieces of fibers can enter the air and water from the weathering of natural deposits and the wearing down of manufactured asbestos products. Small diameter fibers and fiber-containing particles may remain suspended in the air for a long time and be carried long distances by wind or water currents before settling. Larger diameter fibers and particles tend to settle more quickly. Asbestos fibers are not able to move through soil. They are generally not broken down to other compounds in the environment and will remain virtually unchanged over long periods.	

Notes:
ppm=parts per million (concentration) µg/m^3=micrograms per cubic meter Annual=Annual Arithmetic Mean Quarter=Calendar quarter

[a] Federal standard refers to the primary NAAQS, or the levels of air quality necessary, with an adequate margin of safety to protect the public health. All standards listed are primary standards except for 3-Hour SO_2, which is a secondary standard. A secondary standard is the level of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

[b] To attain the 1-hour NO_2 national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 parts per billion (ppb) (0.100 ppm).

[c] On June 2, 2010, a new 1-hour SO_2 standard was established, and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until 1 year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

[d] Visibility-reducing particles: In 1989, the ARB converted both the general Statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are “extinction of 0.23 per kilometer” and “extinction of 0.07 per kilometer” for the Statewide and Lake Tahoe Air Basin standards, respectively.

Air Pollutant	Averaging Time	California Standard	Federal Standard	Most Relevant Effects from Pollutant Exposure	Properties	Sources

[e] The ARB has identified lead and vinyl chloride as TACs with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

[f] The EPA Administrator approved a revised 8-hour ozone standard of 0.07 ppb on October 1, 2015. The new standard went into effect 60 days after publication of the Final Rule in the Federal Register. The Final Rule was published in the Federal Register on October 26, 2015, and became effective on December 28, 2015.

[g] The official level of the 1-hour NO_2 standard is 100 ppb, equal to 0.100 ppm, which is shown here for the purpose of clearer comparison to the other standards.

Source of effects, properties, and sources: Agency for Toxic Substances and Disease Registry. 2016. Public Health Statement for Asbestos. Website: Asbestos | Public Health Statement | ATSDR (cdc.gov), Accessed January 22, 2024.

United States Environmental Protection Agency (EPA). 2003. Particle Pollution and your Health. EPA-452/F-03-001. September. Website: https://www.airnow.gov/publications/air-quality-and-your-health/partical-pollution-and-your-health/. Accessed June 1, 2023.

United States Environmental Protection Agency (EPA). 2009. Ozone and your Health EPA-456/F-09-001. Website: https://www.airnow.gov/publications/air-quality-and-your-health/ozone-and-your-health/. Accessed August 9, 2022.

United States Environmental Protection Agency (EPA). 2009. Fact Sheet, Proposed Revisions to the National Ambient Air Quality Standards for Nitrogen Dioxide. July. Website: https://www.gpo.gov/fdsys/pkg/FR-2009-07-15/pdf/E9-15944.pdf. Accessed June 1, 2023.

United States Environmental Protection Agency (EPA). 2010. Technology Transfer Network, Air Toxics Website. Page updated December 21, 2018. Health Effects Notebook for Hazardous Air Pollutants. December. Website: https://www.epa.gov/haps/health-effects-notebook-hazardous-air-pollutants. Accessed June 1, 2023.

National Toxicology Program. 2011. Report on Carcinogens, Twelfth Edition; U.S. Department of Health and Human Services, Public Health Service. June 10. Benzene. Website: http://ntp.niehs.nih.gov/ntp/roc/twelfth/profiles/Benzene.pdf. Accessed June 1, 2023.

National Toxicology Program. 2016. Report on Carcinogens, Fourteenth Edition; U.S. Department of Health and Human Services, Public Health Service. Diesel Exhaust Particles. Website: https://ntp.niehs.nih.gov/ntp/roc/content/profiles/dieselexhaustparticulates.pdf. Accessed June 1, 20232.

California Environmental Protection Agency (Cal/EPA). 2002. Office of Environmental Health Hazard Assessment. Health Effects of Diesel Exhaust. Website: https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf. Accessed June 1, 2023.

California Air Resources Board (ARB). 2009. Vinyl Chloride. Website: https://ww2.arb.ca.gov/resources/vinyl-chloride-and-health. Accessed June 1, 2023.

United States Environmental Protection Agency (EPA). 2017. Indoor Air Quality. Sources of Indoor Air Pollution—Organic Gases (Volatile Organic Compounds—VOCs). November. Website: www.epa.gov/iaq/voc.html. Accessed June 1, 2023.

National Toxicology Program. 2011. Report on Carcinogens, Twelfth Edition; U.S. Department of Health and Human Services, Public Health Service. Diesel Exhaust Particles. Website: https://oehha.ca.gov/media/downloads/proposition-65/crnr/comments/12throc-complete.pdf. Accessed June 1, 2023.

Source of standards: South Coast Air Quality Management District (SCAQMD). 2018. National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) Attainment Status for South Coast Air Basin. February. Website http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/naaqs-caaqs-feb2016.pdf?sfvrsn=2. Accessed June 1, 2023.

Several pollutants listed in Table 3.3-1 are not addressed in this analysis. An analysis of lead is not included in this report because the proposed project would not generate a new, significant source of lead emissions. According to aerial imagery in the Phase I Environmental Site Assessment (Phase I ESA), all on-site improvements, including structures and outbuildings, were constructed after 2016 and would not contain hazardous materials such as lead-based paint or asbestos-containing material. Visibility-reducing particles are not explicitly addressed in this analysis because particulate matter is addressed under the analysis for PM_{10} and $PM_{2.5}$. Given the nature of the proposed project, no components of the proposed project would result in vinyl chloride or hydrogen sulfide emissions in any substantial quantity; therefore, these compounds are not further evaluated in this report.

Asbestos

Asbestos is the name given to several naturally occurring fibrous silicate minerals that have been mined for their useful properties, such as thermal insulation, chemical and thermal stability, and high tensile strength. The three most common types of asbestos are chrysotile, amosite, and crocidolite. Chrysotile, also known as white asbestos, is the most common type of asbestos found in buildings. Chrysotile makes up approximately 90 to 95 percent of all asbestos contained in buildings in the United States. Exposure to asbestos is a health threat; exposure to asbestos fibers may result in health issues such as lung cancer, mesothelioma (a rare cancer of the thin membranes lining the lungs, chest, and abdominal cavity), and asbestosis (a non-cancerous lung disease that causes scarring of the lungs). Exposure to asbestos can occur during demolition or remodeling of buildings that were constructed prior to the 1977 ban on asbestos for use in buildings. Although construction activity would result in the demolition of several small outbuildings associated with agricultural use on the project site, these structures would not contain asbestos. According to aerial imagery in the Phase I ESA, all on-site improvements, including structures, were constructed after 2016, and would not contain hazardous materials such as lead-based paint or asbestos-containing material. Exposure to naturally occurring asbestos can occur during soil-disturbing activities in areas with deposits present. No naturally occurring asbestos is located near the project site.[4]

Valley Fever

Valley Fever, or coccidioidomycosis, is an infection caused by inhalation of spores of the fungus, *Coccidioides immitis* (*C. immitis*). Spores live in soil and can live for an extended time in harsh environmental conditions. Activities or conditions that increase the amount of fugitive dust, including dust storms, grading, and recreational off-road activities, contribute to greater exposure.

Much of California is considered an endemic area for Valley Fever and a total of 9,004 new Valley Fever cases were reported in 2019.[5] According to the most readily-available, the California Department of Public Health, in 2020, there were 309 cases of Valley Fever in Tulare County with 64.3 per 100,000 case patients and in 2021, 170 cases of Valley Fever with 61.0 per 100,000 case patients.[6] Nearly 75 percent of people who get Valley Fever miss work or school for an average of two weeks. More than 40 percent of people who get Valley Fever need to be hospitalized. The number of Valley Fever cases

[4] California Department of Conservation, Division of Mine Reclamation. 2000. A General Location Guide for Ultramafic Rocks in California—Areas More likely to Contain Naturally Occurring Asbestos. August. Website: https://ww2.arb.ca.gov/sites/default/files/classic//toxics/asbestos/ofr_2000-019.pdf. Accessed August 9, 2022.

[5] California Department of Public Health. 2019. Epidemiologic Summary of Valley Fever in California.

[6] California Department of Health. 2022. Epidemiologic Summary of Valley Fever (Coccoidiomycosis) in California, 2020-2021. Website: https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/CocciEpiSummary2020-2021.pdf. Accessed April 27, 2023.

reported nationally has more than quadrupled in the past decade. There were over 11,000 reported cases in 2015, and the Center for Disease Control and Prevention (CDC) estimates that an additional 150,000 cases go undiagnosed each year. About 28 percent of all cases occur in California. There have been several outbreaks of Valley Fever in California in recent years.

The distribution of *C. immitis* is not uniform, and growth sites are commonly small (a few tens of meters) and widely scattered. Known sites appear to have some ecological factors in common, suggesting that certain physical, chemical, and biological conditions are more favorable for *C. immitis* growth. Avoidance, when possible, of sites favorable for the occurrence of *C. immitis* is a prudent risk management strategy. Listed below are ecologic factors and sites favorable for the occurrence of *C. immitis*:

1. Rodent burrows (often a favorable site for *C. immitis*, perhaps because temperatures are more moderate and humidity higher than on the ground surface).
2. Old (prehistoric) Native American campsites near fire pits.
3. Areas with sparse vegetation and alkaline soils.
4. Areas with high salinity soils.
5. Areas adjacent to arroyos (where residual moisture may be available).
6. Packrat middens.
7. Upper 30 centimeters of the soil horizon, especially in virgin undisturbed soils.
8. Sandy well aerated soil with relatively high water-holding capacities.

Sites within endemic areas less favorable for the occurrence of *C. immitis* include:

1. Cultivated fields.
2. Heavily vegetated areas (e.g., grassy lawns).
3. Higher elevations (above 7,000 feet.)
4. Areas where commercial fertilizers (e.g., ammonium sulfate) have been applied.
5. Areas that are continually wet.
6. Paved (asphalt or concrete) or oiled areas.
7. Soils containing abundant microorganisms.
8. Heavily urbanized areas where there is little undisturbed virgin soil.[7]

The project site currently contains several small outbuildings associated with agricultural use and is used for agricultural purposes. Exposure to *C. immitis* could occur during soil-disturbing activities in areas with deposits present; however, because most of the project site and immediately surrounding vicinity consists of cultivated fields, areas where fertilizers are used, and urbanized development, the

[7] United States Geological Survey (USGS). 2000. Operational Guidelines (Version 1.0) for Geological Fieldwork in Areas Endemic for Coccidioidomycosis (Valley Fever), 2000, Open-File Report 2000-348. Website: https://pubs.usgs.gov/of/2000/0348/pdf/of00-348.pdf. Accessed June 1, 2023.

project site would have low probability of *C. immitis* growth sites or exposure from disturbed soil. No further analysis is necessary.

Air Quality

Air quality is a function of both the rate and location of pollutant emissions under the influence of meteorological conditions and topographic features. Atmospheric conditions such as wind speed, wind direction, and air temperature inversions interact with the physical features of the landscape to determine the movement and dispersal of air pollutant emissions and, consequently, their effect on air quality.

Regional Air Quality

Air Pollutant Standards and Attainment Designations

The EPA and the ARB designate air basins where ambient air quality standards are exceeded as "nonattainment" areas. If standards are met, the area is designated as an "attainment" area. If there is inadequate or inconclusive data to make a definitive attainment designation, they are considered "unclassified." National nonattainment areas are further designated as marginal, moderate, serious, severe, or extreme as a function of deviation from standards.

Each standard has a different definition, or "form" of what constitutes attainment, based on specific air quality statistics. For example, the federal 8-hour CO standard is not to be exceeded more than once per year; therefore, an area is in attainment of the CO standard if no more than one 8-hour ambient air monitoring values exceeds the threshold per year. In contrast, the federal annual $PM_{2.5}$ standard is met if the 3-year average of the annual average $PM_{2.5}$ concentration is less than or equal to the standard.

The current attainment designations for the Air Basin are shown in Table 3.3-2. The Air Basin is designated as nonattainment for ozone, PM_{10}, and $PM_{2.5}$.

Table 3.3-2: San Joaquin Valley Air Basin Attainment Status

Pollutant	State Status	National Status
Ozone, 1-hour	Nonattainment/Severe	No Standard
Ozone, 8-hour	Nonattainment	Nonattainment/Extreme
CO	Attainment	Attainment
NO_2	Attainment	Attainment
SO_2	Attainment	Attainment
PM_{10}	Nonattainment	Attainment
$PM_{2.5}$	Nonattainment	Nonattainment
Lead	Attainment	Unclassified/Attainment
Source: San Joaquin Valley Air Pollution Control District (Valley Air District). Website: https://www.valleyair.org/aqinfo/attainment.htm. Accessed June 1, 2023.		

Local Air Quality

The local air quality can be evaluated by reviewing relevant air pollution concentrations near the project site. Table 3.3-3 summarizes 2018 through 2020 published monitoring data. The table displays data from the Visalia North Church Street Station (located approximately 9 miles southeast of the project site), which is the closest monitoring station to the project site with data available. The data shows that during the past few years, the project site and vicinity have exceeded the standards for ozone (State and national), PM_{10} (State and national), and $PM_{2.5}$ (national). The data in the table reflects the concentration of the pollutants in the air, measured using air monitoring equipment. This differs from emissions, which are calculations of a pollutant being emitted over a certain period. No recent monitoring data for Tulare County or the Air Basin was available for CO or SO_2. Generally, no monitoring is conducted for pollutants that are no longer likely to exceed ambient air quality standards.

Table 3.3-3: Air Quality Monitoring Summary

Air Pollutant	Averaging Time	Item	2018	2019	2020
Ozone[1]	1 Hour	Max 1 Hour (ppm)	**0.112**	0.093	**0.127**
		Days > State Standard (0.09 ppm)	**8**	0	**7**
	8 Hour	Max 8 Hour (ppm)	**0.094**	**0.082**	**0.102**
		Days > State Standard (0.07 ppm)	**53**	**22**	**36**
		Days > National Standard (0.075 ppm)	**27**	**5**	**21**
Nitrogen dioxide (NO_2)[1]	Annual	Annual Average (ppm)	0.010	0.009	0.009
	1 Hour	Max 1 Hour (ppm)	0.069	0.070	0.053
		Days > State Standard (0.18 ppm)	0	0	0
Inhalable coarse particles (PM_{10})[1]	Annual	Annual Average (µg/m^3)	**52.0**	**46.3**	**60.5**
	24 Hour	24 Hour (µg/m^3)	**159.6**	**418.5**	**305.7**
		Days > State Standard (50 µg/m^3)	**162**	**115**	**151**
		Days > National Standard (150 µg/m^3)	0	**5**	**19**
Fine particulate matter ($PM_{2.5}$)[1]	Annual	Annual Average (µg/m^3)[2]	**17.4**	12.0	**ND**
	24 Hour	24 Hour (µg/m^3)	**86.8**	**47.2**	**127.1**
		Days > National Standard (35 µg/m^3)	**12**	**6**	**20**

Notes:
> = exceed
µg/m^3 = micrograms per cubic meter
Bold = exceedance
max = maximum
National Standard = National Ambient Air Quality Standard
ND = no data
ppm = parts per million
State Standard = California Ambient Air Quality Standard
[1] Visalia North Church Street

Air Pollutant	Averaging Time	Item	2018	2019	2020
[2] The State $PM_{2.5}$ standard is the average of the year's quarterly averages. The California annual standard is *exceeded* when the State Annual Average is greater than 12 micrograms per cubic meter and is *violated* when the State Annual Standard Designation Value (the highest State annual average for three consecutive years) is greater than 12 micrograms per cubic meter. Sources: California Air Resources Board (ARB). 2022. Trends Summary. Website: https://www.arb.ca.gov/adam/trends/trends1.php. Accessed June 1, 2023. California Air Resources Board (ARB). 2020. Top Four Summary. Website: https://www.arb.ca.gov/adam/topfour/topfour1.php. Accessed June 1, 2023.					

The health impacts of the various air pollutants of concern can be presented in a number of ways. The clearest in comparison is to the State and federal ozone standards. If concentrations are below the standard, it is safe to say that no health impact would occur to anyone. When concentrations exceed the standard, impacts will vary based on the amount by which the standard is exceeded and the relative location of sensitive receptors. The EPA developed the Air Quality Index (AQI) as an easy-to-understand measure of health impacts compared with concentrations in the air. Table 3.3-4 provides a description of the health impacts of ozone at different concentrations.

Table 3.3-4: Air Quality Index and Health Effects from Ozone

Air Quality Index/ 8-hour Ozone Concentration	Health Effects Description
AQI 100—Moderate	**Sensitive Groups**: Children and people with asthma are the groups most at risk.
Concentration 75 ppb	**Health Effects Statements**: Unusually sensitive individuals may experience respiratory symptoms.
	Cautionary Statements: Unusually sensitive people should consider limiting prolonged outdoor exertion.
AQI 150—Unhealthy for Sensitive Groups	**Sensitive Groups**: Children and people with asthma are the groups most at risk.
Concentration 95 ppb	**Health Effects Statements**: Increasing likelihood of respiratory symptoms and breathing discomfort in active children and adults and people with respiratory disease, such as asthma.
	Cautionary Statements: Active children and adults, and people with respiratory disease, such as asthma, should limit prolonged outdoor exertion.
AQI 200—Unhealthy	**Sensitive Groups**: Children and people with asthma are the groups most at risk.
Concentration 115 ppb	**Health Effects Statements**: Greater likelihood of respiratory symptoms and breathing difficulty in active children and adults and people with respiratory disease, such as asthma; possible respiratory effects in general population.
	Cautionary Statements: Active children and adults, and people with respiratory disease, such as asthma, should avoid prolonged outdoor exertion; everyone else, especially children, should limit prolonged outdoor exertion.

Air Quality Index/ 8-hour Ozone Concentration	Health Effects Description
AQI 210—Very Unhealthy	**Sensitive Groups**: Children and people with asthma are the groups most at risk.
Concentration 139 ppb	**Health Effects Statements**: Increasingly severe symptoms and impaired breathing likely in active children and adults and people with respiratory disease, such as asthma; increasing likelihood of respiratory effects in general population.
	Cautionary Statements: Active children and adults, and people with respiratory disease, such as asthma, should avoid all outdoor exertion; everyone else, especially children, should limit outdoor exertion.
Source: Air Now. 2022. AQI Calculator: AQI to Concentration. Website: https://www.airnow.gov/aqi/aqi-calculator/. Accessed June 1, 2023.	

Based on the AQI scale for the 8-hour ozone standard, the City of Visalia experienced no days in the last three years that would be categorized as Very Unhealthy (AQI 210) or unhealthful (AQI 200), and as many as 27 days that were moderate (AQI 100) as measured at the Visalia North Church Street monitoring station. The highest reading was 102 parts per billion (ppb) in 2020 compared with the 95-ppb cutoff point for unhealthful for sensitive groups (AQI 150), but lower than the 115-ppb cutoff point for unhealthy (AQI 200).

The other nonattainment pollutant of concern is $PM_{2.5}$. An AQI of 100 or lower is considered moderate and would be triggered by a 24-hour average concentration of 35.4 µg/m^3, which is considered an exceedance of the federal $PM_{2.5}$ standard. The monitoring station nearest the project site exceeded the standard by approximately 38 days in the 3-year period spanning from 2018 to 2020. People with respiratory or heart disease, the elderly and children are the groups most at risk. Unusually sensitive people should consider reducing prolonged or heavy exertion. The AQI of 150 is classified as unhealthful for sensitive groups with a $PM_{2.5}$ concentration of 55.4 µg/m^3. At this concentration, there is increasing likelihood of respiratory symptoms in sensitive individuals, aggravation of heart or lung disease and premature mortality in persons with cardiopulmonary disease, and in the elderly. People with respiratory or heart disease, the elderly, and children should limit prolonged exertion. The highest concentration recorded in Visalia was 121 µg/m^3 in 2020. At this concentration, increased aggravation of heart or lung disease and premature mortality in persons with cardiopulmonary disease and the elderly, and increased respiratory effects in general population would occur. People with respiratory or heart disease, the elderly, and children should avoid prolonged exertion; everyone else should limit prolonged exertion when the AQI exceeds this level. The relationship of the AQI to health effects in shown Table 3.3-5.

Table 3.3-5: Air Quality Index and Health Effects of Particulate Pollution

Air Quality Index/24-hour Average $PM_{2.5}$ Concentration	Health Effects Description
AQI 51–100—Moderate	**Sensitive Groups**: People with respiratory or heart disease, the elderly and children are the groups most at risk.
Concentration 12.1-35.4 µg/m^3	**Health Effects Statements**: Unusually sensitive people should consider reducing prolonged or heavy exertion.
	Cautionary Statements: Unusually sensitive people: Consider reducing prolonged or heavy exertion. Watch for symptoms such as coughing or shortness of breath. These are signs to take it easier.
AQI 100–150—Unhealthy for Sensitive Groups	**Sensitive Groups**: People with respiratory or heart disease, the elderly and children are the groups most at risk.
Concentration 35.5-55.4 µg/m^2	**Health Effects Statements**: Increased aggravation of heart or lung disease and premature mortality in persons with cardiopulmonary disease and the elderly; increased respiratory effects in general population.
	Cautionary Statements: People with respiratory or heart disease, the elderly and children should avoid prolonged exertion; everyone else should limit prolonged exertion.
AQI 151–200—Unhealthy	**Sensitive Groups**: Everyone
Concentration 55.5-150.4 µg/m^3	**Health Effects Statements**: Increased aggravation of heart or lung disease and premature mortality in persons with cardiopulmonary disease and the elderly; increased respiratory effects in general population.
	Cautionary Statements: Sensitive groups: Avoid prolonged or heavy exertion. Consider moving activities indoors or rescheduling. Everyone else: Reduce prolonged or heavy exertion. Take more breaks during outdoor activities.
AQI 201-300—Very Unhealthy	**Sensitive Groups**: People with respiratory or heart disease, the elderly and children are the groups most at risk.
Concentration 150.5-250.4 µg/m^3	**Health Effects Statements**: Significant aggravation of heart or lung disease and premature mortality in persons with cardiopulmonary disease and the elderly; significant increase in respiratory effects in general population.
	Cautionary Statements: People with respiratory or heart disease, the elderly and children should avoid any outdoor activity; everyone else should avoid prolonged exertion.
Source: EPA. 2014. Air Quality Index for Particle Pollution. Website: https://www.airnow.gov/aqi/aqi-basics/using-air-quality-index/. Accessed August 9, 2022. EPA. 2014. AQI Calculator. Website: https://www.airnow.gov/aqi/aqi-calculator/. Accessed June 1, 2023.	

3.3.2 - Regulatory Framework

Federal

Clean Air Act

Congress established much of the basic structure of the Clean Air Act (CAA) in 1970, and made major revisions in 1977 and 1990. Six common air pollutants (also known as criteria pollutants) are addressed in the CAA. These are particulate matter, ground-level ozone, CO, sulfur oxides, nitrogen oxides, and lead. The EPA calls these pollutants criteria air pollutants, because it regulates them by developing human health-based and/or environmentally based criteria (science-based guidelines) for setting permissible levels. The set of limits based on human health are called primary standards. Another set of limits intended to prevent environmental and property damage are called secondary standards.[8] The federal standards are called National Ambient Air Quality Standards (NAAQS). The air quality standards provide benchmarks for determining whether air quality is healthy at specific locations and whether development activities will cause or contribute to a violation of the standards. The criteria pollutants are:

- Ozone
- Nitrogen dioxide (NO_2)
- Lead
- Particulate matter (PM_{10} and $PM_{2.5}$)
- Carbon monoxide (CO)
- Sulfur dioxide

The federal standards were set to protect public health, including that of sensitive individuals; thus, the EPA is tasked with updating the standards as more medical research is available regarding the health effects of the criteria pollutants. Primary federal standards are the levels of air quality necessary, with an adequate margin of safety, to protect the public health.

The CAA also requires each state to prepare an air quality control plan referred to as a State Implementation Plan (SIP). The federal Clean Air Act amendments of 1990 added requirements for states with nonattainment areas to revise their SIPs to incorporate additional control measures to reduce air pollution. The SIP is periodically modified to reflect the latest emissions inventories, planning documents, and rules and regulations of the air basins, as reported by their jurisdictional agencies.

State

Air pollutants are regulated at the national, State, and air basin or county level; each agency has a different level of regulatory responsibility. The EPA regulates at the national level. The ARB regulates at the State level. The Valley Air District regulates at the air basin level.

The EPA is responsible for national and interstate air pollution issues and policies. The EPA sets national vehicle and stationary source emission standards, oversees approval of all State Implementation Plans (SIPs), provides research and guidance for air pollution programs, and sets the NAAQS.

[8] United States Environmental Protection Agency (EPA). 2014. Clean Air Act Requirements and History. Website: https://www.epa.gov/clean-air-act-overview/clean-air-act-requirements-and-history. Accessed June 1, 2023.

A SIP is a document prepared by each state describing existing air quality conditions and measures that will be followed to attain and maintain federal air standards. The SIP for the State of California is administered by the ARB, which has overall responsibility for Statewide air quality maintenance and air pollution prevention. California's SIP incorporates individual federal attainment plans for regional air districts—an air district prepares their federal attainment plan, which is sent to the ARB to be approved and incorporated into the California SIP. Federal attainment plans include the technical foundation for understanding air quality (e.g., emission inventories and air quality monitoring), control measures and strategies, and enforcement mechanisms.

Areas designated nonattainment must develop air quality plans and regulations to achieve standards by specified dates, depending on the severity of the exceedances. For much of the country, implementation of federal motor vehicle standards and compliance with federal permitting requirements for industrial sources are adequate to attain air quality standards on schedule. For many areas of California, however, additional State and local regulation is required to achieve the standards. Regulations adopted by California are described below.

Low Emission Vehicle Program

The ARB first adopted Low Emission Vehicle (LEV) program standards in 1990. These first LEV standards ran from 1994 through 2003. LEV II regulations, running from 2004 through 2010, represented continuing progress in emission reductions. As the State's passenger vehicle fleet continues to grow and more sport utility vehicles and pickup trucks are used as passenger cars rather than work vehicles, the more stringent LEV II standards were adopted to provide reductions necessary for California to meet federally mandated clean air goals outlined in the 1994 SIP. In 2012, ARB adopted the LEV III amendments to California's LEV regulations. These amendments, also known as the Advanced Clean Cars Program, include more stringent emission standards for model years 2017 through 2025 for both criteria pollutants and GHGs for new passenger vehicles.[9]

California Air Resources Board Airborne Toxic Control Measure for Asbestos

In July 2001, the ARB approved an Airborne Toxic Control Measure (ATCM) for construction, grading, quarrying, and surface mining operations to minimize emissions of naturally occurring asbestos. The regulation requires application of Best Management Practices (BMPs) to control fugitive dust in areas known to have naturally occurring asbestos and requires notification to the local air district prior to commencement of ground-disturbing activities. The measure establishes specific testing, notification and engineering controls prior to grading, quarrying, or surface mining in construction zones where naturally occurring asbestos is located on projects of any size. There are additional notification and engineering controls at work sites larger than 1 acre. These projects require the submittal of a "Dust Mitigation Plan" and approval by the air district prior to the start of a project.

Construction sometimes requires the demolition of existing buildings where construction occurs; the project site includes several small outbuildings associated with agricultural use which would be demolished as part of the proposed project. In addition, asbestos is also found in a natural state, known as naturally occurring asbestos. Exposure and disturbance of rock and soil that naturally

[9] California Air Resources Board (ARB). 2012. Low Emission Vehicle Program. Website: http://www.arb.ca.gov/msprog/levprog/levprog.htm. Accessed June 1, 2023.

contain asbestos can result in the release of fibers into the air and consequent exposure to the public. Asbestos most commonly occurs in ultramafic rock that has undergone partial or complete alteration to serpentine rock (serpentinite) and often contains chrysotile asbestos. In addition, another form of asbestos, tremolite, can be found associated with ultramafic rock, particularly near faults. Sources of asbestos emissions include unpaved roads or driveways surfaced with ultramafic rock, construction activities in ultramafic rock deposits, or rock quarrying activities where ultramafic rock is present. Exposure to naturally occurring asbestos can occur during soil-disturbing activities in areas with deposits present. However, as noted above, no naturally occurring asbestos is located near the project site.[10]

Areas are subject to the regulation if they are identified on maps published by the Department of Conservation as ultramafic rock units or if the Air Pollution Control Officer or owner/operator has knowledge of the presence of ultramafic rock, serpentine, or naturally occurring asbestos on the site. The measure also applies if ultramafic rock, serpentine, or asbestos is discovered during any operation or activity. Review of the Department of Conservation maps indicates that no ultramafic rock has been found near the project site.

Diesel Risk Reduction Plan

The ARB's Diesel Risk Reduction Plan has led to the adoption of new State regulatory standards for all new on-road, off-road, and stationary diesel-fueled engines and vehicles to reduce DPM emissions by about 90 percent overall from year 2000 levels. The projected emission benefits associated with the full implementation of this plan, including federal measures, are reductions in DPM emissions and associated cancer risks of 75 percent by 2010, and 85 percent by 2020.[11]

California Air Resources Board Regulation for In-Use Off-Road Diesel Vehicles

On July 26, 2007, the ARB adopted a regulation to reduce DPM and oxides of nitrogen (NO_X) emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation limits idling to no more than 5 consecutive minutes, requires reporting and labeling, and requires disclosure of the regulation upon vehicle sale. The ARB is enforcing that part of the rule with fines up to $10,000 per day for each vehicle in violation. Performance requirements of the rule are based on a fleet's average NO_X emissions, which can be met by replacing older vehicles with newer, cleaner vehicles or by applying exhaust retrofits. The regulation was amended in 2010 to delay the original timeline of the performance requirements, making the first compliance deadline January 1, 2014 for large fleets (over 5,000 horsepower), 2017 for medium fleets (2,501-5,000 horsepower), and 2019 for small fleets (2,500 horsepower or less).

The latest amendments to the Truck and Bus regulation became effective on December 31, 2014. The amended regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses met particulate matter (PM) filter

[10] California Department of Conservation, Division of Mine Reclamation. 2000. A General Location Guide for Ultramafic Rocks in California—Areas More likely to Contain Naturally Occurring Asbestos. August. Website: https://ww2.arb.ca.gov/sites/default/files/classic//toxics/asbestos/ofr_2000-019.pdf. Accessed June 1, 2023.

[11] California Air Resources Board (ARB). 2000. Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-fueled Engines and Vehicles. Website: https://ww2.arb.ca.gov/our-work/programs/diesel-risk-reduction-plan. Accessed June 1, 2023.

requirements beginning January 1, 2012. Mandatory replacement of lighter and older heavier trucks began January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent.

The regulation applies to nearly all privately and federally owned diesel-fueled trucks and buses and to privately and publicly owned school buses with a gross vehicle weight rating greater than 14,000 pounds. The regulation provides a variety of flexibility options tailored to fleets operating low use vehicles, fleets operating in selected vocations like agricultural and construction, and small fleets of three or fewer trucks.

On-Road Heavy-Duty Vehicle Program

The ARB has adopted standards for emissions from various types of new on-road heavy-duty vehicles. Section 1956.8, Title 13, California Code of Regulations contains California's emission standards for on-road heavy-duty engines and vehicles, and test procedures. The ARB has also adopted programs to reduce emissions from in-use heavy-duty vehicles including the Heavy-Duty Diesel Vehicle Idling Reduction Program, the Heavy-Duty Diesel In-Use Compliance Program, the Public Bus Fleet Rule and Engine Standards, and the School Bus Program and others.[12]

Regulations for Heavy-Duty Vehicles/Trucks

California Air Resources Board Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling

This ATCM adopted Section 2485 within Chapter 10, Article 1, Division 3, title 13 in the California Code of Regulations. The measure limits the idling of diesel vehicles (i.e., commercial trucks over 10,000 pounds) to reduce emissions of toxics and criteria pollutants. The driver of any vehicle subject to this section: (1) shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location; and (2) shall not idle a diesel-fueled auxiliary power system for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle if it has a sleeper berth and the truck is located within 100 feet of a restricted area (homes and schools).

California Air Resources Board Requirements to Reduce Idling Emissions from New and In-Use Trucks.

Amendments were made to Title 13 in California Code of Regulations in Sections 1956.8, 2404, 2424, 2425, and 2485. Among other things, the amendments state: "All new 2008 and subsequent model year heavy-duty diesel engines shall be equipped with an engine shutdown system that automatically shuts down the engine after 300 seconds of continuous idling operation once the vehicle is stopped, the transmission is set to 'neutral' or 'park,' and the parking brake is engaged. If the parking brake is not engaged, then the engine shutdown system shall shut down the engine after 900 seconds of continuous idling operation once the vehicle is stopped and the transmission is set to 'neutral' or 'park.'" There are a few conditions where the engine shutdown system can be overridden to prevent engine damage. Any trucks involved in the operation of the proposed project that are manufactured after 2008 would be consistent with this rule, which would ultimately reduce air emissions.

[12] California Air Resources Board (ARB). 2013. The California Almanac of Air Quality and Emissions—2013 Edition. Website: https://ww2.arb.ca.gov/our-work/programs/resource-center/technical-assistance/air-quality-and-emissions-data/almanac. Accessed June 1, 2023.

Statewide Truck and Bus Regulation

(Regulation to Reduce Emissions of DPM, Oxides of Nitrogen and Other Criteria Pollutants, from In-Use Heavy-Duty Diesel-Fueled Vehicles, Title 13, California Code of Regulations, Section 2025). On December 12, 2008, the ARB approved this regulation (Regulation to Reduce Emissions of DPM, Oxides of Nitrogen and Other Criteria Pollutants, from In-Use Heavy-Duty Diesel-Fueled Vehicles, Title 13, California Code of Regulations, Section 2025) to reduce emissions from existing on-road diesel trucks and buses operating in California. This regulation applies to all on-road heavy-duty diesel-fueled vehicles with a gross vehicle weight rating greater than 14,000 pounds, agricultural yard trucks with off-road certified engines, and certain diesel-fueled shuttle vehicles of any gross vehicle weight rating. Out-of-state trucks and buses that operate in California are also subject to the regulation. Under the regulation, older, heavier trucks (i.e., those with pre-2000 year engines and a gross vehicle weight rating greater than 26,000 pounds), are required to have installed a PM filter and must be replaced with a 2010 engine between 2015 and 2020, depending on the model year.

Air Toxics Contaminant Measure for Transportation Refrigeration Units and Transportation Refrigeration Generator Sets

This measure was adopted by the ARB to reduce emissions of TAC emissions from in-use Transport Refrigeration Units (TRUs) and TRU generator sets used to power electrically driven refrigerated shipping.

3.3.3 - San Joaquin Valley Air Pollution Control District

The Valley Air District is responsible for controlling emissions primarily from stationary sources. The Valley Air District, in coordination with the eight countywide transportation agencies, is also responsible for developing, updating, and implementing air quality attainment plans for the Air Basin. It also has roles under CEQA.

Ozone Plans

The Air Basin is designated nonattainment of State and federal health-based air quality standards for ozone. To meet Clean Air Act requirements for the 1-hour ozone standard, the Valley Air District adopted an Extreme Ozone Attainment Demonstration Plan in 2004, with an attainment date of 2010. Although the EPA revoked the federal 1-hour ozone standard effective June 15, 2005, and replaced it with an 8-hour standard, the requirement to submit a plan for that standard remained in effect for the San Joaquin Valley.

The planning requirements for the 1-hour plan remain in effect until replaced by a federal 8-hour ozone attainment plan. The EPA approved the 2004 Extreme Ozone Attainment Demonstration Plan, including revisions to the plan, on March 8, 2010, effective April 7, 2010. However, the Air Basin failed to attain the standard in 2010 and was subject to a $29 million Clean Air Act penalty. The penalty is being collected through an additional $12 motor vehicle registration surcharge for each passenger vehicle registered in the Air Basin that will be applied to pollution reduction programs in the region. The Valley Air District also instituted a more robust ozone episodic program to reduce emissions on days with the potential to exceed the ozone standards. On July 18, 2016, the EPA published in the Federal Register a final action determining that the San Joaquin Valley has attained the

1-hour ozone national ambient air quality standard. This determination was based on the most recent 3-year period (2012–2014) of sufficient, quality-assured, and certified data available at that time.[13]

The Valley Air District's most recent 2016 Plan for the 2008 8-Hour Ozone Standard addresses the federal mandates related to the 2008 8-hour ozone NAAQS.[14] The Valley Air District adopted the 2022 Plan for the 2015 8-hour Ozone Standard on December 15, 2022, which satisfies the Clean Air Act requirements to meet the 70 ppb 8-hour ozone standard.[15] As described in the Plan, the reductions that would be achieved by the Valley Air District and the ARB strategy (72 percent reduction in NOx emissions by 2037) would ensure expeditious attainment of the 2015 8-hour ozone standard by the 2037 attainment deadline.

The EPA originally classified the Air Basin as serious nonattainment for the 1997 federal 8-hour ozone standard with an attainment date of 2013. On April 30, 2007, the Valley Air District's Governing Board adopted the 2007 Ozone Plan, which contained analysis showing a 2013 attainment target to be infeasible. The 2007 Ozone Plan details the plan for achieving attainment on schedule with an "extreme nonattainment" deadline of 2024. At its adoption of the 2007 Ozone Plan, the Valley Air District also requested a reclassification to extreme nonattainment. The ARB approved the plan in June 2007, and the EPA approved the request for reclassification to extreme nonattainment on April 15, 2010.

The 2007 Ozone Plan contains measures to reduce ozone and particulate matter precursor emissions to bring the Air Basin into attainment with the federal 8-hour ozone standard. The 2007 Ozone Plan calls for a 75 percent reduction of NO_x and a 25 percent reduction of reactive organic gases (ROG). Figure 1 displays the anticipated NO_x reductions attributed in the 2007 Ozone Plan.[16] The plan, with innovative measures and a "dual path" strategy, assures expeditious attainment of the federal 8-hour ozone standard for all Air Basin residents. The Valley Air District Governing Board adopted the 2007 Ozone Plan on April 30, 2007. The ARB approved the plan on June 14, 2007. The 2007 Ozone Plan requires yet to be determined "Advanced Technology" to achieve additional reductions after 2021, in order to attain the standard at all monitoring stations in the Air Basin by 2024 as allowed for areas designated extreme nonattainment by the federal Clean Air Act.

The Air Basin is designated as an extreme ozone nonattainment area for the EPA's 2008 8-hour ozone standard of 75 ppb. The plan to address this standard was developed for the region to attain EPA's 2008 8-hour ozone standard by December 31, 2031.

[13] United States Environmental Protection Agency (EPA). 2016. Federal Register. Determination of Attainment of the 1-Hour Ozone National Ambient Air Quality Standard in the San Joaquin Valley Nonattainment Area in California. Website: https://www.federalregister.gov/documents/2016/07/18/2016-16792/determination-of-attainment-of-the-1-hour-ozone-national-ambient-air-quality-standard-in-the-san. Accessed June 1, 2023.

[14] San Joaquin Valley Air Pollution Control District (Valley Air District). 2016. 2016 Plan for the 2008 8-Hour Ozone Standard. June 16. Website: http://valleyair.org/Air_Quality_Plans/Ozone-Plan-2016.htm. Accessed June 1, 2023.

[15] San Joaquin Valley Air Pollution Control District (Valley Air District). 2022. 2022 Plan for the 8-Hour Ozone Standard. Website: https://ww2.valleyair.org/rules-and-planning/air-quality-plans/ozone-plans/2022-ozone-plan-for-the-san-joaquin-valley/. Accessed June 1, 2023.

[16] San Joaquin Valley Air Pollution Control District (Valley Air District). 2007. 2007 Ozone Plan. Website: www.valleyair.org/Air_Quality_Plans/AQ_Final_Adopted_Ozone2007.htm. Accessed June 1, 2023.

The San Joaquin Valley is classified as an "extreme" nonattainment area for the 2015 ozone standard.[17] This nonattainment classification sets forth a requirement to adopt a Reasonably Available Control Technology (RACT) demonstration as a revision to the SIP no later than August 3, 2020. Pursuant to Sections 182(b)(2) and (f) of the federal Clean Air Act (CAA, or "the Act"), areas classified as moderate or above for ozone nonattainment are required to implement RACT requirements for sources that are subject to EPA Control Techniques Guidelines (CTGs) and for "major sources" of volatile organic compounds (VOCs) and NO_x, which are ozone precursors. These RACT requirements ensure that significant sources of emissions in nonattainment areas are controlled to a "reasonable" extent, but not necessarily to the more stringent control levels expected of new or modified major stationary sources. Preparation of the 2020 RACT Demonstration, which was adopted, included a comprehensive evaluation of all NO_x and VOC District rules to ensure that each rule meets or exceeds RACT. The 2020 RACT Demonstration fulfills CAA requirements and demonstrates that all federal RACT requirements continue to be satisfied in the Valley.

State ozone standards do not have an attainment deadline but require implementation of all feasible measures to achieve attainment at the earliest date possible. This is achieved through compliance with the federal deadlines and control measure requirements.

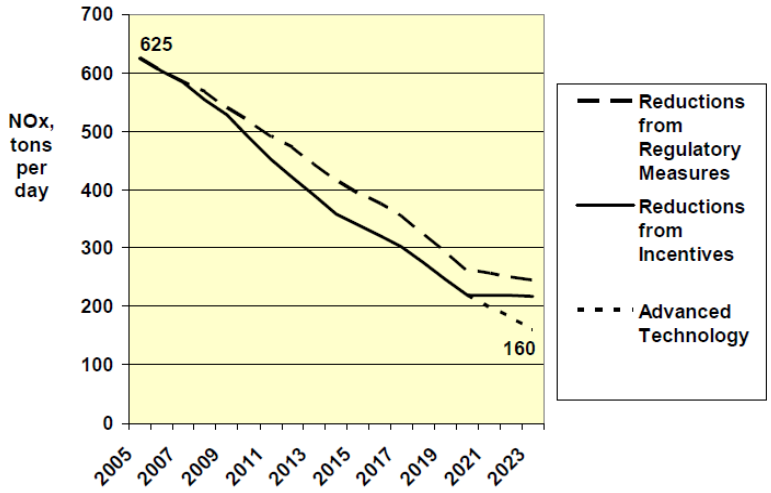

Figure 1: San Joaquin Valley NO_x Emissions Forecast

Particulate Matter Plans

The Air Basin was designated nonattainment of State and federal health-based air quality standards for PM_{10}. The Air Basin is also designated nonattainment of State and federal standards for $PM_{2.5}$.

To meet CAA requirements for the PM_{10} standard, the Valley Air District adopted a PM_{10} Attainment Demonstration Plan (amended 2003 PM_{10} Plan and 2006 PM_{10} Plan), which had an attainment date of 2010. The Valley Air District adopted the 2007 PM_{10} Maintenance Plan in September 2007 to

[17] San Joaquin Valley Air Pollution Control District (Valley Air District). 2020. 2020 Reasonably Available Control Technology (RACT) Demonstration for the 2015 8-Hour Ozone Standard. May 19. Website: http://www.valleyair.org/Workshops/postings/2020/06-18-20_RACT/Final-2020-RACT-Demonstration-for-the-2015-8-Hour-Ozone-Standard.pdf. Accessed June 1, 2023.

assure the San Joaquin Valley's continued attainment of the EPA's PM_{10} standard. The EPA designated the valley as an attainment/maintenance area for PM_{10} on September 25, 2008.

The Valley Air District's most recent 2018 Plan for the 1997, 2006, and 2012 $PM_{2.5}$ Standards develops a strategy to attain the federal health-based 1997, 2006, and 2012 NAAQS for $PM_{2.5}$ as expeditiously as practicable.[18] The Valley Air District's attainment strategy builds upon comprehensive strategies already in place from previously adopted District attainment plans and measures. This plan includes aggressive incentive-based control measures that achieve the massive emissions reductions needed to bring the Valley into attainment.

San Joaquin Valley Air Pollution Control District Rules and Regulations

The Valley Air District rules and regulations that are relevant to this analysis consist of the following:

Rule 4101 **Visible Emissions.** A person shall not discharge into the atmosphere from any single source of emission whatsoever, any air contaminant, other than uncombined water vapor, for a period or periods aggregating more than 3 minutes in any 1 hour, which is (SJVPACD, 2005):

- As darker or darker in shade as that designated as No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines.
- Of such opacity as to obscure an observer's view to a dress equal to or greater than the smoke described in Section 5.1 of this rule.

Rule 4102 **Nuisance**. The purpose of this rule is to protect the health and safety of the public and it applies to any source operation that emits or may emit air contaminants or other materials.

Rule 4601 **Architectural Coatings**. The purpose of this rule is to limit Volatile Organic Compounds (VOC) emissions from architectural coatings. Emissions are reduced by limits on VOC content and providing requirements on coatings storage, cleanup, and labeling.

Rule 4641 **Cutback, Slow Cure, and Emulsified Asphalt, Paving, and Maintenance Operations**. The purpose of this rule is to limit VOC emissions from asphalt paving and maintenance operations. If asphalt paving will be used, then the paving operations will be subject to Rule 4641.

Rule 4901 **Wood-Burning Fireplaces and Wood-Burning Heaters**. The purposes of this rule are to limit emissions of carbon monoxide and particulate matter from wood-burning fireplaces, wood-burning heaters, and outdoor wood-burning devices, and to establish a public education program to reduce wood-burning emissions. All development that includes wood-burning devices are subject to this rule.

[18] San Joaquin Valley Air Pollution Control District (Valley Air District). 2018. 2018 Plan for the 1997, 2006, and 2012 $PM_{2.5}$ Standards. November 15. Website: https://www.valleyair.org/pmplans/documents/2018/pm-plan-adopted/2018-Plan-for-the-1997-2006-and-2012-PM2.5-Standards.pdf. Accessed June 1, 2023.

Regulation VIII **Fugitive PM_{10} Prohibitions**. Rules 8011-8081 are designed to reduce PM_{10} emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and trackout, etc. All development projects that involve soil disturbance are subject to at least one provision of the Regulation VIII series of rules.

Rule 9510 **Indirect Source Review**. This rule reduces the impact of NO_x and PM_{10} emissions from growth within the Air Basin. The rule places application and emission reduction requirements on development projects meeting applicability criteria in order to reduce emissions through on-site mitigation, off-site District-administered projects, or a combination of the two.

California Environmental Quality Act

The Valley Air District has three potential roles under CEQA:

1. *Lead Agency*: Responsible for preparing environmental analyses for its own projects (adoption of rules, regulations, or plans) or permit projects filed with the Valley Air District where it has primary approval authority over the project.
2. *Responsible Agency*: The discretionary authority of a Responsible Agency is more limited than a Lead Agency; i.e., having responsibility for mitigating or avoiding only the environmental effects of those parts of the project over which the Responsible Agency has jurisdiction. When the Valley Air District serves as a Responsible Agency, it defers to and relies on the Lead Agency for preparation of environmental documents for land use projects that also have discretionary air quality permits, unless no document is prepared by the Lead Agency and potentially significant impacts related to the permit are possible. The Valley District regularly submits comments on documents prepared by Lead Agencies to ensure that District concerns are addressed.
3. *Commenting Agency*: The Valley Air District reviews and comments on air quality analyses prepared by other public agencies.

The Valley Air District also provides guidance and thresholds for CEQA air quality and GHG analyses for purposes of Lead Agency review and use to the extent each Lead Agency elects, in its discretion, to do so. The result of this guidance, as well as State regulations to control air pollution, is an overall improvement in the Air Basin. In particular, the Valley Air District's 2015 GAMAQI states the following:

1. The District's Air Quality Attainment Plans include measures to promote air quality elements in county and city general plans as one of the primary indirect source programs. The general plan is the primary long-range planning document used by cities and counties to direct development. Since air districts have no authority over land use decisions, it is up to cities and counties to ensure that their general plans help achieve air quality goals. Section 65302.1 of the California Government Code requires cities and counties in the San Joaquin Valley to amend appropriate elements of their general plans to include data, analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality in their next housing element revisions.

2. The Air Quality Guidelines for General Plans (AQGGP), adopted by the District in 1994 and amended in 2005, is a guidance document containing goals and policy examples that cities and counties may want to incorporate into their General Plans to satisfy Section 65302.1. When adopted in a general plan and implemented, the suggestions in the AQGGP can reduce vehicle trips and miles traveled and improve air quality. The specific suggestions in the AQGGP are voluntary. The District strongly encourages cities and counties to use their land use and transportation planning authority to help achieve air quality goals by adopting the suggested policies and programs.

3.3.4 - Local

City of Visalia General Plan

The City of Visalia (City) is the local government with the authority over land use decisions for purposes of the proposed project. The City adopted an updated General Plan on October 14, 2014.[19] The relevant air quality goals, objectives, and policies from the City's General Plan for purposes of this analysis are listed below.

Chapter 7: Air Quality and Greenhouse Gases

Objectives

AQ-O-1 Coordinate air quality planning efforts with other local, regional and State agencies.

AQ-O-2 Strive to improve air quality by implementing emissions reduction efforts targeting mobile sources, stationary sources and construction- related sources.

Policies

AQ-P-1 Amend the Zoning Ordinance to prohibit locating new "sensitive receptor" uses—hospitals, residential care facilities and child care facilities—within 500 feet of a limited access State Highway (SR-99 and SR-198), except as provided by approved master plans.

AQ-P-2 Require use of Best Management Practices (BMPs) to reduce particulate emission as a condition of approval for all subdivisions, development plans and grading permits, in conformance with the San Joaquin Valley Air Pollution Control District Fugitive.

AQ-P-3 Support implementation of the San Joaquin Valley Air Pollution Control District's regulations on the use of wood-burning fireplaces, as well as their regulations for the installation of EPA-certified wood heaters or approved wood-burning appliances in new residential development and a "No Burn" policy on days when the air quality is poor.

[19] City of Visalia. 2014. City of Visalia General Plan. October. Website: https://www.visalia.city/depts/community_development/planning/gp.asp. Accessed June 1, 2023.

AQ-P-4 Support the San Joaquin Valley Air Pollution Control District's "change-out" program, which provides incentives to help homeowners replace old word-burning fireplaces with EPA-certified non-wood-burning appliances.

AQ-P-5 When asbestos has been identified in the preliminary soils report, require all new development and public works projects to comply with all provisions of State and regional ATCM regulations for control of airborne asbestos emissions relating to construction, road maintenance, and grading activities.

AQ-P-6 Amend the Street Tree Ordinance to promote use of plants and trees that are efficient pollutant absorbers.

AQ-P-7 Be an active partner with the Air District in its "Spare the Air" program. Encourage businesses and residents to avoid pollution-producing activities such as the use of fireplaces and wood stoves, charcoal lighter fluid, pesticides, aerosol products, oil-based paints, and automobiles and other gasoline engines on days when high ozone levels are expected, and promote low emission vehicles and alternatives to driving.

AQ-P-8 Update the Zoning Ordinance to strictly limit the development of drive-through facilities, only allowing them in auto-oriented areas and prohibiting them in Downtown and East Downtown.

AQ-P-9 Continue to mitigate short-term construction impacts and long-term stationary source impacts on air quality on a case-by-case basis and continue to assess air quality impacts through environmental review. Require developers to implement Best Management Practices (BMPs) to reduce air pollutant emissions associated with the construction and operation of development projects.

BMPs include transportation demand management strategies for large development projects such as:

- Providing bicycle access and parking facilities;
- Providing preferential parking for high-occupancy vehicles, carpools, or alternative fuels vehicles;
- Establishing telecommuting programs or satellite work centers;
- Allowing alternative work schedules;
- Subsidizing public transit costs for employee;
- Scheduling Deliveries at off-peak traffic periods; and
- Providing recharge stations for plug-in electric vehicles (PEVs).

AQ-P-10 Develop public information regarding high- and low-pollen producing landscape species, to be made available at City Hall and other relevant locations throughout the City. Work with Chamber of Commerce, local landscape architects, nursery contractors, and arborists to promote landscaping with low-pollen plants.

AQ-P-11 Continue to work in conjunction with the San Joaquin Valley Air Pollution Control District and others to put in place additional Transportation Control Measures that will reduce vehicle travel and improve air quality and to implement Air Quality Plans.

3.3.5 - Methodology

Regional air pollutant emissions are composed of those on-site and off-site construction and operational emissions generated from all components of the proposed project. Air pollutant emissions can be estimated by using emission factors and a level of activity. Emission factors represent the emission rate of a pollutant over a given time or activity for example, grams of NOX per vehicle mile traveled or grams of NOX per horsepower hour of equipment operation. The activity factor is a measure of how active a piece of equipment is and can be represented as the amount of material processed, elapsed time that a piece of equipment is in operation, horsepower of a piece of equipment used, the amount of fuel consumed in a given amount of time, or VMT per day. The ARB has published emission factors for on-road mobile vehicles/trucks in the Emission Factor (EMFAC) mobile source emissions model and emission factors for off-road equipment and vehicles in the OFFROAD emissions model. An air emissions model (or calculator) combines the emission factors and the levels of activity and outputs the emissions for the various pieces of equipment.

The California Emissions Estimator Model (CalEEMod) was developed in cooperation with the SCAQMD, the Valley Air District, and other air districts throughout the State. CalEEMod is designed as a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with construction and operation from a variety of land uses. The current version of CalEEMod, Version 2022.1.1.20 was in soft release by the time of the analysis and had experienced several issues. Therefore, CalEEMod Version 2020.4.0, which is still accepted by the Valley Air District at the time of the analysis, was utilized for the Air Quality, GHG, and energy analyses.

3.3.6 - Thresholds of Significance

The lead agency utilizes the criteria in the California Environmental Quality Act (CEQA) Guidelines Appendix G Environmental Checklist to determine whether impacts to air quality are significant environmental effects. Would the project:

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

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

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?

c) Expose sensitive receptors to substantial pollutant concentrations?

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Approach to Analysis

Construction-related Criteria Pollutants

Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and prevailing weather conditions. Construction emissions result from on-site and off-site activities. On-site emissions principally consist of exhaust emissions from the activity levels of heavy-duty construction equipment, motor vehicle operation, and fugitive dust (mainly PM_{10}) from disturbed soil. Additionally, paving operations and application of architectural coatings would release VOC emissions. Off-site emissions are caused by motor vehicle exhaust from delivery vehicles, worker traffic, hauling truck trips associated with grading activity, and road dust (PM_{10} and $PM_{2.5}$).

Construction activities would consist of site preparation, grading, demolition, building construction, paving, and architectural coating of the inside and outside of the buildings. In addition, construction activity would include off-site improvements to adjacent roadways improve curbs, gutters, sidewalks that would include paving and architectural coating activities. Demolition activity would occur on-site to remove the existing small outbuildings used for agricultural purposes.[20] For each construction activity, the construction equipment operating hours and numbers represent the average equipment activity over the duration of the activity. A conceptual construction schedule is provided in Table 3.3-6 that presents the duration for each construction activity. Table 3.3-7 presents the number of assumed construction equipment along with assumed hours of operation per day, horsepower, and load factor. Where project-specific information was not available or unknown, CalEEMod default assumptions were used to complete emissions modeling. The activity for construction equipment is based on the horsepower and load factors of the equipment. In general, the horsepower is the power of an engine—the greater the horsepower, the greater the power. The load factor is the average power of a given piece of equipment while in operation compared with its maximum rated horsepower. A load factor of 1.0 indicates that a piece of equipment continually operates at its maximum operating capacity. This analysis uses the CalEEMod default load factors for off-road equipment.

The anticipated construction schedule, as shown in Table3.3-6, reflects the construction start date and construction phase durations estimated by the project applicant. The start date of the construction schedule used in the analysis represents a reasonable "worst-case" analysis scenario since emission factors for construction equipment decrease as the analysis year increases, due to improvements in technology and compliance with more stringent regulatory requirements. Therefore, construction emissions would decrease if the construction schedule moved to later years.

In order to evaluate a reasonable "worst-case" scenario, CalEEMod default phase lengths and construction equipment were used for the site preparation and grading activities. In addition, the site preparation and grading phases were assumed to start at the beginning of construction and occur across the entire approximately 284-acre project site during other phase(s) of activity. The

[20] Note: Demolition activity would result in approximately 49 cubic yards of debris that would result in hauling truck trips. As shown in Appendix B, specifically the demolition debris calculation, the associated emissions from demolition has been accounted for in the modeling.

duration of construction activity and associated equipment represent a reasonable approximation of the expected construction fleet as required by CEQA.

Schedule

Table 3.3-6: Conceptual Construction Schedule

Construction Activity	Conceptual Construction Schedule		Working Days per Week	Working Days
	Start Date (approx.)	End Date (approx.)		
On-Site Construction				
Site Preparation and Grading for the Entire Project Site				
Demolition	3/14/2024	4/24/2024	5	30
Site Preparation	3/14/2024	11/20/2024	5	180
Grading	11/21/2024	9/2/2026	5	465
Phase 1				
Building Construction	3/14/2024	3/14/2025	5	262
Paving	3/14/2024	1/15/2025	5	220
Architectural Coating	5/10/2024	3/13/2025	5	220
Phase 2				
Building Construction	9/12/2025	9/12/2026	5	261
Paving	9/12/2025	12/25/2025	5	75
Architectural Coating	6/1/2026	9/11/2026	5	75
Phase 3				
Building Construction	3/12/2027	3/12/2028	5	261
Paving	3/12/2027	8/12/2027	5	110
Architectural Coating	10/1/2027	3/10/2028	5	110
Off-Site Improvements				
Paving	3/14/2024	4/10/2024	5	20
Architectural Coating	4/11/2024	5/8/2024	5	20
Source: CalEEMod Output of Appendix B.				

On-site Off-road Equipment

A summary of the on-site, off-road construction equipment usage assumptions used to estimate emissions is presented below.

Table 3.3-7: Project Construction Equipment Assumptions

Construction Activity	Equipment	Equipment Amount	Average Hours per day	Horsepower	Load Factor
Site Preparation and Grading for the Entire Project Site					
Demolition	Concrete Industrial Saws	1	8	81	0.73
	Excavators	3	8	158	0.38
	Rubber Tired Bulldozers	2	8	247	0.40
Site Preparation	Rubber Tired Bulldozers	3	8	247	0.40
	Tractors/Loaders/Backhoes	4	8	97	0.37
Grading	Excavators	2	8	158	0.38
	Graders	1	8	187	0.41
	Rubber Tired Bulldozers	1	8	247	0.40
	Scrapers	2	8	367	0.48
	Tractors/Loaders/Backhoes	2	8	97	0.37
Phase 1					
Off-Site Improvements (Paving)	Pavers	2	8	130	0.42
	Rollers	2	8	80	0.38
	Paving Equipment	2	8	132	0.36
Off-Site Improvements (Architectural Coating)	Air Compressors	1	6	78	0.48
Building Construction [1,2]	Cranes	12	6.9	231	0.29
	Forklifts	32	8.9	89	0.20
	Generator Sets	12	7.9	84	0.74
	Tractors/Loaders/Backhoes	32	7.8	97	0.37
	Welders	12	7.9	46	0.45
Paving	Pavers	2	8	130	0.42
	Paving Equipment	2	8	132	0.36
	Rollers	2	8	80	0.38
Architectural Coating	Air Compressors	1	6	78	0.48
Phase 2					
Building Construction [1,2]	Cranes	4	7.4	231	0.29
	Forklifts	12	8.5	89	0.20
	Generator Sets	4	8.5	84	0.74
	Tractors/Loaders/Backhoes	12	7.4	97	0.37
	Welders	4	8.5	46	0.45

Construction Activity	Equipment	Equipment Amount	Average Hours per day	Horsepower	Load Factor
Paving	Pavers	2	8	130	0.42
	Paving Equipment	2	8	132	0.36
	Rollers	2	8	80	0.38
Architectural Coating	Air Compressors	1	6	78	0.48
Phase 3					
Building Construction[1,2]	Cranes	6	6.9	231	0.29
	Forklifts	18	7.9	89	0.20
	Generator Sets	6	7.9	84	0.74
	Tractors/Loaders/Backhoes	16	7.8	97	0.37
	Welders	6	7.9	46	0.45
Paving	Pavers	2	8	130	0.42
	Paving Equipment	2	8	132	0.36
	Rollers	2	8	80	0.38
Architectural Coating	Air Compressors	1	6	78	0.48

Notes:
[1] Default values for construction equipment usage hours were adjusted to match the CalEEMod default total grading horsepower hours. When the default schedule is changed in CalEEMod, the usage hours do not adjust accordingly. Therefore, because the default construction schedule was adjusted to match the project-specific anticipated construction schedule, the construction equipment was adjusted to retain the CalEEMod default totals.
[2] Default values for construction equipment usage hours were adjusted to match the CalEEMod default total building construction horsepower hours.
Source: CalEEMod Output of Appendix B.

Demolition, Site Preparation, and Grading

A summary of the construction-related vehicle trips is shown in Table 3.3-8. During demolition, approximately 1,065 square feet of existing outbuildings and foundations would be removed. During project grading, it is expected that approximately 130,000 cubic yards of fill would be imported to the project site; the remaining cut and fill is expected to balance on-site. CalEEMod default values for trip lengths and vehicle fleets were used. Note that the total number of off-site construction vehicle trips would not necessarily occur on the same day, since construction activities would vary each day during the construction period.

Off-site On-road Vehicle Trips

Table 3.3-8: Construction Off-site Trips

Construction Activity	Worker (Approx. trips per day)	Vendor (Approx. trips per day)	Haul (Approx. total trips)
Demolition, Site Preparation, and Grading for the Entire Project Site			
Demolition	15	0	5

Construction Activity	Worker (Approx. trips per day)	Vendor (Approx. trips per day)	Haul (Approx. total trips)
Site Preparation	18	0	0
Grading	20	0	16,250
Phase 1			
Building Construction	2,159	842	0
Paving	15	0	0
Architectural Coating	432	0	0
Phase 2			
Building Construction	1,207	471	0
Paving	15	0	0
Architectural Coating	241	0	0
Phase 3			
Building Construction	1,518	592	0
Paving	15	0	0
Architectural Coating	304	0	0
Off-site Improvements Only			
Paving	15	0	0
Architectural Coating	50	0	0
Source: CalEEMod Output of Appendix B.			

Fugitive Dust

Airborne dust is a substantial component of the elevated PM_{10} concentrations in the San Joaquin Valley. Excavation, demolition, grading, unvegetated surfaces exposed to wind, material handling, material storage piles, and vehicle travel on paved and unpaved surfaces all can be sources of substantial fugitive dust emissions if not properly managed or maintained.

Dust would be generated within the entire project site and at off-site locations along the areas proposed for project-related infrastructure improvements. To avoid increased adverse health effects from new construction-related PM_{10} and to address significant nuisance concerns (if any), such as visible clouds of dust and soiling of exposed surfaces, the Valley Air District oversees an extensive set of rules in Regulation VIII. All aspects of the proposed project would be required to comply with the applicable Valley Air District rules. The CalEEMod construction modeling runs include fugitive dust control measures as limiting on-site speed limits to 15 miles per hour (mph) and watering the project site twice per day, consistent with the foregoing rules.

Operation-related Criteria Pollutants

The major sources of operational emissions that would occur over the long-term operations of the proposed project are summarized below.

On-road Motor Vehicles

Motor vehicle emissions refer to exhaust and road dust emissions from the motor vehicles that would travel to and from and within the project site. The regional emissions from the proposed project's mobile sources were estimated using CalEEMod. The proposed project would primarily generate passenger vehicle trips from employees and visitors traveling to and from the project site; however, the proposed project would also be served with daily truck deliveries. An estimate of the number of vehicle trips that the proposed project would generate was presented in the Shirk and Riggin Industrial Park Project Trip Generation tables prepared by Kimley-Horn for the proposed project, as shown in Table 3.3-9.

Table 3.3-9: Vehicle Trip Generation During Operations

Vehicle Type	Actual passenger vehicles/trucks (trips per day)	PCE[1] (trips per day)
Passenger Vehicles	19,375	19,375
Trucks	2,034	4,068
Total Project Trips	**21,409**	**23,443**

Note:
PCE = Passenger Car Equivalent
[1] PCE = 2.0 per City of Visalia Guidance
Source: Kimley-Horn and Associates. Transportation Impact Analysis for Shirk and Riggin Industrial Park. September 2023.

The trip summary shown above includes trips from both passenger vehicles and trucks. The trip generation prepared for the proposed project estimates that trips from passenger vehicles would account for approximately 19,375 of the approximately 21,409 total daily actual trips generated by the proposed project, while trucks would account for approximately 2,034 of the total daily actual trips generated by the proposed project.

Light industrial land use projects, including warehouse, storage, and distribution projects such as the one at hand, can be expected to have longer than average truck trip lengths compared to the default trip lengths in CalEEMod (7.3 miles to 9.5 miles for urban areas of Tulare County). This is because the goods that the warehouses would store and distribute often come from major ports, such as the Port of Long Beach or Oakland. Therefore, to ensure an appropriately conservative analysis, to estimate mobile source emissions from trucks during project operations, a one-way truck trip length of 50 miles was assumed based on recommendations from the Valley Air District for industrial projects.

To apply a longer trip length for trucks and to show a clear breakdown of emissions, modeling of the proposed project's operations was split into two separate CalEEMod runs: (1) area-source emissions, energy-source emissions, and passenger vehicle mobile source emissions, and (2) truck mobile source emissions. The vehicle types in the first operational run were adjusted so that only passenger vehicles were represented. Since there are various types of passenger vehicles included in CalEEMod, the CalEEMod default fleet mix for Tulare County was used as the basis for the determining the passenger car fleet mix used in the first operational year. The number of daily operational vehicle trips used to

estimate emissions were the actual daily trip presented in Table 3.3-9, consistent with those presented in the project-specific trip generation estimate.

Emission factors were assigned to the expected vehicle mix as a function of vehicle age, vehicle class, speed, and fuel type. The operational fleet mix applied in each operational run are noted in Table 3.3-10.

Table 3.3-10: Vehicle Type Classification–Individual Project Runs

CalEEMod Run	Classification	Fleet Mix Applied in Modeling
Passenger Vehicles (employee trips)	LDA	57.2%
	LDT1	5.7%
	LDT2	18.5%
	MDV	18.6%
	Passenger Vehicle Mix Total	*100%*
Trucks	HHDT	100%

Notes:
HHDT = Heavy Heavy-Duty Truck
LDA = Light-Duty Auto
LDT = Light-Duty Truck
MDV = Medium-Duty Vehicle
Source: CalEEMod Output of Appendix B.

Other Emission Sources

Area Sources

In addition to typical mobile- and energy-source emissions, long-term operational emissions also include area-source emissions. Area-source emissions include occasional architectural coating activities for repainting and maintenance of the buildings associated with the proposed project. CalEEMod assumes that repainting occurs at a rate of 10 percent of the buildings per year. Therefore, on average, it is assumed that the buildings would be fully repainted every 10 years.

Other area-source emissions include consumer products that involve solvents that emit VOCs during use. CalEEMod includes default consumer product use rates based on building square footage. In addition, CalEEMod default emission factors for landscape maintenance equipment were used in this analysis.

Indirect Emissions

For GHG emissions, CalEEMod contains calculations to estimate indirect GHG emissions. Indirect emissions are emissions where the location of consumption or activity is different from where actual emissions are generated. For example, electricity would be consumed at the project site as a result of the proposed project; however, emissions associated with producing that electricity to serve the proposed project are generated off-site at a power plant.

CalEEMod includes calculations for indirect GHG emissions for electricity consumption, water consumption, and solid waste disposal. For water consumption, CalEEMod calculates embedded energy (e.g., treatment, conveyance, distribution) associated with providing each gallon of potable water to the proposed project. For solid waste disposal, CalEEMod calculates GHG emissions generated as solid waste generated by the proposed project decomposes in a landfill.

For electricity-related emissions, CalEEMod contains default electricity intensity factors for various utilities throughout California. The CalEEMod default emissions factors were used for SCE for purposes of this analysis.

Refrigerants

During project operation, it is reasonable to assume there may be leakages of refrigerants (hydrofluorocarbons) from air conditioners and any refrigeration systems. Hydrofluorocarbons are typically used for refrigerants, which are long-lived GHGs. The proposed project does not include a cold storage facility. Therefore, any leakage of refrigerants associated with an unrefrigerated industrial building is expected to be minor; thus, because they would be nominal (at most) and would otherwise be speculative to approximate, they were not included in this analysis.

Vegetation

The project site contains mature trees, and therefore there is currently some carbon sequestration occurring on-site. The proposed project would involve some tree removal, but would also involve the planting of trees and integration of ample landscaping into the project design as described in Project Description, which would also provide carbon sequestration. However, the number of trees to be planted is unknown and data are insufficient to accurately determine the impact that the existing landscaping has on carbon sequestration. For this analysis, it was assumed that the loss and addition of carbon sequestration that are due to the proposed project would be balanced given the number of trees to be removed as compared to the number of trees and other landscaping to be incorporated into the proposed project pursuant to the City's applicable tree preservation policies; therefore, emissions due to carbon sequestration were not calculated.

An air dispersion model is a mathematical formulation used to estimate air quality impacts at specific locations (receptors) surrounding a source of emissions given the rate of emissions and prevailing meteorological conditions. The air dispersion model applied in this assessment was the EPA American Meteorological Society Regulatory Model (AERMOD), Version 22112, which is approved by the Valley Air District for air dispersion assessments. The AERMOD model provides a refined methodology for estimating localized construction and operational impacts by utilizing long-term, measured representative meteorological data for the project site and representative construction and operational schedules.

Terrain elevations were obtained for the project site using the AERMAP model, the AERMOD terrain data pre-processor. The urban dispersion option was used to describe air dispersion in the local vicinity of the project site. The air dispersion model assessment was performed using meteorological data from the Visalia Station (Station 93144), which is located approximately 2.95 miles southwest of the project site.

3.3.7 - Air Dispersion Modeling–Construction

The AERMOD model was used to estimate levels of air emissions at sensitive receptor locations from project construction PM_{10} exhaust emissions. Receptor locations within the AERMOD model were placed at locations of existing residences surrounding the project site because these would be the closest sensitive receptors near the project site. Although Denton Elementary School would be located 2,300 feet to the southeast, receptor locations were not included at this elementary school because residential receptors located much closer to the project site would present a conservative analysis. To evaluate the proposed project's localized construction impacts, sensitive receptor height were considered at the point of maximum impact. All sensitive receptors were placed within the breathing zone at zero meters above ground level.

The on-site construction area sources were assumed to cover the entire project site. Emissions from the on-site construction exhaust source were assumed to be emitted at 5 meters above ground to account for the top of equipment exhaust stacks where emissions are released to the atmosphere and the increase in emission height due to its heated exhaust. The on-road construction vehicle emissions were represented in the AERMOD model as line volume sources with a release height of 10.2 feet (3.1 meters) for diesel vehicles.

3.3.8 - Air Dispersion Modeling–Operation

Each operational emission source to be evaluated requires geometrical and emission release specifications for use in the air dispersion model. The emission source configurations applied in this assessment are shown in Table 3.3-11. Note, most passenger vehicles are gasoline powered and would not be a significant source of DPM emissions.

Table 3.3-11: Summary of Operational Diesel Emission Source Configurations

Emission Source Type	Configuration	Relevant Assumptions
On-site Truck Traffic	Area Source (Sitewide)	• Area Source with vertical height accounting for exhaust from trucks over various roadway paths to buildings across entire facility • Vehicle Speed: 0-15 mph • Vehicle types: Heavy Heavy-Duty (HHDT) delivery trucks • Emission factors: EMFAC2021
On-site Truck Idling	Line Volume and Point Sources	• Stack release height: 3.8 meters • Idle Instances: 20 minutes total –Truck/Docking and Parking Areas: 50 percent of idling time –Entrance Gate Areas: 50 percent of idling time –Vehicle type: HHDT delivery trucks • Idle Emission rates (g/idle-hour) • Emission factors: EMFAC2021-PL
Off-site Truck Traffic	Line Volume Sources	• Truck travel was estimated for project-generated off-site travel within approximately 1,000 feet of the project site. • Three travel links from the project to outlying areas were identified based on the truck travel distribution provided in the project-specific traffic report, and emissions were estimated along each travel link.

Emission Source Type	Configuration	Relevant Assumptions
		• Vehicle speeds: 0 mph to 25 mph aggregated • Emission factors: EMFAC2021.
Facility Operations	Project	• Trucking operations: 24 hours per day/365 days per year
Appendix B: Air Quality, Greenhouse Gas, and Energy Analysis Report.		

Given the proposed gas station, the analysis took into account specific emissions associated with this type of use. The primary routine emission sources at gasoline service stations are classified into five categories of loading, breathing, fueling, spillage, and hose permeation and are described in Table 3.3-12.

Table 3.3-12: Categories of Emissions at Retail Gasoline Service Stations

Emission Source	Description	Controls
Loading	Loading losses occur when Fuel Tanker Trucks makes delivery to gas stations. Gasoline vapor emissions occur as gas enters the underground storage tanks.	Phase I Enhanced Vapor Recovery (EVR)
Breathing	Breathing emissions occur during periods of low activity or inactivity. Temperature changes inside the underground storage tank can cause gasoline vapor pressures to increase above pressure limit for the tank and excess pressure is released via a gas station vent pipe in the form of gasoline vapor emissions.	Phase II EVR
Fueling	Fueling emissions occur at the gas pump during vehicle fueling–gasoline vapors are emitted from the space due to a poor seal between the nozzle and the vehicle.	On-Board Refueling Vapor Recovery (ORVR) systems Phase II EVR Nozzles
Spillage	Generated from dispensing nozzle spillage of liquid gasoline during the act of vehicle fueling, including pre-fueling, fueling and post-fueling spillage. While emissions from all other mechanisms are in the form of vapors, spillage losses are in liquid form.	Phase II EVR “Dripless” Nozzles
Hose Permeation	Emissions occur from the fueling hoses at the gas pumps. Gasoline vapors can pass through (or permeate) the fuel delivery hoses.	Low Permeation Hoses

Factors influencing emissions include annual and hourly throughput and the type of tank (above or underground) and the vapor controls on the underground gasoline storage tanks and during vehicle fueling. Emissions also depend on the percentage of vehicles fueling at the station that are equipped with On-Board Refueling Vapor Recovery (ORVR) systems. Modern retail gas stations, such as the proposed project, almost exclusively use underground storage tank designs with ARB certified Phase I and Phase II Enhanced Vapor Recovery (EVR) Systems. The percentage of ORVR is not a feature of gas stations but of the vehicle fleet in California. ORVR systems were required in automobiles

manufactured in model year 2000 and after and represent the majority, but not all, of vehicles at retail service stations. It has been projected for year 2018 that 83 percent of gasoline was dispensed to vehicles with ORVR installed, and the remaining 17 percent gasoline was dispensed to cars without ORVR and with fueling losses controlled by Phase II EVR Nozzles.[21]

Odors

The proposed project would generate odors during construction from the operation of heavy equipment, the burning of diesel fuels, the generation of dust, and from other construction activities. During operation, the proposed project would generate odors from the operation of fossil-fuel powered vehicles, such as trucks and passenger vehicles, as well as from the fast food land uses.

Specific Thresholds of Significance

CEQA defines, generally, a significant effect on the environment as "a substantial, or potentially substantial, adverse change in the environment." To determine whether a project would have a significant impact on air quality, the type, level, and impact of emissions generated by the proposed project must be evaluated pursuant to the applicable specific thresholds identified by Appendix G of the CEQA Guidelines (see below).

While the final determination of whether a project is significant is within the purview of the Lead Agency pursuant to Section 15064(b) of the CEQA Guidelines, the Valley Air District recommends that its quantitative air pollution thresholds be used to determine the significance of project emissions. The City, as the Lead Agency, has elected in its discretion to utilize the foregoing thresholds, as detailed further below.

This analysis uses the air quality significance thresholds contained in Appendix G of the CEQA Guidelines, effective December 28, 2018. A significant impact would occur if the proposed project would:

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

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard.

c) Expose sensitive receptors to substantial pollutant concentrations.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

As noted above, the City has elected to utilize the applicable Valley Air District thresholds and methodologies, which are contained under each impact statement below.

3.3.9 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the development of the proposed project and provides mitigation measures where appropriate. The following analyses are based on the Air

[21] California Air Resources Board (ARB). 2013. Attachment 1–Revised Emission Factors for Phase II Vehicle Fueling at California Gas Dispensing Facilities. Website: https://ww2.arb.ca.gov/gasoline-dispensing-facility-emission-factors. Accessed January 6, 2023.

Quality, Greenhouse Gas Emissions, and Energy Analysis Report (reference as Air Quality Report herein), which is included in Appendix B.

Consistency with Air Quality Management Plan

Impact AIR-1:	**Would the project conflict with or obstruct implementation of the applicable air quality plan?**

Impact Analysis

In accordance with relevant Valley Air District thresholds and methodologies, this evaluation utilizes the following criteria for determining project consistency with the current Air Quality Plan (AQP):

1. Will the proposed project support the primary goals of the AQP?
2. Will the proposed project comply with applicable control measures in the AQP?
3. Will the proposed project disrupt or hinder implementation of any AQP control measures?

The use of the criteria listed above is a standard approach for CEQA analysis of projects in the Valley Air District's jurisdiction, as well as within other air districts, for the following reasons:

- Significant contribution to existing or new exceedances of the air quality standards would be inconsistent with the goal of attaining the air quality standards.
- AQP emissions inventories and attainment modeling are based on growth assumptions for the area within the Valley Air District's jurisdiction.
- AQPs rely on a set of air district initiated control measures as well as implementation of federal and State measures to reduce emissions within their jurisdictions, with the goal of attaining the air quality standards.

AQPs are plans for reaching attainment of air quality standards. The assumptions, inputs, and control measures are analyzed to determine whether the Air Basin can reach attainment for the ambient air quality standards. In order to show attainment of the standards, the Valley Air District analyzes the growth projections in the valley, contributing factors in air pollutant emissions and formations, and existing and adopted emissions controls. The Valley Air District then formulates a control strategy to reach attainment that includes both State and District regulations and other local programs and measures.

Criterion 1

A method for determining consistency with the AQP's assumptions is determining consistency with the applicable General Plan's growth projections to ensure that the proposed project's population density, intensity, and land uses are consistent with the growth assumptions used in the AQP for the Air Basin.

The development of emission burdens used in the AQP to demonstrate compliance with ambient air quality standards is based, in part, on land use patterns established within local general plans. Therefore, it is reasonable to conclude that if a project is consistent with the applicable general plan land use designation(s), and the general plan was adopted prior to the applicable AQP, then the

growth of VMT and/or population generated by said project would be consistent with the growth in VMT and population assumed within the AQP. The applicable General Plan in this case is the City of Visalia General Plan.

The project site is designated as Industrial and Light Industrial[22] according to the City of Visalia General Plan and zoned County Area according to the City of Visalia Zoning Ordinance. The Light Industrial designation is intended for light manufacturing, warehousing, storage, distribution, research and development enterprises, and secondary office (limited customer access) uses. The maximum floor area ratio (FAR) for this designation is 0.5. The Industrial designation allows uses such as primary manufacturing, processing, refining, and similar activities, including those with outdoor facilities. It also accommodates warehousing and distribution with supporting commercial services (such as drive-thru restaurants, gas stations, self storage, and car washes) and office space. General retail uses such as clothing shops are not permitted.[23] The maximum FAR for this designation is 0.6.

The project site is currently adjacent to but outside of City limits; accordingly, as part of the initial project entitlements, the applicant is seeking pre-zoning of the project site from the City to "Industrial" and "Light Industrial." Upon annexation into the City, the project site's Industrial and Light Industrial pre-zoning would become the effective zoning for the project site. The proposed project would result in a total FAR of 0.30.[24] As a result, the proposed project would involve the type of land uses contemplated by the City's General Plan and would be within the allowable FAR ratio required under and assumed by the City General Plan's relevant land use designations. In addition, according to the Visalia Zoning Ordinance, Table 17.25.030 the proposed project's objective of providing an automated car wash and fast food restaurant with a drive through would be allowed with a conditional use permit and the self storage and fueling station uses would be permitted by right as part of the Zoning Designation.

Furthermore, with approval of the requested Conditional Use Permits (CUP) for the convenience store, drive-thru lanes, and certain lot sizes set forth in the proposed development plan, the proposed project would not have the potential to conflict with the contemplated land use vision and thus assumed growth projections for the project site.

As such, the proposed project would be consistent with the growth projections assumed in the City's General Plan and thus the relevant AQP, and thus would not result in any unplanned growth and associated emissions. Therefore, the proposed project's impacts would not be found significant regarding this criterion.

Criterion 2

The AQP contains a number of control measures, which are enforceable requirements through the adoption of rules and regulations. A detailed description of rules and regulations that would apply to the proposed project is provided in Section 3.3.2, Regulatory Framework. For example, the proposed project would be subject to Regulation VIII—Fugitive PM_{10} Prohibitions and Rule 9510—Indirect

[22] City of Visalia. 2014. General Plan Land Use Element. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=30474. Accessed June 1, 2023.
[23] City of Visalia. Zoning Code, Table 17.25.030. Website: https://codelibrary.amlegal.com/codes/visalia/latest/visalia_ca/0-0-0-34305#JD_Chapter17.22. Accessed April 6, 2023.
[24] Calculation: (total building area/total site area) = 83.14 acres of building area/280 acres = 0.296 or 0.30.

Source Review. In order to comply with Regulation VIII, the proposed project would be required to control fugitive dust by watering actively disturbed areas with water twice per day and covering all transport and hauling vehicles to reduce dust emissions. The proposed project would be required to comply with all applicable District rules and regulations through the issuance of applicable permits and applications and otherwise would be subject to District oversight pursuant to the applicable regulatory framework. Furthermore, consistency with the City of Visalia General Plan Policy AQ-P-2 would require the proposed project to implement applicable measures outlined in Regulation VIII. Therefore, the proposed project complies with this criterion and would not conflict with or obstruct implementation of the applicable air quality attainment plan for this criterion.

Criterion 3

A measure of determining whether the proposed project is consistent with the AQP is as follows: if the proposed project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the AQP, then the impact would be less than significant.

However, because of the region's nonattainment status for ozone, $PM_{2.5}$, and PM_{10}, if project-generated emissions of either of the ozone precursor pollutants (ROG and/or NOx), PM_{10}, or $PM_{2.5}$ would exceed the Valley Air District's applicable significance thresholds, then the proposed project would be considered to disrupt or hinder implementation of the relevant AQP control measures designed to attain the relevant air quality standards and thus would be in conflict with the attainment plans.

As discussed in Impact AIR-2 below, annual emissions of ROG, PM_{10}, and $PM_{2.5}$ associated with the construction of the proposed project would not exceed the Valley Air District's applicable significance thresholds after incorporation of mitigation. However, emissions of NO_X would exceed the Valley Air District's localized significance thresholds even after implementation of identified feasible mitigation.

Also as discussed in Impact AIR-2, operation of the proposed project would have the potential to exceed regional significance thresholds for ROG, PM_{10}, and $NO_{X,}$ and would have the potential to result in a violation of localized standards, even after incorporation of feasible mitigation. In addition, as shown in Impact AIR-2, the proposed project could result in maximum daily CO emissions that would violate applicable CO standards. However, the proposed project would not result in a CO hotspot as determined in Impact AIR-2.

Therefore, the proposed project has the potential to exceed applicable Valley Air District significance thresholds during construction and operation even after incorporation of the identified feasible mitigation. Thus, project impacts in this regard would remain significant and unavoidable. Accordingly, the proposed project would not comply with this criterion and therefore would be considered to disrupt or hinder implementation of AQP control measures designed to attain relevant air quality standards.

Impact Summary

The proposed project is consistent with the applicable growth assumptions within the AQP; therefore, the proposed project would result in a less than significant impact based on this criterion. In addition, the proposed project would be required to comply with the applicable AQP control measures; therefore, the proposed project would be less than significant for this criterion. However, given that the Air Basin is in nonattainment for certain criteria pollutants, the proposed project would be considered to conflict with or otherwise obstruct implementation of AQP because certain construction and operational emissions would exceed applicable thresholds even after implementation of feasible mitigation, thereby disrupting or hindering implementation of the AQP control measures designed to attain relevant air quality standards; therefore, the proposed project would result in significant and unavoidable impacts for this criterion.

Mitigation Measures

Implement MM AIR-2a through MM AIR-2g (see Impact AIR-2).

Level of Significance After Mitigation

Significant and Unavoidable

Cumulative Criteria Pollutant Emissions Impacts

Impact AIR-2:	**Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?**

Impact Analysis

Regional Emissions

Air pollutant emissions have regional effects and localized effects. This portion of the analysis assesses the regional effects of the proposed project's criteria pollutant emissions in comparison to applicable Valley Air District thresholds of significance for short-term construction activities and long-term operation of the proposed project.

The primary pollutants of concern during project construction and operation are ROG, NO_x, PM_{10}, and $PM_{2.5}$. The Valley Air District GAMAQI adopted in 2015 contains thresholds for CO, NO_x, ROG, SO_x, PM_{10}, and $PM_{2.5}$, which are being utilized here to assess the significance of the proposed project's impacts in this regard.[25]

Ozone is a secondary pollutant that can be formed miles from the source of emissions, through reactions of ROG and NO_X emissions in the presence of sunlight. Therefore, ROG and NO_X are termed ozone precursors. The Air Basin often exceeds the State and national ozone standards. Therefore, if the proposed project would emit a substantial quantity of ozone precursors, it may contribute to an exceedance of the ozone standard. The Air Basin also exceeds air quality standards for PM_{10}, and $PM_{2.5}$; therefore, substantial project emissions may contribute to an exceedance for these pollutants

[25] San Joaquin Valley Air Pollution Control District (Valley Air District). 2015. Guidance for Assessing and Mitigating Air Quality Impacts.

as well. The Valley Air District's annual emission significance thresholds used for this analysis define the substantial contribution for both operational and construction emissions as follows:

- 100 tons per year CO
- 10 tons per year NO_x
- 10 tons per year ROG
- 27 tons per year SO_x
- 15 tons per year PM_{10}
- 15 tons per year $PM_{2.5}$

Construction Emissions

The proposed project's unmitigated construction emissions are shown for all years of construction, the years 2024 through 2028 in Table 3.3-13, which represent a reasonable construction scenario. It should be noted that unmitigated construction emissions incorporate the basic dust control measures required under District Rule 8021, which requires that vehicle speeds on unpaved roads and surfaces be reduced to no more than 15 miles per hour and exposed construction areas are watered at a minimum twice per day during earthmoving activities. The CalEEMod considers these basic dust control measures as "mitigation measures"; however, they are required for all construction activity in the Valley Air District and thus are considered as a project design requirement for the proposed project. For further information regarding the assumptions used in estimating these emissions, please refer to Section 3.3.3, Methodology and the Air Quality Report.

Table 3.3-13: Construction Air Pollutant Emissions (Unmitigated)

Year	Emissions (approximate tons per year)[1]					
	ROG	NO_x	CO	SO_X	PM_{10} (Exhaust)	$PM_{2.5}$ (Exhaust)
2024 Construction						
On-site						
Demolition	0.03	0.31	0.30	<0.01	0.01	0.01
Site Preparation	0.24	2.45	1.69	<0.01	0.11	0.10
Grading	0.05	0.53	0.42	<0.01	0.02	0.02
Building Construction	2.64	21.11	26.84	0.07	0.79	0.75
Paving	0.20	1.00	1.57	<0.01	0.05	0.05
Architectural Coating	3.95	0.18	1.06	<0.01	0.01	0.01
Off-site Improvements						
Paving	0.03	0.10	0.15	<0.01	<0.01	<0.01
Architectural Coating	0.13	0.01	0.03	<0.01	<0.01	<0.01
2024 Construction Subtotal	*7.28*	*25.69*	*32.06*	*0.08*	*1.00*	*0.94*
2025 Construction						
Grading	0.40	4.22	3.62	0.01	0.15	0.14

Year	Emissions (approximate tons per year)[1]					
	ROG	NO_x	CO	SO_X	PM_{10} (Exhaust)	$PM_{2.5}$ (Exhaust)
Building Construction	1.01	8.04	10.69	0.03	0.27	0.25
Paving	0.11	0.37	0.64	0.01	0.02	0.01
Architectural Coating	1.22	0.05	0.31	<0.01	<0.01	<0.01
2025 Construction Subtotal	*2.74*	*12.68*	*15.25*	*0.04*	*0.44*	*0.41*
2026 Construction						
Grading	0.27	2.83	2.42	0.01	0.10	0.09
Building Construction	0.87	6.90	9.10	0.03	0.22	0.21
Architectural Coating	2.41	0.06	0.26	<0.01	<0.01	<0.01
2026 Construction Subtotal	*3.55*	*9.78*	*11.78*	*0.04*	*0.32*	*0.30*
2027 Construction						
Building Construction	1.33	10.80	14.05	0.04	0.35	0.33
Paving	0.05	0.47	0.82	<0.01	0.02	0.02
Architectural Coating	1.47	0.05	0.26	<0.01	<0.01	<0.01
2027 Construction Subtotal	*2.85*	*11.33*	*15.13*	*0.04*	*0.38*	*0.36*
2028 Construction						
Building Construction	0.31	2.55	3.28	0.01	0.08	0.08
Architectural Coating	1.11	0.04	0.19	<0.01	<0.01	<0.01
2028 Construction Subtotal	*1.42*	*2.59*	*3.47*	*0.01*	*0.09*	*0.09*
Entire Construction Duration (2024-2028)						
Maximum Annual Construction Emissions[2]	**7.28**	**25.69**	**32.06**	**0.08**	**1.00**	**0.94**
Valley Air District Significance threshold (tons/year)	10	10	100	27	15	15
Exceed threshold—significant impact?	No	Yes	No	No	No	No

Notes:
CO = carbon monoxide
NO_X = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in diameter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
ROG = reactive organic gases
SO_X = sulfur oxides
[1] PM_{10} and $PM_{2.5}$ emissions are from the mitigated output to reflect compliance with Regulation VIII—Fugitive PM_{10} Prohibitions.
[2] The maximum annual emissions would occur during the 2024 year.
[3] This scenario accounts for the overlapping of Phases 1, 2, and 3 (i.e., concurrent phasing).
Source of Emissions: CalEEMod Output of Appendix B.

Year	Emissions (approximate tons per year)[1]					
	ROG	NO_x	CO	SO_X	PM_{10} (Exhaust)	$PM_{2.5}$ (Exhaust)
Source of Thresholds: San Joaquin Valley Air Pollution Control District (Valley Air District). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. February 19. Website: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF. Accessed June 1, 2023.						

As shown in Table 3.3-13, the unmitigated construction emissions assuming the sequential implementation of phases would exceed the significance thresholds for NO_X. In addition, if there were concurrent implementation of construction phases this level of activity would exceed the significance threshold for ROG and NO_X, which reflects the reasonable worst-case scenario maximum annual emissions. Therefore, construction emissions would be potentially significant. As a result, the proposed project would need to include the following construction mitigation measures (MM):

- MM AIR-2a–Use and Operation of Tier IV or Equivalent Construction Equipment
- MM AIR-2b–Use of Low VOC Architectural Coating Materials

MM AIR-2a would require the construction contractors to use Tier IV or equivalent construction equipment, which is the most energy efficient class of construction equipment available, for all construction equipment above 50 horsepower. In addition, the use of Tier IV construction equipment would support California's clean air goals by reducing construction emissions of NO_X and PM_{10} and $PM_{2.5}$. Also, MM AIR-2a would allow for the project applicant to consider using near zero-emission or electric construction equipment if that type of equipment is commercially available at the time of construction activity. If near zero-emission or electric construction equipment is utilized emissions would be further reduced, but for the purposes of presenting a conservative analysis only the use of Tier IV construction equipment was considered. Furthermore, MM AIR-2a would limit idling of construction equipment to a maximum of five minutes. In addition, MM AIR-2b–Use of Low VOC Architectural Coating Materials would be included to prevent potential impacts related to construction ROG emissions and would require that all paint or architectural coating materials used on building structures during construction not exceed 10 grams of VOC per liter of coating. MM AIR-2b would reduce ROG emissions because the architectural coating phase of construction emits the most ROG (also called VOCs). As shown in Table 3.3-14, with implementation of MM AIR-2a and -2b, assuming the sequential implementation of phases, ROG and NO_X emissions would be reduced below the Valley Air District 10 tons per year threshold. However, if construction Phases 1, 2, and 3 were to overlap (i.e., concurrent phasing), the proposed project would still exceed Valley Air District thresholds of 10 tons per year for NO_X even with implementation of this mitigation, as shown in the reasonable worse-case scenario. Moreover, no other feasible mitigation measures exist that could reduce NO_X emissions further because the majority of emissions would be due to the amount of construction equipment in use. Even with MM AIR-2a, the concurrent schedule would result in such a large amount of construction activity occurring at the same time that it would not be possible to reduce the resulting NO_X emissions. Therefore, construction emission impacts would be significant and unavoidable.

Table 3.3-14: Construction Air Pollutant Emissions (Mitigated)

Year	Emissions (tons per year)[1]					
	ROG	NO_x	CO	SO_X	PM_{10} (Exhaust)	$PM_{2.5}$ (Exhaust)
2024 Construction						
On-site						
Demolition	0.01	0.03	0.35	<0.01	<0.01	<0.01
Site Preparation	0.05	0.19	1.92	<0.01	0.01	0.01
Grading	0.01	0.11	0.50	<0.01	<0.01	<0.01
Building Construction	1.46	7.68	28.65	0.07	0.14	0.14
Paving	0.13	0.13	1.85	<0.01	<0.01	<0.01
Architectural Coating	1.30	0.09	1.06	<0.01	<0.01	<0.01
Off-site Improvements						
Paving	0.02	0.01	0.18	<0.01	<0.01	<0.01
Architectural Coating	0.13	<0.01	0.03	<0.01	<0.01	<0.01
2024 Construction Subtotal	*3.11*	*8.25*	*34.54*	*0.08*	*0.15*	*0.15*
2025 Construction						
Grading	0.12	1.01	4.49	0.01	0.02	0.02
Building Construction	0.59	3.27	11.42	0.03	0.05	0.05
Paving	0.08	0.06	0.76	<0.01	<0.01	<0.01
Architectural Coating	0.40	0.02	0.31	<0.01	<0.01	<0.01
2025 Construction Subtotal	*1.19*	*4.36*	*16.98*	*0.04*	*0.07*	*0.07*
2026 Construction						
Grading	0.08	0.67	3.01	0.01	0.01	0.01
Building Construction	0.54	3.08	9.69	0.03	0.05	0.05
Architectural Coating	0.84	0.02	0.26	<0.01	<0.01	<0.01
2026 Construction Subtotal	*1.46*	*3.77*	*12.96*	*0.03*	*0.06*	*0.06*
2027 Construction						
Building Construction	0.79	4.61	15.01	0.04	0.07	0.07
Paving	0.02	0.07	0.97	<0.01	<0.01	<0.01
Architectural Coating	0.45	0.02	0.26	<0.01	<0.01	<0.01
2027 Construction Subtotal	*1.25*	*4.70*	*16.24*	*0.04*	*0.07*	*0.07*
2028 Construction						
Building Construction	0.18	1.08	3.51	0.01	0.02	0.02
Architectural Coating	0.34	0.01	0.19	<0.01	<0.01	<0.01

Year	Emissions (tons per year)[1]					
	ROG	NO_x	CO	SO_X	PM_{10} (Exhaust)	$PM_{2.5}$ (Exhaust)
2028 Construction Subtotal	*0.52*	*1.10*	*3.70*	*0.01*	*0.02*	*0.02*
Entire Construction Duration (2024-2028)						
Maximum Annual Construction Emissions[2]	**3.10**	**8.22**	**34.18**	**0.08**	**0.15**	**0.15**
Significance threshold	10	10	100	27	15	15
Exceed threshold—significant impact?	No	No	No	No	No	No

Notes:
CO = carbon monoxide
NO_X = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in diameter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
ROG = reactive organic gases
SO_X = sulfur oxides
[1] PM_{10} and $PM_{2.5}$ emissions are from the mitigated output to reflect compliance with Regulation VIII—Fugitive PM_{10} Prohibitions.
[2] The maximum annual emissions would occur during the 2024 year.
[3] This scenario accounts for the overlapping of Phases 1, 2, and 3 (i.e., concurrent phasing).
Source of Emissions: CalEEMod Output of Appendix B.
Source of Thresholds: San Joaquin Valley Air Pollution Control District (Valley Air District). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. February 19. Website: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF. Accessed June 1, 2023.

Worst-case Concurrent Construction Scenario

For the purpose of providing a conservative analysis in the event that construction sequence occurs earlier than anticipated, a worst-case scenario where all construction activity would overlap (i.e., construction of Phases 1, 2, and 3 occurs concurrently from March 2024 to March 2025) is modeled to account for the maximum criteria pollutant emissions. The scenario incorporates MM AIR-2a that all construction equipment meets Tier IV final off-road emission standards, if commercially available. The annual emissions and maximum emissions are summarized in the Air Quality Report as Appendix B. To note that due to the size of the proposed project (284 acres), it is highly unlikely that the three phases would occur at the same time and the overall construction can be completed in 30 months. However, if construction Phases 1, 2, and 3 were to overlap (i.e., concurrent phasing), the proposed project would exceed Valley Air District thresholds for NO_X and ROG even with implementation of MM AIR-2a. Moreover, no other feasible mitigation measures exist that could reduce NO_X emissions further because the majority of emissions would be due to the amount of construction equipment in use. Even with MM AIR-2a, the concurrent schedule would result in such a large amount of construction activity occurring at the same time that it would not reduce the resulting NO_X emissions to below thresholds. Therefore, construction emission impacts of the concurrent worst-case scenario would be significant and unavoidable.

Operational Emissions

Operational emissions occur over the lifetime of the proposed project are from two main sources: area sources and motor vehicles(i.e., mobile sources). Construction is scheduled to be completed in several phases starting with Phase 1, which would be completed in 2025, Phase 2 in 2026, and Phase 3 in 2028, although for purposes of a conservative analysis, this assessment also evaluates impacts associated with concurrent phasing. The Valley Air District considers construction and operational emissions separately when making significance determinations.

For assumptions in estimating the emissions, please refer to Section 3.3.3 Methodology and the Air Quality Report. The emissions modeling results for project operation are summarized in Table 3.3-15.

Table 3.3-15: Operational Air Pollutant Emissions (Unmitigated)

Source	Emissions (approx. tons per year)					
	ROG	NO_x	CO	SO_X	PM_{10}	$PM_{2.5}$
Phase 1						
Area	8.00	<0.01	0.02	<0.01	<0.01	<0.01
Energy	0.13	1.18	0.99	0.01	0.09	0.09
Mobile (Passenger Vehicles)	3.09	2.20	25.91	0.06	5.60	1.43
Mobile (Trucks)	0.50	40.28	7.81	0.32	9.24	2.90
Phase 1 Subtotal	11.72	43.66	34.73	0.39	14.93	4.42
Phase 2						
Area	3.66	<0.01	0.01	<0.01	<0.01	<0.01
Energy	0.07	0.66	0.55	<0.01	0.05	0.05
Mobile (Passenger Vehicles)	4.45	2.06	24.07	0.04	3.83	0.98
Mobile (Trucks)	0.21	17.25	3.41	0.14	4.11	1.29
Phase 2 Subtotal	8.39	19.97	28.04	0.18	7.99	2.32
Phase 3						
Area	3.91	<0.01	0.01	<0.01	<0.01	<0.01
Energy	0.07	0.61	0.51	<0.01	0.05	0.05
Mobile (Passenger Vehicles)	1.31	0.82	10.59	0.03	2.78	0.71
Mobile (Trucks)	0.21	16.94	3.43	0.14	4.33	1.36
Phase 3 Subtotal	5.5	18.37	14.54	0.17	7.16	2.12
Project Buildout (Phases 1–3)						
Total	25.79	83.1	91.58	0.79	35.13	10.15
Significance threshold	10	10	100	27	15	15
Exceed threshold—significant impact?	Yes	Yes	No	No	Yes	No

Source	Emissions (approx. tons per year)					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Notes: CO = carbon monoxide NO_X = nitrogen oxides PM_{10} = particulate matter less than 10 microns in diameter $PM_{2.5}$ = particulate matter less than 2.5 microns in diameter ROG = reactive organic gases SO_X = sulfur oxides Area source emissions include emissions from natural gas, landscape, and painting. Source of Emissions: CalEEMod Output of Appendix B. Source of Thresholds: San Joaquin Valley Air Pollution Control District (Valley Air District). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. February 19. Website: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF.						

As shown in Table 3.3-15, regional operational emissions would exceed the Valley Air District's threshold of significance for ROG, NO_X, and PM_{10}; a potentially significant impact. The proposed project would not exceed thresholds for CO, SO_X, or $PM_{2.5}$.

As a result, this analysis has identified mitigation to help reduce emissions in this regard. Mitigation Measures (MM) AIR-2c, -2d, -2e, -2f, and -2g would contribute toward NO_X emissions reductions. During operation of the proposed project, it is likely that on-site off-road and on-road service equipment, such as forklifts, pallet jacks, and flat trucks could be used to move goods throughout the project site. These sets of equipment typically include internal combustion engines that would emit NO_X during use. MM AIR-2c would require 1) that all on-site off-road and on-road service equipment be zero-emission or all-electric, and 2) that all project buildings would be designed to support the use of zero-emission or all-electric service equipment. By utilizing zero-emission on-site service equipment, the proposed project would reduce NO_X emissions to the extent feasible that would otherwise occur.

As shown in Table 3.3-15, another contribution of NO_X emissions would be from passenger vehicles due to employees traveling to and from the project site. MM AIR-2d would require each project applicant, in connection with an individual specific development proposal, to include infrastructure for EV charging stations into a minimum of 20 percent of all vehicle parking spaces (including parking for trucks) for the subject proposal, consistent with the applicable California Green Building Standards Code Tier 1 Nonresidential Mandatory Measure (Section A5.106.5.3). Although this measure would not directly include functioning charging stations, the installation of the infrastructure needed to support charging stations would allow for the future charging stations to be installed. Furthermore, MM AIR-2d would require the design of the buildings' electrical room to hold additional panels that may be needed to supply power for the future installation of EV truck charging stations on-site. By providing EV charging infrastructure, this measure would allow for the installation of charging stations, which would provide a convenient location for employees to charge electric vehicles and incentivize employees to use electric vehicles.

MM AIR-2e would require the relevant project applicant to include signage and pavement markings along project site driveways and internal roadways to clearly identify on-site circulation patterns,

minimize unnecessary on-site vehicle travel, and reduce vehicle idling, which would otherwise result in excessive NO_X and PM_{10} emissions. As stated previously, the majority of operational NO_X and PM_{10} emissions would be from mobile sources and any reduction in operational vehicle travel would reduce the greatest share of the proposed project's operational emissions.

MM AIR-2f would require the proposed project to include a vegetative barrier along the south and east property boundaries. As stated in the Notice of Preparation (NOP) comment letter from the Valley Air District dated September 28, 2022, vegetative barriers can reduce exposure of gaseous pollutants on sensitive receptors. Vegetative barriers utilize the natural process of photosynthesis, where plants intake air particles including gaseous pollutants, such as NO_X, and release oxygen. By including a vegetative barrier along the south and east property boundaries, MM AIR-2f would reduce exposure of NO_X and PM_{10} emissions on nearby homes and sensitive receptors to the southeast.

Finally, MM AIR-2g would require each project applicant, in connection with an individual specific development proposal, to consider the feasibility of entering into a Voluntary Emission Reduction Agreement (VERA) with the Valley Air District in order to reduce ROG, NO_X, and PM_{10} emissions. A VERA is a potential mitigation measure that provides pound-for-pound mitigation of emissions that exceed applicable thresholds. A VERA reduces construction and operational emissions through a process that develops, funds, and implements emission reduction projects, with the Valley Air District serving as the administrator of the emissions reduction projects and verifier of the successful mitigation effort. For example, funds generated by a VERA can be used to provide grants to municipalities, such as the City of Visalia, to replace diesel-powered transit vehicles with zero-emission vehicles. In addition, a VERA would give priority to emissions reduction projects near the project site to reduce emissions near the source. However, it should be noted a VERA is an entirely voluntary measure and is not required by the Valley Air District or any regulation. Also, for purposes of CEQA, because the terms of a specific VERA are not currently known, whether this would be feasible is speculative at this time.

Moreover, the proposed project would be subject to Valley Air District Rule 9510 – Indirect Source Review, because the proposed project would exceed the 25,000-square-foot light industrial District applicability threshold for this rule. This rule aims to reduce the impact of NO_x and PM_{10} emissions from growth within the Air Basin. As a result, compliance with the Indirect Source Review application would result in further reductions in NO_x and PM_{10}.

However, at the time of this report, there is not sufficient information to guarantee that the proposed project could feasibly implement the reduction measures associated with these mitigation measures. Moreover, the project applicant would not have ownership over the operational truck fleets because they would be owned and operated by third party vendors, and as such, the proposed project applicant could not mitigate the impacts of the primary source of operational emissions. Therefore, in the absence of certainty that the identified mitigation can be feasibly mitigated such that project impacts would be reduced to a less than significant level, impacts would remain significant and unavoidable due to NO_X during construction and ROG, NO_X, PM_{10} during operation of the proposed project.

CO Hotspot Analysis

A CO hotspot represents a condition wherein high concentrations of CO may be produced by motor vehicles accessing a congested traffic intersection under heavy traffic volume conditions. It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when idling at intersections. Accordingly, vehicle emissions standards have become increasingly more stringent to help remedy this impact.

The analysis prepared for CO attainment in the South Coast Air Basin (SoCAB) by the SCAQMD has been used to assist in evaluating potential for CO exceedances in other air basins. Although the SoCAB and the SCAQMD would not be the applicable air basin or air district for the proposed project, utilizing this guidance is appropriate here because CO exceedances are caused by idling vehicles and regardless of air district the same causes of CO exceedances would occur throughout the State and at the project site. For example, any project-generated vehicles trips would result in idling of passenger vehicles or trucks at the project site and on adjacent roadways that could lead to a CO exceedance. The CO hotspot analysis contained in the SCAQMD 1992 CO Plan is used to determine potential CO hotspot impacts from the proposed project, because by using the 1992 CO Plan as a worst-case scenario, the proposed project can measure CO impacts against intersections that experienced significantly more vehicle traffic than adjacent to the proposed project. The 1992 CO Plan is used a worst-case scenario because it included a CO hot spot analysis for four busy intersections in Los Angeles at the peak morning and afternoon time periods. The intersections evaluated included Long Beach Boulevard and Imperial Highway (Lynwood); Wilshire Boulevard and Veteran Avenue (Westwood); Sunset Boulevard and Highland Avenue (Hollywood); and La Cienega Boulevard and Century Boulevard (Inglewood). The busiest intersection evaluated was that at Wilshire Boulevard and Veteran Avenue, which has a daily traffic volume of approximately 100,000 vehicles per day. Subsequently the CO Plan determined that no CO hotspot would occur even with 100,000 vehicles per day at this one intersection.

As described in Table 3.3-9, the proposed project would generate up to 21,409 daily vehicle trips. According to the Visalia General Plan EIR, Chapter 3.2 Transportation, Table 3.2-6, Shirk Avenue would experience at most 24,900 Average Annual Daily Trips (AADT).[26] As a result, the addition of the proposed project's anticipated actual trips would result in up to 46,000 daily vehicle trips, which is not close to what was analyzed in the 1992 CO Plan. Therefore, none of the intersections near the project site would have peak-hour traffic volumes exceeding those at the intersections modeled in the 1992 CO Plan, nor would there be any reason unique to the local meteorology to conclude that this intersection would yield higher CO concentrations if modeled in detail because the project site is not located in an area where air flow would be severely restricted, such as a tunnel or canyon. In conclusion, the addition of the proposed project's daily trips would not generate a CO hotspot at local intersections and operational CO impact would be less than significant.

[26] City of Visalia. General Plan EIR, Chapter 3.2 Transportation.

Construction Ambient Air Quality Analysis

Valley Air District Rule 2201 requires that an Ambient Air Quality Analysis (AAQA) be conducted for a project when that project's maximum daily emissions exceed 100 pounds for any single criteria or precursor pollutant after incorporation of all mitigation.

Emissions occurring at or near the project site have the potential to create a localized impact, also referred to as an "air pollutant hotspot." Localized emissions are considered significant if, when combined with background emissions, they would result in exceedance of any health-based air quality standard. In locations that already exceed standards for these pollutants, the focus of the significance conclusion is based on whether a project's individual significant impact level, when combined with other cumulative development, would represent a cumulatively considerable contribution to an existing violation of an air quality standard.

The Valley Air District's GAMAQI includes screening thresholds for identifying projects that need detailed analysis for localized impacts. Projects with on-site emission increases from construction activities or operational activities that exceed the 100 pounds per day screening level of any criteria pollutant after compliance with Rule 9510 and implementation of all enforceable mitigation measures would require preparation of an Ambient Air Quality Analysis. The criteria pollutants of concern for localized impact in the Air Basin are PM_{10}, $PM_{2.5}$, NO_X, and CO.

An analysis of maximum daily emissions during construction and operation was conducted to determine whether emissions would exceed the 100 pounds per day screening threshold for any pollutant of concern. The results of the analysis are presented below.

Table 3.3-16: Maximum On-site Daily Air Pollutant Emissions During Construction (Unmitigated)

Year	On-site Emissions (approx. pounds per day)[1]			
	NO_x	CO	PM_{10}	$PM_{2.5}$
2024	235.24	276.62	22.03	14.82
2025	273.78	360.14	19.42	12.86
2026	92.02	112.46	9.38	5.36
2027	93.78	126.70	5.50	3.89
2028	86.40	115.38	5.38	3.62
Maximum Daily Emissions	**273.78**	**360.14**	**22.03**	**14.82**
Screening threshold	100	100	100	100
Exceed screening threshold?	Yes	Yes	No	No

Notes:
CO = carbon monoxide
NO_X = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in diameter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
[1] PM_{10} and $PM_{2.5}$ emissions are from the mitigated output to reflect compliance with Regulation VIII—Fugitive PM_{10} Prohibitions.
Source of Emissions: CalEEMod Output of Appendix B.

Year	On-site Emissions (approx. pounds per day)[1]			
	NO_x	CO	PM_{10}	$PM_{2.5}$
Source of Thresholds: San Joaquin Valley Air Pollution Control District (Valley Air District). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. February 19. Website: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF. Accessed June 1, 2023. The construction schedule is based on Table 8 and represents a conservative estimate.				

As noted in Table 3.3-16, emissions of NO_X and CO would exceed the applicable screening threshold prior to the application of mitigation. Implementation of MM AIR-2a would require each applicant, in connection with an individual specific development proposal, to provide documentation to the City of Visalia demonstrating that all off-road diesel-powered construction equipment greater than 50 horsepower meets EPA or ARB Tier 4 Final off-road emissions standards, to the extent commercially available. An analysis of maximum daily emissions during construction after incorporation of MM AIR-2a was conducted to determine whether emissions would exceed the 100 pounds per day screening threshold for any pollutant of concern. As shown in the summarized results presented in Table 3.3-17, with incorporation of identified mitigation, the proposed project's construction emissions would not exceed the appliable daily emission threshold for NO_X but would continue to exceed the applicable daily emission threshold for CO. It should be noted that if project construction moves to later years, resulting emissions are anticipated to reduce because equipment efficiency and fuel content standards generally improve with each year and construction fleet operators periodically replace old equipment with new, more efficient equipment. Therefore, the proposed project would exceed the applicable screening threshold for CO after inclusion of MM AIR-2a. However, no additional, feasible mitigation would be applicable to further reduce construction CO emissions because the primary source of CO emissions is due to the operation of fossil fuel powered construction equipment. Despite the implementation of MM AIR-2a requiring all construction equipment meet Tier IV or equivalent standards, all construction equipment would still emit CO and impacts would be significant and unavoidable. Electric construction equipment can be used in lieu of Tier IV equipment and would reduce CO emissions. However, because the availability of electric offroad equipment is limited compared to other clean equipment alternatives (such as Tier IV), it cannot be assumed that the project could replace enough offroad equipment with electric offroad equipment to reduce impacts to a less than significant level during construction.

Table 3.3-17: Maximum On-site Daily Air Pollutant Emissions During Construction (Mitigated)

Year	On-site Emissions (pounds per day)[1]			
	NO_x	CO	PM_{10}	$PM_{2.5}$
2024	53.52	302.72	13.21	6.64
2025	74.08	391.72	10.36	4.46
2026	21.03	96.09	6.40	5.04
2027	27.75	138.48	2.67	1.10
2028	26.71	124.47	2.67	1.10
Maximum Daily Emissions	**74.08**	**391.72**	**13.21**	**6.64**

Year	On-site Emissions (pounds per day)[1]			
	NO_x	CO	PM_{10}	$PM_{2.5}$
Screening threshold	100	100	100	100
Exceed screening threshold?	No	Yes	No	No

Notes:
CO = carbon monoxide
NO_X = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in diameter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
PM_{10} and $PM_{2.5}$ emissions are from the mitigated output to reflect compliance with Regulation VIII—Fugitive PM_{10} Prohibitions.
Source of Emissions: CalEEMod Output of Appendix B.
Source of Thresholds: San Joaquin Valley Air Pollution Control District (Valley Air District). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. February 19. Website: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF. Accessed June 1, 2023.

Operational Ambient Air Quality Analysis

Operational emissions include emissions generated on-site by area sources such as natural gas combustion and landscape maintenance, and on-site travel from motor vehicles accessing the project. The maximum on-site mobile emissions include vehicle ignition start up, idling, and travel across the project site internal roadways. As described in the CalEEMod Notes in the Air Quality Report, the operational localized significance threshold modeling analysis analyzed the maximum possible distance that a vehicle could travel on-site during operation, which is approximately 2.8 miles. This distance was determined by measuring from the northwest corner of the project site to the southeast corner of the project site along proposed roadways, which would be the longest, most direct route a vehicle would travel. Maximum daily on-site emissions during project operations are shown below.

Table 3.3-18: Maximum On-site Daily Air Pollutant Emissions During Operations (Unmitigated)

Source	On-site Emissions (pounds per day)[1]			
	NO_x	CO	PM_{10}	$PM_{2.5}$
Area	<0.01	0.39	<0.01	<0.01
Energy	12.99	10.91	0.99	0.99
Mobile (Passenger Vehicles)	10.22	129.75	22.15	5.96
Mobile (Trucks)	66.98	35.88	5.20	1.65
Total	**90.19**	**176.94**	**28.34**	**8.6**
Screening threshold	100	100	100	100
Exceed screening threshold?	No	Yes	No	No

Source	On-site Emissions (pounds per day)[1]			
	NO_x	CO	PM_{10}	$PM_{2.5}$

Notes:
CO = carbon monoxide
NO_X = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in diameter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
Source of Emissions: CalEEMod Output of Appendix B.
Source of Thresholds: San Joaquin Valley Air Pollution Control District (Valley Air District). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. February 19. Website: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF. Accessed June 1, 2023.

The proposed project would exceed the Valley Air District screening thresholds for CO but would not exceed other operational screening thresholds. As shown in Table 3.3-18, the majority of CO emissions would be from mobile sources, such as passenger vehicles driven by employees to access the project site and trucks delivering and receiving goods. For example, it is reasonable to assume that the majority of employees would drive personal vehicles to the project site, which in order to reduce emissions, would require zero-emission vehicles. However, implementing such a measure would not be enforceable, due to a lack of realistic and legally available enforcement mechanisms the City could reasonably rely upon to enforce such a measure for the life of the proposed project. As presented previously, if MM AIR-2c through -2f were implemented, this would reduce operational emissions, but would not reduce emissions below the applicable thresholds. As a result, since feasible mitigation would not reduce project operational emissions below the applicable thresholds, the proposed project's operational impacts would be significant and unavoidable.

Impact Summary

Regional emissions generated by the proposed project would exceed applicable thresholds despite compliance with all applicable rules, regulations, and mitigation measures during construction and operation. Localized operational emissions would also present a potentially significant impact after incorporation of identified mitigation. Both of these impacts would be significant and unavoidable given the lack of certainty with respect to implementation of feasible mitigation.

Mitigation Measures

MM AIR-2a Use of Tier IV or Tier IV Equivalent Construction Off-Road Equipment

Before a construction permit is issued for the proposed project, the project sponsors shall submit construction emissions minimization plans to the City of Visalia for review and approval. The construction emissions minimization plans shall detail compliance with the following requirements:

(1) Subject to same being commercially available, all off-road equipment utilized in connection with the subject individual development proposal shall have engines that meet either EPA or ARB Tier IV Final off-road emission standards. Provided, however, if engines that comply with Tier IV Final off-road emission standards are not commercially available, then the construction contractor shall use the

next cleanest piece of off-road equipment (e.g., Tier IV Interim) available. For purposes of this mitigation measure, "commercially available" shall mean the availability of Tier IV Interim engines taking into consideration factors such as (i) critical-path timing of construction; (ii) costs of utilizing same are commercially practicable; and (iii) geographic proximity to the project site of equipment. The relevant contractor's provision to the City letters from at least two rental companies for each piece of off-road equipment that reasonably documents the lack of commercially available off-road equipment shall be deemed sufficient for purposes of complying with this mitigation measure. The project applicant and contractor shall consider the use of near zero-emission or electric construction equipment if that type of equipment is commercially available at the time of grading permit submittal.

(2) Post signage on the project site stating that construction equipment idling times shall not exceed five minutes.

MM AIR-2b Super Compliant Architectural Coating During Construction

Prior to issuance of a grading permit in connection with an individual specific development proposal for the proposed project, the relevant project sponsor shall submit to the City of Visalia Planning Division construction contracts and/or subcontracts reasonably documenting that all architectural coating material utilized in connection with the subject individual specific development proposal would not exceed 10 grams of volatile organic compound (VOC) per liter of coating.

To satisfy the above, the relevant project sponsor shall include in any construction contracts and/or subcontracts for the subject individual specific development proposal a requirement that all interior and exterior architectural coatings used in project construction meet the "super-compliant" coating VOC content standard of 10 grams or less of VOC per liter of coating. The relevant project sponsor shall also specify in the subject construction contracts and/or subcontracts the requirement to use high-volume, low-pressure spray guns during coating applications to reduce coating waste.

MM AIR-2c Electric or Zero-Emission On-site Off-Road and On-Road Service Equipment

Prior to issuance of the construction grading permit in connection with an individual specific development proposal for the proposed project, the relevant project sponsor shall provide reasonable documentation to demonstrate to the City of Visalia Planning Division that all on-site off-road and on-road service equipment will utilize zero-emission technology, subject to the same being commercially practicable. Additionally, the relevant project sponsor shall provide reasonable documentation to the City of Visalia Planning Division that all proposed buildings in connection with the subject individual specific development proposal that would use on-site service equipment will be designed to include electric outlets to

equipment support the use of all-electric or zero-emission on-site service equipment, subject to the same being commercially practicable.

MM AIR-2d Electric Vehicle Charging Infrastructure

Prior to issuance of the grading or building permit in connection with an individual specific development proposal for the proposed project, whichever occurs first, the relevant project sponsor shall provide reasonable documentation to the City of Visalia Planning Division demonstrating that the subject individual specific development proposal shall incorporate infrastructure for electric vehicle (EV) charging stations into a minimum of 20 percent of all vehicle parking spaces (including parking for trucks), consistent with the applicable California Green Building Standards Code Tier 1 Nonresidential Mandatory Measure (Section A5.106.5.3). To satisfy the foregoing, EV charging spaces must provide electrical vehicle charging infrastructure to support future installation of EV supply equipment and shall meet the applicable design space requirements of California Green Building Standards Code Section 5.106.5.3.

In addition, the buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed to supply power for the future installation of electric vehicle (EV) truck charging stations on the site. Conduit should be installed from the electrical room to tractor trailer parking spaces in a logical location(s) on the site determined by the project applicant during construction document plan check, for the purpose of accommodating the future installation of EV truck charging stations at such time this technology becomes commercially available and the buildings are being served by trucks with electric-powered engines.

MM AIR-2e On-Site Signage and Pavement Markings

In connection with an individual specific development proposal for the proposed project, whichever occurs first, the relevant project sponsor shall provide reasonable documentation to the City of Visalia Planning Division demonstrating signage and pavement marking that show on-site circulation routes have been or will be included along the relevant portions of the project site driveways and internal roadways.

MM AIR-2f Vegetative Barrier

Prior to issuance of the grading or building permit in connection with an individual specific development proposal for the proposed project, whichever occurs first, the relevant project sponsor shall provide reasonable documentation to the City of Visalia Planning Division demonstrating the inclusion of a vegetative barrier along the south and east property boundaries of the project site. Prior to issuance of first occupancy permit, the project applicant shall demonstrate to the Visalia Planning Division the installation of the vegetative barrier at the described locations.

MM AIR-2g Voluntary Emission Reduction Agreement

Prior to issuance of the grading or building permit in connection with an individual specific development proposal for the proposed project, whichever occurs first, the relevant project sponsor shall consult with the City of Visalia Planning Division about the feasibility of entering into a Voluntary Emissions Reduction Agreement (VERA) with the Valley Air District.

Level of Significance After Mitigation

Significant and unavoidable impact.

Sensitive Receptors Exposure to Pollutant Concentrations

Impact AIR-3:	**Would the project expose sensitive receptors to substantial pollutant concentrations?**

Impact Analysis

Sensitive Receptors

- Those who are sensitive to air pollution include children, the elderly, and persons with preexisting respiratory or cardiovascular illness. The Valley Air District considers a sensitive receptor to be a location that houses or attracts children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Examples of sensitive receptors include hospitals, residences, convalescent facilities, and schools. The closest existing and planned sensitive receptors located near the project site include:
- Single-family residential homes located directly to the southeast across the intersection of Riggin Avenue and Shirk Street, with the closest home approximately 160 feet to the southwest.
- Denton Elementary School located approximately 2,200 feet to the southwest. The City of Visalia General Plan Land Use Element[27] designates an area as Multi-Family Residential approximately 2,700 feet to the east of the project site, which could result in new sensitive receptors.
- The Carleton Acres Specific Plan area located to the east of the North Shirk Avenue and West Riggin Avenue intersection, which could result in up to 3,368 residential units to the east of the project site.

Construction: ROG

During construction, ROG is emitted during the application of architectural coatings (painting). The amount emitted is dependent on the amount of ROG (or VOC) in the paint. ROG emissions are typically an indoor air quality health hazard concern rather than an outdoor air quality health hazard concern because of the rapid dispersion of ROGs into the atmosphere when applied outdoors. Whereas indoors the enclosed spaces prevent the gases from escaping into the atmosphere and can accumulate in high concentrations. Furthermore, no sensitive receptors would be located on-site

[27] City of Visalia. General Plan Land Use Interactive Map. Website: https://www.visalia.city/depts/community_development/planning/gp.asp. Accessed June 1, 2023.

during construction that could be exposed to high levels of ROGs such that they would present a health risk concern. Therefore, exposure to ROG during architectural coatings is a less than significant health impact.

There are three types of asphalt that are typically used in paving: asphalt cements, cutback asphalts, and emulsified asphalts. However, Valley Air District Rule 4641 prohibits the use of the following types of asphalt: rapid cure cutback asphalt; medium cure cutback asphalt; slow cure asphalt that contains more than 0.5 percent of organic compounds that evaporate at 500°F or lower; and emulsified asphalt containing organic compounds, in excess of 3 percent by volume, that evaporate at 500°F or lower. An exception to this is medium cure asphalt when the National Weather Service official forecast of the high temperature for the 24-hour period following application is below 50°F.

The acute (short-term) health effects from worker direct exposure to asphalt fumes include irritation of the eyes, nose, and throat. Other effects include respiratory tract symptoms and pulmonary function changes. The studies were based on occupational exposure of fumes. Residents are not in the immediate vicinity of the fumes because asphalt paving activity would be temporary and only occur on the project site and in areas where roadway improvements would occur as part of construction activity. Consequently, exposure to asphalt fumes could only occur during the paving phase of construction which would only occur during permissible construction hours and would end once construction is complete; therefore, they would not be subjected to concentrations high enough to evoke a negative response. In addition, the restrictions that are placed on asphalt in the San Joaquin Valley by the Valley Air District reduce ROG emissions from asphalt and exposure because they reduce odor and fumes from burning of asphalt material. The impact to nearby sensitive receptors from ROG during construction is less than significant.

Operation: ROG

During operation, ROG would be emitted primarily from motor vehicles and the use of consumer products. Direct exposure to ROG from project motor vehicles would not result in health effects, because the ROG would be distributed across miles of roadway and disperse rapidly into the air. In order for a significant impact to occur motor vehicles would need to be operating within an enclosed area, such as a tunnel or freeway overpass, adjacent to sensitive receptors, where ROGs would be highly concentrated. As a result, nearby residents would not be at risk from ROGs emitted by motor vehicles because they are separated by existing roadways and located in neighborhoods with no enclosed spaces where motor vehicles would operate and ROGs. In addition, ROG emissions generated by the use of consumer products would be limited to the immediate area in which they are used on-site and would only occur during activities that use those products, such as facility cleaning activities. Nearby sensitive receptors would not be exposed to significant amounts of consumer product ROGs during operation of the proposed project because residents would not be located on the project site and consumer product activities would only occur during scheduled cleaning activities. Therefore, nearby sensitive receptors would not be exposed to substantial ROG concentrations during project operations.

Construction: NO_X, PM_{10}, $PM_{2.5}$

As discussed in Impact AIR-2, localized unmitigated concentrations of PM_{10}, and $PM_{2.5}$ generated during project construction would not exceed the ambient air quality standards, while localized

concentrations of NO_X would not exceed ambient standards after incorporation of MM AIR-2a. However, localized concentrations of CO would exceed the 100 pounds per day ambient air quality standard set by the Valley Air District, even after the incorporation of mitigation. Therefore, CO emissions during construction would exceed the significance thresholds after incorporation of mitigation and would be expected to result in concentrations that would exceed ambient standards or contribute substantially to an existing exceedance of an ambient air quality standard. As a result, because these impacts could not be feasibly mitigated to a less than significant level for the reasons discussed above, impacts would be significant and unavoidable.

Operation: NO_X, PM_{10}, $PM_{2.5}$,

As discussed in Impact AIR-2, localized concentrations of NO_X, PM_{10}, and $PM_{2.5}$ would not exceed the ambient air quality standards. However, localized concentrations of CO during operations would exceed the 100 pounds per day ambient air quality standard set by the Valley Air District. Therefore, CO emissions during construction would exceed the significance thresholds even after incorporation of mitigation, and would be expected to result in concentrations that would exceed ambient standards or contribute substantially to an existing exceedance of an ambient air quality standard. As a result, because these impacts could not be feasibly mitigated to a less than significant level for the reasons discussed above, impacts would be significant and unavoidable.

Toxic Air Contaminants

Project construction would involve the use of diesel-fueled vehicles and equipment that emit DPM, which is considered a TAC. The Valley Air District's applicable threshold of significance for TAC emissions is an increase in cancer risk for the maximally exposed individual of 20 in a million (formerly 10 in a million). The Valley Air District's 2015 GAMAQI does not currently recommend analysis of TAC emissions from project construction activities, but instead focuses on projects with operational emissions that would expose sensitive receptors over a typical lifetime of 70 years.

Toxic Air Pollutants—On-site Workers

A variety of State and national programs, laws and regulations protect workers from safety hazards, including high air pollutant concentrations.[28,29]

On-site workers are not required to be addressed through this Health Risk Assessment (HRA) process, consistent with guidance published by CAPCOA, *Health Risk Assessments for Proposed Land Use Projects*, indicates that on-site receptors are included in risk assessments if they are persons not employed by the proposed project.[30] This makes sense since persons not employed by the proposed project would not remain on-site for any significant period. Therefore, an HRA for on-site receptors consisting of on-site workers is not required or recommended. No further discussion is necessary.

Health Risk Assessment

During construction and operation, the proposed project would result in emissions of several TACs that could potentially impact nearby sensitive receptors. The Valley Air District has defined health

[28] Occupational Safety and Health Administration (OSHA). 2003. United States Department of Labor. Safety and Health Topics: Methane. Website: www.osha.gov/dts/chemicalsampling /data/CH_250700.html. Accessed April 6, 2023.

[29] Centers for Disease Control and Prevention (CDC). 2012. Construction—website: www.cdc.gov/niosh/construction/. Indoor Environmental Quality—website: www.cdc.gov/niosh/topics/indoorenv/constructionieq.html. Accessed April 6, 2023.

[30] California Air Pollution Control Officers Association (CAPCOA). 2009. Health Risk Assessments for Proposed Land Use Projects.

risk significance thresholds. These thresholds are represented as a cancer risk to the public and a non-cancer hazard from exposures to TACs. Cancer risk represents the probability (in terms of risk per million individuals) that an individual would contract cancer resulting from exposure to TACs continuously over a period of several years. The Valley Air District's latest threshold of significance for TAC emissions is an increase in cancer risk for the maximally exposed individual of 20 in a million (formerly 10 in a million). The principal TAC emission analyzed in this assessment was DPM from operation of off-road equipment and diesel-powered delivery and worker vehicles during construction and operation. DPM has been identified by the ARB as a carcinogenic substance. For purposes of this analysis, DPM is represented as exhaust emissions of PM_{10}. DPM represented as exhaust PM_{10} adequately addresses impacts from PM_{10} and $PM_{2.5}$ emissions, as $PM_{2.5}$ comprises a component of PM_{10}. Fugitive dust components of PM_{10} and $PM_{2.5}$ would be controlled through the use of required dust control practices during project construction and therefore fugitive dust would not be considered as part of this HRA.

Given the proposed gas station, the analysis considers specific emissions associated with this type of land use. The primary routine emission activities at gasoline service stations are classified into five categories of loading, breathing, fueling, spillage, and hose permeation. Benzene, toluene, ethylbenzene, xylene, naphthalene, hexane and propylene are the TACs of concern with cancer toxicity values from gasoline dispensing facilities, with benzene accounting for nearly 85 percent of cancer risk from gasoline. In this analysis, health risks associate with exposure to benzene from gasoline service stations are assessed as part of the operational HRA.

Two drive-through restaurants would operate in the southeast corner of the project site. The restaurants would emit cooking TACs, depending on the type of restaurants, for instance, charbroiler, fryer, griddle, etc. However, it is speculative to estimate such emissions at time of this analysis. The restaurant emissions would be subjected to Valley Air District permit review before the operation. Therefore, the restaurant cooking TACs are not considered in the operational HRA.

Exposures to TACs can result in both short-term (acute) or long-term (chronic) non-cancer health impacts. Such impacts could include illnesses related to reproductive effects, respiratory effects, eye sensitivity, immune effects, kidney effects, blood effects, central nervous system, birth defects, or other adverse environmental effects.

Estimation of Cancer Risks

Cancer risks are estimated as the upper-bound incremental probability that an individual will develop cancer as a direct result of exposure to potential carcinogens over a specified exposure duration. The cancer risk attributed to a chemical is calculated by multiplying the chemical intake or dose at the human exchange boundaries (e.g., lungs) by the chemical-specific cancer potency factor (CPF). A risk level of 20 in a million implies a likelihood (or risk) that up to 20 persons, out of one million equally exposed people would contract cancer if exposed continuously (24 hours per day) to the levels of TACs over a specified duration of time. This risk would be an excess cancer risk that is in addition to any environmental cancer risk borne by a person not exposed to these air toxics.

California Office of Environmental Health Hazard Assessment (OEHHA) has developed guidance for estimating cancer risks that considers the increased sensitivity of infants and adults to TAC

emissions, different breathing rates, and time spent at home. This guidance was applied in estimating cancer risks from the construction and operation of the proposed project.

The recommended method for the estimation of cancer risk is shown in the equations.

$$\text{Cancer Risk} = C_{DPM} \times \text{Inhalation Exposure Factor} \quad \text{(EQ-1)}$$

Where:

Cancer Risk = Total individual excess cancer risk defined as the cancer risk a hypothetical individual faces if exposed to carcinogenic emissions from a particular source for specified exposure durations; this risk is defined as an excess risk because it is above and beyond the background cancer risk to the population; cancer risk is expressed in terms of risk per million exposed individuals.

C_{DPM} = Period average DPM air concentration calculated from the air dispersion model in $\mu g/m^3$

Inhalation is the most important exposure pathway to impact human health from DPM and the inhalation exposure factor is defined as follows:

$$\text{Inhalation Exposure Factor} = CPF \times EF \times ED \times DBR \times AAF/AT \quad \text{(EQ-2)}$$

Where:

CPF = Inhalation cancer potency factor for the TAC: 1.1 $(mg/kg\text{-}day)^{-1}$ for DPM
EF = Exposure frequency (days/year)
ED = Exposure duration (years of construction)
AAF = set of age-specific adjustment factors that include age sensitivity factors (ASF), daily breathing rates (DBR), and time at home factors (TAH)
AT = Averaging time period over which exposure is averaged (days)

Estimation of Chronic Non-Cancer Hazards

An evaluation of potential non-cancer effects of chronic chemical exposures was also conducted. Adverse health effects were evaluated by comparing the annual receptor concentration of each chemical compound with the appropriate Reference Exposure Level (REL). Available RELs promulgated by OEHHA were considered in the assessment.

Risk characterization for non-cancer health hazards from TACs is expressed as an HI. The HI is a ratio of the predicted concentration of the project's emissions to a concentration considered acceptable to public health professionals, termed the REL.

To quantify non-carcinogenic impacts, the HI approach was used.

$$HI = C_{ann}/REL \quad \text{(EQ-3)}$$

Where:

HI = chronic hazard index
C_{ann} = annual average concentration of TAC as derived from the air dispersion model ($\mu g/m^3$)
REL = reference exposure level above which a significant impact is assumed to occur ($\mu g/m^3$)

The HI assumes that chronic exposures to TACs adversely affect a specific organ or organ system (toxicological endpoint) of the body. For each discrete chemical exposure, target organs presented in regulatory guidance were used. To calculate the HI, each chemical concentration or dose is divided by the appropriate toxicity REL. For compounds affecting the same toxicological endpoint, this ratio is summed. Where the total equals or exceeds 1, a health hazard is presumed to exist. OEHHA has defined a REL for DPM of 5 $\mu g/m^3$. The principal toxicological endpoint assumed in this assessment was through inhalation.

Toxic Air Contaminant Construction Analysis

Major sources of DPM during construction include off-road construction equipment and heavy-duty delivery truck activities. The results of the HRA prepared for project construction for cancer risk and long-term chronic non-cancer risk are summarized below. Air dispersion modeling was utilized to assess the proposed project's potential health risks using AERMOD Version 22112, which is an air dispersion model accepted by the EPA and the Valley Air District for preparing HRAs. Exhaust emissions of DPM (as PM_{10} exhaust) were estimated using CalEEMod Version 2020.4.0. Construction emissions were estimated assuming adherence to all applicable rules, regulations, and the incorporation of identified project design features. The construction emissions were assumed to be distributed over the project site with a working schedule of eight hours per day and five days per week. Emissions were adjusted by a factor of 4.2 to convert for use with a 24-hour-per-day, 365 day-per-year averaging period. Detailed parameters, a description of methodology, and complete calculations are contained in Appendix B.

The estimated health and hazard impacts at the Maximally Impacted Sensitive Receptor (MIR) from the proposed project's construction emissions are provided below. Under both unmitigated reasonable and worst-case scenario, the proposed project's construction DPM emissions would not exceed the cancer risk significance threshold at the MIR. Although not required to reduce construction health risk impacts, the implementation of MM AIR-2a to reduce criteria pollutant emissions (as required by Impact AIR-2) would further reduce estimated health risks and hazards during project construction for reasonable (Table 3.3-19) and worst-case scenario (Table 3.3-20). The estimated health risks and hazards during project construction, after application of MM AIR-2a is presented below for informational purposes. The MIR is a unit located at the northwest corner within a single-family duplex complex located at 6714 W Oriole Drive, Visalia, CA 93291. The MIR's coordinates are 36.356176, -119.367478.

Table 3.3-19: Estimated Health Risks and Hazards During Project Construction (Mitigated)–Reasonable Scenario

Source and Scenario	Cancer Risk (risk per million)	Chronic Non-Cancer HI[1]	Acute Non-Cancer HI[2]
Construction–Reasonable Scenario	1.95	0.00093	–
Significance Threshold	**20**	**1**	**1**
Exceeds Individual Source Threshold?	**No**	**No**	**No**

Notes:
HI = hazard index
MIR = Maximally Impacted Sensitive Receptor
[1] Chronic non-cancer HI was estimated by dividing the maximum annual DPM concentration (as PM_{10} exhaust) by the REL of 5 $\mu g/m^3$.
[2] The acute health effect of DPM is not significant and acute HI of DPM is not available in HARP.
Source: Health Risk Assessment of Appendix B.

Table 3.3-20: Estimated Health Risks and Hazards During Project Construction (Mitigated)–Worst-Case/Concurrent Construction Scenario

Source	Cancer Risk (risk per million)	Chronic Non-Cancer HI[1]	Acute Non-Cancer HI[2]
Construction–Worst-case Scenario	2.69	0.0015	–
Significance Threshold	**20**	**1**	**1**
Exceeds Individual Source Threshold?	**No**	**No**	**No**

Notes:
HI = hazard index
MIR = Maximally Impacted Sensitive Receptor
[1] Chronic non-cancer HI was estimated by dividing the maximum annual DPM concentration (as PM_{10} exhaust) by the REL of 5 $\mu g/m^3$.
[2] The acute health effect of DPM is not significant and acute HI of DPM is not available in HARP.
Source: Health Risk Assessment of Appendix B.

Toxic Air Contaminant Operation Analysis

DPM and Gasoline TAC Emissions

Major sources of DPM during operation potentially include passenger vehicles from employees, HHD trucks, on-site off-road and on-road service equipment, such as forklifts and pallet jacks, because these vehicles use diesel as the fuel source. Although the gas station, drive-through restaurant, RV parking area, and self storage facilities would result in idling vehicles, which could result in small amounts of TAC emissions, the majority of these vehicles would be gasoline powered which do not run on diesel fuel or emit significant amounts of DPM emissions. Material handling equipment at the facility (pallet jacks and forklifts) would be electric and would not emit DPM.

The results of the HRA prepared for project operation for cancer risk and long-term chronic non-cancer risk are summarized below. Air dispersion modeling was utilized to assess the proposed project's potential health risks using AERMOD Version 22112, which is an air dispersion model

accepted by the EPA and the Valley Air District for preparing HRAs. Sources in the modeling included those from running and idle exhaust emissions from trucks on and operating off-site on adjacent roadways as well as gasoline service station emissions.

Emissions of DPM (as PM_{10} exhaust) for running exhaust at speeds of 0–25 miles per hour as well as idling exhaust emissions of DPM were estimated using EMFAC 2021 using project-level inputs and the EMFAC-PL[31] (project level) web tool. On-Site idling was estimated at 20 minutes per truck visit to account for idling at several locations within the site including during entering and exiting, at the docks and at the truck parking areas. On-site truck travel at speeds of 0-15 mile per hour were accounted for in the on-site emissions. Off-site truck emissions at speeds ranging from 0-25 mph were modeled on the roadways adjacent to the site (Riggins Avene and Shirk Road). Truck distributions along each of these roadways were derived from the traffic study distribution data.

Benzene, toluene, ethylbenzene, xylene, naphthalene, hexane and propylene are the TACs of concern with cancer toxicity values from gasoline dispensing facilities, with benzene accounting for nearly 85 percent of cancer risk from gasoline.

As stated in the Project Description, the proposed project would include approximately 6,900 square feet of gas station and convenience store space, and as a result, the proposed project would generate TACs associated with gasoline loading and dispensing emissions during emissions. Accordingly, the proposed project's operational gas station TAC emission impacts on sensitive receptors were evaluated in the HRA. Emissions were calculated based on a project-specific throughput of 900,000 gallons per years and methodologies developed by the ARB and CAPCOA for Gasoline Service Stations.[32] Operational emissions were estimated assuming adherence to all applicable rules, regulations, and incorporation of identified project design features. Detailed parameters, a description of methodology, and complete calculations are contained in Appendix B.

The estimated health and hazard impacts at the MIR from the proposed project's operation is provided in Table 3.3-21. Because the same MIR is exposed to both project construction and operation, the cumulative risks are provided in Table 3.3-22.

Table 3.3-21: Estimated Health Risks and Hazards During Project Operation (Unmitigated) at the MIR

Source	Cancer Risk (risk per million)	Chronic Non-Cancer HI	Acute Non-Cancer HI[1]
Gasoline Fueling Activities	0.1	<0.0001	0.06
Operational DPM (On-Site)	0.69	0.0002	–
Operational DPM (Off-Site Trucks)	2.56	0.0007	–
Total Risk from Project Operations	3.35	0.001	0.06

[31] California Air Resources Board, EMFAC2021 Project-Level Analysis Web Tool, Website: https://arb.ca.gov/emfac/project-analysis, Accessed on October 23, 2023.

[32] California Air Resources Board and California Air Pollution Control Officers Association Gasoline Service Station Industrywide Risk Assessment Technical Guidance February 18, 2022. https://ww2.arb.ca.gov/resources/documents/gasoline-service-station-industrywide-risk-assessment-guidance

Source	Cancer Risk (risk per million)	Chronic Non-Cancer HI	Acute Non-Cancer HI[1]
Significance Threshold	**20**	**1**	**1**
Exceeds Individual Source Threshold?	**No**	**No**	**No**

Notes:
DPM = diesel particulate matter
HI = hazard index
MIR = Maximally Impacted Sensitive Receptor
Source: Health Risk Assessment of Appendix B.

Table 3.3-22: Cumulative Health Risks and Hazards During Reasonable Construction (Mitigated) and Operation (Unmitigated) at the MIR

Source	Cancer Risk (risk per million)	Chronic Non-Cancer HI	Acute Non-Cancer HI[1]
Reasonable Construction + Operation	5.30	0.002	0.06
Significance Threshold	**20**	**1**	**1**
Exceeds Cumulative Threshold?	**No**	**No**	**No**

Notes:
DPM = diesel particulate matter
HI = hazard index
MIR = Maximally Impacted Sensitive Receptor
Source: Health Risk Assessment of Appendix B.

As noted in Table 3.3-21, the proposed project's operational DPM emissions would not exceed the cancer risk significance threshold or non-cancer hazard index significance threshold at the MIR. As shown in Table 3.3-22 and Air Quality Report, the combined impact from project construction and operation at the MIR would not exceed the cumulative health risk threshold. Therefore, the proposed project would not result in a significant impact on nearby sensitive receptors from TACs during operation. The proposed project would be required to implement MM AIR-2c through -2g during project operation to reduce emissions, which represents all feasible and enforceable mitigation measures. Health risk impacts from construction and operations, and construction with operations combined would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Objectionable Odors Exposure

Impact AIR-4: Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Impact Analysis

In general, two situations typically create a potential for other emissions, such as those leading to odors, which can occur. The first occurs when a new odor source is located near an existing sensitive receptor. The second occurs when a new sensitive receptor locates near an existing source of odor. For purposes of review under CEQA, only the first circumstance typically involves a CEQA issue since the second involves an impact of the existing environment on the project (i.e., "CEQA in reverse").

Odor impacts on residential areas and other sensitive receptors, such as hospitals, daycare centers, schools, etc. warrant the closest scrutiny, but consideration should also be given to other land uses where people may congregate, such as recreational facilities, worksites, and commercial areas.

The Valley Air District has determined the common land use types that are known to produce odors in the Air Basin. These types are shown in Table 3.3-23.

Table 3.3-23: Screening Levels for Potential Odor Sources

Odor Generator	Screening Distance
Wastewater Treatment Facilities	2 miles
Sanitary Landfill	1 mile
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles
Asphalt Batch Plant	1 mile
Chemical Manufacturing	1 mile
Fiberglass Manufacturing	1 mile
Painting/Coating Operations (e.g., auto body shop)	1 mile
Food Processing Facility	1 mile
Feed Lot/Dairy	1 mile
Rendering Plant	1 mile
Source: San Joaquin Valley Air Pollution Control District (Valley Air District). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. February 19. Website: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF. Accessed October 21, 2022.	

As summarized above, and as according to the Valley Air District GAMAQI, analysis of potential odor impacts should be conducted for the following two situations:

- **Generators:** projects that would potentially generate odorous emissions proposed to locate near existing sensitive receptors or other land uses where people may congregate, and
- **Receivers:** residential or other sensitive receptor projects or other projects built for the intent of attracting people locating near existing odor sources.

Because the proposed project would not introduce new sensitive receptors to an area near existing odor sources, this analysis implements the following methodology to evaluate potential impacts in this regard: Would the project generate significant amounts of odors during construction or operation?

Project Analysis

Project Construction

Diesel exhaust and ROGs would be emitted during construction of the proposed project as a result of the various diesel-powered vehicles and equipment in use on-site, which would create localized odors. The proposed project would develop a total of approximately 284 acres over time, which would require the operation of construction equipment and vehicles throughout the project site. However, as the proposed buildings would be located within the interior of the project site and set back from the project boundaries and surrounding land uses, the operation of construction equipment and vehicles would predominantly occur in the interior of the project site and not along the project boundaries or near sensitive receptors located to the southeast. Moreover, emissions would disperse relatively rapidly from the project site given the nature of the emissions. Thus, these odors would be temporary and would not likely be noticeable for extended periods of time beyond the project's site boundaries. As such, construction odor impacts would be less than significant.

Project Operation

Odor Generator

As noted above, land uses that are typically identified as sources of objectionable odors include landfills, transfer stations, sewage treatment plants, wastewater pump stations, composting facilities, feed lots, coffee roasters, asphalt batch plants, and rendering plants. The proposed project would be occupied by multiple tenants/occupants in the light industrial buildings, a convenience store and gas station, a car wash, and two drive-thru restaurants. None of the proposed uses would be considered sources of significant odors; see, e.g., the types of uses identified in Table 3.3-23. Although the gas station use would emit some odors due to the re-fueling of gasoline and diesel, this land use would not include refining of fossil fuels and odors would disperse into the atmosphere relatively rapidly, similar to construction emissions, and the closest sensitive receptor would be located across the West Riggin Avenue and North Shirk Street intersection, such that odors would not be significant. As a result, the proposed project would not place an odor source within the screening distance to sensitive receptors.

Odor Source

For information purposes, the following is noted. The proposed project would not include residential, daycare, or other types of sensitive receptor land uses on the project site. As a result, the proposed project would not place new sensitive receptors within the screening distance of a significant source of odors.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

3.3.10 - Cumulative Impacts

The geographic scope considered for cumulative impacts to air quality is the Air Basin. In developing mass emission thresholds of significance for criteria pollutants and ozone precursors, the Valley Air District considers the emission levels for which a project's individual emissions would be cumulatively considerable. Therefore, if a project would exceed the identified construction or operational significance thresholds, its emissions would be cumulatively considerable. The Air Basin is in nonattainment for ozone, PM_{10}, and $PM_{2.5}$, which means that the background levels of those pollutants are at times higher than the ambient air quality standards and a cumulative air quality impact currently exists for the region. Therefore, if a project exceeds the Valley Air District significance thresholds for ozone precursor emissions or emissions of PM_{10} or $PM_{2.5}$, that project would be considered to contribute to an existing cumulative air quality impact. As discussed in Impact AIR-2, MMs AIR-1a through AIR-1g would reduce the proposed project's potentially significant air quality impacts related to ozone precursor emissions during construction; however, as discussed in Impact AIR-2, project construction emissions for NO_X would remain potentially significant after implementation of identified mitigation should all three project phases be constructed concurrently. In addition, because the full implementation of MM AIR-1g cannot be guaranteed during project operation, the proposed project could result in potentially significant impact related to regional emissions significance threshold for ROGs, NO_X, and PM_{10} during project operation. Moreover, because full implementation of MM AIR-1g cannot be guaranteed, the proposed project could result in a potentially significant localized violation during construction and operation from CO emissions.

As discussed in Impact AIR-2, District Rule 8021 would be required, which would further ensure that air quality impacts related to fugitive particulate matter during construction activities are less than significant. Nonetheless, after incorporation of identified mitigation and implementation of the required rules and regulations, the proposed project could result in construction and operational emissions which are greater than the respective Valley Air District significance thresholds and could therefore have a cumulatively considerable contribution to a cumulative impact. The proposed project would therefore result in significant and unavoidable cumulative air quality impacts. With regard to impacts on sensitive receptors, the DPM emissions from construction of the proposed project could result in significant health impacts if all three project phases are constructed concurrently. Therefore, the proposed project's impact could be cumulatively considerable. In addition, the operational DPM emissions and benzene emissions from the gasoline station land use of the proposed project would not result in significant health impacts. Nonetheless, the cumulative impact associated with construction and operation of the proposed project would be cumulatively considerable.

Cumulative Mitigation Measures

Implement MM AIR-2a through MM AIR-2g.

Level of Cumulative Significance After Mitigation

Significant and unavoidable impact.

3.4 - Biological Resources

3.4.1 - Introduction

This section describes the existing biological resources conditions on the project site and in the vicinity, as well as the relevant regulatory framework. This section also evaluates the potential impacts related to biological resources that could result from implementation of the proposed project and feasible mitigation measures to reduce potential impacts to a less than significant level. Information in this section is based, in part, on on-site reconnaissance surveys of the project site that included a Biological Resources Assessment (BRA). The BRA can be found in Appendix C.

The purpose of the BRA is to (1) document existing and potentially occurring biological resources on the project site and adjacent areas; (2) analyze potential project-related impacts on identified biological resources; (3) summarize relevant local, State, and federal laws and regulations; and (4) recommend feasible measures to mitigate potential impacts on biological resources to less than significant levels.

Public comments from the California Department of Fish and Wildlife (CDFW) were received during the Environmental Impact Report (EIR) scoping period related to biological resources.

- CDFW recommends that a qualified Biologist conduct a habitat assessment to determine whether the project site contains suitable habitat for Swainson's hawk.
- If suitable foraging or nesting habitat is present for the Swainson's hawk, CDFW recommends that a qualified Biologist conduct surveys for nesting Swainson's hawk following the entire survey methodology developed by the Swainson's Hawk Technical Advisory Committee[1] during analysis.
- If ground-disturbing activities take place during Swainson's hawk nesting season, CDFW recommends a minimum no-disturbance buffer of 0.5 mile until breeding season has ended or until a qualified Biologist has determined that birds have fledged and are no longer reliant upon the nest or parent care for survival.
- CDFW recommends that the City of Visalia assesses Crotch's bumblebee habitat areas near the project site for potential Crotch's bumblebee nesting sites.
- If suitable Crotch's bumblebee habitat exists in the project area or vicinity, CDFW advises that those areas would have to be avoided.
- CDFW recommends that a qualified Biologist conduct a habitat assessment to determine whether project areas contain potential habitat for the northern legless lizard.
- If suitable northern legless lizard habitat is present, CDFW recommends that a qualified Biologist conduct a focused survey for the northern legless lizard to evaluate potential impacts resulting from ground and vegetation disturbance.

[1] California Department of Fish and Wildlife (CDFW). 2000. Swainson's Hawk Technical Advisory Committee – Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. May. Website: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990. Accessed November 9, 2022.

3.4.2 - Environmental Setting

The project site lies within the central portion of the San Joaquin Valley which, together with the Sacramento Valley, makes up California's larger Central Valley. The San Joaquin Valley is bounded by the Sierra Nevada Mountains to the east and Coast Ranges to the west. The project site is surrounded by mixed agriculture to the north and east and industrial complexes to the west and south, plus a dairy farm to the south. Urbanized areas in the City are located primarily to the southeast.

Elevation and Drainage

The topography of the project site and surrounding area is relatively flat, which is typical of the San Joaquin Valley. The topography of the eastern San Joaquin Valley rises gradually to the east toward the Sierra Nevada Mountains, while the topography of the western portion of the valley rises to the west toward the Coast Ranges.

Soil

The Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) depicts two soil types within the project site.[2] These soil types and their primary characteristics are summarized in Table 3.4-1.

Table 3.4-1: Soil Types Present within Project Site

Soil Name	Slope	Description	Percent of Site
Akers-Akers, saline-sodic, complex	0–2%	The Akers series consists of very deep, well-drained soils formed in alluvium derived from granitic rock. Akers soils are on terraces. Saline-sodic soils are high in soluble salts and exchangeable sodium.	32
Grangeville sandy loam	0–2%	The Grangeville series consists of very deep, somewhat poorly drained soils that formed in moderate coarse textured alluvium dominantly from granitic rock sources. Grangeville soils are on alluvial fans and floodplains.	68

Vegetation Communities and Land Cover

The following section describes vegetation communities and land cover types on the project site. The location and spatial extent of these types are shown on Exhibit 3.4-1.

Almond Orchard

An orchard is defined as an intentional plantation of trees or shrubs that is maintained for food production. Orchards comprise fruit or nut-producing trees which are generally grown for commercial production. Such trees are often arranged in rows. The project site currently consists of

[2] Natural Resources Conservation Service (NRCS). 2020. Web Soil Survey (WSS). United States Department of Agriculture (USDA). Website: https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx. Accessed November 16, 2022.

an actively managed orchard of almond (*Prunus dulcis*) that is approximately 275 acres in size and was established around 2018. All orchard areas on the project site are actively managed, with sparse herbaceous understory plant cover that consists of managed ruderal non-native grasses and forbs.

Access Roads/Barren

Barren areas on the project site consist of access roads, which are currently dirt with small amounts of managed, non-native invasive grasses and forbs on edges.

Planted Ornamental Trees

An existing non-native planted ornamental tree cover includes a double row of 35 olives (*Olea europaea*; between approximately 1 and 2 feet diameter at breast height [DBH]) along the southern portion of the private access road bisecting the project site south to north; a cluster of two tall elm (*Ulmus sp*.) trees (approximately 3 feet DBH each); and one approximately 3-foot-DBH cedar (*Cedrus sp.*).

Valley Oak

A substantial portion of the canopy of a mature valley oak (*Quercus lobata*) overlaps the northern boundary of the project site. The trunk of this oak is estimated to be over 3 feet DBH and is rooted on the neighboring property, at the northern bank of Modoc Ditch.

Retention Basin and Modoc Irrigation Canal

Modoc Ditch is an artificial, actively managed irrigation canal aligned along the northern boundary of the project site. It is approximately 15 feet wide and carried approximately a foot of water at the time of the survey, though water levels are expected to fluctuate based on agricultural activity. Modoc Ditch flows from west to east through a dirt-bottom channel, but the channel is highly disturbed with broken pavement, boulders, and debris found throughout the bed and banks. Flows of the canal are sustained by water that is pumped in through the regional irrigation infrastructure, and the flows are typically disconnected from St. John's River to the east but can likely be connected to St. John's River under flooding conditions.

The project site contains a man-made and actively managed retention basin for irrigation purposes. Water levels likely fluctuate depending on agriculture activities and needs. Water is actively pumped into the retention basin from Modoc Canal. The retention basin was constructed during the establishment of the almond orchard in 2018.

Off-site Trees

Several tall trees, predominantly of the genus *Eucalyptus,* are present on neighboring parcels south of the project site, as close as approximately 70 feet to the project site boundary. While these trees are not proposed to be impacted directly, they have the potential to provide nesting habitat for protected species, including Swainson's hawk (*Buteo swainsoni*), as detailed below.

Common Wildlife Species

The vegetation community and land cover types discussed above provide habitat for a few local wildlife species adapted to agricultural land use. Wildlife activity was low during the field survey and

consisted primarily of avian species. The following discussions regarding the wildlife species observed or that have a potential to occur within the project site are organized by taxonomic group. Each discussion contains representative examples of a particular taxonomic group either observed or expected to occur on-site.

Amphibians

Amphibian species observed on-site during the field survey include abundant bullfrog (*Lithobates catesbeianus*) tadpoles in the retention basin. It is possible that other disturbance-resistant common amphibian species such as Pacific chorus frog (*Pseudacris regilla*) or the western toad (*Anaxyrus boreas*) may be present at times in the retention basin and Modoc Ditch; however, presence of bullfrog significantly limits presence of other amphibians due to predation pressure. Therefore, and because of the artificial hydrological regime and regular maintenance, these features would likely act as population sinks for amphibians and would not be considered suitable habitat for self-sustaining native amphibian populations.

Birds

Bird species observed on-site included mourning dove (*Zenaida macroura*), black phoebe (*Sayornis nigricans*), a resident pair of red-tailed hawks (*Buteo jamaicensis*), turkey vulture (*Cathartes aura*), Anna's hummingbird (*Calypte anna*), common sparrow (*Passer domesticus*), house finch (*Haemorhous mexicanus*), and a robust population of killdeer (*Charadrius vociferus*). A nesting cavity in a large elm tree points to potential site use of woodpecker or northern flicker (*Colaptes auratus*). Almost all trees on-site showed signs of previous nesting activities, including small nests built of grass and at least one larger stick nest.

Bird species not observed but potentially present within the orchards on-site include common and disturbance-resistant passerines and corvids, such as northern mockingbird (*Mimus polyglottos*), American crow (*Corvus brachyrhynchos*), American robin (*Turdus migratorius*), and others.

Swainson's hawk is known to occur near the project site. While almond orchards are not considered Swainson's hawk foraging habitat, this species is known to forage in alfalfa fields and open low crop and grasslands, and these habitat types are present adjacent to the project site.

Mammals

Because of the project site's agricultural land use, mammal presence would likely be limited to small rodents, and potentially vagrant dispersing individuals of common mammal species, including potentially coyote (*Canis latrans*), cottontail rabbit (*Sylvilagus audubonii*), and striped skunk (*Mephitis mephitis*).

Reptiles

Because of the agricultural land use, reptile presence would likely be limited to common reptile populations, potentially including gopher snake (*Pituophis catenifer*) and western fence lizard (*Sceloporus occidentalis*), which are common in disturbed and developed areas and were observed near the pump house during the field survey.

State or Federally Protected Waters and Wetlands

The Modoc Ditch and the artificial retention basin (described above) are not expected to be regulated as State- or federally protected waters or wetlands under Clean Water Act (CWA) Sections 404/401, Porter-Cologne Water Quality Control Act, or Fish and Game Code Section 1602 *et seq*. because the irrigation canal and associated retention basin have all been excavated within upland habitat for the purpose of on-site agricultural irrigation and drainage. However, legal authority to determine whether these features are jurisdictional and thus regulated lies with the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and CDFW, as discussed further below.

On February 22, 2023, a preliminary *Jurisdictional Delineation (JD) of Visalia-Kelsey Street Industrial Complex Project in Unincorporated, California* was completed by South Environmental for the proposed project and can be found in its entirety in Appendix C.

Wildlife Movement Corridors

Most of the project site consists of actively managed orchards and does not contain habitat features such as riparian corridors that could function as wildlife corridors. Additionally, the project site is surrounded by active roadways, active agriculture, and industrial and residential development, all of which impede the movement of wildlife and limit the use of the project site as a potential corridor for wildlife movement. The project site is not within a known wildlife corridor.

Sensitive Natural Communities

None of the vegetation communities (described above) are considered sensitive natural communities. No sensitive natural communities are present on-site.

Special-status Plant Species Evaluated

An evaluation of the 17 special-status plant species and California Native Plant Society (CNPS) sensitive species that have been recorded within the *Goshen, California* United States Geological Survey (USGS) Topographic Quadrangle Map and its eight neighboring quadrangles by the California Natural Diversity Database (CNDDB) and California Native Plant Society Electronic Inventory (CNPSEI) was completed (Appendix C.2, Table 1).[3,4] The evaluation includes the species' status, required habitat, and potential to occur within the project site. As detailed in Appendix C, none of the special-status plant species were determined to have potential to occur on-site primarily due to the absence of suitable habitat, past and current land use, and the extent and frequency of ground disturbance.

Valley Oak

As discussed above, although rooted on adjacent property, a substantial portion of the canopy of a valley oak is overhanging onto the project site (discussed above and shown in Exhibit 3.4-1). The valley oak can be considered a sensitive biological resource due to its local rarity, the locally unique

[3] California Department of Fish and Wildlife (CDFW). 2020. CNDDB RareFind 5 California Natural Diversity Database Query for Special-Status Species. Website: https://map.dfg.ca.gov/rarefind/view/RareFind.aspx. Accessed October 20, 2022.

[4] California Native Plant Society (CNPS). 2020. California Native Plant Society Rare and Endangered Plant Inventory. Website: http://www.rareplants.cnps.org/. Accessed October 20, 2022.

ecosystem services it provides (including shading, nesting, and roosting and foraging opportunities, nutrient cycling, and others), and its status as a protected tree under the City's Oak Tree Preservation Ordinance.

Special-status Wildlife Species Evaluated

FCS evaluated 15 federal and State listed threatened and/or endangered wildlife species and State Species of Special Concern that have been recorded in the CNDDB as potentially occurring within the *Goshen, California* topographic quadrangle and its eight neighboring quadrangles (Appendix C.2, Table 2). The evaluation includes the species' status, required habitat types and features, and potential to occur within the project site and supporting analysis and rationale. Based on the field survey and background research, the only special-status species with a realistic potential to occur on-site is Swainson's hawk. This species, as well as other relevant special-status species, are discussed in more detail below.

Birds

Swainson's Hawk

Swainson's hawk is listed as threatened under the California Endangered Species Act (CESA).[5] Swainson's hawk is a medium-sized bird of prey with relatively long, pointed wings that curve up somewhat in a slight dihedral while the bird is in flight. Adult females weigh between 900 and 1,100 grams (32 to 39 ounces) and males from 800 to 1,000 grams (28 to 35 ounces). The most marked identifying features of an adult Swainson's hawk are its dark head and breast band that is distinctive from the lighter colored belly and the lighter linings on the underside of the wing that are lighter than the dark gray flight feathers.

Swainson's hawk breeds in the western United States and Canada and winters in South America as far south as Argentina. The breeding season for Swainson's hawk in the Central Valley typically lasts from March to the end of July.[6] Swainson's hawk typically forages in open grasslands and has become increasingly dependent on agriculture, especially alfalfa crops, as native communities are converted to agricultural lands. The diet of the Swainson's hawk in California consists of small rodents such as voles; however, other small mammals, birds, and insects are also preyed upon. Swainson's hawk often nest near riparian woodlands. They will also use lone trees in agricultural fields or pastures, and roadside trees that are adjacent to suitable foraging habitat.[7]

CNDDB records indicate several Swainson's hawk nesting occurrences within 5 miles of the project site (Appendix C.1). Given these recent sightings and the existence of suitable nesting habitat in the form of several large trees near suitable foraging habitat present on adjacent properties, there is a moderate potential for this species to occur on-site.

[5] California Department of Fish and Wildlife (CDFW). 2020. California Natural Diversity Database (CNDDB). Special Animals List. Sacramento, CA. Updated July 2022.

[6] California Department of Fish and Wildlife (CDFW). 2000. Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. Swainson's Hawk Technical Advisory Committee. Sacramento, California. May 31, 2000.

[7] California Department of Fish and Wildlife (CDFW). 2020. Swainson's Hawks in California. Website: https://wildlife.ca.gov/Conservation/Birds/Swainson-Hawks. Accessed October 20, 2022.

Western Burrowing Owl

The western burrowing owl is a California Species of Special Concern. Western burrowing owls are year-round residents throughout much of California, especially in the Central Valley, San Francisco Bay region, Carrizo Plain, and Imperial Valley. Migrants from other parts of western North America can augment local populations in lowland areas in the winter. The breeding season in California is February 1 to August 31. Western burrowing owls prefer open, dry, short grassland habitats with few trees and often are associated with burrowing mammals such as California ground squirrels. They occupy burrows, typically abandoned by ground squirrels or other burrowing mammals, but also use artificial burrows such as abandoned pipes, culverts, and debris piles.

The project site does not contain the above-mentioned habitat requirements for western burrowing owl. No suitable burrows or signs of western burrowing owl were observed on-site. However, directly adjacent fields may provide marginal or temporary western burrowing owl habitat, and presence of western burrowing owl on an adjacent suitable property cannot be ruled out.

Mammals

San Joaquin Kit Fox

The San Joaquin kit fox (*Vulpes macrotis mutica*) is federally listed as endangered under the Endangered Species Act and is State listed as threatened. Federal critical habitat for this species has not been designated. The historical range of San Joaquin kit fox included most of the San Joaquin Valley as well as low elevation basins and ranges along the eastern side of the central Coast Ranges. By 1930, this range had been reduced by more than half, with the largest populations occurring in the southern and western portions of the San Joaquin Valley. Today, the San Joaquin kit fox occurs in the remaining native valley and foothill grasslands and chenopod scrub communities of the valley floor and surrounding foothills, from southern Kern County north to Los Banos, Merced County. Smaller, less dense populations may be found farther north and in the narrow corridor between Interstate 5 (I-5) and the Interior Coast Ranges from Los Banos to Contra Costa County. The San Joaquin kit fox's range also includes portions of Monterey, Santa Clara, and San Benito Counties. The San Joaquin kit fox inhabits a variety of habitats, including grasslands; scrublands; vernal pool areas; alkali meadows and playas; and agricultural irrigated pastures, orchards, and vineyards. They prefer habitats with loose-textured soils and are found primarily in arid grasslands and open scrublands that are suitable for digging, but they occur on virtually every soil type. Dens generally are in open areas with grass or grass and scattered brush, and seldom occur in areas with thick brush. Preferred sites are relatively flat, well-drained terrain. They are seldom found in areas with shallow soils resulting from high water tables or impenetrable bedrock or hardpan layers.

No dens suitable for kit fox or other signs of kit fox presence were observed on-site. The project site is an actively managed orchard and may therefore provide only temporary dispersal habitat. As such, temporary presence of a transient individual on-site cannot be ruled out.

American Badger

The American badger (*Taxidea taxus*) is a California Species of Special Concern. The species is found throughout the State except in the north coast region. Badgers are most abundant in drier areas with friable soils and sparse vegetation. This species was last documented in the vicinity of Visalia in 1994,

consisting of one individual seen in a fallow field with abundant ground squirrel as a prey base. Because of the lack of required habitat elements on the project site, this species is very unlikely to occur on-site. No dens or burrows suitable for this species were observed.

Insects

Crotch's Bumblebee

CNDDB records indicate that Crotch's bumblebee have been documented to occur within the City of Visalia. Suitable Crotch's bumblebee habitat includes areas of grasslands and upland scrub that contain requisite habitat elements, such as small mammal burrows. The project site consists of actively managed orchard, and no required habitat elements for this species are present. Therefore, this species is not expected to occur on-site. However, if adjacent agriculture fields cease to be actively managed and provide suitable habitat, a transient dispersing Crotch's bumblebee may traverse the site.

Reptiles

Northern California Legless Lizard

The Northern California legless lizard occurs in moist, warm, and loose soil with plant coverage. Moisture is essential to this species. It often occurs in sparsely vegetated areas of beach dunes, chaparral, pine-oak woodlands, desert scrub, sandy washes, and stream terraces with sycamores, cottonwoods, or oaks. It also prefers to dwell within leaf litter under trees and bushes in sunny areas and dunes stabilized with bush lupine and mock heather. This species can often be found under surface objects such as rocks, boards, driftwood, and logs. The nearest CNDDB recorded occurrence of this species is from January 1934 and the next closest occurrence is over 11 miles away and was found within the Kaweah Oaks Preserve. The project site does not contain suitable habitat for this species due to heavy modification through extensive agriculture, unsuitable soils and vegetative communities, and high aridity. Because of these circumstances, the Northern California legless lizard does not have the potential to occur within the project site.

Protected Functional Groups

Nesting birds and roosting bats include groups of species that are protected under federal and State laws and regulations and are considered sensitive and protected under certain conditions (e.g., when nesting, breeding), and are therefore included in this section.

Nesting Birds

The active nests of most bird species are protected by federal and/or State law and regulations (Migratory Bird Treaty Act [MBTA] and Fish and Game Code). Species that are protected pursuant to MBTA are identified by the United States Fish and Wildlife Service (USFWS).[8] Nests are generally defined as being "active" if they contain eggs or altricial young. The project site contains trees, shrubs, and structures that provide suitable habitat for protected migratory or native resident nesting bird species relatively tolerant of human disturbance.

[8] United States Fish and Wildlife Service (USFWS). 2020. Website: https://www.federalregister.gov/documents/2020/04/16/2020-06779/general-provisions-revised-list-of-migratory-birds. Accessed October 20, 2022.

Roosting Bats

The larger ornamental trees and the pump house next to the retention basin on-site are potentially capable of supporting protected bat roosts (e.g., maternity roosts) of non-listed bat species tolerant to agricultural settings, if active management ceases for more than approximately one month before demolition. Protection of bats is defined in the Regulatory Setting section, below.

3.4.3 - Regulatory Framework

Federal

Endangered Species Act

The USFWS has jurisdiction over species listed as threatened or endangered under the federal Endangered Species Act. Section 9 of the Endangered Species Act protects listed species from "take," which is broadly defined as actions taken to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." The Endangered Species Act protects threatened and endangered plants and animals and their critical habitat. Candidate species are those proposed for listing; during the environmental review process, these species are usually treated by resource agencies as if they were listed.

Migratory Bird Treaty Act

The MBTA implements international treaties between the United States and other nations devised to protect migratory birds, their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit.

All migratory birds and their nests are protected from take and other impacts under the MBTA (16 United States Code [USC] § 703, *et seq.*).

Bald and Golden Eagle Protection Act

The golden eagle (*Aquila chrysaetos*) and bald eagle (*Haliaeetus leucocephalus*) are afforded additional protection under the Eagle Protection Act, amended in 1973 (16 USC § 669, *et seq*.) and the Bald and Golden Eagle Protection Act (16 USC §§ 668–668d).

Clean Water Act

Section 404

The USACE administers Section 404 of the federal CWA, which regulates the discharge of dredge and fill material into waters of the United States. The USACE has established a series of nationwide permits that authorize certain activities in waters of the United States if a proposed activity can demonstrate compliance with standard conditions. Normally, USACE requires an individual permit for an activity that will affect an area equal to or in excess of 0.5 acre of waters of the United States. Projects that result in impacts to less than 0.5 acre can normally be conducted pursuant to one of the nationwide permits, if consistent with the standard permit conditions. The USACE also has discretionary authority to require an Environmental Impact Statement for proposed projects that result in impacts to an area between 0.1 and 0.5 acre. Use of any nationwide permit is contingent on the activities having no impacts to endangered species.

Section 401

As stated in Section 401 of the CWA, "any applicant for a federal permit for activities that involve a discharge to waters of the State, shall provide the federal permitting agency a certification from the State in which the discharge is proposed that states that the discharge will comply with the applicable provisions under the federal Clean Water Act." Therefore, before the USACE will issue a Section 404 permit, applicants must apply for and receive a Section 401 Water Quality Certification from the applicable RWQCB.

State

California Endangered Species Act

The State of California enacted the CESA in 1984. CESA is similar to the federal Endangered Species Act but pertains to State listed endangered and threatened species. CESA requires lead agencies to consult with CDFW when preparing California Environmental Quality Act (CEQA) documents. The purpose is to ensure that lead agency actions do not jeopardize the continued existence of a listed species or result in the destruction or adverse modification of habitat essential to the continued existence of those species, if there are reasonable and prudent alternatives available (Fish and Game Code [FGC] § 2080). CESA directs agencies to consult with CDFW on projects or actions that could affect listed species, directs CDFW to determine whether the project would jeopardize the continued existence of a species, and allows CDFW to identify "reasonable and prudent alternatives" to the project consistent with conserving the species. CESA allows CDFW to authorize exceptions to the State's prohibition against take of a listed species if the "take" of a listed species is incidental to carrying out an otherwise lawful project that has been approved under CEQA (FGC § 2081).

California Fish and Game Code

Under CESA, CDFW has the responsibility for maintaining a list of endangered and threatened species (FGC § 2070). Sections 2050 through 2098 of the Fish and Game Code outline the protection provided to California's rare, endangered, and threatened species. Section 2080 of the Fish and Game Code prohibits the taking of plants and animals listed under the CESA. Section 2081 established an incidental take permit program for State listed species. The CDFW maintains a list of "Candidate species," which it formally notices as being under review for addition to the list of endangered or threatened species.

In addition, the Native Plant Protection Act of 1977 (NPPA) (FGC § 1900, *et seq*.) prohibits the taking, possessing, or sale within the State of any plants with a State designation of rare, threatened, or endangered (as defined by CDFW). An exception to this prohibition in the NPPA allows landowners to take listed plant species under specified circumstances, provided that the owners first notify CDFW and give the agency at least 10 days to come and retrieve (and presumably replant) the plants before they are plowed under or otherwise destroyed. Fish and Game Code Section 1913 exempts from "take" prohibition "the removal of endangered or rare native plants from a canal, lateral ditch, building site, or road, or other right-of-way." Project impacts to these species are not considered significant unless the species are known to have a high potential to occur within the area of disturbance associated with construction of the development at issue.

CDFW also maintains lists of "Species of Special Concern." CDFW has identified many Species of Special Concern. Species with this status have limited distribution or the extent of their habitats has been reduced substantially, such that their populations may be threatened. Thus, their populations are monitored, and they may receive special attention during environmental review. While they do not have statutory protection, they may be considered rare under CEQA and thereby warrant specific protection measures.

Sensitive species that would qualify for listing but are not currently listed are afforded protection under CEQA. CEQA Guidelines Section 15065 (Mandatory Findings of Significance) requires that a substantial reduction in numbers of a Rare or Endangered species be considered a significant effect. CEQA Guidelines Section 15380 (Rare or Endangered Species) provides for the assessment of unlisted species as Rare or Endangered under CEQA if the species can be shown to meet the criteria for listing. Unlisted plant species on the CNPS List ranked 1A, 1B, and 2 would typically be considered under CEQA.

Sections 3511, 4700, 5050, and 5515 of the Fish and Game Code outline protection for fully protected species of mammals, birds, reptiles, amphibians, and fish. Species that are fully protected by these sections may not be taken or possessed at any time. CDFW cannot issue permits or licenses that authorize the take of any fully protected species except under certain circumstances such as scientific research and live capture and relocation of such species pursuant to a permit for the protection of livestock.

Under Section 3503.5 of the Fish and Game Code, it is unlawful to take, possess, or destroy any birds in the orders of Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto. To comply with the requirements of CESA, an agency reviewing a proposed development within its jurisdiction must determine whether any State listed endangered or threatened species may be present in the relevant study area and determine whether the proposed development would have a potentially significant impact on such species. In addition, CDFW encourages informal consultation on any proposed development that may impact a candidate species.

Impacts to species on the CESA endangered or threatened list resulting from a proposed development would be considered significant. State listed species are fully protected under the mandates of CESA. "Take" of protected species incidental to otherwise lawful management activities may be authorized under Fish and Game Code Section 206.591. Authorization from CDFW would be in the form of an Incidental Take Permit.

Section 1602 of the Fish and Game Code requires any entity to notify CDFW before beginning any activity that "may substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of any river, stream, or lake" or "deposit debris, waste, or other materials that could pass into any river, stream, or lake." "River, stream, or lake" includes waters that are episodic and perennial and ephemeral streams, desert washes, and watercourses with a subsurface flow. A Lake or Streambed Alteration Agreement will be required if CDFW

determines that project activities may substantially adversely affect fish or wildlife resources through alterations to a covered body of water.

Section 2000 and 4150 of the California Fish and Game Code state that it is unlawful to take or possess a number of species, including bats, without a license or permit as required by Section 3007.

California Department of Fish and Wildlife–Swainson's Hawk Nesting Survey Guidelines

For locating nesting Swainson's hawk, CDFW recommends using the "Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley" dated May 31, 2000. This set of survey recommendations was developed by the Swainson's Hawk Technical Advisory Committee to maximize the potential for locating nesting Swainson's hawks and thus reduce the potential for nest failures resulting from development activities/disturbances. In summary, surveys should be conducted in a manner that maximizes the potential to observe the adult Swainson's hawk, as well as the nest/chicks. To meet CDFW recommendations for mitigation and protection of Swainson's hawks, buffers should be established for a 0.5-mile radius around all development activities, and if active nesting is identified within the 0.5-mile radius, consultation with CDFW to determine nesting buffers is required under these guidelines. The guidelines provide specific recommendations regarding the number of surveys based on when the development at issue is scheduled to begin and the time of year the surveys are conducted.

Porter-Cologne Water Quality Control Act

The RWQCB regulates actions that would involve "discharging waste, or proposing to discharge waste, within any region that could affect the waters of the State" (Water Code § 13260(a)), pursuant to provisions of the Porter-Cologne Water Quality Act. "Waters of the State" are defined as "any surface water or groundwater, including saline waters, within the boundaries of the State" (Water Code § 13050I).

California State Water Resources Control Board/RWQCB Stormwater Management Permitting

While federal CWA NPDES regulations allow two permitting options for construction-related stormwater discharges (individual permits and General Permits), the State Water Board has elected to adopt only one Statewide Construction General Permit at this time that will apply to all stormwater discharges associated with construction activity, except from those on Tribal Lands, in the Lake Tahoe Hydrologic Unit, and those performed by the California Department of Transportation (Caltrans).

The Construction General Permit requires all dischargers where construction activity disturbs greater than 1 acre of land, or those sites less than 1 acre that are part of a common plan of development or sale that disturbs more than one acre of land surface to:

1. Develop and implement a SWPPP that specifies BMPs that will prevent all construction pollutants from contacting stormwater with the intent of keeping all products of erosion from moving off-site into receiving waters.

2. Eliminate or reduce non-stormwater discharges to storm sewer systems and other waters of the nation. Achieve quantitatively defined (i.e., numeric) pollutant-specific discharge standards, and conduct much more rigorous monitoring based on the development's projected risk level.
3. Perform inspections of all BMPs.

California Native Plant Society

The CNPS maintains a rank of plant species native to California that have low population numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Vascular Plants of California. Potential impacts to populations of CNPS-ranked plants receive consideration under CEQA review. The following identifies the definitions of the California Rare Plant Rank:

- Rank 1A: Plants presumed extirpated in California and either rare or extinct elsewhere
- Rank 1B: Plants rare, threatened, or endangered in California and elsewhere
- Rank 2A: Plants presumed extirpated in California but common elsewhere
- Rank 2B: Plants rare, threatened, or endangered in California but more common elsewhere
- Rank 3: Plants about which more information is needed
- Rank 4: Watch List: Plants of limited distribution

All plants appearing on the CNPS List ranked 1 or 2 are considered to meet the CEQA Guidelines Section 15380 criteria. While only some of the plants ranked 3 and 4 meet the definitions of threatened or endangered species, potential impacts to these species or their habitats should be analyzed during the preparation of environmental documents relating to CEQA, as they may meet the definition of Rare or Endangered under CEQA Guidelines Section 15380 criteria.

Regional and Local

Habitat Conservation Plan

The project site does not lie within the boundaries of any adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or State Habitat Conservation Plan.

City of Visalia Municipal Code

The City Municipal Code contains the following provisions regarding the protection and preservation of biological resources:

Chapter 12.24 Oak Tree Preservation

Articles 1–5 describe the City restrictions related to potential destruction, removal, and other activities affecting oak trees during development planning and implementation, including (see Code for more details):

Article 1 **Purpose and Definitions–**Valley Oak Tree (Quercus lobata) and "Landmark" trees

Article 2 **Destruction Prohibition–Removal Permit Requirements**

- Willful destruction of oak trees prohibited
- Oak tree removal permit required
- Removal standards
- Mitigation requirements

Article 3 **Pruning Standards and Requirements**–Pruning notice required

Article 4 **Development Proposals; Protection of Oak Trees**–Encroachment into canopy dripline of oak trees during construction

Article 5 **Enforcement**–Enforcement proceedings and penalties

Street Tree Ordinance

Sections 12.20.010 *et seq*. of the City's Municipal Code regulates the planting, long-term care, maintenance, and protection of street trees within the City, including protection during construction and replacement.

A street tree is defined as any tree that is located between the curb and sidewalk or within a tree well in the sidewalk within the public right-of-way, or any tree within a street tree easement in or adjacent to the public right-of-way.

3.4.4 - Methodology

Records Searches and Survey to Identify Existing Biological Resources

The literature review provides a baseline from which to evaluate the biological resources potentially occurring on the project site, as well as the surrounding area (e.g., the *Goshen, California* USGS 7.5-minute Topographic Quadrangle Map and its eight neighboring quadrangles) area, in accordance with applicable requirements under CEQA. This section summarizes the results of the literature search, database review, and survey conducted on July 5, 2022.

Literature Review

Existing Documentation

As part of the literature review, an FCS Biologist examined existing environmental documentation for the project site and vicinity. This documentation included biological studies for the area; literature pertaining to habitat requirements of special-status species potentially occurring on the project site and vicinity; and federal register listings, protocols, and species data provided by USFWS and CDFW.

Topographic Maps and Aerial Photographs

A FCS Biologist reviewed current USGS 7.5-minute topographic quadrangle map(s) and aerial photographs as a preliminary analysis of the existing conditions within the project site and the remainder of the study area.[9] Information obtained from the review of the topographic maps

[9] United States Geological Survey (USGS). 2020. National Geospatial Program. Website: https://www.usgs.gov/core-science-

included elevation range, general watershed information, and potential drainage feature locations using Google Earth in conjunction with the EPA Watershed Assessment, Tracking, and Environmental Results System (WATERS).[10] Aerial photographs provide a perspective of the most current site conditions relative to on-site and off-site land use, plant community locations, and potential locations of wildlife movement corridors.

Soil Surveys

The United States Department of Agriculture (USDA) has published soil surveys that describe the soil series (i.e., group of soils with similar profiles) occurring within a particular area.[11] These profiles include major horizons with similar thickness, arrangement, and other important characteristics. These series are further subdivided into soil mapping units that provide specific information regarding soil characteristics. Many special-status plant species have a limited distribution based exclusively on soil type. Therefore, pertinent USDA soil survey maps were reviewed to determine the existing soil mapping units within the project site and to establish if soil conditions on-site are suitable for any special-status plant species.

Special-status Species Database Search

An FCS Biologist compiled a list of threatened, endangered, and otherwise special-status species previously recorded on-site and the surrounding area. The list was based on a search of the CDFW CNDDB, the USFWS Information for Planning and Consultation (IPaC) database and the CNPSEI of Rare and Endangered Vascular Plants of California database for the *Goshen, California* USGS 7.5-minute Topographic Quadrangle Map and its eight neighboring quadrangles.[12,13]

The CNDDB Biogeographic Information and Observation System (BIOS 5) database was used to determine the distance between known recorded occurrences of special-status species and the project site.[14]

Trees

Prior to conducting the reconnaissance-level survey, a FCS Biologist reviewed applicable City and County ordinances pertaining to tree preservation and protective measures and their required tree replacement conditions or permits.

systems/national-geospatial-program/us-topo-maps-america?qt-science_support_page_related_con=4#qt-science_support_page_related_con. Accessed November 3, 2022.

[10] United States Environmental Protection Agency (EPA). 2020. Watershed Assessment, Tracking and Environmental Results System (WATERS). Website: https://www.epa.gov/waterdata/waters-watershed-assessment-tracking-environmental-results-system. Accessed November 3, 2022.

[11] Natural Resources Conservation Service (NRCS). 2020. Web Soil Survey (WSS). United States Department of Agriculture (USDA). Website: https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx. Accessed November 3, 2022.

[12] California Department of Fish and Wildlife (CDFW). 2020. CNDDB RareFind 5 California Natural Diversity Database Query for Special-Status Species. Website: https://map.dfg.ca.gov/rarefind/view/RareFind.aspx. Accessed November 3, 2022.

[13] California Native Plant Society (CNPS). 2020. California Native Plant Society Rare and Endangered Plant Inventory. Website: http://www.rareplants.cnps.org/. Accessed November 3, 2022.

[14] California Department of Fish and Wildlife (CDFW). 2020. Biogeographic Information and Observation System (BIOS 5). Website: https://map.dfg.ca.gov/bios/. Accessed November 3, 2022.

Jurisdictional Waters and Wetlands

Prior to conducting the reconnaissance-level survey, a FCS Biologist reviewed EPA WATERS and aerial photography to identify any potential natural drainage features and water bodies.[15] In general, all surface drainage features identified as blue-line streams on USGS maps are expected to be potentially subject to State and federal regulatory authority as "waters of the United States and/or State." A preliminary assessment was conducted to determine the location of any existing drainages relative to the proposed limits of project-related activities involving grading or other ground disturbance.

Field Survey

FCS Senior Biologist, Robert Carroll, conducted a reconnaissance-level field survey of the project site on July 5, 2022, between approximately 10:00 a.m. and 4:00 p.m. The objective of the survey was not to exhaustively search for every potential species occurring within the project site, but rather to ascertain general site conditions and identify potentially suitable habitat areas for special-status plant and wildlife species. Special-status or unusual biological resources identified during the literature review were confirmed during the reconnaissance-level survey for mapping accuracy. Special attention was paid to sensitive habitats and areas potentially supporting special-status floral and faunal species.

Vegetation

Common plant species observed during the reconnaissance-level survey were identified by visual characteristics and morphology in the field and recorded in a field notebook. Uncommon and less familiar plants were identified with the use of taxonomical guides, including Jepson eFlora and Calflora.[16,17] Taxonomic nomenclature used in this study follows The *Jepson Manual: Vascular Plants of California*.[18] Common plant names, when not available from The Jepson Manual, were taken from other regionally specific references. Vegetation types and boundaries were noted on aerial photos, verified through field observation, and digitized using ESRI ArcGIS software® ArcMap 10.0. By incorporating collected field data and interpreting aerial photography, a map of habitat types, land cover types, and other biological resources within the project site was prepared. Vegetation community and land cover types used to help classify habitat types are based on Manual of California Vegetation and cross-referenced with the CDFW Natural Communities List.[19,20]

Wildlife

All wildlife species that were detected during the on-site reconnaissance-level survey by sight, calls, tracks, scat, or other signs were recorded, and notations were made regarding suitable habitat for

[15] United States Environmental Protection Agency (EPA). 2020. Watershed Assessment, Tracking and Environmental Results System (WATERS). Website: https://www.epa.gov/waterdata/waters-watershed-assessment-tracking-environmental-results-system. Accessed October 20, 2022.

[16] Jepson Flora Project (eds.) 2020. Jepson eFlora. Website: https://ucjeps.berkeley.edu/eflora/. Accessed November 3, 2022.

[17] Calflora. 2020. Calflora: Information on California plants for education, research, and conservation. Website: http://www.calflora.org/. Accessed July 2022.

[18] Baldwin, B. et al. 2012. The Jepson Manual: Vascular Plants of California. Berkeley: University of California Press. County of San Bernardino (Bernardino). 2007 (amended 2015).

[19] Sawyer, J.O., T. Keeler-Wolf, and J.M. Evens. 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society, Sacramento.

[20] California Department of Fish and Wildlife (CDFW). 2020. Natural Communities List, Sacramento: California Department of Fish and Wildlife. Website: https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities#sensitive%20natural%20communities. Accessed November 3, 2022.

those special-status species determined to potentially occur within the project site.[21] FCS staff used appropriate field guides to assist with species identification during surveys, such as Peterson, Reid, and Stebbins.[22,23,24] Online resources such as eBird and California Herps were consulted, as necessary.[25,26]

Wildlife Movement Corridors

Wildlife movement corridors link areas of suitable wildlife habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. Urbanization and the resulting fragmentation of open space areas create isolated "islands" of wildlife habitat, forming separated populations. Corridors act as an effective link between populations.

The project site was evaluated for evidence of a wildlife movement corridor during the reconnaissance-level survey. The scope of the BRA did not include a formal wildlife movement corridor study utilizing track plates, camera stations, scent stations, or snares. Rather, the focus of this study was to determine whether the proposed project's change of land use at the project site could have significant impacts on the regional movement of wildlife.

The following conclusions are based on the information compiled during the literature review, including aerial photographs, USGS topographic maps and resource maps for the vicinity; the field survey; and professional experience with the desired topography, habitat, and resource requirements of the special-status species potentially utilizing the project site and vicinity.

Approach to Analysis

Impacts on biological resources were evaluated based on the likelihood that special-status species, sensitive habitats, wildlife corridors, and protected trees are present on the project site, and the likely effects of project construction or operation on these resources. For the purposes of this Draft EIR, the word "substantial" as used in the significance thresholds above is defined by the following three principal components:

- Magnitude and duration of the impact (e.g., substantial/not substantial),
- Uniqueness of the affected resource (rarity), and
- Susceptibility of the affected resource to disturbance.

The study area for the proposed project is defined as the project site as well as any areas surrounding the site that would be disturbed by the proposed project.

[21] California Department of Fish and Wildlife (CDFW). 2020. CNDDB RareFind 5 California Natural Diversity Database Query for Special-Status Species. Website: https://map.dfg.ca.gov/rarefind/view/RareFind.aspx. Accessed November 3, 2022.
[22] Peterson, T.R. 2010. A Field Guide to Birds of Western North America, 4th Edition. Boston: Houghton Mifflin Harcourt.
[23] Reid, F. 2006. A Field Guide to Mammals of North America, 4th Edition. Boston: Houghton Mifflin Harcourt.
[24] Stebbins, R.C. 2003. A Field Guide to Western Reptiles and Amphibians. Third Edition. Boston: Houghton Mifflin Harcourt.
[25] eBird. 2020. Online bird occurrence database. Website: http://ebird.org/content/ebird/. Accessed November 3, 2022.
[26] California Herps. 2020. A Guide to the Amphibians and Reptiles of California. Website: http://www.californiaherps.com/. Accessed November 3, 2022.

3.4.5 - Thresholds of Significance

Significance Criteria

The lead agency derives its significance criteria based on the questions in the CEQA Guidelines Appendix G Environmental Checklist. Accordingly, impacts resulting from the implementation of the proposed project would be considered significant if the proposed project would:

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

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

c) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

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

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

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan.

For purposes of this analysis, the following criteria consistent with State CEQA Guidelines Section 15065 are considered in evaluating the significance of biological resources impacts resulting from implementation of the project. Specifically, whether the project would:

- Substantially reduce the habitat of a fish or wildlife species;
- Cause a fish or wildlife population to drop to below self-sustaining levels;
- Threaten to eliminate a plant or animal community; or
- Substantially reduce the number or restrict the range of an endangered, rare, or threatened species.

3.4.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the development of the proposed project and provides feasible mitigation measures where appropriate.

Special-status Species

Impact BIO-1: **Would the project have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?**

Special-status Plant Species

Seventeen special-status plant species and CNPS sensitive species that have been recorded within the *Goshen, California* USGS Topographic Quadrangle Map and its eight neighboring quadrangles by the CNDDB and CNPSEI were evaluated (Appendix C.2, Table 1).[27,28] The evaluation includes the species' status, required habitat, and potential to occur within the project site. As detailed more fully in Appendix C, none of the special-status plant species were determined to have potential to occur on-site primarily due to the absence of suitable habitat, past and current land use, and the extent and frequency of ground disturbance. Because of the absence of special-status plant species as well as the absence of suitable habitat for these species, the proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any special-status plant species.

Special-status Wildlife Species

The following section analyzes potential project-related impacts on special-status wildlife species and establishes feasible avoidance and minimization measures to reduce potential project-related impacts to less than significant levels.

Swainson's Hawk

Suitable Swainson's hawk nesting trees are located on the project site and suitable Swainson's hawk foraging habitat is present on adjacent properties north and east of the project site. Swainson's hawks readily habituate to a variety of human disturbances including construction. Swainson's hawk nests are often found along busy roadways and in a variety of settings where substantial noise and other disturbances occur, including in agricultural areas. There are conditions, however, where the potential for abandonment is increased. This can occur when new disturbances are introduced to an otherwise open, rural setting. Under these conditions, no-disturbance buffers are important to avoid nest abandonment. No-disturbance buffers are intended to prevent all ground-disturbing activities and project-related entry of any sort into the buffer area. Although tolerant of human presence and activities, Swainson's hawks are most sensitive to direct observation of the nest by people. Therefore, restrictions within buffers should prohibit all entry and direct observation of the nest.

If a Swainson's hawk nest is active on or near the project site during construction, the proposed project could impact this species in several ways:

[27] California Department of Fish and Wildlife (CDFW). 2020. CNDDB RareFind 5 California Natural Diversity Database Query for Special-Status Species. Website: https://map.dfg.ca.gov/rarefind/view/RareFind.aspx. Accessed October 20, 2022.

[28] California Native Plant Society (CNPS). 2020. California Native Plant Society Rare and Endangered Plant Inventory. Website: http://www.rareplants.cnps.org/. Accessed October 20, 2022.

- The proposed project could cause direct harm to the species by the destruction of active nests during tree removal activities.
- The proposed project could cause indirect harm to the species through the noise, light and other man-made disturbances resulting from project construction and operation, which may result in this species abandoning its nests.

The project developer would be responsible for compliance with all applicable laws and regulations in place protecting Swainson's hawk, including applicable provisions of CESA, MBTA, and the Fish and Game Code. These laws and regulations are described in Section 3.4.3 and are designed to reduce potential project-related impacts on Swainson's hawk.

The project site does not currently provide foraging habitat due to the existing orchard operations. Therefore, development of the proposed project would not remove foraging area for this species.

To further reduce potential impacts on Swainson's hawk to less than significant levels under CEQA and avoid the "take" of a Swainson's hawk as defined by CESA, Mitigation Measures (MM) BIO-1a and MM BIO-1b will be required to increase the potential to detect Swainson's hawk nests and to establish adequate nest protection zones to decrease the chance of accidental violation of the above laws and to conform with applicable CDFW Guidelines.[29]

In 2000, the Swainson's Hawk Technical Advisory Committee prepared the above-noted Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley that focused on the timing of surveys and, as an alternative to the 1994 CDFW guidance (requiring 0.5 mile no-disturbance buffer), provided information on disturbance buffers and the risk to active nests. Although the members of the Technical Advisory Committee and other biologists have years of supporting observational data from a variety of construction or other related disturbances, the distance guidance in the Technical Advisory Committee document primarily used data from the California Department of Water Resources Delta Temporary Barriers project and other Delta projects. Annual surveys and nest monitoring are conducted to avoid nest abandonment resulting from project activities. This has resulted in a more reasonable data-based approach to assessing disturbance impacts and establishing buffers. Based on these data, the Technical Advisory Committee guidance indicates that the lowest risk of nest abandonment is achieved at a distance of 600 feet. The Technical Advisory Committee guidance on distance buffers has been regularly used for many years as an alternative to the 1994 CDFW guidance. Therefore, it has been determined that a 600-foot no-disturbance buffer prohibiting all entry during the breeding season would be sufficient for the proposed project should an active Swainson's hawk nest become established.

Western Burrowing Owl

While no suitable habitat for western burrowing owl exists on-site (see Section 3.4.2), and no burrowing owl or signs thereof were observed on adjacent fields during the time of the survey, it cannot be ruled out that nesting burrowing owl may be present within disturbance distance of the proposed project, which is currently considered to be 500 feet. If project activities include a

[29] California Department of Fish and Wildlife (CDFW). 2000. Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. Swainson's Hawk Technical Advisory Committee. Sacramento, California. May 31, 2000.

significant increase in noise or other indirect disturbance of an active burrowing owl within 500 feet of an active burrowing nest were to occur, premature nest abandonment and loss of viable eggs or young could take place. Loss of burrowing owl would be considered a significant impact. However, with implementation of MM BIO-1c, detection and protection of active burrowing nests on adjacent fields would reduce this potential impact to less than significant.

San Joaquin Kit Fox

Potential presence of San Joaquin kit fox is unlikely because no signs of suitable denning habitat were observed during the field surveys, and if it occurred, San Joaquin kit fox presence would be limited to vagrant individuals dispersing across the project site in search of suitable habitat. The project site does not include suitable habitat and no suitable dens were observed on-site. However, a pre-construction survey to confirm absence of this species from the project site will be required (MM BIO-1d), and standard San Joaquin fox avoidance measures will follow to ensure that impacts would be less than significant.

American Badger

Potential presence of American badger is unlikely because no dens or burrows suitable for this species were observed during the field surveys, and if it occurred, American badger presence would be limited to vagrant individuals dispersing across the project site to find suitable habitat. The project site does not include suitable habitat and no suitable dens or burrows were observed on-site. However, a pre-construction survey to confirm absence of this species from the project site shall be required (MM BIO-1d) to ensure that impacts would be less than significant. Standard avoidance measures for the San Joaquin kit fox (MM BIO-1d) would also act to protect the American badger.

Crotch's Bumblebee

Potential presence of Crotch's bumblebee is unlikely because entire project site consists of actively managed orchard and no required habitat elements for this species are present, and if it occurred, it would be limited to vagrant individuals dispersing across the project site to find suitable habitat. The project site does not include suitable habitat. Therefore, implementation of the proposed project would not result in significant impacts on this species. However, a pre-construction survey to confirm absence of this species from the site shall be required (MM BIO-1d) to ensure that impacts would be less than significant.

Nesting Birds

Birds protected under the MBTA or California Fish and Game Code are legally protected and considered sensitive during the active nesting period and are therefore included in this impact analysis for special-status species. The extensive almond orchards, numerous ornamental trees, and the stand of large eucalyptus trees along (outside of) the southern boundary of the project site provide suitable habitat for a variety of species of nesting birds, including Swainson's hawk. Construction activities that occur during the avian nesting season (generally February 1 to August 31) could disturb nesting sites for bird species protected under the MBTA or the Fish and Game Code. Further, the removal of trees during the nesting season could result in direct harm to nesting birds, while noise, light and other man-made disturbances may cause nesting birds to abandon their nests.

The project developer would be required to comply with all applicable laws and regulations protecting active bird nests, including MBTA and Fish and Game Code. These laws and regulations are described in Section 3.4.3 and are designed to reduce potential project-related impacts on protected nesting birds.

To reduce potential impacts on protected bird nests to less than significant levels, MM BIO-1e will be required to increase the potential to detect protected bird nests and to establish adequate nest protection zones to decrease the chance of accidental violation of applicable laws.

Roosting Bats

If protected bat roosts are present on the project site or within disturbance distance, demolition activities have the potential to disturb/disrupt protected bat roosts, potentially leading to direct destruction or premature roost abandonment and loss of bats (including young or rare/sensitive bat species).

The project developer would be required to comply with all applicable laws and regulations (including the Fish and Game Code) related to the take of non-game mammals naturally occurring in California, including bats. These laws and regulations are listed in Section 3.4.3 and are intended to reduce potential project-related impacts on naturally occurring non-game mammals, including bats.

To reduce potential impacts on roosting bats to less than significant levels, MM BIO-1f will be required to increase the potential to detect protected bat roosts and reduce the likelihood of disturbing or disrupting such roosts.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM BIO-1a Pre-construction Surveys for Swainson's Hawk

Prior to initial ground disturbance or building permits of any project area, if during the nesting season for Swainson's hawk (March 20 to July 20), a qualified Biologist shall conduct Swainson's hawk nesting surveys on-site and within a 0.5-mile radius of the project site to determine whether nests are present and if so, occupied. Occupancy shall be determined through observation of all accessible areas, including from public roads or other publicly accessible observation areas of Swainson's hawk activity (e.g., foraging) on and near the project site. If ground disturbance occurs outside the nesting season, no further action is required.

A qualified Biologist shall follow the survey protocol outlined in the California Department of Fish and Wildlife (CDFW) Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley, which recommends surveys according to the following survey periods:

1. **January–March 20**: Conduct one survey total.

2. **March 20–April 5:** Conduct three surveys total. Surveys shall be conducted between sunrise to 10:00 a.m. and/or 4:00 p.m. to sunset.
3. **April 5–April 20:** Conduct three surveys total. Surveys shall be conducted between sunrise to 12:00 p.m. and/or 4:30 p.m. to sunset.
4. **April 21–June 10:** Initiating surveys are not recommended. Monitoring of known nest sites only.
5. **June 10–July 30:** (post-fledging) Conduct three surveys total. Surveys shall be conducted between sunrise to 12:00 p.m. and/or 4:00 p.m. to sunset.

Pre-construction surveys shall be completed for at least the two survey periods immediately prior to the subject ground-disturbing activities being initiated, with the latest survey no more than 10 days prior to the start of the subject ground-disturbing A copy of the survey results shall be submitted to the lead agency as evidence of compliance.

MM BIO-1b Swainson's Hawk Avoidance and Minimization and Construction Monitoring

If nests are located and determined to be occupied, minimization measures must be implemented by the relevant applicant in connection with a specific individual development application, and construction monitoring conducted as follows:

1. Construction activities shall be prohibited within 600 feet of an active and occupied Swainson's hawk nest or within 600 feet of nests under construction to prevent nest abandonment unless a smaller buffer is approved pursuant to subsection (2) below. This incorporates the maximum avoidance buffer size stated in the California Department of Fish and Wildlife (CDFW) Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley.
2. If site-specific conditions or the nature of the construction activity (e.g., other nearby development, limited activities) indicate that a smaller buffer, or no buffer at all, could be used, the project developer may seek approval from the qualified Biologist who, in coordination with the CDFW, shall determine the appropriate buffer size, which, once approved, shall govern.
3. No tree containing an active Swainson's hawk nest shall be removed.

   If (i) no nests are located or (ii) if nests are located and determined not to be occupied, then no minimization measures shall need to be implemented and no further mitigation under MM BIO-1b shall be required.

MM BIO-1c Pre-construction Surveys for Burrowing Owl (includes avoidance and passive relocation if found)

To determine whether burrowing owl have occupied the project site prior to its development, a qualified Biologist shall perform a pre-construction burrowing owl survey to determine burrow locations within 30 days prior to construction activities

using California Department of Fish and Wildlife (CDFW) Guidelines. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed. Surveys for occupied burrows shall be completed within all construction areas and within 300 feet of the proposed project impact area (where possible and appropriate based on locations of barren or ruderal habitats). At least 15 days prior to the expected start, or restart, of any project-related ground disturbance activities, the project applicant shall provide a burrowing owl survey report with mapping exhibits to the CDFW. If no burrowing owl are detected during the pre-construction survey, no further action is necessary.

If burrowing owl are detected during the pre-construction survey, the following actions shall be taken to offset impacts during construction (as outlined in the CDFW 2012 Guidelines):

- During the nonbreeding season (September 1 through January 31), no disturbance shall occur within an approximately 160-foot radius of an occupied burrow. During the nesting season (February 1 through August 31), occupied burrows shall not be disturbed within a 300-foot radius unless a qualified Biologist approved by the CDFW verifies through non-invasive methods that either (1) the birds have not begun egg-laying and incubation or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.
- If owls must be moved away from the disturbance area, passive relocation techniques (as outlined by the CDFW [i.e., use of one-way doors]) should be used rather than trapping. At least one or more weeks will be necessary to accomplish this and to allow the owls to acclimate to alternate burrows.
- If unpaired owls or paired owls are present in or within 300 feet of areas scheduled for disturbance or degradation (e.g., grading) and nesting is not occurring, owls are to be removed per CDFW-approved passive relocation protocols. Passive relocation requires the use of one-way exclusion doors, which must remain in place at least 48 hours prior to site disturbance to ensure owls have left the burrow prior to construction. A CDFW-approved exclusion plan would be required to implement this measure.
- If paired owls are nesting in areas scheduled for disturbance or degradation, nest(s) shall be avoided from February 1 through August 31 by a minimum 300-foot buffer or until fledging has occurred. Following fledging, owls may be passively relocated.

MM BIO-1d **Pre-construction Special-status Species Wildlife Surveys and Protective Measures if Found, Including Standard Avoidance Measures for San Joaquin Kit Fox.**

Not more than 14 days before start of ground disturbance, a qualified Biologist shall conduct surveys to determine the presence/absence of the following special-status wildlife species: Crotch's bumblebee, San Joaquin kit fox, western burrowing owl, and American badger. Should any of the foregoing special-status wildlife species be

detected, the qualified Biologist shall coordinate with the California Department of Fish and Wildlife (CDFW) and/or the United States Fish and Wildlife Service (USFWS) (as appropriate) to determine adequate protection measures as may be required under applicable laws and regulations, and the relevant project developer shall implement all such measures in connection with the development proposal at issue. Copies of all reports and communication with the appropriate wildlife agencies shall be submitted to the lead agency as evidence of compliance.

The following standardized recommendations as outlined by the USFWS for the protection of San Joaquin Kit Fox shall be implemented during project construction:

1. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited.
2. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the Service and the California Department of Fish and Game (CDFG) shall be contacted as noted under measure 13 referenced below.
3. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the Service has been consulted. If necessary, and under the direct supervision of the Biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.
4. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site.
5. No firearms shall be allowed on the project site.
6. No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens.
7. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the

depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.

8. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service.
9. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site.
10. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be re-contoured if necessary, and revegetated to promote restoration of the area to pre-project conditions.
11. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance.
12. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFG immediately in the case of a dead, injured or entrapped kit fox.
13. The Sacramento Fish and Wildlife Office and CDFG shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information.
14. New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below.

MM BIO-1e Protection of Active Bird Nests (includes pre-construction survey and implementation of avoidance buffer, if found).

1. Removal of trees shall occur in compliance with and as required by the City's Tree Preservation Ordinance
2. If project development requires trees to be removed during the nesting season, pre-construction nesting bird surveys shall be conducted 7 days prior to tree removal to determine whether active nests are present.
3. If an active nest is located during pre-construction surveys, a qualified Biologist shall determine an appropriately sized avoidance buffer based on species and anticipated disturbance level. The buffer shall be 250 feet for migratory bird species and 500 feet for raptors. That no-disturbance buffer can be reduced if it is determined whether a qualified on-site monitor determines through monitoring the effects of activities on the nest that the buffer can be reduced without nest abandonment or otherwise affecting nest success.
4. The relevant applicant of the proposed development at issue shall physically mark the nest protection zone with Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. The nest protection zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently, as determined by a qualified Biologist. No construction activities or construction foot traffic is allowed to occur within the nest protection zones until the young have fledged and are foraging independently, as determined by a qualified Biologist.
5. The qualified Biologist shall monitor the active nest(s) periodically during construction activities to prevent any significant impacts that may result from the construction of the proposed project, until the young have fledged. Copies of the survey report shall be submitted to the lead agency as evidence of compliance.

   If no active nests are located, then no minimization measures shall need to be implemented and no further mitigation under this MM BIO-1e shall be required.

MM BIO-1f Protection of Roosting Bats (includes pre-construction survey and implementation of avoidance buffer, if found).

If tree removal or demolition of existing structures is proposed in connection with project development, trees and/or structures with features capable of supporting roosting bats shall be surveyed by a qualified Biologist for bat roosts or evidence of bat roosting (guano, urine staining and scent, dead bats) not more than 14 days before the start of ground disturbance, including vegetation removal. If active roosts are discovered, a protection zone of no less than 50 feet around the active roost shall be established by the qualified Biologist. Disturbance may occur within the buffer once active roosting ceases, as determined by the qualified Biologist.

If roosts are determined to be present and must be removed, the bats shall be excluded from the roosting site before the tree or structure is removed. A bat Exclusion Plan shall be reviewed and approved by the California Department of Fish and Wildlife (CDFW) prior to implementation. Exclusion methods may include use of one-way doors at roost entrances (bats may leave, but not reenter), or sealing roost entrances when the site can be confirmed to contain no bats. Exclusion efforts shall be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). Copies of the survey report shall be submitted to the lead agency as evidence of compliance. If no active roosts are located, then no minimization measures shall need to be implemented and no further mitigation under this MM BIO-1f shall be required.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

Sensitive Natural Communities or Riparian Habitat

Impact BIO-2:	**Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?**

None of the vegetation communities on-site and described in Section 3.4.2 are considered riparian habitat or other sensitive natural communities. No sensitive natural communities are present on-site, and there is no riparian habitat present on-site. Impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Wetlands and Jurisdictional Features

Impact BIO-3:	**Would the project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

The proposed project involves the removal or modification of the existing retention basin and would potentially require new culvert crossings over Modoc Ditch and extension of one existing culvert crossing (Exhibit 3.4-2).

As stated in Section 3.4.2, Modoc Ditch and the retention basin are not expected to be considered State- or federally protected aquatic resources pursuant to CWA Sections 404/401 and/or Fish and Game Code Section 1602. Moreover, because both features are parts of actively managed irrigation infrastructure, and therefore disconnected from natural flows downstream, it is not expected that

the proposed modifications would cause indirect impacts on State- or federally protected aquatic resources downstream.

A preliminary JD was conducted for the proposed project (Appendix C). According to the JD, the Modoc Ditch is likely an irrigation ditch that was solely constructed for the purposes of irrigation of agricultural areas. It has no downstream connection to federal or State water resources. The Modoc Ditch upstream connection to the Saint John's River is likely artificial, and if irrigation activities surround the Modoc Ditch were to end, water would stop flowing into the ditch and it would subsequently dry up. Therefore, impacts to the Modoc Ditch would likely be exempt from permitting with the RWQCB due to the lack of connection to waters of the State and the status as an irrigation ditch constructed in an otherwise upland area, solely for the purpose of agricultural irrigation. Modoc Ditch also lacks native plant communities or habitats and is of a low-quality habitat for wildlife. Therefore, impacts to Modoc Ditch would not likely require permitting with CDFW due to the project impacts not resulting in negative effects to habitat for wildlife or aquatic habitats. Regardless, the proposed project would be required to comply with all applicable federal and State water quality laws and regulations, including CWA 402 (NPDES), and the Porter-Cologne Water Quality Control Act (including stormwater control permits), and Fish and Game Code as described in Section 3.4.3. Compliance with all applicable provisions of the CWA and Porter-Cologne Water Quality Control Act would be sufficient for the proposed project to reduce potential impacts to State- and federally protected waters or wetlands to a less than significant level under CEQA.

It is notable that CDFW in its October 17, 2022, comment letter to the Shirk and Riggin Industrial Park Project NOP (State Clearinghouse No. 2022080658) from October 17, 2022, submitted to the City of Visalia, the CDFW does not request submittal of a Notification of Streambed Alteration, indicating that none is required. No additional mitigation measures would typically be warranted in such instances.

However, in accordance with City standards and to further confirm that the project site does not contain any State or federally protected aquatic resources, MM BIO-3 shall be required for the proposed project.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM BIO-3 The project developer shall submit the preliminary Jurisdictional Delineation (JD) and coordinate with the appropriate regulating agencies (Central Valley Regional Water Quality Control Board [RWQCB], California Department of Fish and Wildlife [CDFW] and the United States Army Corps of Engineers [USACE]) to determine whether the Modoc Ditch is protected under Section 404 and 401 of the Clean Water Act (CWA), Porter-Cologne Water Quality Control Act, and/or Fish and Game Code 1602.

If Modoc Ditch is considered jurisdictional by the regulating agencies, the relevant project developer shall, in accordance with all applicable laws and regulations,

obtain the relevant permit applications based on coordination with the appropriate regulating agencies, if required prior to impacting any waters.

As part of these authorizations, compensatory mitigation may be required by the regulating agencies to offset the loss of aquatic resources. If so, and as part of the permit application process, a qualified professional shall draft a Mitigation and Monitoring Plan to address implementation and monitoring requirements under the permit(s) to ensure that the subject development proposal would result in no net loss of habitat functions and values. The Plan shall contain, at a minimum, mitigation goals and objectives, mitigation location, a discussion of actions to be implemented to mitigate the impact, monitoring methods and performance criteria, extent of monitoring to be conducted, actions to be taken in the event that the mitigation is not successful, and reporting requirements. The Plan shall be approved by the appropriate regulatory agencies and compensatory mitigation shall take place either on-site or at an appropriate off-site location, if required. Copies of the Plan and associated report shall be submitted to the lead agency as evidence of compliance.

Any material/spoils generated from project activities containing hazardous materials shall be located away from jurisdictional areas or special-status habitat and protected from stormwater runoff using temporary perimeter sediment barriers such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate and feasible. Protection measures should follow project-specific criteria as developed in a Storm Water Pollution Prevention and Protection Plan (SWPPP).

Equipment containing hazardous liquid materials shall be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage from contaminating the ground and at least 50 feet outside the delineated boundary of jurisdictional water features.

Any spillage of material shall be stopped if it can be done safely and in a feasible manner. In the event of any such spillage, the contaminated area shall be cleaned by the party responsible for the spillage, and any contaminated materials properly disposed. For all spills, the project foreman or designated environmental representative shall be notified.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

Fish and Wildlife Movement Corridors

Impact BIO-4:	**Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?**

Most of the site consists of actively managed orchards and does not contain habitat features such as riparian corridors that could function as wildlife corridors. Additionally, the project site is surrounded by active roadways, active agriculture, and industrial and residential development, all of which impede the movement of wildlife and limit the use of the project site as a potential corridor for wildlife movement. The project site is not within a known wildlife corridor.

While the project site does is not within a known wildlife corridor, active bird nests and bat maternity roosts are potential wildlife nursery sites. Potential project-related impacts on active bird nests and bat roosts are analyzed and discussed under Impact BIO-1 and are considered potentially significant. However, implementation of MM BIO-1e and MM BIO-1f would avoid significant impacts on active bird nests and bat roosts by establishing protection zones if nests or roosts are found and would reduce this impact to less than significant.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement MM BIO-1e and MM BIO-1f.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

Local Policies or Ordinances

Impact BIO-5:	**Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

The valley oak (Section 3.4.2; Exhibit 3.4-1) rooted across Modoc Ditch with its canopy overhanging the project site is protected under the City's Oak Tree Preservation Ordinance, including against "Encroachment into canopy dripline of oak trees during construction" (Article 4; Section 3.4.3). The proposed project involves no vertical structures, soil disturbance or access road construction at this location (Exhibit 3.4-2). Therefore, impacts on the valley oak would be less than significant.

The proposed project would require removal of up to approximately 1.19 acre of non-native ornamental trees. These trees would only be considered protected or regulated if they are within the City's right-of-way. This may be the case for the cedar tree in the southeast corner of the project site, potentially within the right-of-way of Riggin Avenue.

With compliance with the City's Street Tree Ordinance, however, potential impacts on trees regulated by the City's Street Tree Ordinance would be less than significant without additional mitigation.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Local, Regional, or State Habitat Conservation Plan

Impact BIO-6:	**Would the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan?**

The proposed project does not lie within the boundaries of any adopted HCP, NCCP, or other approved local, regional, or State HCP. No impact would occur.

Mitigation Measures

No mitigation measures are required.

Level of Significance

No impact.

3.4.7 - Cumulative Impacts

The general geographic scope of the cumulative biological resources analysis is within the City of Visalia's Sphere of Influence (SOI) as shown on Table 3-1. Existing cumulative projects in the geographic scope of the biological resources analysis include active mixed agriculture to the north and east, industrial complexes to the west and south, and a dairy farm to the south. The planned developments listed in Chapter 3, Environmental Impact Analysis, Table 3-1 are predominantly located in areas that have already been built out with limited potential to support special-status wildlife and plant species, wildlife corridors and wildlife nursery sites, and protected trees. Furthermore, as noted below, there is a comprehensive regulatory framework that is imposed on cumulative projects to help ensure protected biological resources are identified and any significant impacts are feasibly mitigated. Accordingly, there is a low likelihood of special-status wildlife or plants, wildlife corridors or nursery sites, or protected trees occurring within these urban cumulative project areas due to past ground disturbance and planned for development.

Special-status Species

Cumulative projects within the cumulative geographic context would be required to comply with applicable federal, State, and local laws, regulations, and policies and all applicable permitting requirements of the regulatory and oversight agencies intended to address potential impacts on biological resources. Cumulative projects would be required to adhere to standard pre-construction surveys and implement, if necessary, avoidance procedures would be required for projects with the potential to impact special-status wildlife species (see, e.g., MM BIO-1a through MM BIO-1d). Given the already urbanizing nature of the cumulative geographic context and because cumulative development would be required to comply with the above requirements, as well as applicable General Plan and Municipal Code requirements (as described in Section 3.4.3, Regulatory Framework) cumulative biological impacts related to special-status species would be less than significant.

Special-status Plant Species

The proposed project's incremental contribution to less than significant cumulative impacts would not be cumulatively considerable. Based on reasonable assumptions, this analysis concludes that no cumulative impacts on special-status plant species would result from the cumulative projects shown on Exhibit 3-1 due to the low probability of special-status plants to occur on active agricultural lands, and the generally applicable laws and regulations protecting special-status plant species. Therefore, this would constitute a less than significant cumulative impact.

Moreover, there would be no direct or indirect impacts to special-status plant species or to designated or proposed critical habitat for plant species on the project site. No suitable habitat for these species occurs within the project site and none were identified during the field survey. Therefore, because none are present on the project site, implementation of the proposed project would not make a cumulatively considerable contribution to this already less than significant cumulative effects to special-status plants.

Special-status Wildlife Species

As discussed above, because cumulative development would be required to comply with the applicable requirements as described in the Regulatory Framework section, cumulative biological impacts would be less than significant. Therefore, no significant cumulative impacts on these protected functional groups are expected.

Moreover, the proposed project's incremental contribution to less than significant cumulative impacts would not be cumulatively considerable. The project site is an actively managed orchard with a few ornamental trees, and provides negligible habitat value for special-status wildlife species. No special-status species are expected to successfully establish at the project site long term. Therefore, no cumulative impacts on special-status wildlife species are expected.

Additionally, upon compliance with applicable laws and regulations, and the implementation of recommended mitigation measures (MM BIO-1a, MM BIO-1b, MM BIO-1c, and MM BIO-1d), potential short-term impacts to special-status wildlife species due to the proposed project are not expected to be significant. Potential project-related impacts on protected active bird nests and bat roosts will be avoided by compliance with the MBTA and Fish and Game Code, and through implementation of MM BIO-1e and MM BIO-1f. Therefore, the proposed project is not expected to substantially affect regional populations and would not be cumulatively significant.

Riparian Habitat or Other Sensitive Natural Communities

Within the cumulative project areas, development would not directly and significantly impact riparian habitat or other sensitive natural communities because they are largely located in previously developed or disturbed areas. Most of the current developments are designed to address future growth problems, prevent urban sprawl, and minimize developmental impacts to sensitive natural communities. Cumulative projects within the cumulative geographic context would be required to comply with applicable federal, State, and local laws, regulations, and policies relating to riparian habitat or other sensitive natural communities. Additionally, implementation of applicable General Plan and Municipal Code requirements (as described in Section 3.4.3, Regulatory Framework) would

result in less than significant cumulative impact to riparian habitat or other sensitive natural communities.

Additionally, because none of the vegetation communities on the project site are riparian or otherwise sensitive natural communities, the proposed project would not have a cumulatively considerable contribution to this cumulative impact on sensitive natural communities and riparian habitat.

State or Federally Protected Waters and Wetlands

Within the cumulative project areas, development would not directly and significantly impact sensitive natural communities and/or the aquatic resources outlined above because they are largely sited in previously developed or highly disturbed areas. Furthermore, cumulative projects with the potential to impact wetlands, other waters, or riparian habitat would be required to adhere to any applicable laws and regulations including, for example, consultation that may be required with the applicable regulatory agencies, the quantification of their potential impacts in a formal JD, and implementation of any required mitigation pursuant to applicable laws and regulations. As such, there is a less than significant cumulative impact.

Additionally, the proposed project would not have a cumulatively considerable contribution to this already less than significant cumulative impact. The Modoc Ditch and the retention basin present on-site are not expected to be considered State- or federally protected aquatic resources pursuant CWA Sections 404/401 and/or Fish and Game Code Section 1602. However, in line with the City's standard practice, MM BIO-3a is included in the proposed project. The implementation of MM BIO-3a would ensure potential significant impacts to State or federally protected waters and wetlands would be identified and avoided to the extent feasible, and the proposed project would otherwise be required to comply with the comprehensive regulatory framework to the extent applicable. Therefore, the development of the proposed project would not have a cumulatively considerable contribution to this already less than significant cumulative impacts on State- or federally protected waters and wetlands.

Local Policies or Ordinances

It is reasonably foreseeable that other cumulative projects identified in Table 3-1 may result in the removal of trees, which would be governed by the applicable local protection ordinance including the City's Street Tree Ordinance and relevant General Plan Policies. Therefore, impacts in this regard would not be cumulatively significant.

Moreover, development of the proposed project and any related development of cumulative projects would not result in any conflicts with local tree policies or ordinances protecting trees or other biological resources given that the proposed project would be required to adhere to all applicable standards and mandates, including, among others, the City's Tree Preservation Ordinance. As such, the proposed project would not have a cumulatively considerable contribution on this already less than significant cumulative impact. The proposed project would require removal of up to approximately 1.19 acres of non-native ornamental trees. These trees would only be considered protected or regulated if they are within the City's right-of-way. With compliance with the City's

Street Tree Ordinance, however, potential impacts on trees regulated by the City's Street Tree Ordinance would be less than significant without additional mitigation.

Fish and Wildlife Movement Corridors

The planned developments listed in Chapter 3, Environmental Impact Analysis, Table 3-1 are predominantly located in areas that have already been built out or with limited potential to support wildlife corridors. Cumulative projects within the cumulative geographic context would be required to comply with applicable General Plan Policies and Municipal Code requirements (as described in Section 3.4.3, Regulatory Framework Section) that protect fish and wildlife movement corridors. With implementation of these policies cumulative projects would result in less than significant cumulative impact to fish and wildlife movement corridors.

The project site does not function as a wildlife corridor. Therefore, the implementation of the proposed project would not cause or contribute to any cumulative impacts in this regard.

Wildlife Nursery Sites

The planned developments listed in Chapter 3, Environmental Impact Analysis, Table 3-1 are predominantly located in areas that have already been built out or have limited potential to support wildlife nursey sites. Cumulative projects within the cumulative geographic context would be required to comply with applicable General Plan Policies, Municipal Code requirements, and other applicable regulations (as described in Section 3.4.3, Regulatory Framework) that protect wildlife nursey sites. With implementation of these policies cumulative projects would result in less than significant cumulative impact to wildlife nursery.

Nesting birds and roosting bats, including groups of species that are protected under federal and State law and are considered sensitive and protected under certain conditions (e.g., when nesting, breeding), are known to use the sites within the cumulative development areas for nesting and roosting. Removal of tall nest trees that are critical for species reliant on taller nest trees (e.g., the ash and pine trees on-site), may contribute to significant cumulative impacts on loss of suitable nest trees for bird species reliant on tall trees (e.g., *Buteo* species), if similar trees nearby are also removed, and not replaced in kind. Therefore, there are potential cumulative impacts to wildlife nursery sites.

Potential project-related impacts on active bird nests and bat roosts are analyzed and discussed under Impact BIO-1 and are considered potentially significant. However, implementation of MM BIO-1e and MM BIO-1f would avoid impacts on active bird nests and bat roosts by establishing protection zones if nests or roosts are found and would reduce this impact to less than significant. Therefore, the implementation of the proposed project would not cause or contribute to any significant cumulative impacts in this regard.

Habitat and Natural Community Conservation Plan Consistency

There is no adopted HCP, NCCP, or other approved local, regional, or State HCP within the geographic scope of this cumulative analysis. As such, cumulative impacts would be less than significant. Additionally, the proposed project does not lie within the boundaries of any adopted HCP, NCCP, or

other approved local, regional, or State HCP. Therefore, the implementation of the proposed project would not cause or contribute to any cumulative impacts in this regard.

Level of Cumulative Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implementation of MM BIO-1a through MM BIO-1f and MM BIO-3.

Level of Cumulative Significance After Mitigation

Less than significant impact with mitigation incorporated.

Source: Bing Aerial Imagery.

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Exhibit 3.4-1
Land Cover and Vegetation

CITY OF VISALIA
SHIRK & RIGGIN INDUSTRIAL PROJECT
ENVIRONMENTAL IMPACT REPORT

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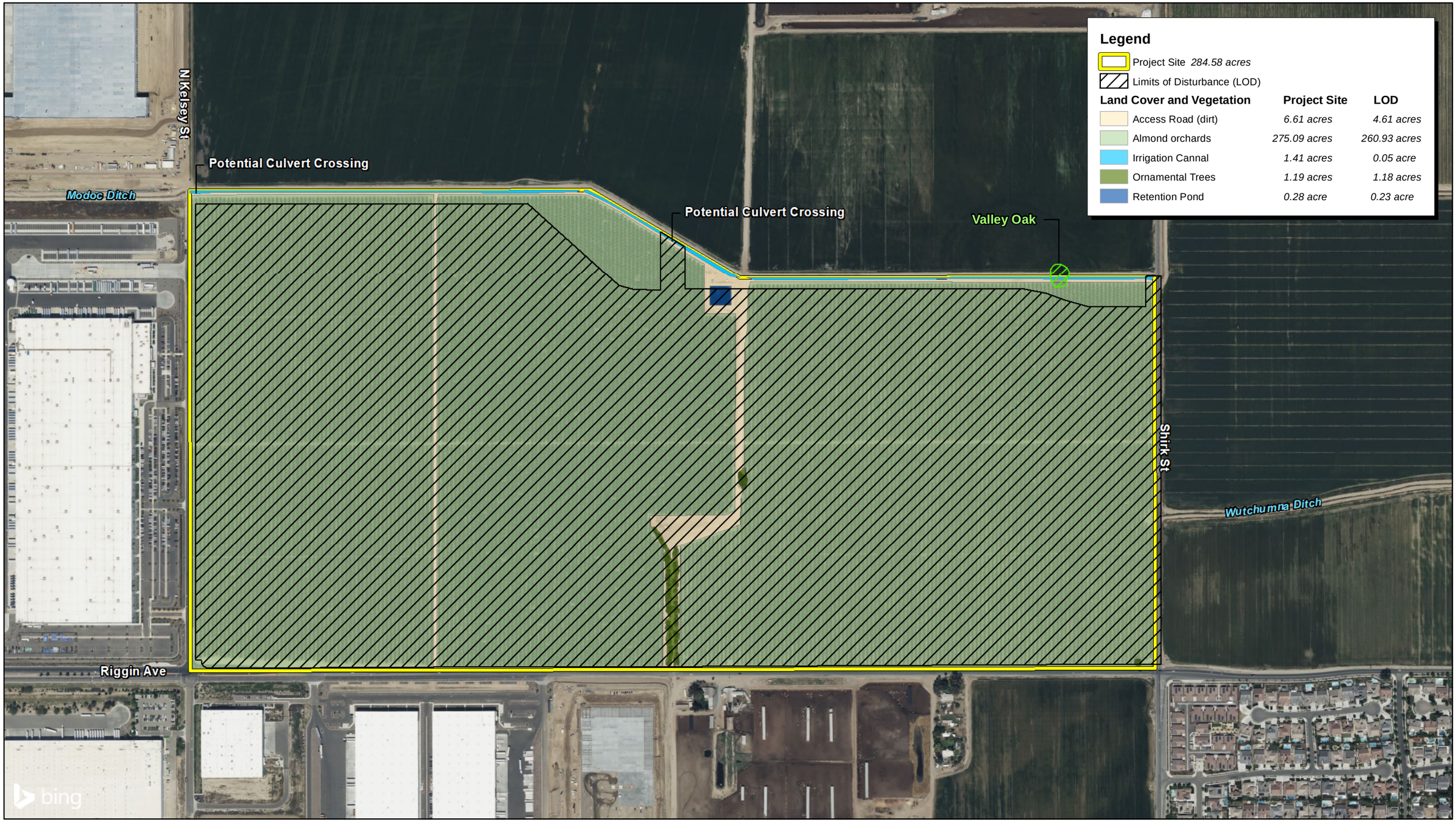

Source: Bing Aerial Imagery. 4-Creeks, July 2022.

FIRSTCARBON SOLUTIONS™

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Exhibit 3.4-2
Impacts on Biological Resources

CITY OF VISALIA
SHIRK & RIGGIN INDUSTRIAL PROJECT
ENVIRONMENTAL IMPACT REPORT

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3.5 - Cultural Resources and Tribal Cultural Resources

3.5.1 - Introduction

This section describes the existing cultural and Tribal Cultural Resources (TCRs) setting and potential effects that may result from project implementation on the project site and its surrounding area. The descriptions and analysis in this section are based, in part, on information provided by the Native American Heritage Commission (NAHC), a records search conducted at the Southern San Joaquin Valley Information Center (SSJVIC), archival research, and a pedestrian survey as presented in the Phase I Cultural Resource Assessment (Phase I CRA) prepared for the proposed project, which is included in Appendix D. This appendix contains sensitive information relating to cultural resources and is not available for public distribution pursuant to Public Resources Code Section 21082.3(C)(2). A copy of it is on file with the City and is available to qualified professionals upon request. The applicable regulatory framework is also discussed below. In addition, recommendations provided in the Phase I CRA pertaining to feasible mitigation of identified potential significant impacts to cultural and TCRs are also addressed in this section.

One comment letter was received from the NAHC with respect to the scope of environmental review, indicating the receipt of the Notice of Preparation (NOP) pertaining to this Draft Environmental Impact Report (Draft EIR) and including a request for consultation for the proposed project. The letter contained information pertaining to the lead agency's obligations under Assembly Bill (AB) 52.

Overview

The term “cultural resources” encompasses historic resources, archaeological resources, TCRs and burial sites, which are generally defined as follows:

- **Historic Resources:** Historic resources are associated with the recent past. In California, historic resources are typically associated with the Spanish, Mexican, and American periods in the State’s history and are generally less than 200 years old. Historic resources often take the form of buildings, structures, and other elements of the built environment.
- **Archaeological Resources:** Archaeology is the study of artifacts and material culture with the aim of understanding human activities and cultures in the past. Archaeological resources may be associated with precontact indigenous cultures as well as later historic periods.
- **Tribal Cultural Resources:** TCRs include sites, features, places, or objects that are of cultural value to one or more California Native American Tribes.
- **Burial Sites and Cemeteries:** Burial sites and cemeteries are formal or informal locations where human remains have been interred. Burial sites may be associated with precontact indigenous cultures as well as later historic periods.

More specifically, cultural resources may be understood as resources that have been formally recognized by a lead agency and/or are listed or determined eligible for listing on the California Register of Historical Resources (CRHR) (Public Resources Code [PRC] § 5024.1, Title 14 California Code of Regulations [CCR] § 4852). However, the fact that a resource is not yet identified as a

historical resource or found eligible for the CRHR does not preclude a lead agency from determining that said resource is a historical resource pursuant to Public Resources Code Sections 5020.1(j) or 5024.1. Under the California Environmental Quality Act (CEQA), a substantial adverse change in the significance of a historical resource would constitute a significant effect on the environment.

3.5.2 - Environmental Setting

Cultural Setting

Following is a brief overview of the relevant prehistory, ethnography, and historic background, providing context in which to understand the background and relevance of sites found in the general project vicinity. This section is not intended to be a comprehensive review of the current academic resources available; rather, it serves as a general overview. Unless otherwise stated, information contained in this section is drawn directly from the Phase I CRA conducted by FirstCarbon Solutions (FCS).[1] Further details can be found in ethnographic studies, mission records, and major published sources in the Phase I CRA.

Prehistory

Early archaeological investigations in the San Joaquin Valley of California have primarily been conducted at sites located in the Buena Vista and Tulare Lakes regions. These investigations of the artifacts of the San Joaquin Valley's prehistoric cultural groups have revealed a complex history of cultural change that has occurred over time. Through these studies, a cultural chronological framework encompassing three basic periods has been developed. These patterns include:

- Early Period (12,000 Before Present [BP] to 8000 BP)
- Middle Period (8000 BP to 2500 BP)
- Late Period (2500 BP to Ethnohistoric Present)

Brief descriptions of these temporal ranges and their unique characteristics follow.

Early Period (12,000 BP to 8000 BP)

Archaeological sites from the Early Period are not very well represented in the southern San Joaquin Valley, partially due to periodic episodes of erosion and deposition that have removed or buried large segments of the Early Period landscape. Currently, the earliest evidence of human occupation in the region comes from fluted and basally thinned projectile points in the Tulare Lake basin at the Witt Site (KIN-32). Hundreds of Late Pleistocene concave base points have been discovered from human occupation along the remnant shoreline of Tulare Lake in southern Kings County. Artifacts from the Witt Site include Clovis-like projectile points made of chert, chipped crescents, various scrapers, and other stone tools associated with the Fluted Point and/or Western Pluvial Lakes tradition. The Witt Site also contained faunal bones from horse, bison, ground sloth, and the tusk of a mammoth or mastodon. The bones, including some human bone, have been radiocarbon dated to 11,000 to 13,000 BP.

[1] FirstCarbon Solutions (FCS). 2022. Shirk and Riggin Industrial Project Phase I Cultural Resources Assessment.

Middle Period (8000 BP to 2500 BP)

The Middle Horizon is characterized by an increase in groundstone tools, including metates and manos. Middle Horizon site deposits include an abundance of expedient cobble-based pounding, chopping, scraping, and mulling tools, which reflect an increased dependence on vegetative foods that require processing. Archaeobotanical assemblages from foothill sites confirm that acorn and pine nuts were targeted food plants. However, the lithic technology remained relatively unchanged from the Early Period, in which stone tools were very similar to the Western Pluvial Lakes Tradition.

Late Period (2500 BP to Ethnohistoric Present)

The beginning of the Late Period corresponds with the onset of the Late Holocene environmental conditions, marked by an abrupt turn to cooler, wetter, and a more stable climate. Lakes that had dried or diminished during the later parts of the Middle Period returned to higher levels. Cultural diversity was more pronounced, marked by artifact styles, contrasting burial positions, and other elements of material culture. People were buried in flexed positions more frequently, and burial goods were more numerous than those from the Middle Period. Both the Olivella shell bead and bow-and-arrow technology made their first appearance in the area. There was also a greater reliance on groundstone tools, indicating an increased dependence on nuts, seeds, and acorns. Villages and smaller residential communities developed along the many streams of the foothills and along the river channels and sloughs of the valley bottom. Occupation sites were also larger, reflecting semi-sedentism.

Native American Background

Southern Valley Yokuts

At the time of European contact, most of the San Joaquin Valley and the foothills of the western slope of the Sierra Nevada were occupied by 40 or so groups, classified together as the Yokuts, with a Foothills division and a Valley division of language dialects. The Yokuts were recognized as having three major subgroups: the Northern Valley, the Foothill, and the Southern Valley. Each of these ethnolinguistic groups was composed of autonomous, culturally and linguistically related Tribes or Tribelets. Ethnographic evidence suggests the City of Visalia is located in part of the Southern Valley Yokuts territory. The Southern Valley Yokuts were divided into true Tribes, with individual Tribelets having their own name, dialect, and territory, and there is no evidence to suggest that they practiced any formal religion.

Alfred Kroeber divided a Yokuts classification system into Valley Divisions and Foothill Divisions based on ethnographic lines, geographic habitat, and dialect. Here, the Foothill Division's worldview and economy were influenced more by their Shoshonean neighbors than the Valley Division Yokuts. Later, William Wallace divided the Yokuts into three subgroups, Southern Valley, Northern Valley, and Foothill, and shifted the known Tribelets among these divisions. The following is a review of ethnographic information associated with the Southern Valley Yokuts, given the ethnographic evidence suggests the City of Visalia is located in this Tribe's territory. The Southern Valley Yokuts occupied a rich environment with abundant water resources from the nearby sloughs, lake basins, and river systems. Swamps and tule marshes surrounded the waterways and teemed with wildlife, including aquatic mammals, fish, and waterfowl. Adjacent grasslands provided food for herds of elk, antelope, and (in the winter) deer. The regional flora was equally, if not more, diverse and was used as a main staple of the Yokuts diet. The Southern Valley Yokuts' dietary base relied on a mixed

strategy of fishing, waterfowl hunting, shellfish, and plant collecting, with less emphasis on large-game hunting. Important vegetal resources included cattail roots, grasses, nuts, seeds, tule, and bulbs. The resource-rich environment allowed for permanent village sites, which typically were occupied throughout the year.

Historic Background

The Spanish Period (1769–1821)

The formalization of Spanish routes in California were established by Father Junípero Serra and Gaspar de Portolà in 1769, in what was known as the Portolà Expedition. Although the Portolà party were not the first Europeans nor the first people to pass through the region, it was their observations and discoveries that formalized the routes and locations of the Mission System and facilitate trade and travel through California. The route used by Portolà was further explored in detail by Lieutenant Colonel Juan Bautista de Anza and Father Pedro Font during the Anza Expedition that lasted from 1775-1776. The Anza Expedition was considered pivotal as it helped to establish practical relationships with the natives, who at the time were revolting in San Diego, and to further explore and map Monterey and the San Francisco Bay Area.

The region that would become San Joaquin Valley was periodically visited by Franciscan friars scouting the area for mission sites, but a military expedition was led by Gabriel Moraga in September and October of 1806. The expedition started in San Juan Bautista and to the San Joaquin Plain. Once there, Moraga traversed several tributaries that flow to the San Joaquin River and discovered and named the Merced River. Moraga additionally came upon the Tuolumne, Stanislaus, and Mokelumne Rivers. Moraga's expedition took him from the foot of the Sierras and the Rancherias between Kings River and Kern River. In 1808, Moraga traveled to Stockton and headed east to scouting sites for future missions. Moraga's discoveries and mapping of the region contributed to the knowledge of the geography and ethnography of the area. This information served pivotal to Father Narciso Duran, Father Ramón Abella, and Lieutenant Luis Antonio Argüello, who followed the San Joaquin River at least as far as the Stockton Channel in 1817, meticulously mapping the area for future mission establishments. The diary kept by Father Duran helped to illustrate how the region appeared prior to colonization as well as initial contact with the Yokut people.

The Mexican Period (1821–1848)

In 1821, Mexico overthrew Spanish rule and the monopoly that the missions had in the area began to decline. By 1833, the Mexican government passed the Secularization Act, and the missions were reorganized as parish churches and lost their vast land holdings. Following the Secularization Act, the Mexican government initially planned on redistributing the land to the Native Americans; however, it was instead redistributed to prominent non-native citizens. The last of the mission land holdings were relinquished in 1845, which led the way for the large ranchos common to California in the mid-1800s.

California experienced a period of success with the establishment of the ranchos, adopting the Spanish ranching traditions and focusing on the herding of cattle as well as adapting to the market trends of the time that included the trade of fur and pelts; however, the constant threat of Russian invasion, the illegal squatting of American immigrants, and a growing threat of rebellion from the mission Indians prevented the region from achieving socio-political stability. The growing tensions

between Mexicans and American settlers led to the Bear Flag Revolt of 1846, led by U.S. Army Captain John C. Fremont and Ezekiel Merritt against Mexican General Mariano Vallejo, who was attempting to bring aid to the Mexican governor of California in an effort to suppress the growing wave of support for an American coup of California. The rebellion concluded with the takeover of Sonoma, thus weakening the little control that Mexico had over Alta California and paving the way for the United States to seize control of the Pacific Coast shortly thereafter.

By 1846, on the eve of the Mexican-American War (1846 to 1848), the estimated population of California was 8,000 non-natives and 10,000 Native Americans. However, these estimates have been debated. Cook suggests the Native American population was 100,000 in 1850; the U.S. Census of 1880 reports the Native American population as 20,385.

Local History

Tulare County and City of Visalia

The end of the Mexican-American War and the discovery of gold in California in 1848 brought new settlers into the San Joaquin Valley. The area was known as "Four Creeks," named after the watershed and creeks which flowed from snow melt in the Sierra Nevada Mountains. One of the first settlers in the region, Loomis St. John, built a cabin on the river that would bear his name in the northeast boundary of what would become the City of Visalia. In 1849, Nathaniel Vise surveyed the area and established a small settlement along the river near the cabin of Loomis St. John. Vise named the bourgeoning town "Visalia" after Visalia, Kentucky, where he was born. The town slowly grew, and by November 1852, Vise wrote that Visalia "contains from 60 to 80 inhabitants, 30 of whom are children of school age. The town is located upon one of the subdivisions of the Kaweah (River) and is destined to be the county seat of Tulare."

Tensions remained high in San Joaquin Valley between the new American settlers and the Yokuts Tribe in the early years of Visalia's establishment. On December 1, 1850, John Woods arrived in the region with 14 men and settled on the bank of the Kaweah River, 7 miles east of Visalia. The Kawia Yokuts asserted that one of Woods men had captured and killed members of their Tribes. In retribution, the Yokuts surrounded Woods' cabin and he was subsequently killed. Deemed the Woods Massacre, the California legislature sent soldiers from Fort Miller in the north down to Visalia in 1851 and constructed a fort along the Kaweah River. As more settlers moved into the region, the Yokuts were increasingly pushed out of their land.

On July 10, 1852, these settlers successfully petitioned the California State Legislature to establish Tulare County as a separate entity from the larger Mariposa County. Tulare County was further divided, creating Fresno, Kern, Kings, and Inyo counties. The county is named after Tulare Lake, which was at one point the largest freshwater lake west of the Great Lakes. The lake was drained for agricultural purposes and is now in Kings County, which was created in 1893 from the western portion of the formerly larger Tulare County. The county derives its name from the giant sedge plant called tule (too-lee), schoenoplectus acutus, which in the plant family Cyperaceae, that was native to freshwater marshes that lined the shores of Tulare Lake.

Visalia was made the seat of the new county and the City was officially incorporated on February 27, 1874. Although the search for gold initially brought settlers to Visalia, when gold failed to materialize

in the San Joaquin Valley, many ended up settling there. The large oak forests in Visalia provided an easily accessible source of lumber for construction and the nearby St. John and Kaweah Rivers provided irrigation for agriculture. From the 1860s onward, Visalia's economy was tied to agriculture with farms producing cotton, citrus, and olives for export to other regions in California.

During the Civil War, Visalia was divided between factions who supported either the North or South. Fearing a potential uprising, the federal government intervened to ban Visalia's Equal Rights Expositor newspaper, which supported the South. They also established Camp Babbitt as a military garrison in the area to quell any potential rebellion.

Today, Visalia remains the county seat of Tulare County with a population of over 141,300 persons. Agriculture remains a vital part of Visalia's economy, with large farms producing corn, almond, citrus fruit, and olives. The downtown area is graced by historic brick buildings and Beaux Arts structures dating from the late nineteenth century.

3.5.3 - Methodology

Records Searches and Pedestrian Survey to Identify Existing Cultural Resources

The information in this section is based, in part, on the Phase I CRA prepared for the proposed project by FCS in September 2022. The Phase I CRA used the methods below to analyze the potential impacts of project implementation.

Southern San Joaquin Valley Information Center

On June 17, 2022, a records search was conducted at the SSJVIC located at the California State University, Bakersfield for the project site and a 0.5-mile radius[2] beyond the project site boundaries. The current inventories of the National Register of Historic Places (NRHP), the CRHR, the California Historical Landmarks (CHL) list, the California Points of Historical Interest (CPHI) list, and the California Built Environment Resource Directory (BERD) for Tulare County were also reviewed to determine the existence of previously documented local historical resources.

The results of the records search indicate that one historic era resource (Table 3.5-1) has been recorded off-site but within the 0.5-mile search radius, however, no resources were recorded within the project site boundary. In addition, three area-specific survey reports (Table 3.5-2) are on file with the SSJVIC for the project site and its 0.5-mile search radius. No reports address the project site specifically, indicating that it has not previously been surveyed for cultural resources.

Table 3.5-1: Cultural Resources within 0.5-mile of the Project Site

Resource No.	Resource Description	Date Recorded
P-54-003602	Modoc Ditch (Historic Site): HP20	2000
Source: Southern San Joaquin Valley Information Center (SSJVIC) Records Search. June 17, 2022.		

[2] A 0.5-mile radius is a standard search radius used for California Historic Resources Information System requests.

Table 3.5-2: Previous Investigations within 0.5-mile of the Project Site

Report No.	Report Title/Project Focus	Author	Date
TU-00628	The Archaeological Section of the Environmental Impact Report for Road 92 (Shirk Road) from State Highway 198 to Avenue 312 (Riggins Road)	Charlotte Williams	1974
TU-01069	Historic Properties Survey Report Road 80 Widening Project Tulare County, California	Mark Brown	2000
TU-01069A	Historic Evaluation Report for the Road 80 Widening Project, Tulare County, California	*Mark Brown*	*2000*
TU-01069B	Historic Architectural Survey Report for the Road 80 Widening Project, Tulare County, California	*Janice C. Calpo*	*2000*
TU-01149	Finding of No Adverse Effect Road 80 Widening Project, Tulare County, California	Janice C. Calpo	2001
Source: Southern San Joaquin Valley Information Center (SSJVIC) Records Search. June 17, 2022.			

Historic Maps and Aerial Photographs

Prior to the pedestrian survey, readily available historical aerial photographs were reviewed to evaluate land development and obtain information concerning the history of development on and near the project site. Eleven historic aerial photographs from 1956 to 2018 indicate the project site was in continuous agricultural use. During this period, several residential neighborhoods and commercial buildings were also developed south of the project site; the project site's uses have remained relatively unchanged since 1956.

Native American Heritage Commission Record Search

On June 16, 2022, FCS sent a request to the NAHC to determine whether any sacred sites are listed on its Sacred Lands File for the project site and/or in the vicinity. A response was received on July 19, 2022, indicating that the Sacred Lands File search failed to locate the presence of Native American TCRs on the project site or within the immediate 0.5-mile vicinity. The NAHC provided a list of eight tribal representatives available for consultation.

To ensure that all Native American knowledge and concerns over potential TCRs that may be affected by the proposed project are addressed, a letter containing project information requesting any additional information was sent to each tribal representative on July 19, 2022. Two responses were received, on July 19, 2022, and on August 31, 2022.

Tribal Chairperson, Ron Goode, of the North Fork Mono Tribe, stated that the Tribe had no comments at this time; however, Chairperson Goode expressed concern about the source of water used for the development of the proposed project. See Section 3.15, Utilities and Service Systems, for analysis related to project water demand and cumulative water use. Cultural Specialist Monitor,

Paige Berggren of the Santa Rosa Rancheria Tachi-Yokut Tribe, stated that the Tribe has concerns about ground disturbance within the project site and requested that the Tribe be retained for Native

American monitoring of any ground disturbance activities. The Tribe also requested a copy of the finalized cultural resources assessment report. No additional responses have been received to date. The NAHC received the NOP for the proposed project dated September 8, 2022. Tribal consultation pursuant to AB 52 was initiated by the City and is ongoing, in accordance with applicable laws and regulations. On September 13, 2022, the City sent AB 52 notification letters to Tribal Representatives on the consultation list provided by the NAHC. The City conducted follow-up phone calls on October 12, 2022. No replies were recievd within the 30-day consultion period.

Cultural Resources Pedestrian Survey

On August 3 and August 4, 2022, FSC Senior Archaeologist Dana DePietro, PhD, RPA; Kweku Williams; Ti Ngo; and Sam Banderas conducted a pedestrian survey for unrecorded cultural resources in the project site. The survey began in the southwest corner of the project site and moved north and east, using north–south transects spaced at 15-meter intervals. All areas of the project site were closely inspected for culturally modified soils or other indicators of potential historic or prehistoric resources. The project site is located in an almond tree orchard. Visibility of native soils was high, averaging over 95 percent across the site. The soil in the western portion of the project site consisted of grayish brown (10 YR 5/2) sandy clay soil with little to no inclusions. Small granite stones less than 1 centimeter could be found in the northern boundary of the project site. The soil in the eastern portion of the project site was largely composed of light brownish yellow (10YR 6/4) silty and sandy clay soil, interspersed with quartz and basalt stones ranging from 2 to 5 centimeters.

Survey conditions were documented using digital photographs and field notes. During the survey, the team examined all areas of the exposed ground surface for prehistoric artifacts (e.g., fire-affected rock, milling tools, flaked stone tools, toolmaking debris, ceramics), soil discoloration, and depressions that might indicate the presence of a cultural midden, faunal and human osteological remains, features indicative of the former presence of structures or buildings (e.g., postholes, standing exterior walls, foundations), or historic debris (e.g., glass, metal, ceramics).

No indications of historic or prehistoric archaeological resources were found over the course of the pedestrian survey.

Buried Site Potential

In addition to the pedestrian survey, the potential for yet-identified cultural resources on-site and in the vicinity was reviewed against geologic and topographic geographic information system data for the general area and information from other nearby projects. The project site, along with the lands within the 0.5-acre radius, were evaluated against a set of criteria identified by a geoarchaeological overview of the Central Valley that was prepared for the California Department of Transportation (Caltrans) Districts 6 and 9. This study mapped the “archaeological sensitivity,” or potential to support the presence of buried prehistoric archaeological deposits, throughout the Central Valley based on geology and environmental parameters including distance to water and landform slope. The methodology used in the study is applicable to other parts of California and concluded that sites consisting of flat, Holocene-era deposits in close proximity to water resources had a moderate to high probability of containing subsurface archaeological deposits when compared to earlier Pleistocene deposits situated on slopes or further away from drainages, lakes, and rivers.

The project site is situated on undeveloped agricultural land. According to the geological map of Matthew and Burnett, the project site is entirely situated upon Holocene Great Valley fan deposits. Applying the criteria set forth above, all Holocene-era deposits have the potential to contain archaeological deposits, which increases with the ease of the slope and proximity to a water resource. Although the record search results and pedestrian survey did not identify the presence of any prehistoric and/or historic resources, the project site is situated south of the St. John's River. Therefore, the project site has moderate potential for unanticipated buried cultural resources to be located on-site, which then could be impacted by project construction.

3.5.4 - Regulatory Framework

Federal

National Historic Preservation Act

The National Historic Preservation Act (NHPA), as amended, established the NRHP, which contains an inventory of the nation's significant prehistoric and historic properties. Under 36 Code of Federal Regulations 60, a property is recommended for possible inclusion on the NRHP if it is at least 50 years old, has integrity, and meets one of the following criteria:

- It is associated with significant events in history, or broad patterns of events.
- It is associated with significant people in the past.
- It embodies the distinctive characteristics of an architectural type, period, or method of construction; or it is the work of a master or possesses high artistic value; or it represents a significant and distinguishable entity whose components may lack individual distinction.
- It has yielded, or may yield, information important in history or prehistory.

Certain types of properties are usually excluded from consideration for listing in the NRHP, but they can be considered if they meet special requirements in addition to meeting the criteria listed above. Such properties include religious sites, relocated properties, graves and cemeteries, reconstructed properties, commemorative properties, and properties that have achieved significance within the past 50 years.

Archaeological Resources Protection Act

The Archaeological Resources Protection Act (ARPA) amended the Antiquities Act of 1906 (16 United States Code [USC] 431–433), set a broad policy that archaeological resources are important to the nation and should be protected, and required special permits before the excavation or removal of archaeological resources from public or Indian lands. The purpose of ARPA was to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites that are on public lands and Indian lands and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals having collections of archaeological resources and data that were obtained before October 31, 1979.

American Indian Religious Freedom Act

The American Indian Religious Freedom Act (AIRFA) established federal policy to protect and preserve the inherent rights of freedom for Native groups to believe, express, and exercise their traditional religions. These rights include but are not limited to access to sites, use and possession of sacred objects, and freedom to worship through ceremonials and traditional rites.

Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act of 1990 sets provisions for the intentional removal and inadvertent discovery of human remains and other cultural items from federal and tribal lands. It clarifies the ownership of human remains and sets forth a process for repatriation of human remains and associated funerary objects and sacred religious objects to the Native American groups claiming to be lineal descendants or culturally affiliated with the remains or objects. It requires any federally funded institution housing Native American remains or artifacts to compile an inventory of all cultural items within the museum or with its agency and to provide a summary to any Native American Tribe claiming affiliation.

State

CEQA Guidelines Section 15064.5(a)—CEQA Definition of Historical Resources

CEQA Guidelines Section 15064.5(a), in Title 14 of the California Code of Regulations, defines a "historical resource" as:

(1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources.

(2) A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

(3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources.

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in a historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be a historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1.

Therefore, under CEQA, even if a resource is not included on any local, State, or federal register or identified in a qualifying historical resources survey, a lead agency may still determine that any resource is a historical resource for the purposes of CEQA if there is substantial evidence supporting such a determination. A lead agency must consider a resource to be historically significant if it finds that the resource meets the criteria for listing in the CRHR.

Archaeological and historical sites are protected pursuant to a wide variety of State policies, laws and regulations, as enumerated in the Public Resources Code Section 5024.1. Cultural resources are recognized as nonrenewable resources and receive additional protection under the Public Resources Code and CEQA.

Public Resources Code Section 5024.1 and CEQA Guidelines Section15064.5(a)—Definition of a Historic Resource

Public Resources Code Section 5024.1 and CEQA Guidelines Section 15064.5(a), in Title 14 of the California Code of Regulations, define a "historical resource" as a resource that:

(1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

(2) Is associated with the lives of persons important in our past.

(3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

(4) Has yielded, or may be likely to yield, information important in prehistory or history.

CEQA Guidelines Section 15064.5(a)(3)—California Register of Historical Resources Criteria

As defined by CEQA Guidelines, Section 15064.5(a)(3)(A-D), a resource shall be considered historically significant if the resource meets the criteria for listing on the CRHR. The CRHR and many local preservation ordinances have employed the criteria for eligibility to the NRHP as a model (see criteria described above under the description of the NHPA), since the NHPA provides the highest standard for evaluating the significance of historic resources. A resource that meets NRHP criteria is clearly significant. In addition, a resource that does not meet NRHP standards may still be considered historically significant at a local or State level.

CEQA Guidelines 15064.5(c)—Effects on Archaeological Resources

CEQA Guidelines state that a resource need not be listed on any register to be found historically significant. CEQA Guidelines direct lead agencies to evaluate archaeological sites to determine whether they meet the criteria for listing in the CRHR. If an archaeological site is a historical resource, in that it is listed or eligible for listing in the CRHR, potential adverse impacts to it must be considered. If an archaeological site is considered not to be a historical resource but meets the definition of a "unique archaeological resource" as defined in Public Resources Code Section 21083.2, then it would be treated in accordance with the provisions of that section.

CEQA Guidelines Section 15064.5(d)—Effects on Human Remains

- Native American human remains and associated burial items may be significant to descendant communities and/or may be scientifically important for their informational value. They may be significant to descendant communities for patrimonial, cultural, lineage, and religious reasons. Human remains may also be important to the scientific community, such as prehistorians, epidemiologists, and physical anthropologists. The specific stake of some descendant groups in ancestral burials is a matter of law for some groups, such as Native Americans (CEQA Guidelines § 15064.5(d); PRC § 5097.98). CEQA and other State laws and regulations regarding Native American human remains provide the following procedural requirements to assist in avoiding potential adverse effects on human remains within the contexts of their value to both descendant communities and the scientific community. When an initial study identifies the existence or probable likelihood that a project would affect Native American human remains, the lead agency is to contact and work with the appropriate Native American representatives identified through the NAHC to develop an agreement for the treatment and disposal of the human remains and any associated burial items (CEQA Guidelines § 15064.5(d); PRC § 5097.98).
- If human remains are accidentally discovered, the County Coroner must be contacted. If the County Coroner determines that the human remains are Native American, the Coroner must contact the NAHC within 24 hours. The NAHC must identify the Most Likely Descendant (MLD) to provide for the opportunity to make recommendations for the treatment and disposal of the human remains and associated burial items (CEQA Guidelines § 15064.5(e)).
- If the NAHC is unable to identify a MLD, the MLD fails to make recommendations within 24 hours of notification, or the project applicant rejects the recommendations of the MLD, the Native American human remains and associated burial items must be reburied in a location not subject to future disturbance on the property (CEQA Guidelines § 15064.5(e)).
- If potentially affected human remains or a burial site may have scientific significance, whether or not it has significance to Native Americans or other descendant communities, then under CEQA, the appropriate mitigation of effect may require the recovery of the scientific information of the remains/burial through identification, evaluation, data recovery, analysis, and interpretation (CEQA Guidelines § 15064.5(c)).

Health and Safety Code Section 7050.5

Section 7050.5 of the Health and Safety Code sets forth provisions related to the treatment of human remains. As the code states, “every person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law is guilty of a misdemeanor” except under circumstances as provided in Section 5097.99 of the Public Resource Code. The regulations also provide guidelines for the treatment of human remains found in locations other than a dedicated cemetery including responsibilities of the Coroner.

Public Resources Code Section 5097.98

Section 5097.98 provides protocol for the discovery of human remains. It states that “whenever the commission receives notification of a discovery of Native American human remains from a County

Coroner pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, it shall immediately notify persons believed to be most likely descended from the deceased Native American." It also sets forth provisions for descendants' preferences for treatment of the human remains and what should be done if the commission is unable to identify a descendant.

California Public Resources Code Section 5097.91—Native American Heritage Commission

Section 5097.91 of the Public Resources Code established the NAHC, whose duties include the inventory of places of religious or social significance to Native Americans and the identification of known graves and cemeteries of Native Americans on private lands. Under Section 5097.91 of the Public Resources Code, a State policy of noninterference with the free expression or exercise of Native American religion was articulated along with a prohibition of severe or irreparable damage to Native American sanctified cemeteries, places of worship, religious or ceremonial sites or sacred shrines located on public property. Section 5097.98 of the Public Resources Code specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a County Coroner. Section 5097.5 defines the unauthorized disturbance or removal of archaeological, historic, or paleontological resources located on public lands as a misdemeanor.

California Senate Bill 18—Protection of Tribal Cultural Places

California Senate Bill (SB) 18 (California Government Code § 65352.3) incorporates the protection of California traditional tribal cultural places into land use planning for cities, counties, and agencies by establishing responsibilities for local governments to contact, refer plans to, and consult with California Native American Tribes as part of the adoption or amendment of any general or specific plan proposed on or after March 1, 2005. SB 18 requires public notice to be sent to Tribes listed on the NAHC SB 18 Tribal Consultation list within the geographical areas affected by the proposed changes. Tribes must respond to a local government notice within 90 days (unless a shorter time frame has been agreed upon by the Tribe), indicating whether or not they want to consult with the local government. Consultations are for the purpose of preserving or mitigating impacts to places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code that may be affected by the proposed adoption or amendment to a general or specific plan.

California Assembly Bill 52—Effects on Tribal Cultural Resources

California AB 52 was signed into law on September 25, 2014, and provides that any public or private "project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." TCRs include "[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are eligible for inclusion in the CRHR or included in a local register of historical resources." Under prior law, TCRs were typically addressed under the umbrella of "cultural resources," as discussed above. AB 52 formally added the category of "tribal cultural resources" to CEQA and extends the consultation and confidentiality requirements to all projects as provided for under CEQA, rather than just projects subject to SB 18 as previously discussed.

The parties must consult in good faith, and consultation is deemed concluded when either: (1) the parties agree to measures to mitigate or avoid a significant effect on a TCR (if such a significant effect exists); or (2) when a party concludes that mutual agreement cannot be reached. Mitigation measures agreed upon during consultation must be recommended for inclusion in the

environmental document. AB 52 also identifies mitigation measures that may be considered to avoid significant impacts if there is no agreement on appropriate mitigation. Recommended measures include:

- Preservation in place.
- Protecting the cultural character and integrity of the resource.
- Protecting the traditional use of the resource.
- Protecting the confidentiality of the resource.
- Permanent conservation easements with culturally appropriate management criteria.

California Public Resources Code Section 21074—Effects on Tribal Cultural Resources

AB 52 amended the CEQA statute to identify an additional category of resource to be considered under CEQA called "tribal cultural resources." It added Public Resources Code Section 21074, which defines "tribal cultural resources" as follows:

(a) "Tribal cultural resources" are either of the following:
  (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are either of the following:
    A) Included or determined to be eligible for inclusion in the CRHR.
    B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
  (2) 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

(b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

(c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

City of Visalia General Plan

Historic Preservation

Objectives

H-O-1 Assure the recognition of the City's history through the preservation of historic sites, structures and featuring zoning overlay designation and review procedures for the Historic District.

H-O-2 Maintain historic residential areas as healthy, cohesive neighborhood units, and assure consistency of appearance within the historic area through conservation plans and historic preservation guidelines.

H-O-3 Support efforts to use the Local Register of Historic Structures and the Historic District to identify and promote community history through the use of walking tours and other public outreach.

H-O-4 Promote the maintenance and identification of historic resources in the community as key components of tourism and increased economic diversity for the City.

H-O-5 Promote the benefits of historic property ownership through programs such as tax incentives, available grants and loans, including but not limited to Federal Tax credits and similar programs for properties within the Historic District or on the Local Register of Historic Structures.

Policies

H-P-1 Pursue becoming a Certified Local Government in order to take advantage of grants, loans and other historic preservation programs. Under the National Historic Preservation Act, the Certified Local Government Program would allow Visalia to integrate its historic preservation efforts with those of the statewide historic preservation process and to be eligible, on a competitive basis, for special matching grants.

H-P-2 Update the City's Historic Preservation Ordinance to include criteria for streamlining the process for issuing building permits for minor repairs and alterations as designated by the Historic Preservation Advisory Committee. Include, as appropriate, preservation incentives, such as use of the California Historic Building Code, where appropriate, and other available incentives.

H-P-3 Expand the Historic Planned Office Conversion zone to preserve historically significant structures and facilitate office conversion in locations suited to commercial use and where a functional connection can be made between Downtown and adjacent neighborhoods with minimal parking impacts to the adjacent non-converted properties.

H-P-4 Continue to ensure that proposed new development within any Historic District or on any properties listed on the Local Register of Historic Structures is compatible with its surroundings, using criteria of height and scale; spacing of buildings; materials and textures; street walls; landscaping; and other elements which contribute to the historical neighborhood character.

H-P-5 Continue to facilitate the conversion of older structures to new uses, with minimal alterations to building or site appearance, by providing exceptions to zoning and building code requirements for structures on the Local Register of Historic Structures

and within the Historic District, where such exceptions shall contribute to and enhance the historic character of the area.

H-P-6 Use any available funding sources to provide low-interest loans for the rehabilitation and restoration of structures listed on the Local Register of Historic Structures or located within the Historic District.

H-P-7 Continue to use the Historic Preservation Ordinance development review process to protect structures listed on the Local Register of Historic Structures or located within the Historic District.

H-P-8 Support the work of the Historic Preservation Advisory Committee, whose responsibilities include:

- Offering assistance in the form of information and referral to applicants who are developing restoration projects, and providing information on available grants and loans for restoration and rehabilitation of historic structures.
- Identifying and recognizing all historic areas, sites, structures, and features by placing them on the local register and providing technical assistance with registration in the National Register of Historic Places and inclusion in the California Inventory of Historic Resources.
- Initiating efforts to educate the public to the significance of historic areas, sites and structures and the cultural and social events associated with them.
- Facilitate the recognition of all structures, sites and features within the Historic District or on the Local Register of Historic Structures, along with significant historical landmarks or areas which are not contained within a District or Register where significant community history is represented. The owners of historic property shall be encouraged to display their plaques for public information.
- Pursuing support of the creation of a revolving loan fund for historic rehabilitation to be financed through public and private contributions with efforts to encourage banks to provide loans for the acquisition or rehabilitation of historic properties.

H-P-9 Periodically survey historic resources and nominate historically and/or architecturally significant sites, structures, and neighborhoods to the Local Register of Historic Structures and/or Historic District, State of California Inventory of Historic Resources, National Register of Historic Places to ensure they are protected.

H-P-10 Regularly review the Local Register of Historic Structures to ensure that properties are appropriately listed.

H-P-11 Collaborate with Tulare County Historical Society and other civic organizations on appropriate monuments which publicize historic sites.

H-P-12 Establish criteria for historic street sign name blades in Historic Districts and at Gateways to historic areas.

H-P-13 Identify, survey and establish new additions to the Historic District and Local Register of Historic Structures.

H-P-14 As needed, but no less than every 10 years, review and update the Historic Element and related implementing ordinances.

- The City's last comprehensive survey was completed for the 1979 Historic Preservation Ordinance. Many properties may be considered of historic value that were not reviewed at that time.

Cultural Resources

Objectives

OSC-O-11 Preserve and protect historic features and archaeological resources of the Visalia planning area including its agricultural surrounding for aesthetic, scientific, educational and cultural values.

Policies

OSC-P-39 Establish requirements to avoid potential impacts to sites suspected of being archaeologically, paleontologically, or historically significant or of concern, by:

- Requiring a records review for development proposed in areas that are considered archaeologically or paleontologically sensitive;
- Determining the potential effects of development and construction on archaeological or paleontological resources (as required by CEQA);
- Requiring pre-construction surveys and monitoring during any ground disturbance for all development in areas of historical and archaeological sensitivity; and
- Implementing appropriate measures to avoid the identified impacts, as conditions of project approval.

3.5.5 - Approach to Analysis

This evaluation focuses on whether implementation of the proposed project would have potentially significant impacts on historic resources, architectural resources, archaeological resources, human remains, or TCRs.

A project could have a significant impact on a historical resource if construction of the project would significantly impair a resource's eligibility for inclusion in the CRHR; thus, this information has been taken into account, as appropriate, as part of the methodology used in this evaluation. Analysis is based, in part, on information collected from record searches at the SSJVIC, additional archival research, pedestrian surveys, and information from the historic architectural assessment of existing properties more than 45 years in age (if any) located within the project site boundaries. If a project would leave an identified cultural resource no longer able to convey its significance, meaning that the resource would no longer be eligible for listing in the CRHR, then the proposed project's impact would be considered a significant adverse change. Pursuant to CEQA Guidelines Section15126.4(b)(1), if a project adheres to the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and

Reconstructing Historic Buildings, then the project's impact "shall generally be considered mitigated below a level of significance and thus is not significant."

A project may have an impact on an archaeological resource or human remains if construction of the project would physically damage or destroy archaeological data or human remains (including those interred outside of formal cemeteries). Analysis is based, in part, on information collected from record searches at the SSJVIC, the additional archival research, and pedestrian surveys.

Both direct and indirect effects of project implementation were considered for this analysis. Direct impacts are typically associated with construction and/or ground-disturbing activities, and have the potential to immediately alter, diminish, or destroy all or part of the character and quality of archaeological resources and/or historic architecture, human remains, or eligible TCRs. Indirect impacts are typically associated with post-project implementation conditions that have the potential to alter or diminish the historical setting of a cultural resource (generally historic architecture) by introducing visual intrusions on existing historical structures that are considered undesirable.

3.5.6 - Thresholds of Significance

According to CEQA Guidelines Appendix G Environmental Checklist, to determine whether the proposed project's impacts to cultural resources or TCRs are significant environmental impacts, the following questions are analyzed and evaluated. Would the proposed project:

a) Cause a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5?

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

c) Disturb any human remains, including those interred outside of formal cemeteries?

d) 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:

    i. 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
    ii. 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?

3.5.7 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the development of the proposed project and provides feasible mitigation measures where appropriate.

Historic Resources

Impact CUL-1: Would the proposed project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?

Impact Analysis

Construction

As detailed above, historic resources in this context refer to the built environment, mainly buildings and structures over 45 years in age that may be eligible for inclusion on the CRHR or NRHP. Records search results conducted at the SSJVIC identified one historic resource (P-54-003602) located within the 0.5-mile records search radius. This recorded historic era resource was evaluated in 2000 by Jones & Stokes Associates, Inc. and does not meet the criteria for listing in the CRHR or the NRHP, nor is it located on-site, and it would remain unaffected by the proposed project. Additionally, no historic resources were encountered during the pedestrian field survey. Thus, because there are no historic resources on-site or in close proximity, the proposed project would not cause a substantial adverse change in the significance of any such known resources.

However, while unlikely, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic resources such as wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramic, and other refuse, if encountered. This would represent a potentially significant impact related to historic resources.

Implementation of Mitigation Measure (MM) CUL-1 would require an inspection monitoring by a qualified Archaeologist and a Native American Monitor during initial ground disturbance but before digging and trenching, when any historic or cultural resources would be visible. This would reduce potential impacts to historic resources that may be discovered during project construction. If a potential resource is identified, construction would be required to stop in the area of the finding(s) until appropriate identification and treatment measures are implemented. This measure would be consistent with the City's standard conditions of approval that require monitoring of construction sites in proximity to known resources. Therefore, direct and indirect impacts related to historic resources would be less than significant with mitigation.

Operation

Impacts related to a project's potential to cause a substantial adverse change in the significance of a historical resource are limited to inadvertent discoveries. No respective operational impacts would occur.

Because of the foregoing, the proposed project would not have a significant adverse impact on any known historic era built environment resources but could have a significant adverse impact on any previously undiscovered historic resources.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM CUL-1 Archaeological Spot-Monitoring and Halt of Construction Upon Encountering Historical or Archaeological Materials

Prior to any ground disturbance in connection with project development, a surface inspection of the relevant portion(s) of the project site shall be conducted by a qualified Archaeologist; a Tribal Monitor/Cultural Staff from a culturally affiliated Native American Tribe identified by the Native American Heritage Commission (NAHC) shall be permitted to observe, subject to an executed agreement between the Tribe and the relevant applicant (as noted below). The Archaeologist (and Tribal Monitor/Cultural Staff, subject to an executed agreement with the relevant applicant) shall monitor the relevant portion(s) of the project site during initial ground disturbance activities that occur in connection with the subject proposal.

The relevant applicant shall offer, in good faith and based on commercially reasonable terms, a culturally affiliated Native American Tribe identified by the NAHC the opportunity to provide a Native American Monitor during ground-disturbing activities that occur in connection with the subject proposal. Tribal participation would be dependent upon the availability and interest of the Tribe as well as the parties being able to reach mutually acceptable terms.

In addition, the relevant applicant shall with diligence and good faith coordinate with the Tribal Monitor/Cultural Staff to enter into an agreement on commercially reasonable terms wherein the Tribal Monitor/Cultural Staff shall provide pre-project-related activities training to supervisory personnel and any excavation contractor, which shall include information on potential cultural material finds and on the procedures to be enacted if Tribal Cultural Resources (TCRs) are found. Subject to such an executed agreement, the Tribal Monitor/Cultural Staff shall provide the foregoing activities prior to any ground disturbance in connection with an individual specific development proposal.

In the event that TCRs are discovered during project-related subsurface construction activities, operations shall stop within 100 feet of the find and a qualified Archaeologist shall determine whether the resource requires further study. In consultation with the City of Visalia and consulting Tribes, the qualified Archaeologist shall determine the measures that shall be implemented to protect the discovered resources, including, but not limited to, excavation of the finds and evaluation of the finds in accordance with CEQA Guidelines Section 15064.5. Measures may include avoidance, preservation in place, recordation, additional archaeological resting, and data recovery, among other options. Any previously undiscovered resources found during project-related subsurface construction activities shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance. No further ground disturbance shall occur in the immediate vicinity of the discovery until approved by the qualified Archaeologist.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

Archaeological Resources

Impact CUL-2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

Impact Analysis

Construction

Records search results from the SSJVIC did not identify any prehistoric archaeological resources located within the project site or within the 0.5-mile search radius. Additionally, the Sacred Lands File search conducted by the NAHC were negative for TCRs within the project site as well as within the 0.5-mile search radius. In addition, no archaeological resources were encountered during the pedestrian field survey. However, the project site is situated on Holocene Great Valley fan deposits that have a moderate potential to contain archaeological deposits that could be encountered during project construction. Such resources could consist of but are not limited to stone, bone, wood, or shell artifacts or features, including hearths and structural elements. This represents a potentially significant impact related to archaeological resources.

Operation impacts related to a project's potential to cause a substantial adverse change in the significance of an archaeological resource are limited to construction impacts. No respective direct or indirect operational impacts related to archaeological resource would occur.

Implementation of MM CUL-1 through MM CUL-3 would reduce potential impacts to archaeological resources that may be discovered during project construction.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement MM CUL-1.

MM CUL-2 Prior to the initiation of ground disturbance activities for project development, the relevant developer shall ensure that all construction personnel conducting ground disturbance at the project site in connection with the subject individual specific development proposal shall be provided a Worker Environmental Awareness Program (WEAP) cultural resources "tailgate" training. The training shall include visual aids, a discussion of applicable laws and statutes relating to archaeological resources, types of resources that may be found within the project site, and procedures to be followed in the event such resources are encountered. The training shall be conducted by an Archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology. Any Native American Monitors or representatives consulting on the proposed project shall be invited to attend and participate in the training session.

MM CUL-3 In the event that prehistoric or historic-period archaeological resources are encountered during construction in connection with an individual specific development proposal, all construction activities associated therewith within 100 feet of the find shall halt and the City of Visalia and an Archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology shall be notified by the relevant applicant. Prehistoric archaeological materials may include obsidian and chert flaked stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse.

The Archaeologist shall inspect the findings within 24 hours of discovery or as soon thereafter as is reasonable and commercially practicable. If it is determined that the construction associated with the subject individual specific development proposal could significantly damage a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with Public Resources Code Section 21083.2 and Section 15126.4 of the CEQA Guidelines, with a preference for preservation in place. If avoidance is not feasible, a qualified Archaeologist shall prepare and the relevant applicant shall implement a detailed treatment plan in consultation with the City of Visalia. Treatment of unique archaeological resources shall follow the applicable requirements of Public Resources Code Section 21083.2. Treatment for most resources would consist of (but would not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the proposed project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and State repositories, libraries, and interested professionals.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

Human Remains

Impact CUL-3:	**Would the project disturb human remains, including those interred outside of formal cemeteries?**

Impact Analysis

Construction

The potential for human remains to be discovered during ground-disturbing activities is considered low because no formal cemeteries or areas containing human remains are known to be present on-site or within a 0.5-mile radius. However, while it is unlikely that the presence of human remains exists within or near the project site, there is always the possibility that construction-related subsurface ground disturbance (such as grading or trenching) could potentially damage or destroy previously undiscovered human remains. In the unlikely event such an accidental discovery is made during ground disturbance activities in connection with an individual specific development proposal, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 must be followed by the relevant applicant. Along with compliance with these statutes and regulations, implementation of MM CUL-4, which details inadvertent discovery procedures, would reduce potential impacts to previously undiscovered human remains to a less than significant level.

Operation

Impacts related to a proposed project's potential to disturb human remains are limited to construction impacts. No respective operational impacts would occur.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM CUL-4 In the event of the accidental discovery or recognition of any human remains during ground disturbance activities in connection with an individual specific development proposal, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 shall be followed by the relevant applicant. Specifically, the following steps shall be taken:

1. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resource Code Section 5097.98.
2. Where any of the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity, either in accordance with the recommendations of the MLD or on the project site in a location not subject to further subsurface disturbance:

- The NAHC is unable to identify an MLD.
- The identified MLD fails to make a recommendation within 48 hours after being notified by the commission.
- The landowner or his or her authorized representative rejects the recommendation of the identified MLD and mediation by the NAHC fails to provide measures acceptable to the landowner.

Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American remains:

- When an initial study identifies the existence of, or the probable likelihood of, Native American remains within a project, a lead agency shall work with the appropriate Native Americans as identified by the NAHC as provided in Public Resources Code Section 5097.98. Each relevant applicant in connection with its individual specific development proposal may develop a plan for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the NAHC.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

Listed or Eligible Tribal Cultural Resources

Impact CUL-4:	**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 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)?**

Impact Analysis

See Section 3.5.30, Methodology, and Impact CUL-1 and CUL-2. Based on the foregoing and as described above, there are no known TCRs on-site or in the project vicinity. However, there is always the possibility that previously unknown TCRs could be damaged or destroyed as a result of subsurface construction activities. Therefore, implementation of MM CUL-1 through MM CUL-4 would reduce potential impacts to TCRs to a less than significant level.

Operation

Impacts related to a proposed project's potential to damage or destroy TCRs are limited to construction impacts. No respective operational impacts would occur.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement MM CUL-1 through MM CUL-4.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

Lead Agency Determined Tribal Cultural Resources

Impact CUL-5: 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 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?

Impact Analysis

See Impacts CUL-1 through CUL-4.

On September 13, 2022, and pursuant to AB 52, the City sent notification letters to Tribal Representatives on the consultation list provided by the NAHC. The City conducted follow-up phone calls on October 12, 2022. No replies were recievd within the 30-day consultion period. The City, in its capacity as lead agency, has not identified any TCRs within the project site that are significant pursuant to the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. However, the possibility remains that TCRs in the form of subsurface archaeological resources or human remains may be encountered during project construction. Implementation of MM CUL-1 through MM CUL-4 would reduce impacts to TCRs to a less than siginificant level.

Operation

Impacts related to a proposed project's potential to damage or destroy TCRs are limited to construction impacts. No respective operational impacts would occur.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement MM CUL-1 through MM CUL-4.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

3.5.8 - Cumulative Impacts

The geographic scope for the cumulative analysis is described further below for each type of resource. This analysis evaluates whether the impacts of the proposed project, together with the impacts of other cumulative development, could result in a cumulatively significant impact related to historical, archaeological, and/or TCRs. This analysis then considers whether the incremental

contribution of the impacts associated with the implementation of the proposed project would be significant. Both conditions must apply for the proposed project's cumulative effects to rise to the level of significance.

Historic Resources

The relevant geographic scope for potential cumulative impacts to historic, built environment resources is the land within the City's municipal boundaries. This is because the City provides the smallest geographic boundary of potential significance when a historic property is evaluated at the local, State, or federal level. The cumulative setting includes existing agricultural and industrial uses. No historic resources eligible for the CRHR were identified in the records search, literature review, or pedestrian survey of the project site. One historic era resource (Modoc Ditch) was identified within the project vicinity; however, the resource was evaluated and found to be ineligible for the CRHR and would remain unaffected by the proposed project. As a result, any potential impacts to the historic resource would be less than significant. With respect to the cumulative projects, these cumulative projects have the potential to result in impacts to historic resources. However, potential cumulative impacts would be mitigated at an individual project level by adherence to applicable current State and federal laws and regulations, as well as other City and County laws, regulations, and mitigations, such as adherence to standard conditions of approval that require monitoring of construction sites in proximity to known resources (similar to as MM CUL-1, e.g.). The combination of these efforts would reduce potential cumulative impacts related to historical resources to a less than significant level. Moreover, the proposed project would not have a considerably cumulative contribution to this already less than significant impact because there are no known historic resources that would be adversely impacted by the proposed project.

Based on the foregoing, with implementation of MM CUL-1, the proposed project would not have a significant cumulative impact on any historic resources.

Archaeological Resources

The geographic scope of the cumulative archaeological resources analysis is the project vicinity. This is because archaeological resource impacts tend to be localized because the integrity of any given resource depends on what occurs in the immediate vicinity around that resource, such as disruption of soils, and the immediate vicinity provides the smallest geographic unit within which significant cumulative impacts spanning multiple projects may occur. Therefore, in addition to the project site itself, the area near the project site would be the area most affected by project activities (generally within a 0.5-mile radius). For the purposes of this analysis, the geographic scope is defined as the 0.5-mile SSJVIC records search radius. As discussed above, the geographic scope for this cumulative setting includes existing agricultural and industrial uses. All cumulative projects shown on Exhibit 3-1, Cumulative Project Map, are within the 0.5-mile geographic scope. As noted above, there are three area-specific survey reports (Table 3.5-2) on file with the SSJVIC for the project site and its 0.5-mile search radius. No reports address the project site specifically, indicating that it has not previously been surveyed for cultural resources. There are no known unique archaeological resources within this geographic scope; however, there is always the possibility of previously unknown archaeological resources that could be damaged or destroyed during subsurface construction activities associated with cumulative projects. Nevertheless, any such potential

cumulative impacts would be mitigated at an individual project level by adherence to applicable local, State and federal laws and regulations, as well as City and County laws, regulations, and mitigations as discussed in Section 3.5.4, such as adherence to standard conditions of approval that require monitoring of construction sites in proximity to known resources. Accordingly, cumulative impacts would be less than significant.

For the reasons noted above, the proposed project would not have a direct impact on any known archaeological resources, and potentially significant impacts to any previously unknown resources that could be damaged or destroyed during project construction would be mitigated to less than significant by adherence to applicable laws and regulations and compliance with the identified mitigation measures (MM CUL-1 through MM CUL-4), which requires monitoring of initial ground disturbance by a qualified Archaeologist and Native American Monitor, a WEAP training for construction staff, inadvertent discovery procedures, and an updated site survey following clearing and grubbing. Therefore, the proposed project would not have a cumulatively considerable contribution on this already less than significant cumulative archaeological resources impact.

Based on the foregoing, the proposed project would not have a significant cumulative impact on any archaeological resources.

Tribal Cultural Resources

Significant impacts to TCRs may range from impacts to a resource meeting the CEQA definition of a significant historic resource to impacts to resources identified through consultation between a lead agency and Native American Tribe. As such, the scope and range of potential cumulative impacts to TCRs are highly contingent on the nature of the resource and status of consultation. In the absence of any known TCRs that would be significantly impacted by the proposed project, the appropriate geographic scope for assessing potential cumulative impacts to TCRs is the project vicinity. This is because any undiscovered TCRs would likely be archaeological in nature, and the immediate project vicinity provides the smallest geographic unit within which significant cumulative impacts spanning multiple projects may occur. Thus, for the purposes of this analysis, the immediate vicinity is defined as the 0.5-mile SSJVIC records search radius.

As discussed above, the geographic scope includes existing agricultural and industrial uses. Additionally, all cumulative projects shown on Exhibit 3-1, Cumulative Project Map, are within the 0.5-mile geographic scope. As noted above, there are three area-specific survey reports (Table 3.5-2) on file with the SSJVIC for the project site and its 0.5-mile search radius. No reports address the project site specifically, indicating that it has not previously been surveyed for cultural resources. There are no known TCRs or other archaeological resources within this geographic scope; however, there is always the possibility of previously unknown resources that could be damaged or destroyed during subsurface construction activities associated with cumulative projects. Nevertheless, any such potential cumulative impacts would be required to be mitigated at an individual project level through compliance with applicable federal, State, and local laws and regulations governing cultural resources, such as adherence to standard conditions of approval that require monitoring of construction sites in proximity to known resources. Therefore, cumulative impacts would be less than significant. As explained above, there are no known TCRs that would be impacted by the proposed project. Although subsurface construction activities associated with the proposed project

have the potential to encounter undiscovered TCRs and other archaeological resources, the proposed project would be required to mitigate for impacts through compliance with applicable federal, State, and local laws and regulations governing cultural resources. Additionally, the implementation of mitigation measures MM CUL-1 through MM CUL-4, which require WEAP training for construction staff, inadvertent discovery procedures, an updated site survey, and opportunities for a culturally affiliated Tribal Monitor, would ensure that any undiscovered TCRs are not substantially adversely affected by project-related construction activities. Therefore, the proposed project would not have a cumulatively considerable contribution to this already less than significant cumulative impact.

Level of Cumulative Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM CUL-1 through MM CUL-4.

Level of Cumulative Significance After Mitigation

Less than significant impact with mitigation incorporated*.*

3.6 - Energy

3.6.1 - Introduction

This section describes the existing energy setting in the project area as well as the relevant regulatory framework. This section also evaluates the possible impacts related to energy that could result from implementation of the proposed project. Information in this section is based on project-specific energy calculation outputs included in Appendix B. No public comments were received during the Environmental Impact Report (EIR) scoping period related to energy.

3.6.2 - Existing Setting

Energy Basics

Energy is generally transmitted either in the form of electricity, measured in kilowatts (kW)[1] or megawatts (MW),[2] or natural gas measured in British Thermal Units (BTU), or cubic feet.[3] Fuel, such as gasoline or diesel, is measured in gallons or liters.

Electricity

Electricity is used primarily for lighting, appliances, and other uses associated with the proposed project.

Natural Gas

Natural gas is used primarily for heating, water heating, and cooking purpose and is typically associated with commercial and residential uses.

Fuel

Fuel is used primarily for powering off-road equipment, trucks, and passenger vehicles. The typical fuel types used are diesel and gasoline.

Electricity Generation, Distribution, and Use

State of California

The State of California generates approximately 277,764 gigawatt-hours (GWh) of electricity, in 2021, which is the most recent year of reporting information available. Approximately 50.2 percent of the energy generation is sourced from natural gas, 34.8 percent from renewable sources (i.e., solar, wind, and geothermal), 6.2 percent from large hydroelectric sources, and the remaining 8.8 percent is sourced from coal, nuclear, oil, and other nonrenewable sources.[4]

[1] 1 kW = 1.000 watts; A watt is a derived unit of power that measure rate of energy conversion. 1 watt is equivalent to work being done at a rate of 1 joule of energy per second. In electrical terms, 1 watt is the power dissipated by a current of 1 ampere flowing across a resistance of 1 volt.

[2] 1 MW = 1 million watts

[3] A unit for quantity of heat that equals 100,000 British thermal units. A British thermal unit is the quantity of heat required to raise the temperature of 1 pound of liquid water 1 degree Fahrenheit at a constant pressure of 1 atmosphere.

[4] California Energy Commission (CEC). 2021. Website: https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2021-total-system-electric-generation. Accessed June 1, 2023.

In 2022, California ranked third in the nation in conventional hydroelectric generation and fourth in net electricity generation from all other renewable energy resources combined. In addition, in 2022 renewable resources accounted for 49 percent of California in-state electricity generation.

Electricity and natural gas is distributed through the various electric load-serving entities (LSEs) in California. These entities include investor-owned utilities (IOUs), publicly owned LSEs, rural electric cooperatives, community choice aggregators, and electric service providers.[5]

Project Site

The project site currently does not use natural gas as no habitable structures exist on-site that would use natural gas. Existing agricultural activity could use electricity and/or diesel fuel to power vehicles and water pumps.

Natural Gas Generation, Distribution, and Use

State of California

Natural gas is used for everything from generating electricity to cooking and space heating to an alternative transportation fuel. In 2021, total natural gas consumption in California was 2,172.8 Trillion BTUs. Natural gas-fired generation has become a major source of electricity in California, as it fuels about 42 percent of electricity consumption in the State in 2022 followed by renewable sources. Because natural gas is a resource that provides load when the availability of hydroelectric power generation and/or other sources decrease, use varies greatly from year to year. The availability of hydroelectric resources, the emergence of renewable resources for electricity generation, and overall consumer demand are the variables that shape natural gas use in electric generation.[6]

Fuel Use

State of California

The main category of fuel use in California is transportation fuel, specifically gasoline and diesel. Gasoline is the most used transportation fuel in California, with 97 percent of all gasoline sold in California being consumed by light-duty cars, pickup trucks, and sport utility vehicles. Diesel is the second largest transportation fuel used in California. Nearly all heavy-duty trucks, delivery vehicles, buses, trains, ships, boats and barges, farm, construction and heavy-duty military vehicles and equipment have diesel engines. In year 2021, it was estimated that 11,618 million gallons of gasoline and 1,611 million gallons of diesel were sold in California.[7]

Project Site

Existing agricultural activity on the project site would consume gasoline and diesel fuel to power vehicles and water pumps.

[5] California Energy Commission (CEC). 2019. Electric Load-Serving Entities (LSEs) in California Website: https://www.energy.ca.gov/almanac/electricity_data/utilities.html. Accessed June 1, 2023.

[6] California Energy Commission (CEC). 2019. Supply and Demand of Natural Gas in California. Website: https://www.energy.ca.gov/data-reports/energy-almanac/californias-natural-gas-market. Accessed June 1, 2023.

[7] California Energy Commission (CEC). 2020. A15 Report Responses vs. California Department of Tax and Fee Administration. Website: https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/california-retail-fuel-outlet-annual-reporting#notes. Accessed June 1, 2023.

3.6.3 - Regulatory Framework

Federal

Energy Independence and Security Act

The Energy Policy Act of 2005 created the Renewable Fuel Standard Program. The Energy Independence and Security Act of 2007 expanded this program by:

- Expanding the Renewable Fuel Standard Program to include diesel in addition to gasoline.
- Increasing the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022.
- Establishing new categories of renewable fuel, and setting separate volume requirements for each one.
- Requiring the United States Environmental Protection Agency (EPA) to apply life-cycle greenhouse gas (GHG) emissions performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

This expanded Renewable Fuel Standard Program lays the foundation for achieving substantial reductions of GHG emissions from the use of renewable fuels, reducing the use of imported petroleum, and encouraging the development and expansion of the nation's renewable fuels sector.

Signed on December 19, 2007, the Energy Independence and Security Act of 2007 (EISA) aims to:

- Move the United States toward greater energy independence and security.
- Increase the production of clean renewable fuels.
- Protect consumers.
- Increase the efficiency of products, buildings, and vehicles.
- Promote research on and deploy GHG capture and storage options.
- Improve the energy performance of the federal government.
- Increase U.S. energy security, develop renewable fuel production, and improve vehicle fuel economy.

EISA reinforces the energy reduction goals for federal agencies put forth in Executive Order 13423, as well as introduces more aggressive requirements. The three key provisions enacted are the Corporate Average Fuel Economy Standards, the Renewable Fuel Standard Program, and the appliance/lighting efficiency standards.

The EPA is committed to developing, implementing, and revising both regulations and voluntary programs under the following subtitles in EISA, among others:

- Increased Corporate Average Fuel Economy Standards
- Federal Vehicle Fleets
- Renewable Fuel Standard
- Biofuels Infrastructure

- Carbon Capture and Sequestration[8]

EPA and National Highway Traffic Safety Administration Light-duty Vehicle GHG Emission Standards and Corporate Average Fuel Economy Standards Final Rule

Congress first passed the Corporate Average Fuel Economy law in 1975 to increase the fuel economy of cars and light-duty trucks. The law has become more stringent over time. On May 19, 2009, former President Barack Obama put in motion a new national policy to increase fuel economy for all new cars and trucks sold in the United States. On April 1, 2010, the EPA and the United States Department of Transportation (USDOT) National Highway Traffic Safety Administration (NHTSA) announced a joint final rule establishing a national program that would reduce GHG emissions and improve fuel economy for new cars and trucks sold in the United States.

The first phase of the national program would apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles, covering model years 2012 through 2016. They require these vehicles to meet an estimated combined average emissions level of 250 grams of CO_2 per mile, equivalent to 35.5 miles per gallon if the automobile industry were to meet this CO_2 level solely through fuel economy improvements. Together, these standards would cut CO_2 emissions by an estimated 960 million metric tons and 1.8 billion barrels of oil over the lifetime of the vehicles sold under the program (model years 2012-2016).

The EPA and the NHTSA issued final rules on a second phase joint rulemaking, establishing national standards for light-duty vehicles for model years 2017 through 2025 in August 2012.[9] The new standards for model years 2017 through 2025 apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles. The final standards are projected to result in an average industry fleet wide level of 163 grams/mile of CO_2 in model year 2025, which is equivalent to 54.5 miles per gallon (mpg) if achieved exclusively through fuel economy improvements.

The EPA and NHTSA issued final rules for the first national standards to reduce GHG emissions and improve fuel efficiency of heavy-duty trucks and buses on September 15, 2011, which became effective November 14, 2011. For combination tractors, the agencies are proposing engine and vehicle standards that began in the 2014 model year and achieve up to a 20 percent reduction in CO_2 emissions and fuel consumption by the 2018 model year. For heavy-duty pickup trucks and vans, the agencies are proposing separate gasoline and diesel truck standards, which phase in starting in the 2014 model year and achieve up to a 10 percent reduction for gasoline vehicles, and a 15 percent reduction for diesel vehicles by 2018 model year (12 and 17 percent respectively if accounting for air conditioning leakage). Lastly, for vocational vehicles, the engine and vehicle standards would achieve up to a 10 percent reduction in fuel consumption and CO_2 emissions from the 2014 to 2018 model years.

The State of California has received a waiver from the EPA to have separate, stricter Corporate Average Fuel Economy Standards. Although global climate change did not become an international

[8] United States Environment Protection Agency (EPA). Summary of the Energy Independence and Security Act. Website: https://www.epa.gov/laws-regulations/summary-energy-independence-and-security-act. Accessed June 1, 2023.

[9] United States Environmental Protection Agency (EPA). 2012. EPA and NHTSA Set Standards to Reduce Greenhouse Gases and Improve Fuel Economy for Model Years 2017-2025 Cars and Light Trucks. Website: http://www.epa.gov/otaq/climate/documents/420f12051.pdf. Accessed June 1, 2023.

concern until the 1980s, efforts to reduce energy consumption began in California in response to the oil crisis in the 1970s, resulting in the incidental reduction of GHG emissions. In order to manage the State's energy needs and promote energy efficiency, Assembly Bill (AB) 1575 created the California Energy Commission (CEC) in 1975.

California Assembly Bill 1493: Pavley Regulations and Fuel Efficiency Standards

California AB 1493, enacted on July 22, 2002, required the California Air Resources Board (ARB) to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light-duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the EPA's denial of an implementation waiver. The EPA subsequently granted the requested waiver in 2009, which was upheld by the by the U.S. District Court for the District of Columbia in 2011.[10]

The standards are to be phased in during the 2009 through 2016 model years. When fully phased in, the near-term (2009–2012) standards will result in an approximately 22 percent reduction compared with the 2002 fleet, and the mid-term (2013–2016) standards will result in about a 30 percent reduction.

The second phase of the implementation for the Pavley Bill was incorporated into Amendments to the Low Emission Vehicle (LEV) Program referred to as LEV III or the Advanced Clean Cars program. The Advanced Clean Car program combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for model years 2017 through 2025. The regulation will reduce GHGs from new cars by 34 percent from 2016 levels by 2025. The new rules will reduce pollutants from gasoline and diesel-powered cars, and deliver increasing numbers of zero-emission technologies, such as full battery electric cars, newly emerging plug-in hybrid electric vehicles and hydrogen fuel cell cars.

California Code of Regulations Title 13: Motor Vehicles

California Code of Regulations, Title 13: Division 3, Chapter 10, Article 1, Section 2485: Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling.[11] This measure seeks to reduce public exposure to diesel particulate matter and other air contaminants by establishing idling restrictions, emission standards, and other requirements for heavy-duty diesel engines and alternative idle reduction technologies to limit the idling of diesel-fueled commercial motor vehicles. Any person that owns, operates, or causes to operate any diesel-fueled commercial motor vehicle must not allow a vehicle to idle for more than 5 consecutive minutes at any location, or operate a diesel-fueled auxiliary power system for greater than 5 minutes at any location when within 100 feet of a restricted area.

California Code of Regulations, Title 13: Division 3, Chapter 9, Article 4.8, Section 2449: General Requirements for In-Use Off-Road Diesel-Fueled Fleets. This measure regulates oxides of nitrogen (NO_X), diesel particulate matter (DPM), and other criteria pollutant emissions from in-use off-road

[10] California Air Resources Board (ARB). 2013. Clean Car Standards—Pavley, Assembly Bill 1493. Website: https://ww2.arb.ca.gov/californias-greenhouse-gas-vehicle-emission-standards-under-assembly-bill-1493-2002-pavley. Accessed June 1, 2023.

[11] Thomas Reuters Westlaw. 2019. California Code of Regulations, Title 13. Motor Vehicles. Website: https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I143B9530D46811DE8879F88E8B0DAAAE&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed June 1, 2023.

diesel-fueled vehicles. This measure also requires each fleet to meet fleet average requirements or demonstrate that it has met "best available control technology" requirements. Additionally, this measure requires medium and large fleets to have a written idling policy that is made available to operators of the vehicles informing them that idling is limited to 5 consecutive minutes or less.

California Senate Bill 1078: Renewable Electricity Standards

On September 12, 2002, former Governor Gray Davis signed Senate Bill (SB) 1078, requiring California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 changed the due date to 2010 instead of 2017. On November 17, 2008, Governor Arnold Schwarzenegger signed Executive Order S-14-08, which established a Renewable Portfolio Standard target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. Former Governor Schwarzenegger also directed the ARB (Executive Order S-21-09) to adopt a regulation by July 31, 2010, requiring the State's LSEs to meet a 33 percent renewable energy target by 2020. The ARB Board approved the Renewable Electricity Standard on September 23, 2010 by Resolution 10-23.

California SB 350: Clean Energy and Pollution Reduction Act

In 2015, the State legislature approved and the Governor signed SB 350 which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the Renewables Portfolio Standard (RPS), higher energy efficiency requirements for buildings, initial strategies toward a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Provisions for a 50 percent reduction in the use of petroleum Statewide were removed from the Bill due to opposition and concern that it would prevent the Bill's passage. Specifically, SB 350 requires the following to reduce Statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 25 percent by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the California Public Utility Commission, the CEC, and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electrify transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.[12]

California Code of Regulations Title 24

Part 6 (Energy Efficiency Standards for Residential and Nonresidential Buildings)

California Code of Regulations Title 24 Part 6 (California's Energy Efficiency Standards for Residential and Nonresidential Buildings) was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The 2016 Building Energy Efficiency Standards went into

[12] California Legislative Information (California Leginfo). 2015. Senate Bill 350 Clean Energy and Pollution Reduction Act of 2015. Website: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB350. Accessed June 1, 2023.

effect on January 1, 2017.[13] The 2019 Building Energy Efficiency Standards are scheduled to go into effect on January 1, 2020.

Part 11 (California Green Building Standards Code)

California Code of Regulations Title 24, Part 11, is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect January 1, 2011. The Code is updated on a regular basis, with the most recent update consisting of the 2022 California Green Building Standards Code (CALGreen) that became effective January 1, 2023.[14] Local jurisdictions are permitted to adopt more stringent requirements, as State law provides methods for local enhancements. CALGreen recognizes that many jurisdictions have developed existing construction and demolition ordinances, and defers to them as the ruling guidance provided they provide a minimum 50 percent diversion requirement. CALGreen also provides exemptions for areas not served by construction and demolition recycling infrastructure. The California Building Standards Code (CBC) provides the minimum standard that buildings need to meet in order to be certified for occupancy, which is generally enforced by the local building official.

California Public Utilities Code

The California Public Utilities Commission (CPUC) regulates privately owned telecommunication, electric, natural gas, water, railroad, rail transit, and passenger transportation companies. It is the responsibility of the CPUC to (1) assure California utility customers safe, reliable utility service at reasonable rates; (2) protect utility customers from fraud; and (3) promote a healthy California economy. The Public Utilities Code, adopted by the legislature, defines the jurisdiction of the CPUC.

Local

City of Visalia General Plan

The City of Visalia General Plan does not include goals or policies that explicitly aim to improve energy efficiency or reduce energy consumption.[15] However, some policies would indirectly improve energy efficiency.

AQ-P-9 Continue to mitigate short-term construction impacts and long-term stationary source impacts on air quality on a case-by-case basis and continue to assess air quality impacts through environmental review. Require developers to implement Best Management Practices (BMPs) to reduce air pollutant emissions associated with the construction and operation of development projects.

BMPs include Transportation Demand Management strategies for large development projects such as:

- Providing bicycle access and parking facilities;

[13] California Energy Commission (CEC). 2016. 2016 Building Energy Efficiency Standards Frequently Asked Questions. Website: http://www.energy.ca.gov/title24/2016standards/rulemaking/documents/2016_Building_Energy_Efficiency_Standards_FAQ.pdf. Accessed June 3, 2023.

[14] California Building Standards Commission (CBSC). 2022. Green Building Standards. Website: https://codes.iccsafe.org/content/CAGBC2022P1. Accessed June 3, 2023.

[15] City of Visalia. 2014. General Plan. Website: https://www.visalia.city/depts/community_development/planning/gp.asp. Accessed June 3, 2023.

- Providing preferential parking for high-occupancy vehicles, carpools, or alternative fuels vehicles;
- Establishing telecommuting programs or satellite work centers;
- Allowing alternative work schedules;
- Subsidizing public transit costs for employee;
- Scheduling Deliveries at off-peak traffic periods; and
- Providing recharge stations for plug-in electric vehicles (PEVs).

AQ-P-13 Where feasible, replace City vehicles with those that employ low emission technology.

AQ-P-14 Promote and expand the trip-reduction program for City employees to reduce air pollution and emissions of greenhouse gas. The program may include carpooling and ride sharing; reimbursement of transit costs; encouragement of flexible work schedules, telecommuting, and teleconferencing.

3.6.4 - Methodology

This analysis calculated the amount of energy consumed during both construction and operation. Energy use consumed by the proposed project was estimated and includes natural gas, electricity, and fuel consumption for project construction and operation. Energy calculations are included as part of Appendix B.

3.6.5 - Thresholds of Significance

The lead agency utilizes the criteria in the California Environmental Quality Act (CEQA) Guidelines Appendix G Environmental Checklist to determine whether impacts related to energy are significant environmental effects. Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

3.6.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the development of the project and provides mitigation measures where appropriate.

Energy Use

Impact ENER-1:	**Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

Impact Analysis

The information provided below is derived from the Air Quality, Greenhouse Gas Emissions, and Energy Analysis Report (Air Quality Report) prepared by FirstCarbon Solutions (FCS) on May 4, 2023. A discussion of the proposed project's anticipated energy usage is presented below.

Construction

For purposes of a conservative analysis, the anticipated construction schedule for all three phases of development was assumed to begin in March 2024 and conclude in March 2028. It is important to note that if the construction schedule were to move to later year(s), construction energy demand would likely decrease because of improvements in technology and more stringent regulatory requirements as older, less efficient equipment is replaced by newer and cleaner equipment. Even in a scenario where all three construction phases overlap, the impacts related to energy consumption would not be materially different from the phased construction analyzed here. That is because concurrent construction would not result in an increased use of fuel and electricity beyond that needed for a phased construction. The proposed project would require demolition, site preparation, grading, building construction, architectural coating, and paving. The construction phase would require energy for the manufacture and transportation of building materials, preparation of the project site (e.g., demolition, site clearing, and grading), and the actual construction of the buildings and related on- and off-site improvements and infrastructure. Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these tasks.

The types of on-site equipment used during construction of the proposed project would include gasoline- and diesel-powered construction and transportation equipment, including trucks, bulldozers, frontend loaders, forklifts, and cranes. Construction equipment is estimated to consume a total of approximately 886,679 gallons of diesel fuel over the entire construction duration (Appendix B).

Fuel use associated with construction vehicle trips generated by the proposed project was also estimated; trips include construction worker trips, haul truck trips for material transport, and vendor trips for construction material deliveries. Fuel use from these vehicles traveling to the project site was based on (1) the projected number of trips the proposed project would generate during construction, (2) average trip distances by trip type, and (3) fuel efficiencies estimated in the ARB EMFAC mobile source emission model. The specific parameters used to estimate fuel usage are included in Appendix B. In total, the proposed project is estimated to generate approximately 17,099,450 Vehicle Miles Traveled (VMT) and a combined approximately 924,696 gallons of gasoline and diesel for vehicle travel during construction.

Other equipment would include construction lighting, field services (office trailers), and electrically driven equipment such as pumps and other tools. Chapter 8.36 of the Visalia Municipal Code defines permissible hours of construction as between the hours of 6:00 a.m. and 7:00 p.m. Monday through Friday and 9:00 a.m. to 7:00 p.m. on Saturday and Sunday. As construction activities would be restricted to these hours, it is anticipated that the use of construction lighting would be relatively minimal. Singlewide mobile office trailers, which are commonly used in construction staging areas, generally range in size from approximately 160 square feet to 720 square feet. A typical 720-square-

foot office trailer would consume approximately 6,548 kWh during the 12-month concurrent construction phase (Appendix B).

Limitations on the permissible idling time of vehicles and equipment along with requirements that equipment be properly maintained would result in fuel savings. Similarly, compliance with applicable State laws and regulations would limit idling from both on-road and off-road diesel-powered equipment and are part of a comprehensive regulatory framework that is implemented by the ARB. Additionally, as a practical matter, it is reasonable to assume that the overall construction schedule and process would be designed and implemented to be efficient as feasible in order to avoid excess monetary costs. For example, equipment and fuel are not typically used wastefully due to the added expense associated with renting the equipment, maintaining it, and fueling it. Therefore, the opportunities for future efficiency gains during construction beyond those already built in due to commercially practicable considerations are relatively limited. For the foregoing reasons, it is anticipated that the construction phase of the proposed project would not result in wasteful, inefficient, and unnecessary consumption of energy. Construction-related energy impacts would be less than significant.

Operation

The proposed project would consume energy as part of building operations and transportation activities. Project energy consumption is summarized in Table 3.6-1. For further details, see Appendix B.

Table 3.6-1: Estimated Annual Project Energy Consumption

Energy Consumption Activity	Annual Consumption (approx.)
Electricity Consumption	34,152,062 kWh/year
Natural Gas Consumption	49,385,262 kBTU/year
Total Fuel Consumption	7,576,169 gallons of gasoline and diesel
Operational Fuel Consumption–Passenger Vehicles	1,237,261 gallons of gasoline and diesel
Operational Fuel Consumption–Trucks	6,338,908 gallons of gasoline and diesel

Notes:
kBTU = kilo-British Thermal Unit
kWh = kilowatt-hour
VMT = Vehicle Miles Traveled
Source: FirstCarbon Solutions (FCS) 2023. (Appendix B)

Operation of the proposed project would consume an estimated 34,152,062 kWh of electricity and an estimated 49,385,262 kBTU of natural gas on an annual basis. The proposed project's buildings and related improvements and infrastructure would be designed and constructed in accordance with the City's latest adopted energy efficiency standards, which are based on the State's Building Energy Efficiency Standards. These standards include minimum energy efficiency requirements related to building envelope, mechanical systems (e.g., heating, ventilation, and air conditioning [HVAC] and water heating systems), and indoor and outdoor lighting, are widely regarded as the some of the most advanced and stringent building energy efficiency standards in the country. Moreover, as

specified in Chapter 5, Part 11 of the Title 24 standards, the proposed project would be required to incorporate electrical conduit to facilitate future installation of electric vehicle (EV) charging infrastructure. In addition, as specified in Subchapter 6, Part 6 of the Title 24 standards, the proposed project would be required to either include rooftop solar systems or design the proposed buildings to structurally accommodate future installation of a rooftop solar system. As such, the design of the proposed project would facilitate the future commitment to renewable energy resources. Therefore, building energy consumption would not be considered wasteful, inefficient, or unnecessary.

Project-related vehicle trips would consume an estimated 7,576,169 gallons of gasoline and diesel annually. In addition, the proposed project would include the installation of bicycle parking fixtures consistent with the City of Visalia Municipal Code requirements for new development, encouraging the use of alternative modes of transportation for worker commutes. Regional access to the project site is provided via State Route (SR) 99, which is 0.85 mile to the east of the project site. As a result, the proposed project would be located within 1 mile of a major transportation corridor that provides interstate regional access. Moreover, as discussed in Section 3.15, Transportation, the proposed project would be required to implement various Transportation Demand Management (TDM) measures that would contribute to fuel savings through incentives for project staff to utilize non-motorized transportation modes. Furthermore, the proposed project would generate vehicle trips that would travel to other cities and states in order to deliver goods and the location of the proposed project would not result in excessive or wasteful vehicle travel. Thus, transportation fuel consumption would not be wasteful, inefficient, or unnecessary. Impacts would be less than significant.

Level of Significance

Less than significant impact.

Mitigation Measures

None required.

Energy Efficiency and Renewable Energy Standards Consistency

Impact ENER-2:	**Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?**

Impact Analysis

The proposed project would be served with electricity provided by Southern California Edison (SCE). In 2021, SCE obtained 31.4 percent of its electricity from renewable energy sources (14.9 percent solar, 10.2 percent wind, 5.7 percent geothermal, 0.1 percent biomass and biowaste, and 0.5 percent eligible hydroelectric), while the remaining electricity was sourced from nuclear (9.2 percent), natural gas (22.3 percent), large hydroelectric (2.3 percent), and unspecified sources of power (34.8 percent).[16] Therefore, the proposed project's electricity provider does not meet the State's current objective of 33 percent of electricity from renewable energy sources. However, the utility would be

[16] California Energy Commission. 2021. Annual Power Content Labels for 2021. Website: https://www.sce.com/sites/default/files/custom-files/Web%20files/2021%20Power%20Content%20Label.pdf. Accessed June 1, 2023.

required pursuant to applicable laws and regulations to meet the future objective of 60 percent of electricity from renewable energy sources by 2030. As noted above, the proposed project's buildings and related improvements and infrastructure would be designed in accordance with then-current Title 24, California's Energy Efficiency Standards for Nonresidential Buildings. These standards include minimum energy efficiency requirements related to building envelope, mechanical systems (e.g., HVAC and water heating systems), and indoor and outdoor lighting. Based on the foregoing, including the incorporation of the Title 24 standards into the design of the proposed project, this would ensure that the proposed project would not result in the use of energy in a wasteful manner.

The City of Visalia Climate Action Plan (CAP) and General Plan contain policies that are related to energy conservation. While several of these policies are voluntary or cannot be implemented by an individual development project, these policies would contribute toward less water demand, energy efficient operational uses, and reduce the unnecessary use of fuel. For example, the proposed project would be consistent with CAP actions related to Energy by including Mitigation Measure (MM) GHG-2a, which would require **r**ooftop solar panel systems, solar-ready rooftop design, as feasible, or roofing material contains light coloring with a solar reflective index greater than 78. In addition, the proposed project would be consistent with other CAP actions related to reduction energy consumption such as, including drought tolerant landscaping that requires less water demand and consequently less electricity to convey that water to the project site.

Additionally, compliance with then-current Title 24 standards would ensure that the proposed project would not conflict with any of the General Plan energy conservation policies related to the proposed project's building envelope, mechanical systems, and indoor and outdoor lighting.

The proposed project would be required to comply with applicable State energy standards and with relevant energy conservation policies contained in the Visalia General Plan. As such, the proposed project would not conflict with State or local renewable or energy efficiency objectives. Impacts would be less than significant.

Level of Significance

Less than significant impact.

Mitigation Measures

None required.

3.6.7 - Cumulative Impacts

The geographic scope of the cumulative energy analysis is the portion of SCE's service area that covers incorporated and unincorporated Tulare County. Cumulative projects considered as part of this cumulative analysis include the project, other cumulative projects identified in Table 3-1 in Chapter 3, Environmental Impact Analysis, and other past, present, and reasonably foreseeable future projects within the SCE service area that covers the incorporated and unincorporated areas of Tulare County.

Electricity and Natural Gas During operation, cumulative projects would be required to comply with applicable provisions of Title 24 Building Energy Efficiency Standards and CALGreen. Specifically, the

buildings and other improvements that would be constructed as part of the various cumulative projects would be required to be designed in accordance with Title 24, California's Energy Efficiency Standards for Residential and Nonresidential Buildings as applicable. These standards include minimum energy efficiency requirements related to building envelope, mechanical systems (e.g., HVAC and water heating systems), and indoor and outdoor lighting. Future cumulative development would also be required to meet even more stringent energy efficiency requirements through local and Statewide policy, such as Title 24, Part 6, which would require, for example, that newly constructed residential homes include on-site photovoltaic solar systems, with some exceptions. Furthermore, SCE, which supplies electricity to the project site and vicinity, would be required by SB 100 to incrementally increase the proportion of renewable electricity generation supplying its in-state retail sales until it reaches 100 percent carbon-free electricity generation by 2045. Electricity would also be consumed during construction of the cumulative projects from the use of construction trailers and any electrically driven equipment, vehicles, or tools. Electricity consumed during construction of the cumulative projects would also be subject to the renewable electricity generation requirements established by SB 100, as SCE would be the anticipated electricity supplier for the cumulative project areas. The incorporation of these regulations into the design of the cumulative projects would ensure that they would not result in the inefficient, unnecessary, or wasteful consumption of electricity or natural gas, and thus they would not have a significant cumulative impact.

Similarly, the proposed project's energy use would be limited to that which is necessary for the construction and operation of the proposed project. As discussed above, the proposed project would be required to comply with applicable Statewide and local policies and standards pertaining to energy efficiency and can reasonably be assumed to pursue greater energy efficiencies to the extent commercially practicable in its operation, in the interest of reducing operating costs. As such, the proposed project's incremental contribution to the less than significant cumulative impact would not be considerable with respect to energy consumption in the form of electricity and natural gas. Cumulative projects would be required to comply with California Code of Regulations Title 13, Sections 2449(d)(3) and 2485, that limit idling from both on-road and off-road diesel-powered equipment and are enforced by the ARB. Additionally, various federal and State regulations, including the Low Carbon Fuel Standards (LCFS), Pavley Clean Car Standards, and LEV Program, would serve to reduce the transportation fuel demand of cumulative projects.

Compliance with these regulations by the cumulative projects would ensure that they would not result in the inefficient, unnecessary, or wasteful consumption of fuel and their cumulative impact would be less than significant. As discussed in more detail above, the proposed project would consume vehicle fuel during both construction and operation. As previously discussed, the proposed project would also be required to use fuels which conform to various federal and State regulations, such as the LCFS, Pavley Clean Car Standards, and LEV Program. In addition, the proposed project would consume fuels in an amount necessary to construct and operate the proposed project and would not consume excessive amounts of fuel beyond what is necessary in the interest of avoiding unnecessary construction or operation costs. Therefore, the proposed project's incremental contribution to the less than significant cumulative impact would not be considerable with respect to the wasteful or inefficient use of energy.

Level of Cumulative Significance

Less than significant impact.

Mitigation Measures

None required.

3.7 - Geology, Soils, and Seismicity

3.7.1 - Introduction

This section describes the existing geologic and soil characteristics of the project site and the potential effects from implementing the proposed project with respect to potential geology, soils, seismicity, and paleontological impacts. In addition, this section identifies feasible mitigation measures that would reduce these impacts, if and to the extent required. The descriptions and analysis in this section is based, in part, on the Geotechnical Evaluation[1] and the Paleontological Records Search.[2] These reports are provided in Appendix E of this Draft EIR.

No comments were received during the Notice of Preparation (NOP) comment period related to geology, soils, and seismicity.

3.7.2 - Environmental Setting

Geologic Setting

City of Visalia

The City is part of the Central Valley province, one of several geomorphic provinces in California. The San Joaquin Valley is in a basin bounded by the Sierra Nevada foothills and mountains to the east and the Coast Ranges to the west, and it is filled with deep layers of sediment generally underlain by sequences of Tertiary- to Pleistocene-age marine and nonmarine sedimentary rock. The sedimentary rock is generally covered by Pleistocene to Holocene alluvium that has infilled the valley.[3] The City's topography is basically flat, lying at an elevation of approximately 330 feet above sea level. The St. Johns River flows through the northeastern portion of the City, which, along with smaller streams and canals, forms alluvial fans.

Project Site

The project site is located in the northwestern portion of the City's Sphere of Influence (SOI) and is located within the San Joaquin Valley of the Central Valley geomorphic province of California. The project site is generally flat and underlain by Holocene-age alluvial fan deposits.[4]

Existing Soils

City of Visalia

The City has relatively flat topography and is distant from any delineated Alquist-Priolo Earthquake Fault Zone, as shown in Exhibit 3.7-1, Regional Earthquake Fault Map, and described further below. Although no specific liquefaction hazard areas have been identified, the potential for liquefaction is recognized throughout the San Joaquin Valley where unconsolidated sediments and high-water tables coincide. The City's Planning Area comprises all of the land within the City as well as neighboring unincorporated land, including the community of Goshen, and encompasses

[1] Ninyo & Moore. 2022. Preliminary Geotechnical Evaluation Shirk & Riggin Industrial Park. August 2.
[2] Finger, Kenneth L., PhD. 2022. Paleontological Records Search for the Shirk and Riggin Industrial Park Project (4119.0039), near the City of Visalia, Tulare County. June 20.
[3] Ninyo & Moore. 2022. Preliminary Geotechnical Evaluation Shirk & Riggin Industrial Park. August 2.
[4] Ibid.

approximately 66,640 acres.[5] Subsidence in the Planning Area from groundwater removal may also occur based on the fact that the Kaweah Subbasin underlying the Planning Area is considered to be in an overdraft on an average long-term basis.[6] Soils with moderate shrink-swell potential underlie about 2,480 acres in the Planning Area.[7]

Project Site

The Geotechnical Evaluation for the project site included the collection of site-specific data through geotechnical borings and laboratory analysis of collected soil samples. The results indicate that the project site is underlain by undocumented fill soils and alluvium. Both soil types are composed of silt, sand, and clay at depths of up to approximately 51.5 feet.

Groundwater was not encountered in the borings at the time of drilling, although groundwater levels do have seasonal variations. However, groundwater monitoring well data from the State of California Water Resources Control Board's GeoTracker website indicate that the depth to groundwater ranges from approximately 100 to 200 feet at monitoring wells located approximately 0.5 mile south and approximately 2 miles southwest of the project site.[8] Based on the available information and the nature and location of the project site, it is anticipated that similar depths to groundwater are present at the project site.

Seismicity

The term seismicity describes the effects of seismic waves that are radiated from an earthquake fault in motion. While most of the energy released during an earthquake result in the permanent displacement of the ground, as much as 10 percent of the energy may dissipate immediately in the form of seismic waves. Seismicity can result in seismic-related hazards such as fault rupture, ground shaking, and liquefaction faults form in rocks when stresses overcome the internal strength of the rock, and fault rupture occurs when movement on a fault breaks through to the surface and can result in damage to infrastructure and persons. Ground movement during an earthquake can vary depending on the overall magnitude, distance to the fault, focus of earthquake energy, and type of geologic material. The composition of underlying soils, even those relatively distant from faults, can intensify ground shaking. Strong ground shaking from an earthquake can result in damage, with buildings shifted off their foundations and underground pipes broken. Liquefaction occurs when an earthquake causes ground shaking that results in saturated soil to lose shear strength, deform, and act like a liquid. When liquefaction occurs, it can result in ground failure that can result in damage to roads, pipelines, and buildings.

City of Visalia

The State of California is one of the most seismically active areas in the United States. That said, there are no known active earthquake faults in the City's Planning Area. The closest active faults are the Owens Valley Fault group and Sierra Nevada Fault Zone, located approximately 75 miles to the

[5] City of Visalia. 2014. General Plan 2030. Introduction. October.
[6] City of Visalia. 2014. General Plan Draft Environmental Impact Report. March.
[7] Ibid.
[8] California State Water Resources Control Board (State Water Board). 2022. GeoTracker: Kaweah Basin Water Quality Association (AGC100012325). Website: https://geotracker.waterboards.ca.gov/profile_report?global_id=AGC100012325. Accessed August 16, 2022.

east of the City's Planning Area, the San Andreas Fault Zone located approximately 60 miles to the west of the City's Planning Area, and the Pond Fault Zone located approximately 55 miles to the south of the City's Planning Area (Exhibit 3.7-1).[9] Historically, major earthquakes have been felt and caused some amount of property damage within the City's Planning Area. Moreover, it is possible, but unlikely, that previously unknown faults could become active in the area. The State Geologist has not delineated any Alquist-Priolo Earthquake Fault Zones within or near the City's Planning Area.[10]

Project Site

Distant faults have low potential to cause ground shaking on the project site; this is because the magnitude of ground shaking experienced on-site is dependent on the distance to causative faults and the earthquake magnitude (or measure of the amount of energy released during an earthquake event). There are no known faults in close proximity to the project site.[11] The faults with the highest potential to affect the proposed project from a design standpoint are the Pond Fault (approximately 61 miles away), Southern Sierra Nevada Fault (approximately 68.4 miles away), and Owens Valley Fault (approximately 74.6 miles away).

Slope Disturbance

Slope disturbance from long-term geologic cycle of uplift, mass wasting, intense precipitation or wind, as well as gravity can result in slope failure in the form of mudslides and rock fall. Uplift refers to the vertical elevation shift of the Earth's surface often attributed to plate tectonics. Mass wasting refers to a variety of erosional processes from gradual downhill soil creep to mudslides, debris flows, landslides, and rock fall—processes that are commonly triggered by intense precipitation or wind, which varies according to climactic shifts. Often, various forms of mass wasting are grouped together as landslides, which are generally used to describe the downhill movement of rock and soil. Soil creep is a long-term, gradual downhill migration of soil under the influence of gravity and is generally on the order of a fraction of an inch per year. These soils can creep away downslope sides of foundations and reduce lateral support.

City of Visalia

According to the 2017 Tulare Multi-Jurisdictional Local Hazard Mitigation Plan, areas that are more prone to landslides, mudslides, or debris flows include the foothill and mountain areas where fractured and steep slopes are present, where less-consolidated or weathered soils overlie bedrock, or where inadequate groundcover accelerates erosion.[12] The City and the Planning Area is generally flat, with slopes of 0 to 2 percent. In the City, earthquake-induced slope disturbance such as mudslides are unlikely to occur due to the relatively stable geological formation and lack of active faults.

[9] California Geologic Survey (CGS). 2022. EQ Zapp. Website: https://maps.conservation.ca.gov/cgs/EQZApp/app/. Accessed August 16, 2022.
[10] City of Visalia. 2014. General Plan 2030. Safety and Noise Element. October.
[11] California Geologic Survey (CGS). 2022. EQ Zapp. Website: https://maps.conservation.ca.gov/cgs/EQZApp/app/. Accessed August 16, 2022.
[12] Tulare County Office of Emergency Services. 2018. Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan. March.

Project Site

The project site is located within a seismically stable region, and the City experiences relatively little tectonic activity as compared to other regions of the State. As noted above, the project site itself does not contain active faults that would cause geologic uplifting or other seismic-related hazards. The project site is relatively flat and does not include foothill or mountain areas; it is located approximately 17 miles from Sierra Nevada foothills, and the project site does not contain weathered soils over bedrock.[13]

Paleontological Resources

Project Site

The project site is solely underlain by Holocene Great Valley fan deposits. The southwestern portion of the half-mile search area surrounding the project site includes subjacent Holocene Great Valley basin deposits. Holocene Great Valley deposits are too young to be fossiliferous. The nearest Pleistocene deposits are more than five miles east of the project site. It is highly unlikely that Pleistocene deposits are in the shallow subsurface of the project site. Localist V6540, approximately 5.5 miles southeast of the project site, yielded mammoth tooth fragments. There is an absence of any potentially fossiliferous localities within 5 miles of the project site.[14]

3.7.3 - Regulatory Framework

Federal

National Earthquake Hazards Reduction Program

The National Earthquake Hazards Reduction Program (NEHRP) was established by the United States Congress when it passed the Earthquake Hazards Reduction Act of 1977, Public Law 95–124. In establishing the NEHRP, Congress recognized that earthquake-related losses could be reduced through improved design and construction methods and practices, land use controls and redevelopment, prediction techniques and early warning systems, coordinated emergency preparedness plans, and public education and involvement programs. The four basic goals remain unchanged:

- Develop effective practices and policies for earthquake loss reduction and accelerate their implementation.
- Improve techniques for reducing earthquake vulnerabilities of facilities and systems.
- Improve earthquake hazards identification and risk assessment methods, and their use.
- Improve the understanding of earthquakes and their effects.

Several key federal agencies contribute to earthquake mitigation efforts. There are four primary NEHRP agencies:

- National Institute of Standards and Technology of the Department of Commerce

[13] Ninyo & Moore Geotechnical and Environmental Science Consultants. 2022. Preliminary Geotechnical Investigation Shirk and Riggin Industrial Park. August 2.
[14] Finger, Kenneth L., PhD. 2022. Paleontological Records Search for the Shirk and Riggin Industrial Park Project. June 20.

- National Science Foundation
- United States Geological Survey (USGS) of the Department of the Interior
- Federal Emergency Management Agency (FEMA) of the Department of Homeland Security

Implementation of NEHRP priorities is accomplished primarily through original research, publications, and recommendations to assist and guide State, regional, and local agencies in the development of plans and policies to promote safety and emergency planning.

National Pollutant Discharge Elimination System

The National Pollutant Discharge Elimination System (NPDES) permit program, authorized by Section 402(p) of the federal Clean Water Act, controls water pollution by regulating point sources, such as construction sites and industrial operations that discharge pollutants into waters of the United States. A Storm Water Pollution Prevention Plan (SWPPP) is required to control discharges from a project site, including soil erosion, to protect waterways. A SWPPP describes the measures or practices to control discharges during both the construction and operational phases of the proposed project. A SWPPP identifies project design features and structural and nonstructural Best Management Practices (BMPs) that will be used to control, prevent, remove, or reduce stormwater pollution from the site, including sediment from erosion.

Paleontological Resources Preservation Act

The Paleontological Resources Preservation Act offers provisions of paleontological resources identified on federal, Native American, or State lands and guidance for their management and protection and promotes public awareness and scientific education regarding vertebrate fossils. The law also requires federal agencies to develop plans for inventory, collection, and monitoring of paleontological resources and establishes stronger criminal and civil penalties for the removal of scientifically significant fossils on federal lands.

Society of Vertebrate Paleontology Guidelines

The Society of Vertebrate Paleontology (SVP), a national scientific organization of professional Vertebrate Paleontologists, has established standard guidelines that outline acceptable professional practices in the conduct of paleontological resource assessments and surveys, monitoring and mitigation, data and fossil recovery, sampling procedures, specimen preparation, analysis, and curation. Most practicing professional Paleontologists in the nation adhere to the SVP's assessment, mitigation, and monitoring requirements, as specifically spelled out in its standard guidelines.[15]

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code [PRC] §§ 2621–2630) was passed in 1972 to provide a Statewide mechanism for reducing the hazard of surface fault rupture to structures used for human occupancy. The main purpose of the Act is to prevent the siting of buildings used for human occupancy across the traces of active faults. It should be noted that the

[15] The Society of Vertebrate Paleontology (SVP). 2010. Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources. Website: http://vertpaleo.org/the-Society/Governance-Documents/SVP_Impact_Mitigation_Guidelines.aspx. Accessed February 22, 2023.

Act addresses the potential hazard of surface fault rupture and is not directed toward other earthquake hazards, such as seismically induced ground shaking or landslides.

The law requires the State Geologist to identify regulatory zones (known as Earthquake Fault Zones or Alquist-Priolo Zones) around the surface traces of active faults, and to depict these zones on topographic base maps, typically at a scale of 1 inch to 2,000 feet. Earthquake Fault Zones vary in width, although they are often 0.75-mile wide. Once published, the maps are distributed to the affected cities, counties, and State agencies for their use in planning and controlling new or renewed construction. With the exception of single-family wood frame and steel frame dwellings that are not part of a larger development (i.e., four units or more), local agencies are required to regulate development within the mapped zones. In general, construction within 50 feet of an active fault zone is prohibited.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (PRC §§ 2690–2699.6), which was passed in 1990, addresses earthquake hazards other than surface fault rupture. These hazards include strong ground shaking, earthquake-induced landslides, liquefaction, or other ground failures. Much like the Alquist-Priolo Earthquake Fault Zoning Act discussed above, these seismic hazard zones are mapped by the State Geologist to assist local government in the land use planning process. The Act states, "it is necessary to identify and map seismic hazard zones in order for cities and counties to adequately prepare the safety element of their general plans and to encourage land use management policies and regulations to reduce and mitigate those hazards to protect public health and safety." The Act also states, "cities and counties shall require, prior to the approval of a project located in a seismic hazard zone, a geotechnical report defining and delineating any seismic hazard."

California Building Code

The State of California provides minimum standards for building design through the California Building Standards Code (California Code of Regulations [CCR], Title 24). Where no other building codes apply, Chapter 29 regulates excavation, foundations, and retaining walls. The California Building Standards Code (CBC) applies to building design and construction in the State and is based on the federal Uniform Building Code (UBC) used widely throughout the country (generally adopted on a state-by-state or district-by-district basis). The CBC has been modified for California conditions with more detailed regulations and is often viewed as setting forth some of the most stringent mandates in the nation.

The State earthquake protection law (California Health and Safety Code § 19100 *et seq*.) requires that structures be designed to resist stresses produced by lateral forces caused by wind and earthquakes. Specific minimum seismic safety and structural design requirements are set forth in Chapter 16 of the CBC. The CBC identifies seismic factors that must be considered in structural design. Chapter 18 of the CBC regulates the excavation of foundations and retaining walls, and Appendix Chapter A33 regulates grading activities, including drainage and erosion control and construction on unstable soils, such as expansive soils and areas subject to liquefaction.

The 2019 edition of the CBC is based on the 2018 International Building Code (IBC) published by the International Code Council. The code is updated triennially, and the 2019 edition of the CBC was

published by the California Building Standards Commission in 2019 and took effect starting January 1, 2020. The new 2022 edition of the CBC became effective January 1, 2023. Building permit applications submitted after January 1, 2023, are subject to the 2022 edition of the CBC.

California Public Resources Code

Other State requirements for paleontological resource management are included in Public Resources Code Section 5097.5 and Section 30244. These statutes prohibit the removal of any paleontological site or feature from public lands without permission of the jurisdictional agency, define the removal of paleontological sites or features as a misdemeanor, and require reasonable mitigation of adverse impacts to paleontological resources from developments on public (State, County, City, District) lands.

California State Water Resources Control Board

The five-member California State Water Resources Control Board (State Water Board) allocates water rights, adjudicates water right disputes, develops Statewide water protection plans, establishes water quality standards, and guides the nine Regional Water Quality and Control Boards (RWQCBs) in the major watersheds of the State. The joint authority of water allocation and water quality protection enables the State Water Board to provide comprehensive protection for California's waters.

In 1999, the State adopted the NPDES General Permit for Stormwater Discharges Associated with Construction Activities (Construction Activities General Permit) (State Water Board Order No. 2012-0006-DWQ, NPDES No. CAS000002). The General Construction Permit requires that construction sites with 1 acre or greater of soil disturbance, or less than 1 acre but part of a greater common plan of development, apply for coverage for discharges under the General Construction Permit by submitting a Notice of Intent for coverage, developing a SWPPP, and implementing BMPs to address construction site pollutants.

The SWPPP should contain a site map(s) that shows the construction site perimeter, existing and proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the project site. The SWPPP must list the BMPs the discharger will use to protect stormwater runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program, a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs, and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Section A of the Construction General Permit describes the elements that must be contained in a SWPPP. Enrollment under the General Construction Permit is through the Stormwater Multiple Application and Report Tracking System. Additionally, the State Water Board is responsible for implementing the Clean Water Act (CWA) and issues NPDES permits to cities and counties through the individual regional boards.

Local Regulations

Tulare County Multi-Jurisdictional Hazard Mitigation Plan

A hazard mitigation plan is a formal document that outlays the plans to reduce or eliminate the long-term risk to human life and property from natural or man-made hazards. The City participates in the preparation of the Multi-Jurisdictional Local Hazard Mitigation Plan (MJ-LHMP) which covers Tulare County and 11 participating cities. The last MJ-LHMP was prepared in 2011. The plan has been designed to meet four goals: (1) significantly reduce life loss and injuries, (2) minimize damage to structures and property, as well as disruption of essential services and human activities, (3) protect the environment, and (4) promote hazard mitigation as an integrated public policy.

General Plan Seismic Safety Element

The existing Visalia General Plan incorporates the Seismic Safety Element completed in 1974 by the Five-County Seismic Safety Committee, with participation from the Tulare Council of Governments. The Safety Element determines that ground shaking is the main potential hazard in the southern Central Valley and the risk of ground shaking in the Visalia area is low. The Element includes a number of policies, calling for the creation of a public relations and education program to build awareness; development of an Earthquake Disaster Plan; consideration of seismic hazards in the environmental impact assessment process; and adoption and enforcement of the UBC, among others.

Visalia General Plan

Construction and operation of the proposed project would be subject to applicable policies, laws and regulations contained within the City of Visalia General Plan, City of Visalia Zoning Ordinance, and the City of Visalia Buildings and Construction Regulations, which include, among others, policies pertaining to the avoidance of geologic hazards and/or the protection of unique geologic features. The policies, goals, and implementation measures in the City of Visalia General Plan for geology, soils and seismicity that are relevant to this analysis are provided below.

Chapter 6: Open Space and Conservation

6.1: Open Space Resources

Objective

OSC-O-4 Create and maintain open space for public health and safety in areas which require special management for regulation.

Chapter 8: Safety and Noise Open Space and Conservation

8.1 Seismic and Geologic Hazards

Objective

S-O-1 Minimize risks of property damage and personal injury posed by geologic and seismic hazards.

Policies

S-P-1 Work with Caltrans to seismically retrofit or replace local ramps and freeway overpass bridges that are categorized as structurally deficient by Caltrans, are located in high ground shaking areas, and/or are necessary for first responders to use during and/ or immediately after a disaster or emergency.

S-P-2 Seismically retrofit or replace public works and/or emergency response facilities that are necessary during and/or immediately after a disaster or emergency.

S-P-3 Update the City's Emergency Preparedness Plan to include an Earthquake Disaster Plan, and coordinate procedures with the County Emergency Services.

S-P-4 Establish a public relations and education program to increase community awareness for emergency preparedness, including "community emergency preparedness teams." Involving residents and having voluntary programs to help people prepare is the key to an effective program.

S-P-5 Update subdivision and zoning ordinance review criteria to include seismic considerations.

S-P-6 Continue to inspect unoccupied existing unreinforced masonry structures and "critical facilities" constructed prior to 1948 and develop condemnation procedures to be included in a dangerous building ordinance.

City of Visalia Code

Building and Construction

Section 15.08.010: Adoption of the 2019 California Building Code

The 2019 California Building Code, Title 24, Part 2, Volumes 1 and 2, and published by the International Code Council, is adopted as the Building Code of the City as Municipal Code Section 15.08.010.

Building permit applications submitted after January 1, 2023, are subject to the 2022 edition of the CBC.

Grading, Soils, and Erosion Control Ordinances

Section 16.12.070: Grading and Erosion Control

Every map approved pursuant to this title shall be conditioned on compliance with the requirements for grading and erosion control, including the prevention of sedimentation or damage to off-site property, and is subject to the review and approval of the City Engineer. (Ordinance 2017-01 (part), 2017: prior code § 9075).

3.7.4 - Methodology

Existing setting information about the project site as well as an evaluation of potentially significant impacts associated with the proposed project were identified based, in part, on a review of available literature, the *Geotechnical Evaluation*,[16] and the *Paleontological Records Search*,[17] all of which present findings, conclusions, and recommendations concerning development of the proposed project. These evaluations are based, in part, on an engineering analysis of geotechnical properties of the subsurface conditions and evaluation of the underlying soils, as well as review and

[16] Ninyo & Moore. 2022. Preliminary Geotechnical Evaluation Shirk & Riggin Industrial Park. August 2.
[17] Finger, Kenneth L., PhD. 2022. Paleontological Records Search for the Shirk and Riggin Industrial Park Project (4119.0039), near the City of Visalia, Tulare County. June 20.

consideration of available data, including, among others, the Visalia General Plan. This information is provided in Appendix E of this Draft EIR.

The loss of any identifiable fossil that could yield information important to prehistory, or that embodies the distinctive characteristics of a type of organism, environment, period of time, or geographic region, would be a significant environmental impact. Direct impacts to paleontological resources primarily concern the potential destruction of nonrenewable paleontological resources and the loss of information associated with these resources. This includes the unauthorized collection of fossil remains. If potentially fossiliferous bedrock or surficial sediments are disturbed, the disturbance could result in the destruction of paleontological resources and subsequent loss of information (significant impact). At the project-specific level, direct impacts can be mitigated to a less than significant level through the implementation of paleontological mitigation.

The California Environmental Quality Act (CEQA) threshold of significance for a significant impact to paleontological resources is reached when a project is determined to "directly or indirectly destroy a significant paleontological resource or unique geologic feature." In general, for projects that are underlain by paleontologically sensitive geologic units, the greater the amount of ground disturbance, the higher the potential for significant impacts to paleontological resources. For projects that are directly underlain by geologic units with no paleontological sensitivity, there is no potential for impacts to paleontological resources unless sensitive geologic units which underlie the non-sensitive unit are also affected.

3.7.5 - Thresholds of Significance

The lead agency derives its significance criteria based on the questions in the CEQA Guidelines Appendix G Environmental Checklist. Accordingly, impacts to geology, soils and seismicity would be considered significant environmental effects if the proposed project would:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:
    i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
    ii. Strong seismic ground shaking.
    iii. Seismic-related ground failure, including liquefaction.
    iv. Landslides.

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

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

d) Be located on expansive soil, as defined in Table 18-1-B of the UBC (1994), creating substantial direct or indirect risks to life or property.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

3.7.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the proposed project and provides feasible mitigation measures where necessary.

Earthquakes

Impact GEO-1a:	**Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:**
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?

Impact Analysis

Primary fault rupture is ground deformation that occurs along the surface trace of the causative fault during an earthquake. The proposed project would introduce people to the project site (construction workers and on-site workers and visitors during operation) and could thus expose people and structures to seismic risks. While the project site is located in a highly seismic region within the influence of multiple faults, the project site is not located within or within close proximity to a known earthquake fault. As previously discussed, the nearest known earthquake fault, as delineated by the Alquist-Priolo Earthquake Fault Zoning Map, is associated with the Pond Fault that is approximately 61 miles south of the project site (Exhibit 3.7-1).[18] Because of the distance of this fault to the project site, the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving the rupture of a known fault; therefore, impacts in this regard would be less than significant.

In addition, construction of the proposed project would be subject to all applicable ordinances of the Visalia Building Code (Chapter 15.08) and other applicable standards and requirements. The City has adopted the CBC 2019 Edition (CCR Title 24), which incorporates substantially the same requirements as the IBC, 2018 Edition, with some modifications and amendments. Building permit applications submitted after January 1, 2023, are subject to the 2022 edition of the CBC. Adherence to all applicable laws and regulations would ensure that any potential fault rupture-related impacts associated with the proposed project would be less than significant.

Based on the absence of any known active faults within or within close proximity to the project site, and the requirement of the proposed project's compliance with applicable laws and regulations

[18] California Geologic Survey (CGS). 2022. EQ Zapp. Website: https://maps.conservation.ca.gov/cgs/EQZApp/app/. Accessed August 16, 2022.

including, among others, applicable provisions of the Visalia Building Code, impacts related to fault rupture would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Seismic Ground Shaking

Impact GEO-1b:	**Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:**
	ii) Strong seismic ground shaking?

Impact Analysis

According to the *Tulare County Multi-Jurisdictional Hazard Mitigation Plan*, the County rarely experiences the effects of even the largest earthquakes from the San Andreas fault, the nearest major fault line located approximately 75 miles away from the City. Only one active fault, the Kern Canyon fault, runs through the County. As noted above, the project site is not near any major faults, although given the active seismicity of the region generally, it is possible that strong seismic ground shaking could be experienced on the project site and thus directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death. Therefore, this is a potentially significant impact.

However, as explained above, there is a robust regulatory framework intended to reduce risk to people and structures associated with strong seismic shaking. Here, prior to the issuance of grading permits, the project applicant would be required to design project buildings and other improvements and infrastructure to withstand substantial ground shaking in accordance with all applicable standards and requirements including, among others, applicable provisions the CBC. The CBC contains seismic safety provisions with the aim of preventing building collapse and structural damage during an earthquake.

In addition, the proposed project would be required to incorporate all recommendations from the Geotechnical Evaluation within project construction and design plans, as outlined in Mitigation Measure (MM) GEO-1. All grading and construction that occurs as a result of the proposed project would be required to adhere to the specifications, procedures, and site conditions contained in the final approved design plans, which would be required to be fully compliant with the seismic recommendations provided by the Geotechnical Evaluation as well as all applicable provisions of the CBC and the Visalia Building Code requirements. The required measures would encompass such items as site preparation, earthwork, site-specific seismic design considerations, foundations, flatwork, utilities, and paving. As such, the proposed project would be required to be constructed in accordance with all applicable codes, which require property line and public roadway setbacks that have the goal of reducing risks to on-site employees from potential hazards associated with the proposed project that could result from an earthquake.

Therefore, based on the foregoing, the proposed project's required compliance with the robust regulatory framework including, among others, applicable provisions in the Visalia Building Code, the CBC, as well as implementation of MM GEO-1 would ensure that impacts related to ground shaking would be less than significant.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM GEO-1 Prior to issuance of the grading permit for each project development, the final grading, foundation, and construction plans for the subject proposal shall incorporate all the site-specific earthwork, foundation, floor slab, lateral earth pressure, and pavement design recommendations, as detailed in a Geotechnical Evaluation prepared by a qualified Geotechnical Engineer. The final grading and construction plans for the subject individual specific development shall be reviewed by the City-approved Geotechnical Engineer to confirm compliance with this mitigation measure. Grading operations performed in connection with the subject individual specific development proposal shall satisfy all applicable recommendations included in the Geotechnical Evaluation.

During construction performed in connection with the specific development, the City-approved Geotechnical Engineer shall monitor this construction to ensure the earthwork operations are properly performed in accordance with the foregoing requirements.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

Seismic-Related Ground Failure

Impact GEO-1c:	**Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:**
	iii) Seismic-related ground failure, including liquefaction?

Impact Analysis

Since saturated soils are a necessary condition for liquefaction, soil layers in areas where the groundwater table is near the surface have higher liquefaction potential than those in which the water table is located at greater depths. According to the Geotechnical Evaluation, no groundwater was encountered in borings during the site investigation; however, data from nearby wells indicate that historic groundwater levels were recorded at levels between 100 and 200 feet below ground surface (BGS). The project site is not mapped for liquefaction hazards by the California Geologic Survey (CGS); accordingly, as detailed more fully in the Geotechnical Evaluation, there are no

significant liquefaction-related seismic hazards that need to be considered as part of project design considerations.[19]

Based on the foregoing, potential impacts from liquefaction are considered to be low. Moreover, adherence to all applicable standards and requirements including, among others, those set forth in the CBC would help to further ensure that effects from seismic-related ground failure including the potential for liquefaction would be reduced and remain less than significant.

Therefore, with adherence to all required standards and mandates including, among others, implementation of the above-referenced building code requirements (with compliance confirmed by the City), the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction; therefore, impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Landslides

Impact GEO-1d:	**Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:**
	iv) Landslides?

Impact Analysis

The project site is relatively flat with a gentle slope toward the east with a ground surface elevation of approximately 300 to 305 feet above mean sea level. Therefore, the project site is not expected to have any significant landslide potential, as explained more fully in the Geotechnical Evaluation. Therefore, development of the proposed project would not directly or indirectly cause potential substantial adverse effects, including risk of loss, injury or death involving landslides, and thus impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Soil Erosion or Topsoil Loss

Impact GEO-2:	**Would the project result in substantial soil erosion or the loss of topsoil?**

[19] Ninyo & Moore. 2022. Preliminary Geotechnical Evaluation Shirk & Riggin Industrial Park. August 2.

Impact Analysis

Topsoil refers to the uppermost 6 to 8 inches of soil, which have the highest concentration of organic matter and are where most biological soil activity occurs. Soil erosion occurs when soil is removed by wind and water at a greater rate than it is formed. Soil erosion removes the topsoil first and can continue to transport lower layers. Construction of the proposed project and associated improvements would involve earth-disturbing activities that could expose soils to the effects of wind or water erosion. Therefore, impacts in this regard are potentially significant.

However, the proposed project would disturb at least 1 acre of land and therefore would be required to obtain a Construction General Permit from the State Water Resources Control Board (State Water Board), consistent with the City's General Permit and required to comply with its conditions and standards, which are designed to minimize potential erosion issues. Compliance with the NPDES permit would require the developer to obtain and implement a SWPPP that would prevent sediments and other pollutants from entering the stormwater system. The SWPPP must include a detailed site map(s), including drainage patterns, and identify BMPs that will be used to manage stormwater. The SWPPP must contain measures for both the active construction phase and the post-construction phase. The above requirements have been incorporated as MM GEO-2. Therefore, construction-related impacts related to soil erosion and loss of topsoil would be less than significant with mitigation incorporated.

Post construction, the project site would be covered with a significant amount of impervious surfaces as well as ample landscape. This would help ensure that the topsoil would not be exposed and would not result in soil erosion during project operations. As a result, project operation would have a less than significant impact as it relates to substantial soil erosion or loss of topsoil.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM GEO-2 In order to reduce on-site erosion due to project construction and operation, an erosion control plan and Storm Water Pollution Prevention Plan (SWPPP) shall be prepared for the site preparation, construction, and post-construction periods by a registered civil engineer or certified professional. The erosion control plan shall incorporate Best Management Practices (BMPs) consistent with the requirements of the National Pollutant Discharge Elimination System (NPDES). The erosion component of the plan must at least meet the requirements of the SWPPP required by the Central Valley Regional Water Quality Control Board (RWQCB). If earth-disturbing activities are proposed between October 15 and April 15, these activities shall be limited to the extent feasible to minimize potential erosion-related impacts. Additional erosion control measures may be implemented in consultation with the City of Visalia. Prior to the issuance of any permit, the project proponent shall submit detailed plans to the satisfaction of the City of Visalia. The components of the erosion control plan and SWPPP shall be monitored for effectiveness by the City

of Visalia. Erosion control measures may include, but not be limited to, the following:

i. Limit disturbance of soils and vegetation disturbance removal to the minimum area necessary for access and construction;

ii. Confine all vehicular traffic associated with construction to the right-of-way of designated access roads;

iii. Adhere to construction schedules designed to avoid periods of heavy precipitation or high winds;

iv. Ensure that all exposed soil is provided with temporary drainage and soil protection when construction activity is shut down during the winter periods; and

v. Inform construction personnel prior to construction and periodically during construction activities of environmental concerns, pertinent laws and regulations, and elements of the proposed erosion control measures.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

Unstable Geologic Location

Impact GEO-3:	**Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the proposed project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

Impact Analysis

Because of the relatively flat topography of the project site, the risk of on-site or off-site landslides associated with development of the proposed project is considered negligible.

According to the Geotechnical Evaluation, groundwater fluctuates; however, data from a nearby well indicates that historic groundwater levels were recorded at greater than 100 feet BGS at a well approximately 0.5 miles south of the project site, and as noted above, it is anticipated that similar depths to groundwater are present at the project site.[20] As further described in the Geotechnical Evaluation, saturated unconsolidated sediments would need to be present within the upper 50 feet of ground surface to be considered potentially liquefiable.[21] Shallow groundwater is not expected at the project site and the project site is not mapped for liquefaction hazards by CGS.[22] Other geologic

[20] Ninyo & Moore. 2022. Preliminary Geotechnical Evaluation Shirk & Riggin Industrial Park. August 2.
[21] Ibid.
[22] California Geologic Survey (CGS). 2022. EQ Zapp. Website: https://maps.conservation.ca.gov/cgs/EQZApp/app/. Accessed August 16, 2022.

hazards related to liquefaction, such as lateral spreading and dynamic settlement, are therefore also considered low.[23]

Land subsidence on-site and in the vicinity could result from excessive pumping of the underground aquifer. Groundwater pumping may occur near the site boundary for nearby agricultural purposes, but it is likely that any such pumping would be at levels too small to contribute significantly to subsidence. A review of the aerial imagery for this area shows the presence of an agricultural water supply canal along the northern border of the project site (Modoc Ditch). This is the most likely source for water supplies for the intensive agriculture (orchards) used in the surrounding land uses. For this reason and as detailed in the Geotechnical Evaluation, the potential risk for land subsidence is considered to be low to negligible.

The potential for soil collapse at the project site is considered negligible as the project site is located on a relatively flat-lying plain. It was determined that the probability of damage from surface fault rupture is considered to be low.[24]

Moreover, the proposed project would be required to incorporate the recommendations provided by the Geotechnical Evaluation into the proposed project construction and design plans, as outlined in MM GEO-1, which would ensure that any risk associated with lateral spreading, subsidence, liquefaction, or collapse is reduced to a less than significant level. Furthermore, the proposed project would be required to comply with all applicable laws, regulations, policies, requirements and standards to further reduce potential impacts related to unstable geologic units.

Based on the foregoing, impacts associated with being located on a geologic unit or soil that is unstable, or that would become unstable as a result of the proposed project, would be considered less than significant with the implementation of MM GEO-1.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement MM GEO-1.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

Expansive Soil

Impact GEO-4:	**Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

[23] Ninyo & Moore. 2022. Preliminary Geotechnical Evaluation Shirk & Riggin Industrial Park. August 2.
[24] Ibid.

Impact Analysis

The Geotechnical Evaluation for the project site concluded the predominant soils are silt with sand, sandy silt, silty sand, poorly graded sand with silt, and poorly graded sand. The shrink-swell behavior of expansive soils can lead to damage of project buildings, infrastructure and improvements over time if not addressed appropriately prior to construction. According to the Geotechnical Evaluation, the soil at the project site has a low expansion potential; moreover, as described above, the proposed project would be required to incorporate recommendations from the Geotechnical Evaluation into project construction and design plans to reduce potential impacts related to unstable soil, in accordance with MM GEO-1. In addition, the proposed project would be required to be comply with all applicable standards and requirements including, among others, applicable provisions of the CBC to reduce potential adverse effects from expansive soils. All grading and construction associated with the proposed project would be required to adhere to the applicable specifications, procedures, and site conditions contained in the final design plans, which would be subject to approval by the City of Visalia Planning Division (Municipal Code 16.12.070). Therefore, while the proposed project could be located on expansive soil, as defined in Table 18-1-B of the UBC (1994), this impact would be reduced to a less than significant level with incorporation of MM GEO-1.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement MM GEO-1.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

Wastewater Disposal Systems

Impact GEO-5:	**Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

Impact Analysis

The proposed project would use portable bathroom facilities to accommodate on-site workers throughout the construction process. Once constructed, the proposed project would connect to City-operated sewer and wastewater, water, and stormwater facilities. Therefore, the proposed would not require the use of septic tanks or alternative wastewater disposal systems.

Mitigation Measures

No mitigation measures are required.

Level of Significance

No impact.

Destruction of Paleontological Resource or Unique Geologic Feature

Impact GEO-6: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact Analysis

The Paleontological Report (Appendix E) concluded that the project site is located on Holocene alluvium, which is too young to be fossiliferous. The nearest localities of late Pleistocene or older deposits, which have the potential to be fossiliferous, are located approximately 5.5 miles southeast of the project site.[25]

Based on the Paleontological Records Search performed for the project site and geological map and paleontological literature review, the project site is located on undivided Holocene fan deposits that have no paleontological potential. The project site is not expected to disturb any pre-Holocene deposits that have a higher potential to be fossiliferous.

However, there is always the possibility to disturb or damage previously unknown paleontological resources during subsurface construction activities, which would be a significant impact. Therefore, MM GEO-3 shall be implemented, which would require appropriate identification and treatment of inadvertently uncovered paleontological resources, impacts to paleontological resources would be reduced to less than significant.

Impacts related to the potential to cause substantial adverse change in the significance of a unique paleontological resource or unique geologic feature are limited to construction. No respective operational impacts would occur.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM GEO-3 In the event a fossil is discovered during construction performed in connection with project development, the relevant project developer/contractor shall cease ground-disturbing activities within 15 feet of the find. The qualified Paleontologist shall evaluate the significance of the resources and recommend appropriate treatment measures which shall be implemented by the relevant applicant. In addition, all recovered fossils should be deposited in an appropriate repository, such as the University of California Museum of Paleontology, located on the campus of the University of California, Berkeley, where they will be properly curated and made accessible for future study.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

[25] Finger, Kenneth L., PhD. 2022. Paleontological Records Search for the Shirk and Riggin Industrial Park Project (4119.0039), near the City of Visalia, Tulare County. June 20.

3.7.7 - Cumulative Impacts

The geographic scope of the cumulative geology, soils, and seismicity analysis is the project site and its vicinity, which includes an area generally within a 0.5-mile radius of the project site. This is because adverse effects associated with many geological, soils, and seismicity issues tend to be localized; therefore, an area generally within a 0.5-mile radius of the project site would be the area most affected by such activities for purposes of this cumulative analysis. In addition, soil conditions associated with the proposed project, such as differential settlement, liquefaction, expansive soils, and soil creep, are specific to the project site and generally do not contribute to a cumulative effect. Some or all other cumulative projects may have similar conditions, but they also would not contribute to a general geologic or soil cumulative effect. Chapter 3, Environmental Impact Analysis, Table 3-1, Cumulative Developments No. 1, 2, 4, 5, 6, and 7 would be within 0.5 mile of the project site. The cumulative setting includes Cumulative Developments No. 1, 2, 4, 5, 6, and 7, along with existing agricultural, industrial, and residential uses.

Seismic-related Hazards

Because the cumulative developments are within the project vicinity, they would have similar potential to experience ground shaking from earthquakes and would be exposed to the same ground shaking hazards. MM GEO-1 requires a geotechnical study to evaluate soil conditions and geologic hazards be performed by a qualified Geotechnical Engineer on the project site and to design the project facilities to withstand probable seismically induced ground shaking, liquefaction, and subsidence.

Likewise, they would be subject to the same requirements under the comprehensive regulatory framework. Cumulative developments would be required to adhere to all applicable requirements and standards including, among others, those set forth in the CBC, the General Plan, and Visalia Municipal Code reducing potential hazards associated with seismic ground shaking and ground failure. The purpose of these standards and requirements is to regulate and control the design, construction, quality of materials, use/occupancy, location, and maintenance of all buildings and structures within its jurisdiction, and by design, it is intended to reduce the risks, to the extent feasible, to people and structures resulting from seismic events. For example, cumulative developments would be subject to the mandatory requirements and standards of the CBC Title 24 (California Green Building Standards Code), which identify site preparation and construction techniques to attenuate the effects of strong ground shaking and seismic-related ground failure. Additionally, compliance with the CBC ensures proper site preparation and grading practices, adequate design of foundations, and guidelines for the appropriate selection and use of construction materials that would minimize potential impacts associated with seismic-related events. Cumulative developments would also be required to implement recommendations from project-specific geotechnical evaluations to reduce seismic impacts on people and structures. As such, cumulative impacts in this regard would be less than significant.

Additionally, for the reasons discussed above, the proposed project would not have a cumulatively considerable contribution to this already less than significant impact with incorporation of the identified mitigation. For example, the proposed project would be required to adhere to all

applicable standards and mandates set forth in the comprehensive regulatory framework, as well as to satisfy the identified mitigation measures noted above.

Therefore, the proposed project, in conjunction with other cumulative developments, would not result in a cumulatively considerable contribution to the already less than significant cumulative impact associated with seismic-related hazards.

Soil-related Hazards

Soil conditions associated with the proposed project, such as differential settlement, liquefaction, expansive soils, and soil creep, are specific to the project site and generally do not contribute to a cumulative effect. MM GEO-2 requires the preparation of a SWPPP using BMPs to reduce the potential effects of erosion. Some or all other cumulative projects may have similar conditions, but they would comply with similar measures and would not contribute to a general geologic or soil cumulative effect. Therefore, there is no potentially significant cumulative impact related to soils.

With respect to the contribution of the proposed project to this already less than significant impact, the proposed project would be subject to a comprehensive regulatory framework including requirements and standards pursuant to all applicable General Plan policies, Municipal Code provisions, and the CBC, as well as being required to implement the identified mitigation measures MM GEO-1 and MM GEO-2, all of which would reduce soil-related hazard impacts to a less than significant level. Other cumulative projects would be required to adhere to similar requirements, thereby minimizing cumulative erosion impacts. As such, the proposed project, in conjunction with other cumulative projects, would not result in a cumulatively considerable contribution to this already less than significant cumulative impact associated with soil-related hazards.

Paleontological Resources and Unique Geologic Feature

The geographic scope related to cumulative unique geologic resources and paleontological resources is the project site and its immediate vicinity. This is because geologic resources and paleontological resource impacts tend to be localized since the integrity of any given resource depends on what occurs only in the immediate vicinity around that resource, such as disruption of soils. The Cumulative Developments 1, 2, 4, 5, 6, and 7 listed on Chapter 3, Environmental Impact Analysis, Table 3-1 would fall within this cumulative geographic scope.

The likelihood that unique geologic resources and paleontological resources are present on the proposed project and the cumulative development areas is relatively low, given that the majority of soil disturbance associated with these cumulative developments would take place within Holocene soils too young to be fossiliferous. This is based on the Paleontological Records Search prepared for the project site, which concluded that the nearest vertebrate locality is 5.5 miles to the southeast of the project site. The Paleontological Records Search concluded that there is an absence of fossiliferous localities within 5 miles of the project site. However, in the unlikely event paleontological resources are uncovered during construction, implementation of MM GEO-3 requires construction work to stop within 15 feet of the find. The qualified Paleontologist would evaluate the significance of the resources and recommend appropriate treatment measures that would be implemented by the relevant applicant.

Nevertheless, construction activities associated with implementation of cumulative developments in the vicinity of the project site may have the potential to encounter undiscovered unique geologic resources and paleontological resources. However, these cumulative developments would be required to consider and mitigate, if necessary, for any identified impacts through compliance with applicable federal and State laws and regulations governing unique geologic resources and paleontological resources and other project-specific identified mitigation measures. Although there is the possibility that previously undiscovered resources could be encountered by subsurface earthwork activities, the implementation of mitigation measures would ensure that undiscovered geologic and paleontological resources are not adversely affected by cumulative project-related construction activities, which would prevent the destruction or degradation of potentially significant cultural resources in the vicinity of the project site. Therefore, potential cumulative impacts would be less than significant.

Additionally, for the reasons discussed above, the proposed project has a low potential for disruption of unique geologic resources and paleontological resources given the nature of the soils on-site. Moreover, the proposed project incorporates mitigation to ensure that impacts are reduced to a level of insignificance in the event previously unknown unique geologic resources and/or paleontological resources are uncovered during project construction. Although project construction has the potential to disturb paleontological resources, with the implementation of MM GEO-3, the project would not result in significant impacts to paleontological resources. Given this minimal impact and the requirement for similar mitigation for other projects in the area, cumulative impacts to paleontological resources would be less than significant.

Based on the foregoing, the proposed project, in conjunction with other cumulative developments, would not result in a cumulatively considerable contribution to this already less than significant impact related to unique geologic and paleontological resources.

Level of Cumulative Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM GEO-1, MM GEO-2, and MM GEO-3.

Level of Cumulative Significance After Mitigation

Less than significant impact with mitigation incorporated.

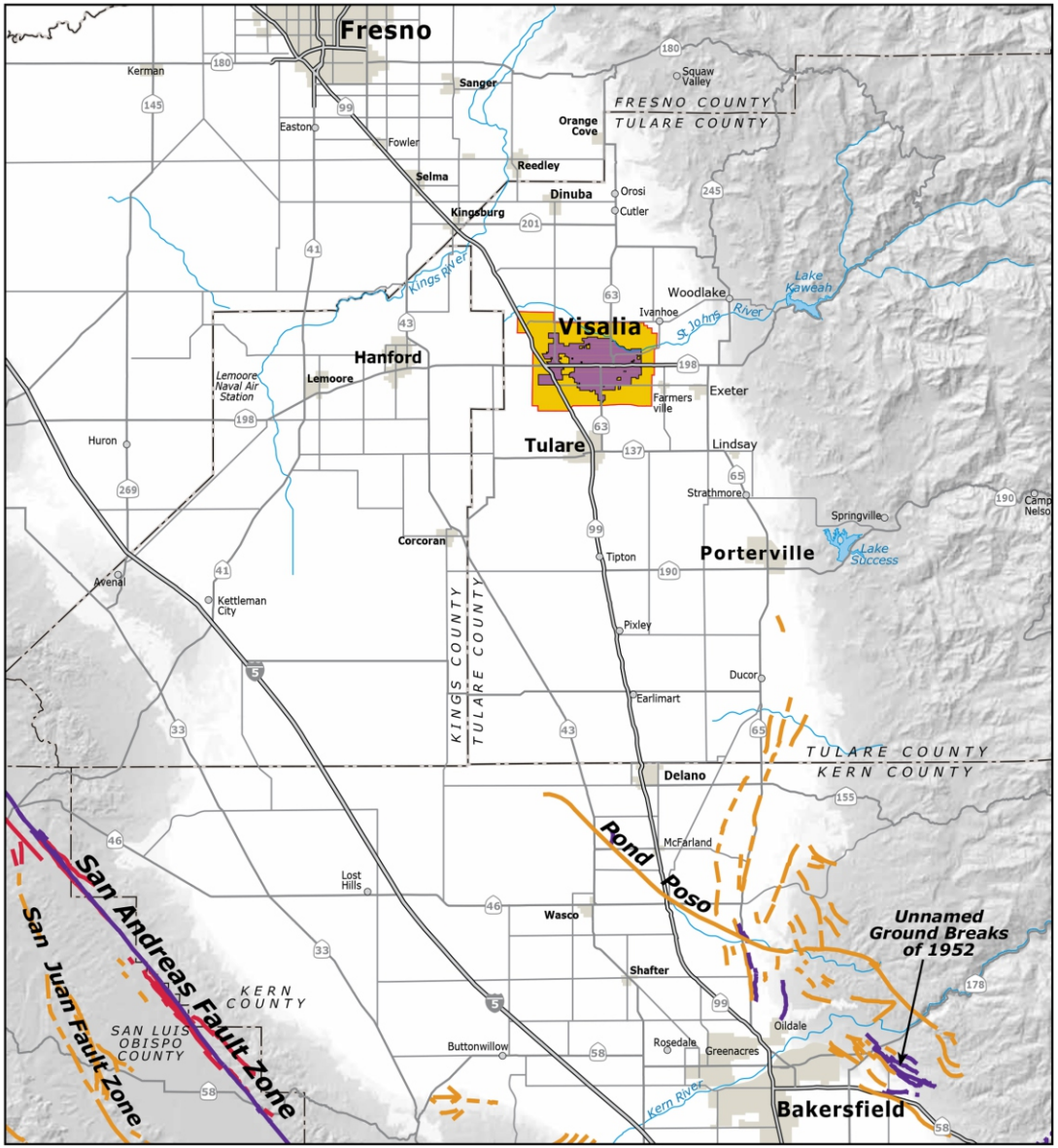

Figure 8-1: Regional Faults

- Active Fault with Historic (last 200 years) Displacement
- Active Fault with Holocene (last 11,000 years) Displacement
- Potentially Active Fault with Quaternary (last 1,600,000 years) Displacement
- Visalia City Limits
- Planning Area
- County

0 5 10 20 MILES

Source: Department of Conservation, California Geological Survey, 2005.

FIRSTCARBON SOLUTIONS™

Exhibit 3.7-1
Regional Earthquake Fault Map

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3.8 - Greenhouse Gas Emissions

3.8.1 - Introduction

This section describes the existing greenhouse gas (GHG) emissions setting and potential effects from project implementation on the project site and its surrounding area. Information included in this section is based on the Air Quality, Greenhouse Gas Emissions, and Energy Analysis Report prepared for the proposed project (Appendix B). One public comment was received during the EIR scoping period related to GHG emissions.

- San Joaquin Valley Air Pollution Control District (Valley Air District) dated September 28, 2022, related to project construction and operational emissions, health risk assessment criteria, and recommended air pollutant reduction strategies.

3.8.2 - Environmental Setting

Greenhouse Effect, Global Warming, and Climate Change

Climate change is a change in the average weather of the Earth that is measured by alterations in wind patterns, storms, precipitation, and temperature. These changes are assessed using historical records of temperature changes occurring in the past, such as during previous ice ages. Many of the concerns regarding climate change use this data to extrapolate a level of statistical significance specifically focusing on temperature records from the last 150 years (the Industrial Age) that differ from previous climate changes in rate and magnitude.

The United Nations Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHGs needed to stabilize global temperatures and climate change impacts. In its Fourth Assessment Report, the IPCC predicted that the global mean temperature changes from 1990 to 2100, given six scenarios, could range from 1.1°C (degrees Celsius) to 6.4°C. Regardless of analytical methodology, global average temperatures and sea levels are expected to rise under all scenarios.[1] The report also concluded that "[w]arming of the climate system is unequivocal," and that "[m]ost of the observed increase in global average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic greenhouse gas concentrations."

An individual project cannot generate enough GHG emissions to effect a discernible change in global climate. However, every development project participates in the potential for global climate change by its incremental contribution of GHGs combined with the cumulative increase of all other sources of GHGs, which when taken together constitute potential influences on global climate change.

Greenhouse Gases and Global Emission Sources

Gases that trap heat in the atmosphere are referred to as GHGs. The effect is analogous to the way a greenhouse retains heat. Common GHGs include water vapor, carbon dioxide (CO_2), methane (CH_4),

[1] Intergovernmental Panel on Climate Change (IPCC). 2007. Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Website: www.ipcc.ch /publications_and_data/ar4/wg1/en/contents.html. Accessed June 1, 2023.

nitrous oxide (N_2O), chlorofluorocarbons, hydrofluorocarbons (HFC), perfluorocarbons (PFC), sulfur hexafluoride (SF_6), ozone, and aerosols. Natural processes and human activities emit GHGs. The presence of GHGs in the atmosphere affects the earth's temperature. It is believed that emissions from human activities, such as electricity production and vehicle use, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

Individual GHG compounds have varying global warming potential and atmospheric lifetimes. The global warming potential is the potential of a gas or aerosol to trap heat in the atmosphere. To describe how much global warming a given type and amount of GHG may cause, the CO_2 equivalent (CO_2e) is used. The calculation of the CO_2 equivalent is a consistent methodology for comparing GHG emissions since it normalizes various GHG emissions to a consistent reference gas, CO_2. For example, CH_4's warming potential of 25 indicates that CH_4 has 25 times greater warming effect than CO_2 on a molecule-per-molecule basis. A CO_2 equivalent is the mass emissions of an individual GHG multiplied by its global warming potential. As described in Table 3.8-1, the GHGs defined by Assembly Bill (AB) 32 (see the Climate Change Regulatory Environment section for a description) include CO_2, CH_4, N_2O, HFC, PFC, and SF_6. A seventh GHG, nitrogen trifluoride (NF_3), was added to Health and Safety Code Section 38505(g)(7) as a GHG of concern.

Table 3.8-1: Description of Greenhouse Gases

Greenhouse Gas	Description and Physical Properties	Sources
Nitrous oxide	Nitrous oxide (laughing gas) is a colorless GHG. It has a lifetime of 114 years. Its global warming potential is 298.	Microbial processes in soil and water, fuel combustion, and industrial processes.
CH_4	Methane is a flammable gas and is the main component of natural gas. It has a lifetime of 12 years. Its global warming potential is 25.	Methane is extracted from geological deposits (natural gas fields). Other sources are landfills, fermentation of manure, and decay of organic matter.
CO_2	CO_2 is an odorless, colorless, natural GHG. CO_2's global warming potential is 1. The concentration in 2005 was 379 parts per million (ppm), which is an increase of about 1.4 ppm per year since 1960.	Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood.
HFCs	HFCs are a group of GHGs containing carbon, chlorine, and at least one hydrogen atom. Global warming potentials range from 140 to 11,700.	HFCs are synthetic man-made chemicals used as a substitute for chlorofluorocarbons in applications such as automobile air conditioners and refrigerants.
PFCs	PFCs have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Global warming potentials range from 6,500 to 9,200.	Two main sources of PFCs are primary aluminum production and semiconductor manufacturing.

Greenhouse Gas	Description and Physical Properties	Sources
SF_6	SF_6 is an inorganic, odorless, colorless, and nontoxic, nonflammable gas. It has a lifetime of 3,200 years. It has a high global warming potential, 23,900.	This gas is man-made and used for insulation in electric power transmission equipment in the magnesium industry, in semiconductor manufacturing, and as a tracer gas.
Nitrogen trifluoride	Nitrogen trifluoride (NF_3) was added to Health and Safety Code Section 38505(g)(7) as a GHG of concern. It has a high global warming potential of 17,200.	This gas is used in electronics manufacture for semiconductors and liquid crystal displays.
Sources: Compiled from a variety of sources, primarily Intergovernmental Panel on Climate Change (IPCC). 2007. Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Website: www.ipcc.ch/publications_and_data/ar4/wg1/en/contents.html. Accessed June 1, 2023. Intergovernmental Panel on Climate Change (IPCC). 2007. Climate Change 2007: Synthesis Report. Contribution of Working Groups I, II and III to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, Pachauri, R.K. and Reisinger, A. (eds.)]. IPCC, Geneva, Switzerland. Website: https://www.ipcc.ch/report/ar4/syr/. Accessed June 1, 2023.		

The State of California has begun the process of addressing pollutants referred to as short-lived climate pollutants. The short-lived climate pollutants include three main components: black carbon, fluorinated gases, and methane. The California Air Resources Board (ARB) approved the Short-Lived Climate Pollutant Reduction Strategy in March 2017. The ARB has completed an emission inventory of these pollutants, identified research needs, identified existing and potential new control measures that offer co-benefits, and coordinated with other State agencies and districts to develop measures.[2] Sources of black carbon are already regulated by the ARB, and air district criteria pollutant and toxic regulations that control $PM_{2.5}$ from diesel engines and other combustion sources.[3] Additional controls on the sources of black carbon specifically for their GHG impacts beyond those required for toxic and fine particulates are not likely to be needed.

Human Health Effects of GHG Emissions

GHG emissions from development projects would not result in concentrations that would directly impact public health. However, the cumulative effects of GHG emissions on climate change have the potential to cause adverse effects to human health.

The United States Global Change Research Program, in its report, Global Climate Change Impacts in the United States,[4] has analyzed the degree to which impacts on human health are expected to impact the United States.

Potential effects of climate change on public health include:

[2] California Air Resources Board (ARB). 2016. Proposed Short-Lived Climate Pollutant Reduction Strategy. Website: http://www.arb.ca.gov/cc/shortlived/shortlived.htm. Accessed June 1, 2023.
[3] California Air Resources Board (ARB). 2015. Low Carbon Fuel Standard Regulation. Website: http://www.arb.ca.gov/regact/2015/lcfs2015/lcfs2015.htm. Accessed June 1, 2023.
[4] The United States Global Change Research Program. Global Climate Change Impacts in the United States. 2009. Website: https://downloads.globalchange.gov/usimpacts/pdfs/climate-impacts-report.pdf. Accessed June 1, 2023.

- **Direct Temperature Effects:** Climate change may directly affect human health through increases in average temperatures, which are predicted to increase the incidence of heat waves and hot extremes.
- **Extreme Events:** Climate change may affect the frequency and severity of extreme weather events, such as hurricanes and extreme heat and floods, which can be destructive to human health and well-being.
- **Climate-Sensitive Diseases:** Climate change may increase the risk of some infectious diseases, particularly those diseases that appear in warm areas and are spread by mosquitoes and other insects, such as malaria, dengue fever, yellow fever, and encephalitis.
- **Air Quality:** Respiratory disorders may be exacerbated by warming-induced increases in the frequency of smog (ground level ozone) events and particulate air pollution.[5]

Although there could be health effects resulting from changes in the climate and the consequences that can occur, inhalation of GHGs at levels currently in the atmosphere would not result in adverse health effects, with the exception of ozone and aerosols (PM). At very high indoor concentrations (not at levels existing outside), CO, CH_4, SF_6, and some chlorofluorocarbons can cause suffocation as the gases can displace oxygen.[6]

Existing GHG Emissions

United States GHG Inventory

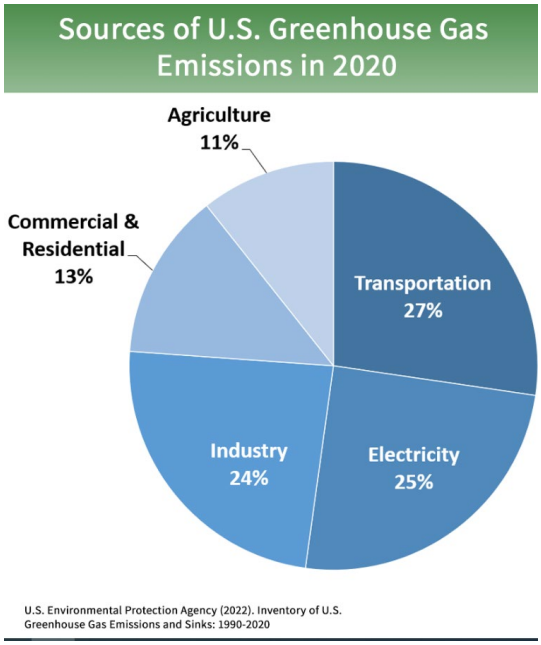
In 2020, United States GHG emissions totaled 5,222 million metric tons (MMT) CO_2e. Figure 3.8-1 presents 2020 United States GHG emissions by economic sector. Emissions decreased from 2019 to 2020 by 11 percent due to a 13 percent decrease in transportation emissions driven by decreased demand as a result of the ongoing COVID-19 pandemic. Electric power sector emissions also decreased 10 percent, reflecting both a slight decrease in demand from the COVID-19 pandemic and a continued shift from coal to less carbon intensive natural gas and renewables.

Since 1990, United States emissions have increased at an average annual rate of 0.1 percent. Greenhouse gas (GHG) emissions in 2020 (after accounting for sequestration from the land sector) were 21 percent below 2005 levels.[7]

[5] The United States Global Change Research Program. Global Climate Change Impacts in the United States. 2009. Website: https://downloads.globalchange.gov/usimpacts/pdfs/climate-impacts-report.pdf. Accessed June 1, 2023.

[6] Centers for Disease Control and Prevention (CDC). 2010. Department of Health and Human Services, the National Institute for Occupational Safety and Health. Carbon Dioxide. Website: www.cdc.gov/niosh/npg/npgd0103.html. Accessed June 1, 2023.

[7] United States Environmental Protection Agency (EPA). 2020. Inventory of U.S. Greenhouse Gas Emissions and Sinks. April. Website: https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks. Accessed June 1, 2023.



Note: Emissions and removals from Land Use, Land Use Change, and Forestry are excluded.

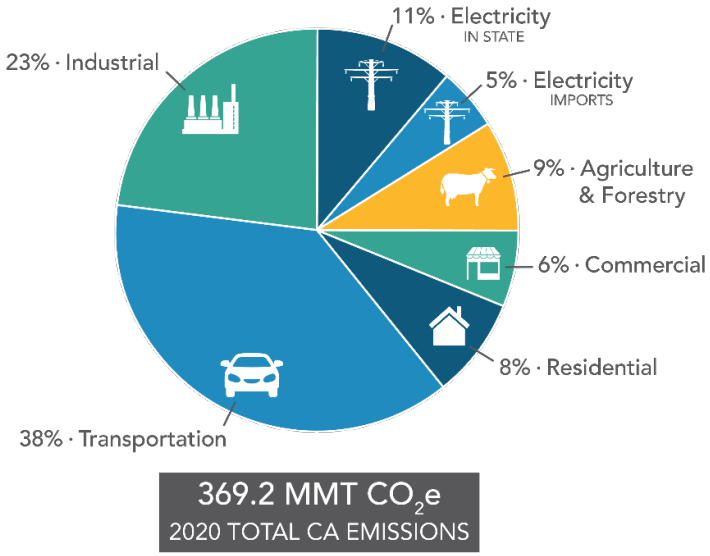
Source: United States Environmental Protection Agency (EPA). 2022. Inventory of U.S. Greenhouse Gas Emissions and Sinks. April. Website: https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks. Accessed June 1, 2023.

Figure 3.8-1: U.S. Greenhouse Gas Emissions Allocated to Economic Sectors (1990-2020)

California GHG Inventory

As the second largest emitter of GHG emissions in the U.S., California contributes a large quantity (369.1 MMT CO_2e in 2020) of GHG emissions to the atmosphere. Emissions of CO_2 are byproducts of fossil fuel combustion and are attributable in large part to human activities associated with transportation, industry/manufacturing, electricity and natural gas consumption, and agriculture. In California, the transportation sector is the largest emitter at 38 percent of GHG emissions, followed by industry/manufacturing at 23 percent of GHG emissions (Figure 3.8-2).[8]

[8] California Air Resources Board (ARB). 2019. California Greenhouse Gas Emission Inventory – 2019 Edition. August 12. Website: https://ww2.arb.ca.gov/ghg-inventory-data. Accessed June 1, 2023.



Source: California Air Resources Board (ARB). 2023. California Greenhouse Gas Emission Inventory – 2000-2020 Emissions Trends and Indicators Report. Website: https://ww2.arb.ca.gov/ghg-inventory-data. Accessed June 1, 2023.

Figure 3.8-2: 2020 California Greenhouse Gas Emissions by Sector

City of Visalia

The baseline inventory year for the City of Visalia's Climate Action Plan (CAP) is 2005.[9] The City baseline inventory involves two components: a community sector inventory (i.e., the full geographic area of City's jurisdiction) and a separate inventory of the municipal sector, which includes government owned and operated facilities and activities. Table 3.8-2 provides the baseline inventory.

Table 3.8-2: City of Visalia 2005 Community GHG Emissions Baseline Inventory by Sector

Sector	MT CO_2e/year	Percentage of Total
Transportation	490,063	55%
Commercial/Industrial	208,342	23%
Residential	202,533	22%
Solid Waste[2]	-7,862[3]	-1%
Total	3,745,115	100%

Notes:
[1] Emissions from municipal operations only
[2] For the solid waste sector, CO_2 and CH_4 emissions could not be separated because the EPA WARM software utilized to calculate the emissions only provides results in CO_2e.
[3] The solid waste CO_2e figure denotes a net GHG emissions figure resulting from landfilled solid waste, composting, and recycling activities in 2005. The negative figure is a result of the GHG emissions avoided specifically from composting and recycling efforts implemented by the City in 2005.
Source: Strategic Energy Innovations (SEI). 2013. City of Visalia Climate Action Plan (CAP). December.

[9] Strategic Energy Innovations (SEI). 2013. City of Visalia Climate Action Plan. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?blobid=28939. Accessed June 1, 2023.

The City's community activities emitted approximately 906,337 metric tons of CO_2e in 2005**.** The transportation sector was the most significant of all community sectors, comprising 55 percent, followed by the commercial/industrial sector (23 percent), and then closely by the residential sector (22 percent). In addition, the City's municipal operations emitted approximately 16,446 metric tons of CO_2e in 2005.

3.8.3 - Regulatory Framework

Federal

The following are actions regarding the federal government, GHGs, and fuel efficiency that are relevant in this analysis.

GHG Endangerment

Massachusetts v. EPA (Supreme Court Case 05-1120) was argued before the United States Supreme Court on November 29, 2006, in which it was petitioned that the EPA regulate four GHGs, including CO_2, under Section 202(a)(1) of the CAA. A decision was made on April 2, 2007, in which the Supreme Court found that GHGs are air pollutants covered by the CAA. The Court held that the Administrator must determine whether emissions of GHGs from new motor vehicles cause or contribute to air pollution, which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision.

Clean Vehicles

Congress first passed the Corporate Average Fuel Economy law in 1975 to increase the fuel economy of cars and light-duty trucks. The law has become more stringent over time. On May 19, 2009, former President Obama put in motion a new national policy to increase fuel economy for all new cars and trucks sold in the United States. On April 1, 2010, the EPA and the Department of Transportation's National Highway Safety Administration announced a joint final rule establishing a national program that would reduce GHG emissions and improve fuel economy for new cars and trucks sold in the United States.

The first phase of the national program applied to passenger cars, light-duty trucks, and medium-duty passenger vehicles, covering model years 2012 through 2016. The new standards for model years 2017 through 2025 applied to passenger cars, light-duty trucks, and medium-duty passenger vehicles. The final standards are projected to result in an average industry fleetwide level of 163 grams/mile of CO_2 in model year 2025, which is equivalent to 54.5 miles per gallon (mpg) if achieved exclusively through fuel economy improvements.

The EPA and the United States Department of Transportation (USDOT) issued final rules for the first national standards to reduce GHG emissions and improve fuel efficiency of heavy-duty trucks and buses on September 15, 2011, which became effective November 14, 2011. For combination tractors, the agencies proposed engine and vehicle standards that began in the 2014 model year and would achieve up to a 20 percent reduction in CO_2 emissions and fuel consumption by the 2018 model year. For heavy-duty pickup trucks and vans, the agencies proposed separate gasoline and diesel truck standards, which phase in starting in the 2014 model year and would achieve up to a 10 percent reduction for gasoline vehicles, and a 15 percent reduction for diesel vehicles by 2018 model

year (12 and 17 percent respectively if accounting for air conditioning leakage). Lastly, for vocational vehicles, the engine and vehicle standards would achieve up to a 10 percent reduction in fuel consumption and CO_2 emissions from the 2014 to 2018 model years.

The State of California received a waiver from the EPA to have separate, stricter Corporate Average Fuel Economy standards. Although global climate change did not become an international concern until the 1980s, efforts to reduce energy consumption began in California in response to the oil crisis in the 1970s, resulting in the incidental reduction of GHG emissions. To manage the State's energy needs and promote energy efficiency, AB 1575 created the California Energy Commission (CEC) in 1975. It should be noted that the EPA recently reinstated California's waiver for its GHG and Zero-Emission Vehicle (ZEV) mandates that were more stringent than other federal regulations implementing the CAA.[10] In September 2020, Governor Gavin Newsom issued Executive Order N-79-20, which requires sales of all new passenger vehicles to be zero-emission by 2035 and additional measures to eliminate harmful emissions from the transportation sector.

Consolidated Appropriations Act (Mandatory GHG Reporting)

On September 22, 2009, the EPA issued the Final Mandatory Reporting of Greenhouse Gases Rule, which became effective January 1, 2010. Under the rule, suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons or more per year of GHG emissions are required to submit annual reports to the EPA.

New Source Review

The EPA issued a final rule on May 13, 2010, that established thresholds for GHGs that define when permits under the New Source Review Prevention of Significant Deterioration and Title V Operating Permit programs are required for new and existing industrial facilities.

The EPA estimates that facilities responsible for nearly 70 percent of the national GHG emissions from stationary sources will be subject to permitting requirements under this rule. This includes the nation's largest GHG emitters—power plants, refineries, and cement production facilities.

Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units

As required by a settlement agreement, the EPA proposed new performance standards for CO_2 emissions for new, affected, fossil fuel-fired electric utility generating units on March 27, 2012. New sources greater than 25 megawatts would be required to meet an output-based standard of 1,000 pounds of CO_2 per megawatt-hour (MWh) based on the performance of widely used natural gas combined cycle technology.

Cap-and-Trade

Cap-and-trade refers to a policy tool where emissions are limited to a certain amount and can be traded, or provides flexibility on how the emitter can comply.

[10] Harvard Law School. 2022. EPA's Revived Clean Cars Waiver for California. April. Website: https://eelp.law.harvard.edu/2022/04/epas-revived-clean-cars-waiver-for-california/. Accessed June 1, 2023.

The Western Climate Initiative partner jurisdictions developed a comprehensive initiative to reduce regional GHG emissions to 15 percent below 2005 levels by 2020. The partners are California, British Columbia, Manitoba, Ontario, and Québec. Currently only California and Québec are participating in the Cap-and-Trade Program.[11]

California

Legislative Actions to Reduce GHGs

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation such as the landmark AB 32 California Global Warming Solutions Act of 2006 was specifically enacted to address GHG emissions. Other legislation, such as the Title 24 and Title 20 energy standards, were originally adopted for other purposes, such as energy and water conservation, but also provide GHG reductions. This section describes the major provisions of the legislation.

Assembly Bill 1493 Pavley Regulations and Fuel Efficiency Standards

California AB 1493, enacted on July 22, 2002, required the ARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light-duty trucks. It should be noted that the EPA reinstated California's waiver for its GHG and ZEV mandates that were more stringent than other federal regulations implementing the CAA.[12]

The second phase of the implementation for the Pavley Bill was incorporated into Amendments to the Low emission Vehicle Program referred to as low-emission vehicle (LEV) III or the Advanced Clean Cars program. The Advanced Clean Car program combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for model years 2017 through 2025. The regulation is anticipated to reduce GHGs from new cars by 34 percent from 2016 levels by 2025. The new rules will reduce pollutants from gasoline and diesel-powered cars and will deliver increasing numbers of zero-emission technologies, such as full battery electric cars, newly emerging plug-in hybrid electric vehicles and hydrogen fuel cell cars.

Assembly Bill 32

The California State Legislature enacted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires that GHGs emitted in California be reduced to 1990 levels by the year 2020.

The ARB is the State agency charged with monitoring and regulating sources of GHGs. The ARB approved the 1990 GHG emissions level of 427 MMT CO_2e on December 6, 2007.[13] Therefore, to meet the State's target, emissions generated in California in 2020 were required to be equal to or less than 427 MMT CO_2e. Emissions in 2020 in a Business as Usual (BAU) scenario were estimated to

[11] Center for Climate and Energy Solutions (C2ES). 2015. Cap-and-Trade Basics. Website: https://www.c2es.org/content/cap-and-trade-basics/. Accessed June 1, 2023.

[12] United States Environmental Protection Agency (EPA). 2022. WHAT THEY ARE SAYING: EPA Restoration of California Waiver Will Support State Climate Action, Improve Air Quality, and Advance our Electric Vehicle Future. March 11. Website: https://www.epa.gov/newsreleases/what-they-are-saying-epa-restoration-california-waiver-will-support-state-climate. Accessed June 1, 2023.

[13] California Air Resources Board (ARB). 2007. Staff Report. California 1990 Greenhouse Gas Level and 2020 Emissions Limit. November 16, 2007. Website: www.arb.ca.gov/cc/inventory/pubs/reports/staff_report_1990_level.pdf. Accessed June 1, 2023.

be 596 MMT CO_2e, which do not account for reductions from AB 32 regulations.[14] At that rate, a 28 percent reduction was required to achieve the 427 MMT CO_2e 1990 inventory. In October 2010, the ARB prepared an updated 2020 forecast to account for the effects of the 2008 recession and slower forecasted growth. Under the updated forecast, a 21.7 percent reduction from BAU is required to achieve 1990 levels.[15]

California Air Resources Board Scoping Plan

The ARB Climate Change Scoping Plan (Scoping Plan) contains measures designed to reduce the State's emissions to 1990 levels by the year 2020 to comply with AB 32.[16] The Scoping Plan identifies recommended measures for multiple GHG emission sectors and the associated emission reductions needed to achieve the year 2020 emissions target—each sector has a different emission reduction target. Most of the measures target the transportation and electricity sectors. As stated in the Scoping Plan, the key elements of the strategy for achieving the 2020 GHG target include:

- Expanding and strengthening existing energy efficiency programs as well as building and appliance standards;
- Achieving a Statewide renewables energy mix of 33 percent;
- Developing a California Cap-and-Trade Program that links with other Western Climate Initiative partner programs to create a regional market system;
- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets;
- Adopting and implementing measures pursuant to existing State laws and policies, including California's clean car standards, goods movement measures, and the Low Carbon Fuel Standard (LCFS); and
- Creating targeted fees, including a public goods charge on water use, fees on high global warming potential gases, and a fee to fund the administrative costs of the State's long-term commitment to AB 32 implementation.

In addition, the Scoping Plan differentiates between "capped" and "uncapped" strategies. Capped strategies are subject to the proposed Cap-and-Trade Program. Implementation of the capped strategies was calculated to achieve a sufficient amount of reductions by 2020 to achieve the emission target contained in AB 32. Uncapped strategies that would not be subject to the cap-and-trade emissions caps and requirements were provided as a margin of safety by accounting for additional GHG emission reductions.[17] The ARB approved the First Update to the Scoping Plan on

[14] California Air Resources Board (ARB). 2008. (includes edits made in 2009) Climate Change Scoping Plan, a framework for change. Website: http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf. Accessed June 1, 2023

[15] California Air Resources Board (ARB). 2010. 2020 Greenhouse Gas Emissions Projection and BAU Scenario Emissions Estimate. Website: https://ww2.arb.ca.gov/ghg-bau. Accessed June 1, 2023.

[16] California Air Resources Board (ARB). 2008. (includes edits made in 2009) Climate Change Scoping Plan, a framework for change. Website: http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf. Accessed June 1, 2023.

[17] California Air Resources Board (ARB). 2008 (includes edits made in 2009). Climate Change Scoping Plan, a framework for change. Website: http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf. Accessed June 1, 2023.

May 22, 2014. The First Update builds upon the Initial Scoping Plan with new strategies and recommendations.[18]

Senate Bill 32 and the 2017 Climate Change Scoping Plan Update

The Governor signed SB 32 in September 2016, giving the ARB the statutory responsibility to include the 2030 target previously contained in Executive Order B-30-15 in the 2017 Scoping Plan Update. SB 32 states: "In adopting rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions authorized by this division, the State [air resources] board shall ensure that Statewide greenhouse gas emissions are reduced to at least 40 percent below the Statewide greenhouse gas emissions limit no later than December 31, 2030." The 2017 Climate Change Scoping Plan Update addressing the SB 32 targets was adopted on December 14, 2017. The major elements of the framework proposed to achieve the 2030 target are as follows:

- SB 350
  - Achieve 50 percent Renewables Portfolio Standard (RPS) by 2030.
  - Doubling of energy efficiency savings by 2030.
- Low Carbon Fuel Standard
  - Increased stringency (reducing carbon intensity 18 percent by 2030, up from 10 percent in 2020).
- Mobile Source Strategy (Cleaner Technology and Fuels Scenario)
  - Maintaining existing GHG standards for light- and heavy-duty vehicles.
  - Put 4.2 million ZEVs on the roads.
  - Increase ZEV buses, delivery and other trucks.
- Sustainable Freight Action Plan
  - Improve freight system efficiency.
  - Maximize use of near-zero-emission vehicles and equipment powered by renewable energy.
  - Deploy over 100,000 zero-emission trucks and equipment by 2030.
- Short-Lived Climate Pollutant Reduction Strategy
  - Reduce emissions of methane and HFCs 40 percent below 2013 levels by 2030.
  - Reduce emissions of black carbon 50 percent below 2013 levels by 2030.
- SB 375 Sustainable Communities Strategies
  - Increased stringency of 2035 targets.
- Post-2020 Cap-and-Trade Program
  - Declining caps, continued linkage with Québec, and linkage to Ontario, Canada.
  - The ARB will look for opportunities to strengthen the program to support more air quality co-benefits, including specific program design elements. In fall 2016, ARB staff described potential future amendments including reducing the offset usage limit, redesigning the allocation strategy to reduce free allocation to support increased technology and energy investment at covered entities and reducing allocation if the covered entity increases criteria or toxics emissions over some baseline.

[18] California Air Resources Board (ARB). 2014. First Update to the Climate Change Scoping Plan. Website: http://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm. Accessed June 1, 2023.

- 20 percent reduction in GHG emissions from the refinery sector.
- By 2018, develop Integrated Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

2022 Scoping Plan

The most recent version of the ARB's Scoping Plan, the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan), addresses the SB 32 targets and was adopted on December 15, 2022. It provides a detailed sector-by-sector guide to address climate change by cutting GHG emissions by 85 percent and achieving carbon neutrality in 2045, with the main focus of emission reductions efforts being the transportation and energy sectors.

The elements of the framework set forth in the 2022 Scoping Plan proposed to achieve the emission reduction targets are as follows:

- Transportation
  - Achieve 100 percent ZEV sales of light-duty vehicles by 2035 and medium heavy-duty vehicles by 2040.
  - Achieve a 20 percent zero-emission target for the aviation sector.
  - Prioritize and increase funding for clean transportation equity programs.
  - Accelerate the reduction and replacement of fossil fuel production and consumption in California.
  - Increase the stringency and scope of the LCFS.
  - Achieve a per capita Vehicle Miles Traveled (VMT) reduction of at least 25 percent below 2019 levels by 2030 and 30 percent below by 2045.
- Clean Electricity Grid
  - Per SB 350, double Statewide energy efficiency savings by 2030.
  - Use long-term planning processes to support grid reliability and expansion of renewable and zero-carbon development.
  - Per SB 100 and 1020, achieve 90 percent, 95 percent, and 100 percent renewable and zero-carbon retail sales by 2035, 2040, and 2045, respectively.
- Sustainable Manufacturing and Buildings
  - Maximize air quality benefits using the best available control technologies for stationary sources in communities most in need.
  - Implement SB 905.
  - Develop a net-zero cement strategy to meet SB 956 targets for the GHG intensity of cement use.
  - Leverage energy efficiency and low carbon hydrogen programs.
  - Prioritize most vulnerable residents with the majority of funds in the new $922 million Equitable Building Decarbonization program.
  - Achieve three million all-electric and electric-ready homes by 2030 and seven million by 2035 with six million heat pumps installed by 2030.
  - Adopt a zero-emission standard for new space and water heaters sold in California beginning in 2030.

  - Implement biomethane procurement targets for investor-owned utilities as specified in SB 1440.

- Carbon Dioxide Removal and Capture
  - Implement SB 905.
  - Achieve the 85 percent reduction in anthropogenic sources below 1990 levels per AB 1279 by incorporating Carbon Capture and Storage (CCS) into sectors and programs beyond transportation.
  - Evaluate and propose the role for CCS in cement decarbonization and as part of hydrogen peroxide pathways.
  - Explore carbon capture application for zero-carbon power for reliability needs per SB 100.
- Short-Lived Climate Pollutants (Non-Combustion Gases)
  - Install anaerobic digesters to maximize air and water quality protection, maximize biomethane capture, and direct biomethane to specific sectors.
  - Increase alternative manure management projects.
  - Expand markets for products made from organic waste.
  - Pursuant to SB 1137, develop leak detection and repair plans for facilities in health protection zones, implement emission detection system standards, and provide public access to emissions data.
  - Convert large HFC emitters to the lowest practical global warming potential (GWP) technologies.
- Natural and Working Lands
  - Implement AB 1757 and SB 27.
  - Implement the Climate Smart Strategy.
  - Accelerate the pace and scale of climate smart forest management to at least 2.3 million acres annually by 2025.
  - Accelerate the pace and scale of healthy soils practices to 80,000 acres annually by 2025, conserve at least 8,000 acres of annual crops annually, and increase organic agriculture to 20 percent of all cultivated acres by 2045.
  - Restore 60,000 acres of Delta wetlands annually by 2045.
  - Increase urban forestry investment annually by 200 percent, relative to BAU.

Senate Bill 375—the Sustainable Communities and Climate Protection Act of 2008

Senate Bill (SB) 375 was signed into law on September 30, 2008. According to SB 375, the transportation sector is the largest contributor of GHG emissions, which emits over 40 percent of the total GHG emissions in California. SB 375 does the following:

1. Requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions,
2. Aligns planning for transportation and housing, and
3. Creates specified incentives for the implementation of the strategies.

Senate Bill 1368—Emission Performance Standards

In 2006, the State Legislature adopted SB 1368, which was subsequently signed into law by the Governor. SB 1368 directs the California Public Utilities Commission to adopt a performance standard for GHG emissions for the future power purchases of California utilities. SB 1368 seeks to limit carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than 5 years from resources that exceed the emissions of a relatively clean, combined cycle natural gas power plant. The California Public Utilities Commission adopted the regulations required by SB 1368 on August 29, 2007.

Senate Bill 1078—Renewable Electricity Standards

On September 12, 2002, Former Governor Gray Davis signed SB 1078, requiring California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 changed the due date to 2010 instead of 2017. On November 17, 2008, Former Governor Arnold Schwarzenegger signed Executive Order S-14-08, which established an RPS target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. Former Governor Schwarzenegger also directed the ARB (Executive Order S-21-09) to adopt a regulation by July 31, 2010, requiring the State's load serving entities to meet a 33 percent renewable energy target by 2020. The ARB approved the Renewable Electricity Standard on September 23, 2010 by Resolution 10-23.

Senate Bill 350—Clean Energy and Pollution Reduction Act of 2015

The State Legislature approved, and the Governor signed SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the RPS, higher energy efficiency requirements for buildings, initial strategies toward a regional electricity grid, and improved infrastructure for electric vehicle (EV) charging stations. Specifically, SB 350 requires the following to reduce Statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 25 percent by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the California Public Utility Commission (CPUC), the CEC, and local publicly owned utilities.
- Reorganize the Independent System Operator to develop more regional electrify transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.[19]

SBX 7-7—The Water Conservation Act of 2009

The legislation directs urban retail water suppliers to set individual 2020 per capita water use targets and begin implementing conservation measures to achieve those goals. Meeting this Statewide goal of 20 percent decrease in demand has resulted in a reduction of almost 2 million acre-feet in urban water use.

[19] California Legislative Information (California Leginfo). 2015. Senate Bill 350 Clean Energy and Pollution Reduction Act of 2015. Website: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB350. Accessed June 1, 2023.

Senate Bill 100—The 100 Percent Clean Energy Act of 2018

The legislation directs the CPUC, CEC, and the ARB to plan for 100 percent of total retail sales of electricity in California to come from eligible renewable energy resources and zero-carbon resources by December 31, 2045. This Act amends Sections 399.11, 399.15, and 399.30 of, and adds Section 454.53 to, the Public Utilities Code, relating to energy.

Executive Orders Related to GHG Emissions

California's Executive Branch has taken several actions to reduce GHGs through the use of Executive Orders, which state mandatory requirements for the Executive Branch have the effect of law. Although not legislation, they set the tone for the State and guide the actions of State agencies.

Executive Order S-3-05

Former California Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S3-05, the following reduction targets for GHG emissions:

- By 2010, reduce GHG emissions to 2000 levels.
- By 2020, reduce GHG emissions to 1990 levels.
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target.

Executive Order S-01-07—Low Carbon Fuel Standard

The Governor signed Executive Order S 01-07 on January 18, 2007. The order mandates that a Statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. In particular, the Executive Order established a LCFS and directed the Secretary for Environmental Protection to coordinate the actions of the CEC, ARB, University of California, and other agencies to develop and propose protocols for measuring the "lifecycle carbon intensity" of transportation fuels. The ARB adopted the LCFS on April 23, 2009.

Executive Order S-13-08

Executive Order S-13-08 states that "climate change in California during the next century is expected to shift precipitation patterns, accelerate sea level rise and increase temperatures, thereby posing a serious threat to California's economy, to the health and welfare of its population and to its natural resources." Pursuant to the requirements in the order, the 2009 California Climate Adaptation Strategy[20] was adopted, which is the ". . . first Statewide, multi-sector, region-specific, and information-based climate change adaptation strategy in the United States.". Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

[20] California Natural Resources Agency. 2009. 2009 California Climate Adaptation Strategy. Website: https://cawaterlibrary.net/wp-content/uploads/2017/05/Statewide_Adaptation_Strategy.pdf. Accessed June 1, 2023.

Executive Order B-30-15

On April 29, 2015, Former Governor Edmund G. Brown Jr. issued an Executive Order to establish a California GHG reduction target of 40 percent below 1990 levels by 2030. The Governor's Executive Order aligns California's GHG reduction targets with those of leading international governments ahead of the United Nations Climate Change Conference in Paris late 2015. The Executive Order sets a new interim Statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030 in order to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050, and directs the ARB to update the Climate Change Scoping Plan to express the 2030 target in terms of metric ton (MT) CO_2e.

California Regulations and Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat even with rapid population growth and are viewed as some of the most stringent requirements in the nation.

California Code of Regulations Title 13: Motor Vehicles

California Code of Regulations, Title 13: Division 3, Chapter 10, Article 1, Section 2485: Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling.[21] This measure seeks to reduce public exposure to diesel particulate matter (DPM) and other air contaminants by establishing idling restrictions, emission standards, and other requirements for heavy-duty diesel engines and alternative idle reduction technologies to limit the idling of diesel-fueled commercial motor vehicles. Any person that owns, operates, or causes to operate any diesel-fueled commercial motor vehicle must not allow a vehicle to idle for more than 5 consecutive minutes at any location, or operate a diesel-fueled auxiliary power system for greater than 5 minutes at any location when within 100 feet of a restricted area.

California Code of Regulations, Title 13: Division 3, Chapter 9, Article 4.8, Section 2449: General Requirements for In-Use Off-Road Diesel-Fueled Fleets. This measure regulates NO_X, DPM, and other criteria pollutant emissions from in-use off-road diesel-fueled vehicles. This measure also requires each fleet to meet fleet average requirements or demonstrate that it has met "best available control technology" requirements. Additionally, this measure requires medium and large fleets to have a written idling policy that is made available to operators of the vehicles informing them that idling is limited to 5 consecutive minutes or less.

Title 20 Appliance Efficiency Regulations

California Code of Regulations, Title 20: Division 2, Chapter 4, Article 4, Sections 1601-1608: Appliance Efficiency Regulations regulates the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. Twenty-three categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for

[21] Thomas Reuters Westlaw. 2020. California Code of Regulations, Title 13: Division 3, Chapter 10, Article 1, Section 2485: Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. Website: https://govt.westlaw.com/calregs/Document/I6DACC2EF0D6441DDA5B788DFEDCD1A22?viewType=FullText&originationContext=documenttoc&transitionType=StatuteNavigator&contextData=(sc.Default). Accessed June 1, 2023.

sale in California, except those sold wholesale in California for final retail sale outside the State and those designed and sold exclusively for use in recreational vehicles or other mobile equipment.

Title 24 Energy Efficiency Standards

California Code of Regulations Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The newest version of Title 24 (2022 Tile 24) adopted by the CEC went into effect on January 1, 2023.

Title 24 California Green Building Standards Code

California Code of Regulations Title 24 Part 11 code is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect January 1, 2011. The code is updated on a regular basis, with the most recent update consisting of the 2022 California Green Building Code Standards Code (CALGreen) that became effective January 1, 2023.[22] Local jurisdictions are permitted to adopt more stringent requirements, as State law provides methods for local enhancements. The State Building Code provides the minimum standard that buildings need to meet in order to be certified for occupancy, which is generally enforced by the local building official.

Model Water Efficient Landscape Ordinance

The Model Water Efficient Landscape Ordinance (MWELO) was required by AB 1881 Water Conservation Act. The bill required local agencies to adopt a local landscape ordinance at least as effective in conserving water as the MWELO by January 1, 2010. Reductions in water use of 20 percent consistent with (SBX-7-7) 2020 mandate are expected for the MWELO. New development projects that include landscaped areas of 500 square feet or more are subject to the MWELO. The update requires:

- More efficient irrigation systems;
- Incentives for graywater usage;
- Improvements in on-site stormwater capture;
- Limiting the portion of landscapes that can be planted with high water use plants; and
- Reporting requirements for local agencies.

Senate Bill 97 and the CEQA Guidelines Revisions

Passed in August 2007, SB 97 added Section 21083.05 to the Public Resources Code. The code states "(a) On or before July 1, 2009, the Office of Planning and Research shall prepare, develop, and transmit to the Resources Agency guidelines for the mitigation of GHG emissions or the effects of GHG emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption. (b) On or before January 1, 2010, the Resources Agency shall

[22] State of California. 2022. California Green Building Standards Code (CALGreen). Website: https://www.dgs.ca.gov/BSC/CALGreen. Accessed June 1, 2023.

certify and adopt guidelines prepared and developed by the Office of Planning and Research pursuant to subdivision (a)."

Section 21097 was also added to the Public Resources Code, which provided an exemption until January 1, 2010 for transportation projects funded by the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 or projects funded by the Disaster Preparedness and Flood Prevention Bond Act of 2006, in stating that the failure to analyze adequately the effects of GHGs would not violate the California Environmental Quality Act (CEQA). The Natural Resources Agency completed the approval process, and the Amendments became effective on March 18, 2010.

The 2010 CEQA Amendments provide guidance to public agencies regarding the analysis and mitigation of the effects of GHG emissions in CEQA documents. The CEQA Amendments fit within the existing CEQA framework by amending existing CEQA Guidelines to reference climate change.

California Supreme Court GHG Ruling

In a November 30, 2015 ruling, the California Supreme Court in *Center for Biological Diversity v. California Department of Fish and Wildlife* invalidated the EIR for the Newhall Ranch project due to insufficient evidence in the administrative record supporting that project's GHG analysis, among other reasons. The Court endorsed the use of AB 32's Statewide emission reduction goals as a legally permissible significance threshold for analyzing a project's GHG impacts under CEQA. However, comparisons to the AB 32 Scoping Plan must be supported by a reasoned explanation based on substantial evidence.

In other words, the Court approved the methodology used in the EIR's analysis in terms of reductions from projected BAU emissions consistent with AB 32's Statewide reductions mandate (rather than against some absolute numeric limit above the project site's baseline emissions), but the Court held the GHG analysis lacked supporting substantial evidence and a cogent explanation correlating the project-specific reductions to AB 32's mandated Statewide reductions so as to demonstrate consistency with the latter's goals under the approved methodology. The Court made the following key points with respect to its holding on the GHG analysis under CEQA, as summarized below: Specifically, the Court held that:

- **Substantiation of Project Reductions from BAU**. A lead agency may use a BAU comparison based on the Scoping Plan's methodology so long as it also substantiates the reduction a particular project must achieve to comply with Statewide goals (page 25). In so doing, the lead agency needs to ensure the administrative record establishes a "firm ground for the efficiency comparison" by documenting with substantial evidence in the record the EIR's conclusion that the individual project's percent emissions savings over BAU satisfies the EIR's significance criterion of consistency with the Scoping Plan's 29 percent Statewide savings by 2020. In so doing, this alleviates the analytical gap by establishing, through substantial evidence and reasoned explanation, a quantitative equivalence between the Scoping Plan's Statewide comparison and the EIR's individual project-level comparison.

- **Compliance with Regulatory Programs or Performance Based Standards**. A lead agency "might assess consistency with AB 32's goal in whole or part by looking to compliance with regulatory programs designed to reduce greenhouse gas emissions from particular activities" (page 26).
- **Compliance with GHG Reduction Plans or Climate Action Plans**. A lead agency may utilize "geographically specific GHG emission reduction plans" such as Climate Action Plans (CAPs) or GHG emission reduction plans to provide a basis for the tiering or streamlining of project-level CEQA analysis (page 26).
- **Compliance with Local Air District Thresholds**. A lead agency may rely on "existing numerical thresholds of significance for greenhouse gas emissions" adopted by, for example, local air districts (page 27).

Regional

San Joaquin Valley Air Pollution Control District Climate Change Action Plan

On August 21, 2008, the Valley Air District Board approved a proposal called the Climate Change Action Plan (CCAP). The CCAP began with a public process bringing together land use agencies, environmental groups, business groups, and other stakeholders to conduct public workshops to develop comprehensive policies for CEQA Guidelines to be used in the Air Basin, a carbon exchange bank, and voluntary GHG emissions mitigation agreements for the Valley Air District's Board's consideration. The CCAP contains the following goals and actions:

- Develop GHG significance thresholds to address CEQA projects with GHG emission increases.
- Develop the San Joaquin Valley Carbon Exchange for banking and trading GHG reductions.
- Authorize use of the Valley Air District's existing inventory reporting system to allow use for GHG reporting required by AB 32 regulations.
- Develop and administer GHG reduction agreements to mitigate proposed emission increases from new projects.
- Support climate protection measures that reduce GHG emissions as well as toxic and criteria pollutants. Oppose measures that result in a significant increase in toxic or criteria pollutant emissions in already impacted areas.

On December 17, 2009, the Valley Air District's Board adopted "Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA," and the policy "District Policy—Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency." The Valley Air District concluded that the existing science is inadequate to support quantification of the impacts that project-specific GHG emissions have on global climatic change. The Valley Air District found the effects of project-specific emissions to be cumulative, and without mitigation, their incremental contribution to global climatic change could be considered cumulatively considerable. The Valley Air District found that this cumulative impact is best addressed by requiring all projects to reduce their GHG emissions, whether through project design elements or mitigation.

The Valley Air District's approach is intended to streamline the process of determining whether project-specific GHG emissions would have a significant effect. Projects exempt from the requirements of CEQA, and projects complying with an approved plan or mitigation program would be determined to have a less than significant cumulative impact. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources and must have a certified final CEQA document.

For non-exempt projects, those projects for which there is no applicable approved plan or program, or those projects not complying with an approved plan or program, the lead agency must evaluate the project against performance-based standards and would require the adoption of design elements, known as a Best Performance Standard, to reduce GHG emissions. The Best Performance Standards (BPS) have not yet fully been established, though they must be designed to affect a 29 percent reduction when compared with the BAU projections identified in ARB's AB 32 Scoping Plan.

BAU represents the emissions that would occur in 2020 if the average baseline emissions during the 2002–2004 period were grown to 2020 levels, without control. These standards thus would carry with them pre-quantified emissions reductions, eliminating the need for project-specific quantification. Therefore, projects incorporating BPS would not require specific quantification of GHG emissions, and automatically would be determined to have a less than significant cumulative impact for GHG emissions.

For stationary source permitting projects, BPS means, "The most stringent of the identified alternatives for control of GHG emissions, including type of equipment, design of equipment and operational and maintenance practices, which are achieved-in-practice for the identified service, operation, or emissions unit class." The Valley Air District has identified BPS for the following sources: boilers; dryers and dehydrators; oil and gas extraction, storage, transportation, and refining operations; cogeneration; gasoline dispensing facilities; volatile organic compound (VOC) control technology; and steam generators.

For development projects, BPS means, "Any combination of identified GHG emission reduction measures, including project design elements and land use decisions that reduce project-specific GHG emission reductions by at least 29 percent compared with business as usual."

Projects not incorporating BPS would require quantification of GHG emissions and demonstration that BAU GHG emissions have been reduced or mitigated by 29 percent. As stated earlier, the ARB's adjusted inventory reduced the amount required by the State to achieve 1990 emission levels from 29 percent to 21.7 percent to account for slower growth experienced since the 2008 recession. According to Valley Air District guidance, quantification of GHG emissions would be required for all projects for which the lead agency has determined that an EIR is required, regardless of whether the project incorporates BPS.

San Joaquin Valley Carbon Exchange

The Valley Air District initiated work on the San Joaquin Valley Carbon Exchange in November 2008. The purpose of the carbon exchange is to quantify, verify, and track voluntary GHG emissions reductions generated within the San Joaquin Valley. However, the Valley Air District has pursued an

alternative strategy that incorporates the GHG emissions into its existing Rule 2301—Emission Reduction Credit Offset Banking that formerly only addressed criteria pollutants. The Valley Air District is also participating with the California Air Pollution Control Officers Association (CAPCOA), of which it is a member, in the CAPCOA Greenhouse Gas Reduction Exchange (GHG Rx). The GHG Rx is operated cooperatively by air districts that have elected to participate. Participating districts have signed a Memorandum of Understanding (MOU) with CAPCOA and agree to post only those credits that meet the Rx standards for quality. The objective is to provide a secure, low-cost, high-quality, GHG exchange for credits created in California. The GHG Rx is intended to help fulfill compliance obligations, or mitigation needs of local projects subject to environmental review, reducing the uncertainty of using credits generated in distant locations.

Rule 2301

While the CCAP indicated that the GHG emission reduction program would be called the San Joaquin Valley Carbon Exchange, the District incorporated a method to register voluntary GHG emission reductions into its existing Rule 2301—Emission Reduction Credit Banking through amendments of the rule. Amendments to the rule were adopted on January 19, 2012. The purposes of the amendments to the rule include the following:

- Provide an administrative mechanism for sources to bank voluntary GHG emission reductions for later use.
- Provide an administrative mechanism for sources to transfer banked GHG emission reductions to others for any use.
- Define eligibility standards, quantitative procedures, and administrative practices to ensure that banked GHG emission reductions are real, permanent, quantifiable, surplus, and enforceable.

Tulare County Association of Governments

2018 Regional Transportation Plan/Sustainable Communities Strategy

The Tulare County Association of Governments (TCAG) 2018 Regional Transportation Plan (RTP) includes a Sustainable Communities Strategy (SCS) component in accordance with SB 375, the Sustainable Communities and Climate Protection Act of 2008. TCAG adopted the 2018 SCS/RTP on August 20, 2018. In so doing, the TCAG Board of Directors made a determination that, if implemented, the SCS would achieve the per capita passenger vehicle GHG emissions targets established by its Board of Directors. The 2020 target is a 5 percent per capita reduction and the 2035 target is a 10 percent per capita reduction from the 2005 base year. The ARB accepted the determination that the TCAG 2018 SCS, if implemented, would achieve the region's per capita GHG emission reduction targets for 2020 and 2035. At the time of writing of this report, the TCAG 2022 RTP was still in the Draft phase and has not yet been formally adopted. [23]

The 2018 SCS/RTP strives to reduce air emissions from passenger vehicle and light-duty truck travel by better coordinating transportation expenditures with forecasted development patterns and, if feasible, help meet ARB GHG targets for the region. SB 375 requires the ARB to develop regional

[23] Tulare County Association of Governments (TCAG). 2022. Website: https://tularecog.org/tcag/about-us/. Accessed June 1, 2023.

GHG emission reduction targets for passenger vehicles. The ARB is to establish targets for the automobile and light-duty truck sector for 2020 and 2035 for each region covered by one of the State's 18 metropolitan planning organizations. Regional metropolitan planning organizations are responsible for preparing an SCS within their RTP. The key purpose of SB 375 and the TCAG SCS is to reduce per capita emissions originating from passenger vehicles and light-duty trucks. Accordingly, the 2018 SCS/RTP:

- Describes sources of emissions in the Tulare County region, 2020 and 2035 emission reduction targets established by the ARB for the San Joaquin Valley, and modeling techniques used to estimate and forecast emissions;
- Identifies Statewide strategies to reduce transportation-related emissions and their anticipated effect within the Tulare County region;
- Identifies regional strategies that complement the SCS by reducing emissions in other sectors (e.g., energy consumption);
- Quantifies the effect of policies and programs in the RTP that reduce transportation-related emissions in the region; and
- Compares the emissions reductions anticipated with implementation of the SCS/RTP with the regional targets.

The GHG emission targets for lowering emissions in the San Joaquin Valley, as set by the ARB and approved by the TCAG Board of Directors, call for a 5 percent reduction in per capita emissions from passenger vehicles and light trucks by 2020 and a 10 percent reduction by 2035 through land use and transportation planning. Based on the analysis of strategies included in the 2018 SCS/RTP, CO_2 emissions were anticipated to be 12.3 percent lower than 2005 levels by 2020 and 16.0 percent lower by 2035, exceeding the targets established by the ARB in 2010.

Local

City of Visalia General Plan

The City of Visalia General Plan was updated and adopted on October 14, 2014, and establishes the following applicable objectives and policies that are relevant to GHG emissions evaluated in this analysis: [24]

Chapter 7: Air Quality and Greenhouse Gas Emissions

Objective AQ-O-3 **Reduce emissions of greenhouse gases that contribute to global climate change in accord with federal and State law.**

AQ-P-12 Support the implementation of Voluntary Emissions Reduction Agreements (VERA) with the San Joaquin Valley Air Pollution Control District (the District) for individual development projects that may exceed District significance thresholds. A VERA is a voluntary mitigation measure where a project proponent provides pound-for-pound mitigation of emissions increases through a process

[24] City of Visalia. 2014. General Plan. October 14.

that develops, funds, and implements emissions reduction projects, with the District serving a role of administrator of emissions reduction programs and verifier of successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project-specific emissions by providing funds for the District's Strategies and Incentives Program. The funds are disbursed in the form of grants for projects that achieve emissions reductions.

AQ-P-13 Where feasible, replace City vehicles with those that employ low emission technology.

AQ-P-14 Promote and expand the trip-reduction program for City employees to reduce air pollution and emissions of greenhouse gas. The program may include carpooling and ride sharing; reimbursement of transit costs; encouragement of flexible work schedules, telecommuting, and teleconferencing.

AQ-P-15 Maintain an inventory of greenhouse gas emissions from City operations and track related solid waste, energy, economic, and environmental data. Update the inventory periodically as additional data and methodologies become available.

AQ-P-16 Support State efforts to reduce greenhouse gases and emissions through local action that will reduce motor vehicle use, support alternative forms of transportation, require energy conservation in new construction, and energy management in public buildings, in compliance with AB 32. By proposing compact development, mixed use centers, walkable neighborhoods, green building technology, and jobs-housing balance, the City will be helping to implement many of the strategies and programs in the San Joaquin Valley 2007 Ozone Plan.

AQ-P-17 Prepare and adopt a Climate Action Plan that incorporates a Greenhouse Gas (GHG) Emissions Reduction Plan. The GHG Emissions Reduction Plan will quantify current and anticipated future emissions and focus on feasible actions the City can take to minimize the adverse impacts of General Plan implementation on climate change and air quality.

City of Visalia Climate Action Plan

The City of Visalia CAP was adopted in December 2013 and provides a policy document that includes strategies for reducing GHG emissions.[25] The CAP includes objectives and policies from the General Plan that address long-term emissions reduction efforts and the timeframe of the CAP extends through 2030. Visalia's CAP includes a baseline GHG emissions inventory of community and municipal sector GHG emissions, identification and analysis of existing and proposed GHG reduction measures, and GHG emission reduction targets to help Visalia work toward the State's goal of an 80 percent reduction below baseline emissions by 2050. The CAP sets 2020 and 2030 GHG emission

[25] City of Visalia. 2013. Climate Action Plan. December.

reduction targets, and includes reduction actions for energy, transportation, and waste and resource conservation. Additionally, the CAP includes targets and action steps for the municipal and community sectors. The CAP was prepared concurrently with the updated General Plan, was evaluated in the General Plan EIR together with the General Plan update, and includes objectives and specific policies from the proposed General Plan to address long-term emissions reduction efforts by the City.[26]

The CAP sets five major long-term objectives for the City government and community as a whole[27]:

- Reduce net GHG emissions from both municipal operations and community activities;
- Promote cleaner and healthier air to breathe;
- Help the City and its residents save on energy costs;
- Reduce vulnerability to changes in energy availability and price; and
- Increase public awareness of climate change issues.

The CAP sets a reduction target of 15 percent below 2005 baseline year level by 2020 and 30 percent below 2005 baseline year level by 2030. In order to meet these reduction targets the CAP includes a comprehensive set of actions and programs: Energy Systems, Transportation, Water and Resource Conservation, Transportation/Land Use, and Waste and Resource Conservation. However, the City has not monitored the progress of achieving the goals of the CAP. As such, without a mechanism to track the effectiveness of the CAP goals and measures, the CAP cannot be relied upon for the purposes of CEQA analysis. The proposed project's consistency with the CAP is discussed for informational purposes only.

3.8.4 - Thresholds of Significance

The lead agency utilizes the criteria in CEQA Guidelines Appendix G Environmental Checklist to determine whether greenhouse emissions impacts are significant environmental effects. Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Section 15064.4 of the CEQA Guidelines

Section 15064.4(a) of the CEQA Guidelines notes that the significance determination with respect to GHG emissions "calls for a careful judgment" by the lead agency, making a "good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions result from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to: (1) Quantify greenhouse gas emissions resulting from a project; and/or (2) Rely on a qualitative analysis or performance based standards."

[26] City of Visalia. 2014. General Plan Update EIR. Chapter 3.4, Greenhouse Gases and Climate Change.
[27] City of Visalia. 2013. Climate Action Plan. December.

Section 15064.4(b) of the CEQA Guidelines provides that a lead agency should take into account the following three considerations, among others, in assessing the significance of impacts from GHG emissions.

- **Consideration No. 1**: The extent to which the project may increase or reduce GHG emissions as compared to the existing environmental setting.
- **Consideration No. 2**: Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- **Consideration No. 3**: The extent to which the project complies with regulations or requirements adopted to implement a Statewide, regional, or local plan for the reduction or mitigation of GHG emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of GHG emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project. In determining the significance of impacts, the lead agency may consider a project's consistency with the State's long-term climate goals or strategies, provided that substantial evidence supports the agency's analysis of how those goals or strategies address the project's incremental contribution to climate change and its conclusion that the project's incremental contribution is not cumulatively considerable.

Section 15064.4(c) of the CEQA Guidelines provides that a lead agency may use a model or methodology to estimate GHG emissions resulting from a project. The lead agency has discretion to select the model or methodology it considers most appropriate to enable decision-makers to intelligently take into account the project's incremental contribution to climate change, so long as this selection is supported by substantial evidence in the record.

For the reasons explained below, this analysis contains both (1) a quantitative determination of the GHG emissions that would be generated by the proposed project, and (2) a qualitative assessment that addresses consistency with the SB 32 targets, the 2017 Scoping Plan and 2022 Scoping Plan Update. This approach provides estimates of project emissions in the new 2030 milestone year with the existing threshold to show the extent of progress achieved with existing regulations and the incorporation of specific project design features to address Considerations 1 and 2.

City of Visalia Climate Action Plan

The City of Visalia CAP has established two GHG emission reduction targets: (1) a 15 percent reduction below 2005 baseline year levels by 2020, and (2) a 30 percent reduction below 2005 baseline year level by 2030. These two targets were selected to meet the ARB's recommended reduction target and the reduction target set by California Executive Order S-3-05. The CAP describes the GHG emission reduction targets for the community and municipal sectors compared to the baseline level:

- The community sector 2020 reduction target of reducing GHG emissions 15 percent below 2005 emissions levels equates to a reduction of 443,051 MT CO_2e.

- The community-wide 2030 reduction target of reducing GHG emissions 30 percent below 2005 emissions levels equates to a reduction of 759,887 MT CO_2e.
- The municipal sector 2020 reduction target of reducing GHG emissions 15 percent below 2005 emissions levels equates to a reduction of 13,979 MT CO_2e.
- The municipal sector 2030 reduction target of reducing GHG emissions 30 percent below 2005 emissions levels equates to a reduction of 11,512 MT CO_2e.

However, the CAP would not be considered an "approved GHG emission reduction plan or GHG mitigation program" for purposes of streamlining CEQA review. The standard elements of a Qualified GHG Reduction Strategy include the following steps:

- Quantify GHG emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic range.
- Establish a level, based on substantial evidence below, which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable.
- Identify and analyze the GHG emissions resulting from specific actions or categories of actions anticipated within the geographic area.
- Specify measures or a group of measures, including performance standards that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level.
- Monitor the plan's progress.
- Adopt the GHG reduction strategy in a public process following environmental review.

The Visalia CAP includes elements 1, 2, 3, 4, and 6, but does not meet element 5, which requires lead agencies to monitor their progress toward achieving and meeting the goals of a CAP. Based on information provided on the City's website and description of the CAP, the City has not published publicly available progress reports.

Valley Air District's Guidance for Providing a BAU Analysis and the State's Scoping Plan

The Valley Air District 's Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA provides guidance for preparing a BAU analysis.[28] Under the Valley Air District guidance, projects meeting one of the following would have a less than significant impact on climate change:

- Exempt from CEQA.
- Complies with an approved GHG emission reduction plan or GHG mitigation program.
- Project achieves 29 percent GHG reductions by using approved Best Performance Standards.
- Project achieves AB 32 targeted 29 percent GHG reductions compared with "business as usual."

[28] San Joaquin Valley Air Pollution Control District (Valley Air District). 2009. "Final Staff Report, Addressing Greenhouse Gas Emissions Impacts under the California Environmental Quality Act." Website: http://www.valleyair.org/programs/CCAP/11-05-09/1_CCAP_FINAL_CEQA_GHG_Draft_Staff_Report_Nov_05_2009.pdf. December 2009. Accessed June 1, 2023.

With respect to the foregoing, the proposed project (1) is not exempt from CEQA; (2) the City's CAP does not qualify as an "approved GHG emission reduction plan or GHG mitigation program" for purposes of streamlining CEQA review; and (3) to date, the Valley Air District has not developed a pre-determined list of BPS to achieve a 29 percent reduction from BAU. Therefore, consistent with the Valley Air District guidance (see No. 4, above), this analysis evaluates whether the proposed project would achieve the AB 32 target GHG reduction compared with BAU. It is important to note that when the Valley Air District guidance was adopted in 2009, it referenced a need for development projects to have in excess of a 29 percent reduction from BAU to meet AB 32 targets, which was established by the ARB's AB 32 Scoping Plan, approved in 2008. However, the GHG reduction level for the State to reach 1990 emission levels by 2020 was reduced to 21.7 percent from BAU in 2020 in the 2014 First Update to the Scoping Plan to account for slower than projected growth after the 2008 recession.[29] In addition, the State has reported that the 2016 GHG inventory was below the 2020 target for the first time.[30] Furthermore, the 2017 Scoping Plan stated that California was on track to achieve the 2020 target.[31]

As explained further above, the 2030 target was codified under SB 32 and is now addressed by the 2017 Scoping Plan Update, which includes methodologies and threshold approaches required to determine the fair-share contributions development projects would need to make to achieve the 2030 target. The SB 32 target requires GHG emissions to be reduced from 1990 levels. However, no consensus has been reached around the State on a new quantitative target for new development based on consistency with the SB 32 targets. The ARB adopted the 2017 Scoping Plan Update on December 14, 2017. The plan provides the State's strategy to achieve the SB 32 2030 target of a 40 percent reduction in emissions compared to 1990 levels. The plan includes existing and new measures that when implemented are expected to achieve the SB 32 2030 target. The 2017 Scoping Plan Update would achieve substantial reductions beyond 2020 through continued implementation of existing regulations. Other regulations will be adopted to implement recently enacted legislation including SB 350, which requires an increase in renewable energy from 33 percent to 50 percent and doubling the efficiency of existing buildings by 2030.

The State Legislature extended the Cap-and-Trade Program through 2030. Cap-and-Trade provides a mechanism to make up shortfalls in other strategies if they occur.[32] In addition, the strategy relies on reductions achieved in implementing the ARB Short-Lived Climate Pollutant (SLCP) Reduction Strategy to reduce pollutants not previously controlled for climate change such as black carbon, CH_4, and hydrofluorocarbons.[33]

[29] California Air Resources Board (ARB). 2014. First Update to the Climate Change Scoping Plan. Website: http://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm. Accessed June 1, 2023.

[30] California Air Resources Board (ARB). 2018. Climate Pollutants Fall Below 1990 Levels for the First Time. Website: https://ww2.arb.ca.gov/news/climate-pollutants-fall-below-1990-levelsfirst-time. Accessed June 1, 2023.

[31] California Air Resources Board (ARB). 2017. The 2017 Climate Change Scoping Plan Update, the Proposed Strategy for Achieving California's 2030 Greenhouse Gas Target. January 20, 2017. Website: https://www.arb.ca.gov/cc/scopingplan/2030sp_pp_final.pdf. Accessed June 1, 2023.

[32] California Air Resources Board (ARB). 2017. The 2017 Climate Change Scoping Plan Update, the Proposed Strategy for Achieving California's 2030 Greenhouse Gas Target. January 20, 2017. Website: https://www.arb.ca.gov/cc/scopingplan/2030sp_pp_final.pdf. Accessed June 1, 2023.

[33] California Air Resources Board (ARB). 2017. Short-Lived Climate Pollutant Reduction Strategy. March. Website: https://www.arb.ca.gov/cc/shortlived/meetings/03142017 /final_slcp_report.pdf. Accessed June 1, 2023.

As described previously, the 2022 Scoping Plan was recently adopted in December 2022. The 2022 Scoping Plan identifies strategies to meet the State's SB 32 GHG reduction goals as well as feasible methods to achieve carbon neutrality by 2045. Appendix D of the 2022 Scoping Plan identifies the importance of local jurisdiction actions, such as cities and counties, because these entities have direct control over land use decisions in much of the State. While local jurisdictions influence land use development and building GHG reduction measures, the State largely influences transportation GHG reduction measures. As such, the 2022 Scoping Plan provides a strategy that is capable of reaching the SB 32 target if the measures included in the plan are implemented and achieve reductions within the ranges expected. Nevertheless, to date, neither a new quantitative threshold nor BPS have been identified for projects constructed after 2020. Therefore, significance is based on making continued progress toward the SB 32 2030 goal.

Newhall Ranch

As explained above at length, the California Supreme Court has set forth additional guidance in evaluating a project's potential GHG impact. In a November 30, 2015, ruling, the California Supreme Court in *Center for Biological Diversity v. California Department of Fish and Wildlife* invalidated the EIR for the Newhall Ranch project due to insufficient evidence in the administrative record supporting that project's GHG analysis, among other reasons. The Court endorsed the use of AB 32's Statewide emission reduction goals as a legally permissible significance threshold for analyzing a project's GHG impacts under CEQA. In particular, the Court upheld: (1) use of the Statewide emissions reduction goal in AB 32 as a significance criterion (pp. 15–19), (2) use of the Scoping Plan's BAU model "as a comparative tool for evaluating efficiency and conservation efforts" of the Project (pp. 18–19), and (3) a comparison of the project's expected emissions to a BAU model rather than a baseline of pre-project conditions (pp. 15–19).

However, comparisons to the AB 32 Scoping Plan must be supported by a reasoned explanation based on substantial evidence. In other words, the Court approved the methodology used in the EIR's analysis in terms of reductions from projected BAU emissions consistent with AB 32's Statewide reductions mandate (rather than against some absolute numeric limit above the project site's baseline emissions), but the Court held the GHG analysis lacked supporting substantial evidence and a cogent explanation correlating the project-specific reductions to AB 32's mandated Statewide reductions so as to demonstrate consistency with the latter's goals under the approved methodology. The Court suggested a lead agency could examine the "data behind the Scoping Plan's business-as-usual model" to determine the necessary project-level reductions from new land use development at the proposed location (p. 25). A lead agency "might assess consistency with AB 32's goal in whole or part by looking to compliance with regulatory programs designed to reduce GHG emissions from particular activities."

The substantial evidence needed to support a project BAU threshold can be derived from data used to develop the Scoping Plan inventory and control strategy, and from analysis conducted by the ARB to track progress in achieving the AB 32 2020 target. The critical factor in determining the appropriate project threshold is whether the State requires additional reductions beyond those achieved by existing regulations in order to achieve its target. If no additional reductions are required from individual projects, no nexus exists to require a project to mitigate its emissions. In

that case, the percentage reductions achieved by projects through compliance with regulations is the amount needed to reach the AB 32 target.

The State's regulatory program implementing the 2008 Scoping Plan is now fully mature. All regulations envisioned in the Scoping Plan have been adopted by the responsible agencies and the effectiveness of those regulations have been estimated by the agencies during the adoption process and then are tracked to verify their effectiveness after implementation. The combined effect of this successful effort is that the State now projects that it will meet the 2020 target and achieve continued progress toward meeting post-2020 targets.

The California Supreme Court was concerned that new development may need to do more than existing development to reduce GHGs to demonstrate that it is doing its fair share of reductions. As will be shown below, new development does do more than existing development and, because of the nature of the sources of GHG emissions related to development, existing development is equally responsible for reducing emissions from the most important sources of emissions. It is important to note that most of the State's regulatory program applies to both new and existing development.

The Scoping Plan reduction from BAU accounts for growth projected in the State and assumes that existing development would continue to emit GHGs at the same rate that occurred in the base year (2002-2004 average). The California Department of Finance (CDF) Report E-5 predicts that population growth in California from 2005 to 2020 will be 13.2 percent. This means that development that existed in 2005 will produce nearly 87 percent of the State's emissions in 2020. Conversely, new development is only responsible for about 13 percent of the emissions generated during this timeframe. If measures to reduce emissions from existing development were not available, new development could not provide sufficient reductions to reach the 2020 target even if their emissions were reduced to net-zero. This continues to apply to the 2030 target. The CDF forecasts California's population will grow by 8.1 percent between 2020 and 2030, so existing development will be responsible for 92 percent of the emissions that occur in 2030.

The State's regulatory program is able to target both new and existing development because the two most important strategies—motor vehicle fuel efficiency and emissions from electricity generation—obtain reductions equally from existing and new sources. This is because all vehicle operators use cleaner low carbon fuels and buy vehicles subject to the fuel efficiency regulations, and all building owners or operators purchase cleaner energy from the grid that is produced by increasing percentages of renewable fuels. This includes regulations on mobile sources such as: the Pavley standards that apply to all vehicles purchased in California, the LCFS that applies to all fuel used in California, and the RPS and Renewable Energy Standard that apply to utilities providing electricity to all California homes and businesses. The reduction strategy where new development is required to do more than existing development is building energy efficiency and energy use related to water conservation regulations. For example, new projects are subject to Title 24 Energy Efficiency Standards and CALGreen Code and Model Water Efficient Landscape Ordinance (MWELO) water conservation requirements. New buildings and landscapes are much more energy efficient and water efficient than the development that has been built over the past decades and will require much less energy. Title 24 is updated about every 3 years with the goal of reaching zero-net-energy from new residential buildings by 2020 and new commercial buildings by 2030. The proposed project's

industrial building would be constructed after 2023 and would be required to comply with the regulations in effect at the time building permits are issued.

As described above, the State requires an average reduction from all sources of the emission inventory of 21.7 percent to achieve the 2020 target. The Scoping Plan strategy will achieve greater than average reductions from energy and mobile source sectors that are the primary sources related to development projects, and lower than average reductions from other sources such as agriculture. The amount of reduction estimated by the ARB for each sector was based on technical feasibility and cost effectiveness. Review of the 2008 Scoping Plan inventory and strategy shows that the reduction from all development related sources is approximately 29 percent from BAU in order to make up for the below average sectors and achieve the required 21.7 percent average reduction. Achieving the SB 32 2030 target will require an approximate 40 percent reduction from 2020 levels assuming the State achieves the AB 32 target. The 2017 Scoping Plan Update identifies a range of reduction amounts expected from each emission sector, but an amount needed for development's fair share of reductions have not been determined. The 2022 Scoping Plan addresses the latest climate-related legislation, AB 1279, which required the State to reduce Statewide anthropogenic GHG emissions to at least 85 percent below 1990 levels by 2045 and to maintain net negative GHG emissions thereafter.

Approach to Methodology and Analysis

Given the above regulatory framework and relevant caselaw, for purposes of this analysis, it incorporates both a quantitative evaluation as well as a qualitative consistency evaluation. Specifically, a quantitative analysis was prepared for the proposed project to determine the extent to which it may increase or reduce GHG emissions as compared to the existing environmental setting (see Consideration No. 1, above). The analysis also sets forth an evaluation of the proposed project's consistency with the SB 32 targets and the 2017 Scoping Plan Update based on an assessment of the proposed project's reduction from BAU based on emissions in 2030 compared with the 21.7 percent reduction and the with a consistency analysis. This approach provides estimates of project emissions in the new 2030 milestone year with the existing threshold to show the extent of progress achieved with existing regulations and project design features to address Considerations 1 and 2 above. Consistent with the guidance provided by the *Newhall Ranch* decision, a BAU analysis was prepared that assesses the proposed project's "consistency with AB 32's goal in whole or part by looking to compliance with regulatory programs designed to reduce greenhouse gas emissions from particular activities." To that end, this analysis shows the extent to which the proposed project complies with adopted regulations as well as the additional amount of GHG reductions that would be achieved through implementation of identified project design features.

At this point in time, no additional reductions are required from new development beyond existing regulations for the State to achieve its 2020 target. The recently adopted 2030 target will require a reduction from 431 MT CO_2e to 260 MT CO_2e or 40 percent from 1990 levels. After accounting for projected growth of approximately 0.8 percent per year, an average decrease of 5.2 percent per year from the State GHG inventory will be required to achieve the target. As noted above, the 2017 Scoping Plan Update includes a strategy for achieving the needed reductions, but does not identify an amount required specifically from new development. However, all GHG emission sources within development projects are subject to GHG regulations.

Therefore, this analysis considers the proposed project's consistency with the existing 2020 target and shows progress toward achieving the 2030 target. The quantitative analysis prepared for the proposed project sets forth the reduction from BAU in the 2030 target year to show the progress anticipated prior to applying reductions from new strategies contained in the 2017 Scoping Plan Update. The new reduction strategies from the plan are designed to close the gap between existing commitments and those needed to achieve the 2030 target, but many of the strategies must go through a regulatory process to be implemented. Therefore, the reduction levels needed from new development beyond regulations, if any, is uncertain.

The analysis prepared for the proposed project also includes qualitative assessments of compliance with the 2008 Scoping Plan, the 2017 Scoping Plan Update, and the 2022 Scoping Plan Update to support GHG significance findings under Impact GHG-2.

To determine significance, the analysis first quantifies project-related GHG emissions under a BAU scenario, and then compares these emissions with emissions that would occur when all project-related design features are accounted for, and when compliance with applicable regulatory measures is assumed. The standard and methodology are explained in further detail below.

Greenhouse Gases Assessed

This analysis is appropriately limited to GHGs identified by AB 32, which include carbon dioxide, methane, N_2O, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

The proposed project may emit GHGs that are not defined by AB 32. For example, the proposed project may generate aerosols through emissions of DPM from the vehicles and trucks that would access the project site. Aerosols are short-lived particles, as they remain in the atmosphere for about one week. Black carbon is a component of aerosols. Studies have indicated that black carbon has a high GWP; however, the IPCC states that these studies were not conclusive and the results are based on a low level of scientific certainty.[34]

In addition, water vapor could be emitted from evaporated water used for landscaping in connection with the proposed project, but water vapor concentrations in the upper atmosphere are primarily due to climate feedbacks rather than emissions from project-related activities, and therefore it was determined that it would be speculative to consider potential project impacts associated with water vapor.

The proposed project would emit NO_x and VOCs, which are ozone precursors. However, this is distinct from ozone, which itself, is a GHG; however, unlike the other GHGs, ozone in the troposphere is relatively short-lived and can be reduced in the troposphere on a daily basis. Stratospheric ozone can be reduced through reactions with other pollutants.

Furthermore, certain GHGs defined by AB 32 would not be emitted by the proposed project given the proposed uses. Perfluorocarbons and sulfur hexafluoride are typically used in heavy industrial

[34] Intergovernmental Panel on Climate Change (IPCC). 2007. Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change (Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller [eds.]). Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Website: https://www.ipcc.ch/report/ar4/wg1/. Accessed June 1, 2023.

applications,[35] none of which would be used by the proposed project. Therefore, it is not anticipated that the proposed project would emit perfluorocarbons or sulfur hexafluoride, and thus these GHGs are not studied in this analysis.

3.8.5 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the project and provides mitigation measures where necessary.

Greenhouse Gas Emissions

Impact GHG-1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Impact Analysis

The following analysis is based on the Air Quality, Greenhouse Gas Emissions, and Energy Analysis Report (Air Quality Report), which is included in Appendix B.

Construction Emissions

Total GHG emissions generated during all phases of construction were combined and are presented in Table 3.8-3. The Valley Air District does not recommend assessing the significance of construction-related emissions. However, other jurisdictions, such as the South Coast Air Quality Management District (South Coast AQMD) and the Sacramento Metro Air Quality Management District (Sacramento Metro AQMD), have concluded that construction emissions should be included since they may remain in the atmosphere for years after construction is complete. For purposes of a conservative analysis, the City, in its discretion, has elected to account for the construction emissions by amortizing the total emissions generated during construction based on the life of the development (30 years) and then adding them to the operational emissions. Table 3.8-3 presents the amount of GHG emissions during construction assuming implementation of Mitigation Measure (MM) AIR-2a and MM AIR-2b.

Table 3.8-3: Construction Greenhouse Gas Emissions (Mitigation Included)

Construction Year	Total MT CO_2e per year (approx.)
2024	7,013
2025	3,710
2026	3,081
2027	3,713
2028	874
Entire Construction Duration (2024-2028)	
Total	**18,391**
Amortized over 30 years	***613***

[35] Note: the heavy industrial land uses stated here include uses such as petroleum refineries and manufacturing of heavy metals. Light industrial uses would not engage in similar applications.

Construction Year	Total MT CO_2e per year (approx.)
Notes: MT CO_2e = metric tons of carbon dioxide equivalent Because of rounding, total MT CO_2e may be marginally different from CalEEMod output. Source: Appendix B	

Operational Emissions

Operational or long-term emissions would occur over the life of the proposed project. Sources of emissions would consist of motor vehicles and trucks, energy usage, water usage, waste generation, and area sources, such as, for example, landscaping activities.

Business As Usual Operational Emissions

Operational emissions under the BAU scenario were modeled using CalEEMod Version 2020.4.0. Modeling assumptions for the year 2005 were used to represent 2030 BAU conditions (without the benefit of regulations adopted to reduce GHG emissions). The Valley Air District guidance recommends using emissions in 2002–2004 in the baseline scenario to represent conditions—as if regulations had not been adopted—to allow the effect of projected growth on achieving reduction targets to be clearly defined.

2025 and 2030 Operational Emissions

Operational emissions were modeled for the years 2025 and 2030 using CalEEMod. It should be noted that although Phase 1 of the proposed project is assumed to be operational in 2025, Phase 2 in 2026, and Phase 3 in 2028, in order to present a conservative evaluation, this BAU analysis assumed that full buildout of the project would be occur and be operational in 2025. CalEEMod assumes compliance with some, but not all, applicable rules and regulations regarding energy efficiency, vehicle fuel efficiency, renewable energy usage, and other GHG reduction policies, as described in the CalEEMod User's Guide.[36] The reductions obtained from each regulation and the source of the reduction amount used in the analysis are described below.

Emissions Accounting for Applicable Regulations

The following regulations are incorporated into the CalEEMod emission factors:

- Pavley I and Pavley II (LEV III) motor vehicle emission standards
- ARB Medium and Heavy-Duty Vehicle Regulation
- 2005, 2008, 2013, 2016, and 2019 Title 24 Energy Efficiency Standards

The following regulations have not been incorporated into the CalEEMod emission factors and require alternative methods to account for emission reductions provided by the regulations:

- Renewable Portfolio Standards
- Low Carbon Fuel Standard
- 2022 Title 24 Energy Efficiency Standards

[36] South Coast Air Quality Management District (South Coast AQMD). 2017. User's Guide for CalEEMod Version 2020.4.0. Website: http://www.aqmd.gov/caleemod/user's-guide. Accessed June 1, 2023.

- California Green Building Standards Code (indoor water use)
- California Model Water Efficient Landscape Ordinance (Outdoor Water)

Pavley II/LEV III standards have been incorporated in CalEEMod Version 2020.4.0. The ARB estimates a 3 percent reduction in 2020 and a 19 percent reduction from the vehicle categories subject to the regulation by 2030.[37,38]

The ARB GHG Regulation for Medium and Heavy-Duty Engines and Vehicles would apply to trucks accessing the project site. Therefore, the benefits of this regulation were incorporated into CalEEMod Version 2020.4.0. The ARB estimates that this regulation will reduce GHG emissions from the affected vehicles by 7.2 percent.[39]

Title 24 reductions for 2013 and 2016 updates are included in CalEEMod Version 2020.4.0. RPS is not accounted for in CalEEMod Version 2020.4.0. Energy savings from water conservation resulting from the Green Building Code Standards for indoor water use and California MWELO for outdoor water use are not included in CalEEMod. The Water Conservation Act of 2009 mandates a 20 percent reduction in urban water use that is implemented with these regulations.

Regulations applicable to project sources and the percent reduction anticipated from each source are shown in Table 3.8-4. The percentage reductions are only applied to the specific sources subject to the regulations. For example, the Pavley LEV Standards apply only to light-duty cars and trucks.

Table 3.8-4: Summary of Applicable Greenhouse Gas Regulations

Regulation	Project Applicability
Pavley Low Emission Vehicle Standards	Light-duty cars and trucks accessing the project site are subject to the regulation.
Truck and Bus Regulation	Heavy-duty trucks accessing the project site for deliveries and services are subject to the regulation.
Low Carbon Fuel Standard (LCFS)	Vehicles accessing the project site would use fuel subject to the LCFS.
Title 24 Energy Efficiency Standards	The project buildings would be constructed to meet the latest version of Title 24 (currently 2022). The reduction applies only to energy consumption subject to the regulation.
Green Building Code Standards	The proposed project would include water conservation features required by the standard.
Water Efficient Land Use Ordinance	The project landscaping would be required to comply with the regulation.

[37] California Air Resources Board (ARB). 2010. Pavley 1 + Low Carbon Fuel Standard Postprocessor Version 1.0 User's Guide. Website: https://ww3.arb.ca.gov/cc/sb375/tools/pavleylcfs-userguide.pdf. Accessed June 1, 2023.
[38] California Air Resources Board (ARB). 2013. Clean Car Standards—Pavley, Assembly Bill 1493. Website: http://www.arb.ca.gov/cc/ccms/ccms.htm. Accessed June 1, 2023.
[39] California Air Resources Board (ARB). 2013. Initial Statement of Reasons for Proposed Rulemaking, Proposed GHG Regulations for Medium and Heavy-Duty Engines and Vehicles. Website: https://www.arb.ca.gov/regact/2013/hdghg2013/hdghg2013isor.pdf. Accessed June 1, 2023.

Regulation	Project Applicability
Renewable Portfolio Standard (RPS)	Electricity purchased for use at the project site is subject to the 33 percent RPS mandate and would be subject to the 60 percent mandate starting in the 2030 operational year.

Reported operational emissions are considered to represent unmitigated project conditions to present a conservative analysis. Although MM AIR-2c through MM AIR-2g would reduce GHG emissions due to the use of more efficient on-site vehicles and equipment, reducing vehicle idling, providing EVs with charging infrastructure, these measures cannot be quantified in CalEEMod. Full assumptions and model outputs are provided in Appendix B including detailed results of this analysis for the year 2025.

As shown in the Air Quality Report (Appendix B), the proposed project would demonstrate compliance with applicable regulations and implement project design features to further reduce GHG emissions. In 2025, the proposed project would be expected to generate a total of approximately 63,290 MT CO_2e per year, which would be an approximately 37.05 percent reduction in GHG emissions from BAU (100,540 MT CO_2e per year).[40] This is above the 29 percent reduction required by the Valley Air District threshold and well exceeds the 21.7 percent average reduction from all sources of GHG emissions now required to achieve AB 32 targets. Thus, the 37.05 percent reduction from BAU is 15.35 percent beyond the average reduction required by the State from all sources to achieve the AB 32 2020 target.

Since the project buildout would occur after 2020, additional analysis was conducted to demonstrate consistency with the SB 32 2030 target. As shown in the Air Quality Report, the proposed project would achieve a reduction of 40.9 percent from BAU by the year 2030 with compliance with applicable regulations and identified project design features incorporated.

Summary

In conclusion, the proposed project would achieve a reduction of 15.35 percent beyond the ARB 2020 21.7 percent target and 8.05 percent beyond the Valley Air District 29 percent reduction from BAU requirements with compliance with applicable regulations and incorporation of identified project design features in the 2025 operational year. Moreover, the proposed project would achieve a reduction of 40.9 percent from BAU by the year 2030 with compliance with applicable regulations and identified project design features incorporated.

Based on the foregoing progress, it is reasonable to conclude that the proposed project is consistent with the 2017 Scoping Plan and would contribute a reasonable fair share contribution to achieving the 2030 target. This fair share would be achieved through several mechanisms, including, for example, compliance with increasingly stringent State regulations that apply to new development, such as Title 24 and CALGreen, and regulations on energy production, fuels, and motor vehicles that

[40] FirstCarbon Solutions (FCS). 2023. Air Quality, Greenhouse Gas Emissions, and Energy Analysis Report, Shirk and Riggin Industrial Park Project.

apply to both new and existing development. Therefore, the proposed project would not generate significant direct or indirect GHG emissions and impacts would be less than significant.

Level of Significance

Less than significant impact.

Mitigation Measures

None required.

Conflict with Plan, Policy, or Regulation that Reduces Emissions

Impact GHG-2:	**Would the project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?**

Impact Analysis

The following analysis assesses the proposed project's compliance with Consideration No. 3 regarding consistency with adopted plans to reduce GHG emissions. This analysis is accomplished via an assessment of the proposed project's compliance with the Visalia CAP, Scoping Plan measures contained in the 2017 Scoping Plan and 2022 Scoping Plan Update, and the Visalia General Plan.

It should be noted that although the City of Visalia has adopted a CAP in December 2013 as part of the General Plan Update and corresponding EIR, the Visalia CAP does not meet the requirements of a qualified GHG reduction plan, which requires lead agencies to monitor their progress toward achieving and meeting the goals of a CAP. Table 3.8-5 assesses project consistency with the Visalia CAP.

Table 3.8-5: Consistency with City of Visalia's CAP

CAP Actions	Project Consistency
Energy	
Solar Photovoltaic (PV) Institutional Barrier Removal. The City participated in an initiative called the Southwest Solar Transformation Initiative (SSTI), a regional team of public and private entities committed to advancing solar power adoption across the partner municipalities in the Southwest United States.	**Not Applicable.** This action applies to the City of Visalia and other municipalities, not individual development projects such as the proposed project.
Solar PV installations. This action emphasizes the benefit for community members to install solar photovoltaic systems.	**Consistent.** As currently designed, the proposed project would not include solar photovoltaic panels on building rooftops. In addition, the Notice of Preparation (NOP) comment letter sent from the Valley Air District recommends that the proposed project include rooftop solar, or solar-ready rooftops, or light colored roofing material. MM GHG-2a would require that the proposed project includes one of the following measures: rooftop solar panels, solar-ready rooftop design, as feasible, or roofing material contains light coloring with a solar reflective index greater than 78. Therefore, with

CAP Actions	Project Consistency
	implementation of MM GHG-2a the proposed project would be consistent with this action.
Energy Upgrade CA. Energy Upgrade California™ is a Statewide program that offers incentives to homeowners who complete select energy-saving home improvements on a single-family residence and two to four unit buildings such as a townhouse, condominium, as well as homeowners associations with either single-family homes or two to four unit buildings.	**Not Applicable.** The proposed project would not include residential uses.
Southern California Edison Small Business Direct Install Program. Southern California Edison will provide business owners free energy efficiency evaluations.	**Consistent.** The proposed project tenants would be able to freely consult with Southern California Edison (SCE) to conduct energy efficiency evaluations.
Southern California Gas Weatherization Program. This program offers weatherization upgrades for qualified property owners through the SoCalGas Energy Savings Assistance Programs.	**Not Applicable.** As a new development the proposed project buildings would be constructed according to Title 24 of the California Building Code standards. As a result, this action would not be necessary because no weatherization upgrades would be needed in brand new buildings.
CSET Weatherization Program. This program offers free weatherization of residential homes for low-income residents.	**Not Applicable.** The proposed project would not include residential uses.
Urban Forestry. The Street Tree Ordinance requires all new commercial and residential development to plant street trees, which can reduce electricity use due to shade reducing the need to cool buildings.	**Consistent.** The proposed project would include drought tolerant landscaping throughout the project site consistent with the City of Visalia Tree Ordinance.
Compact Fluorescent Light (CFL) Bulbs. Encourage the use of CFLs throughout the community.	**Consistent.** The proposed project would as a new development be constructed according to the latest adopted version of Title 24 of and the CALGreen Building Code Standards. These standards include requirements on energy efficient lighting fixtures, which would reduce energy demand.
Transportation	
Sequoia National Park Shuttle Bus. In 2007, the City began running a shuttle service from Visalia to Sequoia National Park. Sequoia Shuttle's external shuttle service provides affordable, convenient, and comfortable transportation from Visalia to the majestic Sequoia National Park, seven days a week, during summer. Though most park visitors arrive by private vehicle, the increasing number of motor vehicles in the nation's parks threatens the very resources the parks were intended to protect. Sequoia National Park receives over 1 million visitors every year. More visitors results in more traffic on park roads and parking areas, resulting in	**Not Applicable.** This action would be implemented by the City of Visalia.

CAP Actions	Project Consistency
lengthy delays and roadway congestion. This congestion translates to air and noise pollution which threatens the fragile natural and cultural resources within the parks. Sequoia Shuttle also operates four free in-park routes within Sequoia National Park. No tickets are required, and bus stops are clearly marked throughout the park. This bus service currently consists of a fleet of 12 gasoline-driven buses that operate 109 days of the year. The annual average ridership for this bus service is approximately 7,041.	
Bicycle Path Expansion. Visalia has an excellent system of multi-use paths that are well suited to biking. Currently, the cumulative distance of bicycle paths and trails within the City total 27.7 miles. Through acquisition and construction, the City plans on extending the total distance of bicycle paths, lanes and trails to 140 miles by 2020 and will continue expanding bicycle paths through 2030.	**Not Applicable.** This action would be implemented by the City of Visalia.
Vi-Cycle Pilot Program. The City of Visalia believes in the benefits of bikes, buses, and hybrid vehicles. Reducing our dependency on automobiles can help conserve natural resources and improve air quality. The City's "Vi-Cycle" program takes recovered bicycles from the Police Department, Transit and other sources, refurbishes them and then distributes them to businesses for use by employees or customers in the community. This program is intended to reduce car emissions and congestion, save money, improve air quality and utilize recycled bicycles in the community. The City hopes to keep expanding the program through 2020 and 2030.	**Not Applicable.** This action would be implemented by the City of Visalia.
Dare to Spare Program. Dare to Spare Challenge is a City-wide challenge implemented by the City's Transit Division that encourages teamwork, rewards clean practices, and educates the community on the simple things we can do to positively impact air quality.	**Not Applicable.** This action would be implemented by the City of Visalia.
Increase in Transit Ridership (City Transit Buses). The City has been working hard to promote the use of the City's public transit systems, in particular transit bus services. For example, Visalia Transit hosted the "Make an Impression" campaign where over 80 green footprints were painted around town prompting the largest Earth Day event to date and Transit continues to be an annual Earth Day participant. Visalia Transit also utilizes social media, and has a very active and ever-growing Facebook page that interacts with fans each day,	**Not Applicable.** This action would be implemented by the City of Visalia.

CAP Actions	Project Consistency
giving them different tips, facts, updates and promotions.	
Traffic Light Synchronization. The City of Visalia will be installing advanced technology systems and implementing effective management strategies in order to improve the operational efficiency of transportation systems and the movement of people, goods, and services, including synchronization of traffic lights and signals.	**Not Applicable.** This action would be implemented by the City of Visalia, not individual development projects such as the proposed project.
Waste and Resource Conservation	
Waste-To-Energy Program. The Waste-to-Energy Program began in 2005. The City of Visalia belongs to the Consolidated Waste Management Authority, a joint powers authority (includes seven cities and Tulare County) that ships a small percentage of its solid waste to be incinerated at a transformation facility in Long Beach. Based on estimates from 2006-2009, approximately 1,416 tons of waste from Visalia are incinerated each year. This percentage is subject to change, however, in subsequent years, depending on funding that is available. The program ended in 2009.	**Not Applicable.** This program no longer exists according to the CAP.
Construction and Demolition Recycling. Visalia's C&D debris recycling program began in 2006. It requires all major construction and demolition related projects in the City to recycle their waste including, waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition operations on pavements and structures. The requirement for C&D debris recycling for the City is 50 percent of all C&D waste generated.	**Consistent.** The proposed project contractor would be required to comply with these and all other applicable construction and demolition recycling requirements through the issuance of construction and grading permits.
Yard Waste/Food Scrap Composting. The City of Visalia has had a yard waste collection service specifically for the residential sector since 1985. The yard waste program was expanded to service the commercial sector in 2006. To promote this new service, the City implemented a commercial green waste/recycling audit program where the City visits individual businesses, studies their waste stream, and makes recommendations on how local businesses can save money by reducing the landfill solid waste content by increasing their green waste and recycling content. The City continues to offer the audit program to local businesses. The City's yard waste service was yet again expanded to include food scrap composting in 2009 with the start of a pilot program for the residential sector. The program was expanded to the commercial	**Consistent.** With respect to the removal of the existing orchards, green waste would be removed by construction contractors consistent with City requirements. In terms of operation, the proposed project would include typical landscaping maintenance and yard waste procedures, which would be disposed of according to the applicable City of Visalia requirements including, among others, those addressing the City's audit program.

CAP Actions	Project Consistency
sector in 2010. Starting in 2012, the City's Natural Resource Conservation Division and Solid Waste Division began targeting commercial accounts that would benefit from adding food scrap composting services. The City will continue to offer commercial waste audits and utilize every opportunity to educate the community on the benefits of yard/food waste composting.	
Energy Systems	
Energy Star Appliances and Equipment: Promote purchasing of energy efficient (e.g., ENERGY STAR) home and office appliances and equipment.	**Consistent.** The proposed project would be required to comply with the then-current Title 24 requirements (including those involving energy efficiency measures) and would consider Energy efficient Starr Appliances and Equipment, where feasible.
Community-wide Solar PV Bulk Purchasing: Continue to promote community-wide rooftop solar. Continue exploring the potential to collaborate with regional partners on a community- wide solar bulk purchase program.	**Not Applicable.** This action would be implemented by the City of Visalia, not individual development projects such as the proposed project.
Property Assessed Clean Energy (PACE) Program: Work to establish PACE financing which supports energy efficiency and renewable energy projects by providing up-front capital that is subsequently paid back through a special assessment on participants' property taxes, to be implemented in conjunction with SCE incentive opportunities.	**Not Applicable.** This action would be implemented by the City of Visalia, not individual development projects such as the proposed project.
Energy Efficiency Marketing and Programs: Providing public education on the need for energy efficiency, emissions reduction programs, and cost savings associated with energy- efficient buildings; continue co-branding programs with the VIEW, SCE and SoCalGas through Public Goods Funds, facility benchmarking through AB1103, and other energy efficiency program opportunities	**Not Applicable.** This action would be implemented by the City of Visalia, not individual development projects such as the proposed project.
Visalia Unified School District (VUSD) Solar Program: Through various funding sources, the VUSD has installed and will continue to implement renewable energy opportunities at school facilities.	**Not Applicable.** This action would be implemented by the VUSD, not individual development projects such as the proposed project.
Water Resource and Conservation	
Water Efficient Landscaping Policy: Continue working to reduce the amount of water used for landscaping through the development of a local Water Efficient Landscape Ordinance, updates to the Landscape Standards, and enforcement of the Water Conservation Ordinance	**Consistent.** The proposed project would be required to adhere to all landscape and water conservation standards and measures, including, among others, inclusion of drought tolerant landscaping consistent with applicable provisions of the City of Visalia Municipal Code.

CAP Actions	Project Consistency
Water Efficient Landscaping Promotion and Education: Educate the community on the benefits of using low- maintenance landscaping.	**Not Applicable.** This action would be implemented by the City of Visalia, not individual development projects such as the proposed project.
Transportation and Land Use	
Transit Oriented Development: Investigate and integrate transit-oriented development into all of the City's relevant long-term planning goals and projects when applicable.	**Not Applicable.** This action would be implemented by the City of Visalia, not individual development projects such as the proposed project.
Plug-in Electric Vehicle (PEV) Charging Stations: Continue working to expand the deployment of PEV through the development of infrastructure, including the installation of two PEV charging stations each at the transit parking lot and the two public parking structures.	**Consistent.** The proposed project would include MM AIR-2d, which would require each relevant the project applicant to include infrastructure for EV charging stations into a minimum of 20 percent of all vehicle parking spaces (including parking for trucks) in connection with each individual specific development proposal, consistent with the applicable California Green Building Standards Code Tier 1 Nonresidential Mandatory Measure (Section A5.106.5.3). MM AIR-2d would also require the design of the buildings' electrical room to hold additional panels that may be needed to supply power for the future installation of EV truck charging stations on-site. As a result, the proposed project would be consistent with this action by facilitating not inhibit this action intended to expand the deployment of EV charging infrastructure.
Local, Low-Carbon Transportation Education: Educate citizens on options for utilizing local, low-carbon transportation.	**Not Applicable.** This action would be implemented by the City of Visalia, not individual development projects such as the proposed project.
Infill and Higher Density Development: Through the 2030 General Plan Update and other tools, the City will continue to promote infill development	**Not Applicable.** This action would be implemented by the City of Visalia, not individual development projects such as the proposed project.
CNG Public Fueling Stations: The City will continue to remove barriers to the installation of public CNG fueling stations, and work with community stakeholders to advance the utilization of CNG as a cleaner alternate fuel source.	**Not Applicable.** This action would be implemented by the City of Visalia, not individual development projects such as the proposed project.
Anaerobic Digestion. Commercial compost will be processed through anaerobic digesters by 2015 and all other green waste and food scraps will be processed by anaerobic digesters by 2018.	**Not Applicable.** This action would be implemented by the City of Visalia, not individual development projects such as the proposed project.
Source: Strategic Energy Innovations (SEI). 2013. City of Visalia Climate Action Plan. December. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?blobid=28939. Accessed February 7, 2023.	

As described in Table 3.8-5, although many actions in the City of Visalia's CAP would not apply as they are intended to be actions taken by the City as opposed to being implemented by individual development projects, the proposed project would be consistent with nearly all the City of Visalia CAP actions applicable to individual development, given the nature of the proposed project including

the incorporation of identified design features, as well as assumed implementation of recommended mitigation measures except CAP Action–Solar Panels. As currently designed, the proposed project would not include solar panels or solar-ready rooftop infrastructure, resulting in a potentially significant impact due to inconsistency with the CAP. However, implementation of MM GHG-2a would require the proposed project to include rooftop solar panels, solar-ready rooftop design, as feasible, or roofing material contains light coloring with a solar reflective index greater than 78 upon issuance of building permit. Therefore, impacts related to consistency with the Visalia CAP would be less than significant with implementation of mitigation.

Consistency with California's Post-2020 Targets

The State's executive branch adopted several Executive Orders related to GHG emissions. Executive Orders S-3-05 and B-30-15 are two examples. Executive Order S-3-05 sets goals to reduce emissions to 1990 levels by 2020 and 80 percent below 1990 levels by 2050. The goal of Executive Order S-3-05 to reduce GHG emissions to 1990 levels by 2020 was codified by AB 32. The proposed project, as analyzed above, is consistent with AB 32. Therefore, the proposed project does not conflict with this component of Executive Order S-3-05. Executive Order B-30-15 establishes an interim goal to reduce GHG emissions to 40 percent below 1990 levels by 2030.

The 2030 goal was codified under SB 32 and is now addressed by the 2017 Scoping Plan Update. The 2017 Scoping Plan includes methodologies and threshold approaches required to determine the fair-share contributions City development projects would need to make to achieve the 2030 target. In the meantime, however, the discussion under "Consistency with SB 32" below addresses the consistency of the proposed project with SB 32, which provides the statutory underpinning of the 2017 Scoping Plan. The SB 32 target requires GHG emissions to be reduced from 1990 levels. No consensus has been reached around the State on a new quantitative target for new development based on consistency with the SB 32 targets.

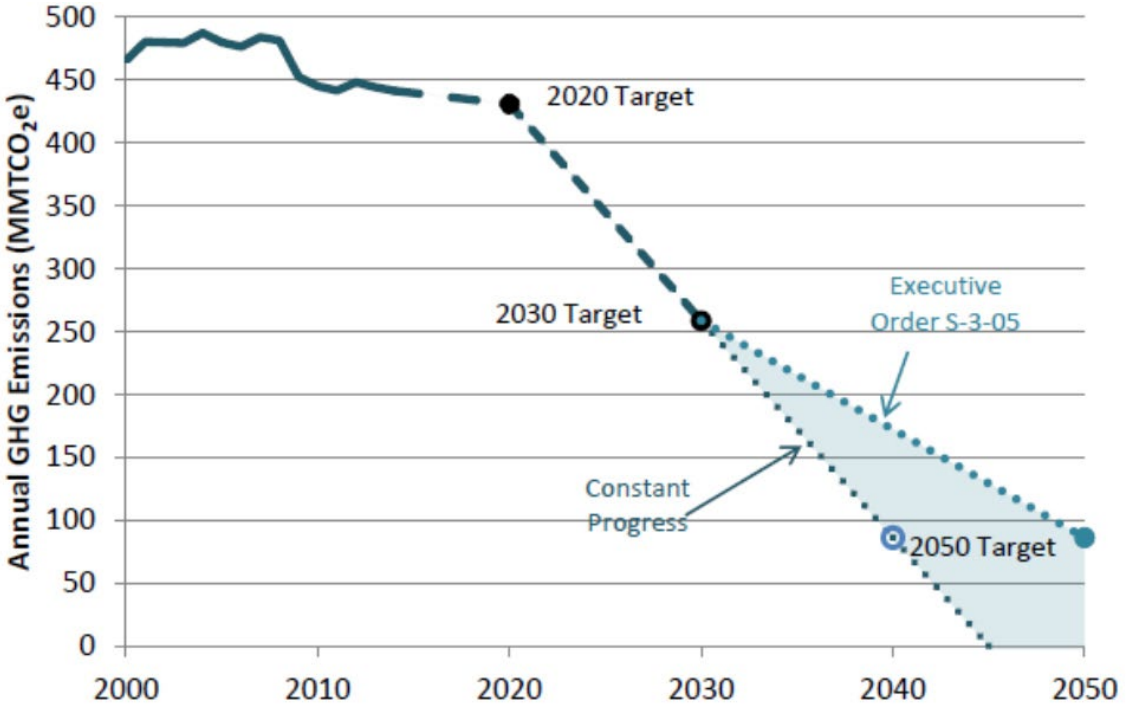
In 2022, AB 1279 codified requirements for achieving net-zero GHG emissions no later than 2045, and achieving and maintaining net negative GHG emissions thereafter. AB 1279 requires that by 2045, Statewide anthropogenic GHG emissions are reduced to at least 85 percent below the 1990 levels. To address the requirements, ARB 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) lays out a path to achieve targets for carbon neutrality as directed by AB1279. The actions and outcomes in the plan will achieve significant reductions in fossil fuel combustion by deploying clean technologies and fuels, further reductions in short-lived climate pollutants, support for sustainable development, increased action on natural and working lands to reduce emissions and sequester carbon, and the capture and storage of carbon.[41]

- **Energy Sector:** Continued improvements in California's appliance and building energy efficiency programs and initiatives, such as the State's zero-net-energy building goals, would serve to reduce the proposed project's emissions level. Additionally, further additions to California's renewable resource portfolio would favorably influence the project's emissions level.

[41] California Air Resource Board (ARB). Final 2022 Scoping Plan Update. Website: https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents. Accessed November 1, 2023.

- **Transportation Sector:** Anticipated deployment of improved vehicle efficiency, zero-emission technologies, lower carbon fuels, and improvement of existing transportation systems all will serve to reduce the project's emissions level.
- **Water Sector:** The project's emissions level will be reduced as a result of further desired enhancements to water conservation technologies.
- **Waste Management Sector:** Plans to further improve recycling, reuse and reduction of solid waste will beneficially reduce the project's emissions level.

For the reasons described above the proposed project's post-2020 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets. The trajectory required to achieve the post-2020 targets is shown in Figure 3.8-3.



Source: California Air Resources Board (ARB). 2017. The 2017 Climate Change Scoping Plan Update. January 20. Website: https://www.arb.ca.gov/cc/scopingplan/2030sp_pp_final.pdf. Accessed June 1, 2023.

Figure 3.8-3: California's Path to Achieving the 2050 Target

In his January 2015 inaugural address, Former Governor Brown expressed a commitment to achieve "three ambitious goals" that he would like to see accomplished by 2030 to reduce the State's GHG emissions:

- Increasing the State's RPS from 33 percent in 2020 to 50 percent in 2030;
- Cutting the petroleum use in cars and trucks in half; and
- Doubling the efficiency of existing buildings and making heating fuels cleaner.

These expressions of executive branch policy may be manifested in adopted legislative or regulatory action through the State agencies and departments responsible for achieving the State's environmental policy objectives, particularly those relating to global climate change.[42]

Further, recent studies show that the State's existing and proposed regulatory framework will allow the State to reduce its GHG emissions level to 40 percent below 1990 levels by 2030, and to 80 percent below 1990 levels by 2050. Even though these studies did not provide an exact regulatory and technological roadmap to achieve the 2030 and 2050 goals, they demonstrated that various combinations of policies could allow the Statewide emissions level to remain very low through 2050, suggesting that the combination of new technologies and other regulations not analyzed in the studies could allow the State to meet the 2050 target.[43]

Given the proportional contribution of mobile source-related GHG emissions to the State's inventory, recent studies also show that relatively new trends—such as the increasing importance of web-based shopping, the emergence of different driving patterns, and the increasing effect of web-based applications on transportation choices—are beginning to substantially influence transportation choices and the energy used by transportation modes. These factors have changed the direction of transportation trends in recent years and will require the creation of new models to effectively analyze future transportation patterns and the corresponding effect on GHG emissions. For the reasons described above the proposed project's post-2020 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets.

Consistency with SB 32

As discussed previously, the 2022 Climate Change Scoping Plan Update was adopted on December 15, 2022. Appendix D of the Scoping Plan explains that local government actions, such as the City of Visalia, are crucial to achieving the State's climate goals. The actions of the 2022 Scoping Plan are focused on GHG reductions in the building and transportation sector, which are primarily associated with residential and mixed use development, not light industrial development such as the proposed project. As such, a discussion of the 2017 Scoping Plan's strategies and measures are discussed further. The 2017 Climate Change Scoping Plan Update (2017 Scoping Plan) includes the strategy that the State intends to pursue to achieve the 2030 targets of Executive Order S-3-05 and SB 32.

Table 3.8-6 provides an analysis of the proposed project's consistency with the 2017 Scoping Plan Update measures.

Table 3.8-6: Consistency with SB 32 2017 Scoping Plan Update

Scoping Plan Measure	Project Consistency
SB 350 50 percent Renewable Mandate. Utilities subject to the legislation will be required to increase their renewable energy mix from 33 percent in 2020 to 50 percent in 2030.	**Not applicable.** This measure would apply to utilities and not to individual development projects. However, the proposed project would be required to purchase electricity from a utility subject to the SB 350

[42] Brown, Edmund G. Jr. 2015. Press Release: California Establishes Most Ambitious Greenhouse Gas Goal in North America. April 29. Website: https://www.ca.gov/archive/gov39/2015/04/29/news18938/index.html. Accessed June 1, 2023.

[43] Energy and Environmental Economics. 2015. Pathways to Deep Decarbonization in the United States. Website: https://irp.cdn-website.com/6f2c9f57/files/uploaded/US_Deep_Decarbonization_Technical_Report_Exec_Summary.pdf. Accessed June 1, 2023.

Scoping Plan Measure	Project Consistency
	Renewable Mandate and the RPS requirements. SB 100 has increased the 2030 RPS standards to 60 percent by 2030, superseding the increase required by SB 350.
SB 350 Double Building Energy Efficiency by 2030. This is equivalent to a 20 percent reduction from 2014 building energy usage compared to current projected 2030 levels.	**Not applicable**. This measure applies to existing buildings. New structures are required to comply with Title 24 Energy Efficiency Standards that are expected to increase in stringency over time. However, the proposed project would be required to comply with the applicable Title 24 Energy Efficiency Standards in effect at the time building permits are received.
Low Carbon Fuel Standard. This measure requires fuel providers to meet an 18 percent reduction in carbon content by 2030.	**Not applicable.** This is a Statewide measure that cannot be implemented by a project applicant or lead agency. However, vehicles accessing the project site would benefit from the standards.
Mobile Source Strategy (Cleaner Technology and Fuels Scenario). Vehicle manufacturers will be required to meet existing regulations mandated by the LEV III and Heavy-Duty Vehicle programs. The strategy includes a goal of having 4.2 million ZEVs on the road by 2030 and increasing numbers of ZEV trucks and buses.	**Consistent with mitigation incorporated**. The proposed project is industrial in nature and would support truck and freight operations. It is expected that deliveries throughout the State would be made with an increasing number of ZEV delivery trucks, including trips that would be coming to and from the project site. The proposed project would not inhibit the Mobile Source Strategy because the implementation of MM AIR-2d would require the project applicant to include infrastructure for EV charging stations, including for trucks, into a minimum of 20 percent of all vehicle parking spaces (including parking for trucks), consistent with the applicable California Green Building Standards Code Tier 1 Nonresidential Mandatory Measure. MM AIR-2d would require the design of the buildings' electrical room to hold additional panels that may be needed to supply power for the future installation of EV truck charging stations on-site. As such, future ZEVs could access the project site to charge batteries as part of normal goods delivery operations.
Sustainable Freight Action Plan. The plan's target is to improve freight system efficiency 25 percent by increasing the value of goods and services produced from the freight sector, relative to the amount of carbon that it produces by 2030. This would be achieved by deploying over 100,000 freight vehicles and equipment capable of zero-emission operation and maximize near-zero-emission freight vehicles and equipment powered by renewable energy by 2030.	**Consistent with mitigation incorporated.** This measure applies to owners and operators of trucks and freight operations. The proposed project is industrial in nature and would support truck and freight operations. The proposed project would implement MM AIR-2e, which would require the project applicant to include infrastructure for EV charging stations, including for trucks, into a minimum of 20 percent of all vehicle parking spaces (including parking for trucks), consistent with the applicable California Green Building Standards Code Tier 1 Nonresidential Mandatory Measure. Additionally, MM AIR-2c would require (1) that all on-site off-road and on-road service equipment be zero-emission or all-electric and (2) that all project buildings would be designed to support the use of zero-emission or all-electric service equipment. These measures would

Scoping Plan Measure	Project Consistency
	support the sustainable Freight Action Plan by providing EV charging infrastructure and zero-emission support equipment.
Short-Lived Climate Pollutant (SLCP) Reduction Strategy. The strategy requires the reduction of SLCPs by 40 percent from 2013 levels by 2030 and the reduction of black carbon by 50 percent from 2013 levels by 2030.	**Consistent.** The proposed project would not include major sources of black carbon. This measure revolves around the ARB's SLCP Reduction Strategy that was released in April 2016 as a result of SB 650. SB 650 required the State to develop a strategy to reduce emissions of SLCPs. DPM reductions have come from strong efforts to reduce on-road vehicle emissions. Car and truck engines used to be the largest sources of anthropogenic black carbon emissions in California, but the State's existing air quality policies will virtually eliminate black carbon emissions from on-road diesel engines within 10 years. These policies are based on existing technologies.
SB 375 Sustainable Communities Strategies. Requires Regional Transportation Plans to include a Sustainable Communities Strategy for reduction of per capita vehicle miles traveled.	**Not applicable.** This measure applies to the public agencies involved in adopting and implementing RTP/SCS and is not intended to be implemented by individual development projects.
Post-2020 Cap-and-Trade Program. The Post 2020 Cap-and-Trade Program continues the existing program for another 10 years. The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers.	**Not applicable.** The proposed project is not one targeted by the cap-and-trade system regulations, and, therefore, this measure does not apply to the project. However, the post-2020 Cap-and-Trade Program indirectly affects people and entities who use the products and services produced by the regulated industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers.
Natural and Working Lands Action Plan. The ARB is working in coordination with several other agencies at the federal, State, and local levels, stakeholders, and with the public, to develop measures as outlined in the Scoping Plan Update and the Governor's Executive Order B-30-15 to reduce GHG emissions and to cultivate net carbon sequestration potential for California's natural and working land.	**Not Applicable**. The project site is in a built-up urban area and would not be considered natural or working lands.
Source: California Air Resources Board (ARB). 2017. California's 2017 Climate Change Scoping Plan. November. Website: https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf. Accessed June 1, 2023.	

Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it is reasonable to assume that operation of the proposed project would be required to comply with then-applicable measures that are enacted by State lawmakers to lead to an 80 percent reduction below 1990 levels by 2050. In its 2008 Scoping Plan, the ARB acknowledged that the "measures needed to meet the 2050 are too far in the future to define in detail." In the First Scoping

Plan Update, however, the ARB generally described the type of activities required to achieve the 2050 target: "energy demand reduction through efficiency and activity changes; large scale electrification of on-road vehicles, buildings, and industrial machinery; decarbonizing electricity and fuel supplies; and rapid market penetration of efficiency and clean energy technologies that requires significant efforts to deploy and scale markets for the cleanest technologies immediately." The 2017 Scoping Plan provides an intermediate target that is intended to achieve reasonable progress toward the 2050 target.

2022 Scoping Plan

As explained earlier, the 2022 Scoping Plan addresses the recent signing of AB 1279, which codified Executive Order B-55-18's target for California to achieve and maintain carbon net neutrality by 2045 (equivalent to a reduction in Statewide anthropogenic GHG emissions of 85 percent below 1990 levels). The 2022 Scoping Plan establishes a scenario by which the State may achieve this goal by 2045 or earlier.

The 2022 Scoping Plan reaffirms and clarifies the role of local governments in achieving the State's climate goals, particularly as it concerns the approval of new land use development projects and their environmental review under CEQA. It outlines three distinct approaches that lead agencies may consider for evaluating the consistency of proposed plans and residential and mixed use development projects with the State's climate goals:

- The first approach involves consistency with a GHG reduction plan, such as a CEQA-qualified CAP.
- The second approach involves determining whether a project would result in net-zero GHG emissions.
- The third approach involves assessing a project's consistency with key project attributes that have been demonstrated to reduce operational GHG emissions while advancing fair housing.

In other words, the 2022 Scoping Plan considers these approaches to evaluate whether a project may have a less than significant impact on GHG emissions. The proposed project is evaluated against the third approach because no CEQA-qualified CAP would be applicable to the City of Visalia and the project and the proposed project would not result in net-zero GHG emissions. Although the proposed project is not residential in nature, an evaluation of the project's consistency with the 2022 Scoping Plan by assessing the project's consistency with key project attributes identified in the 2022 Scoping Plan remains a valid approach. An evaluation of the project's consistency with the Scoping Plan serves as a roadmap for evaluating a project's current design, and to determine whether it complies with current policies and planned reduction measures for GHG emissions. The comparison of a project design to Scoping Plan proposals is not by itself a metric for determining project-level significance, but a step in showing how the project supports current regulations and is aligned with future GHG reduction strategies in development stages. The 2022 Scoping Plan acknowledges that projects incorporating some, but not all, of the key project attributes may also be consistent with the State's climate goals, at the discretion of the lead agency. Furthermore, consistency with other attributes of the 2022 Scoping Plan would reduce operational GHG emissions, as described in Table 3.8-7, by reducing operational energy use and increasing access to EV charging infrastructure.

Table 3.8-7 presents the project's consistency with the 2022 Scoping Plan.

Table 3.8-7: Consistency with 2022 Scoping Plan Update

Scoping Plan Measure	Project Consistency
Light-Duty Vehicles: Smart Growth/Reduce Vehicle Miles Traveled. VMT per capita reduced 25 percent below 2019 levels by 2030, and 30 percent below 2019 levels by 2045.	**Consistent.** Based on the quantitative VMT analysis and described in Section 3.15 Transportation of the Draft EIR, the proposed project would have a less than significant VMT impact with implementation of mitigation measures to provide end-of-trip bicycle facilities and expanding the bicycle network.
Deploy ZEVs. Medium Heavy and Heavy Heavy-Duty Trucks. This measure is supported by Executive Order N79-20 and plans in the AB 74 ITS Report: 100 percent of MD/HDV sales are ZEV by 2040. It does not depend on VMT reductions from the freight and truck transportation sector.	**Consistent with mitigation.** Medium heavy and heavy heavy-duty trucks would be compliant with truck Fuel Economy Standards: California Phase II GHG Standards and would transition to ZEV by 2045. Infrastructure for the proposed project would be required to support this transition to ZEV; as such, MM AIR-2d and MM GHG-2b are required to demonstrate consistency with this measure. Implementation of MM AIR-2d would require the project applicant to include infrastructure for EV charging stations, including for trucks, into a minimum of 20 percent of all vehicle parking spaces (including parking for trucks), consistent with the applicable California Green Building Standards Code Tier 1 Nonresidential Mandatory Measure. Moreover, MM AIR-2d would require the any buildings that would include tractor trailer parking spaces would include an electrical room that is sufficiently sized to hold additional electrical panels that may be needed to supply power for the future installation of EV truck charging stations.
Coordinate supply of liquid fossil fuels with declining CA fuel demand. This measure involves the phase out oil and gas extraction operations by 2045 as well as CCS on majority of petroleum refining operations by 2030 Interim goals are to reduce petroleum production reduced in line with its demand.	**Not Applicable.** The proposed project would include light industrial land uses and is not related to the petroleum industry.
Low Carbon Fuels for Fuels for Buildings and Industry. In 2030s renewable natural gas (RNG) blended in pipeline, ramping up to 2040. Dedicated hydrogen pipelines constructed to serve certain industrial clusters	**Consistent.** Natural gas utilized by the proposed project would contain this RNG blend as implemented by the Scoping Plan and the energy providers.
Low Carbon Fuels for Transportation. Biomass supply is used to produce conventional and advanced biofuels, as well as hydrogen.	**Consistent.** Off-road construction equipment would utilize renewable diesel in compliance with the In-Use Off-Road rule. On-road diesel trucks would also utilize these fuels consistent with the LCFS.
Generate clean electricity. Electric sector GHG target of 38 MMT CO_2e in 2030 and 31 MMT CO_2e in 2045. This GHG target is determined to meet the loads	**Not Applicable**. The proposed project will benefit indirectly from these goals, however, there are no

Scoping Plan Measure	Project Consistency
associated with the scenario and corresponds to meeting the 2021 SB 100 Joint Agency Report's 100 percent of retail sales with eligible renewable and zero-carbon resources definition.	actions related to the project itself, because this measure would apply to passenger vehicle producers.
Decarbonize industrial energy supply. Electrification goals by industry sector specific to Food Industry, Agriculture, and Chemical and Allied Products and Pulp and Paper Industry for milestone years 2030 and 2045. Other Industrial Manufacturing: 0 percent energy electrified by 2030 and 50 percent by 2045. Construction Equipment: 25 percent energy demand electrified by 2030 and 75 percent by 2045. Retire all combined heat and power facilities by 2040.	**Consistent**. Construction equipment used for the proposed project would comply with ARB off-road regulations meeting milestones for electrification as required by regulations as promulgated. Starting in 2024, amendments to the off-road In-Use Diesel Rule require use of renewable diesel consistent with the 2022 Scoping Plan and implementing the LCFS. Other portions of this measure are not applicable to the proposed project.
Decarbonize buildings. All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed Statewide by 2030.	**Consistent.** The proposed project is consistent with the AB197 commercial timeline. In addition, the proposed project would be required to comply with CALGreen measures for 2022 as part of MM GHG-2a, which require rooftop PV solar panels with battery storage for warehouses and heat pumps (in all climate zones) for office space in warehouses consistent with decarbonization strategies.
Reduce non-combustion emissions. This strategy involves a number of sectors and measures: • Increase landfill and dairy digester methane capture. • Capture of fugitive methane emissions from the oil and gas infrastructure components. • The introduction of Low GWP refrigerants introduced as building electrification increases mitigating HFC emissions.	**Consistent.** The proposed project would use low GWP refrigerants as part of the building design consistent with current California Significant New Alternatives Policy (SNAP) regulations. Note, no cold storage is proposed as part of the project.
Compensate for remaining emissions. This measure encompasses using Carbon Dioxide Removal (CDR) to compensate for remaining emissions. Targets are demonstration projects by 2030 and CDR scaled to compensate for remaining GHG emissions in 2045.	**Not applicable.** This measure relates to remaining emissions and is not applicable at the individual project level.
Source: California Air Resources Board (ARB). 2022. Scoping Plan for Achieving Carbon Neutrality. November.	

Although not quantified in this analysis, the MM GHG-2a would be required to ensure the implementation of one of the following as feasible: rooftop photovoltaic solar system, solar-ready rooftop design, or roofing material contains light coloring with a solar reflective index greater than 78. MM GHG-2a would further reduce GHG emissions due to a reduction in electricity demand and ensure that the proposed project and City would contribute to meeting the State's climate goals. Additionally, MM AIR-2d and MM GHG-2b are required to ensure that the proposed project would

not hinder the future transition to ZEV trucks. Accordingly, taking into account the proposed project's identified design features and the progress being made by the State toward reducing emissions in key sectors such as transportation, industry, and electricity, the proposed project would be consistent with State GHG Plans and would further the State's goals of reducing GHG emissions 40 percent below 1990 levels by 2030, 80 percent below 1990 levels by 2050, 85 percent below 1990 levels by 2045, and does not obstruct their attainment after incorporation of mitigation.

City of Visalia General Plan

As described previously, the City of Visalia General Plan was updated and adopted on October 14, 2014 and establishes objectives and policies that are relevant to GHG emissions. Specifically, General Plan Objective AQ-O-3 aims to, "reduce emissions of greenhouse gases that contribute to global climate change in accord with federal and State law." The General Plan includes several policies to address GHG emissions, but only policy AQ-P-12 would apply to individual development projects. This policy applies to projects that would exceed district thresholds. However, as demonstrated in this analysis, with implementation of the indicated mitigation measures, the project would not exceed district thresholds, and therefore the policy would not apply to this project. Therefore, the proposed project would not conflict with the General Plan and impacts would be less than significant.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement MM AIR-2d and:

MM GHG-2a Rooftop Solar

Prior to issuance of the first building permit in connection with an individual specific development proposal, the relevant project applicant shall provide the City of Visalia Planning Department reasonable documentation demonstrating that each of the buildings that are covered by the subject individual specific development proposal would be designed with one of the following: (i) rooftop photovoltaic solar panels, (ii) solar-ready rooftop design that shall support the installation of rooftop photovoltaic panel, as feasible, or (iii) roofing material contains light coloring with a solar reflective index greater than 78.

MM GHG-2b Warehouse usage shall be limited to dry storage. If the warehouse is used for cold storage, then prior to the issuance of occupancy permits, the City of Visalia shall confirm that tenant lease agreements include contractual language that requires all Transport Refrigeration Units (TRUs) entering the project site be plug-in capable. Electrical hookups shall be provided as part of the tenant improvements for any tenant that requires cold storage. The electrical hookups shall be provided at loading bays for truckers to plug in any onboard auxiliary equipment and power refrigeration units while their truck is stopped.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

3.8.6 - Cumulative Impacts

GHG emissions and global climate change inherently represent cumulative impacts. GHG emissions cumulatively contribute to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; instead, the GHG emissions from past, present, and reasonably foreseeable future projects and activities have contributed to and would contribute to global climate change and its associated environmental impacts. According to the Valley Air District, project GHG emissions are inherently cumulative and do not require the estimation of cumulative projects in the region of the project.[44] Thus, the determination of GHG cumulative impacts is based on: the State target established by AB 32 to reduce GHG emissions to 1990 levels by 2020, SB 32 to reduce GHG emissions to at least 40 percent below the Statewide greenhouse gas emissions limit no later than December 31, 2030, and AB 1279 which required the State to reduce GHG emissions to at least 85 percent below 1990 levels by 2045. In order to ensure that this goal would be achieved, as discussed above in detail, Air Districts and Lead Agencies developed GHG thresholds to ensure compliance with the State target. Projects with GHG emissions in conformance with these thresholds, therefore, would not be considered significant for purposes of CEQA. In addition, although the emissions from such cumulative projects would add an incremental amount to the overall GHG emissions that cause global climate change impacts, emissions from projects consistent with these thresholds would not be a "cumulatively considerable" contribution under CEQA. Such projects would not be "cumulatively considerable," because they would be helping to solve the cumulative problem as a part of the AB 32 and SB 32 process. Therefore, the proposed project would be consistent with the applicable thresholds as evaluated above in detail with mitigation incorporated, and as a result, the project would result in a less than significant cumulative impact related to generation of GHG emissions.

Cumulative Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement MM AIR-2d, MM GHG-2a and MM GHG-2b.

Level of Cumulative Significance After Mitigation

Less than significant impact with mitigation incorporated.

[44] San Joaquin Valley Air Pollution Control District (Valley Air District). 2015. Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), Chapter 8.9.1. Website: http://www.valleyair.org/transportation/ceqa_guidance_documents.htm. Accessed June 8, 2023.

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3.9 - Hazards and Hazardous Materials

3.9.1 - Introduction

This section of the Draft Environmental Impact Report (Draft EIR) describes the existing characteristics of the project site and vicinity with respect to hazards and hazardous materials, as well as the relevant regulatory setting. It also describes the proposed project's potential impacts with respect to hazards and hazardous materials and presents feasible mitigation measures, if and to the extent required. (For a discussion of potential hazards related to geology, soils, and seismicity, see Section 3.7, Geology and Soils, of this Draft EIR. For a discussion of potential impacts related to wildfire, see Section 3.16, Wildfire, of this Draft EIR.) The descriptions and analysis in this section are based, in part, on the site-specific Phase I Environmental Site Assessment (Phase I ESA) and Phase II Environmental Site Assessment (Phase II ESA),[1,2] prepared by Ninyo & Moore and provided in Appendix F of this Draft EIR, and publicly available databases including the California Department of Toxic Substances Control (DTSC) EnviroStor, California State Water Resources Control Board (State Water Board) GeoTracker, and the California Department of Conservation Geologic Energy Management (CalGEM) (formerly the California Division of Oil, Gas, and Geothermal Resources [DOGGR]).

During the Notice of Preparation (NOP) scoping period, no comments related to hazards and hazardous materials were received.

3.9.2 - Environmental Setting

Hazards

This description of existing conditions focuses on hazardous materials and wastes as well as hazards from fire. A hazard is a situation that poses a level of threat to life, health, property, or the environment. Hazards can be dormant or potential, with only a theoretical risk of harm. However, once a hazard becomes active, it can create an emergency. A hazardous situation that has already occurred is called an incident. Emergency response is action taken in response to an unexpected and dangerous occurrence in an attempt to mitigate its impact on people, structures, or the environment. Emergency situations can range from natural disasters to hazardous materials problems and transportation incidents.

Hazardous Materials

Hazardous materials include but are not limited to hazardous materials, hazardous substances, and hazardous wastes, as defined in Section 25501 and Section 25117, respectively, of the California Health and Safety Code. A hazardous material is any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released; and any material that a handler or an administering regulatory agency under Section 25501 has a reasonable basis for believing would be

[1] Ninyo & Moore Geotechnical and Environmental Sciences Consultants. 2022. Phase I Environmental Site Assessment Northeast Corner of West Riggin Avenue and Kelsey Street. July 20.
[2] Ninyo & Moore Geotechnical and Environmental Sciences Consultants. 2023. Limited Phase II Environmental Site Assessment Northeast Corner of West Riggin Avenue and Kelsey Street. January 27.

injurious to the health and safety of persons or harmful to the environment. Various properties may cause a substance to be considered hazardous, including:

- Toxicity—causes human health effects.
- Ignitability—has the ability to burn.
- Corrosivity—causes severe burns or damage to materials.
- Reactivity—causes explosions or generates toxic gases.

Recognized Environmental Concern (REC) is one of the terms used to identify environmental liability within the context of a Phase I ESA and a Phase II ESA. The American Society for Testing and Materials (ASTM) defines an REC as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not recognized environmental conditions."

Hazardous Building Materials

Many older buildings contain building materials that consist of hazardous materials. These materials include lead-based paint, asbestos-containing material, and polychlorinated biphenyls (PCBs).

Prior to the United States Environmental Protection Agency (EPA) ban in 1978, lead-based paint was commonly used on interior and exterior surfaces of buildings. Disturbances such as sanding and scraping activities, renovation work, gradual wear and tear, old peeling paint, and paint dust particulates have been found to contaminate surface soils or cause lead dust to migrate and affect indoor air quality. Exposure to residual lead can cause severe health effects, especially in children.

Asbestos is a naturally occurring fibrous material that was extensively used as a fireproofing and insulating agent in building construction materials before such uses were banned by the EPA in the 1970s. In addition, many types of electrical equipment contained PCBs as an insulator, including transformers and capacitors. After PCBs were determined to be a carcinogen in the mid to late 1970s, the EPA banned PCB use in new equipment and began a program to phase out certain existing PCB-containing equipment. For example, fluorescent lighting ballasts manufactured after January 1, 1978, do not contain PCBs and are required to have a label clearly stating that PCBs are not present in the unit.

Hazardous Substances

A hazardous substance can be any biological, natural, or chemical substance, whether solid, liquid, or gas, that may cause harm to human health. Hazardous substances are classified on the basis of their potential health effects, whether acute (immediate) or chronic (long-term). Dangerous goods are classified on the basis of immediate physical or chemical effects, such as fire, explosion, corrosion, and poisoning. An accident involving dangerous goods could seriously harm human health or damage property or the environment. Harm to human health may happen suddenly (acute), such as dizziness, nausea, and itchy eyes or skin; or it may happen gradually over years (chronic), such as dermatitis or cancer. Some people can be more susceptible than others. Hazardous substances and dangerous goods can include antiseptic used for a cut, paint for walls, a cleaning product for the bathroom, chlorine in a pool, carbon monoxide from a motor vehicle, fumes from welding, vapors

from adhesives, or dust from cement, stone, or rubber operations. Such hazardous substances can make humans very sick if they are not used properly.

Hazardous Wastes

Hazardous waste is any hazardous material that is to be discarded, abandoned, or recycled. The criteria that define a material as hazardous also define a waste as hazardous. Specifically, materials and waste may be considered hazardous if they are poisonous (toxic); can be ignited by open flame (ignitable); corrode other materials (corrosive); or react violently, explode, or generate vapors when mixed with water (reactive). Soil or groundwater contaminated with hazardous materials above specified regulatory State or federal thresholds is considered hazardous waste if it is removed from a site for disposal. If handled, disposed, or otherwise treated improperly, hazardous materials and hazardous waste can result in public health hazards if released into the soil or groundwater or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer. The California Code of Regulations, Title 22, Sections 66261.20-24 contains technical descriptions of toxic characteristics that could cause soil or groundwater to be classified as hazardous waste.

Hazardous Materials Listing

The Cortese List is a list of known hazardous materials or hazardous waste facilities that meet one or more of the provisions of Government Code Section 65962.5, including:

- The list of hazardous waste and substances sites from the DTSC EnviroStor database.[3]
- The list of Leaking Underground Storage Tank (LUST) sites by county and fiscal year from the State Water Board GeoTracker database.[4]
- The list of solid waste disposal sites identified by the State Water Board with waste constituents exceeding hazardous waste levels outside the waste management unit.[5]
- The list of active cease-and-desist orders and cleanup and abatement orders from the State Water Board.[6]
- The list of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, as identified by the DTSC.[7]

[3] California Department of Toxic Substances Control (DTSC). Hazardous Waste and Substances Site List—Site Cleanup (Cortese List). Website: http://www.dtsc.ca.gov/ SiteCleanup/Cortese_List.cfm.
[4] California State Water Resources Control Board (State Water Board). Website: https://geotracker.waterboards.ca.gov/sites_by_county.
[5] California Environmental Protection Agency (Cal/EPA). Website: http://www.calepa.ca.gov/files/2016/10/SiteCleanup-CorteseList-CurrentList.pdf.
[6] California Environmental Protection Agency(Cal/EPA). Website: http://www.calepa.ca.gov/files/2016/10/SiteCleanup-CorteseList-CDOCAOList.xlsx.
[7] California Environmental Protection Agency (Cal/EPA). Website: https://www.calepa.ca.gov/sitecleanup/corteselist/section-65962-5a/.

Existing Fire-Related Conditions and Presence of Hazardous Materials On-Site

The City of Visalia (City) contains mostly urban and suburban uses with relatively little open space or foothill areas susceptible to wildfire hazards. The southwestern areas within the City's Sphere of Influence (SOI) contain some "Moderate" fire hazard zones.

Public Resources Code Sections 4201 through 4204 direct the California Department of Forestry and Fire Protection (CAL FIRE) to map fire hazard within State Responsibility Areas (SRA) based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified by CAL FIRE as a major cause of wildfire spread. These zones, referred to as Fire Hazard Severity Zones (FHSZ), classify a wildland zone as Moderate, High, or Very High Fire Hazard based on the average hazard across the area included in the zone. There are also Fire Protection Responsibility Areas (non-SRA), delineated as either a Federal Responsibility Area (FRA) or a Local Responsibility Area (LRA). According to the CAL FIRE, there are no Very High Fire Hazard Severity Zones (VHFHSZs) within the City.

Database Search

As shown in Table 3.9-1, the project site was not listed in any of the searched databases.

Table 3.9-1: Project Site Hazardous Materials Search Results

Database	Search Result
DTSC EnviroStor: Hazardous Waste and Substances Site List (Cortese)	No hazardous waste and substances on-site.
California State Water Resources Control Board GeoTracker: Leaking Underground Storage Tank (LUST) Site List	No LUST on-site.
California State Water Resources Control Board: Sites Identified with Waste Constituents Above Hazardous Waste Levels Outside the Waste Management Unit	Project site not listed.
California State Water Resources Control Board: List of "Active" Cease and Desist Orders (CDOs) and Cleanup and Abatement Orders (CAOs)	No CDOs and/or CAOs on-site.
DTSC: List of Hazardous Waste Facilities Subject To Corrective Action Pursuant To Section 25187.5 Of The Health And Safety Code	Project site not listed.
Sources: California Department of Toxic Substances Control (DTSC) 2023. California State Water Resources Board (State Water Board) 2023.	

Table 3.9-2: Summary of Off-site Facilities of Potential Concern

Facility Name/Address	Distance/Direction from Site (Approximation by EDR)	Database	Summary
Amazon Service LLC 3315 North Kelsey Street	Adjoining west of the site	HWTS CERS TANKS	The facility was listed in the California Environmental Reporting System (CERS) TANKS database for aboveground petroleum storage. Further information was not provided. The facility was listed in the HWTS (Hazardous Waste Tracking System) for general warehousing and storage. Violations were not found. This information is not considered an environmental concern.
Roadrunner Transportation 8711 West Riggin Avenue	Adjoining southeast of the site	RCRA NONGEN/NLR	The facility was listed as a non-generator of hazardous waste in Resource Conservation and Recovery Act (RCRA) NONGEN/NLR database. Violations were not noted. This information is not considered an environmental concern.
UPS Freight 8711 West Riggin Avenue	Adjoining southeast of the site	HWTS CERS HAZ WASTE HAZNET CERS	The facility was listed in the Hazardous Waste Tracking System (HWTS). The status was inactive for the facility. The facility was listed in the CERS HAZ WASTE database as a hazardous waste generator. The facility was listed in the Facility and Manifest Data (HAZNET) for the removal of 0.085 ton of unspecified organic liquid mixture in 2017. The facility was listed in the CERS facility as a chemical storage facility. Violations were recorded, including failure to complete and electronically submit the business activities page and/or business owner operator identification page, etc. The facility returned to compliance. This information is not considered an environmental concern.
VWR International, LC 8711 West Riggin Avenue	Adjoining southeast of the site	HWTS CUPA LISTINGS	The facility was listed in Hazardous Materials/Certified Unified Program Agency (CUPA) Tulare database as a large generator.

Facility Name/Address	Distance/Direction from Site (Approximation by EDR)	Database	Summary
			The facility was listed as inactive in the HWTS database. Additional information was not provided. This information is not considered an environmental concern.
Kawneer Company Inc 7200 West Doe Avenue	0.713 mile south-southeast	RCRA-LQG ENVIROSTOR CPS-SLIC PADS CERS	The facility was listed as a large quantity generator in RCRA-LQG. The facility was described as aluminum-extruded product manufacturing, secondary smelting, refining, and alloying of nonferrous metal, and metal window and door manufacture. Violations were not found. The facility was listed in the PCB Activity Database System (PADS). Further information was not provided. The facility was listed in the Cleanup Program Sites (formerly known as Spills, Leaks, Investigations, and Cleanups (CPS-SLIC) and ENVIROSTOR database. The facility performed anodizing of aluminum architectural products from 1971 to 1993. Two lined evaporation ponds were used for disposal sludge and other wastes. 1,1,1-trichloroethane (TCA), dichloroethene (DCE), other organic/salt were reported leak to aquifer used for drinking water supply. In 1990, approximately 11,100 tons of residual materials from the ponds, pond liners, and visually observed impacted soil beneath the pond liners were excavated. The case was open for site assessment in the database. A recent groundwater sampling report was prepared by CDM Smith Inc. (CDM Smith), dated on July 8, 2021. According to the report, three groundwater samples (including one duplicate sample) were collected on February 16, 2021. 1,1- DCE was not detected from the samples. Based on the distance and groundwater flow direction, this listing is not considered an environmental concern.
Heller Performance Polymers Inc. 7227 Doe Avenue	0.729 mile south-southeast	SEMS Archive CORRACTS RCRA-TSDF RCRA-SQG ENVIROSTOR CPS-	According to the Superfund Enterprise Management System (SEMS) Archive

Facility Name/Address	Distance/Direction from Site (Approximation by EDR)	Database	Summary
		SLIC RAATS FINDS ECHO CERS	database, this listing had a non-NPL status of "deferred to RCRA (subtitle C)." The facility was listed as a small quantity generator in RCRA-SQG. A violation related to financial requirements was recorded in 1988 and the facility returned to compliance. The facility was listed in the ENVIROSTOR and CPS-SLIC database due to volatile organic compounds contamination in 1989. The case was closed as of August 1, 1989. Based on the distance, regulatory status, and groundwater flow direction, this listing is not considered an environmental concern.
Notes: EDR = Environmental Data Resources, Inc.			

Off-site properties/facilities listed in the database report were evaluated as to their potential to impact soil, soil vapor, and/or groundwater at the site. To supplement the information in the Environmental Data Resources, Inc. (EDR) report, the State Water Board GeoTracker and DTSC EnviroStor databases were reviewed. Information from the EDR database report and supplemental sources is included in the facilities of potential concern summaries below. The following properties/facilities were interpreted to represent a potential environmental concern to the site based on their proximity to the site, the nature of the database on which they are listed, and/or the assumed direction of the groundwater flow in the site vicinity (southwest).

According to the Phase I ESA, there is a low likelihood that the listings for the other off-site properties listed in the database report represent an REC to the site at the current time. This opinion is based on one or more of the following factors:

- The nature of the database(s) on which the property is listed, and/or because the property was not listed on a database that reports unauthorized releases of hazardous substances;
- Reported regulatory agency status (i.e., case closed);
- Reported nature of the case (i.e., soil contaminated only);
- Reported distance of the property from the site; and/or
- Location of the property in relation to the site with respect to topography or expected groundwater flow direction (southwest).

3.9.3 - Regulatory Framework

Federal

Resource Conservation and Recovery Act

The Federal Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act of 1976 (RCRA) established a program administered by the EPA to regulate the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the "cradle to grave" system of regulating hazardous wastes.

Occupational Health and Safety Act

The Occupational Safety and Health Administration (OSHA) of the United States Department of Labor is responsible for implementing and enforcing federal laws and regulations that address worker health and safety. OSHA requires specific training for use and handling of hazardous materials, provision of information (procedures for personal safety, hazardous materials storage and handling, and emergency response) to employees who may be exposed to hazardous materials, and acquisition of material safety data sheets from materials manufacturers. Material safety data sheets describe the risks, as well as proper handling and procedures, related to particular hazardous materials. Employee training must include response and remediation procedures for hazardous materials releases and exposures.

Code of Federal Regulations, Titles 29 and 40

Provisions in Code of Federal Regulations Title 29 include requirements to manage and control exposure to lead-based paint and asbestos-containing materials. In California, these requirements are implemented by the California Occupational Safety and Health Administration (Cal/OSHA) under California Code of Regulations Title 8 (see further discussion of California Code of Regulations Title 8 below). The removal and handling of asbestos-containing materials is governed primarily by EPA regulations under Code of Federal Regulations Title 40. The regulations require that the appropriate State agency be notified before any demolition, or before any renovations, of buildings that could contain asbestos or asbestos-containing materials above a specified threshold.

Resource Conservation and Recovery Act and Comprehensive Environmental Response, Compensation, and Liability Act

The EPA is responsible for implementing and enforcing federal laws and regulations pertaining to hazardous materials. The primary legislation includes RCRA and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA) and the Emergency Planning and Community Right-to-Know Act (known as SARA Title III). RCRA and the 1984 RCRA Amendments regulate the treatment, storage, and disposal of hazardous and nonhazardous wastes and mandate that hazardous wastes be tracked from the point of generation to their ultimate fate in the environment, including detailed tracking of hazardous materials during transport and permitting of hazardous material handling facilities. As permitted by RCRA, in 1992, the EPA approved California's program called the Hazardous Waste Control Law (HWCL), administered by DTSC, to regulate hazardous wastes in California, as discussed further below. The purpose of CERCLA is to identify and clean up chemically contaminated

sites that pose a significant environmental health threat, and the Hazard Ranking System is used to determine whether a site should be placed on the National Priorities List for cleanup activities. SARA relates primarily to emergency management of accidental releases and requires annual reporting of continuous emissions and accidental releases of specified compounds that are compiled into a nationwide Toxics Release Inventory. Finally, SARA Title III requires formation of State and local emergency planning committees that are responsible for collecting material handling and transportation data for use as a basis for planning and provision of chemical inventory data to the community at large under the "right-to-know" provision of the law.

Hazardous Materials Transportation Act

Under the Hazardous Materials Transportation Act of 1975, the United States Department of Transportation (USDOT), Office of Hazardous Materials Safety regulates the transportation of hazardous materials on water, rail, or highways, through air, or in pipelines and enforces guidelines created to protect human health and the environment and reduce potential impacts by creating hazardous material packaging and transportation requirements. It also includes provisions for material classification, packaging, marking, labeling, place-carding, and shipping documentation. The USDOT provides hazardous materials safety training programs and supervises activities involving hazardous materials. In addition, the USDOT develops and recommends regulations governing the multimodal transportation of hazardous materials.

Aboveground Petroleum Storage Act and Spill Prevention, Control, and Countermeasure Rule

The Aboveground Petroleum Storage Act of 1990 and the Spill Prevention, Control, and Countermeasure (SPCC) Rule (amended 2010) of the Oil Pollution Prevention regulation (40 Code of Federal Regulations [CFR] 112) require the owner or operator of a tank facility with an aggregate storage capacity greater than 1,320 gallons to notify the local Certified Unified Program Agency (CUPA) and prepare an SPCC plan. The SPCC plan must identify appropriate spill containment measures and equipment for diverting spills from sensitive areas, and must discuss facility-specific requirements for the storage system, inspections, recordkeeping, security, and training.

Clean Water Act

The Clean Water Act (CWA) (Title 33 § 1251, *et seq.* of the United States Code [33 USC 1251, *et seq.*]) is the major federal legislation governing water quality. The CWA established the basic structure for regulating discharges of pollutants into waters of the United States (not including groundwater). The objective of the act is "to restore and maintain the chemical, physical, and biological integrity of the nation's waters." The CWA establishes the basic structure for regulating the discharge of pollutants into waters of the United States. Responsibility for administering the CWA resides with the State Water Board and nine Regional Water Quality Control Boards (RWQCBs); the Central Valley RWQCB administers the CWA for Tulare County. Section 404 of the CWA regulates temporary and permanent fill and disturbance of waters of the United States, including wetlands. The United States Army Corps of Engineers (USACE) requires that a permit be obtained if a project proposes to place fill in navigable waters and/or to alter waters of the United States below the ordinary high-water mark in non-tidal waters. Section 401 of the CWA requires compliance with State water quality standards for actions within State waters. Compliance with the water quality standards required under Section 401 is a condition for issuance of a Section 404 permit. Under Section 401 of the CWA, every applicant

for a permit or license for any activity that may result in a discharge to a water body must obtain a State water quality certification from the RWQCB to demonstrate that the proposed activity would comply with State water quality standards.

State

California Hazardous Waste Control Law

The HWCL is the primary hazardous waste statute in the State of California, and implements RCRA as a "cradle to grave" waste management system for handling hazardous wastes in a manner that protects human health and the environment and would reduce potential resulting impacts. The law specifies that generators have the primary duty to determine whether their waste is hazardous and to ensure proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous waste used or reused as raw materials. The law exceeds federal requirements by mandating source reduction planning, and a much broader requirement for permitting facilities that treat hazardous waste. It also regulates a number of types of waste and waste management activities that are not covered by federal law.

California Health and Safety Code

The California Health and Safety Code (HSC § 25141) defines hazardous waste as a waste or combination of waste that may:

> . . . because of its quantity, concentration, or physical, chemical, or infection characteristics:
>
> (1) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitation-reversible illness.
>
> (2) Pose a substantial present or potential hazard to human health or the environment, due to factors including, but not limited to, carcinogenicity, acute toxicity, chronic toxicity, bioaccumulative properties, or persistence in the environment, when improperly treated, stored, transported, or disposed of or otherwise managed.

These laws and regulations establish criteria for identifying, packaging, and labeling hazardous wastes; prescribe management practices for hazardous wastes; establish permit requirements for hazardous waste treatment, storage, disposal, and transportation; and identify hazardous waste that commonly would be disposed of in landfills.

Under both the RCRA and the HWCL, hazardous waste manifests must be retained by the generator for a minimum of 3 years. The generator must match copies of the manifests with copies of manifest receipts from the treatment, disposal, or recycling facility.

In accordance with Chapter 6.11 of the California Health and Safety Code (HSC § 25404, et seq.), local regulatory agencies enforce many federal and State regulatory programs through the CUPA program, including:

- Hazardous Materials Business Plans (HMBPs) (HSC § 25501, *et seq*.).
- State Uniform Fire Code (UFC) requirements (UFC § 80.103, as adopted by the State Fire Marshal pursuant to HSC § 13143.9).
- Underground storage tanks (USTs) (HSC § 25280, *et seq*.).
- Aboveground storage tanks (HSC § 25270.5(c)).
- Hazardous waste generator requirements (HSC § 25100, *et seq*.).

California Code of Regulations, Title 8

Worker health and safety is regulated at the federal level by OSHA. In California, worker health and safety protections are regulated by Cal/OSHA, which assumes primary responsibility for developing and enforcing workplace safety regulations and also provides consultant assistance to employers. These regulations concern the use of hazardous materials in the workplace, including requirements for employee safety training; availability of safety equipment; accident and illness prevention programs; hazardous substance exposure warnings; and preparation of emergency action and fire prevention plans.

Cal/OSHA also enforces hazard communication program regulations, including procedures for identifying and labeling hazardous substances, and requires that safety data sheets (formerly known as material safety data sheets) be available for employee information and training programs. Cal/OSHA standards are generally more stringent than federal regulations.

California standards for workers dealing with hazardous materials are contained in Title 8 California Code of Regulations and include practices for all industries (General Industrial Safety Orders), with specific practices for construction and other industries. Workers at hazardous waste sites (or workers who may be exposed to hazardous wastes that might be encountered during excavation of contaminated soils) must receive specialized training and medical supervision according to the Hazardous Waste Operations and Emergency Response regulations (Title 8 California Code of Regulations [CCR] § 5192).

California Code of Regulations, Title 8, Section 1529 authorizes Cal/OSHA to implement the survey requirements of Code of Federal Regulations Title 29 relating to asbestos. These federal and State regulations require facilities to take all necessary precautions to protect employees and the public from exposure to asbestos. Workers who conduct asbestos abatement must be trained in accordance with federal and State OSHA requirements. The San Joaquin Valley Air Pollution Control District (Valley Air District) oversees the removal of regulated asbestos-containing materials (see "Asbestos Demolition, Renovation, and Manufacturing Rule" below).

California Code of Regulations, Title 8, Section 1532.1 includes requirements to manage and control exposure to lead-based paint. These regulations cover the demolition, removal, cleanup, transportation, storage, and disposal of lead-containing material. The regulations outline the permissible exposure limit, protective measures, monitoring, and compliance to ensure the safety of construction workers exposed to lead-based material. Loose and peeling lead-based paint must be disposed of as a State and/or federal hazardous waste if the concentration of lead equals or exceeds

applicable hazardous waste thresholds. Federal and State OSHA regulations require a supervisor who is certified with respect to identifying existing and predictable lead hazards to oversee air monitoring and other protective measures during demolition activities in areas where lead-based paint may be present. Special protective measures and notification of Cal/OSHA are required for highly hazardous construction tasks related to lead, such as manual demolition, abrasive blasting, welding, cutting, or torch burning of structures, where lead-based paint is present.

Cal/OSHA enforcement units conduct on-site evaluations and issue notices of violation to enforce necessary improvements to health and safety practices.

California Code of Regulations Title 22, Division 4.5

California Code of Regulations, Title 22, Division 4.5, contains the Environmental Health Standards for the Management of Hazardous Waste, which includes California waste identification and classification regulations. California Code of Regulations, Title 22, Chapter 11, Article 3, "Soluble Threshold Limits Concentrations/Total Threshold Limits Concentration Regulatory Limits," identifies the concentrations at which soil is determined to be a California hazardous waste. California's Universal Waste Rule (Title 22 CCR § 66273) provides an alternative set of management standards in lieu of regulation as hazardous wastes for certain common hazardous wastes, as defined in California Code of Regulations, Title 22, Section 66261.9. Universal wastes include fluorescent lamps, mercury thermostats, and other mercury-containing equipment. Existing structures may contain fluorescent light ballasts that could contain mercury or lead. The Alternative Management Standards for Treated Wood Waste (Title 22 CCR § 67386) were developed by the DTSC to allow for disposal of treated wood as a nonhazardous waste to simplify and facilitate the safe and economical disposal of such waste. Chemically treated wood can contain elevated levels of hazardous chemicals (e.g., arsenic, chromium, copper, pentachlorophenol, or creosote) that equal or exceed applicable hazardous waste thresholds. The Alternative Management Standards provide for less stringent storage requirements and extended accumulation periods, allow shipments without a hazardous waste manifest and a hazardous waste hauler, and allow disposal at specific nonhazardous waste landfills.

Porter-Cologne Act

The Porter-Cologne Water Quality Control Act of 1969 (Porter-Cologne Act) is California's statutory authority for the protection of water quality. Under the Porter-Cologne Act, the State must adopt water quality policies, plans, and objectives that protect the State's waters for the use and enjoyment of the people. Regional authority for planning, permitting, and enforcement is delegated to the nine RWQCBs. The RWQCBs are required to formulate and adopt water quality control plans (also known as basin plans) for all areas of the region and establish water quality objectives in the plans. The Porter-Cologne Act sets forth the obligations of State Water Board and RWQCBs to adopt and periodically update water quality control plans that recognize and reflect the differences in existing water quality, the beneficial uses of the region's groundwater and surface water, and local water quality conditions and problems. It also authorizes the State Water Board and RWQCBs to issue and enforce waste discharge requirements and to implement programs for controlling pollution in State waters. Finally, the Porter-Cologne Act also authorizes the State Water Board and RWQCBs to oversee site investigation and cleanup for unauthorized releases of pollutants to soils and groundwater and in some cases to surface waters or sediments.

California Emergency Response Plan

California has developed an emergency response plan to coordinate emergency services provided by federal, State, and local governments and private agencies. Responding to hazardous materials incidents is one part of this plan. The plan is administered by the California Governor's Office of Emergency Services, which coordinates the responses of other agencies. Emergency response team members respond and work with local fire and police agencies, emergency medical providers, the California Highway Patrol (CHP), CAL FIRE, California Department of Fish and Wildlife (CDFW), and California Department of Transportation (Caltrans).

California Department of Forestry and Fire Protection

CAL FIRE has mapped fire threat potential throughout California. CAL FIRE maps fire threat based on the availability of fuel and the likelihood of an area burning (based on topography, fire history, and climate). The threat levels include no fire threat, moderate, high, and very high fire threat. Additionally, CAL FIRE produced a 2010 Strategic Fire Plan for California, which contains goals, objectives, and policies to prepare for and mitigate the effects of fire on California's natural and built environments. CAL FIRE's Office of the State Fire Marshal provides oversight of enforcement of the California Fire Code as well as overseeing hazardous liquid pipeline safety.

California Building Code

The State of California provides a minimum standard for building design through the California Building Standards Code (CBC), which is located in Part 2 of Title 24 of the California Code of Regulations and is viewed as being some of the most stringent standards in the nation. The Code is updated triennially. The new 2022 edition of the CBC became effective January 1, 2023. It is generally adopted on a jurisdiction by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan-checked by local city and county building officials for compliance with the CBC. Typical fire safety requirements of the CBC include the installation of sprinklers in all new high-rise buildings and residential buildings; the establishment of fire resistance standards for fire doors, building material; and particular types of construction.

California Public Resources Code

The California Public Resources Code includes fire safety regulations that restrict the use of equipment that may produce a spark, flame, or fire; require the use of spark arrestors[8] on construction equipment that use an internal combustion engine; specify requirements for the safe use of gasoline-powered tools in fire hazard areas; and specify fire suppression equipment that must be provided on-site for various types of work in fire-prone areas.

These laws and regulations include the following:

- Earthmoving and portable equipment with internal combustion engines would be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code [PRC] § 4442);

[8] A spark arrestor is a device that prohibits exhaust gases from an internal combustion engine from passing through the impeller blades where they could cause a spark. A carbon trap is commonly used to retain carbon particles from the exhaust.

- Appropriate fire suppression equipment would be maintained during the highest fire danger period—from April 1 to December 1 (PRC § 4428);
- On days when a burning permit is required, flammable materials would be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame and the construction contractor would maintain the appropriate fire suppression equipment (PRC § 4427); and
- On days when a burning permit is required, portable tools powered by gasoline-fueled internal combustion engines would not be used within 25 feet of any flammable materials (PRC § 4431).

Department of Toxic Substance Control

The DTSC is the agency authorized by the EPA to enforce and implement federal hazardous materials laws and regulations. State and federal laws mandate detailed planning to ensure that hazardous materials are properly stored, handled, used, and disposed of, and, if such materials are accidentally released, prevent or mitigate injury to health or the environment. Such laws include a required to prepare written plans, such as Hazard Communication Plans and HMBP. HMBPs are required for business that handle a hazardous material, a mixture containing a hazardous material (including hazardous waste), or an extremely hazardous substance (as defined in Section 355.61 of Title 40 of the Code of Federal Regulations) at reportable quantities, which are generally equal to or greater than 55 gallons of a liquid, 200 cubic feet of a gas, and 500 pounds of a solid).[9] (California Health and Safety Code, Division 20, Chapter 6.95, Article 1 [25500-25519]).

A HMBP contains detailed information including the following:

- An inventory of hazardous materials at a facility.
- Emergency response plans and procedures to be followed in the event of a reportable release or threatened release of a hazardous material.
- Requirements to train employees in safety procedures in the event of a release or threatened release of a hazardous material, including onboarding for new employees and annual refresher courses for existing employees.
- A site map that depicts north orientation, loading areas, internal roads, adjacent streets, storm and sewer drains, access and exit points, emergency shutoffs, evacuation staging areas, hazardous material handling and storages areas, and emergency response equipment.

California regulations pertaining to hazardous materials are equal to or exceed the federal regulation requirements. Most State hazardous materials regulations are contained in Title 22 of the California Code of Regulations. The DTSC generally acts as the lead agency for soil and groundwater cleanup projects that affect public health and establishes cleanup levels for subsurface contamination that

[9] California Environmental Protection Agency (Cal/EPA). 2022. Hazardous Materials Business Plan Program. Website: https://calepa.ca.gov/cupa/lawsregs/hazardous-materials-business-plan-program/. Accessed October 27, 2022.

are equal to, or more restrictive than, federal levels. The DTSC has also developed land disposal restrictions and treatment standards waste disposal in California.

California State Water Resources Control Board

The State Water Board enforces, among other laws and regulations, those regulations pertaining to implementation of underground storage tank programs. It also allocates monies to eligible parties who request reimbursement of State funds to clean up soil and groundwater pollution from LUSTs. The State Water Board also enforces the Porter-Cologne Act through its nine regional boards, including the Central Valley RWQCB described below.

California Air Resources Board

The California Air Resources Board (ARB) is responsible for coordination and oversight of State and local air pollution control programs in California, including implementation of the California Clean Air Act of 1988. The ARB has developed State air quality standards and is responsible for monitoring air quality in conjunction with the local air districts.

Regional

Central Valley Regional Water Quality Control Board

The Central Valley RWQCB can act as a responsible agency to provide oversight of sites where the quality of groundwater or surface waters is threatened. The Central Valley RWQCB has the authority to require investigations and remedial actions.

San Joaquin Valley Air Pollution Control District

The Valley Air District has primary responsibility for control of air pollution from sources other than motor vehicles and consumer products (which are the responsibility of the EPA and ARB). The Valley Air District is responsible for preparation of attainment plans for non-attainment criteria pollutants, control of stationary air pollutant sources, management of volatile organic compounds (VOC-containing soils (District Rules 4002, 4651, and 6130), and the issuance of permits for activities including asbestos removal, demolition, and renovation activities (District Rule 7050).

Tulare County Hazard Mitigation Plan

The Tulare County Emergency Operations Plan (EOP), updated and adopted in 2011 and incorporated in the EOP, establishes responsibilities, threat levels and triggers for evacuation, evacuation areas, and evacuation routes to be used in case of catastrophic emergencies. The extent and the severity of a disaster will determine which routes and which direction people must take in order to escape or avoid the afflicted areas. The EOP places the City of Visalia in Zone 5 and identifies State Route (SR) 198, SR-99, and SR-63 as evacuation routes. The Agriculture Center in Tulare is identified as a County shelter. Visalia and other cities within the County are responsible for preparedness activities, including identifying equipment, vehicles, and critical supplies; identifying locations outside of potential impact areas to move resources; and keeping contact information updated for the County and State database. In the event of a natural or man-made disaster, the City of Visalia will coordinate with the Red Cross, Salvation Army, and State and federal agencies responsible for providing emergency shelter for displaced residents. The sites most commonly used

are schools, senior centers, community centers, public buildings, and churches. Kaweah Delta Health Care District provides emergency health care services.

Tulare County Division of Environmental Health

In Visalia, the Tulare County Division of Environmental Health is the local agency responsible for the implementation of the State-mandated Unified Hazardous Waste and Hazardous Materials Management Regulatory Program.

Cal/EPA designated the Tulare County Division of Environmental Health as the CUPA for Tulare County. The role of the CUPA is to assure consolidation, consistency, and coordination of the hazardous materials programs within the County.

The Tulare County Division of Environmental Health is responsible for overseeing the six hazardous materials programs in the County. The Tulare County Division of Environmental Health is responsible for inspecting facilities that handle hazardous materials, generate hazardous waste, treat hazardous waste, own/operate USTs, own/operate aboveground petroleum storage tanks, or handle other materials subject to the California Accidental Release Program.

Tulare County has prepared an HMBP and a multi-jurisdictional Local Hazard Mitigation Plan (LHMP), which serve as the County's emergency response plan for hazardous materials emergency incidents. In addition, the Environmental Health Division acts as lead agency to ensure proper remediation of leaking underground petroleum storage tank sites and certain other contaminated sites. The Environmental Health Division provides three permanent Household Hazardous Waste (HHW) drop-off facilities in the County, including one in Visalia, and operates mobile collection events throughout the year.

Tulare County Comprehensive Airport Land Use Plan

Article 3.5 of the California Public Utilities Code requires each county to create an airport land use commission and for this commission to prepare and adopt an airport land use plan for each public use airport in the county. In accordance with this mandate, the Tulare County Airport Land Use Commission (ALUC) prepared the current Comprehensive Airport Land Use Plan in 2012. The intention of the Comprehensive Airport Land Use Plan is to promote the safety and well-being of the public by ensuring adoption of land use regulations which minimize exposure of persons to hazards associated with the operation of these airports including aircraft accidents and aircraft noise.

The Comprehensive Airport Land Use Plan establishes various airport zoning designations, such as the Visalia Municipal Airport's Airport Influence Area. Land use compatibilities within these airport zoning designations are defined in the Tulare County Land Use Compatibility Matrix (Section 3 of the Comprehensive Airport Land Use Plan). Light and Flex Industrial and Commercial land uses are considered compatible within the Airport Influence Area with consistency determination requirements, such as the prohibition of aboveground storage of over 2,000 gallons of hazardous materials.

Local

City of Visalia Fire Department

The Visalia Fire Department (VFD) provides fire and life safety services for residents located within the city limits while the Tulare County Fire Department provides additional services for unincorporated areas within the Planning Area. As discussed in more detail in Section 3.13, Public Services, as of this writing, VFD staffs five paramedic engine companies, one truck company, and a Battalion Chief daily, from five fire station locations. The engines and truck are staffed with three personnel, giving the Fire Department a daily minimum staffing of 19. All apparatus are staffed with a paramedic at all times. The City requires all new development and subdivisions to meet UFC provisions, and the VFD reviews development applications during the plan check process.

The VFD also provides oversight of hazardous materials. The VFD is responsible for conducting inspections for code compliance and fire-safe practices and for scene management and investigation of fire and hazardous materials incidents. According to Chapter 8.32 (Hazardous Materials) of the City of Visalia Municipal Code (Municipal Code), an emergency situation created by a hazardous material release which poses an imminent risk to the life, health, or safety of persons, property, or to the environment shall be mitigated in the manner prescribed and pursuant to the direction of the VFD. The VFD regulates explosive and hazardous materials under the UFC, and permits the handling, storage, and use of any explosive or other hazardous material.

City of Visalia Municipal Code

Visalia Fire Code

Chapter 8.20 of the Municipal Code details the Visalia Fire Code, which is an adoption of the 2019 California Fire Code with some amendments. The purpose of the Visalia Fire Code is to regulate the safeguarding of life, property, and public welfare to a reasonable degree from the hazards of fire, hazardous materials release, and/or explosion due to handling of dangerous and hazardous materials, conditions hazardous to life or property in the occupancy and use of buildings and premises, the operation, installation, construction, and location of attendant equipment, the installation and maintenance of adequate means of egress, and providing for the issuance of permits and collection of fees.

Visalia Hydrant Ordinance

Chapter 16.36.120 of the Municipal Code outlines the following requirements for water mains, fire hydrants, and fire department access as detailed more fully in Section 3.16, Wildfire.

City of Visalia General Plan

Following are General Plan goals, policies, and objectives that are relevant to this analysis.

Chapter 8: Safety and Noise

Objectives

S-O-3 Protect soils, surface water, and groundwater from contamination from hazardous materials.

S-P-15 Require remediation and cleanup of sites contaminated with hazardous substances.

The level of remediation and cleanup will be determined based on the intended use and health risk to the public. At the minimum, remediation will be in compliance with federal and State standards. Clean up shall be required in conjunction with new development, reconstruction, property transfer of ownership, and/ or continued operation after the discovery of contamination.

S-P-17 Ensure that all specified hazardous facilities conform to the Tulare County Hazardous Materials Business Plan.

S-P-18 Coordinate enforcement of the Hazardous Material Disclosure Law and the implementation of the Hazardous Material Emergency Response Plan with the Tulare County Health and Human Service Agency.

State and federal legislation requires every business that handles hazardous materials report their inventories to the local fire department. The program's primary function is to identify, monitor, and assist businesses using or storing hazardous materials and allow the City to handle emergency incidents more effectively. The City will maintain and share this information with police, fire, and emergency services.

S-P-19 Coordinate with the Tulare County Environmental Health Division and other appropriate regulatory agencies during the review process of all proposals for the use of hazardous materials or those involving properties that may have toxic contamination, such as petroleum hydrocarbons, CAM 17 metals, asbestos, and lead.

S-P-20 Require applicants of projects in areas of known or suspected hazardous materials occurrences such as petroleum hydrocarbon contamination, CAM 17 metals, USTs, location of asbestos rocks and other such contamination to perform comprehensive soil and groundwater contamination assessments in accordance with regulatory agency testing standards, and if contamination exceeds regulatory action levels, require the project applicant to undertake remediation procedures prior to grading and development under the supervision of appropriate agencies, such as Tulare County Department of Environmental Health, Department of Toxic Substances Control, or Regional Water Quality Control Board.

S-P-26 Implement a program that provides vegetation management services to elderly, disabled, or low-income property owners who lack the resources to remove flammable vegetation from around their homes.

S-P-27 Implement a fuel modification program, which also includes residential maintenance requirements and enforcement, plan submittal and approval process, guidelines for planting, and a listing of undesirable plant species. Require builders and developers to submit their plans, complete with proposed fuel modification zones, to the Fire Department for review and approval prior to beginning construction.

S-O-6 Provide comprehensive emergency response and evacuation routes for Visalia area residents.

S-P-30 Integrate the Tulare County Hazard Mitigation Plan, in particular the hazard analysis and mitigation strategy sections, into the development review process, the Emergency Operations Plan, and Capital Improvement Program, as appropriate.

City of Visalia

The City's EOP was adopted in 2011. The City's EOP is designed to establish a framework for implementation of the California Standardized Emergency Management System for the City, which is located within the Governor's Office of Emergency Service's Mutual Aid Region V. The City's EOP is used in conjunction with the Tulare County's EOP, which incorporates the County's updated 2011 Evacuation Plan, establishes responsibilities, threat levels, and triggers for evacuation, evacuation areas, and evacuation routes to be used in case of catastrophic emergencies, including wildfire. As described more fully therein and below (see Regulatory Framework), the extent and the severity of a disaster will typically determine which routes and which direction people must take. Additionally, the City's EOP will be reviewed and revised annually by the City of Visalia Disaster Preparedness Manager (Fire Department Battalion Chief) and every four years the entire City EOP will be reviewed, updated, and redistributed.[10] It is reasonable, therefore, to assume that the City of Visalia will continue to upgrade preparedness strategies and techniques in all departments so as to be prepared when disaster, either natural or man-made, occurs in order to escape or avoid the afflicted areas. The County's Evacuation Plan places the City of Visalia in Zone 5 and identifies SR-198, SR-99, and SR-63 as evacuation routes. SR-198, SR-99 and SR-63 are all four-lane highways (two lanes in each direction) and thus can accommodate significant amounts of traffic. Additionally, because these highways are heavily traveled and commercially important corridors, they are regularly maintained by Caltrans. The Agriculture Center in Tulare is identified as a County shelter available to the community in the event of a catastrophic emergency.[11]

3.9.4 - Methodology and Approach to Analysis

This evaluation focuses on whether the proposed project would result in changes to the physical environment that would cause or exacerbate adverse effects related to the use, transportation, disposal, accidental release, or emission of hazardous materials. The evaluation also includes a determination of whether the proposed project would result in changes to the physical environment, or would impair or interfere with emergency response plans, or would expose people or structures to increased wildfire hazards (including dangers from overhead power lines). For the evaluation of potential construction-related and operational impacts from existing hazardous materials in project site soils, sediments, groundwater, surface water, and structures, the results of environmental sampling are compared to identified screening levels. The following analysis is based,

[10] City of Visalia. 2011. City of Visalia Emergency Operations Plan. Website: https://www.visalia.city/documents/Engineering/Flood%20Info/Complete%20EOP%20Binder%202011.pdf. Accessed February 15, 2023.

[11] City of Visalia. 2014. Visalia General Plan Chapter 8, Safety and Noise. October.

in part, on information provided by the General Plan, the Phase I ESA and Phase II ESA, and State of California websites.

Additional analyses regarding hazards and health risk related to emissions of toxic air contaminants (TACs) are addressed in Section 3.3, Air Quality. Flooding and inundation hazards, including those related to erosion and mudflow, are addressed in Section 3.10, Hydrology and Water Quality. Traffic-related safety hazards are addressed in Section 3.14, Transportation. Other geotechnical-related safety hazards, such as earthquakes, are addressed in Section 3.7, Geology and Soils. Finally, excessive noise exposure with respect to airport use or air traffic is addressed in Section 3.12, Noise.

3.9.5 - Thresholds of Significance

The City, as lead agency, has elected in its discretion to utilize the criteria in the California Environmental Quality Act (CEQA) Guidelines Appendix G Environmental Checklist to determine whether hazards and hazardous materials impacts resulting from the implementation of the proposed project would be considered significant. Specifically, it would be a significant impact if the proposed project would:

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

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

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

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

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

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury, or death involving wildland fires?

3.9.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the construction and operation of the proposed project and provides feasible mitigation measures, if and to the extent required.

Routine Transport, Use, or Disposal of Hazardous Materials

Impact HAZ-1: Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Impact Analysis

As described further below and in Appendix F, a Phase I ESA was conducted for the project site and found the potential presence of pesticides or herbicides in site soil, due to the current and historic agricultural use of the project site, to be an REC. No Controlled RECs (CRECs) or Historical RECs (HRECs) were observed on the project site.[12]

Following the conclusions of the Phase I ESA, a limited Phase II ESA was conducted on the project site to address the REC identified in the Phase I ESA through evaluation of the site's current subsurface soil conditions by providing additional soil sampling and analysis.[13] No reportable concentrations of organochlorine pesticides, or groundwater, were encountered on-site. The Phase II ESA found detectable arsenic concentrations in soil samples, at concentrations of 1.22 to 7.78 mg/kg, which are above the EPA Regional Screening Levels (RSLs) and DTSC Screening Levels for industrial soil, but simultaneously below the 12 mg/kg background arsenic concentration in Southern California soil as identified by the DTSC.[14] The DTSC Human Health Risk Assessment (HHRA) Note Number 11 for Southern California Ambient Arsenic Screening Level states that mitigation or remediation is usually not undertaken to reduce the concentration of contaminants below ambient levels.[15] Ambient and background concentrations of some inorganic elements, which includes arsenic, can exceed risk-based concentrations. Furthermore, Ninyo & Moore performed statistical analysis using the arsenic concentrations reported at the site to determine the upper limit of local arsenic background concentrations in accordance with the DTSC Guidance. There is only one reported concentration of arsenic at the site (7.78 mg/kg) that exceeds the calculated background concentration of 7.5 mg/kg. It is determined the exceedance is not significant and does not indicate contamination from an anthropogenic source. As such, the Phase II ESA concluded that the soil within the project site would be characterized as nonhazardous waste.[16]

There are no identified HRECs or CRECs on the project site. However, there is the potential presence of pesticides or herbicides in site soil that is considered a REC.[17] During the site reconnaissance, a chemical storage and mixing area was observed along the central northern property boundary, containing a small storage shed (potentially used for storing chemicals), an approximately 1,000-gallon aboveground pesticide/algaecide mixing tank, three 2,000-gallon aboveground nutrient mixing tanks, a multimedia filtration system comprised of six small multimedia filtration aboveground tanks and pump/piping network, and a large water storage basin. Associated transformers and power/control boxes located on top of concrete slabs and gravel beds were also

[12] Ninyo & Moore Geotechnical and Environmental Sciences Consultants. 2022. Phase I Environmental Site Assessment Northeast Corner of West Riggin Avenue and Kelsey Street. July 20.
[13] Ninyo & Moore Geotechnical and Environmental Sciences Consultants. 2023. Limited Phase II Environmental Site Assessment Northeast Corner of West Riggin Avenue and Kelsey Street. January 27.
[14] Ibid.
[15] Ibid.
[16] Ibid.
[17] Ninyo & Moore Geotechnical and Environmental Sciences Consultants. 2022. Phase I Environmental Site Assessment Northeast Corner of West Riggin Avenue and Kelsey Street. July 20.

observed. Additionally, one abandoned tank and sump of unknown contents were observed south of the northern chemical mixing/storage area along the private road that traverses south to north. Evidence of chemical or petroleum leaks/staining on the soil were not observed.[18] According to aerial imagery in the Phase I ESA, all on-site improvements were constructed after 2016 and would not contain hazardous materials such as lead-based paint, asbestos-containing material, or PCBs.

It was determined that, based on the agricultural use of the project site and vicinity since 1937, commercial pesticides and herbicides may have been applied to the project site and vicinity. Concentrations of these substances and/or their breakdown derivatives may be present in the project site's soils. The historical aerial photographs indicated the presence of buildings or other structures on the project site where pesticides or herbicides may have been mixed or stored. Therefore, the potential presence of pesticides or herbicides in site soil is considered a REC.

The Phase II ESA concluded that no reportable concentration organochlorine pesticides were found on the project site.[19] As discussed previously, the project site also contains soils with detectable arsenic concentrations (1.22 to 7.78 mg/kg). However, the measured concentration in site soils is below the Southern California soil background level of 12 mg/kg and thus soil from the project site would be considered nonhazardous waste.

Valley Fever or coccidioidomycosis, is prevalent in the central San Joaquin Valley of California. This disease, which affects both humans and animals, is caused by inhalation of arthroconidia (spores) of the fungus *Coccidioides immitis* (CI). CI spores are found in the top few inches of soil and the existence of the fungus in most soil areas is temporary. The proposed project has the potential to generate fugitive dust and suspend Valley Fever spores within the dust that could then reach nearby sensitive receptors. It is possible that on-site workers could be exposed to Valley Fever as fugitive dust is generated during construction. Implementation of dust control measures throughout the construction period would reduce fugitive dust emissions. Therefore, the exposure to Valley Fever would be minimized. With the implementation of these dust control measures, dust from the construction of the proposed project would not add significantly to the existing exposure level of people to this fungus, including construction workers, and impacts would be reduced to less than significant levels.

Construction

Construction activities associated with the proposed project would entail the use of heavy equipment on the project site. Potential hazardous materials transported, used, or disposed of during project construction would be limited to commonly used substances such as gasoline, diesel, oil, grease, mechanical fluids, paints, cleaning solvents, and similar items. However, construction of the proposed project would not involve the routine transport, use, or disposal of substantial quantities of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. Most of the hazardous materials used and hazardous waste generated by the proposed project would occur during the temporary construction period. Likely uses during construction

[18] Ninyo & Moore Geotechnical and Environmental Sciences Consultants. 2022. Phase I Environmental Site Assessment Northeast Corner of West Riggin Avenue and Kelsey Street. July 20.

[19] Ninyo & Moore Geotechnical and Environmental Sciences Consultants. 2023. Limited Phase II Environmental Site Assessment Northeast Corner of West Riggin Avenue and Kelsey Street. January 27.

would include cleaning fluids, solvents, petroleum products, dust palliative, and herbicides that are typical in nature and quantity. Some solid hazardous waste, such as welding materials and dried paint, may also be generated during construction. These materials would be transported to the project site during construction, and any hazardous wastes produced as a result of the construction of the proposed project would be collected and transported away from the project site pursuant to applicable laws and regulations. During construction of the proposed project, material safety data sheets for all applicable materials present at the project site would be made readily available to on-site personnel in accordance with required BMPs as part of a SWPPP (see Section 3.10, Hydrology and Water Quality). Workers would be trained to properly identify and handle all hazardous materials, and hazardous waste would either be recycled or disposed of at a permitted and licensed treatment and/or disposal facility. All hazardous waste shipped off-site for recycling or disposal would be transported by a licensed and permitted hazardous waste hauler and disposed of at an approved location.

During construction, nonhazardous construction debris would be generated and disposed of in local landfills pursuant to applicable laws and regulations. Sanitary waste would be managed using portable toilets located at a reasonably accessible on-site location. Compliance with applicable laws and regulations would ensure that construction of the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Hazardous materials such as petroleum fuels and lubricants used on field equipment would be subject to the Unified Hazardous Waste and Hazardous Materials Management Regulatory Program, the SPCC plan, the SWPPP, and other standard measures to limit releases of hazardous materials and wastes (see further discussion of BMP requirements in Section 3.10, Hydrology and Water Quality, of this Draft EIR). Recyclable materials, including wood, shipping materials, and metals, would be separated when practicable for recycling. The disposal of any oils or lubricants would be in accordance with all applicable laws and regulations, including, without limitation, the requirements of licensed receiving facilities. Overall, the relatively limited use and small quantities of typical hazardous materials, and subsequent transport and disposal of such materials, during construction would be controlled through compliance with applicable laws and regulations pursuant to a comprehensive regulatory framework administered by the DTSC and other relevant public agencies.

As discussed above, the potential presence of pesticides or herbicides in site soil due to past and current agricultural use was determined to potentially result in significant impacts due to transport, use, and disposal of hazardous levels of pesticides and herbicides on-site. Soil samples were taken to determine the presence of pesticides or herbicides in site soil. The Phase II ESA found that there were no reportable concentrations of pesticides or herbicides on-site and found the arsenic levels in the on-site soil to be below regional background levels. Therefore, the soil would be expected to be considered nonhazardous waste, and its transport and disposal would not result in a significant hazard to the public or environment. Furthermore, required compliance with applicable hazardous material laws and regulations would ensure that transport and disposal of any contaminated soils would not result in a significant hazard to the public or environment.

Operation

Operations and maintenance activities associated with the proposed project would not involve activities that would handle large quantities of hazardous materials and generation of hazardous waste given the nature of the proposed uses. Primary operations and maintenance activities that would occur on the project site would consist of light industrial and flex industrial uses as well as: a convenience store, gas station, car wash facility, RV/self-storage facilities, and drive-through restaurants. As part of its site design, the gas station would have two 20,000-gallon underground tanks on-site. In accordance with General Plan Policy S-P-17, the proposed project would be required to prepare an HMBP in accordance with the applicable Tulare County regulations outlined in the Tulare County HMBP. The proposed project's HMBP would be required to disclose the inventory of all hazardous materials on-site and would be made available to first responders in the City and County for emergency response activities. In addition, the project applicant for the gas station would be required to obtain a permit to operate the proposed UST system per California Code of Regulations Title 23, Division 3, Chapter 16, California Health and Safety Code Section (25280–25299.8). These regulations mandate the testing and frequent inspections of the UST facilities. Plans must be submitted to the Tulare County Division of Environmental Health prior to any underground storage tank installations, modifications, repairs, or removals.

Vehicles used during standard operations and maintenance would include delivery vehicles, trucks (pickup, flatbed), forklifts, and loaders for routine and unscheduled maintenance. Large heavy-haul transport equipment and cranes may be brought to the project site infrequently for equipment repair or replacement. Long-term maintenance and equipment replacement would be scheduled in accordance with manufacturer recommendations.

The California Environmental Protection Agency (Cal/EPA) oversees the Statewide implementation of the HMBP, which aims to prevent or minimize harm to public health and safety, and the environment from the release or threatened release of hazardous material. The minimum reporting quantities for hazardous materials is 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet for compressed gas. If a business handles hazardous materials at or in excess of the minimum thresholds, a HMBP is required to be prepared and approved by the State and local jurisdictions. The project tenants/operator will be required to submit information to the California Environmental Reporting System (CERS), Tulare County Department of Public Health, and the City regarding the use and storage of hazardous materials. Both the proposed gas station/mini-mart and future industrial uses would be subject to the HMBP requirements if they handle hazardous materials in excess of minimum reporting quantities.

During operation, tenants/operators may use potentially hazardous substances that are typical for this type of light industrial and flex industrial uses as well as the proposed commercial uses, including lubricants, hydraulic oils, and other substances. Small quantities of hazardous materials would be used on-site during operation of the proposed project, but not in sufficient quantities to create significant hazard in the unlikely event of upset or accident. Any routine storage, handling, transport, use, or disposal of hazardous materials during operation of the proposed project would be required to comply with all applicable laws, regulations, policies, and programs set forth by various

federal, State, and local agencies, including, without limitation, the EPA, RCRA, Caltrans, the Hazardous Materials Transportation Act, and the Tulare County Hazard Mitigation Plan.

Operation of the proposed tenants would include a gas station, with the routine use and storage of hazardous materials, which includes storage of gasoline in the project's underground fuel storage tanks (USTs), as well as delivery of gasoline and subsequent refilling of the tanks. Gasoline is considered a hazardous waste, and therefore, the installation and operation of underground fuel storage tanks are regulated by a variety of State and local agencies.

Development of a gas station would include the installation of two 20,000-gallon gasoline or diesel USTs that would be regulated by the State Water Resources Control Board (State Water Board) and Tulare County Department of Public Health, which is the CUPA. The installation and operation of USTs will be in compliance with local and State regulations related to USTs and hazardous materials. Therefore, the construction of the gas station would not create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Development of uses associated with the industrial park portion of the project site would be subject to the same regulations and permitting standards as noted above.As a result, operation of the proposed project would not create a significant hazard to the public or the environment through the use, storage, and transport of hazardous materials, and impacts related to operation would be less than significant.

In conclusion, impacts during construction and operation of the proposed project would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Risk of Upset

Impact HAZ-2:	**Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?**

Impact Analysis

See Impact HAZ-1.

Construction

Construction activities required for the proposed project would involve trenching, excavation, grading, and other ground-disturbing activities. Construction activities would temporarily require use of equipment, such as trucks, excavators, and other powered equipment and would use potentially hazardous materials such as fuels (gasoline and diesel) and lubricants (oils and greases). In addition, construction would include the use of cleaning fluids, solvents, petroleum products, dust palliative, and small quantities of household herbicides. Some solid hazardous waste, such as welding materials and dried paint, may also be generated during construction. Such materials would be used in

quantities typically associated with construction of the proposed project and would be transported, handled, stored, and disposed of in accordance with applicable laws and regulations and manufacturers' instructions.

As discussed above, there were no reportable concentrations of hazardous contaminants except for arsenic found on the project site. Detectable concentrations of arsenic were found in collected soil samples at concentrations above EPA RSLs and DTSC Screening Levels for industrial soil but simultaneously below background arsenic concentration as identified by the DTSC.[20] DTSC's HHRA Note Number 11 states that mitigation or remediation is usually not undertaken to reduce the concentration of contaminants below ambient levels. As such, it was concluded that soil on the project site would be categorized as nonhazardous, and would not require mitigation.[21]

According to CalGEM, the project site is not located within a known active oil production field but does include one plugged and abandoned well. However, it was confirmed plugged and abandoned on April 6, 2015.[22] There was no evidence of chemical or petroleum leaks/staining on the soil at the project site. However, as there is a known well on-site, and in the unlikely event an unknown, abandoned, or unrecorded well may occur on-site and may be discovered during construction of the proposed project, Mitigation Measure MM HAZ-1 would require that any known well be indicated on engineered plans showing a minimum 10-foot no build radius area. Should any abandoned or unrecorded wells be uncovered or damaged during excavation or grading, the project developer would immediately contact CalGEM, and comply with established procedures for dealing with wells. With the implementation of MM HAZ-1, impacts related to potentially hazardous materials uncovered during construction would be considered less than significant.

In conclusion, the risk of accidental release of hazardous materials during construction would be less than significant with implementation of mitigation.

Operation

During operation, it is reasonable to assume that tenants/operators would use potentially hazardous substances that are typical for this type of light and flex industrial and compatible commercial uses, including, for example, lubricants, hydraulic oils, and other substances. Small quantities of hazardous materials would be used on-site during operation of the proposed project but not in sufficient quantities to create significant hazard in the unlikely event of upset or accident. These types of materials are common in such light/flex industrial and commercial projects and represent a low risk to people and the environment when used and handled as intended, pursuant to the requirements set forth in the comprehensive regulatory framework, and would not be expected to result in the release of hazardous materials into the environment. The handling, transport, and disposal of such substances must comply with all local, State, and federal laws and regulations, which would help reduce risks of upset and accident conditions. As such, operational impacts related to hazardous materials risk would be less than significant.

[20] Ninyo & Moore Geotechnical and Environmental Sciences Consultants. 2023. Limited Phase II Environmental Site Assessment Northeast Corner of West Riggin Avenue and Kelsey Street. January 27.

[21] Ibid.

[22] Ninyo & Moore Geotechnical & Environmental Sciences Consultants. 2022. Phase I Environmental Site Assessment Northeast Corner of West Riggin Avenue and Kelsey Street. July 20.

As noted above, the proposed project would include the installation of USTs. Accordingly, the proposed project would be required to submit a HMBP, and as such the hazardous materials that would be present on-site in connection with the proposed gas station would be contained within specifications that follow applicable federal, State, and local requirements. For example, and without limitation, OSHA requirements call for the inclusion of appropriate ventilation, acid resistant materials, and presence of spill protection supplies.

Overall, adherence to applicable laws and regulations and standard protocols during the storage, transportation, and usage of any hazardous materials would minimize or reduce potential impacts during construction related to reasonably foreseeable upset and accident conditions involving the release of hazardous materials to a less than significant level. Furthermore, impacts during operation of the proposed project would be less than significant.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM HAZ-1

(a) Any known wells on the project site shall be delineated on an engineered site plan with a minimum 10-foot radius no build area.

(b) In the event that any abandoned or unrecorded wells are uncovered or damaged during excavation or grading activities, all work shall cease in the vicinity of the well, and the California Department of Conservation Geologic Energy Management (CalGEM), shall be contacted for requirements and approval; copies of said approvals shall be submitted to the City of Visalia Community Development Department. CalGEM may determine that remedial plugging operations may be required.

(c) The following note shall appear on all final maps and grading plans: "If during grading or construction, any plugged and abandoned or unrecorded wells are uncovered or damaged, CalGEM will be contacted to inspect and approve any remediation required.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

Hazardous Emissions Proximate to a School

Impact HAZ-3:	**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?**

Impact Analysis

The project site is not located within 0.25-mile of an existing or proposed school. The nearest school to the project site is Denton Elementary School, which is located approximately 0.46-mile southeast of the project site. As such, the proposed project would not emit hazardous materials or involve

handling hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of an existing or proposed school. Therefore, impacts would be less than significant.

As noted above, construction activity would be expected to involve the transport, use, and disposal of hazardous materials that are typical for this type of light/flex industrial and compatible commercial uses, such as diesel fuels, aerosols, and paints. However, the handling, transport, use, and disposal of hazardous materials would be required to comply with the Hazardous Materials Transportation Act, California Public Resources Code, and other State and local laws and regulations, which further limits the risk of emissions or release of hazardous materials, substances, or waste. In addition, it is anticipated that construction trucks would travel west along Riggin Avenue to access SR-99, which is the nearest highway. The nearest schools are southeast of the project site and therefore it is unlikely that the construction trucks would travel past the schools. Therefore, construction impacts in this regard be less than significant.

During operation, because of the distance to the nearest school, the low probability of significant quantities of hazardous materials to be present on-site, and required project compliance with applicable laws and regulations pertaining to handling, storage, use, and transport of hazardous materials, substances, or waste, impacts would be less than significant. Therefore, operational impacts related to hazardous emissions proximate to a school would be less than significant.

Mitigation Measure

No mitigation measures required.

Level of Significance

Less than significant impact.

Government Code Section 65962.5 Sites

Impact HAZ-4:	**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?**

Impact Analysis

As noted above, the project site is not identified in any of the California hazardous materials databases, as shown in Table 3.9-1. Searches were completed for all lands within the project site in the following hazardous materials lists: Cal/EPA's Cortese List, including the DTSC's EnviroStor database of hazardous substances release sites; and GeoTracker, the California database of leaking underground storage tanks.[23,24]

Because the proposed project would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, there is no potential of

[23] Department of Conservation. 2022. EnviroStor. Website: https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=vasalia. Accessed August 11, 2022.

[24] California State Water Resources Control Board (State Water Board). 2022. Geotracker. Website: https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=visalia. Accessed August 11, 2022.

creating a significant hazard to the public or the environment and, therefore, there would be no impact.

Mitigation Measures

No mitigation measures are required.

Level of Significance

No impact.

Proximity to Public Airport Safety Hazard

Impact HAZ-5:	**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 the project area?**

Impact Analysis

The nearest public airport to the proposed project would be Visalia Municipal Airport, located approximately 2.68 miles southwest of the project site. According to the Tulare County Comprehensive Airport Land Use Plan, the southwest corner of the project site lies within the Visalia Municipal Airport's Airport Influence Area but outside of the Airport Safety Zone.[25] Land use compatibility within the Airport Influence Area is defined in the Tulare County Land Use Compatibility Matrix (Section 3 of the Tulare County Comprehensive Airport Land Use Plan). The proposed light and flex industrial and compatible commercial uses are considered "compatible." Buildings within the Airport Influence Area are also subject to height restriction set forth in Federal Aviation Regulations (FAR) Part 77. The proposed project would have a maximum height of 45 feet, which is far lower than the FAR Part 77 height restriction of 200 feet, beyond which would require Federal Aviation Administration (FAA) notification.[26]

As such, the proposed project would not result in a safety hazard or excessive noise for people residing or working the project area. Impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Emergency Response and Evacuation

Impact HAZ-6:	**Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

[25] Aries Consultants Ltd. 2012. Tulare County Comprehensive Airport Land Use Plan. December.
[26] Federal Aviation Administration (FAA). Form FAA 7460-1- Notice of Proposed Construction or Alteration. Website: https://www.faa.gov/documentLibrary/media/Form/FAA_Form_7460-1_042023.pdf. Accessed December 15, 2022.

Impact Analysis

The City has not previously experienced wildfire or other hazards that required evacuation.

The City of Visalia's EOP was adopted in 2011 and is used in conjunction with the Tulare County's EOP, which incorporates the County's updated 2011 Evacuation Plan. To keep Tulare County residents and businesses informed of emergencies and other time-sensitive messages, the County utilizes Alert TC. Notifications may include severe weather warnings, wildfire alerts, and road closures/detours. As discussed under Impact PUB-1 in Section 3.13, Public Services, Fire Station 55 is the nearest fire station to the project site, located approximately 0.43 mile to the south at 921 West Ferguson Avenue. The next closest station is Fire Station 53, located approximately 3.27 miles to the southeast at 5025 West Walnut Avenue. Based on this distance from the Fire Department's fire station, the response time for a fire engine traveling at an average speed of 35 miles per hour (mph) would be approximately 2 minutes. There are not currently any fire hydrants on the project site; however, the proposed project would be required to comply with the City's Hydrant Ordinance, including providing the mandated number of hydrants with adequate fire flow pressure (a minimum flow of 2,000 gallons per minute at 20 psi residual pressure).[27]

During construction, construction equipment and vehicles would access and leave the project site, which in turn could potentially impede evacuation or Emergency Vehicle Access (EVA). The City does not currently have any established evacuation routes; however, the General Plan designates SR-198, SR-99, and SR-63 as evacuation routes consistent with the County EOP.[28] The foregoing State Routes are located approximately 2 miles south, 3 miles west, and 4 miles east from the project site, respectively. In addition to these State Routes that would be likely evacuation routes in the event of a wildfire emergency, there are other main arterial roads that are in the vicinity and readily accessible, which could reasonably be assumed to serve as emergency evacuation routes in the project vicinity. The proposed project's primary access roads (Kelsey Street, Clancy Street, Shirk Street, and Riggin Avenue) allow adequate egress/ingress to the project site in the event of an emergency. These streets would connect to an internal road network within the project site, providing ample access for emergency vehicles in the case of an emergency. Given the availability of multiple State Routes identified as evacuation routes available to the proposed project as well as other community members, coupled with several alternative main arterial roads that provide access to these identified evacuation routes, the proposed project's construction would not substantially impair these evacuation routes and would not substantially impair any adopted emergency response plan or emergency evacuation plan. While construction would result in truck deliveries, hauling of materials, and construction crews, and operation of the proposed project would involve both passenger vehicles and truck trips associated with the flex/light industrial and compatible commercial uses, improvement plans and any work completed in existing roadways would be required to be approved by the City Engineer before they could occur. The proposed streets have been designed and would be required to be constructed to applicable City specifications and have adequate site access for emergency vehicles. In the event of an emergency response, the City's

[27] City of Visalia. 2001. Municipal Code Section 16.36.120 Water mains, fire hydrants and fire department access. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?blobid=4255. Accessed November 22, 2022.
[28] City of Visalia. 2014. Visalia General Plan Chapter 8: Safety and Noise.

Engineering, Police, and Fire Departments would coordinate to ensure that adequate access to and from the project site is maintained. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Wildland Fires

Impact HAZ-7:	**Would the project expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?**

Impact Analysis

The project site is not located in or near an SRA and also does not contain lands classified as a VHFHSZ.[29] According to the CAL FIRE FHSZ Maps for the LRA, the project site is classified as LRA Unzoned, which means that the project site is located outside of areas identified by CAL FIRE as having substantial or very high risk.

The Unit Strategic Fire Plan for the CAL FIRE Tulare Unit designates the project site as being located within an Agriculture area by Tulare County (County).[30] The closest mapped FHSZ is an SRA Moderate Zone located approximately 15 miles east of the project site, at the outer city limits of the City of Exeter. There is an FRA Moderate Zone located approximately 23 miles to the southwest of the project site just outside of the City of Lemoore city limits.[31] The nearest VHFHSZ is located over 25 miles east of the project site.

In addition, the General Plan does not designate the project site as being in a fire hazard area. According to General Plan Figure 8-4, Fire Hazards and Public Safety Services, there is an area of moderate fire susceptibility located along North Plaza Drive between West Ferguson Avenue and Goshen Avenue, which is located approximately 3,700 feet southwest of the project site.[32] The nearest VHFHSZ is located over 25 miles east of the project site. Thus, the project site is not in a wildfire-prone area. Additionally, the project site is not located within a wildland urban interface area and has not previously experienced wildfire. The area surrounding the project site is mostly agricultural and industrial land. As such, the project site is surrounded either by urban development or by managed land that does not contain steep terrain or unmanaged open space areas that could be prone to wildfires. See also Section 3.16, Wildfire, of this Draft EIR for additional detail in this regard.

Slope and wind speed and can influence the spread of fires. Upslope topography eventually increases the spread rate of the fire in all fuel beds over flat conditions. As described in Chapter 2,

[29] City of Visalia. 2014. Visalia General Plan Chapter 8: Safety and Noise.
[30] California Department of Forestry and Fire Prevention (CAL FIRE). 2022. Unit Strategic Fire Plan CAL FIRE/Tulare Unit. May.
[31] Ibid.
[32] City of Visalia. 2014. Visalia General Plan Chapter 8: Safety and Noise, Figure 8-4: Fire Hazards and Public Safety Services. October.

Project Description, the project site has an elevation of approximately 303 feet above mean sea level (AMSL). The project site has is predominantly flat with a gentle slope to the northwest.

The nearest air monitoring station that measures meteorological data is the Visalia Municipal Airport Station, located approximately 2.87 miles southwest of the project site. According to the ARB, this station has an average wind speed of 6.9 mph and an annual maximum of 12 mph.[33] While these wind speeds could potentially spread wildfires, the project site and vicinity are not in or near a WUI zone and are bordered by urban development on two sides, with similar development planned in the area in the immediate future.[34] Annual prevailing winds in the City of Visalia are from the northwest; therefore, the prevailing winds would blow fire embers away from the project site and would not exacerbate fire risk.[35] As such, the project site and its surroundings do not embody conditions that would exacerbate wildfire in this regard.

The project site would be annexed into the City; as such, VFD would maintain responsibility for fire prevention and suppression over the project site. As discussed further in Section 3.13, Public Services, of this Draft EIR, the proposed project would be adequately served by fire protection services from VFD. Furthermore, project structures would be required to comply with applicable provisions of the California Fire Code with respect to emergency access and use of building materials that would limit the spread of wildfire to the greatest extent feasible. The City requires all new development and subdivisions to meet UFC provisions, and the VFD reviews all development applications during the plan check process.[36] Additionally, the City undertakes vegetation management activities that, in accordance with General Plan Policy S-P-27, require builders and developers to submit their plans, complete with proposed fuel modification zones, to the Fire Department for review and approval prior to beginning construction.[37]

Compliance with applicable State and local plans, laws, and regulations and adherence to General Plan Policy S-P-27 would further reduce any potential risk of impacts related to wildland fire hazards. Therefore, potential impacts from wildland fires would be less than significant.

See also Section 3.16, Wildfire, of this Draft EIR for additional discussion of wildfire issues.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

[33] California Air Resources Board (ARB). 2022. Tulare County – All Networks Annual Resultant Wind Summary Data 2022. Website: https://www.arb.ca.gov/aqmis2/display.php?param=WINSPD_mph&year=2022&mon=8&day=18&hours=all&county_name=54-Tulare&basin=--AIR+BASIN--&latitude=--PART+OF+STATE--&report=ASRPT&order=state%2Cbasin%2Ccounty_name%2Cname&network%5B%5D=ALL&submit=Retrieve+Data&ptype=met. Accessed August 18, 2022.

[34] California Department of Forestry and Fire Prevention (CAL FIRE). 2019. Wildland Urban Interface (WUI). December.

[35] Western Regional Climate Center. 2022. Prevailing Wind Direction. Website: https://wrcc.dri.edu/Climate/comp_table_show.php?stype=wind_dir_avg. Accessed November 22, 2022.

[36] City of Visalia. 2014. Visalia General Plan Draft Environmental Impact Report, Chapter 3.11 Hazardous Materials.

[37] City of Visalia. 2014. Visalia General Plan Chapter 8: Safety and Noise.

3.9.7 - Cumulative Impacts

The geographic scope of the cumulative hazards and hazardous materials analysis is the project area. Adverse effects of hazards and hazardous materials tend to be localized; therefore, the area near the project area would be most affected by project activities. For the transport of hazardous materials, the geographic scope includes local and regional transportation facilities. The cumulative projects are those past, present, and reasonably foreseeable future projects, including those listed in Chapter 3, Environmental Impact Analysis, Table 3-1, Cumulative Projects.

Hazards Materials Exposure Risk

Cumulative projects listed in Chapter 3, Environmental Impact Analysis, Table 3-1, may include demolition of existing structures that have the potential to contain hazardous building materials. Building materials may contain asbestos-containing materials (ACM) and lead-based paint (LBP). To address potential release of hazardous materials, the City would require the applicants of cumulative developments to assess structures and comply with standard conditions of approval/ mitigation measures (e.g., required testing, removal, and proper disposal) to minimize release prior to any demolition. Additionally, a comprehensive regulatory framework involving regional, State, and federal laws and regulations would apply to these cumulative projects, which would ensure a less than significant cumulative impact related to exposure to hazardous materials.

With respect to impacts related to the creation of a hazard through upset or accident conditions involving the release of a hazardous material, the following could occur during construction or operation of the project site: grading that would generate dust and the use and transport of petroleum-based lubricants, solvents, fuels, herbicides, and pesticides to and from the site. The potential exists for proposed project activities to result in mobilization of hazardous materials in the soil resulting in exposure of personnel and other sensitive receptors to contaminant levels that could result in short-term and/or long-term health effects. Project conformance with existing federal, State, and local regulations, approval of a HMBP, project safety design features, etc., would reduce this impact to less than significant.

As noted, the project site is not located within a known active oil production field but does include one plugged and abandoned well. However, in the unlikely event an unknown, abandoned, or unrecorded well may occur on-site and may be discovered during construction of the proposed project, Mitigation Measure MM HAZ-1 would require that, should any abandoned or unrecorded wells be uncovered or damaged during excavation or grading, the project developer would immediately contact CalGEM, and comply with established procedures for dealing with wells. Therefore, this impact does not have the potential to combine with contamination from the discovery of other unknown oil wells from other projects to result in a cumulative impact, due to the localized nature of the issue.

With respect to the proposed project, other proposed projects would similarly be required to adhere to standard conditions of approval and identified mitigation and otherwise ensure compliance with all applicable laws, regulations, plans, and policies related to transport, use, and disposal of hazardous materials, as discussed above. Therefore, impacts of the proposed project would not

combine with impacts from past, present, or reasonably foreseeable projects to result in a cumulative impact.

Fire Hazard

The project site is not located in or near an SRA and also does not contain lands classified as a VHFHSZ.[38] The project site is classified as LRA Unzoned, which means that the project site is located outside of areas identified by CAL FIRE as having substantial or very high risk.

The Unit Strategic Fire Plan for the CAL FIRE Tulare Unit designates the project site as being located within an Agriculture area by the County.[39] The closest mapped FHSZ is an SRA Moderate Zone located approximately 15 miles east of the project site and there is an FRA Moderate Zone located approximately 23 miles to the southwest [40] The nearest VHFHSZ is located over 25 miles east of the project site.

Project-related activities at the project site are not expected to increase the risk of wildfires. The General Plan includes policies that would protect the project and the community from fire dangers. These include the enforcement of fire codes during project-related activities. In addition, developers are required to pay impact fees that offset the impact of development on public services, such as fire protection. In addition, implementation of appropriate safety measures during construction and operation of the project, as well as other cumulative projects, would reduce the impact to a level that would not contribute to cumulative effects related to fire hazards. Given the minimal risks of fire hazards at the project site, cumulative impacts are unlikely to occur. Therefore, impacts would not be cumulatively significant.

Hazards and Emergency Response

The main arterial streets that would act as the most likely evacuation routes for cumulative developments out of the City are SR-198 (east–west), SR-99 (north–south), and SR-63 (north–south). Planned uses as proposed by the cumulative projects contemplated in the General Plan would result in planned development within the City and would not significantly increase the need for emergency services, including those related to wildfires. Furthermore, all construction would be required to adhere to all applicable laws and regulations, including those in the California Fire Code, which are designed to minimize the potential for the release of hazardous materials or uncontrolled fires. Once development is proposed, the City would assess the needs for fire protection services and inform efforts to improve or expand needed facilities.

As listed in Table 3-1, cumulative development in the City consists predominantly of residential, commercial, and industrial development, which would result in an additional number of persons and structures with the geographic scope. The types of cumulative development would increase the population, as contemplated in the City's General Plan. All cumulative development would, however, be required to comply with emergency access requirements as standard conditions of approval. Furthermore, the cumulative development in the City would be required to ensure no permanent

[38] City of Visalia. 2014. Visalia General Plan Chapter 8: Safety and Noise.
[39] California Department of Forestry and Fire Prevention (CAL FIRE). 2022. Unit Strategic Fire Plan CAL FIRE/Tulare Unit. May.
[40] Ibid.

road closures, would not be permitted to impede established emergency access routes, and would not interfere with emergency response requirements. Given the location of the relevant cumulative developments, it is anticipated that the identified evacuation routes of SR-198 (east–west), SR-99 (north–south), and SR-63 (north–south) would be available and would not be substantially impaired. As such, there would be a less than significant cumulative impact associated with hazards and emergency response.

With respect to the proposed project, similarly, it would be required to adhere to standard conditions of approval and identified mitigation and otherwise ensure compliance with all applicable laws, regulations, plans, and policies related to emergency access routes and emergency response requirements. For these reasons, the proposed project's incremental contribution to this less than significant cumulative impact would not be cumulatively considerable.

Mitigation Measures

Implementation of MM HAZ-1.

Level of Cumulative Significance After Mitigation

Less than significant impact with mitigation incorporated.

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3.10 - Hydrology and Water Quality

3.10.1 - Introduction

This section describes the existing hydrology and water quality setting and potential effects from project implementation on the site and its surrounding area. Descriptions and analysis in this section are based, in part, on the Water Supply Assessment prepared for the proposed project by 4Creeks, Inc., in September 2022, included as Appendix G of this document and the Urban Water Management Plan (UWMP).

During the Environmental Impact Report (EIR) scoping period, no public comments were received related to the project's potential hydrologic impacts.

3.10.2 - Environmental Setting

Surface Hydrology

The City of Visalia (City) is located in the Kaweah River's Delta system, which results in many rivers and creeks that flow through the City.[1] The Kaweah River travels to the south of the Planning Area, and the St. John's River splits off from the Kaweah River and travels on the northern border of Visalia. Surface runoff in the Planning Area generally flows from east to west and terminates in the Tulare Lake Basin. Major surface water resources in the area include the St. John's River, Modoc Ditch, Mill Creek Ditch, Mill Creek, Tulare Irrigation District Canal, Packwood Creek, Cameron Creek, Deep Creek, Evans Creek, Persian Ditch, and several other local ditches. Except for the Tulare Irrigation District Canal, most watercourses are intermittent drainages that receive a significant portion of flow from stormwater runoff during the rainy season. This intermittent flow is typically supplemented from water released from Terminus Dam, which was constructed in 1962 and is operated by the United States Army Corps of Engineers (USACE). When drier conditions return in the spring, groundwater generally provides base flow for a portion of the summer.

The City operates and maintains a vast municipal storm drainage system that consists of drainage channels, 23 detention and retention basins, 33 pump stations and 250 miles of pipe. Historically, runoff was disposed of by directing it to the natural creeks, rivers, and irrigation ditches that flow through the City including the St. John's River, Mill Creek, Packwood Creek, Modoc Ditch, Evans Ditch and Persian Ditch. To mitigate the increased runoff due to urbanization, the City has invested heavily in the purchase of land and the construction of permanent retention basins.

Surface Water Quality

The surface water quality of the Kaweah River Delta system is considered excellent and typical of Sierra Nevada snowmelt runoff.[2] There are no known water quality impairments in the area according to the Clean Water Act (CWA) Section 303(d) List of impaired waters. The City complies with the terms of the General Permit for stormwater discharges from small Municipal Separate Storm Sewer Systems (MS4s). As a result, the City is proactively involved in protecting water quality.

[1] City of Visalia. 2014. General Plan Environmental Impact Report. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=30496. Accessed December 13, 2022.
[2] Ibid.

In November 2005, the City adopted a Storm Water Management Plan that includes a detailed analysis of its plans to handle stormwater runoff from increased amounts of impervious surface. Plans include retention/detention facilities, street sweeping, establishment of a water quality hotline, and an Illicit Discharge Protection System which will allow the City to determine whether there is a serious water quality problem from illegal discharges.

The quality of stormwater in the urbanized area of Visalia varies greatly depending on climatic and land use conditions. Urban and industrial runoff is known to contribute significantly to the levels of toxic materials, such as metals and organic pesticides, transported to streams. Stormwater discharges may contain unacceptable levels of petroleum fuels and oils; organic matter such as pet and domestic livestock wastes; pesticides; and metals such as copper, lead, cadmium, and zinc. Fertilizers such as nitrogen and phosphorus may also be present.

Groundwater Basin Hydrology

Kaweah Subbasin

The sole source of water supply for the Visalia residents is groundwater. California Water Service (Cal Water) Visalia District pumps from the Kaweah Subbasin of the San Joaquin Valley Basin. The total surface area of the Kaweah Subbasin is 446,000 acres or 696 square miles. The subbasin lies between the Kings Groundwater Subbasin on the north, the Tule Subbasin on the south, crystalline bedrock of the Sierra Nevada foothills on the east, and the Kings River Conservation District on the west. Major rivers and streams in the subbasin include the Kaweah and St. Johns Rivers, with the former being the primary source of recharge in the area. Groundwater flow is generally southwestward. In 1999, small groundwater depressions occurred to the north and south of Visalia and at the northwest corner of the subbasin, and a groundwater mound was present in the central western subbasin. Based on current and historical groundwater elevation maps, horizontal groundwater barriers do not appear to exist in the subbasin.[3] California Department of Water Resources (DWR) determined that the subbasin is in a condition of critical overdraft.

California Water Service Visalia District

Cal Water Visalia District provides water services within the City. Cal Water is an urban water supplier that provides the main source of water supply for the City and surrounding communities. The Visalia District is an urban retail water supplier, as defined by California Water Code Section 10608.12. The Visalia District does not provide water wholesale.

The Visalia District also serves the communities of Goshen, Mullen, and Tulco. California Water Service operates 72 wells to meet the water demands of Visalia and Goshen customers. Visalia District is part of a regional group of agencies and providers as follows:

- Mid-Kaweah Groundwater Sustainability Agency (MKGSA)
- Kaweah Delta Water Conservation District (KDWCD)
- Kaweah River Basin Regional Water Management Group

[3] City of Visalia. 2014. General Plan EIR Utilities Section. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=30499. Accessed January 30, 2023.

In the region in which the Visalia District is located, Cal Water participates with the KDWCD. In this District, the City of Visalia and others established the Groundwater Management Plan (GMP) under the provisions of Assembly Bill (AB) 3030. KDWCD is the lead agency in this effort. KDWCD has historically focused on the conservation of flows of the Kaweah River for groundwater recharge. Cal Water is also a stakeholder group participant in the Kaweah River Basin Integrated Regional Water Management Plan, adopted in December 2018.

Conservation Measures

Cal Water's conservation program has reduced per capita usage and demands on critical water sources and will continue to do so. Cal Water is committed to helping its customers use water efficiently and has developed a range of water conservation programs to support this goal. To ensure that it is providing the right mix of programs in the most cost-effective manner possible, Cal Water routinely conducts comprehensive conservation program analysis and planning. This is done on a five-year cycle in tandem with the UWMP. Cal Water's current Conservation Master Plan (April 2021) provides the basis for the information on the implementation of and expected water savings from Demand Management Measures (DMMs).

Flooding and Inundation

Visalia experienced major floods in 1950, 1955, 1966, and 1969. The waterways described above have historically been used for flood control, stormwater conveyance, riparian, and recreational uses. In addition, the City maintains parks and detention ponds that serve to detain stormwater runoff when significant storm events occur. Most of the City is located in Zone X and X02, defined as areas of moderate to low risk of flooding. However, some areas along the creeks and drainages are within Zone A and Zone AE, which are high risk areas prone to the 100-year storm event.

3.10.3 - Regulatory Framework

Clean Water Act

The CWA (33 United States Code [USC] § 1251, *et seq*.) is the major federal legislation governing the water quality aspects of construction and operation of the proposed project or variant. The CWA established the basic structure for regulating discharges of pollutants into waters of the United States (not including groundwater) and waters of the State. The objective of the CWA is "to restore and maintain the chemical, physical, and biological integrity of the nation's waters." The CWA establishes the basic structure for regulating the discharge of pollutants into waters of the United States.

The CWA authorizes the United States Environmental Protection Agency (EPA) to implement pollution control programs. Under the CWA, it is unlawful for any person to discharge any pollutant from a point source into navigable waters, unless a National Pollutant Discharge Elimination System (NPDES) permit is obtained. In addition, the CWA requires each state to adopt water quality standards for receiving water bodies and to have those standards approved by the EPA. Water quality standards consist of designated beneficial uses for a particular receiving water body (e.g., wildlife habitat, agricultural supply, fishing), along with water quality objectives necessary to support those uses.

Responsibility for protecting water quality in California resides with the California State Water Resources Control Board (State Water Board) and nine Regional Water Quality Control Boards (RWQCBs). The State Water Board establishes Statewide policies and regulations for the implementation of water quality control programs mandated by federal and State water quality statutes and regulations. The RWQCBs develop and implement water quality control plans (basin plans) that consider regional beneficial uses, water quality characteristics, and water quality problems. Water quality standards applicable to the project are listed in the Central Valley RWQCB Basin Plan.

Section 303—Water Quality Standards and Total Maximum Daily Loads

Section 303(c)(2)(b) of the CWA requires states to adopt water quality standards for all surface waters of the United States based on the water body's designated beneficial use. Where multiple uses exist, water quality standards must protect the most sensitive use. Water quality standards are typically numeric, although narrative criteria based on biomonitoring methods may be employed where numerical standards cannot be established or where they are needed to supplement numerical standards.

CWA Section 303(d) requires states and authorized Native American tribes to develop a list of water quality-impaired segments of waterways. The list includes waters that do not meet water quality standards necessary to support a waterway's beneficial uses even after the minimum required levels of pollution control technology have been installed. Listed water bodies are to be priority ranked for development of a total maximum daily load (TMDL). A TMDL is a calculation of the total maximum daily load (amount) of a pollutant that a water body can receive on a daily basis and still safely meet water quality standards. The TMDLs include waste load allocations for urban stormwater runoff as well as municipal and industrial wastewater discharges, with allocations apportioned for individual Municipal Separate Storm Sewer Systems (MS4s) and wastewater treatment plants. For stormwater, load reductions would be required to meet the TMDL waste load allocations within the 20 years required by the TMDLs.

The State Water Board, RWQCBs, and EPA are responsible for establishing TMDL waste load allocations and incorporating approved TMDLs into water quality control plans, NPDES permits, and Waste Discharge Requirements (WDRs) in accordance with a specified schedule for completion. The Central Valley RWQCB develops TMDLs.

Section 401—Water Quality Certification

Section 401 of the CWA requires compliance with State water quality standards for actions within State waters. Under CWA Section 401, an applicant for a Section 404 permit (to discharge dredged or fill material into waters of the United States) must first obtain a certificate from the appropriate agency stating that the fill is consistent with the State's water quality standards and criteria. In California, the State Water Board delegates authority to either grant water quality certification or waive the requirements to the nine RWQCBs. The Central Valley RWQCB is responsible for the project site.

Section 402—National Pollution Discharge Elimination System Permits

The RWQCBs administer the NPDES stormwater permitting program, under Section 402(d) of the federal CWA, on behalf of the EPA. The objective of the NPDES program is to control and reduce levels of pollutants in water bodies from discharges of municipal and industrial wastewater and stormwater runoff. CWA Section 402(d) establishes a framework for regulating nonpoint-source stormwater discharges (33 USC 1251). Under the CWA, discharges of pollutants to receiving water are prohibited unless the discharge complies with an NPDES permit. The NPDES permit specifies discharge prohibitions, effluent limitations, and other provisions, such as monitoring deemed necessary to protect water quality based on criteria specified in the National Toxics Rule (NTR), the California Toxics Rule (CTR), and the basin plan.

Discharge prohibitions and limitations in an NPDES permit for wastewater treatment plants are designed to maintain public health and safety, protect receiving water resources, and safeguard the water's designated beneficial uses. Discharge limitations typically define allowable effluent quantities for flow, biochemical oxygen demand, total suspended matter, residual chlorine, settleable matter, total coliform, oil and grease, pH, and toxic pollutants. Limitations also typically encompass narrative requirements regarding mineralization and toxicity to aquatic life. Under the NPDES permits issued to a city/county to operate the treatment plants, the city/county is required to implement a pretreatment program. This program must comply with the regulations incorporated in the CWA and the General Pretreatment Regulations (Code of Federal Regulations [CFR] Title 40, Part 403 [40 CFR 403]).

Section 401—Water Quality Certification

Section 404 of the CWA regulates temporary and permanent fill and disturbance of wetlands and waters of the United States. Under Section 404, the discharge (temporary or permanent) of dredged or fill material into waters of the United States, including wetlands, typically must be authorized by the USACE through either the Nationwide Permit (general categories of discharges with minimal effects) or the Individual Permit.

River and Harbors Act Section 10

Section 10 of the Rivers and Harbors Act of 1899 requires that regulated activities conducted below the ordinary high-water elevation of navigable waters of the United States be approved and permitted by the USACE. Regulated activities include the placement or removal of structures, work involving dredging, disposal of dredged material, filling, excavation, or any other disturbance of soils/sediments or modification of a navigable waterway. Navigable waters of the United States are those waters of the United States that are subject to the ebb and flow of the tide shoreward to the mean high-water mark and/or are presently used, or have been used in the past, or may be susceptible to use, to transport interstate or foreign commerce. Section 10 also regulates tributaries and backwater areas that are associated with navigable waters of the United States and are located below the ordinary high-water elevation of the adjacent navigable waterway.

A project proponent can apply for a permit/letter of permission for work regulated under Section 404 (CWA) and Section 10 (Rivers and Harbors Act) by completing and submitting one application

form. An application for a USACE permit will serve as an application for both Section 404 and Section 10 permits.

Federal Antidegradation Policy

The federal antidegradation policy is designed to protect existing water uses, water quality, and national water resources. The federal policy directs states to adopt a statewide policy that includes the following primary provisions:

- Existing instream uses and the water quality necessary to protect those uses shall be maintained and protected.
- Where existing water quality is better than necessary to support fishing and swimming conditions, that quality shall be maintained and protected unless the state finds that allowing lower water quality is necessary for important local economic or social development.
- Where high-quality waters constitute an outstanding national resource, such as waters of national and state parks, wildlife refuges, and waters of exceptional recreational or ecological significance, that water quality shall be maintained and protected.

National Toxics Rule and California Toxics Rule

In 1992, the EPA promulgated the NTR under the CWA to establish numeric criteria for priority toxic pollutants for 14 states to bring all states into compliance with the requirements of CWA Section 303(c)(2)(B). The NTR established water quality standards for 42 pollutants not covered under California's Statewide water quality regulations at that time. As a result of the court-ordered revocation of California's Statewide basin plans in September 1994, the EPA initiated efforts to promulgate additional federal water quality standards for California. In May 2000, the EPA issued the CTR, which includes all the priority pollutants for which the EPA has issued numeric criteria not included in the NTR.

Executive Order 11988

Executive Order 11988, "Floodplain Management," directs all federal agencies to avoid, to the extent possible, long- and short-term adverse impacts of occupancy and modification of floodplains, and to avoid supporting development in a floodplain either directly or indirectly wherever there is a practicable alternative. Compliance requirements are outlined in 23 Code of Federal Regulations 650, Subpart A, "Location and Hydraulic Design of Encroachment on Floodplains."

If a project involves significant encroachment into the floodplain, the final environmental document must include:

- The reasons why the proposed action must be located in the floodplain,
- Alternatives considered and the reasons they were not practicable, and
- A statement indicating whether the action conforms to applicable state or local floodplain protection standards.

National Toxics Rule and California Toxics Rule

The National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973 were enacted to reduce the need for flood protection structures and limit disaster relief costs by restricting development in floodplains. FEMA, established in 1979, is responsible for predicting hazards from flooding events and forecasting the level of inundation under various conditions. As part of its duty to develop standards for delineating fluvial and coastal floodplains, FEMA provides information on Flood Insurance Rate Maps (FIRMs) about the potential for flood hazards and inundation and, where appropriate, designates regions as special flood hazard areas. Special flood hazard areas are defined as areas that have a 1 percent chance of flooding in a given year.

FEMA also administers the National Flood Insurance Program (NFIP), a federal program that enables property owners in participating communities to purchase insurance as protection against flood losses in exchange for state and community floodplain management regulations that reduce future flood damages.

State

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act of 1969 (Porter-Cologne Act) is California's statutory authority for the protection of water quality. Under the Porter-Cologne Act, the State must adopt water quality policies, plans, and objectives that protect the State's waters for the use and enjoyment of the people. Regional authority for planning, permitting, and enforcement is delegated to the nine RWQCBs. The RWQCBs are required to formulate and adopt basin plans for all areas in the region and establish water quality objectives in the plans. The Porter-Cologne Act sets forth the obligations of the State Water Board and RWQCBs to adopt and periodically update basin plans. The Central Valley RWQCB is responsible for the project site.

Basin plans are the regional water quality control plans required by both the CWA and the Porter-Cologne Act that establish beneficial uses, water quality objectives, and implementation programs for each of the nine regions in California. The Act also requires waste dischargers to notify the RWQCBs of their activities by filing reports of waste discharge and authorizes the State Water Board and RWQCBs to issue and enforce WDRs, NPDES permits, CWA Section 401 water quality certifications, or other approvals. The RWQCBs are also authorized to issue waivers to reports of waste discharge and WDRs for broad categories of "low threat" discharge activities that have minimal potential to cause adverse water quality effects when implemented according to prescribed terms and conditions.

National Pollutant Discharge Elimination System

The NPDES permits all involve similar processes, which include submitting notices of intent for discharging to water in areas under the Central Valley RWQCB's jurisdiction and implementing Best Management Practices (BMPs) to minimize those discharges. The Central Valley RWQCB may also issue site-specific WDRs, or waivers to WDRs, for certain waste discharges to land or waters of the State.

Construction Activity

The State Water Board stormwater general permit for construction activity (Order 2009-009-DWQ, as amended by Order Nos. 2010-0014-DWQ and 2012-0006-DWQ) applies to all construction activities that would disturb 1 acre of land or more. Construction activities subject to the general construction activity permit include clearing, grading, stockpiling, and excavation. Dischargers are required to eliminate or reduce non-stormwater discharges to storm sewer systems and other waters.

Through the NPDES and WDR processes, the State Water Board seeks to ensure that the conditions at a project site during and after construction do not cause or contribute to direct or indirect impacts on water quality (i.e., pollution and/or hydromodification) upstream and downstream. To comply with the requirements of the Construction General Permit, the project applicant must file a Notice of Intent (NOI) with the State Water Board to obtain coverage under the permit; prepare a Storm Water Pollution Prevention Plan (SWPPP); and implement inspection, monitoring, and reporting requirements appropriate to the proposed project's risk level as specified in the SWPPP. The SWPPP includes a site map, describes construction activities and potential pollutants, and identifies BMPs that will be employed to prevent soil erosion and discharge of other construction-related pollutants that could contaminate nearby water resources, such as petroleum products, solvents, paints, and cement. The permit also requires the discharger to consider using post-construction permanent BMPs that will remain in service to protect water quality throughout the life of the project. All NPDES permits also have inspection, monitoring, and reporting requirements.

Project sites served by the combined sewer system are not required to obtain coverage under the NPDES Construction General Permit.

Industrial General Stormwater Permit

The Statewide stormwater NPDES permit for general industrial activity (Order 2014-0057-DWQ, superseding Order 97-03-DWQ) regulates discharges associated with 10 broad categories of industrial activities, such as operation of wastewater treatment works, and with recycling facilities. The industrial general permit requires the implementation of Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology to achieve performance standards. The permit also requires development of a SWPPP that identifies the site-specific sources of pollutants and describes the measures at the facility applied to reduce stormwater pollution. A monitoring plan is also required.

Stormwater

In November 1990, the EPA published regulations establishing NPDES permit requirements for municipal and industrial stormwater discharges. Phase I of the permitting program applied to municipal discharges of stormwater in urban areas where the population exceeded 100,000 persons. Phase II of the NPDES stormwater permit regulations, which became effective in March 2003, required that NPDES permits be issued for construction activity for projects disturbing 1–5 acres. Phase II of the municipal permit system (known as the NPDES General Permit for Small MS4s, Order No. 2003-0005-DWQ as amended by 2013-0001-DWQ) required small municipalities of fewer than 100,000 persons to develop stormwater management programs. This permit authorizes discharges

of stormwater and some categories of non-stormwater that are not "significant contributors of pollutants."

California Toxics Rule and State Implementation Policy

The CTR, presented in 2000 in response to requirements of the EPA's NTR, establishes numeric water quality criteria for approximately 130 priority pollutant trace metals and organic compounds. The CTR criteria are regulatory criteria adopted for inland surface waters, enclosed bays, and estuaries in California that are on the CWA Section 303(c) list for contaminants. The CTR includes criteria for the protection of aquatic life and human health. Human health criteria (water- and organism-based) apply to all waters with a municipal and domestic water supply beneficial use designation as indicated in the basin plans. The Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California, also known as the State Implementation Policy, was adopted by the State Water Board in 2000. It establishes provisions for translating CTR criteria, NTR criteria, and basin plan water quality objectives for toxic pollutants into:

- NPDES permit effluent limits,
- Effluent compliance determinations,
- Monitoring for 2,3,7,8-tcdd (dioxin) and its toxic equivalents,
- Chronic (long-term) toxicity control provisions,
- Site-specific water quality objectives, and
- Granting of effluent compliance exceptions.

The goal of the State Implementation Plan is to establish a standardized approach for permitting discharges of toxic effluent to inland surface waters, enclosed bays, and estuaries throughout the State.

MWELO

The California Water Commission approved the State's updated Model Water Efficient Landscape Ordinance (MWELO) on July 15, 2015. The updated MWELO supersedes the State's MWELO developed under AB 1881. The size of landscapes subject to MWELO has been lowered from 2500 square feet to 500 square feet. The size threshold applies to residential, commercial, industrial, and institutional projects that require a permit, plan check, or design review. Additionally, the maximum applied water allowance (MAWA) has been lowered from 70 percent of the reference evapotranspiration (ETo) to 55 percent for residential landscape projects and 45 percent of ETo for nonresidential projects. This water allowance reduces the landscape area that can be planted with high water use plants such as cool season turf. For typical residential projects, the reduction in the MAWA reduces the percentage of landscape area that can be planted to high water use plants from 33 percent to 25 percent. In typical nonresidential landscapes, the reduction in MAWA limits the planting of high-water use plants to special landscape areas (such as play fields or parks) or landscaping irrigated with recycled water. The revised MWELO allows irrigation efficiency to be entered for each area of the landscape.

Local

Cal Water

Cal Water filed Schedule 14.1 with the California Public Utilities Commission (CPUC) in the spring of 2015; it went into effect on June 1, 2015. Cal Water's Schedule 14.1 filing, which applies to both residential and nonresidential customers, was responsive to Governor Brown's emergency drought declaration and an executive order requiring a statewide 25 percent reduction in urban potable water use. The following measures were put into place to reduce wasteful water use at all times for all customers:

- Applying water to outdoor landscapes that can cause runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures is prohibited.
- Using a hose to wash motor vehicles unless the hose is fitted with a shut-off nozzle or device that causes it to cease dispensing water immediately when not in use is prohibited.
- Applying water to driveways and sidewalks is prohibited.
- Using water in a fountain or other decorative water feature, except where the water is part of a recirculating system is prohibited.
- Applying water to outdoor landscapes during and within 48 hours after measurable rainfall is prohibited.
- Using potable water to irrigate outside of new construction without drip or micro-spray systems is prohibited.
- The serving or drinking water other than upon request in eating and drinking establishments, including but not limited to restaurants, hotels, cafés, cafeterias, bars, or other public places where food or drink are served and/or purchased is prohibited.
- Hotel/motel operators must provide an option to not have towels or linens laundered daily during a guest's stay and must provide clear notice of this option in easy-to-understand language.
- Customers must fix leaks within their control within five business days of notification.
- Irrigating ornamental landscapes with potable water is prohibited during the hours between 8:00 a.m. and 6:00 p.m.

In addition to the DMMs above, Cal Water operates rebate, giveaway, and direct installation programs aimed at plumbing fixture replacement, irrigation equipment, and landscape efficiency improvements, including but not limited to smart irrigation controller installation, high-efficiency sprinkler nozzle rebates, and turf replacement rebates.

General Plan

The Open Space and Conservation Element of the City of Visalia General Plan contains the following goals and policies related to water resources that may be applicable to the proposed project:

Objective OSC-O-6 Protect water resources vital to the health of the community's residents and important to the Planning Area's ecological and economic stability.

Objective OSC-O-7 Preserve and enhance Planning Area waterways and adjacent corridors as valuable community resources which serve as plant and wildlife habitats, as groundwater recharge facilities, as flood control and irrigation components, and as connections between open space areas.

Municipal Code

The City of Visalia Municipal Code (Municipal Code) contains the following requirements related to water resources that may be applicable to the proposed project:

16.12.070 **Grading and erosion control**: Every map approved pursuant to this title shall be conditioned on compliance with the requirements for grading and erosion control, including the prevention of sedimentation or damage to off-site property, and is subject to the review and approval of the City Engineer. (Ord. 2017-01 (part), 2017: prior code § 9075).

City of Visalia Floodplain Management Ordinance (Chapter 15.60: Floodplain Management Regulations): Applies to all special flood hazard areas within the jurisdiction of the City.

Chapter 16.54 **Groundwater Overdraft Mitigation:** This chapter is intended to fund activities and projects to mitigate impacts to conditions of groundwater overdraft. Such activities will include, but not be limited to, the following:

A. Acquisition of surface water rights and surface water supplies.
B. Development of groundwater recharge facilities.
C. Reconfiguration of stormwater facilities designed to retain as much stormwater as possible within and near the City.
D. Enhancement of cooperative programs with local water management agencies and companies.
E. Development of more efficient water delivery systems. (Ord. 2017-01 (part), 2017: Ord. 2005-09 § 2 (part), 2005).

3.10.4 - Methodology

4Creeks prepared a Water Supply Assessment (WSA) that analyzed the proposed project's water demand and the available groundwater supply to serve the proposed project. The WSA is included in Appendix J.

3.10.5 - Thresholds of Significance

The lead agency utilizes the criteria in the California Environmental Quality Act (CEQA) Guidelines Appendix G Environmental Checklist to determine whether hydrology and water quality impacts resulting from the implementation of the proposed project would be considered significant if the project would:

a) Violate any water quality standards or Waste Discharge Requirements or otherwise substantially degrade surface or ground water quality.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

c) Substantially alter the existing drainage pattern of 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.
   (ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.
   (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.
   (iv) Impede or redirect flood flows.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable Groundwater Management Plan.

3.10.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the development of the project and provides mitigation measures where appropriate.

Surface and Groundwater Quality

Impact HYD-1:	**Would the project violate any water quality standards or Waste Discharge Requirements or otherwise substantially degrade surface or groundwater quality?**

Impact Analysis

Construction

Construction activity for the proposed project would expose soils on the project site to potential erosion and to potential pollutants related to the use of construction equipment during excavation, grading, and other earthwork activities. Runoff from graded areas could carry eroded soils and pollutants into the storm drainage systems, increasing sedimentation, degrading downstream water quality, and potentially affecting the groundwater table. This would represent a potentially significant construction impact related to surface and groundwater quality.

The Central Valley RWQCB requires an NPDES Permit and SWPPP for projects disturbing more than one acre of total land area. Because the proposed project is greater than 1 acre, an NPDES Permit and SWPPP will be required. MM GEO-2 would require preparation of a SWPPP that would include BMPs to reduce pollutants from construction activities that could potentially enter surface waters. Compliance with the permit requires each qualifying development project to file an NOI with the State Water Board. Permit conditions require development of a SWPPP, which must describe the site, facility, erosion and sediment controls, runoff water quality monitoring, means of waste

disposal, implementation of approved local plans, control of construction sediment and erosion control measures, maintenance responsibilities, and non-stormwater management controls. Inspection of construction sites before and after a storm is also required to identify stormwater discharge from construction activity and to identify and implement erosion controls, where necessary. Typical BMPs may include measures such as biofiltration and bioretention, swales, and other measures to prevent pollutants from moving off-site through the treatment of stormwater on-site. The intention would be to keep all products of erosion from moving off-site into receiving waters by treatment on-site. Furthermore, compliance with Chapter 16.12.070 of the Municipal Code would ensure that the applicant complies with the requirements for grading and erosion control, including the prevention of sedimentation or damage to off-site property, and that the proposed project is subject to the review and approval of the City engineer. All grading would be done in conformance with the latest edition of the CBC, the City of Visalia Improvement Standards, and the project's preliminary geotechnical evaluation.

During storm events, exposed construction areas across the project site may cause runoff to carry pollutants, such as chemicals, oils, sediment, and debris. However, the SWPPP would identify all potential sources of pollution that could affect stormwater discharges from the project site and would identify BMPs related to stormwater runoff.

Although construction activities have the potential to generate increased sedimentation, compliance with applicable policies, laws, and regulations and implementation of MM GEO-2 would minimize the potential to degrade water quality in downstream water bodies to the maximum extent feasible. As a result, construction-related project impacts would not violate any water quality standards or WDRs or otherwise substantially degrade surface or groundwater quality. Therefore, impacts in this regard related to surface and groundwater and water quality would be less than significant.

Operation

The proposed project would result in approximately 218 acres of new impervious surfaces compared to existing conditions, which would in turn, generate stormwater runoff, which may carry pollutants such as pesticides, fertilizers, and deposits of fluids and metals from motor vehicles into Modoc Ditch or allow seepage of such pollutants into the associated groundwater table. This would represent a potentially significant operational impact related to surface and groundwater quality.

The proposed project would include seven Water Quality Management Basins that would surround the parking and loading areas on the project site. The basins would total approximately 31.3 acres in size and would be planted with species including the Berkeley sedge, Canyon Prince wild rye, Hummingbird sage, and California goldenrod, consisting of species with very low to medium water needs. All slopes greater than a 4 (horizontal):1 (vertical) would receive an erosion control mat, and all disturbed areas would receive seed and straw or a stabilization mat. The basins would be designed to promote infiltration, which would serve to sequester pollutants in the soil.

The proposed project would install an on-site storm drainage system consisting of inlets, underground piping, and basins. Runoff would be directed to a drainage system including the aforementioned approximately 31.3 acres of detention basins located throughout the project site. The basins would be designed to meet all applicable standards and requirements, including

accommodating a 100-year storm event, and would detain runoff and release it at a rate no greater than the pre-development condition of the project site. The proposed project would be required to retain the stormwater per the City's drainage requirements and all other applicable standards. Therefore, pursuant to the foregoing and with each applicants' compliance with all other applicable laws and regulations, operation-related project impacts related to surface and groundwater and respective water quality would be less than significant.

Post construction, the project site would be covered with a significant amount of impervious surfaces as well as ample landscaping. This would help ensure that the topsoil would not be exposed and would not result in soil erosion during project operations. As a result, proposed project operation would have a less than significant impact as it relates to substantial soil erosion or loss of topsoil.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement MM GEO-2.

Level of Significance After Mitigation

Less than significant impact.

Groundwater Supply/Recharge

Impact HYD-2:	**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?**

Impact Analysis

Groundwater is the sole source of water for the Visalia District, and there are no new sources of supply currently planned. Cal Water's Visalia District would provide water for the proposed project.

Cal Water's Visalia District pumps groundwater from the Kaweah Subbasin (DWR Basin No. 5-022.11) and the Tule Subbasin (DWR Basin No. 5-022.13) of the San Joaquin Valley Basin. The KDWCD manages the Basin. KDWCD and other irrigation districts and companies have historically managed groundwater through the conjunctive use of surface water. KDWCD regularly provides programs that benefit local agricultural customers by making available additional surface water supplies for irrigation. These programs effectively reduce the withdrawals of groundwater, resulting in less recharge to the aquifer. Groundwater is normally used by agriculture as an alternate source when surface supplies are not available and is the sole source in areas within KDWCD jurisdiction that do not have access to surface water.

KDWCD also operates about 40 dedicated water management basins with a total area of approximately 2,100 acres for the multiple purposes of flood control and groundwater replenishment. The basins have the capacity to recharge approximately 983 acre-feet per day under optimal conditions.

There are three public water systems that comprise the Visalia District which overlies the Kaweah Subbasin and the Tule Subbasin of the San Joaquin Valley Basin. Visalia District operates the public water systems listed in Table 3.10-1. Public water systems are the systems that provide drinking water for human consumption and these systems are regulated by the State Water Board, Division of Drinking Water.

Table 3.10-1: Public Water Systems

Public Water System Number	Public Water System Name	Number of Municipal Connections, 2020	Volume of Water Supplied, 2020 (AF)
5410016	Visalia	45,325	30,034
5400935	Mullen	42	21
5410041	Tulco	183	97

The WSA calculated the proposed project's water demand using information from the U.S. Energy Information Administration (EIA) and the EPA. The different proposed land uses are grouped into the Industrial, Light Industrial, Commercial, and Landscaping categories to calculate water demand. Based on the assumptions provided in the WSA and as shown in Table 3.10-2 below, the proposed project would use a total of approximately 124.1 acre-feet per year (AFY) of water at buildout. This includes an Industrial water demand of 11,466,345 gallons per year, or 35.2 AFY, upon full buildout; a Light Industrial water demand of 1,723,392 gallons per year, or 5.3 AFY, upon full buildout; and a Commercial water demand of 1,720,162 gallons per year, or 5.3 AFY, upon full buildout. Project landscaping would require approximately 76.8 AFY of the total water demand at buildout.[4]

Table 3.10-2: Operational Project Water Demands

Land Use Category for Water Usage Calculations	Land Use	Square Footage	Water Usage Factor	Water Usage in Phase (Gal/Year)	Water Usage in Phase (AFY)	Total Water Usage (AFY)
Phase One						
Industrial	Industrial	1,864,680	3.3 gallons/square feet/year	6,153,444	18.9	18.9
Light Industrial	Flex Industrial	–	–	–	–	–
Light Industrial	Self storage	–	–	–	–	–
Commercial	Drive-Thru Restaurant	–	–	–	–	–
Commercial	Convenience Store	–	–	–	–	–

[4] 4Creeks, Inc. 2022. Water Supply Technical Memorandum – Shirk and Riggin Industrial Park. September.

Land Use Category for Water Usage Calculations	Land Use	Square Footage	Water Usage Factor	Water Usage in Phase (Gal/Year)	Water Usage in Phase (AFY)	Total Water Usage (AFY)
Commercial	Car Wash	–	–	–	–	–
Landscaping	Landscaping	6.99 Acres	2.5 AFY/Acre	5,696,413	17.5	17.5
			2025 Usage:	**11,849,857**	**36.4**	**36.4**
Phase Two						
Industrial	Industrial	830,700	3.3 gallons/square feet/year	2,741,310	8.4	27.3
Light Industrial	Flex Industrial	–	–	–	–	–
Light Industrial	Self storage	–	–	–	–	–
Commercial	Drive-Thru Restaurant	4,796	–	483,625	1.5	1.5
Commercial	Convenience Store	6,922	–	443,840	1.3	1.3
Commercial	Car Wash	4,560	–	840,230	2.6	2.6
Landscaping	Landscaping	10.52 Acres	2.5 AFY/Acre	8,571,170	26.3	43.8
			2026 Usage:	**13,080,175**	**40.1**	**76.5**
Phase Three						
Industrial	Industrial	779,270	3.3 gallons/square feet/year	2,571,591	7.9	35.2
Light Industrial	Flex Industrial	84,480	20.4 gallons/square feet/year	1,723,392	5.3	5.3
Light Industrial	Self storage	144,800	3.3 gallons/square feet/year	477,840	1.5	1.5
Commercial	Drive-Thru Restaurant	–	–	–	–	1.4
Commercial	Convenience Store	–	–	–	–	1.3
Commercial	Car Wash	–	–	–	–	2.6
Landscaping	Landscaping	13.1 acres	2.5 AFY/acre	10,724,706	33.0	76.8
			2028 Usage:	**15,527,523**	**47.6**	**124.1**

In the Cal Water Visalia District UWMP,[5] projections for future population growth and future residential water use are based on data from the California Department of Transportation's (Caltrans) long-term socioeconomic forecast model, which utilizes historic growth to forecast future population growth. The Caltrans long-term socioeconomic forecast model provides a county-wide forecast, so growth occurring outside of the existing Visalia City limits was incorporated into the Visalia UWMP's assessment of future water conditions and projections for future water use. As such, the adequacy of the water supply for the proposed project would be analyzed based on the analysis of the Visalia District's water supply in the UWMP.

The WSA calculated the project site's baseline water demand based on the site's land use designation that was accounted for in the UWMP. According to the General Plan, the floor area ratio (FAR) for Industrial uses is assumed at 0.15, and a FAR of 0.2 is assumed for Light Industrial. Using the baseline values, it was determined that the site is expected to have 1,929,716 square feet of buildings, with an expected annual demand of 111.8 AFY. Because the proposed project would have a higher FAR than the baseline that was assumed for the project site in the UWMP, the proposed project's water demand (124.1 AFY) would be 12.3 acre-feet more than what was assumed in the UWMP (111.8 AFY).

However, the total water supplies given in the UWMP are determined by the demand, not necessarily the actual maximum supply. The UWMP states, "It should be noted that the Kaweah and Tule Subbasins are not adjudicated, and the projected groundwater supply volumes are not intended to and do not determine, limit or represent Cal Water's water rights or maximum pumping volumes." The proposed project would add additional Industrial and Commercial water demand. This would not impact other uses in the Visalia District, as Cal Water will be able to increase the amount of water pumped. The UWMP states, "Cal Water expects that, under all hydrologic conditions, its groundwater supply for the Visalia District will fully meet future demands."

Cal Water can expect to meet the increased demand because Municipal and Industrial (M&I) pumping accounted for 9 percent of the total pumping in the Kaweah Subbasin and 3 percent of the total pumping in the Tule Subbasin. From this, the UWMP concludes, "It is therefore likely that management of agricultural groundwater use, rather than M&I use, will be a much larger determining factor in maintaining groundwater sustainability in both the Kaweah and Tule Subbasins in the future." The increase in Industrial and Commercial demand would most likely impact water used for agricultural uses.

The UWMP adds, "Further, under California law, municipal water rights and uses have a higher priority and are entitled to more protection than other uses of water, including in connection with the Sustainable Groundwater Management Act (SGMA). The use of water for domestic purposes is recognized as the 'highest use' of water in the State of California pursuant to California Water Code (CWC) Section 106, and the rights of urban water purveyors should be protected to the fullest extent necessary for existing and future uses, pursuant to CWC § 106.5."

[5] California Water Service (Cal Water) Visalia District. 2021. 2020 Urban Water Management Plan. June. Website: https://www.calwater.com/docs/uwmp2020/VIS_2020_UWMP_FINAL.pdf. Accessed December 14, 2022.

The proposed project would convert irrigated agricultural land into other uses with reduced water demand. An analysis from the Pacific Institute of DWR found that almond farms require 4.49 AFY per acre. The approximately 284-acre site includes a current almond farm is estimated to use 1,257 AFY. The UWMP states, "Irrigated agriculture typically uses more water on a per-acre basis than urban uses; thus, some future growth will likely result in a net decrease in water use within the subbasins." Therefore, the proposed project would use significantly less water than the existing use on-site. However, while the overall water usage at the project site would be significantly less under the proposed uses, the water demand projections in the UWMP and WSA are based on annexation of the site into the Cal Water service area, and projected availability is based on planned land uses in the City of Visalia. Because the existing orchard is not currently connected to the Cal Water service area, the existing uses are not reflected in the WSA. For this reason, the proposed project would increase demand for potable water to the Cal Water Visalia District water system, which is reliant on groundwater to serve its customers.

Table 3.10-3 shows Cal Water's projected supply volumes through 2045. Projected water use is estimated as a function of expected service growth and a forecast of average water use per service for each of the use types shown in the table. Cal Water is assuming that current and planned basin recharge activities and land use conversions will result in sufficient groundwater supplies to meet demand through 2045. Therefore, the groundwater supply amounts shown in Table 3.10-3 equal the projected demand each year.

Table 3.10-3: Cal Water Visalia District Retail Water Supplies

Water Supply	Projected Water Supply					
	2020	2025	2030	2035	2040	2045
	Actual Supply Volume	Reasonably Available Volume	Reasonably Available Volume	Reasonably Available Volume	Reasonably Available Volume	Reasonably Available Volume
	30,152 acre-feet	**32,520 acre-feet**	**35,276 acre-feet**	**38,310 acre-feet**	**41,258 acre-feet**	**44,529 acre-feet**

The proposed project's estimated water demand in 2025 would be approximately 0.1 percent of the projected water supply, which is a nominal amount. Furthermore, Cal Water's current Conservation Master Plan includes water conservation measures such as limited irrigation during severe drought conditions, recycled water, economic incentives, and DMMs that reduce water use.

According to the Visalia General Plan Update EIR, Cal Water estimated that the maximum groundwater pumping capacity is 100,829 AFY. At the time, Cal Water determined that capacity was adequate to meet a projected 2030 demand of 57,364 AFY. Updated estimates from the UWMP project a demand of 44,529 AFY in 2045, mainly due to slowed growth and improved conservation methods. The demand in the service area with the proposed project was calculated to be 44,541.3 AFY in 2045. As discussed above, because the proposed project would have a higher FAR than the baseline assumed for the project site in the UWMP, the service area water demand forecasted by the

UWMP is 12.3 AFY lower than the estimated water demand with the proposed project. The proposed project is expected to add an additional 12.3 AFY to the Visalia District water demand beginning in 2028; therefore, with the proposed project, the Visalia District would demand 44,541.3 AFY. Because Cal Water has determined the system can meet 57,364 AFY of demand and the Visalia District's water demand is 44,541.3 AFY including the proposed project, with an available capacity of at least 12,835 AFY, there would be enough water supply for the proposed project.

As shown in Table 3.10-4, during project construction, water demand will increase more than the operating demand.

Table 3.10-4: Total Project Demands by Year

Year	Construction Demand (AFY)	Operational Demand (AFY)	Total Demand (AFY)
2024	302.4	0	302.4
2025	235.2	36.4	271.6
2026	268.8	76.5	345.3
2027	302.4	76.5	378.9
2028	100.8	124.1	224.9
2029 through 2045	–	124.1	124.1

Notes:
AFY = acre feet per year

During project construction, water demand would increase more than the operating demand. The project construction would occur in 2024. The UWMP expects a demand of 31,951 acre-feet in 2024. With the project construction, the Visalia District is expected to have a total demand of 32,253.6 AF, an increase of 302.4 AF. The UWMP states that the driest year since 1991 was 2013, and during 2013 there was an available water supply of 45,400 AF. Therefore, even if 2024 is a dry year, there would be at least 13,449 acre-feet available. This would be able to supply the one-time increase in 302.4 AF. Additionally, the proposed project would contain storm drainage detention basins. The project site would produce 111.5 AFY of stormwater runoff, and the proposed basins would be capable of retaining 123.4 AFY, representing an additional 11.9 AFY of capacity than what would be needed for the proposed project. The proposed project would also pay its fair share in fees for new and expanded groundwater recharge projects and would therefore not affect groundwater supplies beyond what was analyzed and approved in the General Plan and by Cal Water.

According to the WSA, there is a continuing decline in groundwater levels of the aquifer system below Cal Water's Visalia District. To assist in mitigating this groundwater decline, the City has established a Groundwater Overdraft Mitigation Fee and Special Revenue Funds that would fund groundwater recharge and other water resource projects within the City. The proposed project would comply with the City's Water Resource Management and Groundwater Overdraft Mitigation Fee Ordinance (Municipal Code Chapter 16.54, Groundwater Overdraft Mitigation), which states, "conversion of land from agricultural to urban uses increases the local groundwater overdraft," and

requires impact fees for new development and a volumetric fee for existing urban water supplies to fund programs to mitigate the impact of new development and existing water extractions upon conditions of groundwater overdraft. According to the ordinance, the fee shall be paid as a condition of final map approval or other final discretionary development approval, and the fee paid shall be in addition to all other impact fees paid prior to issuance of a building permit. The proposed project would be required to pay $382,480 ($1,366/acre) in the Groundwater Overdraft Mitigation Fee. Current Special Revenue Funds to support the City's water services include the following:

- **Groundwater Recharge Fund–Fund 223:** Established to account for the costs of recharging the City's underground water system. The funding is provided by monthly rates and development fees.
- **Kaweah Lake and Local Stormwater Maintenance Fund–Fund 224**: Established to account for the costs of adding to the water holding capacity of Lake Kaweah (a source of the City's water) and was expanded to include the maintenance of local storm channels. The funding is provided by monthly rates and development fees.

Projects from Visalia's 2018/19-2023/24 Capital Improvement Program (CIP), regarding water services, are:

- **Construct East Side Regional Park Basins:** 100 acres of recharge basins in accordance with the overall Master Plan.
- **Construct Groundwater Recharge Facilities:** Includes modification of existing basins to allow for groundwater recharge.
- **Purchase Water Rights:** Purchase surface water rights and water supply for ground water recharge to help reduce groundwater overdraft. Surface water is purchased in wet years, but not in drought years.
- **Water Resource Management:** Includes consultations and engineering services as needed for guidance on water management issues, specifically those regarding surface and irrigation-water allocations, grant application, and certain SGMA issues.
- **Acquire Land for Basins:** Acquire properties to develop into groundwater recharge facilities. The focus will be on vacant or agricultural properties that can receive waters from a nearby waterway. The overarching goal of this program is maximizing groundwater recharge within the City and pursuing groundwater sustainability under SGMA.
- **Cameron Creek Park and K Road Park/Basin:** Locate and acquire site for an 8–10 acre neighborhood park and storm/recharge basin along the southerly extension of McAuliff adjacent to Cameron Creek.

Furthermore, the Visalia District's 2020 Water Shortage Contingency Plan (WSCP) identifies six shortage levels that increase with the severity of the water supply shortage. A level 1 water shortage necessitates a demand reduction of up to 10 percent, while a level 6 shortage necessitates a demand reduction of 50 percent or greater. The Visalia District's 2020 WSCP provides a full spectrum of measures to reduce the City's water consumption (See Appendix G of the WSA [Appendix J]). The

urban water supplier may use any combination of consumption reduction measures to achieve the necessary water demand reductions depending on the water shortage level. The City's contingency planning is designed to ensure that necessary water supply will be available under each water shortage scenario. These water supply contingency measures, applicable to the entire Visalia District water service area, are fully applicable to the proposed project and protective of the adequacy of the proposed project's water supply.

The WSA concluded that the City's water system has sufficient groundwater capacity to supply the proposed project and other projected demands within the City's service area through the year 2045.

The proposed project would result in development of the site, which would convert approximately 218 acres from pervious surfaces to impervious surfaces. However, this would not significantly interfere with groundwater recharge because all stormwaters would be collected and diverted to approximately 31.3 acres of Water Quality Management Basins to retain stormwater on-site that would facilitate groundwater recharge. Thus, the addition of impervious surfaces would not interfere substantially with groundwater recharge.

Therefore, the proposed project would not substantially decrease groundwater supplies and would not significantly lower the groundwater table of the aquifer or interfere substantially with the recharge of the underground aquifer, and there would be adequate water supply for the proposed project, the City of Visalia, and surrounding communities. With compliance with the applicable policies and regulations, payment of the required fees, and implementation of the water conservation measures and CIP, impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Drainage Leading to Erosion/Siltation, Flooding, Additional Sources of Polluted Runoff, or Impedance of Flood Flows

Impact HYD-3:	**The project would not 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.
	(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.
	(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.
	(iv) Impede or redirect flood flows.

Impact Analysis

Construction

Construction activity could result in substantial erosion or siltation and increase in surface runoff due to a drainage pattern alteration and an increase of impervious surfaces, which could potentially lead to flooding on- or off-site and could therefore result in polluted runoff entering the City's stormwater drainage system. However, the proposed project would be required to implement a SWPPP as part of its Construction General Permit as required by MM GEO-2. SWPPPs include mandated erosion control measures, which are developed to prevent significant impacts related to erosion caused by runoff during construction. Furthermore, Chapter 16.12.070 of the Municipal Code would ensure compliance with the requirements for grading and erosion control, including the prevention of sedimentation or damage to off-site property, and the proposed project would be subject to the review and approval of the City engineer. Therefore, although construction activities have the potential to generate increased erosion and siltation, compliance with applicable policies, laws and regulations and implementation of MM GEO-2 would minimize the potential for erosion, siltation, and surface runoff.

The majority of the project site is located in Zone X, which is an area with an 0.2 percent annual chance of flood hazard. The southeast corner of the project site is located in Zone X with a 1 percent annual chance of flood hazard. Therefore, the project site is not located within a flood hazard zone. The nearest flood hazard zone is located 1,950 feet north of the project site in Zone AE, which is a regulatory floodway.[6] The proposed project site is not in proximity to a stream or river and would not alter the course of a stream or river. Therefore, although construction activities have the potential to generate increased erosion and siltation, compliance with applicable policies, laws and regulations would minimize the potential for erosion or siltation.[7]

During the flooding of March 2023, Lake Kaweah reached capacity and flooding occurred in the City, resulting in a local state of emergency and implementation of the City's emergency response plan. During the flooding, City crews successfully diverted water and avoided major flooding in most areas of the City.[8]

Therefore, with implementation of MM GEO-2, construction impacts related to alteration of drainage pattern, erosion, siltation, surface runoff, and flooding would be less than significant.

Operation

Development of the project site would create approximately 218 acres of impervious surfaces compared to existing conditions.

The proposed project would implement DMMs required by Cal Water. The DMMs include prohibitions to runoff from irrigation, prohibitions against applying water to outdoor irrigation

[6] Federal Emergency Management Agency (FEMA). 2009. FEMA Flood Map Number 06107C0930E. Website: https://www.fema.gov/flood-maps. Accessed October 10, 2022.

[7] The City of Visalia is prepared to respond to emergency situations throughout the City and alerts the public through social media, text alerts, and on their emergency update web page at www.visalia.city/emergency. The City also maintains a 24-hour flooding hotline at 559.713.4600.

[8] Frederiksen, S. 2023. State of Emergency issued for City of Visalia. March 13. Website: https://www.yourcentralvalley.com/news/local-news/state-of-emergency-issued-for-city-of-visalia/. Accessed March 23, 2023.

during and within 48 hours after rainfall, and requirements limiting the hours that irrigation may be applied would help to limit impacts related to runoff. Furthermore, the proposed project would be required to implement MWELO for the proposed project's landscaping. Under the revised MWELO irrigation efficiency guidelines, the proposed project's 76.8 acres of landscaping would require recycled water, or utilize low water demand landscaping, which would minimize the potential impacts of runoff from irrigation. Additionally, during project operations, stormwater on the existing and proposed impervious surfaces would be collected and conveyed to the on-site stormwater system. The proposed project would include seven Water Quality Management Basins, on approximately 31.3 acres, that would be designed to meet all applicable standards and requirements, including accommodating a 100-year storm event, and would detain runoff and release it at a rate no greater than the pre-development condition. The proposed project would be required to retain the stormwater per the City's drainage requirements and all other applicable standards. Therefore, impacts related to runoff from irrigation or stormwater during operation of the proposed project would be less than significant.

Because the project site is not located in a flood hazard zone and would not alter the course of a stream or river, operational impacts would be less than significant.

Therefore, operation impacts related to alteration of drainage pattern, erosion, siltation, surface runoff, and flooding would be less than significant.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement MM GEO-2**.**

Level of Significance After Mitigation

Less than significant impact.

Risk of Pollutant Release Due to Inundation

Impact HYD-4:	**Would the project be located in a flood hazard, tsunami, or seiche zone, or risk release of pollutants due to project inundation?**

Impact Analysis

As discussed above, the project site is located in Zone X, which is not considered a flood hazard zone. The nearest flood hazard zone is located 1,950 feet north of the project site in Zone AE, which is a regulatory floodway.[9] Furthermore, there are no large inland bodies of water near the project site, a condition that precludes the possibility of seiche inundation. The project site is more than 100 miles from the Pacific Ocean and therefore is not susceptible to tsunami inundation. The project site is located in a relatively flat area and does not contain any steep slopes that may be susceptible to mudflows or landslides. The proposed project site is not located within a 100- or 500-year flood

[9] Federal Emergency Management Agency (FEMA). 2009. FEMA Flood Map Number 06107C0930E. Website: https://www.fema.gov/flood-maps. Accessed October 10, 2022.

hazard zone. Therefore, the proposed project would not be located in a flood hazard, tsunami, or seiche zone, or risk release of pollutants due to project inundation, and impacts would be less than significant.

Mitigation Measures

No mitigation measures are required**.**

Level of Significance

Less than significant impact.

Water Quality Control or Sustainable Groundwater Management Plans Consistency

Impact HYD-5:	**Would the project conflict with or obstruct implementation of a water quality control plan or sustainable Groundwater Management Plan?**

Impact Analysis

Implementation of the General Plan Policies, UWMP, the KDWCD Groundwater Management Plan, and the City's involvement with the KDWCD Integrated Regional Water Management Planning program, in addition to the City's Stormwater Master Plan and Management Program and the Waterways and Trails Master Plan, would address the issues of providing an adequate, reliable, and sustainable water supply for the proposed project's future urban domestic and public safety consumptive purposes.

The City has established fees that fund groundwater recharge and other water resource projects within the City. The proposed project would comply with the City's Water Resource Management and Groundwater Overdraft Mitigation Fee Ordinance (Municipal Code Chapter 16.54, Groundwater Overdraft Mitigation), which states, "conversion of land from agricultural to urban uses increases the local groundwater overdraft," and requires impact fees for new development and a volumetric fee for existing urban water supplies to fund programs to mitigate the impact of new development and existing water extractions upon conditions of groundwater overdraft. According to the ordinance, the fee shall be paid as a condition of final map approval or other final discretionary development approval, and the fee paid shall be in addition to all other impact fees paid prior to issuance of a building permit.

The proposed project is planned for Industrial and Light Industrial uses. As such, the proposed project would not affect groundwater supplies beyond what has already been analyzed and approved in the General Plan and Cal Water UWMP, and the proposed project would therefore not conflict with the implementation of the Mid-Kaweah River Basin Groundwater Management Plan. Furthermore, the proposed project would comply with all applicable regulations and policies and payment of fees pursuant to the City of Visalia Water Resource Management and Groundwater Overdraft Mitigation Fee Ordinance. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation measures are required**.**

Level of Significance

Less than significant impact.

3.10.7 - Cumulative Impacts

Hydrology

Cumulative impacts related to hydrology and water quality typically occur within a defined watershed or basin. Therefore, all cumulative developments within the Tulare Lake Basin, including those cumulative projects listed in Chapter 3, Environmental Impact Analysis, Table 3-1, Cumulative Projects, have been considered in this analysis since they are located within the basin. All cumulative projects would be required to comply with applicable laws and regulations implemented by the relevant public agencies including the Central Valley RWQCB, as well as relevant policies in the General Plan and other applicable codes, ordinances, and policies, which prevent a project from increasing off-site surface water flow from existing conditions and further ensures that projects adhere to BMPs during construction to prevent pollutants from being carried off-site. Additionally, regional development would be required to comply with applicable regional, State, and federal laws and regulations regarding flooding to ensure impacts are less than significant in this regard. These regulations, in combination with implementation of applicable provisions in the General Plan, would result in a less than significant cumulative impact related to hydrology.

As discussed in detail above, the proposed project would also be required to comply with applicable laws and regulations implemented by the relevant public agencies, including the Central Valley RWQCB, and to demonstrate consistency with the General Plan and other applicable codes, ordinances, and policies related to preventing pollutants from being conveyed off-site. The combination of the requirement to adhere to these laws, regulations, and policies as well as identified BMPs would ensure that the proposed project's contribution to the less than significant cumulative impact would not be cumulatively considerable. Thus, there would be a less than significant cumulative impact related to hydrology.

Water Supply

The geographic scope of the cumulative water supply analysis is the service area of the Visalia District of Cal Water, which provides potable water to residents and businesses within the City. The WSA evaluates the adequacy of Visalia District's total project water supplies, including existing water supplies and future planned water supplies, to meet the Visalia District's existing and projected future water demands, including those future water demands associated with the proposed project.

Cumulative projects, including those listed in Table 3-1 (refer to Chapter 3, Environmental Impact Analysis, Table 3-1, Cumulative Projects), are located within the City's Urban Growth Boundary. A WSA was completed for the proposed project that evaluated projected water demand associated with the proposed project, in addition to existing and other planned future users within Visalia District's service area. The WSA concluded that the City's water system has sufficient groundwater capacity to supply the proposed project and other projected demands within the City's service area through the year 2045.

Developers of the other cumulative projects would be required to pay their proportionate share of required funding to the City for completion of water infrastructure improvements as included in the City's CIP. In addition, cumulative projects, such as those listed in Table 3-1, would be required to demonstrate that they would be served with potable water service as a standard requirement of the development review process, and would be required to comply with provisions of the applicable laws and regulations in the Municipal Code and The California Green Building Standards Code (CALGreen) related to water conservation. Therefore, cumulative impacts would be less than significant.

As discussed above, the proposed project would also be required to comply with City ordinances and General Plan Policies, as well as other laws and regulations that address water supply. The proposed project would also be required to pay applicable impact fees to help facilitate the completion of necessary water infrastructure. For these reasons, the proposed project would not have a cumulatively considerable contribution toward this less than significant cumulative impact related to water supply and treatment.

Water Quality

The geographic context for consideration of cumulative impacts related to surface water quality is the Tulare Lake Basin. All cumulative projects would involve short-term construction and long-term operational activities that would have the potential to degrade water quality in downstream water bodies, including the St. Johns River and Kaweah River. All cumulative project construction would be required to obtain a Construction General Permit from the State Water Board, which would require preparation of a SWPPP that would control potential discharges of contaminants into downstream water bodies. These cumulative projects would also be required to prepare a SWPPP and comply with the applicable General Plan Policies and relevant provisions of the Municipal Code during operation. For these reasons, and with implementation of MM GEO-2, there would be a less than significant cumulative impact with respect to surface water quality.

The proposed project would also be required to obtain a Construction General Permit from the State Water Board and to prepare a SWPPP. Similarly, the proposed project would also be mandated to comply with applicable General Plan Policies and applicable provisions of the Municipal Code during operation. For these reasons and as further discussed above, there would be a less than significant cumulative impact related to surface water quality and the proposed project's contribution to the less than significant cumulative impact would not be cumulatively considerable.

The geographic context for consideration of cumulative impacts related to groundwater quality and management is the Kaweah Basin. All cumulative projects would involve short-term construction and long-term operational activities that would have the potential to impact groundwater quality and management. Construction related to cumulative projects would be required to obtain a Construction General Permit from the State Water Board, which would require preparation of a SWPPP that would control pollutants that could seep into groundwater. Operations of these cumulative projects would be required to comply with all applicable laws and regulations imposed by the relevant public agencies, including the Central Valley RWQCB, thereby ensuring that stormwater is pre-treated via bioretention and is otherwise handled pursuant to all applicable

standards and requirements to ensure that percolation to the groundwater table would not result in degradation of groundwater quality. In addition, the cumulative projects would include measures such as bioretention areas to remove sediments and organic materials that might reduce groundwater percolation rates and other project features that would help to facilitate groundwater recharge. For these reasons, there would be a less than significant cumulative impact to groundwater quality.

Similarly, as discussed in detail above, the proposed project would be mandated to comply with applicable General Plan Policies and applicable provisions of the Municipal Code, as well as other governing laws and regulations, during operation. For these reasons and as further discussed above, there would be a less than significant cumulative impact related to groundwater quality, and the proposed project's contribution to the less than significant cumulative impact would not be cumulatively considerable.

Level of Cumulative Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement MM GEO-2.

Level of Cumulative Significance After Mitigation

Less than significant impact.

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3.11 - Land Use and Planning

3.11.1 - Introduction

This section of the Draft Environmental Impact Report (Draft EIR) describes existing conditions of the project site and vicinity related to land use and planning as well as the relevant regulatory framework. This section also evaluates the proposed project's potential impacts related to land use and planning and presents feasible mitigation measures, if and to the extent required. The descriptions and analysis in this section are based, in part, on review of applicable land use policies, provisions, and regulations, including those set forth in the City of Visalia (City) General Plan (General Plan), the City Municipal Code (Municipal Code), and Tulare County Local Agency Formation Commission (LAFCo) adopted Policies and Procedures dated June 13, 2022, as well as review of project submittal information.

During the Notice of Preparation (NOP) scoping period, no comments were received related to land use and planning.

3.11.2 - Environmental Setting

Land Use

Project Site

The project site consists of three existing parcels (Assessor's Parcel Numbers [APNs] 077-840-001, 077-840-002, and 077-840-003) and is generally bound by Riggin Avenue to the south, Shirk Street to the east, Kelsey Street to the west, and Modoc Ditch to the north. The project site is within the City's Planning Area,[1] the Urban Development Boundary (UDB) Tier 1 of the City (Chapter 2, Project Description, Exhibit 2-3), and the City's Sphere of Influence (SOI).

The project site gently slopes upward to the east with a ground surface elevation of approximately 300 to 305 feet above mean sea level. The project site has been used for agricultural purposes since 1937. Currently, the project site is used for an almond orchard that was established around 2018 and is considered Prime Farmland as mapped by the California Department of Conservation Farmland Mapping and Monitoring Program. The project site is currently designated Industrial and Light Industrial under the General Plan adopted in 2014 (Chapter 2, Project Description, Exhibit 2-7). A private road intersects the project site from south to north.

Surrounding Area

West

Kelsey Street serves as the western boundary of the project site. Beyond Kelsey Street are warehouse uses including a warehouse distribution center and a United Parcel Service (UPS) distribution hub. This area has a General Plan Industrial Land Use designation and is within the municipal boundaries of the City.

[1] Planning Area refers to the land area addressed by a General Plan, including land within the city limits and land outside the city limits that bears a relation to the City's planning. This area is not all intended for development; the Urban Growth Boundary shows the future areas within the City envisioned for urban development.

North

Modoc Ditch forms the northern boundary of the project site. Beyond Modoc Ditch are agricultural lands in unincorporated Tulare County with a General Plan Industrial and Light Industrial Land Use designation.

East

Shirk Street forms the eastern boundary of the project site. Beyond Shirk Street are agricultural land uses as well as Ridgeview Middle School. This area has General Plan Land Use designations of Residential Low Density, Residential Medium Density, Residential High Density, Commercial Neighborhood, Public/Institutional, and Parks/Recreation.

South

Riggin Avenue forms the southern boundary of the project site. Additionally, the boundary of the City is along the southwest border of the project site. Beyond Riggin Avenue are industrial, agricultural, and commercial land uses, including warehouses, distribution, and manufacturing buildings, and four mobile homes. This area has a General Plan Industrial and Light Industrial Land Use designation.

3.11.3 - Regulatory Framework

Federal

Federal Aviation Administration

Private and public development projects that propose structures whose heights penetrate the Federal Aviation Regulation Part 77 imaginary surfaces require Airport Land Use Commission (ALUC) review. In addition, Federal Aviation Administration (FAA) notification in accordance with Code of Federal Regulations, Part 77 is required for any proposal for construction or alteration under the following conditions:

a) If requested by the FAA.

b) Any construction or alteration that is more than 200 feet above ground level at its site.

c) Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:
   - 100 to 1 for a horizontal distance of 20,000 feet of a public use or military airport from any point on the runway of each airport with its longest runway more than 3,200 feet.
   - 50 to 1 for a horizontal distance of 10,000 feet of a public use or military airport from any point on the runway of each airport with its longest runway no more than 3,200 feet.
   - 25 to 1 for a horizontal distance of 5,000 feet of the nearest takeoff and landing area of a public use heliport.

d) Any highway, railroad, or other traverse way whose prescribed adjusted height would exceed the above noted standards.

e) Any construction or alteration located on a public use airport or heliport regardless of height or location.

Regional

Regional Transportation Plan/Sustainable Communities Strategy

The 2018 Regional Transportation Plan (2018 RTP), presented by the Tulare County Association of Governments (TCAG), is a long-range planning document that defines how the region plans to invest in the transportation system until 2042 based on regional goals, multimodal transportation needs for people and goods, and estimates of available funding. The Sustainable Communities Strategy (SCS) is a component of the 2018 RTP, required by Senate Bill (SB) 375, that sets forth a forecasted development pattern for the region which, when integrated with the transportation network and other transportation measures and policies, will reduce greenhouse gas (GHG) emissions from passenger vehicles and light trucks to achieve the GHG reduction targets set by the California Air Resources Board. The future land use and transportation scenario presented in the SCS must accommodate forecast population, employment, and housing sufficient to meet the needs of all economic segments of population, including the State-mandated Regional Housing Needs Assessment (RHNA), while considering State housing goals.[2]

As of the writing of this Draft EIR, the TCAG has drafted the 2022 Regional Transportation Plan (2022 RTP) and its SCS component. Once public comments are incorporated into the final document, it is expected that the 2022 RTP and SCS will supersede the prior 2018 RTP and SCS. The 2022 RTP and SCS would present updated long-range planning for investment in the region's transportation system, covering 20 plus years of investment in the transportation system based on regional goals, multimodal transportation needs for people and goods, and estimates of available funding.[3] This analysis evaluates project consistency with the 2018 RTP since it is the most recently adopted plan as of this writing.

Tulare County Local Agency Formation Commission

Established by State law in 1963, each LAFCo is responsible for approving changes in local governmental agency boundaries, including annexations and detachments of territory; incorporations of cities; formations of special districts; and consolidations, mergers, and dissolutions of districts. A LAFCo also reviews ways to reorganize, simplify, and streamline governmental structures. A LAFCo also has the authority to initiate proposals involving district consolidation, mergers, and reorganizations. In addition, a LAFCo is responsible for reviewing out-of-agency service agreements between property owners and service providers. In California, each of the 58 counties has a LAFCo. The primary purpose of a LAFCo is to (1) facilitate orderly growth and development by determining logical local agency boundaries; (2) preserve prime agricultural lands by guiding development away from presently undeveloped prime agricultural preserves; and (3) discourage urban sprawl and encourage the preservation of open space by promoting development of vacant land within cities before annexation of vacant land adjacent to cities. A LAFCo also ensures that agency boundaries logically relate to one another, thereby minimizing inefficiencies in service provision and overlapping responsibilities.

[2] Tulare County Association of Governments (TCAG). 2018. 2018 Regional Transportation Plan/Sustainable Communities Strategy. Website https://tularecog.org/tcag/planning/rtp/rtp-20181/. Accessed March 24, 2023.

[3] Tulare County Association of Governments (TCAG). 2022. 2022 Regional Transportation Plan/Sustainable Communities Strategy. Website: https://tularecog.org/tcag/planning/rtp/rtp-2022/. Accessed October 12, 2022.

A LAFCo also establishes, amends and updates SOI for each city and special district within the county. An SOI is a plan for the probable physical boundaries and service area of a local government agency. The SOI, therefore, is a planning tool used to provide guidance for individual proposals involving jurisdictional changes and is intended to encourage efficient provision of community services and prevent duplication of service delivery. Territory must be within a city or district's SOI in order to be annexed.

A LAFCo is an independent public agency with countywide jurisdiction. A LAFCo has approval authority regarding boundary changes in organization to cities and special districts including annexations, detachments, formations, and incorporations. As noted above, LAFCo approval is necessary for changes to a city's municipal limits or a city's SOI. Under the California Environmental Quality Act (CEQA), for purposes of the proposed project, a LAFCo is a responsible agency that will consider the information in this Draft EIR in its review of the anticipated annexation application.

The Tulare County LAFCo is responsible for coordinating logical and timely changes in local governmental boundaries; conducting special studies which review ways to reorganize, simplify, and streamline governmental structure; and preparing SOIs for each city and special district within Tulare County. The Tulare LAFCo's efforts are directed to seeing that services are provided efficiently and economically while agricultural and open space lands are protected.[4]

As detailed in Government Code Section 56668, a LAFCo must consider the 17 factors in Government Code Section 56668 when reviewing a proposal for a boundary change or reorganization (i.e., LAFCo proceeding involving two or more boundary changes), as noted further below.

Government Code Section 56668

When reviewing a proposal for a boundary change, a LAFCo must consider the following factors:

- Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.
- The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.
- The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.
- The conformity of both the proposal and its anticipated effects with both the adopted LAFCo policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Government Code Section 56377.

[4] Tulare County Local Agency Formation Commission (Tulare County LAFCo). 2022. Welcome to Tulare County LAFCo. Website: https://lafco.co.tulare.ca.us/. Accessed October 12, 2022.

- The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Government Code Section 56016 to mean land currently used for the purpose of producing an agricultural commodity for commercial purposes, land left fallow under a crop rotational program, or land enrolled in an agricultural subsidy or set-aside program.
- The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.
- A regional transportation plan adopted pursuant to Government Code Section 65080, and its consistency with city or county general and specific plans.
- The SOI of any local agency which may be applicable to the proposal being reviewed.
- The comments of any affected local agency or other public agency.
- The ability of the newly formed or receiving entity to provide the services that are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.
- Timely availability of water supplies adequate for projected needs as specified in Government Code Section 65352.5.
- The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs.
- Any information or comments from the landowner or landowners, voters, or residents of the affected territory.
- Any information relating to existing land use designations.
- The extent to which the proposal will promote environmental justice.
- Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or maps that identify land determined to be in a State Responsibility Area (SRA).

Annexation to a city is considered a proceeding for change in organization, which is subject to LAFCo review and approval, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code § 56000, *et seq*.).[5]

Tulare County LAFCo Policy C-5.11(C) defines a Disadvantaged Community as an area that has a median household income 80 percent or less of the statewide average pursuant to Public Resources Code Section 75005(g) and contains at least 20 dwelling units at a density not less than one unit per acre. The nearest disadvantaged unincorporated community is Goshen, located on State Route (SR) 99 to the west of the City, approximately 1.15 miles southwest of the project site.[6] Therefore, the

[5] See also Tulare County LAFCo Policies and Procedures, Section C(1.1).
[6] City of Visalia. 2013. Municipal Service Review. Website: https://lafco.co.tulare.ca.us/msr/city-of-visalia-msr-update/. Accessed March 30, 2023.

proposed project is not in an unincorporated Disadvantaged Community as defined by Tulare County LAFCo. However, the project site is located in a Census Tract that is considered a Disadvantaged Community as per SB 535.[7,8]

LAFCo Additional Requirements for City Annexations

Additionally, the LAFCo must measure a proposal's consistency with its adopted policies when reviewing an application for annexation. The following Tulare County LAFCo Additional Requirements for City Annexations are relevant to this analysis:[9]

A. The boundaries of the proposed annexation must be definite and certain and must conform to lines of assessment whenever possible.

B. There is a demonstrated need for municipal services and controls.

C. The City has the capability of meeting the need for services and controls.

D. There is a mutual social and economic interest between the residents of the City and the proposed territory.

E. The proposed annexation is compatible with the City's General Plan.

F. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.

G. Boundary lines shall be located so that entire road rights-of-way are placed within the same jurisdiction as the properties fronting the roads.

A Municipal Services Review (MSR) for the City of Visalia was prepared by Tulare LAFCo staff in 2012. It was adopted by the Commission on February 6, 2013. This is a process that the LAFCo is required to conduct in connection with establishing and updating SOIs. MSRs are designed to be a tool for collecting information and evaluating the provision of services from a broader perspective. Specifically, service reviews are designed to ensure that the proposed extension of services or creation of new service providers is consistent with the LAFCo's purposes, policies, and procedures, including promoting orderly development, discouraging urban sprawl, preserving open space and prime agricultural lands, providing housing for persons and families of all incomes, and the efficient extension of government services.[10]

The Visalia MSR provides the required information for project annexation. As a responsible agency, Tulare County LAFCo will utilize this Draft EIR to make the CEQA findings required to take action on

[7] California Climate Investments are funds (Greenhouse Gas Reduction Fund and appropriated by the Legislature) from the proceeds of the State's Cap-and-Trade Program specifically targeted for investment in disadvantaged communities in California. These funds must be used for programs that further reduce emissions of greenhouse gases. Senate Bill 535 (De León, Statutes of 2012) directed that at least a quarter of the proceeds go to projects that provide a benefit to disadvantaged communities and at least 10 percent of the funds go to projects located within those communities. The legislation gives Cal/EPA the responsibility for identifying those communities.

[8] California Environmental Protection Agency (Cal/EPA). 2023. SB 535 Disadvantaged Communities (2022 Update). Website: https://experience.arcgis.com/experience/1c21c53da8de48f1b946f3402fbae55c/page/SB-535-Disadvantaged-Communities/. Accessed March 30, 2023.

[9] Tulare County Local Agency Formation Commission (Tulare County LAFCo). 2022. Welcome to Tulare County LAFCo. Tulare LAFCo Policies and Procedures. Website: https://lafco.co.tulare.ca.us/. Accessed October 12, 2022.

[10] See also Tulare County LAFCo Policies and Procedures, Section (C)5.7.

the anticipated annexation proposal for the proposed project and will utilize the MSR as well as the proposed Plan for Services[11] and other application materials in considering the merits of the annexation request. A copy of the NOP was sent to the Tulare County LAFCo during the NOP scoping period, and Tulare County LAFCo did not comment on the scope of the Draft EIR for the proposed project.

Local

County of Tulare

Tulare County Comprehensive Airport Land Use Plan

Article 3.5 of the California Public Utilities Code requires each county to create an ALUC and for this commission to prepare and adopt an airport land use plan for each public use airport in the county. In accordance with this mandate, the Tulare County ALUC prepared the current Comprehensive Airport Land Use Plan in 2012. The intention of the Comprehensive Airport Land Use Plan is to promote the safety and well-being of the public by ensuring adoption of land use regulations which minimize exposure of persons to hazards associated with the operation of these airports including aircraft accidents and aircraft noise.

Actions that are subject to mandatory ALUC review include:

- Amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation that affects lands within the Airport Influence Areas (Public Utilities Code § 21676(b));
- Construction of a new airport within Tulare County and adoption of its airport master plan (Public Utilities Code § 21676(c)); and
- Any school site proposed within 2 miles of an airport runway by a public or private entity (Public Utilities Code § 21655).

City of Visalia

City of Visalia General Plan

The project site is designated under the General Plan as Industrial and Light Industrial. (See Exhibit 2-7.) Land designated Light Industrial is intended for light manufacturing, warehousing, storage, distribution, research and development enterprises, and secondary office (limited customer access) uses. The maximum floor area ratio (FAR) for the Light Industrial designation is 0.5. Lands designated Industrial allow primary manufacturing, processing, refining, and similar activities including those with outdoor facilities. It also accommodates warehousing and distribution with supporting

[11] A plan for services is a requirement of the annexation submittal process, which must include all of the information set forth in Government Code Section 56653, such as: an enumeration and description of the services currently provided or to be extended to the affected territory; the level and range of those services; an indication of when those services can feasibly be extended to the affected territory, if new services are proposed; an indication of any improvement or upgrading of any structures, roads, or service or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization/reorganization is completed; and information with respect to how those services will be financed. See also Tulare LAFCo Policies and Procedures, Section (C)1.5.

commercial services and office space. Retail is not permitted. The maximum FAR for the Industrial designation is 0.6.

The General Plan establishes the following guiding goals, objectives and implementing policies associated with land use planning that are relevant to this analysis:

Objective LU-O-9 Implement and periodically update a growth management system that will guide the timing, type, and location of growth; preserve resource lands, natural features, and open space; and promote infill and redevelopment.

Objective LU-O-10 Protect agricultural land from premature urban development.

Policy LU-P-19 Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy.

Policy LU-P-20 Allow annexation and development of residential, commercial, and industrial land to occur within the "Tier I" Urban Development Boundary (UDB) at any time, consistent with the City's Land Use Diagram.

Policy LU-P-39 Improve tree planting, landscaping, and site design standards to minimize the visual impact of large parking lots and buildings, to enhance and promote natural characteristics compatible with urban form, to minimize heat gain and promote energy conservation, and to improve stormwater infiltration.

Policy LU-P-40 Where possible, through the Site Plan Review process, retain native trees as landscape elements and for shading.

Objective LU-O-33 Provide adequate land in a variety of parcel sizes for industrial development, and strengthen the City's role as a regional manufacturing center.

Objective LU-O-34 Ensure compatibility between industrial lands and adjacent dissimilar land uses.

Policy LU-P-100 Establish zoning standards to assure high-quality design and site planning for large-scale industrial development.

Policy LU-P-101 As part of industrial developments, allow secondary uses such as restaurants, cafés, small convenience stores and day care facilities, to serve area employees.

Policy LU-P-102 Ensure the timely completion of necessary infrastructure to support new industrial development.

Policy LU-P-103 Require buffering land uses adjacent to existing or planned residential areas adjacent to industrial designations. Such uses may include parks, drainage ponds, open space, or other such uses.

Policy LU-P-104 Preserve land designated for light and heavy industrial uses by limiting the intrusion of freestanding retail commercial or service commercial uses.

Policy LU-P-106 Develop performance standards to supplement and augment design standards to minimize the negative impacts (glare, signage, noise, dust, traffic) associated with the establishment of new or expansion of existing service commercial and industrial development.

Policy LU-P-107 Reserve adequate sewage treatment plant capacity and sewerage capacity to meet the projected needs of industrial growth, and allow "package plants" where they represent a more fiscally appropriate solution if approved by the Department of Public Works.

Objective OSC-6 Protect water resources vital to the health of the community's residents and important to the Planning Area's ecological and economic stability.

Objective OSC-O-7 Preserve and enhance Planning Area waterways and adjacent corridors as valuable community resources which serve as plant and wildlife habitats, as groundwater recharge facilities, as flood control and irrigation components, and as connections between open space areas.

Objective OSC-O-11 Preserve and protect historic features and archaeological resources of the Visalia Planning Area including its agricultural surrounding for aesthetic, scientific, educational, and cultural values.

Objective OSC-P-23 Where no urban development exists, maintain a minimum riparian habitat development setback from the discernible top of the bank—50 feet for both sides of the Mill, Packwood and Cameron Creek corridors and 25 feet for both sides of Modoc, Persian and Mill Creek Ditches—provided that where riparian trees are located within 100 feet of the discernible top of the banks of the Creek corridors and 50 from the banks for the ditches, the setback shall be wide enough to include five feet outside the drip line of such trees. Restore and enhance the area within the setback with native vegetation.

- Where existing development or land committed to development prohibits the 50-foot setback on Mill, Packwood and Cameron Creek corridors, provide the maximum amount of land available for a development setback.
- Where existing development or land committed to development prohibits the 25-foot setback along Modoc, Persian, and Mill Creek Ditches, provide the maximum amount of land available for a development setback.

Policy OSC-P-39 Establish requirements to avoid potential impacts to sites suspected of being archaeologically, paleontologically, or historically significant or of concern, by:

- Requiring a records review for development proposed in areas that are considered archaeologically or paleontologically sensitive;
- Determining the potential effects of development and construction on archaeological or paleontological resources (as required by CEQA);

- Requiring pre-construction surveys and monitoring during any ground disturbance for all development in areas of historical and archaeological sensitivity; and
- Implementing appropriate measures to avoid the identified impacts, as conditions of project approval.

Policy T-P-23 Require that all new developments provide right-of-way, which may be dedicated or purchased, and improvements (including necessary grading, installation of curbs, gutters, sidewalks, parkway/landscape strips, bike, and parking lanes) other City street design standards. Design standards will be updated following General Plan adoption.

Policy T-P-24 Require that proposed developments make necessary off-site improvements if the location and traffic generation of a proposed development will result in congestion on major streets or failure to meet LOS D during peak periods or if it creates safety hazards.

Policy PSCU-P-2 Strive to achieve and maintain a citywide standard of at least five acres of neighborhood and community parks per 1,000 residents. Credits for pocket parks can be granted under the Park Acquisition and Development Fee Program, subject to the design review criteria of Policy PSCU-P-8. These credits may be on a less than 1:1 basis.

Policy PSCU-P-9 Continue to implement a Park Acquisition and Development Fee Program updated to be consistent with this General Plan, including the following:

- Land and fees received shall support a standard of five acres of neighborhood and community parks per 1,000 residents and provide park and recreation facilities serving the neighborhood quadrant in which the contributing development occurs;
- A portion of the fees collected are to be used for community-wide recreation facilities;
- Dedicated park land meeting specified criteria for community parks, neighborhood parks and pocket parks may be provided at the City's discretion, in lieu of fees, or earn fee credits (the City will not accept undevelopable, unusable land); and
- Fee credits may also be given for storm drainage basins designed and built for dual recreational use, but these credits may be on a less than 1:1 basis depending on the amenities and facilities provided and their availability throughout the year.

Objective S-O-1 Minimize risks of property damage and personal injury posed by geologic and seismic hazards.

Objective S-O-3 Protect soils, surface water, and groundwater from contamination from hazardous materials.

Objective S-O-6 Provide comprehensive emergency response and evacuation routes for Visalia area residents.

Policy S-P-15 Require remediation and cleanup of sites contaminated with hazardous substances.

Policy S-P-17 Ensure that all specified hazardous facilities conform to the Tulare County Hazardous Materials Business Plan.

Policy S-P-18 Coordinate enforcement of the Hazardous Material Disclosure Law and the implementation of the Hazardous Material Emergency Response Plan with the Tulare County Health and Human Service Agency.

Policy S-P-19 Coordinate with the Tulare County Environmental Health Division and other appropriate regulatory agencies during the review process of all proposals for the use of hazardous materials or those involving properties that may have toxic contamination, such as petroleum hydrocarbons, CAM 17 metals, asbestos, and lead.

Policy S-P-20 Require applicants of projects in areas of known or suspected hazardous materials occurrences such as petroleum hydrocarbon contamination, CAM 17 metals, USTs, location of asbestos rocks and other such contamination to perform comprehensive soil and groundwater contamination assessments in accordance with regulatory agency testing standards, and if contamination exceeds regulatory action levels, require the project applicant to undertake remediation procedures prior to grading and development under the supervision of appropriate agencies, such as Tulare County Department of Environmental Health, Department of Toxic Substances Control, or Regional Water Quality Control Board.

Policy S-P-21 Develop a community wildfire mitigation plan that identifies and prioritizes areas for hazard fuel reduction treatments, and recommend the types of methods of treatments.

Policy S-P-22 Manage vegetation in areas within and adjacent to public rights-of-way and in close proximity to critical facilities in order to reduce the risk of tree failure and property damage and avoid creation of wind acceleration corridors within vegetated areas.

Policy S-P-24 Continue to bolt down the roofs of critical facilities in wind gust hazard areas in order to prevent wind damage.

Policy S-P-27 Implement a fuel modification program, which also includes residential maintenance requirements and enforcement, plan submittal and approval process, guidelines for planting, and a listing of undesirable plant species. Require builders and developers to submit their plans, complete with proposed fuel modification zones, to the Fire Department for review and approval prior to beginning construction.

Policy S-P-28 Assist in solving the incendiary problem by improving law enforcement and investigation equipment, adapting equipment available in other fields; and purchasing new equipment where needed. Implement "no burn" programs, particularly in areas outside of immediate response zones of fire stations.

Policy S-P-29 Ensure availability of adequate water supplies to meet public health and safety needs, and for resource protection, by maintaining the following order of priority for water use:

- Potable water supply, fire protection, and domestic use
- Resource protection and preservation
- Industrial, irrigation and commercial uses
- Water-oriented recreation
- Air conditioning

Policy S-P-30 Integrate the Tulare County Hazard Mitigation Plan, in particular the hazard analysis and mitigation strategy sections, into the development review process, the emergency operations plan, and capital improvement program, as appropriate.

City of Visalia Municipal Code

Because the project site is currently adjacent to but outside of the City's municipal boundaries, the City's Zoning Map does not currently provide a zoning designation for the project site. Upon completion of the annexation process and LAFCo approval of the anticipated annexation proposal, the project site would be zoned Industrial (I) and Light Industrial (I-L) consistent with the project site's current General Plan Land Use designation as shown in Chapter 2, Project Description, Exhibit 2-7. In anticipation thereof, the City would pre-zone the project site as Industrial (I) and Light Industrial (I-L) as part of the proposed project's City entitlement process.

The purpose and intent of the Light Industrial zone district is to provide an area for uses that are characterized by low intensity research and development, warehousing, and limited manufacturing and production, processing, assembling, and packaging or treatment of food products from previously prepared materials. Uses that may restrict the operation of the above due to sensitivity to noise, truck traffic, etc., are not provided in this district.

The purpose and intent of the Industrial zone district is to provide an area for uses that are characterized by the manufacturing, processing, or assembling of semi-finished or finished products

from raw materials. Uses that may restrict the operation of the above due to sensitivity to noise, truck traffic, etc., are not provided in this district.

The Municipal Code contains the following development standards for the I and I-L zones:

A. Minimum site area: five (5) acres.

B. Maximum building height: seventy-five (75) feet.

C. Minimum required yards (building setbacks):
   1. Frontage on major road: twenty-five (25) feet. (Major roads are defined as roads shown as arterials or collectors on the Circulation Element Map, including but not limited to Goshen Avenue, Plaza Drive, and Avenue 308).
   2. Frontage on minor road: fifteen (15) feet. (Minor roads are defined as roads shown as local streets on the Circulation Element Map, including but not limited to Elowin Court, Clancy Drive, and Rasmussen Avenue).
   3. Frontage on interior roads: ten (10) feet. (Interior roads provide access only to parcels within a development.).
   4. Rear: zero (0) feet.
   5. Rear yards abutting an R-1 or R-M zone district: twenty (20) feet.
   6. Side: zero (0) feet.
   7. Side yards abutting an R-1 or R-M zone district: twenty (20) feet.
   8. Side abutting railroad right-of-way: twenty-five (25) feet.

D. Minimum required landscaped yard (setback) areas:
   1. Frontage on major road: twenty-five (25) feet. (Major roads are defined as roads shown as arterials or collectors on the Circulation Element Map, including but not limited to Goshen Avenue, Plaza Drive, and Avenue 308).
   2. Frontage on minor road: fifteen (15) feet. (Minor roads are defined as roads shown as local streets on the Circulation Element Map, including but not limited to Elowin Court, Clancy Drive, and Rasmussen Avenue).
   3. Frontage on interior roads: ten (10) feet. (Interior roads provide access only to parcels within a development.).
   4. Rear: zero (0) feet.
   5. Rear yards abutting an R-1 or R-M zone district: ten (10) feet.
   6. Side: zero (0) feet.
   7. Side yards abutting an R-1 or R-M zone district: ten (10) feet.
   8. Side abutting railroad right-of-way: twenty-five (25) feet.

E. Additional standards:
   1. Properties subdivided into parcels of less than five acres shall provide a common or joint storm drainage facility or pond, to be maintained through a private property owners' association formed at the time of subdivision.
   2. An eight-foot masonry wall is required along a property line where a site abuts an R-1 or R-M zone district. (Ord 2017-01 (part), 2017).[12]

[12] City of Visalia. 2017. Visalia Municipal Code 17.22.060 Development standards in the I-L and I zones.

Oak Tree Preservation Chapter

The purpose of Chapter 12.24, Oak Tree Preservation, is to establish basic standards, measures and compliance requirements for the preservation and protection of native Valley oak trees and landmark trees. As such, removal of oak trees is prohibited except when under removal permit. Furthermore, removal of an oak tree under permit requires the application of removal standards and mitigation measures, as described in further detail within Municipal Code Chapter 12.24.

Active Transportation Plan

The Active Transportation Plan (ATP) was adopted by the City on March 6, 2017. The ATP incorporates and updates goals set in the following prior documents: the 2030 Visalia General Plan, the 2011 Visalia Bikeway Plan, the 2010 Waterways and Trails Master Plan, and the Regional ATP for the Tulare County Region. The purpose of the ATP is to guide pedestrian and bikeway policies, programs, and facility improvements to improve safety, comfort, and convenience for pedestrians and bicyclists in Visalia.

3.11.4 - Methodology

FirstCarbon Solutions (FCS) evaluated the potential for land use and planning impacts through site reconnaissance, use of aerial photos, and review of applicable land use policy documents with a focus on plans, policies and regulations that were adopted for the purpose of avoiding or mitigating environmental effects. Photographs were taken of the project site and surrounding land uses to document existing conditions. FCS reviewed the General Plan and the Municipal Code, among other relevant plans, policies, and regulations, to identify applicable policies and provisions that would be relevant to this analysis. In connection therewith, FCS reviewed the proposed project for consistency with the General Plan and Municipal Code as well as other relevant plans, policies, and regulations as necessary to adhere to the requirements under CEQA.[13]

3.11.5 - Thresholds of Significance

The City, as lead agency, has elected in its discretion to utilize the criteria in CEQA Guidelines Appendix G environmental checklist to determine whether the proposed project's impacts to land use and planning would be significant environmental effects. Specifically, it would be a significant impact if the proposed project would:

a) Physically divide an established community?

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?

It should be noted that the significance criteria set forth in Impact (b), above, is also separately analyzed in Section 3.12, Noise, to address potential impacts related to noise conflicts with land use

[13] While not all of the plans, policies and regulations set forth in this Section 3.11 may have been adopted for the purpose of avoiding or mitigating environmental effects, for purposes of a conservative analysis, this Draft EIR identifies and considers a broad range of plans, policies, and regulations in evaluating project consistency.

plans, which would include project-related conflicts to the noise land use compatibility standards of the General Plan and Municipal Code.

3.11.6 - Project Impacts Mitigation Measures

This section analyzes potential impacts associated with the construction and operation of the proposed project and provides feasible mitigation measures, if and to the extent required.

Divide an Established Community

Impact LAND-1:	**Would the project physically divide an established community?**

Impact Analysis

Construction

Impacts related to physical division of an established community are limited to operational impacts. No respective construction impacts would occur.

Operation

The physical division of an already established community typically refers to construction of a linear feature, such as an interstate highway, railroad tracks, or the removal of a means of access that would impact mobility within an existing community and an outlying area. The proposed project would consist of an industrial and flex industrial park with parking and loading areas and related improvements along with compatible commercial uses consisting of self-storage/RV facility, a gas station, a convenience store, a car wash, and two drive-through restaurants within the City's municipal boundaries upon annexation. The project site is currently developed with agricultural uses. The development of the proposed project would not involve the construction of any type of linear feature that would impair mobility with an existing community, nor would it remove a means of access in a manner that would impede travel or otherwise constitute division of an established community. Rather, the proposed project would be designed in accordance with relevant General Plan policies and other standards and requirements, which would help ensure a cohesive, integrated site and circulation plan, and compatibility with nearby uses. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Conflict with Applicable Plans, Policies, or Regulations

Impact LAND-2:	**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?**

Impact Analysis

Construction

Impacts related to consistency with applicable land use plans and policies are limited to operational impacts. No respective construction impacts would occur.

Operation

Regional Transportation Plan/Sustainable Communities Strategy

The TCAG 2018 RTP establishes regional transportation policy for Tulare County based on specific transportation goals and objectives. The RTP focuses on achieving a coordinated and balanced multimodal transportation system, while maintaining the integrity of the existing system. The RTP includes projects located throughout Tulare County for all forms or modes of transportation, including automobiles, transit, nonmotorized (including bicycle), passenger rail, freight, and aviation facilities. The goals and objective contained in the RTP are focused on transportation initiatives, infrastructure, planning, and funding on the regional level. The proposed project would support these policies and strategies to the maximum extent feasible at the project level.

The project site is within the City's SOI and its Tier 1 UDB and would represent a progressive step toward infill of the SOI in this area of the City, consistent with the long-term planning vision of the City for Industrial and Light Industrial uses, as reflected in the General Plan. The RTP/SCS accounts for growth in the project area, including industrial developments such as the proposed project.

Goal 6 is to provide a transportation system that efficiently and effectively transports goods to, from, within, and through Tulare County. The proposed project would be located adjacent to nearby existing industrial uses, and in proximity to SR-99, to provide for an orderly development that contributes to efficient and effective goods movement. Goal 8 is to expand the region's bicycle and pedestrian systems. The proposed project would provide sidewalk improvements along project frontage which would expand the pedestrian system. Goal 10 is to improve air quality through congestion management, coordination of land use, housing and transportation system, provision of alternative modes of transportation and provision of incentives that reduce vehicle miles traveled. Though the proposed project would result in significant and unavoidable impacts with respect to air quality, the project would be required to implement feasible mitigation as detailed in Section 3.3 Air Quality, which would reduce air quality emissions to the maximum extent feasible thereby improving air quality, consistent with Goal 10. Therefore, the proposed project is considered to be consistent with the RTP/SCS.

Local Agency Formation Commission Requirements for City Annexations

California Government Code Section 56668 establishes factors that LAFCo's must use in reviewing annexation proposals to encourage well-planned, well-ordered, efficient urban development and discouraging urban sprawl. Table 3.11-1 provides a consistency analysis with California Government Code Section 56668. As shown in the table, the proposed annexation of the proposed project would be consistent with Section 56668. Impacts would be less than significant.

Table 3.11-1: LAFCo Consistency Analysis (Government Code § 56668)

Section		Consistency Determination
Section 5668(a): Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years		**Consistent:** The project site is within the City's SOI and its Tier 1 UDB and would represent a progressive step toward infill of the SOI in this area of the City, consistent with the long-term planning vision of the City for Industrial and Light Industrial uses, as reflected in the General Plan.
Section 56668(b): The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.		**Consistent:** The proposed project would include infrastructure improvements, such as tie in with existing water line and wastewater line, and stormwater basins and storm drainage improvements throughout the site, in order to properly serve the new development. As discussed in Section 3.13, Public Services, and Section 3.15, Utilities and Service Systems, the proposed project would be required to pay all necessary fees for utility service connections.
Section 56668(c): The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.		**Consistent:** The project site is within the City's SOI and its Tier 1 UDB and would represent a progressive step toward infill of the SOI in this area of the City, consistent with the long-term planning vision of the City for Industrial and Light Industrial uses, as reflected in the General Plan. The proposed project is consistent with the surrounding industrial uses. The development would generate sales tax and new employment opportunities.
Section 56668(d): The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377. (Section 56377 is reproduced below)		**Consistent:** As discussed in Section 3.2, Agricultural and Forestry resources, although the project site contains Prime Farmland, the proposed project is consistent with the land use designation and intensity of development previously approved by the City and established by the General Plan; thus, conversion to industrial use was envisioned as part of buildout under the General Plan. Although previously addressed in the certified General Plan EIR, for purposes of a comprehensive and conservative analysis, this Draft EIR acknowledges that the proposed project would result in the loss of Prime Farmland as a result of the construction of the proposed urban uses. The project site's surrounding area contains many industrial uses, and thus the proposed project is a logical expansion of industrial uses in the area and siting the proposed industrial use
56377	In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open space lands to uses other than open space uses, the commission shall consider all of the following policies and priorities: (a) Development or use of land for other than open space uses shall be guided away from existing prime agricultural	

Section		Consistency Determination
	lands in open space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area. (b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the Sphere of Influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open space lands for non-open space uses which are outside of the existing jurisdiction of the local agency or outside of the existing Sphere of Influence of the local agency.	elsewhere would not promote planned, orderly, efficient development of the area.
Section 56668(e): The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016. (Section 56016 is reproduced below.)		**Consistent:** As discussed in Section 3.2, Agricultural and Forestry Resources, although the project site contains Prime Farmland, the proposed project is consistent with the land use designation and intensity of development established by the General Plan; thus, conversion to industrial use was envisioned as part of buildout under the General Plan.
56016	"Agricultural lands" means land currently used for the purpose of producing an Agricultural commodity for commercial purposes, land left fallow under a crop rotational program, or land enrolled in an agricultural subsidy or set-aside program.	
Section 56668(f): The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.		**Consistent:** The project site boundaries that would be presented in the annexation application would be definite, would conform to Assessor's Parcel Number (APN) lines and/or ownership of legal lots, and would not contain any split parcels.
Section 56668(g): A regional transportation plan adopted pursuant to Section 65080, and consistent with city or county general and specific plans. (Section 65080 is not reproduced below due to length; however, its information was used in this analysis and the link is provided in the table sources further reference.)		**Consistent:** As discussed throughout this Land Use section, the proposed project would be consistent with all transportation policies that are relevant to the proposed project.
Section 56668(h): The Sphere of Influence of any local agency which may be applicable to the proposal being reviewed.		**Consistent:** The proposed project is within the City's SOI.
Section 56668(i): The comments of any affected local agency or other public agency.		**Consistent:** Notification of the annexation will be circulated to local and affected agencies.

Section		Consistency Determination
Section 56668(j): The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.		**Consistent:** The proposed project would be served by municipal services, fire services, police services, and other public services as demonstrated in Sections 3.14, Public Services, and 3.16, Utilities and Service Systems. The project applicant would provide the fair share costs of all infrastructure necessary to serve the proposed project. Additionally, the proposed project would pay its share of development impact fees.
Section 56668(k): Timely availability of water supplies adequate for projected needs as specified in Section 65352.5. (Section 65352.5 is reproduced below.)		**Consistent:** A Water Supply Assessment (WSA) was prepared for the proposed project and is included as Appendix J. As discussed in Section 3.10, Hydrology and Water Quality, and Section 3.15, Utilities and Service Systems, there are sufficient water supplies for the proposed project.
65352.5	(a) The Legislature finds and declares that it is vital that there be close coordination and consultation between California's water supply agencies and California's land use approval agencies to ensure that proper water supply planning occurs in order to accommodate projects that will result in increased demands on water supplies. (b) It is, therefore, the intent of the Legislature to provide a standardized process for determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies. (c) Upon receiving, pursuant to Section 65352, notification of a city's or a county's proposed action to adopt or substantially amend a general plan, a public water system, as defined in Section 116275 of the Health and Safety Code, with 3,000 or more service connections, shall provide the planning agency with the following information, as is appropriate and relevant: (1) The current version of its urban water management plan, adopted pursuant to Part 2.6 (commencing with Section 10610) of Division 6 of the Water Code. (2) The current version of its capital improvement program or plan, as reported pursuant to Section 31144.73 of the Water Code. (3) A description of the source or sources of the total water supply currently available to the water	

Section		Consistency Determination
	supplier by water right or contract, taking into account historical data concerning wet, normal, and dry runoff years. (4) A description of the quantity of surface water that was purveyed by the water supplier in each of the previous five years. (5) A description of the quantity of groundwater that was purveyed by the water supplier in each of the previous five years. (6) A description of all proposed additional sources of water supplies for the water supplier, including the estimated dates by which these additional sources should be available and the quantities of additional water supplies that are being proposed. (7) A description of the total number of customers currently served by the water supplier, as identified by the following categories and by the amount of water served to each category: (A) Agricultural users. (B) Commercial users. (C) Industrial users. (D) Residential users. (8) Quantification of the expected reduction in total water demand, identified by each customer category set forth in paragraph (7), associated with future implementation of water use reduction measures identified in the water supplier's urban water management plan. (9) Any additional information that is relevant to determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies.	
Section 56668(l): The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.		**Not Applicable:** The proposed project is consistent with the General Plan designations of the site. The General Plan does not envision the site to be developed for residential uses.

Section		Consistency Determination
65580	The Legislature finds and declares as follows: (a) The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order. (b) The early attainment of this goal requires the cooperative participation of government and the private sector in an effort to expand housing opportunities and accommodate the housing needs of Californians of all economic levels. (c) The provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government. (d) Local and State governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. (e) The Legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the State in addressing regional housing needs.	
Section 56668(m): Any information or comments from the landowner or owners, voters, or residents of the affected territory.		**Consistent:** The site owner is in support of the proposed project. The project's Notice of Preparation (NOP) was sent to the neighboring property owners in August 2022. Neighboring property owners would also be noticed about the availability of the CEQA documents and public meetings. These individuals will have the opportunity to submit comments to both the City.
Section 56668(n): Any information relating to existing land use designations.		**Consistent:** The proposed project would be consistent with the General Plan Land Use designation of Industrial and Light Industrial for the project site and would reflect the planned urban development vision for the project site, which consists of light industrial and flex industrial uses as well as compatible commercial uses (permitted by

Section	Consistency Determination
	right or issuance of a conditional use permit), along with parking and loading areas and related improvements.
Section 56668(o): The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.	**Consistent:** With approval of the proposed annexation into the City, all future public services would be provided by the City, and water services would be provided by California Water Service Company (Cal Water). Therefore, the proposed project would not result in environmental injustice issues with respect to the provision of public services. In addition, as discussed in Section 3.13, Public Services, and Section 3.15, Utilities and Services Systems, any impacts related to public services and utilities would be less than significant.
Sources: California Legislative Information. 2023. California Law. Government Code Title 7. Planning and Land Use and Planning and Zoning. Website: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=65080.&lawCode=GOV.	

Additional Tulare County LAFCo Policies

The boundaries of the proposed annexation must be definite and certain and must conform to lines of assessment whenever possible.

In accordance with LAFCo requirements, the project site boundaries that would be presented in the annexation application would be definite, would conform to APN lines and/or ownership of legal lots, and would not contain any split parcels.

There is a demonstrated need for municipal services and controls, and the City has the capability of meeting the need for services and controls.

As shown in Chapter 2, Project Description, Exhibit 2-3, the project site is contiguous to the City's municipal boundaries and other existing urban development and is within the Tier 1 of the City's UDB, which would facilitate the efficient extension of existing utilities. As described more fully herein, the proposed project would connect to and/or otherwise utilize existing utility lines for service to the proposed project and would also pay applicable development impact fees toward the construction of identified infrastructure and improvements, consistent with the City's Master Plans.

There is a mutual social and economic interest between the residents of the City and the proposed territory.

The project site is within the City's UDB Tier 1, which is the first stage of future development envisioned by the City. The General Plan Land Use Policy LU-P-20 allows "annexation and development of residential, commercial, and industrial land to occur within the "Tier I" UDB at any time, consistent with the City's Land Use Diagram." Therefore, the proposed project would be consistent with and would implement the General Plan policy LU-P-20. The proposed project would also generate an estimated 4,100 jobs at buildout, which would enhance economic opportunities within the City and facilitate a positive jobs/housing balance.

The proposed annexation is compatible with the City's General Plan.

The proposed project would be consistent with the General Plan Land Use designation of Industrial and Light Industrial for the project site and would reflect the planned urban development vision for the project site, which consists of light industrial and flex industrial uses as well as compatible commercial uses (permitted by right or issuance of a conditional use permit), along with parking and loading areas and related improvements (Chapter 2, Project Description, Exhibits 2-8 and 2-9). Therefore, the proposed project would be consistent with the applicable General Plan Land Use designations. Also, see below for a detailed consistency analysis with relevant General Plan goals, policies, and objectives.

The proposed annexation represents a logical and reasonable expansion of the annexing municipality.

The project site is within the City's SOI and its Tier 1 UDB and would represent a progressive step toward infill of the SOI in this area of the City, consistent with the long-term planning vision of the City for Industrial and Light Industrial uses, as reflected in the General Plan as well as the MSR approved by LAFCo in connection with the City's SOI. Additionally, the project site is adjacent to existing city limits and would reflect a logical and orderly extension of growth that is not isolated, nor would it constitute "leapfrog" development or otherwise facilitate urban sprawl. Rather, the anticipated annexation that would occur as part of the proposed project would reflect a logical and orderly extension of the City's boundaries.

Boundary lines shall be located so that entire road rights-of-way are placed within the same jurisdiction as the properties fronting on the roads.

The proposed project's frontage on Riggin Avenue, Kelsey Street, and Shirk Street are all within the City's SOI and would be included in the annexation proposal (thereby ensuring these lands also fall within the City's boundaries). Therefore, all road rights-of-way are already placed within the same jurisdiction as the project site fronting the roads.

One of the factors LAFCo must consider when reviewing a proposal for change in organization is the effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Government Code Section 56016. Similar to the discussion above, although the proposed project would result convert existing agricultural land to urban uses, the proposed project would be consistent with the project site's General Plan Land Use designations of Industrial and Light Industrial and would reflect the long-planned urban development vision for the project site upon annexation and would otherwise be consistent with relevant City land use goals, policies and objectives (as discussed further below). Furthermore, as discussed in Section 3.15, Utilities and Service Systems, the City can accommodate the wastewater, water, and storm drainage demands of the proposed project, and the proposed project would provide the necessary infrastructure and improvements, which would be constructed in accordance with all applicable City requirements and specifications, to ensure it would be adequately served by the various City services and utilities and Accordingly, the proposed project would be consistent with LAFCo's requirements for City annexations, which requires a determination that the proposed annexation is compatible with the General Plan and that the City has the capability of meeting the need for services and controls.

General Plan Consistency

The County General Plan designates the project site as the City of Visalia Urban Area Boundary (UAB)[14] and is zoned AE-40 on the County's Zoning Map (Chapter 2, Project Description, Exhibit 2-6).[15] However, with the City's approval of the proposed pre-zoning and related City entitlements, along with LAFCo's approval of the related annexation proposal, the County General Plan would no longer apply to the proposed project, as the project site would be annexed into the City of Visalia. For these reasons, the City is serving as the lead agency and the local land use agency and is processing the land use entitlement applications for the proposed project.

The proposed project would be consistent with the General Plan Land Use designations of Industrial and Light Industrial for the project site, and reflects the long-planned urban development vision for the project site, which would consist of light industrial and flex industrial uses as well as compatible commercial uses (permitted by right or with issuance of a conditional use permit), along with parking and loading areas and related on- and off-site improvements. Therefore, the proposed project would be consistent with the City's land use designations.

Table 3.11-2 summarizes the proposed project's consistency with relevant goals, objectives, and policies of the General Plan. As shown in Table 3.11-2, the proposed project would be consistent with the relevant General Plan goals, objectives, and policies.

Table 3.11-2: General Plan Consistency Analysis

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
Air Quality and Greenhouse Gases	**Objective AQ-O-1**	Coordinate air quality planning efforts with other local, regional, and State agencies.	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. However, the proposed project would be consistent with the Air Quality Plan (AQP) as discussed in Section 3.3, Air Quality.
	Objective AQ-O-2	Strive to improve air quality by implementing emissions reduction efforts targeting mobile sources, stationary sources and construction-related sources.	**Consistent.** The proposed project would include Mitigation Measure (MM) AIR-2a through MM AIR-2h to reduce emissions to the extent feasible.
	Policy AQ-P-1	Amend the Zoning Ordinance to prohibit locating new "sensitive receptor" uses—hospitals, residential care facilities and child care	**Consistent:** This policy does not apply to individual projects but is rather a broader City directive. However, the proposed project

[14] Tulare County. 2012.
[15] County of Tulare. Public Parcel Zoning Lookup. Website: https://tularecounty.maps.arcgis.com/apps/webappviewer/index.html?id=e7d7da648dab43e1a9eb0233889b7c32. Accessed August 17, 2022.

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
		facilities—within 500 feet of a limited access State Highway (SR-99 and SR-198), except as provided by approved master plans.	would not conflict with this policy.
	Policy AQ-P-2	Require use of Best Management Practices (BMPs) to reduce particulate emission as a condition of approval for all subdivisions, development plans and grading permits, in conformance with the San Joaquin Valley Air Pollution Control District Fugitive.	**Consistent.** The proposed project would be developed in accordance with Valley Air District thresholds and methodologies, including basic dust control measures required by Valley Air District, a Dust Mitigation Plan if appropriate, a vegetative barrier, and other BMPs. See Policy AQ-P-9 below.
	Policy AQ-P-3	Support implementation of the San Joaquin Valley Air Pollution Control District's regulations on the use of wood-burning fireplaces, as well as their regulations for the installation of EPA-certified wood heaters or approved wood-burning appliances in new residential development and a "No Burn" policy on days when the air quality is poor.	**Consistent:** This policy does not apply to industrial projects but is rather a broader City directive for residential development. However, the proposed project would not conflict with this policy.
	Policy AQ-P-4	Support the San Joaquin Valley Air Pollution Control District's "change-out" program, which provides incentives to help homeowners replace old word-burning fireplaces with EPA-certified non-wood-burning appliances.	**Consistent:** This policy does not apply to industrial projects but is rather a broader City directive for residential development. However, the proposed project would not conflict with this policy.
	Policy AQ-P-5	When asbestos has been identified in the preliminary soils report, require all new development and public works projects to comply with all provisions of State and regional ATCM regulations for control of airborne asbestos emissions relating to construction, road	**Consistent.** The Phase I ESA indicated there is no asbestos on the project site.

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
		maintenance, and grading activities.	
	Policy AQ-P-6	Amend the Street Tree Ordinance to promote use of plants and trees that are efficient pollutant absorbers.	**Consistent:** This policy does not apply to individual projects but is rather a broader City directive. However, the proposed project would not conflict with this policy.
	Policy AQ-P-7	Be an active partner with the Air District in its "Spare the Air" program. Encourage businesses and residents to avoid pollution-producing activities such as the use of fireplaces and wood stoves, charcoal lighter fluid, pesticides, aerosol products, oil-based paints, and automobiles and other gasoline engines on days when high ozone levels are expected, and promote low emission vehicles and alternatives to driving.	**Consistent:** This policy does not apply to individual projects but is rather a broader City directive. However, the proposed project would not conflict with this policy.
	Policy AQ-P-8	Update the Zoning Ordinance to strictly limit the development of drive-through facilities, only allowing them in auto-oriented areas and prohibiting them in Downtown and East Downtown.	**Consistent:** This policy does not apply to individual projects but is rather a broader City directive. However, the proposed project would not conflict with this policy.
	Policy AQ-P-9	Continue to mitigate short-term construction impacts and long-term stationary source impacts on air quality on a case-by-case basis and continue to assess air quality impacts through environmental review. Require developers to implement Best Management Practices (BMPs) to reduce air pollutant emissions associated with the	**Consistent.** The proposed project would be developed in accordance with Valley Air District thresholds and methodologies, including basic dust control measures required by Valley Air District, a Dust Mitigation Plan if appropriate, a vegetative barrier, and other Best Management Practices, and would include MM AIR-2a through MM AIR-2h to reduce emissions to the extent feasible.

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
		construction and operation of development projects. BMPs include transportation demand management strategies for large development projects such as: • Providing bicycle access and parking facilities; • Providing preferential parking for high-occupancy vehicles, carpools, or alternative fuels vehicles; • Establishing telecommuting programs or satellite work centers; • Allowing alternative work schedules; • Subsidizing public transit costs for employee; • Scheduling Deliveries at off-peak traffic periods; and • Providing recharge stations for plug-in electric vehicles (PEVs).	Additionally, the proposed project would include new bicycle facilities which would improve bicycle access in the area, including new bike lanes along Riggin Avenue and Class II bike lanes along Kelsey Street, Clancy Street, and Shirk Street. Additionally, the proposed project would enhance connectivity to the future transit stop adjacent to the project site through the installation of the sidewalk and bicycle facilities.
	Policy AQ-P-10	Develop public information regarding high- and low-pollen producing landscape species, to be made available at City Hall and other relevant locations throughout the City. Work with Chamber of Commerce, local landscape architects, nursery contractors, and arborists to promote landscaping with low-pollen plants.	**Consistent:** This policy does not apply to individual projects but is rather a broader City directive. However, the proposed project would not conflict with this policy.
	Policy AQ-P-11	Continue to work in conjunction with the San Joaquin Valley Air Pollution Control District and others to put in place additional Transportation Control Measures that will reduce vehicle travel and improve	**Consistent.** This policy does not apply to individual projects but is rather a broader City directive. However, the proposed project would not conflict with this policy.

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
		air quality and to implement Air Quality Plans.	
Historic Preservation	**Policy H-P-10**	Regularly review the Local Register of Historic Structures to ensure that properties are appropriately listed.	**Consistent.** As discussed in Section 3.5, Cultural Resources and Tribal Cultural Resources, a review of the applicable records indicated that there are no historic resources on-site or in close proximity of the project site.
Land Use	**Objective LU-O-9**	Implement and periodically update a growth management system that will guide the timing, type, and location of growth; preserve resource lands, natural features, and open space; and promote infill and redevelopment.	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. However, the proposed project would facilitate achievement of the long-planned development pattern envisioned in the General Plan. The project site is within the City's SOI and its Tier 1 UDB and would represent a progressive step toward infill of the SOI in this area of the City, consistent with the long-term planning vision of the City for Industrial and Light Industrial uses, as reflected in the General Plan. The proposed project would be a logical expansion of the existing industrial uses in the surrounding area and would preserve more sensitive areas by clustering development.
	Objective LU-O-10	Protect agricultural land from premature urban development.	**Consistent:** The proposed project site is currently used for agriculture and is considered Prime Farmland; however, proposed project would be consistent with the long-planned industrial land use vision for the project site as well as relevant goals, objectives and policies as set forth in the General Plan, including, among others. See also Section 3.2, Agricultural Resources and Forestry Resources, of this Draft EIR for additional discussion .

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
	Policy LU-P-19	Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy.	**Consistent:** The proposed project is adjacent to existing City municipal boundaries and is within the City's SOI and UDB Tier 1 and would be consistent with the General Plan Land Use designations, which reflect the long-planned land use vision for the project site. Therefore, the proposed project would represent a logical and orderly extension of the planned urban development pattern envisioned in the General Plan.
	Policy LU-P-20	Allow annexation and development of residential, commercial, and industrial land to occur within the "Tier I" Urban Development Boundary (UDB) at any time, consistent with the City's Land Use Diagram.	**Consistent:** The project site is within the UDB Tier 1 of the City as well as its SOI and would include annexation and development of lands that have long been planned and designated by the General Plan for Industrial and Light Industrial uses.
	Policy LU-P-32	Continue to maintain a 20-acre minimum for parcel map proposals in areas designated for Agriculture to encourage viable agricultural operations in the Planning Area.	**Consistent:** The project site is currently used for agricultural purposes but has been long planned by the City for light industrial and industrial uses, as reflected in the project site's applicable Industrial and Light Industrial General Plan Land Use designations; therefore, the proposed project would not conflict with this policy. See also Section 3.2, Agricultural Resources and Forestry Resources, of this Draft EIR for additional discussion.
	Policy LU-P-34	Work with Tulare County and other State and regional agencies, neighboring cities, and private land trust entities to prevent urban development of agricultural land outside of the current growth boundaries and to promote the use of agricultural preserves, where	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. However, while the project site is currently used for agricultural purposes, it has been long planned by the City for light industrial and industrial uses pursuant to the project site's General Plan Land Use

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
		they will promote orderly development and preservation of farming operations within Tulare County. Conduct additional investigation of the efficacy of agricultural conservation easements by engaging local, regional, and State agencies and stakeholders in order to further analyze their ongoing efforts and programs that attempt to mitigate impacts from the conversion of agricultural lands through the use of agricultural conservation easements. Support regional efforts to prevent urban development of agricultural lands, specifically at the county level. Tulare County's General Plan 2030 Update Policy contains two policies (AG-1.6 Conservation Easements and AG-1.18 Farmland Trust and Funding Sources) that discuss establishing and implementing an Agricultural Conservation Easement Program (ACEP). The City supports the implementation of these measures by the County, in which the City may then participate. Such a regional program could include a fee to assist and support agricultural uses and would be most feasibly and strategically developed on a countywide or other regional basis. In addition to supporting regional efforts to prevent urban development of agricultural lands, the City shall create and adopt a mitigation program to	designations. The project site is within the City's SOI and UDB Tier 1, which reflects the City's land use vision that balances and takes into consideration competing interests of allowing urban development while preserving agricultural lands and open space. Properties in Tier 1, however, are exempt from being applicable to the agricultural mitigation program described in the policy. See also Section 3.2, Agricultural Resources and Forestry Resources, of this Draft EIR for additional discussion.

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
		address conversion of Prime Farmland and Farmland of Statewide Importance in Tiers II and III. This mitigation program shall require a 1:1 ratio of agricultural land preserved to agricultural land converted and require agricultural land preserved to be equivalent to agricultural land converted. The mitigation program shall also require that the agricultural land preserved demonstrate adequate water supply and agricultural zoning, and shall be located outside the City UDB, and within the southern San Joaquin Valley. The mitigation program shall, to the extent feasible and practicable, be integrated with the agricultural easement programs adopted by the County and nearby cities. The City's mitigation program shall allow mitigation to be provided by purchase of conservation easement or payment of fee but shall indicate a preference for purchase of easements. The mitigation program shall require easements to be held by a qualifying entity, such as a local land trust, and require the submission of annual monitoring reports to the City. The mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I, or conversion of agricultural lands for agricultural processing uses, agricultural buffers, public facilities, and roadways.	

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
	Policy LU-P-35	Adopt the County's Right-to-Farm ordinance to support continued agricultural operations at appropriate locations within the City limits, with no new provisions. This ordinance should not limit urban development contemplated by the General Plan.	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. However, while the project site is currently used for agricultural purposes, it has been long planned by the City for light industrial and industrial uses pursuant to the project site's General Plan Land Use designations. Moreover, the proposed project would be subject to any applicable Right-to-Farm ordinance. See also Section 3.2, Agricultural Resources and Forestry Resources, of this Draft EIR for additional discussion.
	Policy LU-P-39	Improve tree planting, landscaping, and site design standards to minimize the visual impact of large parking lots and buildings, to enhance and promote natural characteristics compatible with urban form, to minimize heat gain and promote energy conservation, and to improve stormwater infiltration.	**Consistent:** The proposed project would include ample landscaping in accordance with applicable provisions of the City's Landscape Standard Specifications.
	Policy LU-P-40	Where possible, through the Site Plan Review process, retain native trees as landscape elements and for shading.	**Consistent:** Ample landscaping would be provided in accordance with applicable provisions of the City's Landscape Standard Specifications and would be subject to City review during the Site Plan Review process.
	Policy LU-O-12	Provide for an orderly and efficient transition from rural to urban land uses.	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. However, while the project site is currently used for agricultural purposes, it has been long planned by the City for light industrial and industrial uses pursuant to the project

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
			site's General Plan Land Use designations. The project site is within the City's SOI and UDB Tier 1, which reflects the City's land use vision that balances and takes into consideration competing interests, including those relating to allowing urban development while preserving agricultural lands and open space. Moreover, the proposed project would be located adjacent to nearby existing industrial and other urban uses, which help to provide for an orderly and efficient planned transition to urban land uses.
	Objective LU-O-33	Provide adequate land in a variety of parcel sizes for industrial development and strengthen the City's role as a regional manufacturing center.	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. However, the proposed project would be consistent with the long-planned industrial uses for the project site pursuant to the Light Industrial and Industrial General Plan Land Use designations. The proposed project would include annexation of Industrial and Light Industrial lands into the City, and would implement this objective by developing light industrial, flex industrial and compatible commercial uses, consistent with the industrial land use vision. By developing industrial uses, consistent with the General Plan, as contemplated by the proposed project, manufacturing opportunities on land that has ready access to available infrastructure, including major transportation corridors and utilities, would be expanded in the City. While the ultimate end user(s) are not currently known, the proposed project would facilitate industrial

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
			opportunities, which could then enhance the project site for uses as part of the Central Valley supply chain and goods movement network.
	Objective LU-O-34	Ensure compatibility between industrial lands and adjacent dissimilar land uses.	**Consistent:** The project site has been planned for industrial uses, such as those contemplated by the proposed project, consistent with the applicable Industrial and Light Industrial land use designations; it is within the City's SOI and UDB (Tier 1); and is adjacent to industrial uses to the west and south, which is part of the area designated for industrial development in the General Plan. In addition, the proposed project would incorporate a number of features to further ensure compatibility, including proper setback and landscaping as required by the Municipal Code.
	Policy LU-P-100	Establish zoning standards to assure high-quality design and site planning for large-scale industrial development.	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. However, the proposed project would be required to comply with all applicable zoning standards and other requirements for Industrial and Light Industrial zones, which would assure high-quality design and site planning appropriate to the proposed large-scale industrial/commercial development.
	Policy LU-P-101	As part of industrial developments, allow secondary uses such as restaurants, cafés, small convenience stores and day care facilities, to serve area employees.	**Consistent:** The proposed project includes compatible commercial uses consisting of self-storage/RV facilities, a gas station, a convenience store, a car wash, and two drive-through restaurants. All of the foregoing is anticipated to serve the proposed project's employees as

Element	Goal/Objective/Policy		Consistency Determination
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			well as those from nearby employment-generating uses.
	Policy LU-P-102	Ensure the timely completion of necessary infrastructure to support new industrial development.	**Consistent:** As demonstrated in Section 3.13, Public Services and Section 3.15, Utilities, the proposed project would be adequately served in terms of water, sewer, stormwater, fire, and police services. The proposed project would involve the development of all necessary infrastructure to serve the proposed uses. Further, each project applicant, in connection with an individual specific development proposal, would be required to pay applicable impact fees, which funding would be used by the City (in combination with other fees received in connection with other development proposals) to construct various master plan infrastructure consistent with the City's master planning documents.
	Policy LU-P-103	Require buffering land uses adjacent to existing or planned residential areas adjacent to industrial designations. Such uses may include parks, drainage ponds, open space, or other such uses.	**Consistent:** The proposed project is bound by existing roadways to the east, south, and west, and by an irrigation canal (Modoc Ditch) and agricultural use to the north. Therefore, the project site is not adjacent to existing or planned residential uses.
	Policy LU-P-104	Preserve land designated for light and heavy industrial uses by limiting the intrusion of freestanding retail commercial or service commercial uses.	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. However, the proposed project consists of light industrial and flex industrial uses, along with compatible commercial uses (which would serve project visitors and employees as well as other uses in the vicinity–including industrial uses), as well as parking and loading areas and

Element	Goal/Objective/Policy		Consistency Determination
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			related on- and off-site improvements. The proposed project would be constructed and operated on the project site, which has long been envisioned to provide such uses, as reflected in the Industrial and Light Industrial General Plan land use designations.
	Policy LU-P-106	Develop performance standards to supplement and augment design standards to minimize the negative impacts (glare, signage, noise, dust, traffic) associated with the establishment of new or expansion of existing service commercial and industrial development.	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. However, the proposed project would be required to comply with all federal, State, and local laws, regulations, requirements, and standards to minimize impacts associated with the establishment of the proposed industrial and commercial uses, including those related to glare, signage, noise dust, and traffic. See Section 3.1, Aesthetics, regarding light, glare, and signage. See Section 3.3, Air Quality, regarding dust impacts. See Section 3.12, Noise, regarding noise impacts. See Section 3.14, Transportation, regarding traffic impacts.
	Policy LU-P-107	Reserve adequate sewage treatment plant capacity and sewerage capacity to meet the projected needs of industrial growth and allow "package plants" where they represent a more fiscally appropriate solution if approved by the Department of Public Works.	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. However, the proposed project would be adequately served by the City's sewer facilities. See Section 3.15, Utilities and Service Systems.
Open Space and Conservation	**Objective OSC-O-6**	Protect water resources vital to the health of the community's residents and important to the Planning Area's ecological and economic stability.	**Consistent:** As discussed in detail in Section 3.10, Hydrology and Water Quality, the proposed project would adhere to all applicable laws, regulations, standards, and requirements, including, among others,

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			preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP), all of which would serve to protect water resources and prevent significant impacts related thereto.
	Objective OSC-O-7	Preserve and enhance Planning Area waterways and adjacent corridors as valuable community resources which serve as plant and wildlife habitats, as groundwater recharge facilities, as flood control and irrigation components, and as connections between open space areas.	**Consistent:** Modoc Ditch, an irrigation canal, lines the northern boundary of the project site. While the proposed project involves the removal or modification of the existing retention basin and would potentially require two new culvert crossings over Modoc Ditch, and the extension of one existing culvert crossing, it would be required to comply with all applicable federal and State water quality laws and regulations, including those set forth in the Clean Water Act (CWA) 402 (National Pollutant Discharge Elimination System [NPDES]), and the Porter-Cologne Water Quality Control Act (including stormwater control permits), and the Fish and Game Code to preserve water quality.
	Objective OSC-O-11	Preserve and protect historic features and archaeological resources of the Visalia Planning Area including its agricultural surrounding for aesthetic, scientific, educational, and cultural values.	**Consistent:** As discussed in detail in Section 3.5, Cultural Resources and Tribal Cultural Resources, of the Draft EIR, there are no known historic features and archaeological resources on the project site. However, because there is always the potential of previously unknown resources being discovered during construction, MM CUL-1, MM CUL-2, MM CUL-3, and MM CUL-4, would require specific actions such as records reviews,

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			monitoring, worker education, and other specific measures to reduce potential impacts related to impacts to any previously unknown historic features or archaeological resources that are discovered during construction. Accordingly, any historic features or archaeological resources would be appropriately treated consistent with this objective and the detailed MMs.
	Policy OSC-P-23	Where no urban development exists, maintain a minimum riparian habitat development setback from the discernible top of the bank—50 feet for both sides of the Mill, Packwood and Cameron Creek corridors and 25 feet for both sides of Modoc, Persian and Mill Creek Ditches—provided that where riparian trees are located within 100 feet of the discernible top of the banks of the Creek corridors and 50 from the banks for the ditches, the setback shall be wide enough to include five feet outside the drip line of such trees. Restore and enhance the area within the setback with native vegetation. Where existing development or land committed to development prohibits the 50 foot setback on Mill, Packwood and Cameron Creek corridors, provide the maximum amount of land available for a development setback. Where existing development or land committed to development prohibits the	Consistent: The proposed project is designated for Industrial and Light Industrial uses; therefore, it is considered to be land committed to development. In order to provide proper stormwater management, the proposed project would not be setback from the Modoc Ditch and would potentially require new culvert crossings over Modoc Ditch, and extension of one existing culvert crossing. However, during construction, the proposed project would comply with Chapter 16.12.070 of the Municipal Code requirements for grading and erosion control, including the prevention of sedimentation. Compliance with MM TRANS-1 would ensure compliance with the City's ATP by dedicating 28 feet for a pedestrian trail along the south side of Modoc Ditch.

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		25 foot setback along Modoc, Persian, and Mill Creek Ditches, provide the maximum amount of land available for a development setback.	
	Policy OSC-P-39	Establish requirements to avoid potential impacts to sites suspected of being archaeologically, paleontologically, or historically significant or of concern, by: • Requiring a records review for development proposed in areas that are considered archaeologically or paleontologically sensitive. • Determining the potential effects of development and construction on archaeological or paleontological resources (as required by CEQA). • Requiring pre-construction surveys and monitoring during any ground disturbance for all development in areas of historical and archaeological sensitivity. • Implementing appropriate measures to avoid the identified impacts, as conditions of project approval.	**Consistent:** As discussed in detail in Section 3.5, Cultural Resources and Tribal Cultural Resources, and in Section 3.7, Geology and Soils, of the Draft EIR, there are no known cultural or paleontological resources on the project site. However, because there is always the potential of previously unknown resources being discovered during construction, this analysis includes MM CUL-1, MM CUL-2, MM CUL-3, MM CUL-4 and MM GEO-6, which would require specific actions such as records reviews, monitoring, worker education, development of appropriate treatment measures upon discovery of any significant finds, and other specific measures to reduce potential impacts related to discovery of previously unknown archaeological, paleontological, or historically significant resources. With the implementation of these MMs, impacts to archaeological, paleontological, and historic resources would be less than significant.
Circulation	**Policy T-P-23**	Require that all new developments provide right-of-way, which may be dedicated or purchased, and improvements (including necessary grading, installation of curbs, gutters, sidewalks, parkway/landscape strips, bike, and parking lanes) other City street design	**Consistent:** As discussed in Chapter 2, Project Description, the proposed project would involve the dedication of easements (and related improvements) along the east side of Kelsey Street, west side of Shirk Street, and Clancy Street to the City after construction of the road improvements to be completed pursuant to all

Element	Goal/Objective/Policy		Consistency Determination
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		standards. Design standards will be updated following General Plan adoption.	applicable design standards and requirements as part of the proposed project, consisting of sidewalk improvements, curb and gutter, and signing and striping.
	Policy T-P-24	Require that proposed developments make necessary off-site improvements if the location and traffic generation of a proposed development will result in congestion on major streets or failure to meet LOS D during peak periods or if it creates safety hazards.	**Consistent:** As discussed in Section 3.14, Transportation, the proposed project would not result in congestion on major streets or failure to meet LOS D during peak-hours following recommendations established by the project-specific Transportation Impact Study. The proposed project would construct off-site street and intersection improvements to improve existing safety hazards and reduce congestion.
Parks, Schools, Community Facilities, and Utilities	**Policy PSCU-P-2**	Strive to achieve and maintain a citywide standard of at least five acres of neighborhood and community parks per 1,000 residents. Credits for pocket parks can be granted under the Park Acquisition and Development Fee Program, subject to the design review criteria of Policy PSCU-P-8. These credits may be on a less than 1:1 basis.	**Consistent:** The proposed project does not trigger any requirements associated with the provision of parkland since it only involves nonresidential uses. Related thereto, because the proposed project would not include residential units, it would not directly result in the creation of additional park demand that would result in a significant increase in population or existing park use and would therefore not affect the City's park standard. See Section 3.13, Public Services, for additional information in this regard.
	Policy PSCU-P-9	Continue to implement a Park Acquisition and Development Fee Program updated to be consistent with this General Plan, including the following: • Land and fees received shall support a standard of five acres of neighborhood and community parks per	**Consistent:** The proposed project does not trigger any requirements associated with the provision of parkland (or payment of fees in lieu thereof) since it only involves nonresidential uses. See Section 3.13, Public Services, for additional information in this regard.

Element	Goal/Objective/Policy		Consistency Determination
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		1,000 residents and provide park and recreation facilities serving the neighborhood quadrant in which the contributing development occurs. • A portion of the fees collected are to be used for community-wide recreation facilities. • Dedicated park land meeting specified criteria for community parks, neighborhood parks and pocket parks may be provided at the City's discretion, in lieu of fees, or earn fee credits (the City will not accept undevelopable, unusable land). • Fee credits may also be given for storm drainage basins designed and built for dual recreational use, but these credits may be on a less than 1:1 basis depending on the amenities and facilities provided and their availability throughout the year.	
	Policy PSCU-P-59	Implement public facility master plans through various funding mechanisms including assessment districts, user fees, development impact fees, reimbursement agreements and/or other mechanisms which provide for equitable distribution of development costs.	**Consistent.** The proposed project would be required to pay its fair share of development impact fees, as discussed in Section 3.13, Public Services.
Safety and Noise	**Objective S-O-1**	Minimize risks of property damage and personal injury	**Consistent:** As discussed in Section 3.7, Geology and Soils, the proposed project would

Element	Goal/Objective/Policy		Consistency Determination
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		posed by geologic and seismic hazards.	implement MM GEO-1 through MM GEO-6b, which would reduce potential impacts from seismic and geologic hazards to a level of less than significant.
	Objective S-O-3	Protect soils, surface water, and groundwater from contamination from hazardous materials.	**Consistent:** As discussed in detail in Section 3.10, Hydrology and Water Quality, the proposed project would be required to adhere to all applicable laws, regulations, standards, and requirements, including, among others, preparation and implementation of a SWPPP and stormwater facilities, which would serve to protect soils, surface water, and groundwater from contamination from hazardous materials. See also Section 3.7, Geology and Soils, including discussion of Impact GEO-2, as well as Section 3.9, Hazards and Hazardous Materials, of this Draft EIR.
	Policy S-P-15	Require remediation and cleanup of sites contaminated with hazardous substances.	**Consistent:** As discussed in Section 3.9, Hazards and Hazardous Materials, MM HAZ-1 would require remediation of any identified hazardous materials (including, among others, the potential for removal and disposal) would be required to be performed in accordance with all applicable laws and regulations and conducted by a permitted and licensed contractor. The foregoing would serve to ensure any required remediation occurs consistent with this objective.
	Policy S-P-17	Ensure that all specified hazardous facilities conform to the Tulare County Hazardous Materials Business Plan.	**Consistent:** As discussed in detail in Section 3.9, Hazards and Hazardous Materials, the proposed project would be required to comply with all applicable laws and regulations including preparation and implementation of the Tulare

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			County Hazardous Materials Business Plan as applicable, prior to obtaining a permit to operate the proposed gas station from the Tulare County Environmental Health Division.
	Policy S-P-18	Coordinate enforcement of the Hazardous Material Disclosure Law and the implementation of the Hazardous Material Emergency Response Plan with the Tulare County Health and Human Service Agency.	**Consistent:** As discussed in detail in Section 3.9, Hazards and Hazardous Materials, the proposed project would be required to comply with all applicable laws and regulations including the implementation of relevant provisions of the Hazardous Material Disclosure Law and the Hazardous Material Emergency Response Plan in coordination with the Tulare County Health and Human Service Agency, as necessary.
	Policy S-P-19	Coordinate with the Tulare County Environmental Health Division and other appropriate regulatory agencies during the review process of all proposals for the use of hazardous materials or those involving properties that may have toxic contamination, such as petroleum hydrocarbons, CAM 17 metals, asbestos, and lead.	**Consistent:** As discussed in detail in Section 3.9, Hazards and Hazardous Materials, the proposed project would be required to adhere to all applicable laws and regulations as well as being required to implement MM HAZ-1, which includes implementation of and coordination with the Tulare County Environmental Health Division prior to the issuance of grading permits.
	Policy S-P-20	Require applicants of projects in areas of known or suspected hazardous materials occurrences such as petroleum hydrocarbon contamination, CAM 17 metals, USTs, location of asbestos rocks and other such contamination to perform comprehensive soil and groundwater contamination assessments in accordance with regulatory agency testing standards, and if	**Consistent:** As discussed in detail in Section 3.9, Hazards and Hazardous Materials, the project site does not contain hazardous materials occurrences such as petroleum hydrocarbon contamination, CAM 17 metals, USTs, location of asbestos rocks. However, due to the historic and current agricultural uses, the proposed project would incorporate MM HAZ-1, which would require residual soil remediation, if required. Furthermore, if hazardous

Element	Goal/Objective/Policy		Consistency Determination
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		contamination exceeds regulatory action levels, require the project applicant to undertake remediation procedures prior to grading and development under the supervision of appropriate agencies, such as Tulare County Department of Environmental Health, Department of Toxic Substances Control, or Regional Water Quality Control Board.	contaminants related to the former agricultural use of the site (such as lead or arsenic) were to be found, a construction worker health and safety plan shall be prepared and shall be implemented during construction. The proposed project would also be required to adhere to all other laws, regulations, requirements, and standards with respect to the appropriate identification and remediation of any contamination, in coordination with the relevant regulatory agencies.
	Policy S-P-21	Develop a community wildfire mitigation plan that identifies and prioritizes areas for hazard fuel reduction treatments, and recommend the types of methods of treatments.	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. However, as discussed in Section 3.16, Wildfire, the project site is not in a fire-prone area and does not have previous fire damage or post-fire drainage pattern changes and would have less than significant impacts with respect to wildfire. Moreover, the proposed project would be required to comply with all applicable laws, regulations, standards, and requirements, which would serve to further reduce risks associated with wildfire, including, among others, adherence to any required fuel reduction treatments and other applicable provisions of the Tulare Unit Strategic Fire Plan.
	Policy S-P-22	Manage vegetation in areas within and adjacent to public rights-of-way and in close proximity to critical facilities in order to reduce the risk of tree failure and property damage and avoid creation of wind acceleration	**Consistent:** As discussed in Section 3.16, Wildfire, the project site is not in a fire-prone area and does not have previous fire damage or post-fire drainage pattern changes and would have less than significant impacts with respect to wildfire. Moreover, the proposed project

Element	Goal/Objective/Policy		Consistency Determination
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		corridors within vegetated areas.	would be required to comply with all applicable laws, regulations, standards, and requirements, including those set forth in the California Public Resources Code Sections 4291–4299, *et seq*., which require that brush, flammable vegetation, or combustible growth within 100 feet of buildings be maintained.
	Policy S-P-24	Continue to bolt down the roofs of critical facilities in wind gust hazard areas in order to prevent wind damage.	**Consistent:** As discussed in Section 3.16, Wildfire, the proposed project has an average wind speed of 6.9 miles per hour (mph) and an annual maximum of 12 mph and is not in a wind hazard area. The proposed project also does not involve any "critical facilities" subject to this objective; in addition, the project site is not in a fire-prone area and does not have previous fire damage or post-fire drainage pattern changes and would have less than significant impacts with respect to wildfire.
	Policy S-P-27	Implement a fuel modification program, which also includes residential maintenance requirements and enforcement, plan submittal and approval process, guidelines for planting, and a listing of undesirable plant species. Require builders and developers to submit their plans, complete with proposed fuel modification zones, to the Fire Department for review and approval prior to beginning construction.	**Consistent:** As discussed in Section 3.17, Wildfire, the proposed project is located within a Local Responsibility Area (LRA) but is not located within a high fire hazard severity zone. The proposed project plans would be subject to the Fire Department's review and approval prior to construction and would be required to adhere to all applicable laws, regulations, standards, and requirements including, among others, those related to fuel modification.
	Policy S-P-28	Assist in solving the incendiary problem by improving law enforcement and investigation equipment, adapting equipment	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. However, the proposed project would be

Element	Goal/Objective/Policy		Consistency Determination
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		available in other fields; and purchasing new equipment where needed. Implement "no burn" programs, particularly in areas outside of immediate response zones of fire stations.	required to pay applicable review and development impact fees toward fire protection and police protection facilities and apparatus, which would facilitate the ability of Visalia Fire Department (VFD) and Visalia Police Department (VPD) to implement programs related to this policy. See Section 3.13, Public Services, for additional information in this regard.
	Policy S-P-29	Ensure availability of adequate water supplies to meet public health and safety needs, and for resource protection, by maintaining the following order of priority for water use: • Potable water supply, fire protection, and domestic use • Resource protection and preservation • Industrial, irrigation and commercial uses • Water-oriented recreation • Air conditioning.	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. However, as discussed in Section 3.15, Utilities and Service Systems, the proposed project would not result in inadequate water supplies under normal, single-dry and multiple-dry years; the proposed project would also be required to adhere to all applicable laws, regulations, standards and requirements with respect to the inclusion of water conservation measures, which would further reduce water demand.
	Policy S-P-30	Integrate the Tulare County Hazard Mitigation Plan, in particular the hazard analysis and mitigation strategy sections, into the development review process, the emergency operations plan, and capital improvement program, as appropriate.	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. As discussed in Section 3.9, Hazards and Hazardous Materials, the proposed project would be required to adhere to all applicable laws, regulations, requirements, and standards including relevant provisions of the Tulare County Hazard Mitigation Plan, as applicable.
	Objective S-O-6	Provide comprehensive emergency response and evacuation routes for Visalia area residents.	**Consistent:** This objective does not apply to individual projects but is rather a broader City directive. As discussed in detail in Section 3.16, Wildfire, Section 3.9, Hazards and Hazardous

Element	Goal/Objective/Policy		Consistency Determination
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			Materials, and Section 3.13, Public Services, the proposed project would not impair emergency response and evacuation routes. The City does not currently have any established evacuation routes; however, the General Plan designates SR-198, SR-99, and SR-63 as evacuation routes consistent with the Tulare County Evacuation Plan.[16] Main arterial roads that are in the vicinity and readily accessible, which could reasonably be assumed to serve as emergency evacuation routes in the project vicinity. The proposed project's primary access roads (Kelsey Street, Clancy Street, Shirk Street, and Riggin Avenue) allow adequate egress/ingress to the project site in the event of an emergency. Additionally, the City participates in Alert TC, the County's public mass notification system, designed to keep those who live or work in Tulare County informed of important information during emergency events.

Municipal Code Consistency

Zoning Ordinance

As part of the land use entitlements for the proposed project, the applicant is seeking pre-zoning approval from the City to change the project site to Industrial and Light Industrial. In connection therewith, the proposed project includes annexation to the City. Upon completion of the annexation process to the City, the project site would be zoned Industrial and Light Industrial. The proposed industrial and flex industrial uses with parking and loading areas and related improvements along with compatible commercial uses consisting of self-storage/RV facilities, a gas station, a convenience store, a car wash, and two drive-through restaurants car, and related on- and off-site improvements would be consistent with this zoning, either treated as permitted uses by right or via the issuance of conditional use permit(s).

[16] City of Visalia. 2014. Visalia General Plan Chapter 8: Safety and Noise.

Development of the proposed project would be required to adhere to all applicable development standards and design guidelines set forth in the Zoning Ordinance Section 17.22.060 Development Standards in the I-L and I Zones, including, among others, those related to height, setbacks, intensity (FAR), lighting and landscaping.

Furthermore, development of the proposed project would comply with all relevant portions of the Municipal Code, including Chapter 12.24, Oak Tree Preservation. The proposed project would also comply with the City's ATP, which sets standards, goals, and design recommendations for the development of bike paths and pedestrian networks in the City.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

3.11.7 - Cumulative Impacts

The geographic scope of this cumulative analysis is the City and its SOI. The cumulative setting includes past, present and reasonably foreseeable probable future developments within the City and its SOI.

Development within the City is governed primarily by the General Plan and Municipal Code. These guiding regulations and planning documents set forth the land use vision for the community, facilitate logical and orderly development, and ensure consistency with the General Plan as required under State Planning and Zoning laws. All cumulative developments would be required to be consistent with and conform to these planning documents and all other governing regulations, with this consistency determination typically confirmed as part of the land use entitlement/permitting process. For cumulative projects that are within the City's SOI and would be annexed into the City, these would be required to demonstrate consistency with applicable provisions of the applicable laws and regulations under LAFCo law as well as the local Tulare County LAFCo Policies and Procedures. In addition, none of the cumulative projects involves the construction of a linear feature, such as an interstate highway, railroad tracks, or the removal of a means of access that would impact mobility within an existing community and an outlying area.

For the foregoing reasons, there would not be a significant cumulative impact related to division of an established community or conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Moreover, as discussed above, the proposed project would have less than significant land use impacts on an individual level and would not make a cumulatively considerable contribution to this less than significant cumulative land use impact because the proposed project would be consistent with the City's long-range land use vision and goals. Moreover, the proposed project would help to implement numerous General Plan policies, objectives, and goals and would be required to adhere to applicable federal, State, and local laws and regulations as discussed throughout this Draft EIR.

Accordingly, the proposed project would not make a cumulatively considerable contribution to this already less than significant cumulative impact.

Therefore, the proposed project in conjunction with other past, present, and reasonably foreseeable probable future projects would not result in a cumulatively significant impact related to land use.

Mitigation Measures

No mitigation measures are required.

Level of Cumulative Significance

Less than significant impact.

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3.12 - Noise

3.12.1 - Introduction

This section describes the existing noise setting and potential effects from project implementation on the site and its surrounding area. Descriptions and analysis in this section are based on noise modeling, included in this Draft EIR as Appendix H. No public comments were received during the EIR scoping period related to noise.

Environmental Setting

Noise Fundamentals

Characteristics of Noise

Noise is generally defined as unwanted or objectionable sound. Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm or when it has adverse effects on health. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and in the extreme, hearing impairment. Noise effects can be caused by pitch or loudness. *Pitch* is the number of complete vibrations or cycles per second of a wave that result in the range of tone from high to low; higher-pitched sounds are louder to humans than lower-pitched sounds. *Loudness* is the intensity or amplitude of sound.

Sound is produced by the vibration of sound pressure waves in the air. Sound pressure levels are used to measure the intensity of sound and are described in terms of decibels. The decibel (dB) is a logarithmic unit, which expresses the ratio of the sound pressure level being measured to a standard reference level. The 0 point on the dB scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Changes of 3 dB or less are only perceptible in laboratory environments. Audible increases in noise levels generally refer to a change of 3 dB or more, as this level has been found to be barely perceptible to the human ear in outdoor environments. Only audible changes in existing ambient or background noise levels are considered potentially significant.

The human ear is not equally sensitive to all frequencies within the audible sound spectrum, so sound pressure level measurements can be weighted to better represent frequency-based sensitivity of average healthy human hearing. One such specific “filtering” of sound is called “A-weighting.” A-weighted decibels (dBA) approximate the subjective response of the human ear to a broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. They are adjusted to reflect only those frequencies that are audible to the human ear. Because decibels are logarithmic units, they cannot be added or subtracted by ordinary arithmetic means. For example, if one noise source produces a noise level of 70 dB, the addition of another noise source with the same noise level would not produce 140 dB; rather, they would combine to produce a noise level of 73 dB.

Noise Descriptors

There are many ways to rate noise for various intervals, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. Equivalent continuous sound level (L_{eq}) is the total sound energy of time-varying noise over a sample period. However, the predominant

rating scales for human communities in the State of California are the L_{eq} and Community Noise Equivalent Level (CNEL) or the day-night average level (L_{dn}) based on dBA. CNEL is the time-varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and a 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale but without the adjustment for events occurring during the evening hours. CNEL and L_{dn} are within one dBA of each other and are normally exchangeable. The noise adjustments are added to the noise events occurring during the more sensitive hours.

Other noise rating scales of importance when assessing the annoyance factor include the maximum noise level (L_{max}), which is the highest exponential time-averaged sound level that occurs during a stated time period. The noise environments discussed in this analysis are specified in terms of maximum levels denoted by L_{max} for short-term noise impacts. L_{max} reflects peak operating conditions and addresses the annoying aspects of intermittent noise.

Noise Propagation

From the noise source to the receiver, noise changes both in level and frequency spectrum. The most obvious is the decrease in noise as the distance from the source increases. The manner in which noise reduces with distance depends on whether the source is a point or line source, as well as ground absorption, atmospheric conditions (wind, temperature gradients, and humidity) and refraction, and shielding by natural and manmade features. Sound from point sources, such as an air conditioning condenser, a piece of construction equipment, or an idling truck, radiates uniformly outward as it travels away from the source in a spherical pattern.

The attenuation or sound drop-off rate is dependent on the conditions of the land between the noise source and receiver. To account for this ground-effect attenuation (absorption), two types of site conditions are commonly used in noise models: soft-site and hard-site conditions. Soft-site conditions account for the sound propagation loss over natural surfaces such as normal earth and ground vegetation. For point sources, a drop-off rate of 7.5 dBA per each doubling of the distance (dBA/DD) is typically observed over soft ground with landscaping, as compared with a 6 dBA/DD drop-off rate over hard ground such as asphalt, concrete, stone and very hard packed earth. For line sources, such as traffic noise on a roadway, a 4.5 dBA/DD is typically observed for soft-site conditions compared to the 3 dBA/DD drop-off rate for hard-site conditions. Table 3.12-1 briefly defines these measurement descriptors and other sound terminology used in this section.

Table 3.12-1: Sound Terminology

Term	Definition
Sound	A vibratory disturbance created by a vibrating object which, when transmitted by pressure waves through a medium such as air, can be detected by a receiving mechanism such as the human ear or a microphone.
Noise	Sound that is loud, unpleasant, unexpected, or otherwise undesirable.

Term	Definition
Ambient Noise	The composite of noise from all sources near and far in a given environment.
Decibel (dB)	A unitless measure of sound on a logarithmic scale, which represents the squared ratio of sound pressure amplitude to a reference sound pressure. The reference pressure is 20 micropascals, representing the threshold of human hearing (0 dB).
A-Weighted Decibel (dBA)	An overall frequency-weighted sound level that approximates the frequency response of the human ear.
Equivalent Noise Level (L_{eq})	The average sound energy occurring over a specified time period. In effect, L_{eq} is the steady-state sound level that in a stated period would contain the same acoustical energy as the time-varying sound that actually occurs during the same period.
Maximum and Minimum Noise Levels (L_{max} and L_{min})	The maximum or minimum instantaneous sound level measured during a measurement period.
Day-Night Level (DNL or L_{dn})	The energy average of the A-weighted sound levels occurring during a 24-hour period, with 10 dB added to the A-weighted sound levels occurring between 10 p.m. and 7 a.m. (nighttime).
Community Noise Equivalent Level (CNEL)	The energy average of the A-weighted sound levels occurring during a 24-hour period, with 5 dB added to the A-weighted sound levels occurring between 7 p.m. and 10 p.m. and 10 dB added to the A-weighted sound levels occurring between 10 p.m. and 7 a.m.
Statistical Descriptor (L_X)	L_X is used to represent the noise level exceeded X percent of a specified time period. For example, L_{90} represents the noise level that is exceeded 90 percent of a specified time period. L_{90} is commonly used to represent ambient or background steady-state noise levels.
Source: Data compiled by FirstCarbon Solutions (FCS) 2023.	

Traffic Noise

The level of traffic noise depends on the three primary factors: (1) the volume of the traffic, (2) the speed of the traffic, and (3) the number of trucks in the flow of traffic. Generally, the loudness of traffic noise is increased by heavier traffic volumes, higher speeds, and greater number of trucks. Vehicle noise is a combination of the noise produced by the engine, exhaust, and tires. Because of the logarithmic nature of noise levels, a doubling of the traffic volume (assuming that the speed and truck mix do not change) results in a noise level increase of 3 dBA. Based on the Federal Highway Administration (FHWA) community noise assessment criteria, this change is “barely perceptible”; for reference, a doubling of perceived noise levels would require an increase of approximately 10 dBA. The truck mix on a given

roadway also has an effect on community noise levels. As the number of heavy trucks increases and becomes a larger percentage of the vehicle mix, adjacent noise levels increase.

Stationary Noise

A stationary noise producer is any entity in a fixed location that emits noise. Examples of stationary noise sources include machinery, engines, energy production, and other mechanical or powered equipment and activities such as loading and unloading or public assembly that may occur at commercial, industrial, manufacturing, or institutional facilities. Furthermore, while noise generated by the use of motor vehicles over public roads is preempted from local regulation, although the use of these vehicles is considered a stationary noise source when operated on private property such as at a construction site, a truck terminal, or warehousing facility. The emitted noise from the producer can be mitigated to acceptable levels either at the source or on the adjacent property through the use of proper planning, setbacks, block walls, acoustic-rated windows, dense landscaping, or by changing the location of the noise producer.

The effects of stationary noise depend on factors such as characteristics of the equipment and operations, distance and pathway between the generator and receptor, and weather. Stationary noise sources may be regulated at the point of manufacture (e.g., equipment or engines), with limitations on the hours of operation, or with provision of intervening structures, barriers or topography.

Construction activities are a common source of stationary noise. Construction-period noise levels are higher than background ambient noise levels but eventually cease once construction is complete. Construction is performed in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on each construction site and, therefore, would change the noise levels as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. Table 3.12-2 shows typical noise levels of construction equipment as measured at a distance of 50 feet from the operating equipment.

Table 3.12-2: Typical Construction Equipment Maximum Noise Levels

Type of Equipment	Impact Device? (Yes/No)	Specification Maximum Sound Levels for Analysis (dBA at 50 feet)
Impact Pile Driver	Yes	95
Auger Drill Rig	No	85
Vibratory Pile Driver	No	95
Jackhammers	Yes	85
Pneumatic Tools	No	85
Pumps	No	77
Scrapers	No	85
Cranes	No	85
Portable Generators	No	82
Rollers	No	85

Type of Equipment	Impact Device? (Yes/No)	Specification Maximum Sound Levels for Analysis (dBA at 50 feet)
Bulldozers	No	85
Tractors	No	84
Front-End Loaders	No	80
Backhoe	No	80
Excavators	No	85
Graders	No	85
Air Compressors	No	80
Dump Truck	No	84
Concrete Mixer Truck	No	85
Pickup Truck	No	55

Notes:
dBA = A-weighted decibel
Source: Federal Highway Administration (FHWA) 2006. Highway Construction Noise Handbook, August.

Noise from Multiple Sources

Because sound pressure levels in decibels are based on a logarithmic scale, they cannot be added or subtracted in the usual arithmetical way. Therefore, sound pressure levels in decibels are logarithmically added on an energy summation basis. In other words, adding a new noise source to an existing noise source, both producing noise at the same level, will not double the noise level. Instead, if the difference between two noise sources is 10 dBA or more, the louder noise source will dominate, and the resultant noise level will be equal to the noise level of the louder source. In general, if the difference between two noise sources is 0–1 dBA, the resultant noise level will be 3 dBA higher than the louder noise source, or both sources if they are equal. If the difference between two noise sources is 2–3 dBA, the resultant noise level will be 2 dBA above the louder noise source. If the difference between two noise sources is 4–10 dBA, the resultant noise level will be 1 dBA higher than the louder noise source.

Characteristics of Vibration

Groundborne vibration consists of rapidly fluctuating motion through a solid medium, specifically the ground, which has an average motion of zero and in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. The effect of groundborne vibration typically only causes a nuisance to people, but in extreme cases, excessive groundborne vibration has the potential to cause structural damage to buildings. Although groundborne vibration can be felt outdoors, it is typically only an annoyance to people indoors where the associated effects of the shaking of a building can be notable. Groundborne noise is an effect of groundborne vibration and only exists indoors, since it is produced from noise radiated from the motion of the walls and floors of a room and may also consist of the rattling of windows or dishes on shelves.

Several different methods are used to quantify vibration amplitude such as the maximum instantaneous peak in the vibrations velocity, which is known as the peak particle velocity (PPV) or

the root mean square (rms) amplitude of the vibration velocity. Because of the typically small amplitudes of vibrations, vibration velocity is often expressed in decibels—denoted as LV—and is based on the reference quantity of 1 microinch per second. To distinguish vibration levels from noise levels, the unit is written as "VdB."

Although groundborne vibration can be felt outdoors, it is typically only an annoyance to people indoors where the associated effects of the shaking of a building can be notable. When assessing annoyance from groundborne vibration, vibration is typically expressed as *rms* velocity in units of decibels of 1 microinch per second, with the unit written in VdB. Typically, developed areas are continuously affected by vibration velocities of 50 VdB or lower. Human perception to vibration starts at levels as low as 67 VdB. Annoyance due to vibration in residential settings starts at approximately 70 VdB.

Off-site sources that may produce perceptible vibrations are usually caused by construction equipment, steel-wheeled trains, and traffic on rough roads, while smooth roads rarely produce perceptible groundborne noise or vibration. Construction activities, such as blasting, pile driving and operating heavy earthmoving equipment, are common sources of groundborne vibration. Construction vibration impacts on building structures are generally assessed in terms of PPV. Typical vibration source levels from construction equipment are shown in Table 3.12-3.[1]

Table 3.12-3: Vibration Levels of Construction Equipment

Construction Equipment	PPV at 25 Feet (inches/second)	rms Velocity in Decibels (VdB) at 25 Feet
Water Trucks	0.001	57
Scraper	0.002	58
Bulldozer—small	0.003	58
Jackhammer	0.035	79
Concrete Mixer	0.046	81
Concrete Pump	0.046	81
Paver	0.046	81
Pickup Truck	0.046	81
Auger Drill Rig	0.051	82
Backhoe	0.051	82
Crane (Mobile)	0.051	82
Excavator	0.051	82
Grader	0.051	82
Loader	0.051	82
Loaded Trucks	0.076	86
Bulldozer—Large	0.089	87

[1] Federal Highway Administration (FHWA). 2006. Highway Construction Noise Handbook. August.

Construction Equipment	PPV at 25 Feet (inches/second)	rms Velocity in Decibels (VdB) at 25 Feet
Caisson drilling	0.089	87
Vibratory Roller (small)	0.101	88
Compactor	0.138	90
Clam shovel drop	0.202	94
Vibratory Roller (large)	0.210	94
Pile Driver (impact-typical)	0.644	104
Pile Driver (impact-upper range)	1.518	112

Notes:
PPV = peak particle velocity
rms = root mean square
VdB = velocity in decibels
Source: Compilation of scientific and academic literature, generated by Federal Transit Administration (FTA) and Federal Highway Administration (FHWA).

The propagation of groundborne vibration is not as simple to model as airborne noise. This is because noise in the air travels through a relatively uniform medium, while groundborne vibrations travel through the earth, which may contain significant geological differences. Factors that influence groundborne vibration include:

- **Vibration source:** Type of activity or equipment, such as impact or mobile, and depth of vibration source;
- **Vibration path:** Soil type, rock layers, soil layering, depth to water table, and frost depth; and
- **Vibration receiver:** Foundation type, building construction, and acoustical absorption.

Among these factors that influence groundborne vibration, there are significant differences in the vibration characteristics when the source is underground compared to at the ground surface. In addition, soil conditions are known to have a strong influence on the levels of groundborne vibration. Among the most important factors are the stiffness and internal damping of the soil and the depth to bedrock. Vibration propagation is more efficient in stiff clay soils than in loose sandy soils, and shallow rock seems to concentrate the vibration energy close to the surface, and can result in groundborne vibration problems at large distance from the source. Factors such as layering of the soil and depth to the water table can have significant effects on the propagation of groundborne vibration. Soft, loose, sandy soils tend to attenuate more vibration energy than hard, rocky materials. Vibration propagation through groundwater is more efficient than through sandy soils. There are three main types of vibration propagation: surface, compression, and shear waves. Surface waves, or Rayleigh waves, travel along the ground's surface. These waves carry most of their energy along an expanding circular wave front, similar to ripples produced by throwing a rock into a pool of water. P-waves, or compression waves, are body waves that carry their energy along an expanding spherical wave front. The particle motion in these waves is longitudinal (i.e., in a "push-pull" fashion). P-waves are analogous to airborne sound waves. S-waves, or shear waves, are also body waves that carry

energy along an expanding spherical wave front. However, unlike P-waves, the particle motion is transverse, or side-to-side and perpendicular to the direction of propagation.

As vibration waves propagate from a source, the vibration energy decreases in a logarithmic nature and the vibration levels typically decrease by 6 VdB per doubling of the distance from the vibration source. As stated above, this drop-off rate can vary greatly depending on the soil type, but it has been shown to be effective enough for screening purposes, in order to identify potential vibration impacts that may need to be studied through actual field tests. The vibration level (calculated below as "PPV") at a distance from a point source can generally be calculated using the vibration reference equation:

$$PPV = PPV_{ref} * (25/D)^n \text{ (in/sec)}$$

Where:

PPV_{ref} = reference measurement at 25 feet from vibration source
D = distance from equipment to the receptor
n = vibration attenuation rate through ground

According to Chapter 12 of the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment manual, an "n" value of 1.5 is recommended to calculate vibration propagation through typical soil conditions.[2]

3.12.2 - Existing Noise Environment

Project Location

The project site is located in an area developed with industrial warehouse buildings to the west and to the south, residential homes to the southeast, and agricultural land to the east and north. The dominant noise source currently impacting the project site and surrounding area is traffic on adjacent roadways.

Existing Noise Levels

Traffic Noise

In addition to reviewing available information about ambient noise levels set out in the City's General Plan, existing peak-hour traffic noise levels were also modeled using the FHWA Traffic Noise Model, Version 2.5 (TNM 2.5). Hourly noise levels were estimated for select roadway segments based on roadway-specific parameters and existing (year 2022) traffic volumes obtained from the traffic analysis prepared for the proposed project .[3] The results are shown below in Table 3.12-4 and they are generally consistent with the noise levels set out in the City's General Plan. Modeling outputs are provided in Appendix H.

[2] Federal Transit Administration (FTA). 2006. Transit Noise and Vibration Impact Assessment. May.
[3] Kimley-Horn. 2023. Transportation Impact Analysis Shirk & Riggin Industrial Park. October.

Table 3.12-4: Existing Traffic Noise Levels

Roadway Segment	Peak-hour	2022 Existing Noise Level (dBA L_{eq})
Riggin Avenue, West of Shirk Street	AM	64.0
	PM	63.7
Riggin Avenue, East of Shirk Street	AM	63.6
	PM	63.3
Shirk Street, South of Riggin Avenue	AM	62.9
	PM	62.7
Shirk Street, North of Riggin Avenue	AM	58.5
	PM	57.7
Riggin Avenue, West of Akers Street	AM	66.1
	PM	65.1
Riggin Avenue, East of Akers Street	AM	66.3
	PM	67.6
Akers Street, North of Riggin Avenue	AM	63.3
	PM	67.2
Akers Street, South of Riggin Avenue	AM	66.5
	PM	65.2

Notes:
dBA = A-weighted decibel
L_{eq} = equivalent sound level
[1] Modeling results do not take into account mitigating features such as topography, vegetative screening, fencing, building design, or structure screening. Rather, it assumes a worst-case of having a direct line of sight on flat terrain.
Source: FirstCarbon Solutions (FCS) 2023.

Existing Stationary Noise Levels

There are no existing stationary sources of noise on the project site.

Noise-Sensitive Land Uses

Noise-sensitive land uses generally consist of those uses where exposure to noise would result in adverse effects, as well as uses for which quiet is an essential element of their intended purpose. Residential dwellings are of primary concern, because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Other typical noise-sensitive land uses include hospitals, convalescent facilities, hotels, religious institutions, libraries, and other uses where low noise levels are essential.

The closest noise-sensitive land uses near the project site would be single-family residences located approximately 150 feet to the southeast across West Riggin Avenue and North Shirk Street intersection.

3.12.3 - Regulatory Framework

Federal

Noise Control Act

The adverse impact of noise was officially recognized by the federal government in the Noise Control Act of 1972, which serves three purposes:

- Promulgating noise emission standards for interstate commerce
- Assisting State and local abatement efforts
- Promoting noise education and research

The Federal Office of Noise Abatement and Control (ONAC) was initially tasked with implementing the Noise Control Act. However, the ONAC has since been eliminated, leaving the development of federal noise policies and programs to other federal agencies and interagency committees.

Among the agencies now regulating noise are the Occupational Safety and Health Administration (OSHA), which limits noise exposure of workers to 90 dB L_{eq} or less for 8 continuous hours or 105 dB L_{eq} or less for 1 continuous hour; the United States Department of Transportation (USDOT), which assumed a significant role in noise control through its various operating agencies; and the Federal Aviation Administration (FAA), which regulates noise of aircraft and airports. Surface transportation system noise is regulated by a host of agencies, including the FTA. Transit noise is regulated by the federal Urban Mass Transit Administration, while freeways that are part of the interstate highway system are regulated by the FHWA. Finally, the federal government actively advocates that local jurisdictions use their land use regulatory authority to arrange new development in such a way that "noise-sensitive" uses are either prohibited from being sited adjacent to a highway, or alternatively, that developments are planned and constructed in such a manner that minimize potential noise impacts.

Since the federal government has preempted the setting of standards for noise levels that can be emitted by transportation sources, local jurisdictions are limited to regulating the noise generated by the transportation system through nuisance abatement ordinances and land use planning.

Occupational Safety and Health Administration, Occupational Noise Exposure

Occupational Safety and Health Administration (OHSA), *Occupational Noise Exposure; Hearing Conservation* Amendment (Federal Register 48 [46], 9738–9785, 1983) stipulates that protection against the effects of noise exposure shall be provided for employees when sound levels exceed 90 dBA over an 8-hour exposure period. Protection shall consist of feasible administrative or engineering controls. If such controls fail to reduce sound levels to within acceptable levels, personal protective equipment shall be provided and used to reduce exposure of the employee. Additionally, a Hearing Conservation Program must be instituted by the employers whenever employee noise exposure equals or exceeds the action level of an 8-hour time-weighted average sound level of 85 dBA $L_{eq(8)}$. The Hearing Conservation Program requirements consist of periodic area and personal noise monitoring, performance and evaluation of audiograms, provision of hearing protection, annual employee training, and record keeping.

Federal Transit Administration Standards and Guidelines

FTA has established industry accepted standards for vibration impact criteria and impact assessment. These guidelines are published in its Transit Noise and Vibration Impact Assessment document (FTA 2006). The FTA guidelines include thresholds for construction vibration impacts for various structural categories as shown in Table 3.12-5.

Table 3.12-5: Federal Transit Administration Construction Vibration Impact Criteria

Building Category	PPV (in/sec)	Approximate VdB
I. Reinforced-Concrete, Steel or Timber (no plaster)	0.5	102
II. Engineered Concrete and Masonry (no plaster)	0.3	98
III. Non-engineered Timber and Masonry Buildings	0.2	94
IV. Buildings Extremely Susceptible to Vibration Damage	0.12	90

Notes:
PPV = peak particle velocity
VdB = velocity in decibels
Source: Federal Aviation Administration (FAA) 2006. Transit Noise and Vibration Impact Assessment.

The FTA has also established construction noise criteria for residential land uses. They are 80 dBA L_{eq} during daytime hours and 70 dBA L_{eq} during nighttime hours. Over 30-day periods of construction, the criteria is a 75 dBA L_{dn} average.

State

California General Plan Guidelines

Established in 1973, the California Department of Health Services Office of Noise Control was instrumental in developing regularity tools to control and abate noise for use by local agencies. One significant model is the "Land Use Compatibility for Community Noise Environments Matrix," which allows the local jurisdiction to delineate compatibility of sensitive uses with various incremental levels of noise.[4]

Government Code Section 65302 mandates that the legislative body of each county and city in California adopt a noise element as part of its comprehensive general plan. The local noise element must recognize the land use compatibility guidelines published by the State Department of Health Services. The guidelines rank noise/land use compatibility in terms of normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable. The project is also subject to review under the State of California Environmental Quality Act (CEQA). Appendix G of the CEQA Guidelines provides impact thresholds for potential noise and vibration impacts. The City of Santa Rosa had developed its own CEQA thresholds, which are listed in the Thresholds of Significance section below.

[4] California Department of Health Services Office of Noise Control, "Land Use Compatibility for Community Noise Environments Matrix," 1976.

California Building Standards Code

The State of California has established noise insulation standards for new hotels, motels, apartment houses, and dwellings (other than single-family detached housing). These requirements are provided in the 2016 California Building Standards Code (CBC) (California Code of Regulations [CCR] Title 24).[5] As provided in the CBC, the noise insulation standards set forth an interior standard of 45 dBA CNEL as measured from within the structure's interior. When such structures are located within a 65-dBA CNEL (or greater) exterior noise contour associated with a traffic noise along a roadway, an acoustical analysis is required to ensure that interior levels do not exceed the 45-dBA CNEL threshold.

Title 24 standards are typically enforced by local jurisdictions through the building permit application process.

Local

The project site is located within the City of Visalia's Sphere of Influence (SOI), in Tulare County, California. The City is the relevant land use agency since the project site would be annexed into the City of Visalia prior to commencement of any construction activities, and therefore the City's noise standards would apply. The City of Visalia addresses noise in its adopted General Plan and its Municipal Code.[6]

It should be noted that the General Plan points to the Tulare County Comprehensive Airport Land Use Plan for noise/land use guidance concerning the Visalia Municipal Airport.

City of Visalia General Plan

The City of Visalia establishes land use compatibility standards and noise policies in the Safety and Noise Chapter of the City's General Plan.[7] Objectives and policies most relevant to this analysis consist of the following:

Safety and Noise Chapter

Objectives

N-O-1 Strive to achieve an acceptable noise environment for present and future residents of Visalia.

N-O-2 Protect the City's economic base by preventing the encroachment of incompatible land uses near known noise-producing industries, railroads, airports and other sources.

N-O-3 Protect noise-sensitive land uses such as schools, hospitals, and senior care facilities from encroachment of and exposure to excessive levels of noise.

[5] California Building Standards Commission. 2017. California Building Standards Code (CCR Title 24), January 1.
[6] City of Visalia, 2021. City of Visalia, California, Municipal Code.
[7] City of Visalia, 2014. Visalia General Plan Update. October 14.

Policies

N-P-2 Promote the use of noise attenuation measures to improve the acoustic environment inside residences where existing single-family residential development is located in a noise-impacted environment such as along an arterial street or adjacent to a noise-producing use.

N-P-3 Establish performance standards for noise reduction for new housing that may be exposed to community noise levels above 65 dB DNL/CNEL, as shown on the Noise Contour Maps, based on the target acceptable noise levels for outdoor activity levels and interior spaces in Tables 8-2 and 8-3. Noise mitigation measures that may be considered to achieve these noise level targets include but are not limited to the following:

- Construct façades with substantial weight and insulation.
- Use sound-rated windows with enhanced noise reduction for primary sleeping and activity areas.
- Use sound-rated doors for all exterior entries at primary sleeping and activity areas.
- Use minimum setbacks and exterior barriers.
- Use acoustic baffling of vents for chimneys, attic, and gable ends.
- Install a mechanical ventilation system that provides fresh air under closed window conditions.
- Alternative acoustical designs that achieve the prescribed noise level standards may be approved, provided that a qualified Acoustical Consultant submits information demonstrating that the alternative designs will achieve and maintain the specific targets for outdoor activity areas and interior spaces.

N-P-4 Where new development of industrial, commercial or other noise-generating land uses (including roadways, railroads, and airports) may result in noise levels that exceed the noise level exposure criteria established by Tables 8-2 and 8-3, require a noise study to determine impacts, and require developers to mitigate these impacts in conformance with Tables 8-2 and 8-3 as a condition of permit approval through appropriate means. Noise mitigation measures may include but are not limited to:

- Screen and control noise sources, such as parking and loading facilities, outdoor activities, and mechanical equipment.
- Increase setbacks for noise sources from adjacent dwellings.
- Retain fences, walls, and landscaping that serve as noise buffers.
- Use soundproofing materials and double glazed windows.
- Use open space, building orientation and design, landscaping and running water to mask sounds.
- Control hours of operation, including deliveries and trash pickup, to minimize noise impacts.
- Alternative acoustical designs that achieve the prescribed noise level reduction may be approved, provided a qualified Acoustical Consultant submits information demonstrating that the alternative designs will achieve

and maintain the specific targets for outdoor activity areas and interior spaces. As a last resort, developers may propose to construct noise walls along State highways and arterials when compatible with aesthetic concerns and neighborhood character. This would be a developer responsibility, with no City funding.

N-P-7 Use the land use compatibility zone guidelines contained in the Airport Master Plan or more current information on airport noise to assess noise compatibility of airport operation with proposed land uses.

The City's noise land use compatibility standards are established by Table 8-3 and Table 8-4 of the City's adopted General Plan (shown in Figures 3.12-1 and 3.12-2, respectively, below). Table 8-3 and Table 8-4 do not contain quantitative standards for light industrial land uses (as receivers) such as the proposed project (since light industrial land uses are not considered to be noise-sensitive). The City General Plan's guidance surrounding the siting of industrial uses primarily concerns minimizing the noise impacts of new and existing industrial uses on noise-sensitive uses (e.g., residences, schools, churches, hospitals, etc.), not the effect of noise impacts to industrial uses (i.e., as a receiving use). However, it is worth noting that State's 2017 General Plan Guidelines suggest that noise environments up to 75 dBA CNEL are "normally acceptable" for industrial uses.[8]

Table 8-3: Transportation Noise Sources

Noise-Sensitive Land Use	*Outdoor Activity Areas*[1]		*Interior Spaces*
	DNL/CNEL[2]*, dB*	*DNL/CNEL*[2]*, dB*	*L_{eq} dB*[3]
Residential	65	45	---
Transient Lodging	65	45	---
Hospitals, Nursing Homes	65	45	---
Theaters, Auditoriums, Music Halls	---	---	35
Churches, Meeting Halls	65	---	45
Office Buildings	---	---	45
Schools, Libraries, Museums	---	---	45

Notes:

(1) Outdoor activity areas generally include backyards of single-family residences and outdoor patios, decks or common recreation areas of multi-family developments.

(2) The CNEL is used for quantification of aircraft noise exposure as required by CAC Title 21.

(3) As determined for a typical worst-case hour during periods of use.

Figure 3.12-1: Visalia General Plan–Transportation Noise Sources

[8] Governor's Office of Planning and Research (OPR). 2017. State of California General Plan Guidelines. Figure 2 Appendix D.

Table 8-4: Stationary Noise Sources[1]		
	Daytime (7:00 a.m. – 10:00 p.m.)	*Nighttime (10:00 p.m. – 7:00 a.m.)*
Hourly Equivalent Sound Level (L_{eq}), dBA	50	45
Maximum Sound Level (L_{max}), dBA	70	65
(1) As determined at the property line of the receiving noise-sensitive use.		

Figure 3.12-2: Visalia General Plan–Stationary Noise Sources

City of Visalia Municipal Code

Chapter 8.36 of the Visalia Municipal Code contains a number of regulations that would apply to noise generated by the proposed project's temporary construction activities and long-term operations. Regulations that are relevant to the analysis of the proposed project's potential construction and operational noise impacts are addressed below:

Section 8.36.040: Exterior Noise Standards–Fixed Noise Sources

A. It is unlawful for any person at any location within the City to create any noise, or to allow the creation of any noise, on property owned, leased, occupied or otherwise controlled by such person which causes the exterior noise level, when measured at the property line of any affected noise-sensitive land use, to exceed any of the categorical noise level standards as set forth in the following table [table shown in Figure 3]:

NOISE LEVEL STANDARDS, dBA			
Category	Cumulative Number of minutes in any one-hour time period	Evening and Daytime 6 a.m. to 7 p.m.	Nighttime 7 p.m. to 6 a.m.
1	30	50	45
2	15	55	50
3	5	60	55
4	1	65	60
5	0	70	65

Figure 3.12-3: Section 8.36.040 Exterior Noise Standards for Fixed Noise Sources

B. In the event the measured ambient noise level without the alleged offensive source in operation exceeds an applicable noise level standard in any category above, the applicable standard or standards shall be adjusted so as to equal the ambient noise level.

C. Each of the noise level standards specified above shall be reduced by five dB for pure tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

D. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level without the source can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards.

The Visalia Municipal Code defines a "fixed noise source" as "a device, machine or combination thereof which creates sound which is affixed or installed on real property, including but not limited to residential, agricultural, industrial and commercial machinery and equipment, pumps, fans, compressors, air conditioners and refrigeration equipment." Based on this definition, the proposed project's construction vehicles would not be considered "fixed noise sources." Thus, Section 8.36.040 standards would not apply to the proposed project's construction vehicle activities.

Section 8.36.050: Exterior Noise Standards–Mobile Noise Sources Prohibition Against Use

According to Municipal Code Section 8.36.050, it is unlawful to operate any of the below-listed devices, appliances, equipment or vehicles on public or private property abutting noise-sensitive land uses between the weekday hours of 7:00 p.m. and 6:00 a.m., or between the weekend hours of 7:00 p.m. and 9:00 a.m.

A. Power-assisted leaf blowers, lawn mowers, edgers or other power equipment used for the maintenance of property;

B. Vehicle equipment, which equipment is not expressly regulated by State or federal statute, such as car radios or sound amplification equipment which is audible more than twenty-five (25) feet from the exterior of the vehicle;

C. Construction equipment including jackhammers, portable generators, pneumatic equipment, trenchers, or other such equipment, except for emergency repair purposes as provided in Section 8.36.070.

8.36.060: Residential Interior Noise Standards

Municipal Code Section 8.36.060 sets out noise standards based on noise levels experienced within a dwelling unit. Relevant portions of that section are set out below.

A. It is unlawful for any person, at any location within the City, to operate or cause to be operated, any source of sound or to allow the creation of any noise which causes the noise level when measured inside a dwelling unit to exceed any of the categorized noise level standards as set forth in the following table [table shown in Figure 4]:

NOISE LEVEL STANDARDS, dBA			
Category	Cumulative Number of minutes in any one-hour time period	Evening and Daytime 6 a.m. to 7 p.m.	Nighttime 7 p.m. to 6 a.m.
1	5	45	35
2	1	50	40
3	0	55	45

Figure 3.12-4: Section 8.36.060 Residential Interior Noise Standards

B. In the event the measured ambient noise level without the alleged offensive source in operation exceeds an applicable noise level standard in any category above, the applicable standard or standards shall be adjusted so as to equal the ambient noise level.

C. Each of the noise level standards specified above shall be reduced by five dB for pure tone noises, noises consisting primarily of speech or music, or four recurring impulsive noises.

3.12.4 - Methodology

Construction Noise Analysis Methodology

A worst-case scenario was analyzed assuming each piece of modeled equipment would operate simultaneously at the nearest reasonable locations to the closest noise-sensitive receptor for the loudest phase of construction. Noise emission levels recommended by FHWA's Highway Construction Noise Handbook were used to ascertain the noise generated by specific types of construction equipment.

Traffic Noise Modeling Methodology

The FHWA Traffic Noise Model Version 2.5 (TNM 2.5) was used to evaluate traffic-related noise conditions in the vicinity of the project site. TNM 2.5 uses traffic volumes, vehicle mix, average speeds, roadway geometry, and other inputs to calculate average noise levels along roadway segments. Traffic volume data used in the model was obtained from the traffic impact analysis prepared for this Draft EIR by Kimley-Horn.[9]

Stationary Noise Source Analysis Methodology

The proposed project would generate noise from future development that could contain new exterior mechanical equipment sources, such as rooftop ventilation systems on proposed industrial uses, car wash tunnels with fans, vehicles idling in drive throughs, and potential new parking lot activities. To provide a conservative analysis, the highest end of the range of reference noise levels for these stationary noise sources was used to calculate the reasonable worst-case hourly average noise levels from each noise source as measured at the nearest sensitive receptor land uses.

Vibration Impact Analysis Methodology

The State does not have adopted criteria for construction or operational groundborne vibration impacts. Therefore, the FTA's vibration impact criteria and modeling and analysis methodology were utilized to evaluate potential vibration impacts. The FTA has established industry accepted standards for vibration impact criteria and impact assessment. These guidelines are published in its Transit Noise and Vibration Impact Assessment document,[10] and are summarized in Table 3.12-5 above. A reasonable worst-case scenario was analyzed assuming the piece of equipment that would generate the highest groundborne vibration levels would operate at the nearest reasonable location to an off-site structure. FTA and FHWA reference vibration levels for construction equipment, summarized in Table 3.11-3 were used to calculate reasonable worst-case construction vibration levels.

[9] Kimley-Horn. 2023. Transportation Impact Analysis Shirk & Riggin Industrial Park. October.
[10] Federal Transit Administration (FTA). 2006. Transit Noise and Vibration Impact Assessment. May.

3.12.5 - Thresholds of Significance

The lead agency utilizes the criteria in CEQA Guidelines Appendix G Environmental Checklist to determine whether noise impacts resulting from the implementation of the proposed project would be considered significant if the project would cause:

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?

b) Generation of excessive groundborne vibration or groundborne noise levels?

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 a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

3.12.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the development of the project and provides mitigation measures where appropriate.

Substantial Noise Increase in Excess of Standards

Impact NOI-1:	**Would the project generate 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?**

Impact Analysis

Construction Noise

Noise would be generated by construction of the proposed project, which is estimated to occur over an approximately four-year period. The proposed project is anticipated to utilize a standard five-day work week, and construction would occur during standard daytime hours, which are generally between 7:00 a.m. and 5:00 p.m. Construction would not occur during prohibited hours, as set forth by Section 8.36.050(C) of the Visalia Municipal Code. The prohibited hours are between 7:00 p.m. and 6:00 a.m. on weekdays and between 7:00 p.m. and 9:00 a.m. on weekends. As such, construction activities would not have the potential to result in exceedances of the FTA's nighttime construction noise criteria – there would be no nighttime construction.

Noise from grading activities is typically the foremost concern when evaluating a project's construction noise impact, as grading activities often require extensive use of heavy-duty, diesel-powered earthmoving equipment. For the proposed project, grading would have the greatest–and noisiest–construction vehicle requirements, as a fleet of grading vehicles would be required to grade the approximately 284-acre site over the course of construction. Other construction phases would have reduced vehicle requirements. For example, construction of the proposed tilt-up warehouse buildings could at times require a crane truck, several construction forklifts, and skid steer loaders, but these vehicles are much less powerful than the types of heavy-duty scrapers, graders, and

bulldozers that would be required to grade the project site. As such, the following analysis assesses noise impacts that may result from the proposed project's grading activities as the indicator of the loudest equipment and thus the reasonable worst-case for purposes of identifying significant effects and ensuring an appropriately conservative evaluation.

Grading for the proposed project would be required for each of the three development phases. Grading for the Phase 1 land uses would require grading vehicles to operate in the western portion of the project site, over 400 feet from the nearest residential land uses. Grading for the Phase 2 and Phase 3 land uses would require grading vehicles to operate near the proposed project's southern boundary along Riggin Avenue, within 100 feet of residential land uses that are also located along this roadway. The loudest grading activities would be characterized by extensive use of graders, which would be utilized across the project site to level the site and establish proper slopes and drainages. Bulldozers may operate in conjunction with grader activities. Given these considerations, the maximum noise impact associated with the proposed project's grading activities has been evaluated by modeling the noise levels that would be associated with a grader and a bulldozer grading a 0.5-acre parcel of land in proximity to surrounding residential land uses, which would occur as part of Phase 2 and Phase 3.[11] As noted, Phase 1 areas are located over 400 feet from the nearest residential land uses. Therefore, Phase 1 grading would have reduced noise impacts to nearby residential land uses.

While the above-described preliminary construction schedule for the proposed project assumes that Phases 1 through 3 would be built sequentially (i.e., none of the three phases would overlap), the potential remains for project phases to be constructed concurrently. Therefore, for the purpose of analyzing the reasonable worst-case scenario and fully disclosing all potential impacts, this paragraph discusses impacts that could occur if there were concurrent (rather than sequential) phasing for the proposed project. If concurrent phasing were to occur (i.e., if all phases were graded simultaneously), noise levels would still be similar to what is estimated by this analysis. This is because the analysis addresses a scenario in which grading vehicles operate across a 0.5-acre parcel that is located within 100 feet of residential land uses. Concurrent grading on other phases' parcels would occur over 400 feet away at a minimum and would therefore have a limited effect on construction noise levels. Given the size of the project site and its parcels, it is rather unlikely that grading for multiple phases would occur at minimum project-to-receptor distances simultaneously. Concurrent grading activities are more likely to be thousands of feet apart on any given workday.

Table 3.12-1 compares the proposed project's estimated grading-related noise levels at nearby residential land uses to the FTA's 80 dBA L_{eq} daytime construction noise criteria for residential uses. As shown, estimated noise levels would not exceed this criterion. Noise levels also would not exceed 75 dBA L_{eq}, meaning that they would not result in 30-day exceedances of the FTA's 75 dBA L_{dn} criterion, as well. Other construction phases would result in noise levels that are less than the grading-related noise levels shown in Table 3.12-6 because they would utilize equipment that is less noisy than the equipment utilized by this analysis or because they would involve activities that are

[11] These vehicles are estimated to grade roughly a 0.5-acre parcel on any given workday. As such, this modeling scenario addresses noise impacts that may occur during workdays in which graders and bulldozers are operating in nearest proximity to residential land uses.

located farther from receptors than the activities analyzed herein. Therefore, the proposed project's construction-related noise impact would be less than significant. No mitigation would be required.

Table 3.12-6: Unmitigated Construction Noise Levels–Grading

Receptor	Location	Grading Noise Level (dBA L_{eq})	Significance Criteria (dBA L_{eq})	Potentially Significant?
Residences near intersection of Riggin Avenue and Road 88	Exterior	72.8	80	No
Residences south of Riggin Avenue	Exterior	72.8	80	No
Residences near intersection of Riggin Avenue and Shirk Street	Exterior	66.4	80	No
Notes: dBA = A-weighted decibel L_{eq} = equivalent noise level				

Construction-related Traffic Noise

Haul trips, construction worker vehicle trips, and other construction-related trips would occur over the course of the proposed project's construction. The greatest off-site traffic noise impacts would be associated with haul trips generated by the proposed project's grading phase. The proposed project is anticipated to require approximately 130,000 cubic yards of soil import, which would equate to approximately 5,650 truckloads of imported soils. Over the course of the proposed project's grading phase, this would correlate with approximately 35 truck trips per day, or a few truck trips per hour. This level of haul truck activity would have a relatively minor effect on roadside ambient noise levels and would not be capable of causing or materially contributing to exceedances of the exterior or interior significance criteria at roadside residential land uses in the vicinity of the project site.

Mobile Source Operational Noise

Table 3.12-7 shows a summary of existing peak-hour traffic-related noise levels that were modeled using TNM 2.5 for select roadway segments in the vicinity of the proposed project. Noise levels were modeled based on roadway-specific parameters and peak-hour traffic volumes obtained from the traffic analysis prepared for the project.[12] The "2022 Existing Without Project" scenario represents year 2022 traffic conditions and is intended to estimate existing roadside peak-hour ambient noise conditions, without the proposed project. The "2022 Existing With Project" scenario represents year 2022 traffic conditions with the addition of proposed project-related traffic. This is a hypothetical scenario to highlight the individual noise increases that could be generated by the proposed project's traffic solely. In reality, due to the development of related projects and ambient traffic

[12] Kimley-Horn. 2023. Transportation Impact Analysis Shirk & Riggin Industrial Park. October.

growth, traffic conditions—and therefore roadside noise levels—would be markedly different by the time of proposed project buildout, which is assumed to be no earlier than 2028.

Table 3.12-8 assesses the impacts of the proposed project at full buildout in 2028. Year 2028 is chosen as it represents the earliest year in which full buildout of the proposed project may occur. The "2028 Without Project" scenario is intended to estimate roadside peak-hour ambient noise conditions that could exist even without development of the proposed project. The "2028 With Project" scenario represents year 2028 traffic conditions (as explained above) with the addition of proposed project-related traffic at full buildout. This scenario is intended to estimate roadside peak-hour ambient noise conditions that could exist with full buildout of the proposed project at the earliest potential year. Modeling outputs are provided in Appendix H.

It should be noted that, while the traffic analysis also analyzed year 2033 "With and Without Project" traffic scenarios, the year 2033 peak-hour and Average Daily Traffic (ADT) volumes all show that the percent contribution of the proposed project would be less in future years compared to the reasonable worst-case scenario of traffic conditions in year 2028. This is because the proposed project is assumed to be at full buildout in 2028, while background (non- project-related) traffic volumes will only continue to increase in future years past 2028 as other growth occurs in the City. Therefore, this analysis presents the reasonable worst-case traffic noise level contribution of the proposed project.

As shown in Table 3.12-7, many roadway segments already experience hourly noise levels in excess of 65 dBA L_{eq}, suggesting that their 24-hour CNEL levels may also exceed 65 dBA. Even without development of the proposed project, nearly every roadway segment is estimated to experience noise increases from a minimum 0.9 dBA L_{eq} to a maximum 9.5 dBA L_{eq} by 2028, compared to existing traffic noise levels. As shown in Table 3.12-8, the addition of the proposed project's traffic would increase noise levels up to an additional 2.6 dBA L_{eq} upon full buildout, compared to "2028 Without Project" estimated conditions. With the addition of the proposed project's traffic, all studied segments would be estimated to experience hourly noise levels in excess of 65 dBA L_{eq}, suggesting that 24-hour CNEL levels may also exceed the 65 dBA threshold of significance.

Consistent with the respective land use visions for the project site and vicinity as reflected in the General Plans of both the City and the County, the area surrounding the proposed project has undergone, and is continuing to undergo, substantial growth and transformative land use changes via the conversion of primarily agricultural uses into residential, commercial, and industrial uses that are associated with significantly greater traffic generation. Given this rapid growth and the proliferation of related urban commercial, industrial, and residential subdivision projects in the area, it is difficult to ascertain the individual effects that the proposed project's traffic alone would have on the area's roadside ambient noise levels. However, taken together, the noise levels shown in Table 3.12-7 and Table 3.12-8 indicate that the proposed project would contribute – at times considerably– to future traffic-related noise increases. For example, without the proposed project, some roadway segments (such as Shirk Street, north of Riggin Avenue) would experience hourly noise levels that are approximately 65 dBA L_{eq} or lower by 2028. However, with the proposed project, it is estimated that every studied roadway segment would experience hourly noise levels in excess of 65 dBA L_{eq} by 2028.

Ultimately, the proposed project would contribute to increasing traffic volumes—and therefore traffic-related noise levels—in its primary trip distribution area, which is generally bounded by the project site/Riggin Avenue to the north, State Route (SR) 99 to the west, Akers Street to the east, and SR 198 to the south. Riggin Avenue and major north–south thoroughfares in this area such as Shirk Street and Akers Street already experience noise levels of approximately 65 dBA CNEL or higher, or they would experience these approximate noise levels by the proposed project's earliest buildout year of 2028. A substantial portion of the proposed project's traffic would also utilize these roadways and thus would exacerbate this situation by contributing further trips to areas that would already be experiencing exceedances beyond the 65 dBA CNEL threshold of significance. As a result, residential land uses and other noise-sensitive receptors that are adjacent to these roadways would be exposed to exterior ambient noise levels in excess of 65 dBA CNEL, depending on their setback from these roadways and whether there are any noise barriers in place.

Although many roadway-adjacent residential uses do possess permanent roadway noise barriers (such as residential uses along Riggin Avenue and Shirk Street near the project site where there are substantial masonry barriers) that would shield their exposure to excess ambient noise levels from traffic, some residential uses are not shielded by such barriers. As one such example, there are single-family residences located along Akers Street, south of Riggin Avenue, that face this roadway without any shielding to afford them reductions in traffic-related noise levels. Existing noise levels along this roadway segment are below 65 dBA CNEL. Without the proposed project, this roadway segment's noise levels are projected to increase beyond 65 dBA CNEL by 2028, which would expose unshielded roadside residences to significant noise levels. Traffic from the proposed project would further exacerbate these 2028 conditions.

It would be infeasible to install permanent roadway noise barriers at every roadside residential receptor (and other sensitive land uses) within the proposed project's trip distribution area due to, among other factors, ingress and egress access requirements for properties, zoning requirements, limitations on the acquisition of property for construction of noise barriers, and traffic safety constraints such as line of sight and minimum setback requirements for installation of noise barriers. Therefore, as there is no feasible mitigation available to reduce this impact to less than significant, the proposed project's off-site mobile source operational noise impact from traffic generation would be considered significant and unavoidable. This significant and unavoidable impact is consistent with the General Plan EIR, which analyzed full buildout of this area and its impact upon nearby noise sensitive land uses.

Table 3.12-7: Traffic Noise Increase Summary–Existing Conditions

Roadway Segment	Peak-hour	2022 Existing Without Project (dBA L_{eq})	2022 Existing With Project (dBA L_{eq})	Increase Over Existing? (dBA)	Significant?
Riggin Avenue, West of Shirk Street	AM	64.0	66.3	2.3	No
	PM	63.7	65.8	1.9	No
Riggin Avenue, East of Shirk Street	AM	63.6	65.1	1.5	No

Roadway Segment	Peak-hour	2022 Existing Without Project (dBA L_{eq})	2022 Existing With Project (dBA L_{eq})	Increase Over Existing? (dBA)	Significant?
	PM	63.3	64.8	1.5	No
Shirk Street, South of Riggin Avenue	AM	62.9	66.7	3.8	Yes
	PM	62.7	66.2	3.5	Yes
Shirk Street, North of Riggin Avenue	AM	58.5	64.0	5.5	Yes
	PM	57.7	63.4	5.7	Yes
Riggin Avenue, West of Akers Street	AM	66.1	67.3	1.2	No
	PM	65.1	66.4	1.3	No
Riggin Avenue, East of Akers Street	AM	67.6	68.3	0.7	No
	PM	66.3	67.1	0.8	No
Akers Street, North of Riggin Avenue	AM	67.2	67.3	0.1	No
	PM	63.3	63.5	0.2	No
Akers Street, South of Riggin Avenue	AM	66.5	66.7	0.2	No
	PM	65.2	65.4	0.2	No

Notes:
dBA = A-weighted decibel
L_{eq} = equivalent noise level
[1] Modeling results do not take into account mitigating features such as topography, vegetative screening, fencing, building design, or structure screening. Rather, it assumes a worst-case of having a direct line of sight on flat terrain. The modeling also does not consider that increased traffic conditions along roadway segments may result in reduced average travel speeds, which could have a moderating effect on noise increases.
Source: FirstCarbon Solutions (FCS) 2023.

Table 3.12-8 Traffic Noise Increase Summary–Future Conditions

Roadway Segment	Peak-hour	2028 Without Project (dBA L_{eq})	2028 With Project (dBA L_{eq})	Increase over 2028 Without Project? (dBA)	Significant?
Riggin Avenue, West of Shirk Street	AM	65.8	67.5	1.7	No
	PM	66.4	67.7	1.3	No
Riggin Avenue, East of Shirk Street	AM	65.6	67.5	1.9	No
	PM	67.2	67.8	0.6	No
Shirk Street, South of Riggin Avenue	AM	65.3	67.9	2.6	No
	PM	67.9	69.3	1.4	No
Shirk Street, North of Riggin Avenue	AM	62.3	65.8	2.5	No
	PM	67.2	68.5	1.3	No

Roadway Segment	Peak-hour	2028 Without Project (dBA L_{eq})	2028 With Project (dBA L_{eq})	Increase over 2028 Without Project? (dBA)	Significant?
Riggin Avenue, West of Akers Street	AM	68.2	69.0	0.8	No
	PM	69.3	70.2	0.9	No
Riggin Avenue, East of Akers Street	AM	68.9	69.4	0.5	No
	PM	68.8	69.3	0.5	No
Akers Street, North of Riggin Avenue	AM	68.1	68.2	0.1	No
	PM	65.3	65.5	0.2	No
Akers Street, South of Riggin Avenue	AM	67.9	68.0	0.1	No
	PM	68.6	68.7	0.1	No

Notes:
[1] Modeling results do not take into account mitigating features such as topography, vegetative screening, fencing, building design, or structure screening. Rather, it assumes a worst-case of having a direct line of sight on flat terrain. The modeling also does not consider that increased traffic conditions along roadway segments may result in reduced average travel speeds, which could have a moderating effect on noise increases.
Source: FirstCarbon Solutions (FCS) 2023.

Stationary Source Operational Noise

Parking Lot Activities

The proposed project would include approximately 3,797 surface parking spaces spread across the approximately 284-acre site. Its parking facilities and the intermittent noises associated with them (e.g., doors slamming, engines starting, backup monitors, drive-through intercoms, etc.) would have a nominal effect on surrounding exterior noise levels. Parking areas associated with the gas station, convenience store, and fast food restaurant uses constructed and the industrial buildings constructed would have the greatest potential to expose surrounding residential land uses to substantial parking-related noise levels because of their proximities to surrounding residential land uses and their greater relative trip generation, but even these uses' parking areas would be spread across dozens of acres, which would have the effect of reducing parking-related noise levels at surrounding residential land uses. Parking lot noise impacts have been estimated based on a daytime hourly activity of 602 cars and trucks per hour and a nighttime hourly activity of 539 cars and trucks per hour for the proposed gas station, convenience store, and fast food restaurant uses. These figures are equivalent to the aforementioned land uses' maximum vehicle trip generation. In other words, the analysis fully accounts for the peak hourly vehicle activities that may be associated with these land uses.

For the proposed industrial buildings, parking lot noise impacts have been estimated based on a daytime hourly activity of 265 cars and trucks per hour and a nighttime hourly activity of 265 cars and trucks per hour (also equivalent to these uses' maximum vehicle trip generation). Noise levels at nearby residential uses were calculated based on these trip generation rates and distances to nearby parking areas. Table 3.12-9 shows the parking lot-related noise levels that are estimated to occur at the nearest residential uses. As shown, parking lot-related noise levels would not exceed the

daytime or nighttime significance criteria for residential land uses. They also would have little to no effect on the area's 24-hour CNEL noise levels, which are indicated to range between 60 dBA and 65 dBA according to the General Plan.

Parking lot activities also would not be expected to expose surrounding residential land uses to noises that are in excess of the General Plan instantaneous (i.e., L_{max}) noise standards, which are a minimum 65 dBA L_{max} during nighttime hours. Moreover, sporadic noises from sources such as car alarms or audible indicators would not be considered a significant environmental effect because of their sporadic nature.

Table 3.12-9: Parking Lot Activities Noise Levels

Receptor	Time of Day	Parking Lot Activities Noise Level (dBA L_{eq})	Significance Criteria (dBA L_{eq})	Potentially Significant?
Residences near intersection of Riggin Avenue and Road 88	Day	25	50	No
	Night	25	45	No
Residences south of Riggin Avenue	Day	33	50	No
	Night	33	45	No
Residences near intersection of Riggin Avenue and Shirk Street	Day	31	50	No
	Night	31	45	No

Notes:
dBA = A-weighted decibel
L_{eq} = equivalent noise level

Mechanical Ventilation Equipment Operations

At the time of preparation of this analysis, details were not available pertaining to the proposed rooftop mechanical ventilation systems for the proposed project. Therefore, a reference noise level for typical rooftop mechanical ventilation systems was used. Noise levels from commercially available rooftop mechanical ventilation equipment range from 50 dBA to 60 dBA L_{eq} at a distance of 25 feet. The proposed project's rooftop mechanical ventilation equipment would be located hundreds of feet from the nearest residential receptors. In addition, in most cases they would be located behind parapets or otherwise screened, due to buildings or other structures that would block the line of sight to off-site receptors. However, based on distance attenuation alone, it is reasonable to conclude that noise levels from this equipment would be less than 40 dBA L_{eq} at these residential land uses simply. There is no potential for this equipment to expose residential land uses to noise levels in excess of the minimum 45 dBA L_{eq} nighttime significance criteria because, as noted, noise levels would be less than 40 dBA L_{eq} at residential land uses. Additionally, because ambient noise levels near Riggin Avenue are indicated to be between 60 dBA and 65 dBA CNEL according to the Visalia General Plan Update, the proposed project's mechanical ventilation equipment-related noise levels would have a negligible effect on 24-hour CNEL noise levels at surrounding residential land uses.

Truck Loading Activities

Noise would also be generated by truck loading and unloading activities at the proposed industrial buildings. The proposed project is estimated to generate a total of approximately 737 truck trips per day. As the proposed project would have 24-hour operations, truck loading activity would correspond with roughly 31 truck trips per hour, on average. Typical maximum noise levels from truck loading and unloading activity are 70 dBA L_{max} at a reference distance of 50 feet.

A total of approximately 814 dock-high doors and approximately 24 grade-level doors would be spread across the proposed eight industrial buildings, but the proposed project has been designed to orient these loading areas away from surrounding residential uses. (See Exhibit 3.) Residential uses would be no less than approximately 450 feet from all truck loading areas, and they would also be shielded from these areas by the massing of the proposed project's industrial and other buildings. Based on this distance and shielding, truck loading-related noise levels at surrounding residential uses would not be expected to exceed 40 dBA L_{max} or 40 dBA L_{eq}. These noise levels would be below the minimum 45 dBA L_{eq} and 65 dBA L_{max} nighttime significance criteria. Additionally, because ambient noise levels near Riggin Avenue, as documented in the Visalia General Plan Update, are indicated to be between 60 dBA and 65 dBA CNEL, the proposed project's truck loading-related noise levels would have a negligible effect on 24-hour CNEL noise levels at surrounding residential uses.

Drive-through Car Wash Land Use

The proposed project would include the construction and operation of a drive-through car wash facility. At the time of preparation of this analysis, details were not available pertaining to the design of the facility or its mechanical equipment. Therefore, reference noise levels for typical drive-through (i.e., "tunnel") car washes were used to evaluate whether operations of the proposed project's car wash may result in significant noise impacts. The car wash facility would be located to the north of the proposed drive-through restaurant uses, in the southeastern quadrant of the proposed project. The nearest residential uses at the intersection of Riggin Avenue and Shirk Street would be located approximately 500 feet south of the car wash facility.

Typical drive-through car wash facilities contain numerous noise sources. Vehicles themselves generate noise when accessing the facilities, and self-service vacuum equipment generates noise when used by car wash patrons. Car washing equipment within the drive-through tunnel generates noise. The loudest noise levels are commonly associated with dryer blower equipment at the tunnel exit. Measured noise levels from car wash blower operations have been documented to range from 70 dBA to 83 dBA L_{eq} at a reference distance of 40 feet. During busy periods, car wash blowers have been observed to operate continuously for extended periods.

Table 3.12-10 shows noise levels that could be generated at surrounding residential land uses by the proposed project's drive-through car wash facility, based on the reasonable worst-case 83 dBA L_{eq} at 40 feet noise level described above. As shown, residential land uses south of Riggin Avenue and residential land uses near the intersection of Riggin Avenue and Shirk Street may be exposed to noise levels in excess of the 50 dBA L_{eq} daytime and 45 dBA L_{eq} nighttime significance criteria as a result of the proposed project's drive-through car wash operations. Without mitigation, this impact would be potentially significant.

Instantaneous L_{max} noise levels from the proposed project's drive-through car wash would not be substantially greater than the noise levels shown in Table 11 because drive-through car wash equipment typically generate consistent noise levels. Therefore, this equipment would not result in exceedances of the General Plan's L_{max} noise standards for residential land uses, which are a minimum 65 dBA L_{max} during nighttime hours. Additionally, because ambient noise levels near Riggin Avenue are indicated to be between 60 dBA and 65 dBA CNEL according to the Visalia General Plan Update, the drive-through car wash-related noise levels would not have the potential to cause 24-hour CNEL noise levels to increase by greater than the 5 dBA significance criteria because noise levels would not exceed 60 dBA L_{eq} without mitigation.

Table 3.12-10: Drive-through Car Wash Noise Levels

Receptor	Time of Day	Drive-thru Car Wash Noise Level (dBA L_{eq})	Significance Criteria (dBA L_{eq})	Potentially Significant?
Residences near intersection of Riggin Avenue and Road 88	Day	39	50	No
	Night	39	45	No
Residences south of Riggin Avenue	Day	55	50	Yes
	Night	55	45	Yes
Residences near intersection of Riggin Avenue and Shirk Street	Day	60	50	Yes
	Night	60	45	Yes

Notes:
dBA = A-weighted decibel
L_{eq} = equivalent noise level

MM NOI-1 is recommended to ensure that noise impacts from the proposed project's drive-through car wash do not exceed the 50 dBA L_{eq} daytime and 45 dBA L_{eq} nighttime significance thresholds, which are based on the standards established by Visalia Municipal Code Section 8.36.040 and Table 8-4 of the General Plan. Implementation of MM NOI-4 would ensure that noise impacts associated with the drive-thru car wash are in compliance with the Visalia Municipal Code's regulations concerning fixed noise sources and the General Plan's guidance concerning stationary noise sources.

MM NOI-1 would require the proposed project to conduct an in-depth acoustical study of the drive-through car wash prior to the issuance of its building permits. The study would assess whether the car wash's design, mechanical equipment, and hours of operation would be capable of ensuring that car wash-related noise levels at surrounding residential uses are in compliance with the Visalia Municipal Code and consistent with the General Plan (as described above). If these details have yet to be established at the time of the study, the study would indicate how the drive-through car wash may be designed and operated in order to ensure compliance and consistency with these standards. Building permits would not be issued unless it has been demonstrated by a qualified acoustic professional that operations of the drive-through car wash would not exceed the applicable 50 dBA L_{eq} daytime and 45 dBA L_{eq} nighttime limits established by the General Plan and Municipal Code. Further, if noise reduction measures are recommended by the acoustical study, they would be included in the car wash's plans, specifications, and other related permitting documents. Therefore, after implementation of MM NOI-1, this impact would be less than significant.

Drive-through Restaurant Land Uses

The proposed project would include the construction of two drive-through restaurant land uses. At the time of preparation of this analysis, details were not available pertaining to the design of the drive-thru restaurants, though it is known that they would be located in the southeastern corner of the project site, as shown in Exhibit 2-8. Therefore, reference noise levels for typical drive-through restaurants were used to evaluate whether operations of the proposed project's drive-through restaurants may result in significant noise impacts.

Typical drive-through restaurants contain numerous noise sources. Vehicles themselves generate noise when accessing the facilities and idling in queues, and drive-through speakers also generate noise. The potential for on-site vehicle activities (i.e., cars accessing and parking at the project site, including the drive-through restaurants) to generate significant noise levels was assessed under the analysis for parking lot activities and determined to be less than significant. Regarding drive-through queueing, data on car idling noise levels is fairly limited but the following screening analysis rules out the potential for idling in the drive-through lanes to be a significant source of noise. In order to generate a noise level of approximately 45 dBA at the nearest residential uses near the intersection of Riggin Avenue and Shirk Street, which would be approximately 200 feet from the proposed project's nearest drive-through lane, noise from car idling would have to be approximately 77 dBA at 5 feet—the noise level of a busy highway. Reasonably, car idling noise would be significantly less than this because vehicle idling noise is not as loud as a busy highway. Therefore, this screening analysis demonstrates that noise due to car idling at the nearest residential land uses would be significantly less than the minimum 45 dBA L_{eq} nighttime noise threshold.

The proposed drive-through speakers would be located more than 200 feet the nearest residential uses near the intersection of Riggin Avenue and Shirk Street. Assuming that the noise level from a drive-through speaker is approximately 75 dBA at 5 feet, based on distance attenuation alone, the noise level at 200 feet would be less than 40 dBA. And because drive-through speakers would only produce intermittent noises, this further demonstrates that noise due to drive-through speakers at the nearest residential land uses would be significantly less than the minimum 45 dBA L_{eq} nighttime noise threshold.

Instantaneous L_{max} noise levels from the proposed project's drive-through restaurants would not result in exceedances of the General Plan's L_{max} noise standards for residential land uses, which are a minimum 65 dBA L_{max} during nighttime hours, because noise levels at residential land uses would be less than 40 dBA. Additionally, because ambient noise levels near Riggin Avenue are indicated to be between 60 dBA and 65 dBA CNEL according to the Visalia General Plan, the drive-through restaurant-related noise levels would not have the potential to cause 24-hour CNEL noise levels to increase by greater than the 5 dBA significance criteria because noise levels would be less than 40 dBA.

Prospective Warehouses

The proposed project requests that the project site be zoned Industrial and Light Industrial, which allows for the development of warehouses. It is highly likely that some sort of warehouse uses will be constructed on the site, which could house any number of uses that are permitted by this zoning. Therefore, future uses in these buildings–more specifically, noise generated by future uses–may have the potential to affect surrounding noise-sensitive receptors, especially those that are located along

or near Riggin Avenue. Although it is unlikely that the interior operations of future warehouse, distribution, storage, and light manufacturing uses would be audible, much less be considered significantly considerable, there are residential land uses that are located within hundreds of feet from the proposed warehouse buildings. To be conservative, MM NOI-2 is recommended to prevent significant impacts from occurring. MM NOI-2 would require specific uses with the potential to result in noise-related conflicts between operations and existing or future noise-sensitive receptors to provide an acoustical analysis demonstrating compliance with the City's noise standards prior to issuance of operational permits. Permits would not be issued unless it has been demonstrated by a qualified acoustic professional that operations would not exceed the City's noise standards. Therefore, after implementation of MM NOI-2, impacts related to future warehouse uses would be less than significant.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM NOI-1 (a) Prior to the issuance of building permit for a drive-through car wash, an in-depth acoustical study prepared by a qualified acoustic professional shall be submitted for review and approval to the City Community Development Department that demonstrates that the design and operations of a proposed drive-through car wash would not result in exceedances of the Visalia Municipal Code's applicable daytime and nighttime noise limits for residential land uses. The study shall evaluate factors such as:

- The location and orientation of noise-generating equipment, such as dryer blowers and vacuums.
- The location and orientation of the drive-through car wash tunnel.
- The hours of operation.
- The location of the drive-through car wash on the project site.

(b) Based on the results of the acoustical study, the project applicant shall be required to incorporate, at a minimum, design features or reduction measures to reduce any identified operational noise impact to meet applicable noise performance criteria. These reduction measures shall be included on all relevant plans, specifications, and other permitting documents. Measures and design features may include, but are not limited to the following:

- Locating the car wash facility further away from sensitive receptors, therefore reducing its noise impacts at nearby residential land uses.
- Orienting the facility so that the carwash exit (where the drying blowers would be located) is located facing away from nearby residential land uses.
- Providing sound blankets to hang around the edge of the carwash exit tunnel to help shield the dryer blower noise.
- Locating the dryer blowers further inside the car wash tunnel to help shield the dryer blower noise.

- Providing screening, such as a structure or sound wall, to shield the carwash exit where the dryer blowers would be located from nearby residential land uses.

MM NOI-2 (a) When specific uses within the project area are proposed that could result in a noise-related conflict between an industrial or other stationary noise source and existing or future noise-sensitive receptors, an acoustical analysis shall be required by the City that quantifies the proposed use's operational noise levels and recommends appropriate reduction measures, as necessary, to achieve compliance with the City's noise standards. The analysis shall be prepared by a qualified acoustic professional. All recommended design features or reduction measures shall be noted on plans, specifications, and other relevant permitting documents prior to the issuance of building permits.

(b) Based on the results of the acoustical study, the project applicant shall be required to incorporate, at a minimum, design features or reduction measures to reduce any identified operational noise impact to meet applicable noise performance criteria. Reduction measures and design features may include, but are not limited to the following:

- Locating the warehouse facility further away from sensitive receptors, therefore reducing its noise impacts at nearby residential land uses.
- Orienting the facility so that the warehouse truck loading/unloading areas are located facing away from nearby residential land uses.
- Providing gasket loading dock doors to help shield truck loading and unloading noise.
- Providing screening, such as a structure or sound wall, to shield truck loading and unloading areas from nearby residential land uses.

Level of Significance After Mitigation

Significant and unavoidable impact.

Groundborne Vibration/Noise Levels

Impact NOI-2:	**Would the project result in generation of excessive groundborne vibration or groundborne noise levels?**

Impact Analysis

Construction

Construction of the proposed project would require a variety of large, steel-tracked earthmoving vehicles. According to the FTA, large bulldozers and similar heavy-equipment can generate groundborne vibration levels up to 0.089 in/sec PPV at a reference distance of 25 feet. In other words, these vehicles' construction activities could expose buildings within 25 feet to groundborne vibration levels up to 0.089 in/sec PPV. However, there are no buildings within 25 feet of the proposed project or its construction activities, meaning that construction of the proposed project would not expose surrounding buildings to groundborne vibration levels in excess of 0.089 in/sec PPV. This groundborne vibration level is below even the most stringent significance criteria for FTA's

category of "Buildings Extremely Susceptible to Vibration Damage." Therefore, it reasons that construction of the proposed project would not expose any surrounding buildings to potentially damaging levels of groundborne vibration.

Operation

Given the nature of the proposed uses and the fact that such land uses are located hundreds of feet from the project site's primary use areas, implementation of the project would not include any permanent sources that would expose persons in the project vicinity to groundborne vibration levels that could be perceptible without instruments at any existing sensitive land use in the project vicinity. The analysis above indicates that it is unlikely any vibration generated on-site would be potentially damaging or perceptible at off-site sensitive land uses and structures. Additionally, the proposed project's related truck and vehicle travel would not be considered a significant source of vibration, as truck and vehicle travel rarely generates perceptible groundborne vibration. Therefore, project operational activities would not generate excessive groundborne vibration levels as measured at off-site receptors, and this impact would be less than significant. In addition, there are no existing significant permanent sources of groundborne vibration in the project vicinity to which the proposed project would be exposed.

Level of Significance

Less than significant impact.

Mitigation Measures

None required.

Excessive Noise Levels from Airport Activity

Impact NOI-3:	**Would the project expose people residing or working in the project area to excessive noise levels 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 a public airport or public use airport?**

Impact Analysis

A significant impact would occur if the proposed project would expose people residing or working in the project area to excessive noise levels for a project located in the vicinity of a private airstrip or airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport.

The project site is not located in the vicinity of a private airstrip. The nearest public airport to the project site is the Visalia Municipal Airport, located approximately 2.68 miles southwest of the project site. The Tulare County Comprehensive Airport Land Use Compatibility Plan (ALUCP) shows the southwest corner of the project site to lie within the Visalia Municipal Airport's Airport Influence Area but outside the aircraft 55 dBA CNEL noise contours. Based on this distance and the proposed project's orientation to the airport's runways, the proposed project would not be exposed to excessive noise levels from aircraft. Therefore, the project is consistent with the goals and policies of the ALUCP.

Implementation of the proposed project would not expose persons at the project site to noise levels from aircraft that would be in excess of acceptable standards for the proposed land uses, and no impact would occur.

Level of Significance

No impact.

Mitigation Measures

None required.

3.12.7 - Cumulative Impacts

The geographic scope for the cumulative analysis for noise and vibration impacts is limited to areas within 1,000 feet of the project site boundary for on-site noise sources, because of the localized nature of noise and vibration impacts. This analysis first evaluates whether the impacts of cumulative development could result in a cumulatively significant noise or vibration impact. If there is a cumulative significant impact, this analysis then considers whether the incremental contribution of the impacts associated with the implementation of the proposed project would be cumulatively considerable. Both conditions must apply for the project's cumulative effects to rise to the level of significance.

Construction Noise

As noted above, the geographic scope of the cumulative noise analysis would be approximately 1,000 feet surrounding the project site. Cumulative development would be required to comply with all applicable construction hour restrictions and would also be anticipated to incorporate appropriate BMPs to help reduce construction noise. In addition, applicable design review regulations directing the siting, design, and insulation of new development and redevelopment and all applicable noise policies, standards and requirements in the General Plan and Municipal Code would ensure that noise impacts are less than significant. Because there is not a cumulative significant construction noise impact to existing or planned land uses in the project vicinity, the incremental contribution of project construction noise would not be cumulatively considerable. Therefore, the proposed project would result in a less than significant cumulative impact related to construction noise. This cumulatively significant and unavoidable impact is consistent with the General Plan EIR, which analyzed full buildout of this area and its impact upon nearby noise sensitive land uses.

Operational Traffic Noise

If there is an identified cumulative traffic noise impact in the project vicinity, and if the proposed project would result in an incremental contribution to an identified cumulative traffic noise impact, then the project's impact would be cumulatively considerable. As shown in Tables 3.12-7 and 3.12-8, there are roadway segments in the project vicinity that experience traffic noise levels in excess of noise levels that the City considers to be "normally acceptable" for some adjacent land uses., The tables show that project traffic would result in noise increases along these impacted roadway segments. Therefore, the incremental contribution of project traffic would also be cumulatively considerable and would be a significant impact.

As noted in the mobile source noise impact discussion above, it would be infeasible to install permanent roadway noise barriers along every roadside sensitive receptor within the proposed project's trip distribution area due to, among other factors, ingress and egress access requirements for properties, zoning requirements, limitations on acquisition of property for construction of noise barriers, and traffic safety constraints such as line of sight and minimum setback requirements for installation of noise barriers. Therefore, there is no feasible mitigation available to reduce this impact to less than significant, and the proposed project's incremental contribution of project traffic would also be cumulatively considerable and would be considered significant and unavoidable.

Operational Stationary Noise

For stationary operational noise sources, a significant impact would occur if the cumulative projects would cause the L_{dn} at noise-sensitive uses to increase by 3 dB or more and exceed the "normally acceptable" level, or cause the L_{dn} at noise-sensitive uses to increase 5 dB or more and remain "normally acceptable," or cause new noise levels to exceed the City Noise Ordinance thresholds of the minimum 45 dBA L_{eq} and 65 dBA L_{max} nighttime significance criteria at any point on or beyond the project boundary.

The source of operational stationary noise within 1,000 feet of the project site that would produce the highest noise levels would be drive-through car wash activities or truck loading and unloading activities at future warehouses. However, as shown in the stationary source operational noise impact discussion above, implementation of MM NOI-1 and NOI-2 would reduce these potential project-related stationary noise source impacts to meet the City's noise performance standards. Permits would not be issued unless it has been demonstrated by a qualified acoustic professional that operations would not exceed the City's noise performance standards. In addition, there are not any existing stationary operational noise sources in the project vicinity that currently exceed the City's noise performance thresholds. Therefore, the incremental contribution of project operational stationary source noise would not result in a significant contribution to any existing stationary operational noise impact, and would not be cumulatively considerable.

Noise Land Use Compatibility Consistency

Cumulative development would be required to comply with all applicable design review regulations directing the siting, design, and insulation of new development and redevelopment and all applicable noise policies, standards and requirements in the General Plan and Municipal Code, which would ensure that noise impacts are less than significant. As described previously, Riggin Avenue and major north–south thoroughfares in this area such as Shirk Street and Akers Street already experience noise levels of approximately 65 dBA CNEL or higher, or they would experience these approximate noise levels by the proposed project's earliest buildout year of 2028. A substantial portion of the proposed project's and cumulative development in the area's traffic would also utilize these roadways and thus would exacerbate this situation by contributing further trips to areas that would already be experiencing exceedances beyond the 65 dBA CNEL threshold of significance. Moreover, no feasible mitigation would be available to reduce this impact because it would be infeasible to install permanent roadway noise barriers for every roadside sensitive receptor within the proposed project's trip distribution area due to, among other factors, ingress and egress access requirements for properties, some zoning requirements and limitations on acquisition of property for construction of noise barriers, and traffic safety constraints such as line of sight and minimum setback requirements for installation of noise barriers. This is the only noise land use compatibility

category that would apply to existing and planned development for parcels adjacent to the modeled roadway segments. Therefore, cumulative traffic noise impacts would be significant and unavoidable because it would result in operational traffic noise levels that would conflict with the City 65 dBA CNEL exterior and 45 dBA L_{eq} interior significance criteria for residential land uses.

Construction Vibration

The geographic scope of the cumulative construction vibration analysis is the project vicinity, including surrounding sensitive receptors. Construction vibration impacts are very localized; therefore, the area surrounding the project site (approximately 100 feet) would be the area most affected by proposed project construction activities. While there would be cumulative projects undergoing construction in the general vicinity, none of these are within 100 feet of the site and therefore, do not have to potential to create significant cumulative construction vibration impacts that would exceed potential impact criteria as measured at any sensitive receptor in the project vicinity. Thus, there would be a less than significant cumulative impact related to construction vibration. Because there is not a cumulative significant construction noise impact to existing or planned land uses in the project vicinity, the incremental contribution of project construction noise would not be cumulatively considerable.

Operational Vibration

Because operational vibration impacts are very localized, the only potential sources of cumulatively considerable contribution to vibration conditions in the project vicinity would result from introduction of past, present and reasonably foreseeable future permanent sources of groundborne vibration in the project site vicinity. The only major sources of groundborne vibration in the project vicinity is railroad activity along the rail line located approximately 2.15 miles east of the project site. Groundborne vibration levels from these cumulative sources would not be perceptible without instruments at any sensitive receptor in the project vicinity, therefore there is no significant cumulative impact. In addition, the project's incremental contribution to this less than significant cumulative operational vibration levels would not be cumulatively considerable. As discussed above, implementation of the proposed project would not introduce any new permanent sources to the project vicinity that would result in groundborne vibration levels that would be perceptible without instruments as measured at sensitive receptors in the project vicinity and would also not increase railroad activity. Therefore, implementation of the proposed project would not result in a cumulatively considerable contribution to vibration conditions in the project vicinity. This impact would be less than significant.

Mitigation Measures

MM NOI-1 and MM NOI-2.

Level of Cumulative Significance

Significant and unavoidable impact related to cumulative traffic noise impacts.

3.13 - Public Services

3.13.1 - Introduction

This section describes the existing conditions related to public services in the City in the project site and vicinity, as well as the relevant regulatory framework. This section also evaluates the potential impacts related to public services that could result from implementation of the proposed project. Descriptions and analysis in this section are based, in part, on information provided by the City of Visalia General Plan (General Plan) and City of Visalia Municipal Code (Municipal Code), as well as information available on the City's website, information received from relevant service providers (the Visalia Police Department, Visalia Fire Department, and Visalia Unified School District), and Master Planning Documents.

No comments were received during the Notice of Preparation (NOP) scoping period related to public services.

3.13.2 - Environmental Setting

Fire Protection and Emergency Medical Services

City of Visalia

The Visalia Fire Department (VFD) provides fire protection and emergency services to over 139,254 people within the City's jurisdiction.[1] The VFD maintains six stations and an administrative division within the city limits.[2]

Based on available information as of this writing, the VFD consists of a Fire Administration Division, an Emergency Services/Operations Division, and a Fire Prevention Division. Across these three divisions, the VFD staffs five fire engines, two ladder trucks, one Type II Tech Rescue Team, a Type 1 Hazardous Materials Team, and a Lighting/Air Support Team and employs 70 safety personnel and eight civilian firefighters. The City's fire stations are staffed 24 hours a day, 365 days a year, with each apparatus being staffed by a minimum of three firefighters at all times.[3] The VFD strives to adhere to the National Fire Protection Association (NFPA) response time standard, aiming to respond to 95 percent of calls within 5 minutes, including 1 minute of "turnout" and 4 minutes of driving. However, areas of southwest Visalia and smaller areas in the northwest and northeast of the City located more than 0.5-mile from the VFD stations cannot reasonably be served within the Department's target response time.[4] Currently, the VFD has an average response time of 6 minutes and 16 seconds for fire emergency calls and 5 minutes 37 seconds for medical/rescue calls.[5] In 2019, the VFD responded to 636 fire emergency calls and 11,170 medical/rescue calls.[6] In 2022, the VFD responded to 16,522

[1] City of Visalia. 2021. Visalia Fire Annual Report 2021. Website: https://www.visalia.city/documents/Fire/Annual/VFD%202021%20Annual%20Report.pdf. Accessed December 16, 2022.
[2] Visalia Fire Department (VFD). 2022. Facilities. Website: https://www.visalia.city/depts/fire/info/facilities/default.asp. Accessed September 9, 2022.
[3] Visalia Fire Department (VFD). 2022. Visalia Fire Department Information. Website: https://www.visalia.city/depts/fire/info/default.asp. Accessed December 9, 2022.
[4] City of Visalia. 2014. Visalia General Plan Safety and Noise Element. October.
[5] City of Visalia. 2023. Personal communication: CEQA coordination on April 28, 2023.
[6] Ibid.

calls for service. The great majority of these calls (95 percent) were not fire-related, with over half of calls being for emergency medical or rescue services.[7]

Construction of a replacement fire station located at the southeast portion of the City is currently underway.[8] Engine 56 will relocate from the California Department of Forestry and Fire Protection (CAL FIRE) Tulare campus once construction is complete.

Project Site

Fire Station 55 is the nearest VFD fire station to the project site, located approximately 0.40 miles to the south at 6921 West Ferguson Avenue. The next closest VFD station is Fire Station 53, located approximately 4.1 miles to the southeast at 5025 West Walnut Avenue.

Police Protection

City of Visalia

The Visalia Police Department (VPD) is currently headquartered at 303 South Johnson Street. The VPD consists of three divisions: Operations Division, Operations Support Division, and Administration Division.[9] The more than 250 members of the VPD include sworn police personnel, community service officers, parking enforcement officers, communications operators, records specialists, administrative support personnel, crime lab technicians, property and evidence technicians, and civilian investigators.[10] The Operations Division consists of uniformed personnel of the VFD who respond to emergency and non-emergency calls for service and have regular contact with the public.[11] The Operations Support Division consists of the Investigations Bureau, the Professional Standards Bureau, and the Support Services Bureau. The Operations Support Division encompasses the areas of administration, emergency dispatch, and investigations.[12] According to the General Plan, the VPD does not have established service standards in terms of officers per thousand residents or incident response time.[13] The VPD responded to 135,682 calls for service in 2019 and 134,738 calls for service in 2020.[14] Police response time was less than 20 minutes for 71 percent of all calls in 2022; the average response time for Priority 1 calls was 7 minutes and 4 seconds.[15]

The City opened the Visalia Emergency Communication Center (VECC) in 2017. The two-story, 18,872-square-foot building was designed as an essential services facility. Located near School Avenue and Burke Street, the VECC is the home for the Emergency Communication Center (911 Dispatch), VPD Administration including the Emergency Operation Center, Traffic Management Center, and the City's secure Data Center for Information Services.

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7 City of Visalia. 2023. Personal communication: CEQA coordination on April 28, 2023.
8 City of Visalia. 2023. Visalia Breaks Ground on New Fire Station. Website: https://www.visalia.city/news/displaynews.asp?NewsID=2602&TargetID=1. Accessed March 27, 2023.
9 City of Visalia. 2022. Divisions, Bureaus, and Units. Website: https://www.visalia.city/depts/police/divisions_bureaus_n_units/default.asp. Accessed December 9, 2022.
10 Visalia Police Department. 2020. Visalia Police Department Annual Report. Accessed September 14, 2022.
11 Ibid.
12 Ibid.
13 Visalia General Plan 2030. 2014. Safety and Noise Element. October.
14 Visalia Police Department (VPD). 2020. Visalia Police Department Annual Report. Accessed September 14, 2022.
15 City of Visalia. 2023. Personal communication: CEQA coordination on April 28, 2023.

Project Site

The VPD headquarters are located approximately 4.30 miles southeast of the project site. There are no residences located on the project site currently; however, several warehouses and industrial centers are located on nearby properties. Other surrounding uses consist of residential neighborhoods, parks, and schools.

Schools

City of Visalia

Visalia Unified School District (VUSD) provides K-12 education to the residents of Visalia. Providing educational services to a jurisdiction of 214 square miles, based on available information as of this writing, VUSD comprises 26 elementary schools, a newcomer language center, five middle schools, four comprehensive high schools, a continuation high school, an adult school, a charter independent school, a K-8 charter home school, and a charter technical early college high school.[16] Three of VUSD's elementary schools and a charter school are located outside of the General Plan Planning Area.[17] Over 32,000 students in total are served by VUSD.[18]

Project Site

The project site is within the service areas of Denton Elementary School, Ridgeview Middle School, and Redwood High School within the VUSD.

Parks and Other Recreational Facilities

City of Visalia

Based on available information, there are approximately 640 acres of parks and recreational facilities within the City, consisting of neighborhood parks, community parks, large city parks, pocket parks, and other parkland.[19] Additionally, the City owns three larger facilities, Plaza Park, Mooney Grove Park, and Riverway Sports Park, on the periphery of its jurisdiction.[20]

The General Plan establishes the parkland standard of five acres per 1,000 residents. Based on the park acreage referenced in the General Plan, the City had a ratio of 5.1 acres of parkland per 1,000 residents. However, the General Plan includes plans to add an additional 430 acres of new parkland by 2030 in order to accommodate its assumed population of approximately 210,000.[21] It is notable that the City's actual population growth has been slower than previously anticipated in the General Plan. According to the United States Census Bureau, the City had a population of 142,384 in 2020.[22]

The City has prepared an EIR for the construction of the East Side Regional Park and Groundwater Recharge Project, which will provide approximately 139 acres of active recreational amenities and 130 acres of passive amenities in the eastern portion of the City. That project would contribute to the City's park ratio goal. The proposed project would pay into a capital improvement program (CIP)

[16] Visalia Unified School District (VUSD). 2022. About VUSD. Website: https://www.vusd.org/domain/9. Accessed September 14, 2022.
[17] Visalia General Plan 2030. 2014. Parks, Schools, Community Facilities, and Utilities. October 2014.
[18] Visalia Unified School District (VUSD). 2022. About VUSD. Website: https://www.vusd.org/domain/9. Accessed September 14, 2022.
[19] Visalia General Plan 2030. 2014. Parks, Schools, Community Facilities, and Utilities. October 2014.
[20] Ibid.
[21] Ibid.
[22] United States Census Bureau. 2023. Visalia Quick Facts. Website: https://www.census.gov/quickfacts/visaliacitycalifornia. Accessed March 28, 2023.

to fund the East Side Regional Park and Groundwater Recharge Project and other future parks projects to offset impacts to park and recreation facilities. The Draft EIR for this project State Clearinghouse [SCH] No. 2014121076) was circulated for public comments between February 2, 2023 and March 20, 2023, and was certified by the City Council on November 20, 2023.

Project Site

The closest park to the project site is Lions Park (an approximately 4-acre park with recreational amenities such as playground and basketball court), located approximately 0.40 mile southeast of the project site. However, given its current entirely agricultural use (with no residential use), the project site does not generate any demand for parkland.

Libraries

City of Visalia

The Visalia Branch Library of the Tulare County Public Library system is located at 200 W Oak Avenue in central Visalia. Based on available information, the Tulare County Library system includes 17 library branches, five book machines, and an online website.[23]

Project Site

The Visalia Branch Library is located approximately 4.5 miles southeast of the project site. However, given its current entirely agricultural use (with no residential use), the project site does not generate any associated library service needs.

3.13.3 - Regulatory Framework

State

California Fire Code and California Building Code

The International Fire Code and the International Building Code, established by the International Code Council (ICC) and amended by the State of California, prescribe performance characteristics and materials to be used with the goal of achieving acceptable levels of fire protection. Standard fire safety requirements necessary to demonstrate compliance with the California Fire Code include the installation of fire sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures within wildfire hazard areas. The California Fire Code also regulates fire department access, fire protection systems and devices, fire and explosion hazards safety, hazardous materials storage and use, and standards for building inspection.

California Health and Safety Code

California Health and Safety Code, Sections 13100–13135, establish the following policies related to fire protection that are relevant to this analysis:

Section 13100.1 The functions of the office of the State Fire Marshall, including the California Department of Forestry and Fire Protection (CAL FIRE), shall be to foster,

[23] Tulare County Library. 2021. Visalia Branch Library. Website: https://www.tularecountylibrary.org/locations-visalia. Accessed December 13, 2022.

promote, and develop strategies to protect life and property against fire and panic.

Section 13104.6 The Fire Marshall has the authority to require fire hazards to be removed in accordance with the law relating to removal or public nuisances on tax-deeded property.

California Senate Bill 50

California Senate Bill (SB) 50 (funded by Proposition 1A, approved in 1998) limits the power of cities and counties to require mitigation of school facilities impacts as a condition of approving new development, and provides instead for a standardized developer fee. SB 50 generally provides for a 50/50 State and local school facilities funding match. SB 50 also provides for three levels of statutory impact fees. The application level depends on whether State funding is available, whether the school district is eligible for State funding, and whether the school district meets certain additional criteria involving bonding capacity, year-round school, and the percentage of moveable classrooms in use.

SB 50 added the following language to Government Code Section 65996, set forth in relevant part:

. . . (b) The provisions of this chapter are hereby deemed to provide full and complete school facilities mitigation and, notwithstanding Section 65858, or Division 13 (commencing with Section 21000) of the Public Resources Code, or any other provision of state or local law, a state or local agency may not deny or refuse to approve a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property or any change in governmental organization or reorganization, as defined in Section 56021 or 56073, on the basis that school facilities are inadequate.

(c) For purposes of this section, "school facilities" means any school-related consideration relating to a school district's ability to accommodate enrollment.

(d) Nothing in this chapter shall be interpreted to limit or prohibit the ability of a local agency to utilize other methods to provide school facilities if these methods are not levied or imposed in connection with, or made a condition of, a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property or a change in governmental organization or reorganization, as defined in Section 56021 or 56073. Nothing in this chapter shall be interpreted to limit or prohibit the assessment or reassessment of property in conjunction with ad valorum taxes, or the placement of a parcel on the secured roll in conjunction with qualified special taxes as that term is used in Section 50079.

California Government Code, Section 65995(b) and Education Code, Section 17620

SB 50 amended Section 65995 of the California Government Code, which contains limitations on Section 17620 of the Education Code, the statute that authorizes school districts to assess development fees within school district boundaries. Section 65995(b)(3) of the Government Code requires the maximum square footage assessment for development to be increased every 2 years,

according to inflation adjustments. In 2022, the State approved increasing the allowable amount of statutory school facilities fees (Level I School Fees) to $4.79 per square foot of assessable space for residential development of 500 square feet or more, and to $0.78 per square foot of chargeable covered and enclosed space for commercial/industrial development.[24] School districts may levy higher fees if they apply to the State and meet certain conditions as set forth in the applicable laws and regulations.

Local

Resolution 2022-30

Development impact fees apply to industrial development in the City. Public safety impact fees are $2,279.00 per gross acre for fire protection facilities and $304 per gross acre for police facilities. The school facility fee for new industrial construction is $0.78 per square foot. Park fees and library fees apply to residential development only and do not apply to industrial development. [25]

City of Visalia Fire Department Plan Check and Hydrant Ordinance

Visalia's requirements for new construction include provisions for the VFD to review building and site plans prior to the issuance of any building permit. The VFD ensures that proposed projects will be adequately served by water (for purposes of fire flow) and will be accessible to emergency vehicles and have adequate emergency evacuation access generally. The VFD also enforces the City's Hydrant Ordinance, which states that applicants are responsible for the installation of water mains and hydrants, and determines the minimum spacing for fire hydrants. Street dimensions are scrutinized to ensure that space will be preserved for ladder trucks to be stabilized, and for emergency vehicles to turn around.

Master Mutual Aid Plan

The City actively participates in the California Master Mutual Aid Plan. Formal mutual aid agreements have been written between the City and surrounding jurisdictions, including the Tulare County Fire Department. A broad automatic aid agreement encompassing 59 square miles surrounding Visalia exists between Tulare County and the City.[26]

Multi-Jurisdictional Local Hazards Mitigation Plan

The City is one of 11 member jurisdictions of a Multi-Jurisdictional Local Hazards Mitigation Plan (MJ-LHMP) led by the Tulare County Office of Emergency Services. The MJ-LHMP is a formal document designed to significantly reduce loss of life and injuries resulting from a disaster; minimize damage to structures and property, as well as disruption of essential services and activities; protect the environment; and promote hazard mitigation as an integrated public policy.[27] The most recent

[24] California Office of Public School Construction. 2022. Annual Adjustment to SFP Grants and Developer Fee History. Website: https://www.dgs.ca.gov/OPSC/Resources/Page-Content/Office-of-Public-School-Construction-Resources-List-Folder/Annual-Adjustment-to-SFP-Grants-and-Developer-Fee-History. Accessed December 13, 2022.

[25] City of Visalia. 2022. Development Fee Schedule, Effective August 20, 2022. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=5702. Accessed December 14, 2022.

[26] California Office of Public School Construction. 2022. Annual Adjustment to SFP Grants and Developer Fee History. Website: https://www.dgs.ca.gov/OPSC/Resources/Page-Content/Office-of-Public-School-Construction-Resources-List-Folder/Annual-Adjustment-to-SFP-Grants-and-Developer-Fee-History. Accessed December 13, 2022.

[27] City of Visalia. 2022. Hazard Mitigation Plan. Website: https://www.visalia.city/depts/fire/preparedness/hazard_mitigation_plan.asp. Accessed December 13, 2022.

version of the MJ-LHP as of this writing was updated in March 2018; updates to the plan are carried out every 5 years.[28]

Visalia Emergency Operations Plan

The California Emergency Services Act (Government Code §§ 8550-8668) requires each city to prepare and maintain an Emergency Plan for natural, manmade, or war-caused emergencies that result in conditions of disaster or extreme peril to life. The Visalia Emergency Operations Plan (EOP) was updated and adopted in 2011 pursuant to this Act. The EOP includes planning and response scenarios for seismic hazards, extreme weather conditions, landslides, dam failure and other flooding, wildland fires, hazardous materials incidents, transportation emergencies, civil disturbance, and terrorist attacks. It is meant to work in conjunction with the Tulare County EOP and the State EOP. The Emergency Council of the Tulare County Operational Area meets for regional coordination purposes at least four times per year. In addition, the VFD has specific procedures for hazardous materials emergency response.[29]

City of Visalia

General Plan

The City of Visalia General Plan sets forth the following goals, objectives, policies, and actions that are relevant to public services for purposes of this analysis:

Parks, Schools, Community Facilities, and Utilities Element

PSCU-P-2 Strive to achieve and maintain a citywide standard of at least five acres of neighborhood and community parks per 1,000 residents. Credits for pocket parks can be granted under the Park Acquisition and Development Fee Program, subject to the design review criteria of Policy PSCU-P-8. These credits may be on a less than 1:1 basis.

PSCU-P-9 Continue to implement a Park Acquisition and Development Fee Program updated to be consistent with this General Plan, including the following:

- Land and fees received shall support a standard of five acres of neighborhood and community parks per 1,000 residents and provide park and recreation facilities serving the neighborhood quadrant in which the contributing development occurs;
- A portion of the fees collected are to be used for community-wide recreation facilities;
- Dedicated park land meeting specified criteria for community parks, neighborhood parks and pocket parks may be provided at the City's discretion, in lieu of fees, or earn fee credits (the City will not accept undevelopable, unusable land); and

[28] Tulare County is in the process of updating the MJ-LHMP. This analysis relies on the most recently adopted 2018 MJ-LHMP as of the NOP issuance date of August 2022.
[29] City of Visalia. 2014. Visalia General Plan, Safety and Noise Element. October.

- Fee credits may also be given for storm drainage basins designed and built for dual recreational use, but these credits may be on a less than 1:1 basis depending on the amenities and facilities provided and their availability throughout the year.

Storm drainage basins can be under water and not available for public use three to four months a year; they also are difficult to maintain, and turf is usually in poor condition compared to turf on year-round playing fields. For these reasons, full fee credit will not be granted.

PSCU-P-10 Adopt and implement parkland dedication requirements for all subdivisions, consistent with the Quimby Act and Policy PSCU-P-2. This requirement will be integrated with the City's Park Acquisition Development Fee Program.

Safety and Noise Element

S-P-27 Implement a fuel modification program, which also includes residential maintenance requirements and enforcement, plan submittal and approval process, guidelines for planting, and a listing of undesirable plant species. Require builders and developers to submit their plans, complete with proposed fuel modification zones, to the Fire Department for review and approval prior to beginning construction.

S-P-29 Ensure availability of adequate water supplies to meet public health and safety needs, and for resource protection, by maintaining the following order of priority for water use:

- Potable water supply, fire protection, and domestic use
- Resource protection and preservation
- Industrial, irrigation and commercial uses
- Water-oriented or water-enhanced recreation
- Air conditioning

S-P-30 Integrate the Tulare County Hazard Mitigation Plan, in particular the hazard analysis and mitigation strategy sections, into the development review process, the emergency operations plan, and capital improvement program, as appropriate.

S-P-32 Continue to make available fire alarm systems, as referred to in this Element, to be tied directly and automatically to the Visalia City Fire Chief's alarm-receiving center.

S-P-38 Continue to rely on the Tulare County Office of Emergency Services to maintain inventories of available resources to be used during disasters.

S-P-39 Continue to upgrade preparedness strategies and techniques in all departments so as to be prepared when disaster, either natural or man-made, occurs.

Municipal Code

Municipal Code Title 8 Health and Safety adopts the California Fire Code and establishes requirements for automatic fire extinguishing systems consistent with the CBC and California Fire Code.

3.13.4 - Methodology

This analysis identifies potential impacts to fire protection, police protection, schools, libraries, parks, and recreational facilities based on development anticipated from the proposed project. This analysis is based, in part, on review of relevant materials, plans, and other documentation including the General Plan and Municipal Code, information provided on the City's website, and consultation with VPD and VFD. Impacts to public services, parks, and recreational facilities were assessed using the City's significance criteria as well as relevant State and local plans, regulations, and ordinances.

3.13.5 - Thresholds of Significance

The City, as lead agency, has elected in its discretion to utilize Appendix G of the CEQA Guidelines as thresholds of significance for the proposed project. According to CEQA Guidelines Appendix G Environmental Checklist, to determine whether impacts to public services resulting from implementation of the proposed project would be significant. Specifically, it would be a significant impact if the proposed project would:

> Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
>
> a) Fire protection?
> b) Police protection?
> c) Schools?
> d) Parks?
> e) Other public facilities?

3.13.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the construction and operation of the proposed project and provides feasible mitigation measures if and to the extent required.

Need for New or Altered Fire Protection Facilities

Impact PUB-1:	**Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection and emergency medical services?**

Impact Analysis

Construction

Upon annexation, the project site would be within the VFD service area. Therefore, the VFD would provide fire protection to the proposed project. Fire Station 55 is the nearest VFD station, located approximately 0.39 mile south of the project site at 6921 West Ferguson Avenue. The next closest station is Fire Station 53, located 3.27 miles southeast of the project site at 5025 West Walnut Avenue.

During construction, it is anticipated there would be a nominal increase in demand for fire protection and emergency medical services, primarily related to typical risks associated with fire and construction safety issues. During the construction phase, heavy construction equipment and passenger vehicles driving on vegetated areas before clearing and grading could increase the danger of fire. Temporary electrical power lines, the storage and use of combustible materials, and heated mufflers could ignite surrounding vegetation and increase fire risk. If a fire were to occur, it is anticipated that personnel and equipment from VFD would have sufficient capacity to respond to a fire at the project site. Therefore, impacts to fire protection services resulting from project construction activities would be less than significant.

Based on this analysis, project construction would not create the need for new or altered fire protection facilities to maintain acceptable service ratios, response times, or other performance objectives for fire protection. Therefore, construction impacts related to fire protection and emergency medical services would be less than significant.

Operation

The proposed project would be required to comply with applicable provisions of the California Building Standards Code (CBC), which is adopted by Municipal Code Chapter 15.08 California Building Code, and the California Fire Code, which is adopted by Municipal Code Chapter 8.20 California Fire Code. In compliance with applicable provisions of the California Fire Code, included as Title 24 Part 9 of the CBC, during construction the proposed project would be required to follow applicable fire safety standards related to provision of sufficient water supply for fire flow, adequate fire apparatus access, and acquisition of building permits. Specifically, CBC Section 105.7.17 requires plans be submitted and a permit issued to install, improve, modify, or remove public or private roadways, driveways, and bridges for which VFD access is required by the Fire Code; adherence to this requirement would ensure adequate driveway/entry turning radius, height clearance, and fire hydrant access for fire trucks and engines at the project site during construction. In addition, CBC Section 105.7.18 requires plans be submitted to the Fire Code official for all land developments or for the construction, alteration, or renovation of a building within the jurisdiction where a building permit is required; adherence to this requirement would ensure that construction of the proposed project would not obstruct the VFD from delivering adequate levels of fire protection services and otherwise help to ensure that all applicable standards and requirements are satisfied. Furthermore, Municipal Code Section 16.36.120 establishes specific requirements for fire hydrants, water mains, and fire department access to ensure adequate fire protection services to the project site, and Chapter 8.16 establishes requirements for automatic fire-extinguishing systems consistent with the CBC and California Fire Code.

Operation of the proposed project including new flex industrial, light industrial, and compatible commercial uses such as self-storage/RV parking, a convenience store, a car wash, and two drive-through restaurants on the project site would result in new employees, patrons and visitors, which would result in an increase in calls for fire protection and emergency medical services and thus an increase in demand in this regard. Additionally, in general, industrial occupancy and associated hazardous use (if any) may also increase calls for service or require special equipment. The VFD and County provide some oversight of hazardous materials. However, given the nature of the proposed project, the only types of hazardous materials used that would be used are anticipated to be lubricants, hydraulic oils, and other substances (as discussed further in Section 3.9, Hazards and Hazardous Materials), and thus would not result in any substantial increase in demand for fire protection and/or emergency medical services beyond the typical demand that would be expected to occur with this type of industrial and other compatible commercial uses. As part of operation, the proposed project would be required to comply with applicable provisions of the Visalia Municipal Code, the CBC, and the California Fire Code as discussed above. Specifically, the proposed project would be required to follow standards for fire safety such as fire flow requirements for buildings, fire hydrant location and distribution criteria, automated sprinkler systems, and fire-resistant building materials, as well as provision for adequate emergency vehicle access.

As noted above, the VFD strives to achieve the NFPA response time standard, aiming to respond to 95 percent of calls within 5 minutes.[30] Currently, the VFD has an average response time of 5 minutes 37 seconds for medical calls and 6 minutes and 1 second for fire calls.[31] According to the General Plan, areas of southwest Visalia and smaller areas in the northwest and northeast located more than 0.5 mile of the VFD stations cannot reasonably be served within the VFD's target response time.

The proposed project, which would result in indirect population growth (i.e., employees and their families, patrons, and other visitors) would generate an increase in demand for fire protection and emergency response services. However, such indirect population growth, which occurs as a result of new employment opportunities consistent with the City's land use vision as set forth in the General Plan, is considered planned growth, as discussed in detail in Section 4.2.2, Population and Housing. Moreover, the nature of the proposed project's uses would not result in atypical service demand needs with respect to fire protection and/or emergency medical services.

Furthermore, to the extent calls for VFD service provision occur due to the proposed project, because Fire Station 55 is the nearest VFD station, located 0.39 miles south of the project site, the proposed project could be reached within 2 minutes and therefore would not be expected to significant impair or otherwise substantially affect response times or other VFD performance objectives. As discussed further in Section 3.9, Hazards and Hazardous Materials, Riggin Avenue, Shirk Street, and Kelsey Street are public City streets that run east–west and north–south, respectively, along the project frontages, facilitating emergency vehicle access to the project site during project operation.

[30] City of Visalia. 2014. Visalia General Plan Safety and Noise Element. October.
[31] Visalia Fire Department (VFD). 2019 Information Sheet. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=37488. Accessed September 9, 2022.

Based on the foregoing, it is not anticipated that any new or altered fire protection facilities would be triggered to accommodate the demand generated by the proposed project to maintain acceptable service ratios, response times or other performance objectives for fire protection.

Finally, each individual specific development proposed for the project would be required to pay the required applicable plan review and development impact fees toward fire protection facilities and equipment in accordance with the applicable Development Fee Schedule, which would reflect its pro rata fair share contribution to help ensure that the VFD can meet any increased demand for services associated with the proposed project (and other planned growth) and adequate levels of service.[32]

Therefore, operational impacts related to a need for new or altered fire protection facilities would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Need for New or Altered Police Protection Facilities

Impact PUB-2:	**Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?**

Impact Analysis

Construction

Once the project site is annexed into the City, the VPD would provide law enforcement services. VPD headquarters is approximately 4.31 miles southwest of the project site; however, response is not likely to originate from the station but rather from officers who are routinely patrolling the area. During construction, it is anticipated there would be a nominal increase in demand for police protection. However, the proposed project would implement appropriate, standard security measures, such as provision of adequate lighting and a project boundary fence around the subject construction area to prohibit access by unauthorized persons to the site. With the provision of such security measures, project construction would not create the need for new or altered police protection facilities, and therefore impacts in this regard would be less than significant.

Operation

Project operation would result in an increase in calls for police protection services on the project site. Primary access to the project site during operation would be from Riggin Avenue, Shirk Street, and Kelsey Street. Responses to calls for service would likely be from patrolling officers. In addition to calls for service related to the number of new employees, patrons and visitors occupying the

[32] City of Visalia. 2022. Development Fee Schedule, Effective August 20, 2022. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=5702. Accessed December 14, 2022.

project site, a significant increase in vehicle traffic, both personal vehicles and delivery trucks, is expected. This would likely create need for an increase of personnel involved in traffic enforcement, including commercial vehicle regulations.

As discussed in the General Plan, it is anticipated that the VPD's area of responsibility would increase over time through the annexation of properties (including, among others, the project site) and contemplated development consistent with the General Plan land use vision, and thus the need may arise to construct new or expand police facilities to accommodate additional staffing (sworn and professional staff) in order to maintain and improve any applicable response standards and quality of services currently provided by the VPD to serve its area of responsibility over time.

The industrial uses and compatible commercial uses that would occur over time through implementation of the proposed project are part of the anticipated growth contemplated by the City in its General Plan, as indicated by the project site's current Industrial and Light Industrial General Plan land use designations. Indirect population growth that occurs as a result of new employment opportunities (such as those that would occur pursuant to the proposed project) is considered planned growth, as discussed in detail in Section 4.2.2, Population and Housing. The General Plan projects for the City's population to grow from 125,000 people in 2014 to 210,000 people by 2030 and outlines plans for the VPD to expand to meet these growing needs associated with General Plan buildout over that time period within growth areas. The General Plan estimates that a total of 360 officers would be needed to fully staff and serve the City's anticipated population by 2030.[33] The City currently has 250 employees with the VPD according to the VPD's 2020 annual report.[34] It is notable that the City's actual population growth has been slower than previously anticipated in the General Plan. According to the United States Census Bureau, the City had a population of 142,384 in 2020.[35]

The VPD does not identify specific service standards in terms of officers per thousand residents or incident response time. Police response time was less than 20 minutes for 71 percent of all calls in 2022; the average response time for Priority 1 calls was 7 minutes and 4 seconds.

While the proposed project would result in an increased demand for police protection, the nature of the proposed project's uses would not result in atypical service demand needs in this regard and is not anticipated to trigger a need to construct new or expand existing police protection facilities to accommodate this relatively minor increase in demand.

Moreover, each project applicant in connection with its individual specific development proposal for the proposed project would be required to pay the required applicable plan review and public safety development impact fees toward police facilities in accordance with the applicable Development Fee Schedule, which would reflect its pro rata fair share contribution to help ensure that the VPD can meet any increased demand for services associated with the proposed project (and other planned

[33] City of Visalia. 2014. Visalia General Plan Draft Environmental Impact Report (DEIR), Public Service, Facilities, and Utilities. October.
[34] Visalia Police Department (VPD). 2020. Visalia Police Department Annual Report. Accessed September 14, 2022.
[35] United States Census Bureau. 2023. Visalia Quick Facts. Website: https://www.census.gov/quickfacts/visaliacitycalifornia. Accessed March 28, 2023.

growth) and maintain adequate levels of service.[36] For the foregoing reasons, impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Need for New or Altered Schools

Impact PUB-3:	**Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools?**

Impact Analysis

Construction

Impacts related to provision of or need for construction of new or expanded school facilities are limited to operational impacts. No construction impacts would occur.

Operation

Upon annexation to the City, the project site would be located in the service areas for Denton Elementary School, Ridgeview Middle School, and Redwood High School of the VUSD.

As described in Section 4, Effects Found not to be Significant, the proposed project would result in some amount of indirect population growth due to the creation of employment opportunities during operation. Because there are no residential units proposed, the proposed project would not result in direct population growth and would not directly increase enrollment numbers in the VUSD. The proposed project is anticipated to generate a total of approximately 4,100 new employees at full buildout. Once operational, given the nature of the proposed project, the project site would likely be staffed by employees local to the City and nearby areas. Nonetheless, it is reasonable to assume that some number of employees could potentially transfer into the area as a result of the proposed project, resulting in a certain degree of indirect population growth.

The industrial uses and compatible commercial uses that would occur over time through implementation of the proposed project are part of the anticipated growth contemplated by the City in its General Plan, as indicated by the project site's current Industrial and Light Industrial General Plan land use designations. Indirect population growth that occurs as a result of new employment opportunities (such as those that would occur pursuant to the proposed project) is considered planned growth, as discussed in detail in Section 4.2.2, Population and Housing. Thus, the employment increase would be within the employment projections provided in the General Plan, and it is reasonable to conclude that any relatively minor increase in potential housing demand

[36] City of Visalia. 2022. Development Fee Schedule, Effective August 20, 2022. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=5702. Accessed December 14, 2022.

could be readily absorbed by the local housing inventory and/or the pending and approved residential projects in the City and the surrounding area. Because the proposed project would not result in substantial unplanned increase in population growth, and further because any such growth would be nominal at most, the proposed project would not increase school enrollment in such a way to trigger the need to construct new or expanded existing school facilities. Moreover, each individual specific development proposal for the proposed project would be required to pay school facility fees in accordance with the applicable Development Fee Schedule, which would reflect its pro rata fair share contribution to help ensure that local schools can meet any increased demand associated with the proposed project (and other planned growth) and maintain adequate levels of service. Pursuant to Government Code Section 65995, payment of adopted development fees is considered "full and complete mitigation" for impacts to school facilities, and local governments are prohibited from assessing additional fees or exactions for school impacts.

For the foregoing reasons, impacts in this regard would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Need for New or Altered Parks and Other Recreational Facilities

Impact PUB-4:	**Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental park facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks or other recreational facilities?**

Impact Analysis

Construction

Impacts related to provision of and need for construction of new or expanded park facilities are limited to operational impacts. No construction impacts would occur.

Operation

The General Plan establishes the parkland standard of five acres per 1,000 residents.

The City recently approved the East Side Regional Park and Groundwater Recharge Project, which will provide approximately 139 acres of active recreational amenities and 130 acres of passive amenities in the eastern portion of the City. That project would contribute to the City's park ratio goal. The proposed project would pay into the CIP to fund the East Side Regional Park and Groundwater Recharge Project and other future park projects to offset impacts to park and recreation facilities. As stated above, the Draft EIR for this project was certified by the City Council on November 20, 2023.

The industrial and compatible commercial uses that would occur over time through implementation of the proposed project are part of the anticipated growth contemplated by the City in its General Plan, as indicated by the project site's current Industrial and Light Industrial General Plan land use designations. Indirect population growth that occurs as a result of new employment opportunities (such as those that would occur pursuant to the proposed project) is considered planned growth. As noted above, the proposed project is anticipated to generate a total of approximately 4,100 new employees at full buildout and would likely be staffed primarily by local employees once operational. The closest park to the project site is Lions Park, located approximately 0.40 mile southeast of the project site; this is a neighborhood park that contains amenities such as a playground and basketball court. While it is reasonable to assume that some employees would utilize park facilities during their workday to a certain degree, this use would be limited given the nature of the industrial and related commercial uses and the location of the project site. Project employees and their families would utilize the City's park and recreational amenities, but the limited amount of demand generated by the proposed project would not trigger the need to construct new or expand existing park facilities. Based on the foregoing reasons, operational impacts related to need for new or altered park and recreational facilities would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Need for New or Altered Other Public Facilities

Impact PUB-5:	**Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental library facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities, such as libraries?**

Impact Analysis

Construction

Impacts related to provision of and need for construction of new or expanded library facilities are limited to operational impacts. No construction impacts would occur.

Operation

The Visalia Branch Library in downtown Visalia serves the project area.

The industrial uses and compatible commercial uses that would occur over time through implementation of the proposed project are part of the anticipated growth contemplated by the City in its General Plan, as indicated by the project site's current Industrial and Light Industrial General Plan land use designations. Indirect population growth that occurs as a result of new employment opportunities (such as those that would occur pursuant to the proposed project) is considered planned growth.

As noted above, the proposed project is anticipated to generate a total of approximately 4,100 new employees at full buildout and would likely be staffed primarily by local employees once operational. While it is reasonable to assume that some employees would utilize library facilities during their workday to a certain degree, this use would be limited given the nature of the industrial and related commercial uses and the location of the project site. Project employees and their families would use the library and its services, but the limited amount of demand generated by the proposed project would not trigger the need to construct new or expand existing library facilities.

Based on the foregoing reasons, operational impacts related to need for library facilities would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

3.13.7 - Cumulative Impacts

The geographic scope of the cumulative public service analysis is the service area of each of the public service providers serving the proposed project. Because of differences in the nature of the public service topical areas, they are discussed separately.

Cumulative projects (which consist of past, present and reasonably foreseeable future developments, including those listed in Table 3-1) in conjunction with the proposed project, would result in single- and multi-family residential, warehouse and distribution, commercial, and mixed-use development. All cumulative developments are within City jurisdiction or its UDB, within areas designated and zoned for urban development. While most planned future cumulative projects consist of warehouse and distribution development (and thus relate in only indirect population growth), the planned future residential projects would directly increase population within the City.

Need for New or Altered Fire Protection Facilities

The geographic scope of the cumulative fire protection and emergency medical services analysis is the VFD's service area, which encompasses 37.49 square miles and 136,246 people.[37] An increase in population due to the relevant cumulative projects would result in an increased demand for fire protection and emergency medical services, which could trigger the need to construct new or expand existing fire protection facilities.

The General Plan projects a population growth of 85,000 new residents by 2030. To help offset this increased demand, the proposed project and other relevant cumulative projects would be required to pay all applicable plan review and development impact fees to the VFD. All cumulative developments would also be required to adhere applicable provisions of the California Fire Code, Part 9 of the CBC, in terms of meeting standards for fire safety such as fire flow requirements for

[37] Visalia Fire Department (VFD). 2019. Information Sheet. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=37488. Accessed December 9, 2022.

buildings, fire hydrant location and distribution criteria, automated sprinkler systems, fire-resistant building materials, adequate access for emergency vehicles, and adequate emergency evacuation access. In addition, typical safety and security measures would be incorporated into the design and operation of cumulative developments. With adherence to applicable requirements and standards set forth in the CBC and otherwise incorporating typical safety and security measures, this would help to reduce cumulative impacts to fire protection and emergency response services.

Moreover, as part of the related environmental review process that may be necessary as part of the future development of such facilities, payment of applicable plan review and development impact fees would be anticipated to help fund any required expansion of fire protection and emergency medical services. To the extent construction of any new or expanded fire protection and emergency response facilities would be triggered by this increased demand, any impacts would be considered mitigated, to the extent feasible. Based on the foregoing, cumulative impacts with respect to new or altered fire protection facilities would be less than significant.

While the proposed project would generate an increased demand for fire protection and emergency response services, it would be typical for the type of uses proposed (i.e., industrial and compatible commercial); it would be required to adhere applicable provisions of the California Fire Code, Part 9 of the CBC, in terms of meeting standards for fire safety such as fire flow requirements for buildings, fire hydrant location and distribution criteria, automated sprinkler systems, fire-resistant building materials, adequate access for emergency vehicles, and adequate emergency evacuation access. The project would incorporate typical safety and security measures into its design and operation, and it would pay all applicable plan review and development impact fees to ensure its pro rata fair share contribution to support fire protection and emergency medical services.

Based on the foregoing, the proposed project would not have a cumulatively considerable contribution to the already less than significant cumulative impact related to fire protection and emergency medical services.

Need for New or Altered Police Protection Facilities

The geographic scope of the cumulative police protection analysis is the service area of the VPD, consists of the Visalia city limits. An increase in population as a result of the relevant cumulative projects would result in an increased demand for police protection services, which could trigger the need to construct new or expand existing police protection facilities.

Because demand for law enforcement services varies substantially by project (type of services offered, clientele, hours of operation, crime prevention measures, etc.), it is unlikely that there would be substantial overlap in demand that would result in a cumulatively significant impact such that new or expanded police protection facilities are necessary beyond the City's existing capacity and regular review of service levels for future developments.

To help offset this increased demand, the proposed project and other relevant cumulative projects would be required to pay all applicable plan review and development impact fees to the VPD. In addition, typical safety and security measures would be incorporated into the design and operation of cumulative developments. With adherence to applicable requirements and standards and otherwise incorporating typical safety and security measures, this would help to reduce the need for

police protection. Moreover, payment of applicable plan review and development impact fees would be anticipated to help fund any required expansion of police protection. To the extent construction of any new or expanded police protection facilities would be triggered by this increased demand, impacts would be considered mitigated, to the extent feasible, as part of the related environmental review process that may be necessary as part of the future development of such facilities. Based on the foregoing, cumulative impacts with respect to new or altered police protection facilities would be less than significant.

While the proposed project would generate an increased demand for police protection, it would be typical for the types of uses proposed (i.e., industrial and compatible commercial) and would not be cumulatively considerable because: it would be required to adhere applicable standards set forth in Municipal Code Chapter 8 Health and Safety, and it would incorporate typical safety and security measures into its design and operation. Based on the foregoing, the proposed project would not have a cumulatively considerable contribution to the already less than significant cumulative impact related to police protection.

Need for New or Altered School Facilities

The geographic scope of the cumulative school facilities analysis is the service area of the VUSD, where over 32,000 students are enrolled. An increase in population as a result of the relevant cumulative projects would result in an increased student demand, which could trigger the need to construct new or expand existing school facilities.

The relevant cumulative developments include residential projects that would directly generate student demand. In addition, there may be some nominal student demand indirectly generated by the nonresidential cumulative developments, including the proposed project (i.e., employees transferring into the area). None of the relevant cumulative developments propose the construction of new educational facilities. To help offset this increased demand, the proposed project and other relevant cumulative projects would be required to pay all applicable plan review and development impact fees to the VUSD, which would be anticipated to help fund any required expansion of school facilities. To the extent construction of any new or expanded school facilities would be triggered by this increased demand, impacts would be considered mitigated, to the extent feasible, as part of the related environmental review process that may be necessary as part of the future development of such facilities. Based on the foregoing, cumulative impacts with respect to new or altered school facilities would be less than significant.

Since the proposed project does not involve any residential uses, it would not directly generate an increased demand for school facilities. To the extent some number of employees may transfer to the area, this type of indirect student demand generation would be expected to be nominal at most. However, as noted above, payment of applicable development impact fees pursuant to State law would ensure its pro rata fair share contribution to support school facilities.

Based on the foregoing, the proposed project would not have a cumulatively considerable contribution to the already less than significant cumulative impact related to school facilities.

Need for New or Altered Park and Recreational Facilities

The geographic scope of the cumulative park facilities analysis is the city limit. An increase in population the cumulative projects would result in an increased demand for park facilities. To help offset this increase, residential cumulative projects would be required to provide parkland or pay applicable development fees. With payment of applicable park impact fees and/or otherwise satisfying park dedication obligations by cumulative residential projects, there would be a less than significant cumulative impact related to additional increased use and physical deterioration of existing parks and recreational facilities.

Because the proposed project would not include the development of any residences, and therefore, would not increase the population in the area, the proposed project would not contribute to cumulative impacts associated with parks.

Need for New or Altered Library Facilities

The geographic scope of the cumulative libraries analysis is the City. An increase in population as a result of the relevant cumulative projects would result in an increased demand for library services, which could trigger the need to construct new or expand existing library facilities.

The relevant cumulative developments include residential projects that would directly generate demand for library services as well as nonresidential projects that could also indirectly generate demand as well (albeit minor in nature). To the extent construction of any new or expanded library facilities would be triggered by increased demand of new residential development, the related environmental review process and payment of fees would mitigate impacts to the library, to the extent feasible. Based on the foregoing, cumulative impacts with respect to new or altered library facilities would be less than significant.

Since the proposed project does not involve any residential uses, it would not directly generate an increased demand for library facilities. While some employees may periodically use the Visalia Branch Library, given the nature of the proposed uses and the location of the project site, any such increased demand would be nominal.

Based on the foregoing, the proposed project would not have a cumulatively considerable contribution to the already less than significant cumulative impacts associated with library facilities.

Mitigation Measures

No mitigation measures are required.

Level of Cumulative Significance

Less than significant impact.

3.14 - Transportation

3.14.1 - Introduction

This section describes existing conditions related to transportation on the project site and in the project area as well as the relevant regulatory framework. This section also evaluates the potential impacts related to transportation that could result from implementation of the proposed project. Information in this section is based, in part, on the project-specific Transportation Impact Analysis (TIA) and the project-specific Vehicle Miles Traveled (VMT) Analysis, included as Appendix I. One public comment was received during the Environmental Impact Report (EIR) scoping period related to transportation:

- San Joaquin Valley Air Pollution Control District, September 28, 2022–Construction and operational emissions may exceed significance thresholds, requiring mitigation measures to reduce VMT.

3.14.2 - Existing Conditions

Roadway Facilities

State

State Route 99

State Route (SR) 99 is a six-lane, north–south divided highway. SR-99 intersects SR-198 approximately 1 mile from the study area. The posted speed limit within the study area is 70 miles per hour (mph).

State Route 198

SR-198 is a four-lane, east–west divided highway connecting to U.S. Highway 101 (US-101) in the west near King City and SR-180 in the east at the Sequoia National Park entrance. SR-198 provides connection for residential, commercial, industrial, and agricultural land uses from the Central Coast to the Central Valley through the counties of Monterey, Fresno, Kings, and Tulare. SR-198 intersects the north–south routes Interstate 5 (I-5) and SR-99. The posted speed limit within the study area is 65 mph.

Local

Arterials

Plaza Drive

Plaza Drive is a classified arterial and a future Class II bike facility running north–south between Avenue 320 and SR-198. Plaza Drive is currently constructed as a four-lane, divided road. The speed limit ranges from 45 to 55 mph. Within the study area, there are limited existing bicycle and pedestrian improvements.

Shirk Street

Shirk Street is a classified arterial and a future Class II bike facility running north–south between Avenue 320 and Avenue 272. The roadway is currently constructed as a two-lane, undivided road. The speed limit on the segment ranges between 40 to 45 mph. The roadway is classified as a

greenway and as a future Class II bike facility. There are limited pedestrian improvements and no existing bicycle features.

Akers Street

Akers Street is a classified arterial and a future Class III bike facility running north–south between Avenue 320 and Avenue 272. The roadway is currently constructed as a four-lane, divided road north of Visalia Parkway. South of West Visalia Parkway, the roadway is currently constructed as a two-lane, undivided road. The speed limit on the segment ranges from 35 to 50 mph. Bike lanes are present between Porter Avenue and Ferguson Avenue. A sidewalk is present along a significant portion of the street but missing adjacent to undeveloped parcels.

Avenue 320

Avenue 320 is a classified arterial roadway running east–west between Road 38 and Road 108. The roadway is currently constructed as a two-lane, undivided road. There is no posted speed limit within the study area, therefore, the speed limit is 55 mph per County Ordinance. There are no existing bicycle features and limited pedestrian improvements.

Riggin Avenue

Riggin Avenue is a classified arterial roadway and future Class II bike facility running east–west between SR-99 and St. Johns Parkway. The roadway is currently constructed as a four-lane, divided road west of Kelsey Street. Between Demaree Street and Mooney Boulevard, the roadway is constructed as a four-lane, divided road. Between Mooney Boulevard and Dinuba Boulevard, the roadway is constructed as a two-lane, undivided road. Between Dinuba Boulevard and St. Johns Parkway, the roadway is constructed as a two-lane, undivided road. West of Linwood Street, there is no posted speed limit within the study area. Between Linwood Street and St. Johns Parkway, the posted speed limit ranges from 45 to 50 mph. There is no posted speed limit within the study area. There are limited existing bicycle and pedestrian facilities.

Goshen Avenue

Goshen Avenue is a classified arterial roadway and existing Class I bike facility running east–west between SR-99 and Lovers Lane. The roadway is currently constructed as a four-lane, divided road. The speed limit ranges from 35 to 55 mph. Within the study area, there are limited existing bicycle and pedestrian improvements. A Class I bike lane is present on the north side of Goshen, between SR-99 and South Giddings Street. There are limited pedestrian improvements on the south side of the road.

Collectors

Kelsey Street

Kelsey Street is a classified collector running north–south between Avenue 320 and Hurley Avenue. The roadway is currently constructed as a two-lane, undivided road. There is a 2,300-foot section that is undeveloped south of Riggin Avenue to just north of Doe Avenue. There is no posted speed limit within the study area. There are no existing bicycle features and limited pedestrian improvements.

Shannon Parkway-Riverway Avenue

Shannon Parkway-Riverway Avenue is a classified collector roadway running east–west between Akers Street and Demaree Street. The roadway is currently constructed as a two-lane, undivided road between Demaree Street and Mooney Boulevard, and a four-lane, divided road between Mooney Boulevard and Dinuba Boulevard. The segment between Demaree Street and Dinuba Boulevard has a posted speed of 40 mph. Outside of these limits, the speed limit is 55 mph per County Ordinance. There are no existing bicycle features and limited pedestrian improvements.

Study Area

The study area includes the main roadways and intersections around the project site that would be most impacted by the proposed project's traffic volumes. The study intersections were selected in adherence with the City's requirement of all site access drives, major intersections within 1 mile, either signalized or unsignalized, and driveways/intersections where traffic movements could be affected by new driveway traffic movements. Based on this coordination with City staff, the intersections shown in Table 3.14-1 were evaluated.

Table 3.14-1: Study Intersections

#	Intersection	#	Intersection
1	North American Street/West Riggin Avenue (S)	14	North Shirk Street/West Riggin Avenue (U)
2	North Plaza Drive/Avenue 320 (U)	15	North Shirk Street/ West Sunnyview Avenue and West Ferguson Avenue (U)
3	North Plaza Drive/West Riggin Avenue (S)	16	North Shirk Street/West Doe Avenue (U)
4	North Plaza Drive/West Ferguson Ave (S)	17	North Shirk Street/West Goshen Avenue (S)
5	North Plaza Drive/Future Access Road (U)	18	North Shirk Street/West Hurley Avenue (S)
6	North Plaza Drive/West Goshen Avenue (S)	19	North Roeban Street/West Riggin Avenue (U)
7	North Kelsey Street/Riverway Avenue and Shannon Parkway (U)	20	North Roeban Street/West Ferguson Avenue (U)
8	North Kelsey Street/West Riggin Avenue (S)	21	North Akers Street/Avenue 320 (U)
9	North Kelsey Street/West Goshen Avenue (S)	22	North Akers Street/Shannon Parkway (U)
10	Future North Clancy Street/Unnamed North Road (U)	23	North Akers Street/West Riggin Avenue (S)
11	Future North Clancy Street/West Riggin Avenue (U)	24	North Akers Street/West Ferguson Avenue (S)
12	North Shirk Street/Avenue 320 (U)	25	North Akers Street/West Goshen Avenue (S)
13	North Shirk Street/Shannon Parkway (U)	26	North Shirk Street/Shannon Parkway (U)

Notes:
(S)–Signalized Intersection
(U)–Unsignalized Intersection

Vehicle Level of Service

Although the California Environmental Quality Act (CEQA) now recognizes VMT as the primary analysis methodology for transportation impacts, intersection Level of Service (LOS) and queueing were also analyzed in this section. This analysis will determine the operational effects of nearby intersections as a result of the proposed project, to be installed by the subject development or to have the relevant contribution of a proportionate fair share be made by the subject applicant. This analysis is in accordance with applicable legal requirements related to nexus. The City is continuing to review traffic LOS as the means by which it plans for roadway improvements in support of its General Plan. LOS analysis is still appropriate and necessary to determine consistency with General Plan policies as they relate to LOS and to determine necessary roadway infrastructure improvements and capacity.

Analysis of intersection deficiencies were based on the concept of LOS, which is a qualitative measure used to describe operational conditions. LOS A (best) represents minimal delay, and F (worst) represents heavy delay and a facility that is operating at or near its functional capacity.

Intersection LOS for this study were determined using methods defined in the Highway Capacity Manual, 6th Edition (HCM 6) within the Synchro 11 analysis software. HCM 6 includes procedures for analyzing side street stop controlled (SSSC), all-way stop controlled (AWSC), and signalized intersections. The SSSC procedure defines LOS as a function of average control delay for the worst minor street movement or major street left turn. Conversely, the AWSC and signalized intersection procedures define LOS as a function of average control delay for the intersection as a whole. Table 3.14-2 relates the operational characteristics associated with each LOS category for signalized and unsignalized intersections.

Table 3.14-2: Signalized and Unsignalized Intersection LOS Criteria

Level of Service	Description	Signalized (Average control delay per vehicle in seconds/vehicle)	Unsignalized (Average control delay per vehicle in seconds/vehicle)
A	Free Flow or Insignificant Delays: Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. Control delay at signalized intersections is minimal.	<= 10.0	<= 10.0
B	Stable Operation or Minimal Delays: The ability to maneuver within the traffic stream is only slightly restricted, and control delay at signalized intersections are not significant.	> 10 and < 20.0	>10 and < 15.0
C	Stable Operation or Acceptable Delays: The ability to maneuver and change lanes is somewhat restricted, and average travel speeds may be about 50 percent of the free flow speed.	>20 and < 35.0	>15 and < 25.0
D	Approaching Unstable or Tolerable Delays: Small increases in flow may cause substantial increases in delay and decreases in travel speed.	>35 and < 55.0	>25 and < 35.0

Level of Service	Description	Signalized (Average control delay per vehicle in seconds/vehicle)	Unsignalized (Average control delay per vehicle in seconds/vehicle)
E	Unstable Operation or Significant Delays: Significant delays may occur and average travel speeds may be 33 percent or less of the free flow speed.	>55 and < 80.0	>35 and < 50.0
F	Forced Flow or Excessive Delays: Congestion, high delays, and extensive queueing occur at critical signalized intersections with urban street flow at extremely low speeds.	> 80.0	> 50.0

Source: City of Visalia. Visalia General Plan Circulation Element.

Project deficiencies were determined by comparing conditions with the proposed project to those without the proposed project. Project-related deficiencies at study intersections are created when traffic from the proposed project causes the LOS to fall below the maintaining agency's LOS threshold or causes deficient intersections to deteriorate further based on applicable thresholds.

The LOS threshold for the City's intersections analysis is LOS D. A project-induced deficiency occurs if the addition of project traffic would cause an intersection operating at LOS A, B, C, or D, to begin to operate at LOS E or F. For intersections already operating at LOS E or F without project traffic, any addition of project traffic resulting in increased delay of 5.0 seconds or more would also result in a project deficiency.

Peak-Hour Turning Movement Volumes

Intersection turning movement volumes for the signalized study area intersections were collected during the typical 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. commuter peak periods. For the unsignalized intersections, volumes were collected for a 14-hour period between 6:00 a.m. and 8:00 p.m. Data was collected at 18 of the study intersections in April and May 2022, when local schools were in session. Forty-eight-hour roadway directional volumes were also collected along Riggin Avenue, Kelsey Street, and Shirk Street, adjacent to the project site, for the development of driveway volumes. Vehicular classification was obtained from the intersection data.

Seven additional intersection turning movement volumes were collected in June 2022, after the summer break had commenced. To normalize this supplemental traffic data collected during the summer, 48-hour roadway counts were recollected at the same three locations along Riggin Avenue, Kelsey Street, and Shirk Street for determination of growth factor to be applied to summer volumes collected. Based on the assessment of roadway volumes collected in May and June, it was determined that the traffic volumes collected during the summer at the collected locations were higher for daily and AM and PM peak-hours. Therefore, a growth factor was not applied to the summer counts collected.

Queueing

Queues that exceed the turn pocket length can create potentially hazardous conditions by blocking or disrupting through-traffic in adjacent travel lanes. However, these potentially hazardous queues are generally associated with left-turn movements. Locations where the right-turn pocket storage is exceeded are generally not considered hazardous because the right-turn movements generally receive "green indications" at the same time as the adjacent through movement. Therefore, any additional vehicles that spill out of the right-turn pocket will likely not hinder nor disrupt the adjacent through traffic, as would be the case in most left-turn pockets.

The effects of vehicle queueing for all exclusive turn-lanes were analyzed by reporting the 95th percentile queues. The 95th percentile queue length represents a condition where 95 percent of the time during the peak-hour, traffic queues are expected to be less than or equal to the queue length estimated by the analysis. This is referred to as the "95th percentile queue," which is less than the average queueing. The 95th percentile queue length was determined using HCM 6 methodology via Synchro 11 Software.

Study Area

Unacceptable or extended queueing may be defined as spillover from turn pockets into through lanes and/or spillover into adjacent intersections. The City does not have specific thresholds for identifying a project-related queueing deficiency. The TIA assumed spillover when the estimated 95th percentile queue for a turn pocket exceeds available storage by more than one car length, or 25 feet. If a turn pocket is anticipated to exceed available storage under no-project conditions, the proposed project would be expected to cause constrained access for that movement if it increases the deficient queue by more than 25 feet.

Existing Public Transit Service and Facilities

Visalia Transit provides a local fixed route bus system for City residents and visitors, with multiple bus routes operating within the study area.

Study Area

Bus Routes

Route 6 is a local bus service that operates between the Visalia Transit Center and the Visalia Medical Clinic. On weekdays, the bus route operates from 6:00 a.m. to 9:55 p.m. On weekends, service is available from 8:00 a.m. to 6:55 p.m. Within the study area, the route runs along Akers Street between SR-198 and Goshen Avenue, and along Goshen Avenue east of Akers Street. The nearest bus stop to the study area is located at Visalia Medical Clinic.

Route 7 is a local bus service that operates between the Visalia Medical Center and Target Shannon Ranch. On weekdays, the bus route operates from 6:00 a.m. to 9:48 p.m. On weekends, service is available from 8:00 a.m. to 5:48 p.m. Within the study area, the route runs along Akers Street between SR-198 and Riggin Avenue, and along Riggin Avenue east of Akers Street. Bus stops within the study area are located near the intersections of Akers Street/Goshen Avenue and Akers Street/Riggin Avenue.

Route 15 is a local bus service that operates between the Visalia Transit Center and Goshen Elementary School. On weekdays, the bus route operates from 6:00 a.m. to 10:20 p.m. On weekends, service is available from 7:30 a.m. to 6:35 p.m. Within the study area, the route runs along Shirk Street between SR-198 and Doe Avenue, Doe Avenue between Kelsey Street and Shirk Street, Goshen Avenue west of Kelsey Street, and Kelsey Street between Doe Avenue and Mineral King Avenue. A bus stop is located within the study near the intersection of Shirk Street/Doe Avenue. Bus stops are also located near the study area at San Joaquin Valley College and along Mineral King Avenue.

Route 17 is a local bus service that operates between the Visalia Medical Clinic and the intersection Kelsey Street/Hillsdale Court. On weekdays, the bus route operates from 6:00 a.m. to 10:30 p.m. On weekends, service is available from 8:00 a.m. to 6:30 p.m. Within the study area, the route runs along Shirk Street north of SR-198, along Riggin Avenue between Shirk Street and Plaza Drive, and along Plaza Drive south of Goshen Avenue. Bus stops within the study area are located near the Kelsey Street/Riggin Avenue intersection and along Riggin Avenue east of Plaza Drive.

Table 3.14-3 provides a summary of the bus services in the study area.

Table 3.14-3: Existing Transit Service

Route	Description	Weekdays		Weekends	
		Operating Hours	Headway[1] (minutes)	Operating Hours	Headway[1] (minutes)
6	Transit Center–Medical Clinic	6:00 a.m.–9:55 p.m.	60	8:00 a.m.–6:55 p.m.	60
7	Medical Clinic–Target	6:00 a.m.–9:48 p.m.	60	8:00 a.m.–5:48 p.m.	60
15	Transit Center–Goshen Elementary School	6:00 a.m.–10:20 p.m.	45	7:30 a.m.–6:35 p.m.	45
17	Medical Clinic–Kelsey/Hillsdale	6:00 a.m.–10:30 p.m.	30	8:00 a.m.–6:30 p.m.	30

Notes:
Table reflects transit schedule effective September 24, 2020 for Route 6 and Route 7, October 14, 2020 for Route 15, and October 10, 2021 for Route 17.
[1] Headways are defined as the time between transit vehicles on the same route. Listed headways are the modes of the headways and rounded to the nearest 5 minutes.

Bicycle Facilities

California Department of Transportation (Caltrans) Highway Design Manual and National Association of City Transportation Officials Urban Bikeway Design Guide define four major types of bicycle facilities:

- **Class I: Multiuse Path—**These paths provide a completely separate right-of-way and are designated for the exclusive use of bicycles and pedestrians with vehicle cross-flow minimized.

- **Class II: Bicycle Lane—**These bicycle lanes provide a restricted right-of-way and are designated for the use of bicycles for one-way travel with a striped lane on a street or highway. These bicycle lanes are generally a minimum of 5 feet wide, and vehicle/pedestrian cross-flow is permitted.
- **Class III: Bicycle Route with Sharrows—**These bikeways provide right-of-way designated by signs or pavement markings for shared use with motor vehicles. These bikeways include sharrows or "shared-lane markings" to highlight the presence of bicyclists.
- **Class IV: Buffered Bicycle Lanes—**These bicycle lanes consist of a physically separate lane for increased comfort and protection of bicyclists. These bicycle lanes can be physically separated by a barrier, such as planters or on-street parking, grade-separated from the roadway, or a painted buffer area. These can also be called cycle-tracks and can allow for one-way or two-way bicycle travel.

Project Site

Within the study area, there are limited existing bicycle improvements. New bike lanes are proposed along Riggin Avenue as part of the Riggin Avenue Widening and Improvements Capital Improvement Plan (CIP). The proposed project would construct Class II bike lanes adjacent to the project site along Kelsey Street, Clancy Street, and the west side of Shirk Street.

Pedestrian and Bike Facilities

Project Site

Within the study area, there are limited existing pedestrian improvements. Pedestrian access would be provided via new sidewalk constructed adjacent to the project site along the north side of Riggin Avenue, east side of Kelsey Street, both sides of Clancy Street, and west side of Shirk Street. Pedestrian ramps and signalized crossings would be provided at the intersections of Kelsey Street and Riggin Avenue, Clancy Street and Riggin Avenue, and Shirk Street and Riggin Avenue. The proposed project would dedicate a 25-foot setback (measured from top toe of the bank) along Modoc Ditch to meet storm drain and flood control requirements. This setback would provide space for the planned Class I bikeway along the Modoc Ditch.

Emergency Access and Routes

Study Area

The Tulare County Preparedness Guide provides guidelines regarding disaster preparedness and evacuation planning for Tulare County residents.[1] Although there are no specific designated evacuation routes, the recommended evacuation routes during an emergency would likely be main arterial roads into and out of the project vicinity, such as SR-198 in the east–west direction and SR-99 in the north–south direction. Although not expressly designated as such, given their nature and location, these roads would likely act as the main evacuation routes into and out of the project vicinity.

[1] Tulare County Office of Emergency Services (OES). 2011. Disaster Preparedness Guide. Website: https://oes.tularecounty.ca.gov/sites/oes/assets/File/Tulare%20County%20Disaster%20Preparedness%20Guide%20(2011)%20-%20English.pdf. Accessed February 28, 2023.

Project Site

Access to the proposed project would be established through the construction of 19 unsignalized driveways, which meet or exceed the minimum spacing requirements identified by the City's Design and Improvement Standards. Emergency access would be provided via these 19 points.

3.14.3 - Regulatory Framework

Federal

No federal plans, policies, regulations, or laws related to transportation are applicable to the proposed project.

State

California Department of Transportation Level of Service Goals

Caltrans builds, operates, and maintains the State highway system, including the interstate highway system. Caltrans's mission is to improve mobility Statewide. The department operates under strategic goals to provide a safe transportation system, optimize throughput and ensure reliable travel times, improve the delivery of State highway projects, provide transportation choices, and improve and enhance the State's investments and resources. Caltrans controls the planning of the State highway system and accessibility to the system. Caltrans establishes LOS goals for highways and works with local and regional agencies to assess impacts and develop funding sources for improvements to the State highway system. Caltrans requires encroachment permits from agencies for new development before any construction work may be undertaken within the State's right-of-way. For projects that would impact traffic flow and levels of service on State highways, Caltrans reviews measures to mitigate the traffic impacts. SB 743 requires that project VMT be analyzed for CEQA purposes and determination of significant impacts. Caltrans has identified an LOS objective of C/D (i.e., on the "cusp" between levels of service C and D) as the acceptable service level for signalized intersections.

Senate Bill 743

In November 2017, the Governor's Office of Planning and Research (OPR) released a technical advisory containing recommendations regarding the assessment of VMT, proposed thresholds of significance, and potential mitigation measures for lead agencies to use while implementing the required changes contained in SB 743. Also in November 2017, OPR released the proposed text for Section 15064.3, "Determining the Significance of Transportation Impacts," which summarized the criteria for analyzing transportation impacts for land use projects and transportation projects and directs lead agencies to "choose the most appropriate methodology to evaluate a project's VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure." OPR recommends that for most instances a per service population threshold should be adopted and that a 15 percent reduction below that of existing development would be a reasonable threshold.

For land use projects, SB 743 provides applicants the ability to streamline transportation analysis under CEQA for qualifying urban infill development near major transit stops in metropolitan regions throughout the State. The legislation established a new CEQA exemption for a residential, mixed-use, or employment center project if it is: (1) proposed in a Transit Priority Area (TPA) (i.e., an area within

0.5 mile of a major transit stop that is existing or planned); (2) consistent with a specific plan for which an EIR was certified, and (3) consistent with the use, intensity, and policies of a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy (APS) that is certified by the California Air Resources Board (ARB) as meeting its greenhouse gas reduction targets. In addition, SB 743 establishes that parking impacts of these projects are not considered significant impacts on the environment.

Accordingly, as of July 1, 2020, under the statute and CEQA Guidelines, localities are required to rely on VMT instead of traffic delay as the primary metric for evaluating transportation impacts in CEQA documents. The existence of automobile delay impacts, or the adequacy of an LOS analysis, is not a basis under CEQA for challenging an EIR (*Citizens for Positive Growth & Preservation v. City of Sacramento (2019)* 43 CA5th 609, 624).

Regional Regulations

Regional Transportation Plan/Sustainable Communities Strategy

The Draft 2022 Regional Transportation Plan/Sustainable Communities Strategy (2022 RTP/SCS) for Tulare County was prepared by TCAG with the assistance of its member jurisdictions. The Regional Transportation Plan (RTP) is a long-range planning document that defines how the region plans to invest in the transportation system over 20+ years based on regional goals, multimodal transportation needs for people and goods, and estimates of available funding.

The SCS is a component of the RTP, required by SB 375, that sets forth a forecasted development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, will reduce greenhouse gas (GHG) emissions from passenger vehicles and light trucks to achieve the GHG reduction targets set by the ARB. The future land use and transportation scenario presented in the SCS must accommodate forecast population, employment, and housing sufficient to meet the needs of all economic segments of population, including the State-mandated Regional Housing Needs Assessment (RHNA), while considering State housing goals.[2]

The plan sets priorities for funding and implementation of transportation-related projects throughout the County. The 2022 RTP/SCS identifies performance measures and indicators for transportation projects and improvements, including transit trips, peak-hour travel speed, cost of deferred street maintenance, and VMT.

Local Regulations

City of Visalia

Visalia General Plan Circulation Element

The Circulation Element of Visalia's existing General Plan outlines the City's standards for roadway design, improvements, and levels of service. The Circulation Element also calls for consistency and coordination of local transportation actions with State and County agencies and plans. It also

[2] Tulare County Association of Governments (TCAG). 2022. Draft 2022 Regional Transportation Plan/Sustainable Communities Strategy (2022 RTP/SCS). Website: https://tularecog.org/tcag/planning/rtp/rtp-2022/. Accessed February 28, 2023.

considers other modes of travel and includes policies pertaining to aviation, rail, transit, and non-motorized transportation (bicycle and pedestrian).

The General Plan sets the following goals and policies that are relevant to transportation in the Circulation Element:

Objective T-O-5 Plan and develop a transportation system for Visalia that contributes to community livability, recognizes and respects community characteristics, and minimizes negative impacts on adjacent land uses.

Policy T-P-22 Require all residential subdivisions to be designed to discourage use of local streets as a bypass to congested arterials, and when feasible, require access to residential development to be from collector streets.

Policy T-P-23 Require that all new developments provide right-of-way, which may be dedicated or purchased, and improvements (including necessary grading, installation of curbs, gutters, sidewalks, parkway/landscape strips, bike and parking lanes) other City street design standards. Design standards will be updated following General Plan adoption.

Policy T-P-24 Require that proposed developments make necessary off-site improvements if the location and traffic generation of a proposed development will result in congestion on major streets or failure to meet LOS D during peak periods or if it creates safety hazards.

Policy T-P-25 Require that where arterial streets are necessary through residential areas, residential development shall be oriented away (side-on or rear-on) from such streets and be properly buffered so that traffic carrying capacity of the street will be preserved and the residential environment will be protected from the adverse characteristics of the arterial street.

Policy T-P-26 Require that future commercial developments or modifications to existing developments be designed with limited points of automobile ingress and egress, including shared access, onto major streets.

Policy T-P-27 Work with Caltrans to modify the State Route 198 Route Concept Report to ensure that the facility is designated as a six-lane freeway from Downtown Visalia east to Lovers Lane.

Policy T-P-28 Promote traffic safety by requiring that ingress and egress to shopping centers be carefully designed, with minimal use of left-turn movements into and out of these centers.

Policy T-P-29 Require, where possible, that arterials and collectors form four-leg, right-angle intersections. Jogged, offset, and skewed intersections at major streets in near proximity shall be avoided, where possible.

Policy T-P-34 Develop design and development standards to improve transit service in the community, such as wider sidewalks to accommodate bus stops and bus shelters at intersections; bus pads with shelter and shading vegetation; widened rights-of-way for buses; dedicated bus lanes; on-site transit stops for commercial public, institutional and industrial facilities; and bus facilities adjacent to daycare centers, schools, and major residential areas.

Policy T-P-35 Schedule public transportation improvement projects in the Capital Improvements Program.

Policy T-P-39 Develop bikeways consistent with the Visalia Bikeway Plan and the General Plan's Circulation Element.

- Provide Class I bikeways (right-of-way for bicyclists and pedestrians separated from vehicles) along the St. Johns River, Cameron Creek, Packwood Creek, Mill Creek, Modoc Ditch, the Santa Fe Railroad right-of- way and the San Joaquin Railroad right-of-way.
- Provide Class II bikeways (striped bike lanes) along selected collector and arterial streets.
- Provide Class III bikeways (shared use bike routes) along selected local, collector, and arterial streets.

Policy T-P-41 Integrate the bicycle transportation system into new development and infill redevelopment. Development shall provide short term bicycle parking and long-term bicycle storage facilities, such as bicycle racks, stocks, and rental bicycle lockers. Development also shall provide safe and convenient bicycle and pedestrian access to high activity land uses such as schools, parks, shopping, employment, and entertainment centers.

Policy T-P-44 Increase the safety of those traveling by bicycle by:

- Sweeping and repairing bicycle paths and lanes on a regular basis;
- Ensuring that bikeways are signed and delineated according to Caltrans or City standards, and that lighting is provided as needed;
- Providing bicycle paths and lanes on bridges and overpasses;
- Ensuring that all new and improved streets have bicycle-safe drainage grates and are free of hazards such as uneven pavement or gravel;
- Providing adequate signage and markings warning vehicular traffic of the existence of merging or crossing bicycle traffic where bike lanes and routes make transitions into or across roadways.

Policy T-P-45 Require that collector streets that are identified to function as links for the bicycle transportation system be provided with Class II bikeways (bike lanes) or signed as Class III bike route facilities.

Policy T-P-48 Require construction of minimum sidewalk widths and pedestrian "clear zones" consistent with the Complete Streets cross-sections in this General Plan and with the City's Engineering and Street Design Standards for each designated street type.

Policy T-P-50 Provide pedestrian facilities that are accessible to persons with disabilities and ensure that roadway improvement projects address accessibility and use universal design concepts.

Objective OSC-P-23 Where no urban development exists, maintain a minimum riparian habitat development setback from the discernible top of the bank—50 feet for both sides of the Mill, Packwood and Cameron Creek corridors and 25 feet for both sides of Modoc, Persian and Mill Creek Ditches—provided that where riparian trees are located within 100 feet of the discernible top of the banks of the Creek corridors and 50 from the banks for the ditches, the setback shall be wide enough to include five feet outside the drip line of such trees. Restore and enhance the area within the setback with native vegetation.

- Where existing development or land committed to development prohibits the 50-foot setback on Mill, Packwood, and Cameron Creek corridors, provide the maximum amount of land available for a development setback.
- Where existing development or land committed to development prohibits the 25-foot setback along Modoc, Persian, and Mill Creek Ditches, provide the maximum amount of land available for a development setback.

Visalia Active Transportation Plan

The Active Transportation Plan (ATP) is meant to provide the means to support active transportation, specifically bicycling and walking, as an alternative mode of transportation for work, daily activities, and recreational trips.

The Modoc Ditch Trail is listed in the ATP as a trail with opportunities for key linkages to other trails.

Overall Circulation System Planning

Objective T-0-4 Ensure that new development pays its fair share of the costs of new and improved transportation facilities.

Planned Improvement

Policy T-P-23 Require that all new developments provide right-of-way, which may be dedicated or purchased, and improvements (including necessary grading, installation of curbs, gutters, and sidewalks, parkway/landscape strips, bike and parking lanes) or other City street design standards. Design standards will be updated following General Plan adoption.

Bicycle Transportation and Trails System

Policy T-P-39 Develop bikeways consistent with the Visalia Bikeway Plan and the General Plan's Circulation Element.

- Provide Class I bikeways (rights-of-way for bicyclists and pedestrians separated from vehicles) along the St. Johns River, Cameron Creek, Packwood Creek, Mill Creek, Modoc Ditch, the Santa Fe Railroad right-of-way and the San Joaquin Railroad right-of-way.
- Provide Class II bikeways (striped bike lanes) along selected collector and arterial streets.
- Provide Class III bikeways (shared use bike routes) along selected local, collector, and arterial streets.

Policy T-P-41 Integrate the bicycle transportation system into new development and infill redevelopment. Development shall provide short term bicycle parking and long-term bicycle storage facilities, such as bicycle racks, stocks, and rental bicycle lockers. Development also shall provide safe and convenient bicycle and pedestrian access to high activity land uses such as schools, parks, shopping, employment, and entertainment centers.

Pedestrian Circulation

Policy T-P-48 Require construction of minimum sidewalk widths and pedestrian "clear zones" consistent with the Complete Streets cross-sections in this General Plan and with the City's Engineering and Street Design Standards for each designated street type.

Policy T-P-50 Provide pedestrian facilities that are accessible to persons with disabilities and ensure that roadway improvement projects address accessibility and use universal design concepts.

Implementation Plan.

Policy 1.9 Require proposed new development to create landscape and lighting districts to fund the maintenance of infrastructure, including active transportation elements, along major roadways.

Policy 2.3 Include facilities that support active transportation in all new development projects. This should include pedestrian/bicycle connections from contemporary subdivision designs to surrounding arterials and collectors, bicycle parking at shopping, employment, and recreational centers, and bikeways on new collector and arterial roadways.

Policy 2.5 Ensure that on-street parking does not conflict with Class II bike lanes, and restrict parking near intersections and crosswalks to improve visibility and enhance safety for pedestrians and bicyclists.

Policy 2.6 Identify safety counter measures at areas of high collision activity. Recommend and implement safety improvements.

Policy 8.3 Encourage new large scale commercial, office, and industrial development to provide a variety of support facilities such as secure and convenient bicycle parking and shower/locker facilities.

*Engineering Design and Improv*ement Standards

SD-3 of the City's Engineering Design and Improvement Standards outlines the Sight Distance Requirements for Arterial and Collector Streets.

3.14.4 - Methodology

Impacts related to transportation resulting from implementation of the proposed project are discussed below. The impact analysis is based on the TIA and the VMT analysis prepared for the proposed project and review of the General Plan and the 2022 RTP/SCS. Additionally, the impact analysis is based on review of the City's *VMT Threshold and Implementation Guidelines* and review of the applicable federal, State, and local policies and regulations.

Project VMT

Screening thresholds from the City's VMT Guidelines related to the proposed land use is broken into the following three steps:

1. TPA Screening: As described in the OPR Technical Advisory, projects located within 0.5 mile from an existing major transit stop or within half of a mile from an existing stop along a high-quality transit corridor can be screened out.
2. Low VMT Area Screening: Projects that are consistent with the City's General Plan and are located within low VMT efficient areas can be screened out. These areas are identified in the City's guidelines.
3. Low Project Type Screening: Projects that are consistent with the City's General Plan and generate fewer than 1,000 daily trips could be considered not to lead to a significant impact and can be screened out. For projects that are not consistent with the City's General Plan, the trip threshold is 500 daily trips.

A land use project must only meet one of the above screening thresholds to be presumed to not result in a significant impact under CEQA pursuant to SB 743. However, the proposed project does not meet any of the screening thresholds. Therefore, a complete VMT analysis is required to further evaluate the proposed project's potential VMT impacts.

Because the project site would be annexed into the City, the evaluation of VMT was conducted in accordance with the City's adopted VMT Thresholds and Implementation Guidelines, consistent with other recently approved/annexed projects. These guidelines provide direction to reviewing agency staff, consultants, and project applicants regarding the methodologies and thresholds to be used for VMT analysis within the City. The guidelines also provide basic principles for conducting VMT

analysis based on OPR Technical Advisory, with revisions made to reflect local characteristics of the City, specifically nonresidential/office/retail land uses.

The County's thresholds of significance, as adopted by the City, are summarized below:

- Residential–exceeds a level of 16 percent below existing regional average VMT per capita;
- Office–exceeds a level of 16 percent below existing regional average VMT per employee;
- Retail–any net increase in total VMT;
- Other (consistent with some refinements made to reflect the predominantly rural character of General Plan)–any net increase in VMT per employee; and
- Other (not consistent with General Plan)–exceeds a level of 16 percent below existing regional average VMT per employee.

Based on the available land use category options, it was determined that the proposed project would fall under the category of "Other" uses as the VMT related to the proposed project is primarily produced by industrial employees. As discussed in Chapter 2, Project Description, the proposed project involves an industrial use and is consistent with the Industrial and Light Industrial land use designations that currently apply to the project site and should be treated as "consistent with General Plan."

Therefore, the proposed project would result in a significant CEQA transportation impact if the project VMT per employee exceeds the average VMT per employee for the Traffic Analysis Zone (TAZ) where the project is located.

For consistency with the City, the VMT metric for the proposed project conditions was calculated by using the same Tulare County Association of Governments (TCAG) Travel Demand Model and recommended methodology. TCAG model is a tool used to forecast travel patterns in Tulare County based on estimated future land use and roadway network changes, as well as determination of VMTs.

Trip Generation

Trip generation estimates are based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition. A trip is defined as a single or one-directional vehicle movement with either the origin or destination at the project site. In other words, a trip can be either "to" or "from" the site and therefore, a single visitor to a site is counted as two. Trips generated by the proposed project are estimated for the AM and PM commuter peak-hours between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on a typical weekday. Trips generated were based on the average rates for ITE Land Use 130 (Industrial Park) for the warehouse buildings, ITE Land Use 151 (Mini-Warehouse) for the mini-storage/RV parking, ITE Land Use 934 (Fast-Food Restaurant with Drive-Through) for the fast-food restaurant, Land Use 945 (Convenience Store with Gas Station) for the convenience market, and ITE Land Use 947 (Self-Service Car Wash) for car wash facility. Consistent with the Highway Capacity Manual (HCM) and the City of Visalia's Procedures for Traffic Impact

Analysis (Updated March 2021), a Passenger Car Equivalent (PCE) of 2.0 was applied to the truck volumes to analyze their effects more accurately on roadway capacity and queueing.

Trip reductions were taken into account for internal capture and pass-by trips. With multiuse development, there is potential for interaction among uses within the site. These types of trips are considered internal to the site and are "captured" within the site. Typically, internal capture is derived by methodology and data set forth in the ITE Trip Generation Handbook, 3rd Edition. However, these percentages exceed the 5 percent maximum reduction that is accepted by Caltrans. Therefore, the VMT analysis conservatively assumes an internal capture of 5 percent maximum reduction that is accepted by Caltrans. Additionally, commercial uses like ITE Land Uses 934 and 945 generate pass-by trips. These trips represent vehicles already on the road that stop as they pass by the site on their route to another destination. For the purposes of the VMT analysis, pass-by trips enter and exit the project site at the project driveways but are not new/added trips on the external street and roadway network. Pass-By trip reductions are based on information from ITE Trip Generation Manual, 11th Edition, which recommend 50 percent/55 percent for Land Use 934, and 76 percent AM/75 percent PM for the Land Use 945. Since the half of the site east of Clancy Street is composed of mixed uses, internal capture and pass-by trip reductions are applied to the traffic generated by this side of the proposed project only.

Employment Generation

The proposed project is expected to generate 4,177 employees, which is estimated by comparing the ITE trip rate per employee to the expected daily traffic generated.[3]

3.14.5 - Thresholds of Significance

The lead agency utilizes the criteria in CEQA Guidelines Appendix G Environmental Checklist to determine whether transportation and traffic impacts are significant environmental effects. Would the project:

a) Conflict with a program plan, ordinance or policy of the circulation system, including transit, roadway, bicycle and pedestrian facilities?

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

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

d) Result in inadequate emergency access?

3.14.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the proposed project and provides mitigation measures where necessary.

[3] For the purpose of conservative analysis, 4,180 employees were utilized in the VMT analysis.

Affect to Circulation System

Impact TRANS-1: Would the project conflict with a program plan, ordinance or policy of the circulation system, including transit, roadways, bicycle and pedestrian facilities?

Impact Analysis

Construction

Bicycle

There are currently limited existing bicycle improvements on Plaza Drive, Riggin Avenue, and Goshen Avenue. A Class I bike lane is present on the north side of Goshen Avenue, between the SR-99 and South Giddings Street. There are no bicycle improvements on Kelsey Street, Shirk Street, Avenue 320, Avenue 316, or other roadways in the existing roadway network. There are no Class II or Class III facilities within the existing roadway network. Because there are no existing Class II or Class III bicycle facilities and limited Class I facilities, road construction of the proposed project would not result in the temporary closure of bicycle facilities during construction. Therefore, construction impacts related to circulation system performance in terms of bicycle facilities would be less than significant.

Pedestrian

There are currently limited pedestrian improvements on Plaza Drive, Kelsey Street, Shirk Street, Avenue 320, Avenue 316, Riggin Avenue and Goshen Avenue, including a sidewalk along the south side of Riggin Avenue. Because the existing pedestrian improvements are limited, construction of the proposed project would not result in significant impacts. Should any sidewalks be temporarily shut down during construction, there are alternative pedestrian facilities in the vicinity, and access to alternative pedestrian facilities would remain available. Therefore, construction impacts related to circulation system performance in terms of pedestrian facilities would be less than significant.

Transit

The nearest existing bus stops to the study area are located at Visalia Medical Clinic, near the intersections of Akers Street/Goshen Avenue and Akers Street/Riggin Avenue, near the intersection of Shirk Street/Doe Avenue, at San Joaquin Valley College, along Mineral King Avenue, near Kelsey Street/Riggin Avenue, and along Riggin Avenue east of Plaza Drive. Construction of the proposed project would not adversely affect or otherwise conflict with existing pedestrian access to these bus stops. Should any sidewalks be temporarily shut down during construction, there are alternative roadway connections to these bus stops, and pedestrian access to these bus stops would remain available throughout construction. Therefore, construction impacts related to circulation system performance in terms of transit facilities would be less than significant.

Operation

Bicycle

According to the TIA, no bicycle-related deficiencies are anticipated due to the proposed project. Bicycle connectivity would be improved by the bike facilities that are proposed, including new bike lanes along Riggin Avenue and Class II bike lanes along Kelsey Street, Clancy Street, and Shirk Street. Therefore, operational impacts related to circulation system performance in terms of bicycle facilities would be less than significant.

Pedestrian

Proposed pedestrian improvements include new sidewalks, pedestrian ramps and signalized crossings. New sidewalk improvements would be located adjacent to the project site along the north side of Riggin Avenue, east side of Kelsey Street, both sides of Clancy Street, and west side of Shirk Street. The proposed project would also construct pedestrian ramps and signalized crossings at the intersections of Kelsey Street and Riggin Avenue, Clancy Street and Riggin Avenue, Shirk Street and Riggin Avenue. The proposed improvements are expected to enhance pedestrian connectivity.

The City's ATP requires a 25-foot setback for construction of appropriate storm drainage and flood control. In addition, the ATP relies on that setback for a planned Class I bikeway along the south side of the Modoc Ditch. The proposed project would comply with the City's ATP by dedicating 28 feet for a pedestrian trail along the south side of Modoc Ditch. This is incorporated as Mitigation Measure (MM) TRANS-1. Per MM TRANS-2, storm drainage and waterways impact fees would be collected to allow the City to construct appropriate trails along waterways.

Therefore, no pedestrian-related deficiencies are anticipated due to the proposed project. Operational impacts to pedestrian facilities associated with the proposed project would be less than significant.

Transit

Visalia Transit Route 17 provides services along Riggin Avenue. The separate, already-approved Riggin Avenue Widening and Improvements CIP that would be constructed by the City and other third parties involves the installation of an additional bus stop adjacent to the project site at the northwest corner of Shirk Street and Riggin Avenue. The proposed project would enhance connectivity to this future transit stop through its installation of the sidewalk and bicycle facilities discussed above. Therefore, no transit-related deficiencies are anticipated due to the proposed project. Operational impacts related to circulation system performance in terms of transit facilities would be less than significant.

Queueing

Intersection No. 3–Plaza Drive and Riggin Avenue

The LOS analysis shows this intersection is expected to operate at an acceptable LOS during the AM and PM peak periods of all Near-Term and Long-Term scenarios analyzed. Since LOS is acceptable and since the westbound left-turns movements are projected to just exceed 300 turning movements for the Near-Term (2028) Plus Project Buildout scenario (242 AM peak-hour/302 PM peak-hour), dual left-turn pockets are not suggested at this time. It is recommended that the proposed project modify the raised median to extend the existing westbound left-turn pocket by 100 feet, to provide 400-foot left-turn pocket. It is also recommended that the existing northbound right-turn stripe be extended to 300 feet. This is included as MM TRANS-3.

Intersection No. 14–Shirk Street and Riggin Avenue

The proposed project is expected to result in a queueing deficiency for the following conditions:

- Near-Term (2025) Plus Phase 1 (AM and PM peak-hours)–NBL/EBR
- Near-Term (2026) Plus Phase 2 (AM and PM peak-hours)–NBL/EBR
- Near-Term (2028) Plus Project Buildout (AM and PM peak-hours)–NBL/EBR

Under Near-Term (2025) Conditions Plus Phase 1, the proposed project is projected to cause a queueing deficiency since one or more queues would extend beyond the turn pockets, and since it would increase the queue length by more than 25 feet. Under the ensuing scenarios, the queueing increases further. This is included as MM TRANS-4.

3.14.7 - LOS Analysis

Level of Service

The General Plan Policy TC-1.16 and the City TIA Guidelines set a minimum acceptable LOS standard of LOS D. According to the TIA, a LOS operational analysis was conducted in accordance with the significance criteria provided in the City's TIA Guidelines. Project deficiencies were determined based on criteria established in the City's TIA Guidelines.

Existing (2022) Conditions

The intersection LOS analysis results under Existing (2022) Conditions shows that all intersections are expected to operate at LOS D or better during the commuter peak periods. Construction of the proposed project would not adversely affect or otherwise conflict with the existing LOS conditions.

Near-Term (2025) Conditions

Under Near-Term (2025) Conditions, all intersections are expected to operate at LOS D or better during the commuter peak periods with the exception of:

- Intersection No. 15–Shirk Street and Ferguson Avenue (LOS F–PM peak-hour).
- Intersection No. 19–Roeben Street and Riggin Avenue (LOS F–AM peak-hour and PM peak-hour).
- Intersection No. 23–Akers Street and Riggin Avenue (LOS E–AM peak-hour/LOS F–PM peak-hour).

Near-Term (2025) Conditions Plus Phase 1

Under Near-Term (2025) Conditions Plus Phase 1, all intersections are expected to operate at LOS D or better during the commuter peak periods with the exception of:

- Intersection No. 15–Shirk Street and West Ferguson Avenue (LOS F–PM peak-hour).
- Intersection No. 19–Roeben Street and Riggin Avenue (LOS F–AM and PM peak-hours).
- Intersection No. 23–Akers Street and Riggin Avenue (LOS E–AM peak-hour and peak-hour).
- Intersection No. 24–Akers Street and Ferguson Avenue (LOS E–AM peak-hour).

Near-Term (2026)

Under Near-Term (2026) Conditions, all intersections are expected to operate at LOS D or better during the commuter peak periods with the exception of:

- Intersection No. 15–Shirk Street and Ferguson Avenue (LOS F–PM peak-hour).
- Intersection No. 19–Roeben Street and Riggin Avenue (LOS F–AM peak-hour and PM peak-hour).

- Intersection No. 23–Akers Street and Riggin Avenue (LOS E–AM peak-hour/LOS F–PM peak-hour).

Near-Term (2026) Plus Phase 2

Under Near-Term (2026) Conditions Plus Phase 2, all intersections are expected to operate at LOS D or better during the commuter peak periods with the exception of:

- Intersection No. 15–Shirk Street and Ferguson Avenue (LOS E–AM peak-hour/LOS F–PM peak-hour).
- Intersection No. 19–Roeben Street and Riggin Avenue (LOS F–AM and PM peak-hours).
- Intersection No. 23–Akers Street and Riggin Avenue (LOS E–AM peak-hour/LOS F–PM peak-hour).
- Intersection No. 24–Akers Street Ferguson Avenue (LOS E–AM peak-hour).

Near-Term (2028) Level of Service

Under Near-Term (2028) Conditions, all intersections are expected to operate at LOS D or better during the commuter peak periods with the exception of:

- Intersection No. 15–Shirk Street and Ferguson Avenue (LOS F– PM peak-hour).
- Intersection No. 23–Akers Street and Riggin Avenue (LOS E–AM peak-hour/LOS F–PM peak-hour).
- Intersection No. 24–Akers Street and Ferguson Avenue (LOS E–AM peak-hour).

Near-Term (2028) Plus Project Buildout

Under Near-Term (2028) Conditions Plus Project Buildout, all intersections are expected to operate at LOS D or better during the commuter peak periods with the exception of:

- Intersection No. 15–Shirk Street and Ferguson Avenue (LOS F–AM and PM peak-hours).
- Intersection No. 23–Akers Street and Riggin Avenue (LOS F–AM and PM peak-hours).
- Intersection No. 24–Akers Street and Ferguson Avenue (LOS E–AM peak-hours).

Long-Term (2033)

Under Long-Term (2033) Conditions, all intersections are expected to operate at LOS D or better during the commuter peak periods with the exception of:

- Intersection No. 15–Shirk Street and Ferguson Avenue (LOS F–PM peak-hour)
- Intersection No. 23–Akers Street and Riggin Avenue (LOS F–AM and PM peak-hour)
- Intersection No. 24–Akers Street and Ferguson Avenue (LOS E–AM peak-hour)

Long-Term (2033) Plus Project Buildout

Under Long-Term (2033) Conditions Plus Project Buildout, all intersections are expected to operate at LOS D or better during the commuter peak periods with the exception of:

- Intersection No. 15–Shirk Street and Ferguson Avenue (LOS F–AM and PM peak-hours).
- Intersection No. 23–Akers Street and Riggin Avenue (LOS F–AM and PM peak-hours).
- Intersection No. 24–Akers Street and Ferguson Avenue (LOS E–AM peak-hour).

Long-Term (2038)

Under Long-Term (2038) Conditions, all intersections are expected to operate at LOS D or better during the commuter peak periods with the exception of:

- Intersection No. 15–Shirk Street and Ferguson Avenue (LOS F–PM peak-hour).
- Intersection No. 23–Akers Street and Riggin Avenue (LOS F–AM and PM peak-hours).
- Intersection No. 24–Akers Street and Ferguson Avenue (LOS E–AM peak-hour).

Long-Term (2038) Plus Project Buildout

Under Long-Term (2038) Conditions Plus Project Buildout, all intersections are expected to operate at LOS D or better during the commuter peak periods with the exception of:

- Intersection No. 15–Shirk Street and Ferguson Avenue (LOS F–AM and PM peak-hours).
- Intersection No. 23–Akers Street and Riggin Avenue (LOS F–AM and PM peak-hours).
- Intersection No. 24–Akers Street and Ferguson Avenue (LOS E–AM peak-hour).

Long-Term (2048)

Under Long-Term (2048) Conditions, all intersections are expected to operate at LOS D or better during the commuter peak periods with the exception of:

- Intersection No. 15–Shirk Street and Ferguson Avenue (LOS F–PM peak-hour).
- Intersection No. 20–Roeben Street and Ferguson Avenue (LOS E–PM peak-hour).
- Intersection No. 23–Akers Street and Riggin Avenue (LOS F–AM and PM peak-hours).
- Intersection No. 24–Akers Street and Ferguson Avenue (LOS E–AM peak-hour).

Long-Term (2048) Plus Project Buildout

Under Long-Term (2048) Conditions Plus Project Buildout, all intersections are expected to operate at LOS D or better during the commuter peak periods with the exception of:

- Intersection No. 15–Shirk Street and Ferguson Avenue (LOS F–AM and PM peak-hours).
- Intersection No. 20–Roeben Street and Ferguson Avenue (LOS F–AM and PM peak-hours).
- Intersection No. 23–Akers Street and Riggin Avenue (LOS F–AM and PM peak-hours).
- Intersection No. 24–Akers Street and Ferguson Avenue (LOS E–AM peak-hour).

According to the LOS operational analysis, the proposed project would result in queueing deficiencies at several intersections and would require implementation of the improvements recommended in the TIA. These recommendations are incorporated as the following mitigation measuresto reduce project impacts related to LOS. With implementation of MM TRANS-1 through MM TRANS-8, impacts would be less than signficant.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM TRANS-1 Prior to the issuance of building permits, the project shall comply with the City's Active Transportation Plan (ATP) and dedicate 28 feet for a pedestrian trail along the south side of Modoc Ditch.

MM TRANS-2 Prior to the building permits, the developer shall appropriate Storm Drainage and Waterways impact fees.

MM TRANS-3 Plaza Drive and Riggin Avenue: Prior to the issuance of grading permits the proposed project shall provide site plans that show modification of the raised median to extend the existing westbound left-turn pocket by 100 feet, to provide a 400-foot left-turn pocket. The existing northbound right-turn stripe shall be extended to 300 feet. These improvements shall occur in the year 2026. The project proponent shall be financially responsible for these improvements. "Financially responsible" shall equate to implementing the project as well as paying for the project.

MM TRANS-4 Shirk Street and Riggin Avenue: The proposed project shall provide dual northbound left-turn pockets (300-foot minimum) and a 300-foot minimum southbound left-turn pocket. Since a 300-foot eastbound right-turn pocket would already be installed by the Capital Improvement Plan (CIP) project, additional recommendations are not proposed. These improvements shall occur in the year 2025. The project's contribution to the Transportation Impact Fees (TIF) will assist in paying for these improvements.

MM TRANS-5 Shirk Street and Ferguson Avenue: Prior to the issuance of final occupancy of any project area, the proposed project shall signalize the intersection, subject to pro rata cost sharing with the adjacent Carlton Acres Specific Plan project. This improvement would allow the intersection to operate at an acceptable Level of Service (LOS) for the deficient scenarios, while reducing the vehicles queues for all intersection turn pockets below the storage capacity. Costs of implementing MM TRANS-5 are expected to be shared by Carlton Acres Specific Plan (CASP) and the proposed project as it provides access to both sites.

MM TRANS-6 Roeben Street and Ferguson Avenue: Prior to final occupancy of any portion of Phase 3, the proposed project shall make a 26.2 percent fair share contribution toward signalizing this intersection. Based on the estimated signalization and interconnect cost of $500,000, the proposed project shall contribute up to $131,000 for these future improvements.

MM TRANS-7 Akers Street and Riggin Avenue: The proposed project shall provide an additional northbound left-turn pocket and through lane and provide an additional eastbound/westbound through lane. Costs of implementing MM TRANS-7 are expected to be shared by Carlton Acres Specific Plan (CASP), the proposed project, and others as it provides access to multiple sites under development.

MM TRANS-8 Akers Street and Ferguson Avenue: The proposed project shall provide an additional northbound/southbound through lane and right-turn pocket (150-foot minimum) and provide an eastbound right-turn pocket (150-foot minimum). Costs of implementing MM TRANS-8 are expected to be shared by Carlton Acres Specific Plan (CASP) and the proposed project as it provides access to both sites.

MM TRANS-9 Akers Street and Goshen Avenue: The proposed project shall modify the raised median to extend the existing southbound left-turn pocket to 400 feet. It is not recommended to exceed this length further in order to maintain access to the existing driveway north of the intersection. The existing southbound right-turn stripe shall be extended to 400 feet minimum. Costs of implementing MM TRANS-9 are expected to be shared by Carlton Acres Specific Plan (CASP) and the proposed project as it provides access to both sites.

Level of Significance After Mitigation.

Less than significant impact with mitigation incorporated.

Conflict with CEQA Guidelines Section 15064.3, Subdivision (b)

Impact TRANS-2: Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Impact Analysis

The VMT analysis identified project-related VMT impacts based on applicable criteria within the City VMT Guidelines and recommended feasible mitigation measures to address any identified VMT impacts. VMT refers to the amount and distance of automobile travel that is, "attributable to a project." The proposed project will be built in three phases over a period of approximately 4 years. However, for the purposes of the VMT analysis, only the project's full buildout condition was assessed to fully capture the project's VMT impacts in the region.

As shown in Table 3.14-4 below, It is estimated that Phase 1 of development would generate approximately 7,347 daily PCE trips, with 709 PCE trips (548 inbound/161 outbound) during the AM commuter peak-hour and 709 trips (167 inbound/542 outbound) during the PM commuter peak-hour. It is estimated that the proposed project's Phase 1 and 2 developments (combined) would generate approximately 17,790 daily PCE trips, with 1,183 PCE trips (870 inbound/313 outbound) during the AM commuter peak-hour and 1,162 trips (315 inbound/847 outbound) during the PM commuter peak-hour. It is estimated that buildout of the proposed project (Phase 1, 2 and 3 combined) would generate a total of approximately 21,409 daily PCE trips, with approximately 1,508 PCE trips (1,119 inbound/389 outbound) during the AM commuter peak-hour and approximately 1,495 trips (399 inbound/1,097 outbound) during the PM commuter peak-hour.

Table 3.14-4: Trip Generation Summary

Phase	Daily PCE Trips	AM Peak-hour Trips	PM Peak-hour Trips
1	7,347	709	709
1 and 2	17,790	1,183	1,162
1, 2, and 3	21,409	1,508	1,495

Notes:
PCE = Passenger Car Equivalent
Source: Kimley-Horn. 2023. Transportation Impact Analysis Shirk & Riggin Industrial Park. October.

In addition, the proposed project is expected to generate 4,177 employees.[4]

Based on the City's SB 743 Guidelines, the proposed project would have a significant impact if it does not meet screening thresholds and if the average VMT/employee would be greater than or equal to the VMT/employee of the TAZ in which the project is located. The proposed project would not meet any of the screening criteria that would allow it to be presumed to have a less than significant impact. Therefore, a VMT analysis was performed.

The proposed project is expected to increase VMT per employee within the TAZ it is located by approximately 0.15 mile, or 1.54 percent of the total miles traveled. Therefore, the proposed project would result in a significant VMT impact, requiring mitigation.

MM TRANS-10a and MM TRANS-10b would be implemented in order to reduce VMT impact. Combining these two mitigation measures would reduce the proposed project's VMT per employee by 1.75 percent, exceeding the proposed project's 1.54 percent impact. Therefore, the proposed project's VMT impact would be mitigated.

In addition to the proposed mitigation measures, VMT is expected to be further reduced with the construction of the adjacent Carlton Acres development, which contains a high number of residential units. The interaction between the proposed project's employment opportunities adjacent to the added residential units was not considered by the TCAG travel demand model, but would further reduce VMTs. Additionally, the construction of a bike path along Modoc Ditch is expected to reduce the miles traveled of nearby existing and future developments as it provides an important bicycle and pedestrian connection for the City and County.

Level of Significance Before Mitigation

Potentially significant impact.

[4] For the purpose of conservative analysis, 4,180 employees were utilized in the VMT analysis.

Mitigation Measures

MM TRANS-10a Prior to the issuance of building permits, the site plan shall include the location of up to six secured bicycle storage lockers near each of the buildings entrances and the future transit stop. Up to 10 potential locations shall be included, for a total of up to 60 lockers throughout the site.

Lockers shall be provided for approximately 1.5 percent of the 4,178 site's daily employees with flexibility to add future lockers based on demand.

MM TRANS-10b Prior to final occupancy of any portion of Phase 1, the developer shall construct a bike path along Modoc Ditch, between Kelsey Street and Shirk Street (approximately 1-mile).

The existing Class I bike path along Modoc ditch runs to the east of the proposed project, between Dinuba Boulevard and the St. John's River Trail. The Carlton Acres Specific Plan (CASP) project also proposed to construct a portion of the Class I path within the site. Therefore, the bike path shall connect to a new path proposed within the CASP site and future segments to the east and west. This mitigation is subject to contractability and approval by Cal Water.

Level of Significance

Less than significant impact with mitigation incorporated.

Hazards

Impact TRANS-3: 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)?

Impact Analysis

Construction

Construction of the proposed project would require regular deliveries of equipment and materials to the project site as well as daily trips by construction workers. Given the location of the project site, construction traffic would be expected to access the project site from Riggin Avenue via SR-99. This routing would generally avoid residential streets. For the purposes of the TIA and in accordance with the applicant's project development goals, construction of the proposed project is anticipated to begin in March 2024 and be completed in March 2028, with operations commencing upon the completion of construction of the proposed project. However, the resulting daily and peak-hour traffic volumes during the construction period are anticipated to be less than during project operation as analyzed in the TIA. It should be noted that while the construction schedule assumes that none of the three project phases may overlap, the potential remains for project phases to be constructed concurrently. Therefore, a conservative analysis considers both scenarios (i.e., sequential and concurrent phasing). In a reasonable worst-case scenario where all three project phases overlap, it is estimated that construction traffic would result in less than 50 percent of the trips generated under Phase I development analyzed in the TIA.

During construction, the proposed project would require the delivery of heavy construction equipment using area roadways, some of which may require transport by oversize vehicles. Heavy equipment associated with these components would not be hauled to/from the site daily, but rather would be hauled in and out on an as needed basis. Nevertheless, the use of oversize vehicles during construction could create a hazard to the public by limiting motorist views on roadways and by the obstruction of space, which is considered a potentially significant impact. In addition, the project construction activities may result in some temporary lane closures in the area. The proposed project would be required under existing regulations to obtain California Highway Patrol escorts, as well as coordinate the timing of transport, in oversize load permits from Caltrans and Kings County, as appropriate. Therefore, a reasonable worst-case concurrent construction of all phases would not worsen the LOS or impact traffic movement or create roadway hazards to a greater extent than the project as analyzed in the TIA.

Furthermore, MM TRANS-11, would require standard construction traffic control measures be implemented as is consistent with applicable Caltrans and City policies. Measures would require the preparation and implementation of a Construction Traffic Control Plan that would reduce the potential for construction vehicle conflicts with other roadway users. Therefore, construction impacts related to roadway safety hazards would be less than significant with mitigation incorporated.

Operation

A sight distance analysis for each project driveway was conducted to determine whether outbound vehicles would have adequate sight distance to observe conflicting traffic along the intersecting public roadways. Intersection sight distance for the project driveways were evaluated following methodology outlined by the City of Visalia Design and Improvement Standard SD-3, which is based on guidance outlined by the American Association of State Highway and Transportation Officials, A Policy on Geometric Design of Highway and Street, 7th Edition. The proposed project would be required to satisfy the required sight lines and clear zone requirements for all project driveways, to ensure roadway hazards are minimized.

Additionally, a collision analysis was conducted as part of the TIA. The collision analysis determined any historic trends that may indicate existing safety hazards present in the study area. Collision data was obtained from the Statewide Integrated Traffic Record System (SWITRS) between January 1, 2018 to December 31, 2020. Over the 3-year period, there was a total of 74 documented collisions, mostly occurring along Goshen Avenue. The most common collision type was a broadside collision. On the proposed project's frontage, along Riggin Avenue and Shirk Road, a total of 11 collisions occurred during the same time period. The most common collision type was a hit object collision.

The study intersections with the most collisions over the 3-year period are the following:

- Intersection No. 6–Plaza Drive and Goshen Avenue
  - 10 collisions (most common collision was rear end)
- Intersection No. 12–Shirk Street and Avenue 320
  - 12 collisions (all collisions were broadside)

- Intersection No. 25–Akers Street and Goshen Avenue
  - 11 collisions (most common collision was rear end).

Considering the generally low traffic volumes at Shirk Street and Avenue 320, the 12 collisions indicate a much higher accident frequency than the rest of study area and a potential safety concern. The County has installed large "STOP" signs and advance "STOP AHEAD" signs on each intersection approach. A street light has also been approved for the intersection, which is currently awaiting approval from the Southern California Edison (SCE). No further intersections are required.

Access to the project site would be provided via 19 new driveways and would contain an internal network of drive aisles. The entrances and roadways providing access to the proposed project would be required to obtain City encroachment permits, comply with applicable provisions of the City's Fire Code and other applicable laws and regulations and would implement improvement measures and would thus operate at acceptable service levels. Furthermore, proposed roadway improvements would further increase roadway safety by being designed according to applicable City, Caltrans, and industry standards. Therefore, impacts associated with roadway design safety hazards would be less than significant.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM TRANS-11 Prior to the issuance of construction permits, the project developer shall prepare and submit a Construction Traffic Control Plan to the City of Visalia for approval and implement the approved Construction Traffic Control Plan during construction. The Construction Traffic Control Plan shall be prepared in accordance with both the California Department of Transportation Manual on Uniform Traffic Control Devices and Work Area Traffic Control Handbook and shall include, but not be limited to, the following issues:

a. Timing of deliveries of heavy equipment and building materials;
b. Directing construction traffic with a flag person;
c. Placing temporary signing, lighting, and traffic control devices if required, including, but not limited to, appropriate signage along access routes to indicate the presence of heavy vehicles and construction traffic;
d. Ensuring access for emergency vehicles to the project site;
e. Temporarily closing travel lanes or delaying traffic during materials delivery, transmission line stringing activities, or any other utility connections;
f. Maintaining access to adjacent property; and,
g. Specifying both construction-related vehicle travel and oversize load haul routes, minimizing construction traffic during the AM and PM peak-hour, distributing construction traffic flow across alternative routes to access the project sites, and avoiding residential neighborhoods to the maximum extent feasible.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

Emergency Access

Impact TRANS-4: Would the project result in inadequate emergency access?

Impact Analysis

Construction

As discussed above, project construction activities could result in potential vehicular access issues due to potential temporary road detours and/or closures to accommodate the proposed project, which could impede emergency access. MM TRANS-11 would require the preparation and implementation of a Construction Traffic Control Plan that would reduce the potential for construction vehicle conflicts with other roadway users. The Construction Traffic Control Plan would so include measures to ensure that construction would not interfere with emergency response or evacuation plans. With implementation of MM TRANS-11, less than significant impacts are anticipated. Therefore, no significant impacts to vehicular and emergency access would occur during construction activities.

Operation

Several factors determine whether a project has sufficient access for emergency vehicles, including:

- Location of closest fire stations.
- Number of access points (both public and emergency access only).
- Width, height, and turning radius of access points.
- Width, height, and turning radius of internal roadways.

Each of these factors is discussed in further detail below.

Fire Station 55 is the nearest Visalia Fire Department (VFD) station, located approximately 0.39 mile south of the project site at 6921 West Ferguson Avenue. Primary fire protection access to the project site would occur from existing roadways that would not be changed as part of the proposed project. Vehicular access for the proposed project consists of 19 driveways, 18 of which would be unsignalized, that would intersect the public streets, detailed below:

- Phase 1
  - Kelsey Street: five full-access driveways
  - Clancy Street: four full-access driveways
- Phase 2
  - Riggin Avenue: one limited-access driveway
  - Riggin Avenue: one right-in/right-out driveway
  - Clancy Street: four full-access driveways
  - Shirk Street: one right-in/right-out driveway
- Phase 3
  - Riggin Avenue: one limited-access driveway

- Shirk Street: one right-in/right-out driveway
- Shirk Street: one limited-access driveway

An internal network of drive aisles would connect the overall project. Proposed off-site roadway improvements would be constructed by the proposed project along Riggin Avenue, Kelsey Street, Clancy Street and Shirk Street, and City encroachment permits would be obtained prior to the start of construction.

The provision of these access points would satisfy the applicable California Fire Code's emergency access requirements. Moreover, the width of these access points and internal roadways would adhere to all other applicable local and State requirements and standards to ensure that access roadways can accommodate fire apparatus vehicles and adequate turning radius, including Section 503, Fire Apparatus Access Roads, of the California Fire Code,[5] as well as Chapter 8.20 of the Visalia Municipal Code.[6] For the foregoing reasons, impacts related to adequate emergency access would be less than significant with mitigation implemented.

Mitigation Measures

Implementation of MM TRANS-11.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

3.14.8 - Cumulative Impacts

The geographic scope of the cumulative transportation analysis is the roadway network and the transit, pedestrian, and bicycle facilities in the vicinity of the project site. Cumulative projects analyzed here are developments identified by City to be in the planning process or approved, but not constructed (Exhibit 3-1). Transportation impacts tend to be localized, depending on trip generation and as detailed by traffic distribution. Therefore, the transportation network in the vicinity of the project site would be most affected by project activities. This analysis evaluates whether the impacts of the proposed project, together with the impacts of cumulative development, would result in a cumulatively significant impact related to transportation. This analysis then considers whether incremental contribution to cumulative impacts associated with the implementation of the proposed project would be significant. Both conditions must apply for a proposed project's cumulative effects to rise to a level of significance.

Transit, Bicycle, and Pedestrian Circulation and Facilities

With respect to transit facilities, should construction or operation of the cumulative projects temporarily or permanently conflict with existing transit connections, each project sponsor for the relevant cumulative project(s) would be required to coordinate with the City and the transit providers to provide alternative transit access.

[5] International Code Council, Digital Codes. 2020. 2019 California Fire Code, Title 24, Part 9 with Jan 2020 Errata. Website: https://codes.iccsafe.org/content/CFC2019P2. Accessed May 2, 2023.

[6] City of Visalia. 2019. Visalia Municipal Code Chapter 8.20, California Fire Code. Website: https://codelibrary.amlegal.com/codes/visalia/latest/visalia_ca/0-0-0-25779. Accessed May 2, 2023.

With respect to pedestrian and bicycle facilities, Cumulative Projects 1, 2, 4, 6, and 7 share a street with the proposed project. Since the project area contains many agricultural uses that did not require frontage improvement, there are limited existing pedestrian and bicycle facilities. The proposed project would dedicate a 28-foot setback for a pedestrian trail along the south side of Modoc Ditch. This is incorporated as MM TRANS-1 Neither the proposed project nor the cumulative projects would remove existing bicycle or pedestrian infrastructure or make a cumulatively considerable contribution to this less than significant cumulative impact. Moreover, as part of the proposed project's frontage improvements, the proposed project would construct new bike lanes along Riggin Avenue and Class II bike lanes along Kelsey Street, Clancy Street, and Shirk Street, which would improve pedestrian and bicycle infrastructure. Therefore, cumulative impacts related to the circulation system in terms of transit, bicycle, and pedestrian facilities would be less than significant.

Level of Service

As discussed in Impact TRANS-1, all intersections in the study area operate at an acceptable LOS under existing conditions. Under Near-Term (2025) Conditions and later, even without the proposed project, three of the intersections studied are expected to operate below acceptable levels of service. The proposed project would result in a net increase of 21,409 daily trips, including 1,508 trips during the morning peak-hour and 1,495 trips during the afternoon peak-hour. The proposed project would contribute trips already operating below acceptable LOS standards. However, with implementation of MM TRANS-3 through MM TRANS-9, impacts would be less than significant.

Cumulative Projects listed in Table 3-1 would also generate new vehicle trips that may trigger or contribute to unacceptable intersection, roadway, and freeway operations. All projects would be required to mitigate their fair share of impacts. Therefore, the proposed project, in conjunction with other projects, would result in a cumulatively less than significant impact with mitigation incorporated.

Vehicle Miles Traveled

Transportation impact analysis is inherently cumulative because it is important to analyze a project's impact within the context of existing and future traffic conditions to which all projects contribute and, where appropriate, provide mitigation measures to reduce a project's contribution to any cumulative significant impacts identified to the degree feasible. Cumulative impacts associated with transportation are analyzed throughout this section. Cumulative projects would be required to comply with applicable State and local laws and regulations. If found to result in significant VMT impacts, the cumulative projects would be required to implement feasible Transportation Demand Management (TDM) measures that would reduce VMT and encourage alternative modes of transportation, such as transit, bicycle use, and walking. The provision of transit, bicycle, and pedestrian facilities would depend on the nature of the cumulative project at issue and its location. Cumulative projects would also be required to include facilities and provide TDM measures based on future transportation studies prepared for that project. Because the proposed project's VMT impacts are less than signficant with mitigation incorporated, the proposed project's contribution would not be cumulatively considerable.

Roadway Safety and Emergency Access

Trucks used during the construction of cumulative projects, including those listed in Table 3-1, Chapter 3, Environmental Impact Analysis, would be required to utilize truck routes designated by the City and therefore would not conflict with the automobile traffic and bicycle and pedestrian activity along public streets. In addition, the relevant local engineering and planning departments would review project plans prior to construction permits in order to determine whether any construction traffic control plans would be required and would require the implementation of same, as necessary.

If any cumulative projects, including those listed in Table 3-1, would redesign City streets in such a way that would significantly impact roadway safety, they would be required to mitigate such impacts as feasible. Roadways constructed as part of the cumulative projects would be constructed to meet applicable City and California Fire Code design standards. Cumulative project driveways and access points would be constructed in compliance with applicable provisions of the California Fire Code and other applicable regulations related to roadway safety and emergency access. As such, cumulative roadway safety and emergency access impacts would be less than significant. Further, as described more fully above, the proposed project, in conjunction with other cumulative projects, would not make a cumulatively considerable contribution to this less than significant cumulative impact associated with roadway safety or emergency access with the implementation of MM TRANS-12.

As described in Impact TRANS-3, the proposed project would be required to implement MM TRANS-11 (Construction Traffic Control Plan) and MM TRANS-11 (fund additional safety roadway feature). The proposed project's contribution to the less than significant cumulative impact would not be cumulatively considerable with implementation of MM TRANS-8 and MM TRANS-9. As such, the proposed project, in conjunction with other cumulative projects, would have a less than significant cumulative impact with respect to roadway safety and hazards, and the proposed project's contribution would not be cumulatively considerable.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implementation of MM TRANS-1 though TRANS-11.

Level of Cumulative Significance After Mitigation

Less than significant cumulative impact with mitigation incorporated.

3.15 - Utilities and Service Systems

3.15.1 - Introduction

This section describes the existing conditions related to utilities and service systems (water, wastewater, stormwater, solid waste, electric power, natural gas, and telecommunications facilities) in the City and project area as well as the relevant regulatory framework. This section also evaluates the possible impacts related to such utilities and service systems that could result from implementation of the project. Information in this section is based, in part, on information provided in the Water Supply Assessment (WSA) (Appendix J), 2020 Urban Water Management Plan (2020 UWMP), the California Department of Resources Recycling and Recovery (CalRecycle), and the Visalia General Plan (General Plan).

No public comments were received during the Environmental Impact Report (EIR) scoping period regarding utilities and service systems. During tribal outreach, North Fork Mono Tribe expressed concerns about cumulative water use by recent and proposed development in the area.

3.15.2 - Environmental Setting

Project Site

The project site lies within the Modoc Ditch Drainage Basin, which is the northwesternmost drainage basin in the Sphere of Influence (SOI), encompassing 8,242 acres including areas of the City as well unincorporated areas of the County and areas included in the City's Urban Growth Boundary (UGB).[1] Modoc Ditch is an open channel irrigation canal that provides irrigation service to approximately 6,500 acres with a capacity of approximately 154 to 674 cubic feet per second (cfs).[2] The Modoc Ditch Drainage Basin can generally be characterized as encompassing predominantly agricultural and industrial land uses, stretching as far east as Bridge Street and as far north as Patterson Tract.

The project site abuts Modoc Ditch on its northern border and contains a retention basin diverting from Modoc Ditch on-site. The site topography is generally flat and drains to the north or northwest toward Modoc Ditch.[3]

Water

The California Water Service (Cal Water) Visalia District, provides water supplies for the City of Visalia (City). The proposed project involves the annexation of the project site into the City; upon annexation, the site will be added to the Cal Water Visalia District service area. Cal Water Visalia District is part of a regional group of agencies and providers as follows:

- Mid-Kaweah Groundwater Sustainability Agency (MKGSA)
- Kaweah Delta Water Conservation District (KDWCD)
- Kaweah River Basin Regional Water Management Group

[1] Boyle Engineering Company. 1994. City of Visalia Storm Water Master Plan and Management Program.
[2] Ibid.
[3] Ninyo & Moore. 2022. Phase I Environmental Site Assessment Northeast Corner of West Riggin and Kelsey Street. July 20.

Cal Water is an urban water supplier that provides the main source of water supply for the City and surrounding communities. The Visalia District is an urban retail water supplier, as defined by the California Water Code Section 10608.12. The Visalia District does not provide water wholesale. The sole source of water supply for the customers of the Visalia District is groundwater. The Visalia District of Cal Water pumps from the Kaweah basin, which has been designated by the California Department of Water Resources (DWR) as critically over drafted.

The Cal Water Visalia District is in Tulare County and serves the City and segments of unincorporated Tulare County including the communities of Goshen, Mullen, and Tulco.[4] The Visalia District service area lies approximately 42 miles southeast of the City of Fresno and 75 miles north of the City of Bakersfield. The Cal Water system includes 75 operational groundwater wells, about one-third of which have auxiliary power for backup. There are 519 miles of main pipeline in the system, ranging in size from two inches in diameter to 12 inches in diameter.[5] The Visalia District had 45,550 municipal connections and supplied 30,152 acre-feet of water in 2020. As future developments within the Urban Development Boundary (UDB) are approved, they will be annexed into the City and be served by Cal Water, Visalia District's supply.

Water Supply

Groundwater is the primary source of drinking water within the Planning Area, meaning that the City's water comes from large, underground aquifers, rather than rivers, lakes, or reservoirs. The San Joaquin Groundwater Basin encompasses all of the Central Valley counties between Sacramento County and Kern County and also includes portions of Sacramento County and El Dorado County at the north end and a portion of Kern County at the south end.

Visalia is within the Kaweah Groundwater Subbasin. The total surface area of the Kaweah Subbasin is 446,000 acres or 696 square miles. Major rivers and streams in the subbasin include the Kaweah and St. Johns Rivers, with the former being the primary source of recharge in the area. Groundwater flow is generally southwestward. In 1999, small groundwater depressions occurred to the north and south of Visalia and at the northwest corner of the subbasin, and a groundwater mound was present in the central western subbasin. Based on current and historical groundwater elevation maps, horizontal groundwater barriers do not appear to exist in the subbasin.

Cal Water's 75 active supply wells in the Visalia District extract groundwater from the Kaweah Groundwater Subbasin and distribute it over approximately 519 miles of pipeline. The Cal Water system includes two elevated 300,000-gallon storage tanks, an ion exchange treatment plant, four granular activated carbon filter plants and one nitrate blending facility. These facilities are in place to provide Cal Water's customers with safe drinking water of a quality and quantity to meet State and federal drinking water standards such as the federal Safe Drinking Water Act and the California Safe Drinking Water Act.

The Visalia District extracts water from the Kaweah and Tule Subbasins using a total of 59 wells, and also extracts water from wells in adjacent public water systems. The Visalia District has four surface

[4] California Water Service (Cal Water). 2021. 2020 Urban Water Management Plan. June.
[5] City of Visalia. 2014. General Plan EIR Section 3.9 Public Services, Facilities and Utilities.

storage structures that can be used to pump groundwater to storage during non-peak-hours and subsequently aid demand during peak demand periods.

The water supplies needed to serve the City's water service area, including the existing water demands and planned future uses on the project site, are described in the 2020 UWMP.[6] Therefore, the descriptions provided below for the City's water supplies have been taken from the 2020 UWMP.

Table 3.15-1 lists the amount of groundwater pumped by Cal Water over the past 5 years. The available groundwater supply has been sufficient to meet all of the District's demands in the past five years and all prior years. It is also important to note that the majority of groundwater pumping in the Kaweah Subbasin is for agricultural use. From a regional and basin-wide standpoint, the Visalia District is only a small fraction of total groundwater pumping. Based on the Kaweah Subbasin water budget information presented in the Mid-Kaweah Groundwater Sustainability Plan (GSP), average annual groundwater pumping from 1981 through 2017 totaled approximately 754,415 acre-feet per year (AFY), including approximately 685,375 AFY for irrigated agriculture and 69,040 AFY for Municipal and Industrial (M&I) use. These data show that M&I pumping accounted for approximately 9 percent of total pumping in the Kaweah Subbasin, and Visalia District pumping in the Visalia and Tulco public water systems accounts for only a portion of the total M&I pumping.

Table 3.15-1: Groundwater Volume Pumped

Location/Basin Name	2016 (AFY)	2017 (AFY)	2018 (AFY)	2019 (AFY)	2020 (AFY)
Kaweah Subbasin	25,802	27,856	29,218	28,900	30,131
Tule Subbasin	41	26	25	19	21
Total	**25.843**	**27,882**	**29,243**	**28,919**	**30,152**

Notes:
AFY = acre-feet per year
Source: California Water Service (Cal Water). 2021. 2020 Urban Water Management Plan. June.

Water Demand and Use

Historical and Existing Water Demand

The Visalia District's water demand per capita has been steadily decreasing since the early 2000s due to a combination of Cal Water implementing conservation pricing, the City becoming fully metered, strict appliance efficiency standards and plumbing codes, and conservation programs.[7]

Water use in 2020 was 30,152 AFY. Residential customers account for most of the Visalia District's service connections and 69 percent of its water uses. Nonresidential water uses account for 28 percent of total demand, while distribution system losses account for 3 percent.

[6] California Water Service (Cal Water). 2021. 2020 Urban Water Management Plan. June.
[7] Ibid.

Future Water Use

Although water demand per capita has been decreasing, the Visalia District's water demand is anticipated to continue to increase as approved projects are constructed and new developments are approved and constructed in accordance with the General Plan within the City's water service area. Projected population and services are based on population and employment forecasts for Tulare County generated by the California Department of Transportation's (Caltrans) long-term socioeconomic forecast model. Over the 25-year planning period (2020-2045), the Visalia District's water demand is expected to increase at an average rate of 1.8 percent annually. For comparison's sake, between 2000 and 2020, demand increased at an average rate of 2.4 percent annually. Visalia District per capita water use in 2020 was 30 percent below its 2004 peak.[8] The 2020-2045 water demand projections include consideration for reduced future water use as a result of effects of appliance standards and plumbing codes, demand management measures, and increases in the real cost of water service and household income.[9] Table 3.15-2 shows the Visalia District's projected water use through 2045 based on future normal hydrologic years.[10] These forecasts incorporate the effects of several State codes and regulations which are discussed in section 3.15.3 below.

Table 3.15-2: Use for Potable and Nonpotable Water–Projected

Use Types	Projected Water Use (AFY)				
	2025	2030	2035	2040	2045
Single-family	20,815	22,593	24,604	26,513	28,705
Multi-family	1,583	1,686	1,815	1,945	2,070
Commercial	5,634	6,009	6,448	6,891	7,364
Institutional/Government	2,854	3,152	3,483	3,819	4,164
Industrial	308	308	308	308	308
Other Potable	223	223	223	223	223
Landscape[1]	0	0	0	0	0
Losses[2]	1,102	1,304	1,429	1,559	1,695
Total	32,520	35,276	38,310	41,258	44,529

Notes:
AFY = acre-feet per year
[1] District's billing system does not track this use type separate from other use types.
[2] Real and apparent losses.

The future conservation savings of 811 acre-feet in 2025, 1,421 acre-feet in 2030, 1,900 acre-feet in 2035, 2,605 acre-feet in 2040, and 3,156 acre-feet in 2045, are included in these projections

Table 3.15-3 shows the City's projected supply and demand totals for a single normal year.

[8] California Water Service (Cal Water). 2021. 202 Urban Water Management Plan. June.
[9] Ibid.
[10] Ibid.

Table 3.15-3: Normal Year Supply and Demand Comparison

	2025	2030	2035	2040	2045
Supply totals	32,520	35,276	38,310	41,258	44,529
Demand totals	32,520	35,276	38,310	41,258	44,529
Difference	0	0	0	0	0

Notes:
* Volumes are in units of acre-foot.
** Neither the Kaweah nor Tule Subbasins are adjudicated, and this projected supply volumes do not comprise a determination of water rights or maximum allowable pumping.

Single and Multiple Dry Year Water Demand

Table 3.15-4 shows the projected supply and demand totals for the single dry year, and Table 3.15-5 shows the projected supply and demand totals for multiple dry year periods extending 5 years. As shown in these tables, the Visalia District will have sufficient supplies to meet demands during both single dry year and multiple dry year conditions.

Table 3.15-4: Single Dry Year Supply and Demand Comparison

	2025	2030	2035	2040	2045
Supply totals	33,152	35,962	39,057	42,063	45,400
Demand totals	33,152	35,962	39,057	42,063	45,400
Difference	0	0	0	0	0

Notes:
* Volumes are in units of acre-foot.
** Neither the Kaweah nor Tule Subbasins are adjudicated, and this projected supply volumes do not comprise a determination of water rights or maximum allowable pumping.

Table 3.15-5: Multiple Dry Years Supply and Demand Comparison

		2025	2030	2035	2040	2045
First Year	Supply totals	33,543	36,387	39,520	42,562	45,939
	Demand totals	33,543	36,387	39,520	42,562	45,939
	Difference	0	0	0	0	0
Second Year	Supply totals	33,543	36,387	39,520	42,562	45,939
	Demand totals	33,543	36,387	39,520	42,562	45,939
	Difference	0	0	0	0	0
Third Year	Supply totals	33,543	36,387	39,520	42,562	45,939
	Demand totals	33,543	36,387	39,520	42,562	45,939
	Difference	0	0	0	0	0

		2025	2030	2035	2040	2045
Fourth Year	Supply totals	33,543	36,387	39,520	42,562	45,939
	Demand totals	33,543	36,387	39,520	42,562	45,939
	Difference	0	0	0	0	0
Fifth Year	Supply totals	33,543	36,387	39,520	42,562	45,939
	Demand totals	33,543	36,387	39,520	42,562	45,939
	Difference	0	0	0	0	0

Notes:
* Volumes are in units of acre-feet.
** Neither the Kaweah or Tule Subbasins are adjudicated, and this projected supply volumes do not comprise a determination of water rights or maximum allowable pumping.

Water Distribution

In general, the water distribution system is a looped system with deep wells spaced throughout a distribution pipeline grid system. The deep well and pipeline grid has expanded with the growth of the City. Because of the area's flat topography, the entire system is in one pressure zone, with wells spaced throughout the system. Modeling analysis done for the WSA and Facilities Master Plan indicate that the grid system pipe sizes and well spacing have kept normal operating pressures in the system above 40 pounds per square inch (psi) and fire flow pressure residuals at fire hydrants above 20 psi.

Recycled Water and Nonpotable Irrigation Water Supply

In 2018, through its Water Conservation Plant Upgrade Project, the City of Visalia began producing Title 22 Recycled Water for delivery to the Tulare Irrigation District (TID) in exchange for surface water used to recharge the City's groundwater. The City provides 11,000 acre-feet of treated water to TID annually in exchange for 5,500 acre-feet of surface water for groundwater recharge to be stored in recharge basins east of Visalia. These basins have greater potential to recharge the underlying aquifers and should help lessen the overdraft situation in the long term.[11,12] In addition to recharge, treated water may also be used to irrigate the areas noted above, reducing the amount of pumped groundwater.

Currently, no wastewater is recycled for potable reuse within the Visalia District service area and will likely only be considered if conditions related to Visalia District supply change significantly in the future.

Wastewater

City of Visalia

The City owns and operates a Water Conservation Plant (WCP), located west of State Route (SR) 99 and south of SR-198. The City's wastewater collection system consists of gravity sewers, pump

[11] Mid-Kaweah Groundwater Sustainability Agency. 2019. Groundwater Sustainability Plan. December. Website: https://www.midkaweah.org/_files/ugd/55be79_0dd4bb3a882641efa526ccc63e4c07a0.pdf. Accessed May 3, 2023.
[12] City of Visalia. 2014. General Plan EIR Section 3.9 Public Services, Facilities and Utilities.

stations, and force mains. The collected wastewater is discharged to trunk sewers and interceptors and conveyed to the City's WCP. In 2017, the City completed an upgrade project at the WCP which included replacement of the secondary and tertiary treatment processes with a membrane bioreactor system and ultraviolet (UV) light disinfection system, among other upgrades. The WCP has a capacity to treat 22 million gallons per day (GPD).[13] As of 2010, the plant operates at an average daily flow of 13 GPD.

The City's sewer collection system facilities consist of gravity sewer pipelines ranging in size from 6-inch to 42-inch, as well as 13 sewage lift stations and associated force mains. All of the pipelines within the city limits convey wastewater to the WCP.

Stormwater

Generation and Collection

City of Visalia

The City's Public Works Department manages the City's storm drainage system. The City contains seven major drainage basins, including:[14]

- St. John's Basin
- Modoc Ditch Basin
- Mill Creek Basin
- Evans Ditch Basin
- Packwood Creek Basin
- Cameron Creek Basin
- Persian/Watson Basin

Stormwater drains through natural rivers and watercourses, irrigation ditches, storage reservoirs, and discharge locations.[15] The planned system takes street and lot drainage into a storm drain pipeline system that is directed generally by gravity and augmented with lift pumps toward the main drain system. The system relies on detention basins and several retention basins to slow and divert stormwater for larger storms. This allows the creeks and ditches to convey stormwater both during and after a storm and permits the existing creek and ditch system to handle larger storms than would otherwise be the case. The creeks and ditches used for stormwater also convey irrigation flows, a shared use system that is managed based on formal agreements between the City and irrigation agencies and companies.[16]

Stormwater runoff from the City is transported to the WCP located west of SR-99 and south of SR-198 before being discharged into Mill Creek and/or stored in basins owned by the City.[17] The State of California requires small communities to implement development standards to protect water quality under the "General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) Order No. 2013-0001-DWQ." These

[13] California Water Service (Cal Water). 2021. 202 0Urban Water Management Plan. June.
[14] Boyle Engineering Company. 1994. City of Visalia Storm Water Master Plan and Management Program.
[15] City of Visalia. 2014. Visalia General Plan – Parks, Schools, Community Facilities, and Utilities Element. October 14.
[16] Ibid.
[17] Ibid.

requirements are an extension of similar requirements imposed on larger communities (e.g., the cities of Visalia and Tulare, and parts of the County of San Joaquin.) The development standards, also known as post-construction stormwater requirements, will become part of every regulated community's development process.

Solid Waste

Solid waste disposal is provided by the Tulare County Resource Management Agency, which operates the Visalia Disposal Site, northwest of Visalia; the Woodville Disposal Site, southeast of Tulare; and the Teapot Dome Disposal Site, southwest of Porterville.[18] The Visalia Landfill is approximately 1.5 miles north of the project site. The facility serves the cities of Visalia, Farmersville, Dinuba, Exeter, Tulare, Woodlake, Fresno, and unincorporated areas of northern Tulare County and southern Fresno County. As of this writing, these landfills have a combined maximum capacity of 40,071,173 cubic yards and a remaining capacity of 22,340,353 cubic yards (see Table 3.15-6). The City generated approximately 138,821.08 tons of solid waste in 2021, the most recent year with data available.[19]

The City provides refuse collection for residential and commercial customers and contracts with Sunset Waste Systems to provide recycling service.[20] The City's solid waste is taken to one of three disposal sites operated discussed above. The City provides split containers for residential trash and recycling, and green waste containers for residential green waste and compostable materials. The City also actively encourages commercial recycling and provides refuse, green waste and recycling bins or boxes to the commercial accounts it services.

Table 3.15-6: Disposal Site Capacity

Disposal Site	Max Permitted Throughput (tons/day)	Maximum Permitted Capacity (cubic yards)	Remaining Capacity (cubic yards)	Projected Closure date
Teapot Dome	800	8,320,307	431,707	02/2024
Visalia	2,000	18,630,666	14,815,501	01/2024
Woodville	1,078	13,120,200	7,093,145	01/2043

Sources:
California Department of Resources Recycling and Recover (CalRecycle). 2023. Solid Waste Information System (SWIS)–Teapot Dome Disposal Site. Website: https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/3834. Accessed May 3, 2023.
California Department of Resources Recycling and Recover (CalRecycle). 2023. Solid Waste Information System (SWIS)–Visalia Disposal Site. Website: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/822?siteID=3839. Accessed May 3, 2023.

[18] City of Visalia. 2014. Visalia General Plan Draft Environmental Impact Report – Public Services, Facilities, and Utilities. October 14.
[19] California Department of Resources Recycling and Recovery (CalRecycle). 2022. Disposal Rate Calculator: Jurisdiction Review Reports. Website: https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DisposalRateCalculator. Accessed December 7, 2022.
[20] City of Visalia. 2014. Visalia General Plan – Parks, Schools, Community Facilities, and Utilities Element. October 14.

Energy

Electricity

Southern California Edison (SCE) provides natural gas and electricity services to the City. SCE provides natural gas and electricity to approximately 15 million people throughout a 50,000-square-mile service area in central, coastal, and Southern California. SCE produces or buys its energy from a mix of conventional and renewable generating sources, which travel through our electric transmission and distribution systems to reach customers. SCE charges connection and user fees for all new development and sliding use-based rates for electrical and natural gas service.

The California Energy Commission reports electricity consumption by County on a yearly basis. The total electricity consumption, including residential and nonresidential, attributable to Tulare County from 2011 to 2021 is provided in Table 3.15-7.

Table 3.15-7: Electricity Consumption in Tulare County 2011–2021

Year	Millions of kWh (GWh)
2011	3746.71
2012	4163.27
2013	4316.70
2014	4492.36
2015	4477.12
2016	4363.20
2017	4243.88
2018	4438.02
2019	4249.14
2020	4642.81
2021	4878.46

Notes:
GWh = gigawatt-hours
kWh = kilowatt-hour
Source: California Energy Commission. 2023. Electricity Consumption by County. Website: https://ecdms.energy.ca.gov/elecbycounty.aspx. Accessed June 7, 2023.

Natural Gas

Natural gas service is primarily provided by the Southern California Gas Company (SoCalGas). The California Energy Commission reports gas consumption by County on a yearly basis. The total natural gas consumption, including residential and nonresidential, attributable to Tulare County from 2011 to 2021 is provided in Table 3.15-8.

Table 3.15-8: Natural Gas Consumption in Tulare County 2011–2021

Year	Millions of Therms
2011	159.47
2012	157.72
2013	157.84
2014	151.22
2015	149.48
2016	151.40
2017	150.41
2018	157.28
2019	155.13
2020	159.46
2021	167.90
Source: California Energy Commission. 2023. Gas Consumption by County. Website: http://www.ecdms.energy.ca.gov/gasbycounty.aspx. Accessed June 7, 2023.	

Telecommunications

Three major communication companies provide communications services in the City: AT&T, Sprint, and Verizon. Comcast is the primary provider of internet and cable television.[21]

3.15.3 - Regulatory Framework

Federal

Safe Drinking Water Act

The Safe Drinking Water Act authorizes the United States Environmental Protection Agency (EPA) to establish national standards for drinking water, called the National Primary Drinking Water Regulations, to protect against both naturally occurring and man-made contaminants. These standards set enforceable maximum contaminant levels in drinking water and require all water providers in the United States to treat water to remove contaminants, except for private wells serving fewer than 25 people. In California, the State Department of Health Services conducts most enforcement activities.

Clean Water Act

The Water Pollution Control Act of 1972, more commonly known as the Clean Water Act (CWA), regulates the discharge of pollutants into watersheds throughout the nation. Under the CWA, the EPA implements pollution control programs and sets wastewater standards.

[21] City of Visalia. 2014. Visalia General Plan–Parks, Schools, Community Facilities, and Utilities Element. October 14.

The National Pollutant Discharge Elimination System (NPDES) permit program was established within the CWA to regulate M&I discharges to surface waters of the United States. Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities. Wastewater discharge is regulated under the NPDES permit program for direct discharges into receiving waters and by the National Pretreatment Program for indirect discharges to a sewage treatment plant.

Resource Conservation and Recovery Act (Amended 1986)

The Resource Conservation and Recovery Act (RCRA) is a federal act regulating the potential health and environmental problems associated with solid waste hazards and non-hazardous wastes. Specific regulations addressing solid waste issues are contained in Title 40, Code of Federal Regulations.

Energy Policy and Conservation Act

Water use standards for residential and commercial clothes washers and dishwashers are established by the United States Department of Energy through its authority under the federal Energy Policy and Conservation Act. Water use efficiency is summarized by the water factor for the appliance which measures the gallons of water used per cycle per cubic foot of capacity. A typical top-loading residential clothes washer manufactured in the 1990s had a water factor of around 12. In 2018, the water factor standard for top-loading residential clothes washers was reduced to 6.5. The maximum water factor for Energy Star compliant top- and front-loading washers is 3.7 and 4.3, respectively. An Energy Star compliant washer uses about two-thirds less water per cycle than washers manufactured in the 1990s.

State

California Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act (Porter-Cologne), which was passed in California in 1969, the California State Water Resources Control Board (State Water Board) has the ultimate authority over State water rights and water quality policy. Porter-Cologne also establishes nine Regional Water Quality Control Boards (RWQCBs) to oversee water quality on a day to-day basis at the local and regional level. The RWQCBs engage in a number of water quality functions in their respective regions, and regulate all pollutant or nuisance discharges that may affect either surface water or groundwater.

California Urban Water Management Planning Act

The Urban Water Management Planning Act (California Water Code §§ 10610–10656) requires that all urban water suppliers with at least 3,000 customers prepare UWMPs and update them every 5 years. The act requires that UWMPs include a description of water management tools and options used by that entity that will maximize resources and minimize the need to import water from other regions. Specifically, UWMPs must:

- Provide current and projected population, climate, and other demographic factors affecting the supplier's water management planning.
- Identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier.
- Describe the reliability of the water supply and vulnerability to seasonal or climatic shortage.
- Describe plans to supplement or replace that source with alternative sources or water demand management measures.
- Describe the opportunities for exchanges or transfers of water on a short-term or long-term basis (associated with systems that use surface water).
- Quantify past and current water use.
- Provide a description of the supplier's water demand management measures, including schedule of implementation, program to measure effectiveness of measures, and anticipated water demand reductions associated with the measures.
- Assess the water supply reliability.

California Health and Safety Code

Section 64562 of the California Health and Safety Code establishes water supply requirements for service connections to public water systems. Before additional service connections can be permitted, enough water must be available to the public water system from its water sources and distribution reservoirs to adequately, dependably, and safely meet the total requirements of all water users under maximum-demand conditions.

California Senate Bills 610 and 221

Senate Bill (SB) 610 and SB 221 (Water Code § 10910(c)(2)) amended State law, effective January 1, 2002, to improve the link between information on water supply availability and certain land use decisions made by cities and counties. SB 610 and SB 221 seek to promote more collaborative planning between local water suppliers and cities and counties by requiring that detailed information regarding water availability be provided to decision-makers prior to approval of specified large development projects. SB 610 requires that detailed information be included in a WSA, which is then included in the administrative record that serves as the evidentiary basis for an approval action by a city or county. SB 221 requires that the detailed information be included in a verification of water supply. Under SB 610, WSAs must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in Water Code § 10912(a)) subject to the California Environmental Quality Act (CEQA).

California Water Conservation Act

The California Water Conservation Act (SB X7-7) was enacted in November 2009 and requires each urban water supplier to select one of four water conservation targets contained in California Water Code Section 10608.20 with the Statewide goal of achieving a 20 percent reduction in urban per capita water use by 2020. Under SBX7-7, urban retail water suppliers are required to develop water use targets and submit a water management plan to the DWR by July 2011. The plan must include

the baseline daily per capita water use, water use target, interim water use target, and compliance daily per capita water use.

California Model Water Efficient Landscape Ordinance

The California Model Water Efficient Landscape Ordinance (MWELO) was adopted by the California Office of Administrative Law in September 2009, and requires local agencies to implement water efficiency measures as part of its review of landscaping plans. Local agencies can either adopt the MWELO or incorporate provisions of the ordinance into its own code requirements for landscaping. The County has not adopted a local ordinance.

Assembly Bill 1881

Assembly Bill (AB) 1881 expanded previous legislation related to landscape water use efficiency. AB 1881, the Water Conservation in Landscaping Act of 2006, enacted landscape efficiency recommendations of the California Urban Water Conservation Council (CUWCC) for improving the efficiency of water use in new and existing urban irrigated landscapes in California. AB 1881 required the DWR to update the existing Model Local Water Efficient Landscape Ordinance and local agencies to adopt the updated model ordinance or an equivalent. The law also requires the CEC to adopt performance standards and labeling requirements for landscape irrigation equipment, including irrigation controllers, moisture sensors, emission devices, and valves to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy or water.

Assembly Bill 2882

AB 2882 was passed in 2008 and encourages public water agencies throughout California to adopt conservation rate structures that reward consumers who conserve water. AB 2882 clarifies the allocation-based rate structures and establishes standards that protect consumers by ensuring a lower base rate for those who conserve water.

California Integrated Waste Management Act

To minimize the amount of solid waste that must be disposed of by transformation and land disposal, the State Legislature passed Assembly Bill 939, the California Integrated Waste Management Act of 1989 (AB 939), effective January 1990. The legislation required each local jurisdiction in the State to set diversion requirements of 25 percent in 1995 and 50 percent in 2000; established a comprehensive Statewide system of permitting, inspections, enforcement, and maintenance for solid waste facilities; and authorized local jurisdictions to impose fees based on the types or amounts of solid waste generated. In 2007, amendments to the California Integrated Waste Management Act introduced a new per capita disposal and goal measurement system that moves the emphasis from an estimated diversion measurement number to using an actual disposal measurement number as a per capita disposal rate factor. As such, the new disposal-based indicator (pounds per person per year) uses only two factors: a jurisdiction's population (or in some cases employment) and its disposal as reported by disposal facilities.

The California Solid Waste Reuse and Recycling Access Act

Subsequent to the California Integrated Waste Management Act, additional legislation was passed to assist local jurisdictions in accomplishing the goals of AB 939. The California Solid Waste Reuse and Recycling Access Act of 1991 directs the California Integrated Waste Management Board to draft a

model ordinance relating to adequate areas for collecting and loading recyclable materials in development projects. The model ordinance is used by the County as the basis for imposing recycling conditions on new development projects and on existing projects that add 30 percent or more to their existing floor area. Beginning in 1994, the model ordinance requires that any new development project for which an application is submitted include adequate, accessible, and convenient areas for collecting and loading recyclable materials.

Senate Bill 1383

SB 1383 was approved in September 2016 and went into effect on January 1, 2022. In an effort to reduce organic waste from landfills, it requires that all food waste and any organic items associated with food and drink items shall be segregated and placed into separate trash receptacles.

Assembly Bill 341

A general Statewide recycling goal of 75 percent to be achieved by 2020 was established by AB 341 in 2011. The previous recycling goal of 50 percent was met in 2005. It is recognized by CalRecycle that the State did not reach the 75 percent recycling goal by 2020.

Assembly Bill 32

Mandatory Commercial Recycling was one of the measures adopted in the AB 32 Scoping Plan by the California Air Resources Board (ARB) pursuant to the California Global Warming Solutions Act (Chapter 488, Statutes of 2006). The Mandatory Commercial Recycling Measure focuses on increased commercial waste diversion as a method to reduce GHG emissions. It is designed to achieve a reduction in GHG emissions of 5 million metric tons of carbon dioxide (CO_2) equivalents. To achieve the measure's objective, an additional 2 to 3 million tons of materials annually will need to be recycled from the commercial sector by the year 2020 and beyond.

The Solid Waste Disposal Measurement System Act

The Solid Waste Disposal Measurement System Act of 2008, SB 1016, amended the California Integrated Waste Management Act procedures for measuring and reporting diversion requirements. Starting in 2009, jurisdictions are required to calculate the 50 percent diversion requirement in a per capita disposal rate equivalent. CalRecycle will determine the per capita disposal rate equivalent for each jurisdiction.

CalRecycle delegates local permitting, enforcement, and inspection responsibilities to Local Enforcement Agencies. The Visalia Municipal Code contains regulations related to solid waste and recycling in Title 8, Chapters 28 and 29.

Sustainable Groundwater Management Act

The 1992 Groundwater Management Act, AB 3030, established provisions by which local water agencies could develop and implement Groundwater Management Plans (GMP). GMPs are generally designed to prevent local and regional aquifer over drafting, which reduces available groundwater resources and which, under certain conditions, can lead to degradation of water quality and to land subsidence. The City has been, and continues to be, involved in both regional and local groundwater management efforts.

On August 29, 2014, the California Legislature passed comprehensive groundwater legislation contained in SB 1168, SB 1319, and AB 1739, which are collectively referred to as the Sustainable Groundwater Management Act (SGMA). This legislation was signed by former Governor Brown on September 16, 2014, and it became effective on January 1, 2015. The legislative intent of SGMA is to provide sustainable management of groundwater basins, enhance local management of groundwater, establish minimum standards for sustainable groundwater management, and provide local groundwater agencies with the authority and the technical and financial assistance necessary to sustainably manage groundwater.

The Kaweah Subbasin is designated by DWR as a high priority basin that is critically over drafted.[22] As such, the Kaweah Subbasin is subject to the requirements of SGMA, which include the formation of one or more GSAs and the development and implementation of one or more GSPs. The Greater Kaweah GSA submitted its Initial Draft GSP on September 16, 2019. The Greater Kaweah GSA Board of Directors took action to approve the Kaweah Sub basin Coordination Agreement and adopt the Greater Kaweah GSA GSP on January 22, 2020.[23]

The Tule Subbasin is also designated by DWR as a high priority basin that is critically over drafted.[24] As such, the Tule Subbasin is subject to the requirements of SGMA, which include the formation of one or more GSAs and the development and implementation of one or more GSPs. The Tule Subbasin is divided into six GSAs, five of which have published draft GSPs.[25]

Central Valley Regional Water Quality Control Board

The primary responsibility for the protection of water quality in California rests with the California State Water Resources Water Board (State Water Board) and nine RWQCBs. The State Water Board sets Statewide policy for the implementation of State and federal laws and regulations. The RWQCBs adopt and implement Water Quality Control Plans (Basin Plans) that recognize regional differences in natural water quality, actual and potential beneficial uses, and water quality problems associated with human activities.

California Department of Water Resources

The DWR is a department within the California Resources Agency. The DWR is responsible for the State's management and regulation of water usage.

California Water Code Section 13260

California Water Code Section 13260 requires any person who discharges waste, other than into a community sewer system, or proposes to discharge waste that could affect the quality of waters of the State, to submit a report of waste discharge to the applicable RWQCB. Any actions of the proposed project that would be applicable under California Water Code Section 13260 would be reported to the RWQCB.

[22] California Water Service (Cal Water). 2021. 202 Urban Water Management Plan. June.
[23] Greater Kaweah Groundwater Sustainability Agency. 2022. Groundwater Sustainability Plan. Website: https://greaterkaweahgsa.org/resources/gsp/. Accessed December 7, 2022.
[24] California Water Service (Cal Water). 2021. 202 Urban Water Management Plan. June.
[25] Tule Subbasin Sustainable Groundwater Management Act. n.d. Which GSA do you belong to? Website :https://www.tulesgma.com/. Accessed June 20, 2023.

Assembly Bill 715

Enacted in 2007, AB 715 requires that any toilet or urinal sold or installed in California on or after January 1, 2014, cannot have a flush rating exceeding 1.28 and 0.5 gallons per flush, respectively. On April 8, 2015, in response to the Governor's Emergency Drought Response Executive Order (EO B-29-15), the California Energy Commission approved new standards for urinals requiring that they not consume more than 0.125 gallon per flush, 75 percent less than the standard set by AB 715.

CALGreen

New construction and renovations in California are subject to the California Green Building Standards Code (CALGreen) requirements which include prescriptive indoor provisions for maximum water consumption of plumbing fixtures and fittings in new and renovated properties. CALGreen also allows for an optional performance path to compliance, which requires an overall aggregate 20 percent reduction in indoor water use from a calculated baseline using a set of worksheets provided with the CALGreen guidelines.

For construction and demolition waste, the CALGreen Code (California Building Code 2022, Part 11, Title 24, California Code of Regulations) requires the recycling of 65 percent of construction waste. The CALGreen Code is incorporated into the City's Development Code, and this recycling requirement is subject to enforcement by the City. The recycling of 65 percent of waste construction material, which comprises by far the largest portion of the overall project solid waste generation, would result in a greater than 50 percent recycling rate for solid waste generated by the construction and operation of the facility as a whole.

Senate Bill 407

Enacted in 2009, SB 407 mandates that all buildings in California come up to current State plumbing fixture standards. This law also requires, effective January 1, 2017, that a seller or transferor of single-family residential property show to the purchaser or transferee, in writing, the specified requirements for replacing plumbing fixtures and whether the real property includes noncompliant plumbing. Similar disclosure requirements went into effect for multi-family and commercial transactions January 1, 2019. SB 837, passed in 2011, reinforces the disclosure requirement by amending the statutorily required transfer disclosure statement to include disclosure about whether the property follows SB 407 requirements.

Local

City of Visalia Water Conservation Ordinance

The City's Water Conservation Ordinance was adopted in 1989 and can be found in Chapter 13.20 of the Municipal Code. The Ordinance sets regulations to minimize outdoor water use and reduce unnecessary consumption of potable water. It defines and places restrictions on wasteful uses of water and establishes water conservation alert stages to be enacted during periods of water shortage.

Cal Water Urban Water Management Plan–Visalia District

The most recent UWMP was prepared by Cal Water in 2015 and updated in 2021. in compliance with the Urban Water Management Planning Act. The UWMP describes the Visalia District service area,

system demand and usage, available water resources, reliability of the water supply, and contingency planning for water shortage. It also contains a conservation section in compliance with SB X7-7 describing water usage reduction targets and implementation measures. The UWMP identifies five core programs for water conservation in the Visalia District that involve promotion of high-efficiency fixtures in residential settings, promotion of high-efficiency irrigation systems, and public information and education.

City of Visalia 2020 Urban Water Management Plan

The City prepared the 2020 UWMP to meet the requirements of the California Urban Water Management Planning Act. The 2020 UWMP evaluates sources of the water supply for the City's projected population and future water demand until 2045, which is the planning horizon. The UWMPs are intended to help facilitate implementation of SB 610 and SB 221.

City of Visalia

General Plan

Public Services Park and Facilities Element

Objectives

PSCU-O-14 Provide for long-range community water needs by adopting best management practices for water use, conservation, groundwater recharge and wastewater and stormwater management.

PSCU-O-15 Preserve groundwater resources.

PSCU-O-16 Ensure that adequate wastewater collection, treatment, recycling and disposal facilities are provided in a timely fashion to serve existing and future needs.

PSCU-O-17 Manage solid waste such that City needs are met, opportunities for waste reduction and recycling are maximized, and high-quality service is provided.

Policies

PSCU-P-44 Continue to improve and expand the City's Water Conservation Program, consistent with the Urban Water Management Plan as appropriate, including an active public outreach component and an online presence. The program should provide information and links to additional resources on water efficient plumbing fixtures and planting and irrigation methods, and the development of safe and effective gray water systems. It should also maintain an up-to-date list of incentive programs.

PSCU-P-45 Continue the City's active role in regional and local water management planning, building on partnerships with Kaweah Delta Water Conservation District and participation in the Integrated Regional Water Management Planning (IRWM) in implementing the Urban Water Management Plan and the Groundwater Management Plan. Continue to develop and implement projects that address groundwater overdraft mitigation, and support additional groundwater recharge, using funds generated from the Water Resources Management and Groundwater Overdraft Mitigation Fee Ordinance and other sources.

PSCU-P-50 Require that industrial development projects submit plans for water recycling and conservation and demonstrate how water use will meet requirements of the National Pollution Discharge Elimination System during the plan review process.

PSCU-P-51 Ensure that City building plan inspectors are adequately prepared to implement the requirements of the California Green Building Code (CalGreen), including mandatory low-water-use plumbing and water meters.

PSCU-P-52 Continue development of a conveyance system to allow for the reuse of treated wastewater for groundwater recharge, irrigation for farmland, ornamental landscaping, and golf courses, and expand the use of recycled water with a "purple pipe" delivery system, to the greatest extent feasible.

PSCU-P-55 Periodically review and update development impact fees, wastewater connection charges, groundwater mitigation fees, and monthly service charges to ensure that adequate funds are collected to operate and maintain existing facilities and to construct new facilities.

PSCU-P-58 Coordinate urban growth management planning with public and private utilities. Develop and carry- out an infrastructure and public services assessment during annexation reviews to determine infrastructure needs, feasibility, timing, and financing.

PSCU-P-59 Implement public facility master plans through various funding mechanisms including assessment districts, user fees, development impact fees, reimbursement agreements and/or other mechanisms which provide for equitable distribution of development costs.

PSCU-P-60 Require new developments to incorporate flood water detention basins into project designs where consistent with the Stormwater Master Plan and the Groundwater Recharge Plan.

Stormwater drainage basins can provide groundwater recharge, and may be combined with recreational uses. Additional policies for drainage basins designed for recreational use are provided in the Parks and Open Space section, which follows.

PSCU-P-61 Control urban and stormwater runoff, and point and nonpoint discharge of pollutants. As part of the City's Stormwater Management Program, adopt and implement a Stormwater Management Ordinance to minimize stormwater runoff rates and volumes, control water pollution, and maximize groundwater recharge. New development will be required to include Low Impact Development features that reduce impermeable surface areas and increase infiltration. Such features may include, but are not limited to:

- Canopy trees or shrubs to absorb rainwater;
- Grading that lengthens flow paths over permeable surfaces and increases runoff travel time to reduce the peak-hour flow rate;

- Partially removing curbs and gutters from parking areas where appropriate to allow stormwater sheet flow into vegetated areas;
- Use of permeable paving in parking lots and other areas characterized by significant impervious surfaces;
- On-site stormwater detention, use of bioswales and bioretention basins to facilitate infiltration; and
- Integrated or subsurface water retention facilities to capture rainwater for use in landscape irrigation and other nonpotable uses.

3.15.4 - Methodology

Water

A WSA was completed for the proposed project and is provided in Appendix J. [26] The purpose of the WSA was to perform the evaluation required by California Water Code Sections 10910 through 10915, as established by SB 610. The WSA evaluates the adequacy of the total project water supplies of the City (as the water purveyor to the proposed project), including existing water supplies and future planned water supplies, to meet the City's existing and projected future water demands, including those future water demands associated with the proposed project, under all hydrological conditions (Normal Years, Single Dry Years, and Multiple Dry Years).

Wastewater

Wastewater production was calculated and compared with the City's treatment capacity to determine whether wastewater treatment requirements would be exceeded. The City's wastewater discharge permitting requirements were also reviewed.

Stormwater

Stormwater production was calculated and compared with the City's stormwater facility treatment capacity to determine whether stormwater collection requirements would be exceeded.

Solid Waste

Solid waste production was calculated and compared with the applicable landfill capacity to determine whether landfill daily permitted capacity and total storage capacity would be exceeded. The City's and RecycleSmart's solid waste regulations and policies were also reviewed.

Electricity and Natural Gas

Electricity and natural gas usage were calculated and compared to existing capacity to determine whether existing sources would meet project demands. Section 3.6, Energy, and Section 3.8, Greenhouse Gas Emissions, also address electricity and natural gas demands.

Telecommunications

The telecommunications providers in the City were identified.

[26] 4Creeks Inc. 2022. Water Supply Technical Memorandum Shirk and Riggin Industrial Park. December.

3.15.5 - Thresholds of Significance

The lead agency utilizes the criteria in CEQA Guidelines Appendix G Environmental Checklist to determine whether impacts to utilities and service systems are significant environmental effects. Would the project:

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 relocation of which could cause significant environmental effects?

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

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?

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?

e) Comply with federal, State, and local statutes and regulations related to solid waste?

3.15.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the development of the project and provides mitigation measures where appropriate.

Water or Wastewater Treatment Facilities

Impact UTIL-1:	**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 relocation of which could cause significant environmental effects?**

Impact Analysis

The proposed project would involve both flex industrial and light industrial uses as described in Chapter 2, Project Description. Flex industrial uses would consist of small incubator space available for small manufacturing, storage, limited warehouse space, while the light industrial uses would consist of warehouse, distribution, storage, and light manufacturing.

Construction

Water Supply

As discussed in Section 3.10, Hydrology and Water Quality, project construction would occur in 2024. The UWMP expects a demand of 31,951 acre-feet in 2024. With the project construction, the Visalia District is expected to have a total demand of 32,253.6 acre-feet, which represents an increase of 302.4 acre-feet.

The UWMP states that 2013 was the driest year since 1991 and during 2013 there was an available water supply of 45,400 AFY. Therefore, even if 2024 is a dry year, there would be at least 13,449 acre-feet available. This would be able to supply the one-time increase in 302.4 AFY. Therefore, construction impacts related to the need for new water supply infrastructure facilities due to water demand would be less than significant.

As shown in Table 3.10-4, water demand during construction (2024 through 2028) is anticipated to be a total of 1,210 acre-feet of water. The implementation of the proposed project would result in the construction of new water line connections extending from an existing water line located within Kelsey Street. Service laterals would be extended from an existing water line located within Kelsey Street. As shown in Exhibit 2-13, the proposed project would be served by a series of new 8-inch and 12-inch water lines throughout the project site. Based on the data presented from the WSA, there is sufficient water available to support the proposed project, and there are no additional impacts associated with the construction or expansion of water infrastructure that would result in potentially significant impacts. No additional mitigation would be required to address potential impacts related to construction or expansion of water supply infrastructure facilities. Therefore, construction impacts related to planned construction, expansion, and relocation of water infrastructure facilities would be less than significant.

Wastewater Treatment

Construction of the proposed project would result in the generation of wastewater associated with water used for dust control, mixing concrete, washing equipment and vehicles, and other activities as well as wastewater generated from construction workers. The WCP would treat wastewater generated by construction of the proposed project consistent with applicable standards established by the Central Valley RWQCB. The WCP would have sufficient capacity to serve the proposed project during construction and a new or expanded wastewater treatment facility would not be required. Therefore, construction impacts related to the need for new wastewater infrastructure facilities as a result of wastewater generation would be less than significant.

No new or expanded wastewater treatment facilities would be required as a result of construction of the proposed project. The proposed project would include connections to the existing City sanitary sewer system operated by the Public Works Department via the existing wastewater line extended from an existing sewer line located within Riggin Avenue and Kelsey Street. Service laterals would be extended from an existing sewer line located within Riggin Avenue and Kelsey Street. As shown in Exhibit 2-14, the proposed project would be served by a series of new 8-inch and 12-inch sewer lines throughout the project site. Beyond the foregoing, there are no additional impacts associated with the construction or expansion of wastewater infrastructure that would result in potentially significant impacts, and no additional mitigation would be required to address potential construction impacts related to the need for expansion of wastewater infrastructure. Therefore, impacts related to the planned construction, expansion, and relocation of wastewater infrastructure facilities would be less than significant.

Stormwater

The construction of the proposed project itself would not result in the need for increased stormwater infrastructure improvements beyond those proposed on-site to serve the proposed

project. Specifically, the proposed project is anticipated to construct various storm drainage improvements including the proposed project's on-site stormwater detention basins and stormwater pipelines connecting to the existing stormwater pipes on Riggin Avenue and Shirk Street. There are no additional impacts associated with the construction of new or expanded stormwater facilities that would result in potentially significant impacts, and no additional mitigation would be required to address potential impacts related to construction or expansion of these facilities. Therefore, construction impacts related to planned construction, expansion, and relocation of stormwater facilities would be less than significant.

Electricity

Construction of the proposed project would consume electricity for construction work areas, field services (office trailers), and electric-driven equipment such as pumps and other tools. As on-site construction activities would be restricted between permitted construction hours (6:00 a.m. and 7:00 p.m. on weekdays or between the hours of 9:00 a.m. and 7:00 p.m. on weekends and federal holidays),[27] it is anticipated that the use of construction lighting would be relatively limited. As discussed in Section 3.6, Energy, construction equipment is estimated to consume a total of approximately 886,679 gallons of diesel fuel over the entire construction duration, and the proposed project is estimated to use a combined approximately 924,696 gallons of gasoline and diesel for vehicle travel during construction. A typical 720-square-foot office trailer would consume approximately 6,548 kilowatt hours (kWh) each year during the construction. As discussed more fully in Section 3.6, Energy, due to the temporary nature of construction and the financial incentives for developers and contractors to use energy-consuming equipment in an efficient manner, construction demand and consumption of electricity would not be significant. Therefore, construction impacts related to the need for new electrical supply infrastructure facilities because of electricity demand would be less than significant.

Construction of the proposed project would include new connections from existing electrical lines. However, due to the relatively short duration of construction activities, there are no additional impacts associated with the construction or expansion of electrical connections that would result in potentially significant impacts, and no additional mitigation would be required to address potential impacts related to the need for relocation or construction of expanded electrical facilities. Therefore, construction impacts related to planned construction, expansion, and relocation of electrical infrastructure facilities would be less than significant.

Natural Gas

The proposed project would not consume natural gas for construction purposes. Therefore, there would be no construction impact related to a need for new or expanded natural gas supply infrastructure facilities as a result of natural gas demand.

There are no additional impacts associated with the expansion of existing natural gas infrastructure, and no additional mitigation would be required to address potential impacts related to the need for construction of expanded natural gas facilities. Therefore, construction impacts related to planned

[27] City of Visalia. 2023. Municipal Code Chapter 8.36.050 Exterior noise standards—Mobile noise sources prohibition against use. Website: https://codelibrary.amlegal.com/codes/visalia/latest/visalia_ca/0-0-0-26473. Accessed June 11, 2023.

construction, expansion, and relocation of electrical infrastructure facilities would be less than significant.

Telecommunications

During construction, construction crew would use their personal devices (phone and internet). Construction office field services (office trailers) would require new telecommunications hookups or equipment, which would be provided by existing communication and internet providers in the area. Implementation of the proposed project would not result in a substantial demand for service. There are no additional impacts associated with extension and expansion of existing telecommunications infrastructure, and no additional mitigation measures would be required to address potential impacts related to construction of these facilities. Therefore, construction impacts related to planned construction, expansion, and relocation of telecommunications infrastructure facilities would be less than significant.

Operation

For the purposes of this analysis, buildout is assumed to be 2028.

Water

The proposed project is currently an almond farm. An analysis from the Pacific Institute of DWR found that almond farms require 4.49 acre-feet annually per acre. The site is currently developed with over 280 acres in agricultural production as an almond orchard that is conservatively estimated to use 1,257 AFY.

However, while the overall project's operational water usage of approximately 124.1 AFY at buildout in 2028 would be significantly less under the proposed uses, water projection estimates in the UWMP and WSA are based on annexation of the site into the Cal Water service area, and projected availability is based on planned land uses in the City. The proposed project would convert irrigated agricultural land into other uses with reduced water demand. The UWMP states, "Irrigated agriculture typically uses more water on a per acre basis than urban uses; thus, some future growth will likely result in a net decrease in water use within the subbasins." Therefore, the proposed project would use significantly less water than the existing use on-site.

The UWMP and WSA did not reflect the current agricultural use of the site due to the aforementioned reason. Because the existing orchard is not currently connected to the Cal Water service area, the proposed project would increase demand for potable water from the Cal Water Visalia District water system, which is reliant on groundwater to serve its customers. Nevertheless, based on analysis in the UWMP and WSA, and as summarized below, the water system would maintain sufficient supply in normal year, single dry year, and multiple dry years.

The information herein is based, in part, on the WSA that was prepared for the project (Appendix J). As discussed in Section 3.10–Hydrology and Water Quality, accounting for the planned expanded 2045 population, the UWMP states that the District would require 44,529 acre-feet in a normal year, 45,400 acre-feet in a single dry year, and 45,939 acre-feet each year for multiple dry years.

This includes the expected demand from the planned Industrial and Light Industrial use of the site in the General Plan. Factoring in the proposed project's estimated water demand of 124.1 AFY, the total District demand would increase by 12.3 AFY due to the project's floor area ratio (FAR) being higher than the baseline FAR assumed in the UWMP. This would require the Visalia District to supply 45,541.3 acre-feet in an average year, 45,412.3 acre-feet in a single dry year, and 45,951.3 acre-feet every year over multiple dry years. These demands are higher than the supply given by the UWMP by 12.3 acre-feet, however the UWMP states "It should be noted that the Kaweah and Tule Subbasins are not adjudicated, and the projected groundwater supply volumes are not intended to and do not determine, limit or represent Cal Water's water rights or maximum pumping volumes." Since Cal Water has stated that the maximum pumping capacity is 100,829 AFY and the capacity is adequate to meet a projected 2030 demand of 57,364 AFY, it can be reasonably be expected that there would be sufficient water supplies available during normal, dry, and multiple dry years. The UWMP states "Cal Water expects that, under all hydrologic conditions, its groundwater supply for the Visalia District will fully meet future demands."

Cal Water can expect to meet the increased demand because M&I pumping accounted for 9 percent of the total pumping in the Kaweah Subbasin, and 3 percent of the total pumping in the Tule Subbasin. From this, the UWMP is able to conclude that "It is therefore likely that management of agricultural groundwater use, rather than M&I use, will be a much larger determining factor in maintaining groundwater sustainability in both the Kaweah and Tule Subbasins in the future."

The proposed project would be adequately served by the existing water system and would not require the relocation or construction of new or expanded water facilities. Impacts would be less than significant.

The proposed project is consistent with land use and zoning growth projections from the General Plan and is located within the UGB, thus making it planned growth. In its future projections, the UWMP anticipates increases in supply, demand, and service area under planned growth. Therefore, the proposed project is considered planned growth and would not create the need for unplanned connection or increases in service demands to Cal Water. Impacts would be less than significant.

Wastewater

The UWMP provided estimates of the volume of wastewater collected by the WCP from the Visalia District customers in year 2020. According to the UWMP, the WCP received approximately 14,635 acre-feet of wastewater that was collected from the City service area in year 2020. This estimate was calculated by annualizing 90 percent of January water use from the Visalia Water District service area for that year. This equates to approximately 13.1 million GPD of wastewater generation. Based on the City's existing capacity to process up to 22.0 million GPD, there is additional capacity to handle approximately 8.9 million GPD of additional wastewater.

As discussed above, the proposed project's operational water demand is estimated to be approximately 124.1 AFY at full buildout. To determine the proposed project's wastewater generation, it is assumed that 90 percent of the water used by the proposed project would be treated at the WCP (utilizing the same calculation as shown in the UWMP to determine year 2020

wastewater flows in the City). This would equate to approximately 111.7 AFY or 99,719 GPD of wastewater.

The City's existing WCP has capacity to process up to 22.0 MGD of wastewater. According to the City's UWMP, the WCP processed approximately 13.1 MGD in year 2020, leaving approximately 8.9 MGD of additional capacity. The proposed project would conservatively add approximately 99,719 gallons of wastewater per day, or approximately 1.1 percent of the existing available capacity.

Based on the WCP's existing capacity of 22.0 MGD, the WCP can adequately serve the proposed project in addition to other growth/development in the City. The proposed project would also be required to pay all applicable fees associated with the City's sewer system outlined in Municipal Code Section 13.08.710. The proposed project would be adequately served by the existing wastewater system and would not require the relocation or construction of new or expanded water facilities. Impacts would be less than significant.

Stormwater

Compared to existing conditions, the proposed project would result in a substantial increase of impervious surfaces, with a commensurate increase in stormwater runoff. As a result, the proposed project would result in the need for new or expanded storm drainage facilities.

As described in Chapter 2, Project Description, the proposed project includes construction of an on-site storm drainage system consisting of inlets, underground piping, and retention basins. Approximately 31.3 acres of retention basins would be installed. Runoff would drain to drainage system located throughout the project site. The system would be designed to meet the City's drainage requirements and all applicable standards and requirements would include accommodating a 100-year storm event, retaining runoff and releasing it at a rate no greater than the pre-development condition of the project site.

The proposed project's on-site stormwater retention basin would be sized to accommodate the stormwater discharge for the proposed project prior to the start of operations. Therefore, pursuant to the proposed project's compliance with all other applicable laws and regulations, the proposed project would not require the relocation or construction of new or expanded stormwater drainage facilities. Impacts would be less than significant.

Electric Power

SCE would provide electricity to the project site for lighting, appliances, and other associated operational uses. The proposed project would be required to comply with the State's applicable Title 24 energy efficiency standards (including designing structures to be solar-ready). These standards contain advanced energy efficiency standards and would ensure that the proposed project would not require significant or unplanned new electrical sources. Therefore, operational impacts related to the need for new electrical infrastructure facilities as a result of electricity demand would be less than significant.

The proposed project would include new connections from existing electrical lines, which have the capacity to serve project operations. The proposed project is required to obtain will and can serve letters from SCE prior to connecting to SCE's existing system. As such, the proposed project would

not require the relocation or expansion of electrical infrastructure to serve the increased demand, because it would be served by SCE with adequate electrical supplies. Therefore, operational impacts related to adequacy and capacity of electrical infrastructure facilities would be less than significant.

Natural Gas

Implementation of the proposed project would include new connections from existing natural gas lines. The proposed project could utilize natural gas for heating, which would be provided by SoCalGas. As discussed in Section 3.6, Energy, the proposed project would be required to be designed and constructed consistent with the State's current Title 24 energy efficiency standards. These standards would ensure that the proposed project would not require significant or unplanned new natural gas sources. Therefore, operational impacts related to the need for new natural gas supply would be less than significant.

Telecommunications

At operation, the proposed project would increase demand for internet and telephone services provided by local telecommunications providers. The proposed project is located in an area where existing telecommunications providers already offer internet and telephone services and have sufficient capacity to meet project operational demands. The building tenants/operators would coordinate with telecommunication providers in order to provide service, which have the capacity to serve project operations. Therefore, operational impacts related to the need for new or expanded telecommunications infrastructure facilities as a result of telecommunications demand would be less than significant.

Level of Significance

Less than significant impact.

Mitigation Measures

None required.

Water Supplies

Impact UTIL-2:	**Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

As discussed in Impact UTIL-1, the proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.[28] Therefore, the impact would be less than significant.

Level of Significance

Less than significant impact.

[28] 4Creeks Inc. 2022. Water Supply Technical Memorandum Shirk and Riggin Industrial Park. September.

Mitigation Measures

None required.

Wastewater Treatment Capacity

Impact UTIL-3:	**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?**

As discussed in Impact UTIL-1, the City has adequate wastewater capacity to serve the projected project in addition to the City's existing commitments. Impacts would be less than significant.

Level of Significance

Less than significant impact.

Mitigation Measures

None required.

Attainment of Solid Waste Reduction Goals

Impact UTIL-4:	**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?**

Construction

During construction, the proposed project would generate solid waste from demolition and removal of existing structures on the project site. The EPA estimates 4.34 pounds per square foot for a nonresidential construction project (defined as lodging, office, commercial, health care, educations, religious, public safety, and manufacturing facilities).[29] Common construction waste may include metals, masonry, plastic pipe, rocks, dirt, cardboard, or green waste related to land development. The proposed project would not generate any acutely hazardous material, and any other hazardous waste, such as fuels greases and solvents, generated or used during construction would be disposed of at an approved facility. Waste should be diverted from disposal in landfills (particularly Class III landfills) and maximize source reduction, reuse, and recycling of construction and demolition debris.

The proposed industrial and flex industrial buildings would cover approximately 3,720,149 square feet; therefore, the proposed project is expected to generate approximately 16,145,447 pounds or 8,073 tons of solid waste during the four years of construction.[30] Assuming construction would occur only on the weekdays, there would be approximately 980 construction days. Spread over the 980-working day demolition and construction schedule, this equates to approximately 8.3 tons per day. The County's three landfills are permitted to receive between 800 and 2,000 tons of waste per day.[31] One of the landfills has an expected closure date in 2024, which is before the close of the

[29] United States Environmental Protection Agency (EPA). 2003. Estimating 2003 Building-Related Construction and Demolition Materials Amounts. Website: https://www.epa.gov/sites/production/files/2017-09/documents/estimating2003buildingrelatedcanddmaterialsamounts.pdf. Accessed: June 20, 2023.

[30] Calculation: 3,720,149 square feet * 4.34 pounds per square foot = 16,145,447 pounds; 16,145,447 pounds/2,000 = 8,073 tons.

[31] California Department of Resources Recycling and Recover (CalRecycle). 2022. Solid Waste Information System (SWIS). Website: https://www2.calrecycle.ca.gov/SolidWaste/Site/Search. Accessed December 7, 2022.

construction periods; however, the City is undertaking measures to expand the landfills and extend their lifespans.[32] Construction/demolition debris generated by the proposed project represents a nominal percent (approximately 1 percent) of the quantity of solid waste that the landfill currently accepts on a daily basis. Mitigation Measure (MM) UTIL-1 would require that a recycling coordinator be identified to ensure the separation and proper disposal of recyclable materials and solid waste during construction. MM UTIL-1 also requires having recycling areas and receptacles on-site during construction to encourage recycling of materials to the extent feasible. In addition, compliance with applicable local and State laws and regulations would ensure that all construction waste would be conveyed to the appropriate solid waste facility and would be disposed of properly. Therefore, construction impacts related to landfill capacity would be less than significant.

Operation

Using 8.93 pounds per employee per day solid waste generation rate[33] (the most recent source provided by CalRecycle), the proposed project's approximately 4,177 employees would generate an estimated 37,300 pounds of solid waste per day (18.65 tons),[34] and 13,614,500 pounds per year (6,807 tons), assuming operation 365 days per year. As of this writing, these landfills have a combined maximum capacity of 40,071,173 cubic yards and a remaining capacity of 22,340,353 cubic yards. The three landfills have expected closure dates ranging between 2024 and 2043; however, the City is undertaking measures to expand the landfills and extend their lifespans.[35] As a result, the proposed project's estimated 18.65 tons of solid waste per day and 6,807 tons per year represent less than 1 percent of daily permitted capacity and overall landfill capacity. Pursuant to AB 939, cities are required to redirect at least 50 percent of municipal waste; as of 2009, the City reduced its annual waste tonnage collected by 25 percent, however no other data is provided by the City on its progress of achieving diversion rates in adherence to AB 939.[36] Implementation of MM UTIL-1 (e) would require each development project to provide a recycling storage area for recyclable materials during operations. Therefore, the proposed project would be served by a landfill that contains sufficient capacity, and operational impacts related to landfill capacity and solid waste reduction goals consistency would be less than significant.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM UTIL 1 The provisions listed below shall apply to the project during construction activities in connection with project development.

a. An on-site Recycling Coordinator shall be designated by the project proponent/contractor to facilitate recycling.
b. The Recycling Coordinator shall facilitate recycling of all construction waste through coordination with contractors, local waste haulers, and/or other facilities that recycle construction/demolition wastes.

[32] City of Visalia. 2014. Visalia General Plan Draft Environmental Impact Report – Public Services, Facilities, and Utilities. October 14.
[33] California Department of Resources Recycling and Recovery (CalRecycle). 2019. Estimated Solid Waste Generation Rates. Website: https://www2.calrecycle.ca.gov/wastecharacterization/general/rates. Accessed: December 9, 2022.
[34] Calculation: 8.93 pounds/employee/day * 4,100 = 36,613 pounds/day; 36,613 pound/day/2,000 = 18.3 tons/day.
[35] City of Visalia. 2014. Visalia General Plan Draft Environmental Impact Report – Public Services, Facilities, and Utilities. October 14.
[36] Ibid.

c. The on-site Recycling Coordinator shall also be responsible for ensuring wastes requiring special disposal are handled according to State and County regulations that are in effect at the time of disposal.
d. Contact information of the coordinator shall be provided to the City of Visalia prior to issuance of building permits.
e. The project proponent/operator shall provide a storage area for recyclable materials within the fenced project area that is clearly identified for recycling. This area shall be maintained on the site during construction and operations. A site plan showing the recycling storage area shall be submitted prior to the issuance of any grading or building permit for the site.

Level of Significance After Mitigation

Less than significant impact with mitigation incorporated.

Solid Waste Regulations

Impact UTIL-5:	**Would the project comply with federal, State, and local statutes and regulations related to solid waste?**

Construction

During construction, the proposed project would be required to comply with Municipal Code Chapter 8.29 related to construction and demolition materials management. Compliance with this regulation would ensure compliance with AB 939 by ensuring construction waste is transferred to facilities that can adequately recycle solid waste. Thus, with compliance with the Visalia Municipal Code and AB 939, the proposed project would be required to comply with applicable solid waste regulations and statutes. Therefore, impacts related to solid waste regulations consistency are less than significant.

Operation

During operation, the proposed project would be required to comply with applicable State and local laws and regulations related to solid waste such as AB 939, SB 1383 related to organic waste, AB 341 and AB 32 related to recycling, and Municipal Code Chapter 8.28 related to solid waste collection and disposal. Adherence to AB 939, SB 1383, AB 341, AB 32, and the Municipal Code would ensure sufficient solid waste collection and transportation is available and would ensure that disposal sites contain sufficient capacity through permit review and inspections and recycling programs are implemented to divert waste. As such, operation of the proposed project would not impede the ability of the City to meet waste diversion requirements or cause the City to violate State and local statutes and regulations related to solid waste. Therefore, with compliance with applicable State and City laws and regulations requiring recycling and waste diversion from landfills, operational impacts related to solid waste regulations consistency would be less than significant.

Level of Significance

Less than significant impact.

Mitigation Measures

None required.

3.15.7 - Cumulative Impacts

Water

The geographic scope of the cumulative potable water analysis is the service area of Cal Water Visalia District, which provides potable water to residents and businesses within the City service area. The WSA evaluates the adequacy of the City's total project water supplies, including existing water supplies and future planned water supplies, to meet the City's existing and projected future water demands, including those future water demands associated with the proposed project, under all hydrological conditions (Normal Years, Single Dry Years, and Multiple Dry Years).

Cumulative projects, including those listed in Chapter 3, Environmental Impact Analysis, Table 3-1, Cumulative Projects, are located within the areas of the City. As discussed under Impact UTIL-2, a WSA was completed for the proposed project that evaluated projected water demand associated with the proposed project, in addition to existing and other planned future users within the Visalia District service area. Water demand within the City's water service area is not expected to exceed the City's supplies at buildout under normal hydrologic conditions based on the City's existing supplies coupled with the implementation of its additional future planned projects. Furthermore, some of the cumulative projects would convert the existing agricultural use to other uses which have a significantly smaller water demand.

Developers of the other cumulative projects would be required to pay their proportionate share of required funding to the City for completion of water infrastructure improvements (which includes recycled water infrastructure) as included in the City's Capital Improvement Program (CIP). In addition, cumulative projects, such as those listed in Table 3-1, would be required to comply with provisions of the applicable laws and regulations in the Municipal Code and CALGreen related to water conservation. Therefore, cumulative impacts would be less than significant. As discussed above, the proposed project would also be required to comply with City/County ordinances and General Plan policies, as well as other laws and regulations that address water supply. The proposed project would also be required to pay applicable impact fees to help facilitate the completion of necessary water infrastructure. For these reasons, the proposed project would not have a cumulatively considerable contribution toward this less than significant cumulative impact related to water supply and treatment.

Wastewater

The geographic scope of the cumulative wastewater analysis is the service area of the City, which provides wastewater collection and treatment services for the City and its service area.

The City has estimated wastewater generated from its existing and future development in the service area and forecasted the needed facility upgrades. The forecast included treatment facility upgrades needed to accommodate existing needs and the planned growth in the service area and to maintain compliance with applicable regulatory standards for wastewater treatment and discharge.

The City has recently upgraded its WCP. The WCP has a capacity to treat 22 million GPD and currently treats approximately 13 million GPD.

The cumulative projects, including those listed in Chapter 3, Environmental Impact Analysis, Table 3-1, located in the City are within the service area and would generate volumes of wastewater conveyed to and treated at the WCP. Cumulative projects not located in the City or its service area would convey wastewater to the applicable wastewater treatment plant and are not included in this cumulative analysis. The City has anticipated planned growth and determined that capacity would exist to service the demand for wastewater treatment facilities given the existing capacity coupled with the upgrades discussed in Impact UTL-3. Projects within the service area would be required to pay applicable fees in effect at the time building permits are issued. Therefore, the proposed project's contribution to this less than significant impact related to wastewater generation and treatment would not be cumulatively considerable.

Storm Drainage

The geographic scope of the cumulative analysis of storm drainage is projects within the City, consisting of areas that drain to the storm drainage system and to the Kaweah River's Delta system.

The cumulative projects within the City would undergo its own CEQA review, which would evaluate and be required to mitigate any potential significant impacts with storm drainage pursuant to applicable laws and regulations. In addition, consistent with measures in the Municipal Code and other applicable standards and requirements, all development in the City would be required to incorporate a stormwater control plan and stormwater collection systems into the development that would in turn reduce the volume and velocity of stormwater runoff that cumulative projects would generate to adhere to applicable performance standards. Therefore, cumulative impacts in this regard would be less than significant.

As discussed above, the proposed project would have a less than significant impact on storm drainage. Therefore, the proposed project's contribution to this less than significant impact related to storm drainage would not be cumulatively considerable. (See also Section 3.10, Hydrology and Water Quality).

Solid Waste

The geographical area for considering cumulative impacts associated with solid waste is the geographic area covered by the Tulare County Solid Waste Division.

Cumulative projects, including those listed in Chapter 3, Environmental Impact Analysis, Table 3-1 consist predominantly of industrial and residential uses. However, as with the surrounding areas, new cumulative development (residential and nonresidential) would increase demand on solid waste facilities to receive, process, and store solid waste. Existing solid waste facilities provide sufficient capacity to serve all development anticipated in the City, as well as existing, planned, and probable future land uses in the City for the foreseeable future.

As of this writing, these landfills have a combined maximum capacity of 40,071,173 cubic yards and a remaining capacity of 22,340,353 cubic yards. Additionally, other cumulative projects within the cumulative geographic context, would be required to comply with applicable federal, State, and local laws, regulations and policies to address and mitigate, as necessary, any potentially significant

impacts related to solid waste. For these reasons, cumulative impacts to solid waste would be less than significant.

The proposed project's contribution to this less than significant cumulative impact would not be cumulatively considerable. The anticipated waste volume of development associated with the proposed project represents less than 1 percent of the landfill's permitted daily capacity. Furthermore, implementation of MM UTIL-1 would require that a recycling coordinator be identified to ensure the separation and proper disposal of recyclable materials and solid waste during construction. MM UTIL-1 also requires having recycling areas and receptacles on-site during construction to encourage recycling of materials to the extent feasible. Therefore, the proposed project, in conjunction with other cumulative projects, would result in a less than significant cumulative impact related to solid waste generation and landfill capacity.

Energy

Cumulative analysis with respect to Energy is addressed in Section 3.6, Energy.

Telecommunications

Cumulative projects would increase demand for internet and telephone services provided by local telecommunications providers. These cumulative projects would coordinate with telecommunication providers to provide service, and would be required to ensure there is sufficient capacity to serve each project, through analysis and adequate mitigation, as necessary. For these reasons, cumulative impacts with respect to telecommunications would be less than significant.

The proposed project would also coordinate with telecommunication providers to provide service, which has capacity to serve project operations, and the proposed project's contribution to the less than significant cumulative impact would not be cumulatively considerable. Therefore, the proposed project, in conjunction with other cumulative projects, would result in a less than significant cumulative impact related to telecommunications.

Mitigation Measures

Implement MM UTIL-1.

Level of Cumulative Significance

Less than significant impact with mitigation incorporated.

3.16 - Wildfire

3.16.1 - Introduction

This section describes the existing wildfire conditions on the project site and vicinity as well as the regulatory framework related to the potential environmental effects associated with wildfire. The section also explains the methodologies used in evaluating these potential impacts, the criteria used to evaluate the significance of potential impacts, and an analysis of potential impacts related to wildfire that could result from implementation of the proposed project. The analysis in this section is based, in part, on review of the project plans, the City's General Plan and General Plan Environmental Impact Report, information from the California Department of Forestry and Fire Protection (CAL FIRE), and CAL FIRE Tulare County Fire Hazards Severity Zone (FHSZ) Maps, the Biological Resources Assessment provided in Appendix C, and the Phase I Environmental Site Assessment provided in Appendix F of this Draft EIR.

No public comments were received during the Notice of Preparation (NOP) scoping period related to wildfire.

Wildfire Hazard Area Designations

CAL FIRE is responsible for mapping fire hazards within State Responsibility Areas (SRAs) based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified as a major cause of wildfire spread.

These zones, referred to as FHSZ classify a wildland zone as Moderate, High, or Very High fire hazard based on the average hazard across the area included in the zone. There are also "Fire Protection Responsibility Areas" (non-SRA), delineated as either a Federal Responsibility Area (FRA) or a Local Responsibility Area (LRA).

3.16.2 - Environmental Setting

Project Site

Pursuant to the CAL FIRE's Fire Hazard Severity Zone Map, the project site is not located in or near an SRA and also does not contain lands classified as a Very High Fire Hazard Severity Zone (VHFHSZ).[1] According to the CAL FIRE FHSZ Maps for the LRA, the project site is classified as LRA Unzoned, which means that the project site is outside of areas identified by CAL FIRE as having substantial or very high risk. The Unit Strategic Fire Plan for the CAL FIRE Tulare Unit designates the project site as being located within an Agriculture area by the County.[2]

The closest mapped FHSZ is an SRA Moderate Zone located approximately 15 miles east of the project site, at the outer city limits of the City of Exeter. There is a FRA Moderate Zone located

[1] California Department of Fire and Forest Protection (CAL FIRE). 2023. FHSZ Viewer. Website: https://egis.fire.ca.gov/FHSZ/. Accessed February 15, 2023.
[2] California Department of Forestry and Fire Prevention (CAL FIRE). 2022. Unit Strategic Fire Plan CAL FIRE/Tulare Unit. May.

approximately 23 miles to the southwest of the project site just outside of the City of Lemoore city limits.[3] The nearest VHFHSZ is located over 25 miles east of the project site.

In addition, the City of Visalia General Plan (General Plan) does not designate the project site as a fire hazard area. According to General Plan Figure 8-4, Fire Hazards and Public Safety Services, there is an area of moderate fire susceptibility located along North Plaza Drive between West Ferguson Avenue and Goshen Avenue, which is located approximately 3,700 feet southwest of the project site.[4]

Wildfire-conducive Conditions

Grassland or other vegetation in California is easily ignited, particularly in dry seasons. Wildfire is a serious hazard in high dry fuel load areas, particularly near areas of natural vegetation and steep slopes since fires tend to burn more rapidly on steeper terrain. Wildfire is also a serious hazard in areas of high wind, given that fires will travel faster and farther geographically when winds are higher. Furthermore, wildfire is more likely in areas where electric power lines are located above ground where they may encounter vegetation or building materials.

Project Site

The vast majority of the project site (approximately 284 acres) consists of an active almond orchard, with the remaining portions of the project site consisting of some non-native planted ornamental trees, access roads and small amounts of vegetation. All orchard areas are actively managed, with sparce herbaceous understory plant cover that consists of managed ruderal non-native grasses and forbs, and tree cover. Barren areas on the project site consist of access roads, which are currently dirt with small amounts of managed, non-native invasive grasses and forbs on edges. In addition, there are streetlights and above ground power and telecommunication lines in various locations adjacent to the project site. The project site is gently sloping toward the east but does not contain significant slopes. Additionally, the project site is surrounded by agricultural and industrial areas and is not located adjacent to wildlands or grasslands or in a wildland urban interface (WUI) area.

Emergency and Evacuation Routes/Access

Project Site

Based on its location, the most likely evacuation routes from the project site would be SR-198 (in the east–west direction), and SR-99 and SR-63 (in the north–south direction). These routes are approximately 2 miles, 2.15 miles, and 3.66 miles away from the project site, respectively.

Post-fire Slope Instability and Drainage Pattern Changes

Slope instability from wildfire scarring of the landscape can result in slope instability in the form of more intensive flooding and landslides. These post-fire slope soils and altered drainage patterns can more easily creep away downslope sides of foundations and reduce lateral support.

[3] California Department of Forestry and Fire Prevention (CAL FIRE). 2022. Unit Strategic Fire Plan CAL FIRE/Tulare Unit. May.
[4] City of Visalia. 2014. Visalia General Plan Chapter 8: Safety and Noise, Figure 8-4: Fire Hazards and Public Safety Services. October.

Project Site

The project site has not been impacted from previous wildfire damage or post-fire drainage pattern changes.[5] As described previously, the project site contains relatively level elevation and does not contain steep slopes. The prevailing wind pattern is from the northwest.

Water Supply and Infrastructure

Water supplies and water infrastructure is needed to address firefighting capacity within the project site. Potential loss of water pressure during a fire may decrease available water supplies, and the potential loss of power may eliminate the supply of water to the project site. Therefore, the following discussion addresses water supplies, infrastructure, and power to evaluate potential wildfire risk impacts.

Project Site

Water for the proposed project would be provided by the City's water supply (provided by Cal Water). The proposed project would require connection to City-owned utility and infrastructure. The applicant would be required to comply with all applicable standards, including public and private fire hydrants, to ensure the provision of adequate water pressure and durations as specified by the City's Hydrant Ordinance. According to the Hydrant Ordinance, light industrial developments require a minimum flow of 2,000 gallons per minute at 20 psi residual pressure at any required fire hydrant.[6] During the development review process for the proposed project, City staff and the Visalia Fire Department would review water flow and distribution requirements as well as infrastructure to confirm adequate water pressure for firefighting.

3.16.3 - Regulatory Framework

Federal

United States Department of Interior, Office of Wildland Fire

This federal agency develops, reviews and updates federal policy related to wildland fire management to ensure consistent and effective program implementation across the Department of the Interior and its many partners. To that end, this federal agency adopted the 1995 Federal Wildland Fire Management Policy (January 2001), which sets forth the following that are relevant to this analysis:

1. **Safety—**Firefighter and public safety is the first priority. All Fire Management Plans and activities must reflect this commitment.
2. **Fire Management and Ecosystem Sustainability—**The full range of fire management activities will be used to help achieve ecosystem sustainability, including its interrelated ecological, economic, and social components.
3. **Response to Wildland Fire—**Fire, as a critical natural process, will be integrated into land and resource management plans and activities on a landscape scale, and across agency boundaries. Response to wildland fire is based on ecological, social, and legal consequences

[5] California Department of Forestry and Fire Prevention (CAL FIRE). 2022. History of Wildfires. Website: https://projects.capradio.org/california-fire-history/#9.77/36.3423/-119.3612. Accessed November 9, 2022.
[6] City of Visalia. 2001. Municipal Code Section 16.36.120 Water mains, fire hydrants and fire department access. Website: https://www.visalia.city/civicax/filebank/blobdload.aspx?blobid=4255. Accessed November 22, 2022.

of the fire. The circumstances under which a fire occurs, and the likely consequences on firefighter and public safety and welfare, natural and cultural resources, and values to be protected dictate the appropriate management response to the fire.

4. **Use of Wildland Fire—**Wildland fire will be used to protect, maintain, and enhance resources and, as nearly as possible, be allowed to function in its natural ecological role. Use of fire will be based on approved Fire Management Plans and will follow specific prescriptions contained in operational plans.

5. **Rehabilitation and Restoration—**Rehabilitation and restoration efforts will be undertaken to protect and sustain ecosystems, public health, and safety, and to help communities protect infrastructure.

6. **Protection Priorities—**The protection of human life is the single, overriding priority. Setting priorities among protecting human communities and community infrastructure, other property and improvements, and natural and cultural resources will be based on the values to be protected, human health and safety, and the costs of protection. Once people have been committed to an incident, these human resources become the highest value to be protected.

7. **Wildland Urban Interface—**The operational roles of federal agencies as partners in the WUI are wildland firefighting, hazardous fuels reduction, cooperative prevention and education, and technical assistance. Structural fire suppression is the responsibility of tribal, State, or local governments. Federal agencies may assist with exterior structural protection activities under formal Fire Protection Agreements that specify the mutual responsibilities of the partners, including funding. (Some federal agencies have full structural protection authority for their facilities on lands they administer and may also enter into formal agreements to assist State and local governments with full structural protection.)

8. **Planning—**Every area with burnable vegetation must have an approved Fire Management Plan. Fire Management Plans are strategic plans that define a program to manage wildland and prescribed fires based on the area's approved land management plan. Fire Management Plans must provide for firefighter and public safety; include fire management strategies, tactics, and alternatives; address values to be protected and public health issues; and be consistent with resource management objectives, activities of the area, and environmental laws and regulations.

9. **Science—**Fire Management Plans and programs will be based on a foundation of sound science. Research will support ongoing efforts to increase our scientific knowledge of biological, physical, and sociological factors. Information needed to support fire management will be developed through an integrated interagency fire science program. Scientific results must be made available to managers in a timely manner and must be used in the development of land management plans, Fire Management Plans, and implementation plans.

10. **Preparedness—**Agencies will ensure their capability to provide safe, cost-effective fire management programs in support of land and resource management plans through appropriate planning, staffing, training, equipment, and management oversight.

11. **Suppression—**Fires are suppressed at minimum cost, considering firefighter and public safety, benefits, and values to be protected, consistent with resource objectives.

12. **Prevention—**Agencies will work together and with their partners and other affected groups and individuals to prevent unauthorized ignition of wildland fires.
13. **Standardization—**Agencies will use compatible planning processes, funding mechanisms, training and qualification requirements, operational procedures, values to be protected methodologies, and public education programs for all fire management activities.
14. **Interagency Cooperation and Coordination—**Fire management planning, preparedness, prevention, suppression, fire use, restoration and rehabilitation, monitoring, research, and education will be conducted on an interagency basis with the involvement of cooperators and partners.
15. **Communication and Education—**Agencies will enhance knowledge and understanding of wildland fire management policies and practices through internal and external communication and education programs. These programs will be continuously improved through the timely and effective exchange of information among all affected agencies and organizations.
16. **Agency Administrator and Employee Roles—**Agency administrators will ensure that their employees are trained, certified, and made available to participate in the wildland fire program locally, regionally, and nationally as the situation demands. Employees with operational, administrative, or other skills will support the wildland fire program as necessary. Agency administrators are responsible and will be held accountable for making employees available.
17. **Evaluation—**Agencies will develop and implement a systematic method of evaluation to determine effectiveness of projects through implementation of the 2001 Federal Fire Policy. The evaluation will assure accountability, facilitate resolution of areas of conflict, and identify resource shortages and agency priorities.

State

California Emergency Response Plan

California has developed an emergency response plan to coordinate emergency services provided by federal, State, and local governments and private agencies. Responding to hazardous materials incidents is one part of this plan. The plan is administered by the California Governor's Office of Emergency Services, which coordinates the responses of other agencies. When Tulare County experiences an emergency, an Emergency Operations Center may be opened. In the event an Emergency Operations Center is opened, emergency response team members coordinate efforts and work with local fire and police agencies, emergency medical providers, the California Highway Patrol, CAL FIRE, California Department of Fish and Wildlife (CDFW), and Caltrans.

California Department of Forestry and Fire Protection Threat Potential Mapping

CAL FIRE has mapped fire threat potential throughout California. CAL FIRE maps fire threat based on the availability of fuel and the likelihood of an area burning (based on topography, fire history, and climate). The threat levels include no fire threat, Moderate, High, and Very High fire threat. While FHSZs do not predict when or where a wildfire will occur, they do identify areas where wildfire hazards could be more severe and, therefore, are of greater concern. According to the CAL FIRE FHSZ

Maps for the LRA, the project site is classified as LRA Unzoned. Given this designation, the project site is outside of areas identified by CAL FIRE as having substantial or very high risk. The land immediately east, west, and south of the project site consists of agricultural uses with a mix of row crops and orchards, while the land to the south and west is used for industrial warehouses and residential uses. The land surrounding the project site is categorized as LRA Unzoned. The nearest VHFHSZ is located over 25 miles east of the project site. In addition, the Unit Strategic Fire Plan for the CAL FIRE Tulare Unit designates the project site as being located within an Agriculture area by the County.[7]

California Building Code

Chapter 7 of the 2022 California Building Standards Code (CBC) details the materials, systems, and/or assemblies used in the exterior design and construction of new buildings located within a WUI Fire Area. A WUI Area is defined in Section 702A as a geographical area identified by the State as a FHSZ in accordance with the Public Resources Code Sections 4201–4204 and Government Code Sections 51175–51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires. The CBC details the materials, systems, and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings. The City adopted the CBC in Chapter 15 of the City of Visalia Municipal Code (Municipal Code).

California Public Resources Code

California Public Resources Code Sections 4201-4204 and Government Code Sections 51175-51189 directs CAL FIRE to map FHSZ within SRAs and LRAs. Areas of significant fire hazards are identified based on fuels, terrain, weather, and other relevant factors. The FHSZs define the type of mitigation strategies to be applied to reduce risks associated with wildland fires. SRAs and were originally mapped by CAL FIRE in 1985 and LRAs in 1996. Within SRAs, the Director of CAL FIRE has designated areas as Moderate, High, and VHFHS. Outside of SRAs, but within LRAs, the Director of CAL FIRE was charged with recommending the locations of VHFHSZs. California Public Resources Code Sections 4291–4299 *et seq*. requires that brush, flammable vegetation, or combustible growth within 100 feet of buildings be maintained. Vegetation that is more than 30 feet from the building, less than 18 inches high, and is important for soil stability may be maintained, as may single specimens of trees or other vegetation that is maintained to manage fuels and would not form a means of rapid fire transmission from other nearby vegetation to a structure. California Public Resources Code Sections 4291–4299 *et seq*. applies to both high fire threat districts, as determined by the California Public Utilities Commission (CPUC) pursuant to its rulemaking authority, and SRAs. Additionally, the Public Resources Code outlines infraction fees, certification, and compliance procedures applicable with State and local building standards, including those described in Government Code Section 51189(b). The California Public Resources Code includes fire safety regulations that restrict the use of equipment that may produce a spark, flame, or fire; require the use of spark arrestors[8] on construction equipment that use an internal combustion engine; specify requirements for the safe

[7] California Department of Forestry and Fire Prevention (CAL FIRE). 2022. Unit Strategic Fire Plan CAL FIRE/Tulare Unit. May.

[8] A spark arrestor is any device that prevents the emission of flammable debris from a combustion source (i.e., fireplaces, internal combustion engines, and wood burning stoves).

use of gasoline-powered tools in fire hazard areas; and specify fire suppression equipment that must be provided on-site for various types of work in fire-prone areas.

These regulations include the following:

- Earthmoving and portable equipment with internal combustion engines will be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code [PRC] § 4442).
- Appropriate fire suppression equipment will be maintained during the highest fire danger period—from April 1 to December 1 (PRC § 4428).
- On days when a burning permit is required, flammable materials will be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the construction contractor will maintain the appropriate fire suppression equipment (PRC § 4427).
- On days when a burning permit is required, portable tools powered by gasoline-fueled internal combustion engines will not be used within 25 feet of any flammable materials (PRC § 4431).

Regional

CAL FIRE Tulare Unit Strategic Fire Plan

The CAL FIRE Tulare Unit Strategic Fire Plan (Fire Plan), updated in May 2022, is the most current document that assesses the wildland fire situation throughout the SRA within CAL FIRE jurisdiction. The Fire Plan was created to assist the CAL FIRE Tulare Unit with pre-suppression projects which exist within each Battalion. The CAL FIRE Tulare Unit plans, identifies, and evaluates priority landscape, fire hazards, and wildfire risk. Additionally, it identifies opportunities for reducing structural ignitability, and identifies potential fuel reduction projects and techniques for minimizing those risks. The Fire Plan gives an overview of CAL FIRE Tulare Unit Battalions and ranks these areas in terms of priority needs as well as identifies the areas of SRA. According to the Fire Plan, 19.3 percent of Tulare County areas are within an SRA. Tulare County is broken up into four different fuel management areas, including Badger, Kaweah, Tule, and Fountain Springs. The project site is located adjacent to Kaweah Battalion 4112, but is not within an SRA and is not directly within the jurisdiction of a fuel management area.[9] The CAL FIRE Tulare Unit has mutual aid agreements with the Visalia Fire Department.

Multi-Jurisdictional Local Hazard Mitigation Plan

The Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP), updated in 2017, assesses the natural, technological, and human-caused risks to County communities, and reduces the potential impact of the hazards by creating mitigation strategies. The MJLHMP complies with The Federal Disaster Mitigation Act of 2000 (DMA 2000), Federal Register 44 Code of Federal Regulations Parts 201 and 206. This law, as of November 1, 2004, requires local governments to develop and submit hazard mitigation plans as a condition of receiving Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) and other mitigation project grants. The County; the Cities

[9] California Department of Forestry and Fire Prevention (CAL FIRE). 2022. Unit Strategic Fire Plan CAL FIRE/Tulare Unit. May.

of Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, and Woodlake; the Tule River Tribe; and Tulare County Office of Education staffs coordinated to prepare the MJLHMP.

Local

City of Visalia Municipal Code

Visalia Fire Code

Chapter 8.20 of the Municipal Code details the Visalia Fire Code, which is an adoption of the 2019 California Fire Code with some amendments. The purpose of the Visalia Fire Code is to regulate the safeguarding of life, property, and public welfare to a reasonable degree from the hazards of fire, hazardous materials release, and/or explosion due to handling of dangerous and hazardous materials, conditions hazardous to life or property in the occupancy and use of buildings and premises, the operation, installation, construction, and location of attendant equipment, the installation and maintenance of adequate means of egress, and providing for the issuance of permits and collection of fees.

Visalia Hydrant Ordinance

Chapter 16.36.120 of the Municipal Code outlines the following requirements for water mains, fire hydrants, and fire department access:

The subdivider shall install water mains, fire hydrants and provide fire department access when required. The costs associated with such installations shall be at the expense of the subdivider. Fire hydrants, water mains and fire department access shall be installed in accordance with the following:

A. The water system, including water mains and fire hydrants, shall be installed and in operation prior to the commencement of building construction on any site within the subdivision unless otherwise authorized by the fire marshal, fire chief and/or their designee.

B. Fire hydrants shall be of a type approved by the fire marshal, fire chief and/or their designee.

C. The minimum water main line size to serve any fire hydrant shall be 6 inches in diameter.

D. A gate valve shall be installed between the tee in the main and the fire hydrant.

E. Minimum water flow shall comply with the following requirements:
    1. Single-family developments shall require a minimum flow of 1,000 gallons per minute at 20 psi residual pressure at any required fire hydrant.
    2 Multi-family, one or two story, zero lot line clearance, condominiums, and mobile home parks, light commercial and light industrial developments shall require a minimum flow of 2,000 gallons per minute at 20 psi residual pressure at any required fire hydrant.
    3. Multi-family, three stories or higher, heavy commercial and heavy industrial development shall require a minimum flow of 2,500 gallons per minute at 20 psi residual pressure at any required fire hydrant.

F. Water systems, other than California Water Service Company mains, supplying fire hydrants shall comply with the current adopted Fire Code.

1. A backup pump shall be provided with an alternative source of power and the backup pump shall be capable of supplying the required fire flow.
2. The alternative source of power must be different from the primary course of power and must be installed with the capacity of delivering the minimum flow requirements specified above and comply with the flow duration established in the Uniform Fire Code.
3. The alternative source of power shall automatically turn on in the event of failure of the primary source of power.

G. Fire hydrant spacing shall comply with the following requirements:
   1 Single-family residential developments shall be provided with fire hydrants every 600 lineal feet of residential frontage. In isolated developments, no less than two fire hydrants shall be provided not more than 600 lineal feet apart from one another.
   2. Multi-family, zero lot line clearance, mobile home park or condominium developments shall be provided with fire hydrants every 400 feet of residential frontage. In isolated developments, no less than two fire hydrants shall be provided not more than 400 lineal feet apart from one another.
   3. Multi-family or condominium developments with 100 percent coverage fire sprinkler systems shall be provided with fire hydrants every 600 lineal feet of multi-family or condominium frontage. In isolated developments, no less than two fire hydrants shall be provided not more than 600 lineal feet apart from one another.
   4 Commercial and industrial shall be provided with fire hydrants every 300 hundred feet of commercial or industrial frontage. In isolated developments, no less than two fire hydrants shall be provided not more than 300 lineal feet apart from one another.
   5. Commercial or industrial developments with 100 percent coverage fire sprinkler systems shall be provided with fire hydrants every five hundred lineal feet of commercial or industrial frontage. In isolated developments, no less than two fire hydrants shall be provided not more than 5000 lineal feet apart from one another.
   6. When any portion of a building is in excess of 150 feet from a water supply on a public street, there shall be provided, when required by the fire marshal, fire chief and/or their designee, on-site fire hydrants and water mains capable of supplying the required fire flow, or suitable fire appliances of a type approved by the fire marshal, fire chief and/or their designee.
   7. Any building provided with a fire sprinkler system shall provide a fire hydrant within 50 feet of the fire department connection.
   8. The exact location of fire hydrants within or adjacent to subdivisions and the final decision as to the number of fire hydrants shall be at the discretion of the fire marshal, fire chief, and/or their designee.

H. Fire department access shall comply with current adopted Fire Code.

I. Every building constructed shall be accessible to fire department apparatus by way of access roadways with an all weather driving surface of not less than 20 feet of unobstructed width, capable of supporting the imposed loads of fire apparatus and having a minimum of 13 feet 6 inches in vertical clearance. Dead-end access roadways longer than 150 feet shall have a turn-around area designed and constructed in accordance to City standards. When deemed

necessary by the fire marshal, fire chief and/or their designee, access road will be declared fire lanes and will comply with the requirements established in the Uniform Fire Code. Fire department access shall be provided prior to the commencement of building construction on any site within the subdivision unless otherwise authorized by the fire marshal, fire chief and/or their designee.

J. Nothing in the above regulations shall prevent the fire marshal, fire chief, and/or their designee from making special requirements as based on the appropriate level of fire protection for a particular system.

K. The fire chief may adopt, amend and enforce regulations necessary to implement this section, in accordance with the procedures outlined in the City's policy permitting adoption, amendment or repeal of regulations. (Ord. 2017-01 (part), 2017: Ord. 2013-07, 2013).

City of Visalia Emergency Operations Plan

The City's Emergency Operations Plan (EOP) was adopted in 2011. The City's EOP is designed to establish a framework for implementation of the California Standardized Emergency Management System for the City, which is located within the Governor's Office of Emergency Service's Mutual Aid Region V. The City's EOP is used in conjunction with the Tulare County's EOP, which incorporates the County's updated 2011 Evacuation Plan, establishes responsibilities, threat levels, and triggers for evacuation, evacuation areas, and evacuation routes to be used in case of catastrophic emergencies, including wildfire. The EOP also addresses the planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and national security emergencies in or affecting the City of Visalia.

This plan accomplishes the following:

- Establishes the emergency management organization required to mitigate any significant emergency or disaster affecting the City of Visalia.
- Identifies the policies, responsibilities and procedures required to protect the health and safety of the City of Visalia community, public and private property and the environmental effects of natural and technological emergencies and disasters.
- Establishes the operational concepts and procedures associated with Initial Response Operations (field response) to emergencies, the Extended Response Operations (City Emergency Operations Center [EOC] activities) and the recovery process.

City of Visalia General Plan

Chapter 8: Safety and Noise

Policies and Objectives

S-O-5 Provide a comprehensive program of safety services including police, fire and medical response in all parts of the Visalia Planning Area.

S-O-6 Provide comprehensive emergency response and evacuation routes for Visalia area residents.

S-P-21 Develop a community wildfire mitigation plan that identifies and prioritizes areas for hazard fuel reduction treatments, and recommend the types of methods of treatments.

S-P-22 Manage vegetation in areas within and adjacent to public rights-of-way and in close proximity to critical facilities in order to reduce the risk of tree failure and property damage and avoid creation of wind acceleration corridors within vegetated areas.

S-P-25 Implement a fuel reduction program, such as the collection and disposal of dead fuel, within publicly-owned open spaces and around critical facilities located within a high and very high wildfire zones.

S-P-27 Implement a fuel modification program, which also includes residential maintenance requirements and enforcement, plan submittal and approval process, guidelines for planting, and a listing of undesirable plant species. Require builders and developers to submit their plans, complete with proposed fuel modification zones, to the Fire Department for review and approval prior to beginning construction.

S-P-28 Assist in solving the incendiary problem by improving law enforcement and investigation equipment, adapting equipment available in other fields; and purchasing new equipment where needed. Implement "no burn" programs, particularly in areas outside of immediate response zones of fire stations.

S-P-29 Ensure availability of adequate water supplies to meet public health and safety needs, and for resource protection, by maintaining the following order of priority for water use:

- Potable water supply, fire protection, and domestic use
- Resource protection and preservation
- Industrial, irrigation and commercial uses
- Water-oriented recreation
- Air conditioning

S-P-30 Integrate the Tulare County Hazard Mitigation Plan, in particular the hazard analysis and mitigation strategy sections, into the development review process, the Emergency Operations Plan, and Capital Improvement Program, as appropriate.

3.16.4 - Methodology

Wildfire impacts are considered on the basis of: (1) off-site wildland fires that could result due to the proposed project, and (2) on-site generated combustion that could affect surrounding areas. The proposed project's potential impacts associated with wildfires have been evaluated using a variety of resources, including CAL FIRE maps showing FHSZs, Fire and Resource Assessment Program (FRAP) and fire history, vegetation data from the Biological Resources Assessment and Phase I Environmental Site Assessment,[10] project location maps, and a review of the project site's

[10] Ninyo & Moore. 2022. Phase I Environmental Site Assessment Northeast Corner of West Riggin Avenue and Kelsey Street. July 20.

characteristics. Using the aforementioned resources and professional judgment, impacts were analyzed according to California Environmental Quality Act (CEQA) significance criteria described below.

3.16.5 - Thresholds of Significance

The Lead Agency derives its significance criteria based on the questions in the CEQA Guidelines Appendix G Environmental Checklist. Accordingly, wildfire impacts from implementation of the proposed project would be considered significant:

If located in or near SRAs or lands classified as VHFHSZ, the proposed project would:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan.

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.

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.

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.

3.16.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the development of the proposed project and provides feasible mitigation measures if required.

Emergency Response/Evacuation Plan Consistency

Impact WILD-1:	**If located in or near an SRA or lands classified as a VHFHSZ, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?**

Impact Analysis

As noted in the Hazards and Hazardous Materials section under Impact HAZ-7, the project site is not located in or near an SRA or lands classified as a VHFHSZ, pursuant to the CAL FIRE's Fire Hazard Severity Zone Map.[11] According to the CAL FIRE FHSZ Maps for the LRA, the project site is classified as LRA Unzoned, which means that the project site is outside of areas identified by CAL FIRE as having substantial or very high risk. The Unit Strategic Fire Plan for the CAL FIRE Tulare Unit designates the project site as being located within an Agriculture area by the County.[12]

Additionally, as discussed above, there is no history of wildfires on or near the project site. Accordingly, the project site is not considered a high wildfire prone area. Therefore, because the

[11] Ibid.
[12] California Department of Forestry and Fire Prevention (CAL FIRE). 2022. Unit Strategic Fire Plan CAL FIRE/Tulare Unit. May.

project site is not located in or near an SRA or lands classified as a VHFHSZ, there would be a less than significant wildfire impact.

During construction, construction equipment and vehicles would access and leave the project site, which in turn could potentially impede evacuation or Emergency Vehicle Access (EVA). The City General Plan designates SR-198, SR-99, and SR-63 as evacuation routes consistent with the Tulare County Evacuation Plan.[13] The foregoing State Routes are located 2 miles, 2.15 miles, and 3.66 miles from the project site, respectively. In addition to these evacuation routes that would likely be used in the event of a wildfire emergency, there are other main arterial roads that are in the vicinity and readily accessible, which could reasonably be assumed to serve as emergency evacuation routes in the project vicinity.

The proposed project's primary access roads (Kelsey Street, Clancy Street, Shirk Street, and Riggin Avenue) allow adequate egress/ingress to the project site in the event of an emergency. These streets would connect to an internal road network within the project site, providing ample access for emergency vehicles in case of an emergency. Given the multiple evacuation routes available to the proposed project as well as other community members, coupled with several alternate main arterial roads that provide access to these identified evacuation routes, the proposed project's construction would not substantially impair these evacuation routes.

Furthermore, the proposed project would be designed in accordance with the applicable City standards and the Tulare County MJLHMP to accommodate emergency evaluation by providing safe and ready access for emergency equipment and provide alternate routes for evacuation. As such, the proposed project would not substantially impair any adopted emergency response plan or emergency evacuation plan.

In conclusion, because the project site is not located in or near an SRA or lands classified as a VHFHSZ, the proposed project would have a less than significant impact in this regard. Moreover, the project site is not considered a high wildfire prone area, and the proposed project would not introduce environmental or public safety hazards that would increase the risk of ignition and or impede evacuation such that any existing environmental hazards would be exacerbated. Impacts would be less than significant.

During operation, the proposed project would be readily and adequately served by police and fire services (see Section 3.13, Public Services). Given the industrial nature of the proposed project, it would not create a permanent residential increase in population unaccounted for in the General Plan that could lead to overwhelming calls for emergency services. Additionally, the proposed project is not expected to trigger the need for significant additional law enforcement, fire protection, or emergency services. As noted above, given the availability of multiple evacuation routes available to the proposed project as well as other community members, coupled with several alternate main arterial roads that provide access to these identified evacuation routes, the proposed project's operation would not substantially impair these evacuation routes and would not substantially impair any adopted emergency response plan or emergency evacuation plan. Furthermore, the proposed

[13] City of Visalia. 2014. Visalia General Plan Chapter 8: Safety and Noise.

project would be designed to be consistent with all applicable Fire Code requirements and standards. Therefore, no mitigation is required and impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Expose Project Occupants to Pollutant Concentrations from Wildfire

Impact WILD-2:	**If located in or near an SRA or lands classified as a VHFHSZ, would the project 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?**

Impact Analysis

A significant impact would occur if the project site were located in or near an SRA or lands classified as a VHFHSZ, and also contained specific conditions that would exacerbate wildfire risks, including exposure to wildfire related pollutants or uncontrolled spread of a wildfire. As noted above, the project site is not located in or near an SRA or lands classified as a VHFHSZ. Therefore, because this is the case, there would be a less than significant wildfire impact.

Slope and wind speed and can influence the spread of fires. Upslope topography eventually increases the spread rate of the fire in all fuel beds over flat conditions. As described previously, the project site has an elevation of approximately 303 feet above mean sea level (AMSL). The project site is predominantly flat with a gentle slope to the northwest.

The nearest air monitoring station that measures meteorological data is the Visalia Municipal Airport Station, located approximately 2.87 miles southwest of the project site. According to the California Air Resources Board (ARB), this station has an average wind speed of 6.9 mph and an annual maximum of 12 mph.[14] While these wind speeds could potentially spread wildfires, the project site and vicinity are not in or near a WUI zone, and are bordered by urban development on two sides, with similar development planned in the area in the immediate future.[15] Annual prevailing winds in the City of Visalia are from the northwest; therefore, the prevailing winds would blow fire embers away from the project site and would not exacerbate fire risk.[16] As such, the project site and its surroundings do not embody conditions that would exacerbate wildfire in this regard.

[14] California Air Resources Board (ARB). 2022. Tulare County – All Networks Annual Resultant Wind Summary Data 2022. Website: https://www.arb.ca.gov/aqmis2/display.php?param=WINSPD_mph&year=2022&mon=8&day=18&hours=all&county_name=54-Tulare&basin=--AIR+BASIN--&latitude=--PART+OF+STATE--&report=ASRPT&order=state%2Cbasin%2Ccounty_name%2Cname&network%5B%5D=ALL&submit=Retrieve+Data&ptype=met. Accessed August 18, 2022.

[15] California Department of Forestry and Fire Prevention (CAL FIRE). 2019. Wildland Urban Interface (WUI). December.

[16] Western Regional Climate Center. 2022. Prevailing Wind Direction. Website: https://wrcc.dri.edu/Climate/comp_table_show.php?stype=wind_dir_avg. Accessed November 22, 2022.

As noted in Impact WILD-1, the project site is not in a wildfire prone area. Additionally, the proposed project would not exacerbate exposure to pollutant concentrations due to wildfires.

The project site is designated as LRA Unzoned, which are considered areas with low fire frequency. The potential for wildfire on the project site is not considered high. In addition, the project site has not previously experienced wildfire. The reduction in fuel load and relatively flat slope, as well as agricultural irrigation, further reduces the potential for wildfire to spread on-site. The proposed project would be adequately served by fire hydrant water pressure in accordance with applicable water distribution design criteria.

Given that the project site does not experience consistent high winds, is not located in or near an area of steep terrain or an area experiencing historical wildfire, and would be adequately served by water supplies, the project site would not be prone to greater wildfire risk.

During construction and operation, the proposed project would comply with applicable existing California Fire Code (Municipal Code 8.20) standards and requirements related to the maintenance of mechanical equipment, handling and storage of flammable materials, and cleanup of spills of flammable materials, as well as the installation of sprinkler systems and fire/smoke detection devices. The proposed project is not anticipated to expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire due to slope, prevailing winds, and other factors during construction.

In conclusion, because the project site is not located in or near an SRA or a VHFHSZ, it does not meet the threshold for a potentially significant impact. Moreover, the relatively flat terrain, lack of prevailing winds or other factors, the proposed project would not exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, no mitigation is required and impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Infrastructure That Exacerbates Fire Risk

Impact WILD-3:	**If located in or near SRAs or lands classified as VHFHSZ 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?**

Impact Analysis

See Impacts WILD-1 and WILD-2. The project site is not located in or near an SRA or lands classified as a VHFHSZ. Therefore, there would be a less than significant wildfire impact.

Development of the proposed project would include road improvements and internal roadways to allow for vehicular travel. However, the proposed project would not require the installation of firebreaks, because it is in a generally urbanized area surrounded by existing urban development with little natural vegetation and is not considered a high wildfire prone area, as discussed at length above. The proposed project would be required to implement applicable provisions of the Fire Code, including, among others, adhering to the minimum fire flows, the minimum spacing for and numbers of fire hydrants, sprinkler systems, smoke detection devices, and fire department access requirements. Fire hydrants must be of a type approved by the Fire Marshal or Fire Chief. Therefore, the project site would have adequate water supplies for firefighting purposes and would have adequate access to fire hydrants, as well as adequate emergency access. New utilities such as electrical power and natural gas lines would be installed below ground, helping to reduce potential ignition and related fire risk above ground, as well as reducing the possibility of a power outage during a fire since underground power lines are less likely to be damaged by falling branches or flying debris.

In conclusion, due, in part to its location and the incorporation of project design features such as road improvements, availability of adequate water supply for firefighting purposes, undergrounding of new utility lines, and adherence to applicable laws and regulations relating to fire protection, the proposed project would not 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. Therefore, no mitigation is required, and impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

Flooding and Landslide Hazards Due to Post-fire Slope Instability/Drainage Changes

Impact WILD-4:	**If located in or near an SRA or lands classified as a VHFHSZ, would the project 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?**

Impact Analysis

See Impacts WILD-1 through WILD-3.

The project site is not located on or near steep slopes susceptible to landslides or downstream flooding. As discussed previously, the project site has also not been affected by previous wildfires that could have resulted in drainage changes or loss of vegetation. Additionally, the project site is not located in or near fire-prone areas, such as unmanaged open space or a designated fire hazard zone.

In addition, the proposed project would be required to implement a SWPPP pursuant to applicable laws and regulations, which would include erosion and sediment control BMPs during construction, thereby reducing the potential of erosion and siltation during construction and would control potential flooding events that could occur during construction. Also, the proposed project would

install an on-site storm drainage system consisting of inlets, underground piping, and detention basins that would be required to adhere to all applicable standards and requirements pursuant to applicable laws and regulations. Runoff would drain to the proposed project's drainage system located throughout the project site. The system would be designed to meet all applicable standards and requirements including accommodating a 100-year storm event and would be required to detain runoff and release it at a rate no greater than the pre-development condition of the project site.

In conclusion, the project site is not considered a high wildfire prone area; it would be required to implement all applicable standards and requirements related to wildfires and fire protection. Therefore, the proposed project would not 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. No mitigation is required, and impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Less than significant impact.

3.16.7 - Cumulative Impacts

The geographic scope of the cumulative wildfire analysis is the City of Visalia and the western portion of Tulare County because based on the overall topography and existing development (including natural and man-made fire breaks), a fire event beyond this geographic scope is unlikely to affect the proposed project, and any fires starting in the project site and vicinity would not likely significantly affect lands beyond this geographic scope. The cumulative setting includes the built development and the wildland areas within the foregoing geographic scope. The cumulative projects relevant to this analysis include those listed in Chapter 3, Project Description, Table 3-1, Cumulative Projects. The City contains mostly urban and suburban uses with relatively little open space or foothill areas that would be susceptible to wildfire hazards. The western portion of Tulare County, which lies west of Sequoia National Park, contains the cities of Visalia, Tulare, Farmersville, Exeter, Woodlake, Lindsay, Porterville, and Dinuba as well as many "Urban Development" areas as identified by the Tulare County General Plan.[17] The western portion of Tulare County is predominantly within an LRA, with areas to the east of the cities of Woodlake, Exeter, Lindsay and Porterville identified as areas of "Moderate" and "High) FHSZ within a SRA.[18] According to CAL FIRE, there are no VHFHSZs within City boundaries or its Sphere of Influence (SOI). With respect to the western portion of Tulare County, which is predominantly within an LRA, there are no areas identified as VHFHSZ.[19] In addition, there are no SRA within the City or the western portion of Tulare County, and none of the cumulative projects are located in or near an SRA or lands classified as a VHFHSZ.

Because none of the cumulative projects are located in or near an SRA or lands classified as a VHFHSZ cumulative impacts would be less than significant.

[17] Tulare County. 2021. Tulare County General Plan 2030 Update. August.
[18] California Department of Forestry and Fire Protection (CAL FIRE). 2023. FHSZ Viewer. Website: https://egis.fire.ca.gov/FHSZ/. Accessed February 23, 2023.
[19] Ibid.

Moreover, a combination of federal, State, and local laws and regulations help to limit or minimize the potential for exposure to wildfires by reducing the amount of development in WUI areas, ensuring new projects are developed according to the CBC and Fire Code and related standards and requirements, and incorporating mandates for fire-resistant construction into land use planning. There are several plans at the County and City level that further help to implement various requirements, recommendations and guidelines to further reduce risks associated with wildfires.

The Cumulative Development listed in Table 3-1 (See Chapter 3: Environmental Impact Analysis) consists predominantly of residential, commercial, and industrial developments, which would result in an additional number of persons and structures with the geographic scope. Planned uses proposed by the cumulative projects would increase the need for emergency services to a certain degree, and all development would be required to comply with applicable emergency access requirements and other Fire Code related mandates (e.g., relating to fire hydrants, fire flow, etc.), which would be imposed as enforceable standard conditions of approval. Given the location of the relevant cumulative developments, it is anticipated that the identified evacuation routes of SR-198 (east–west), SR-99 (north–south), and SR-63 (north–south) would be available and would not be substantially impaired. The cumulative developments would also need to comply with applicable laws and regulations relating to erosion and sediment control, thereby helping to further reduce significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

There would be cumulative project construction (including the installation and/or maintenance of associated infrastructure such as roads, fuel breaks, emergency water sources, power lines or other utilities. However, adherence to applicable laws and regulations would help to ensure that cumulative development would not result in permanent road closures, nor impede established emergency access routes or interfere with emergency response requirements. Accordingly, cumulative projects would not exacerbate wildfire risk.

The proposed project's contribution would not be cumulatively considerable. Moreover, the project site is not in a high fire-prone area, is relatively flat and not prone to flooding, does not have a history of prior wildfires, and would be required to adhere to all applicable laws and regulations relating to emergency access, use of fire-resistant materials, availability of adequate fire hydrants and fire flow supply/pressure, and sediment and erosion control. The proposed project is therefore not expected to exacerbate wildfire hazards or substantially impair emergency/evacuation response. No mitigation is required and cumulative impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Cumulative Significance

Less than significant impact.

CHAPTER 4: EFFECTS FOUND NOT TO BE SIGNIFICANT

4.1 - Introduction

This chapter is based, in part, on the Notice of Preparation (NOP) of an Environmental Impact Report (EIR), dated August 30, 2022, and contained in Appendix A of this Draft EIR. The NOP was prepared to identify the potentially significant effects of the proposed project and was circulated for public review between August 30, 2022, and September 28, 2022. During the NOP scoping period, certain impacts were anticipated to be less than significant given the nature of the various project components and the project site. In addition, in preparing this Draft EIR, certain other impacts have been determined to be less than significant in accordance with applicable provisions of the California Environmental Quality Act (CEQA) as detailed more fully herein and based on substantial evidence in the record.

This chapter provides a brief description of effects found not to be significant or less than significant, based on the NOP and NOP public comments received, as well as more detailed analysis conducted as part of the EIR preparation process. No NOP public comments were received during the NOP scoping period related to Mineral Resources, Population and Housing, and Parks and Recreation. Further information and analysis is set forth below as to the basis for concluding that the foregoing environmental topic areas would not result in any significant impacts. In addition to these topic areas, there are certain impacts in other environmental topic areas that were found to be less than significant, which are addressed in the various EIR topical sections (Sections 3.1 through 3.16), providing further comprehensive discussion to support the conclusion of less than significant, in order to better inform decision-makers and the general public.

4.2 - Environmental Effects Found Not To Be Significant

4.2.1 - Mineral Resources

Loss of Mineral Resources of Statewide or Local Importance

There are no mineral resource recovery sites on the project site or in the vicinity; in fact, there are none within the entire City of Visalia Planning Area.[1] Therefore, implementation of the proposed project would not result in the loss of a locally important mineral resource recovery site delineated by an applicable land use plan. A Mineral Resource Zones (MRZ) and Resources Sectors map prepared by the California Geological Survey indicates that the project site is located outside of known mineral deposits of significance. Furthermore, given available information, the project site does not contain any known mineral resources. In addition, the project site is currently zoned for agricultural purposes, which does not include any mineral resource-related operations. As such, no known mineral resources would be impacted by the proposed project, and there would be no impact.

[1] California Geological Survey. 2022. CGS Information Warehouse: Mineral Land Classification. Website: https://maps.conservation.ca.gov/cgs/informationwarehouse/mlc/. Accessed August 19, 2022.

4.2.2 - Population and Housing

Growth Inducement

The proposed project's potential growth-inducing impacts are discussed in Chapter 5, Other CEQA Considerations. As detailed more fully therein, growth-inducing impacts consider whether a project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. For example, direct population growth would result if the proposed project were to include residential units. Because the proposed project is industrial in nature and would not develop single-family or multi-family residential uses, no direct population growth would be expected to occur as a result of the proposed project. In terms of the removal of any direct barriers to growth, this would not occur due to the proposed project because it does not propose removing any existing obstacles that currently prevent growth within the City. For example, the proposed project would not require expansion of existing water, wastewater, and/or other public facilities and services beyond what was already planned for in the General Plan. Furthermore, the utility infrastructure installed as part of the proposed project would be sized and located expressly to serve the proposed project and would not, therefore, induce growth in the project vicinity.

Indirect population growth occurs when a project creates substantial employment opportunities or provides new, upsized infrastructure that could lead to additional unplanned growth. The proposed project is anticipated to generate a total of approximately 4,100 new employees at full buildout. Given the nature of the proposed project, it would likely be staffed primarily by local employees once operational. As of July 2022, the City had an unemployment rate of 4.2 percent, indicating a presence of approximately 6,005 unemployed workers.[2] Approximately 22.5 percent of the City's workforce works in industry sectors that the proposed project would occupy, including wholesale trade, manufacturing, retail trade, and transportation and warehousing.[3] Therefore, it is reasonable to conclude there are at least 1,352 workers eligible to work in wholesale trade, manufacturing, retail trade, and transportation and warehousing sectors in the City.[4] Thus, the proposed project would likely be able to hire from the City's existing labor force. Furthermore, according to the U.S. Census Bureau 2011–2015 5-Year American Community Survey (ACS) Commuting Flows, there are a total of 140,091 workers who both live in Tulare County and commute to work within the County.[5] It is reasonable to assume that workers who currently reside in the Tulare County near the City of Visalia would continue to commute to work and thus also would be available to serve as employees for the proposed project. Nonetheless, a certain number of additional employees could potentially transfer into the area as a result of the proposed project, resulting in a certain amount of population growth. However, the General Plan projected that the population would grow from 125,000 people in 2014 to 210,000 people by 2030, which corresponds to an average annual growth rate of 2.6 percent. Employment in the City was projected to increase by 39 percent between 2010 and 2030, with a total of 25,520 new jobs projected during this time frame.[6] The population growth caused by increased employment would be within the planned growth anticipated in the General Plan.

[2] State of California.2022. Monthly Labor Force Data for Cities and Census Designated Placed (CDP) July 2022. August 19.
[3] United States Census. "OnTheMap" Tool. Website: https://onthemap.ces.census.gov/. Accessed August 26,2022.
[4] 6005 * .225 = 1,352
[5] United States Census. 2011–2015 5-Year ACS Commuting Flows. Website: https://www2.census.gov/programs-surveys/demo/tables/metro-micro/2015/commuting-flows-2015/table1.xlsx. Accessed November 17, 2022.
[6] City of Visalia. 2014. Visalia General Plan Chapter 2: Land Use. October.

Additionally, the industrial uses on the project site were anticipated by the City in the General Plan, and thus the City generally assumed this number of employees needed for such a project. It is reasonable to conclude that any increase in potential housing demand could be readily absorbed by the local housing inventory and/or the pending and approved residential projects in the City and the surrounding area. As of this writing, the current housing vacancy rate in the City is approximately 3.9 percent, and the County current vacancy rate is approximately 5.7 percent.[7] Thus, the proposed project would not result in a significant, unplanned change to the population of the City or alter the location, distribution, density, intensity, or growth rate of the anticipated population planned for the City. Therefore, direct and indirect impacts would be less than significant.

Further, implementation of the proposed project would not make a cumulatively considerable contribution to this already less than significant cumulative impact because the City is not experiencing unplanned growth and the project site has already been planned for industrial development; thus, the proposed project would be consistent with the City's long-range planning and land use vision for the project site and vicinity and would improve the overall jobs/housing projections by providing job opportunities within the City. Therefore, project implementation would not result in potentially significant cumulative impacts to population and housing.

Displacement of Persons or Housing

The project site does not currently have any residential structures on the premises and consists entirely of agricultural land used as an almond grove. Because there are no residential structures located on the project site, no people would be directly or indirectly displaced by the proposed project. Furthermore, because the proposed project would not result in the displacement of any persons or housing, it would not contribute to any potential cumulative impact in this regard. There would be no impact.

4.2.3 - Parks and Recreation

Physical Deterioration of Park and Recreational Facilities

As of 2014, the City has maintained approximately 640 acres of park and recreational lands within its jurisdiction. The City would need to provide a minimum of 429 additional acres of park land to reach a total of 1,048 acres by 2030 to meet its park standard for neighborhood and community parks of 5.0 acres per 1,000 residents at General Plan buildout.[8] According to the City of Visalia General Plan, as of October 2014, the City has provided parks at a rate of 5.1 acres for every 1,000 residents and continues to implement a successful strategy preserving and providing parks.[9] The City currently has approximately 4.74 acres of park per 1,000 residents. The City recently approved the East Side Regional Park and Groundwater Recharge Project, which will provide approximately 139 acres of active recreational amenities and 130 acres of passive amenities in the eastern portion of the City. That project would contribute to the City's park ratio goal. The proposed project would pay into capital improvement program to fund the East Side Regional Park and Groundwater Recharge Project and other future parks projects to offset impacts to park and recreation facilities.

[7] California Department of Finance. 2022. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2022.
[8] City of Visalia. 2014. General Plan–Parks, Schools, Community Facilities, and Utilities. October 14.
[9] Ibid.

Furthermore, the nearest public park to the project site is Lion's Park, located approximately 0.38 miles southeast of the project site. As discussed above, the proposed project is anticipated to generate a total of approximately 4,100 new employees at full buildout, and it is thus reasonable to assume that some of these employees would utilize, at least to some degree, the City's available park and recreational facilities during the workday. However, given the nonresidential, industrial nature and location of the proposed project, it is likely that any such use would be limited and thus would not result in substantial physical deterioration of park and recreational facilities occurring or being accelerated. Moreover, as discussed in detail above, because the proposed project would not be expected to result in a significant increase to the population of the City (given the primarily local nature of the anticipated workforce), the quantity of existing visitors and total facility usage would not likely increase significantly as a result of the proposed project. As such, the proposed project would not result in substantial physical deterioration of existing park and recreational facilities, and therefore impacts in this regard would be less than significant.

New or Expanded Recreational Facilities

Because the proposed project is not located within or adjacent to any designated natural or open space areas and would not likely significantly increase the City's residential population (given the primarily local nature of the anticipated workforce), coupled with the limited likely employee usage of such facilities, the proposed project would not trigger the need to construct new or expanded park and recreational facilities to ensure that the applicable ratio of parks to residents would be maintained. Accordingly, there would be less than significant impact in this regard.

CHAPTER 5: OTHER CEQA CONSIDERATIONS

California Environmental Quality Act (CEQA) Guidelines Section 15126 requires that all aspects of a project be considered when evaluating its impact on the environment, including planning, acquisition, development, and operation. As part of this analysis, the Draft Environmental Impact Report (Draft EIR) must identify (1) significant environmental effects of the proposed project; (2) significant environmental effects which could not be avoided if the proposed project were implemented; (3) significant irreversible environmental changes which would be involved in the proposed project should it be implemented; (4) growth-inducing impact of the proposed project; (5) mitigation measures proposed to minimize the significant effects; and (6) alternatives to the proposed project.

This chapter provides a discussion of other CEQA-mandated topics, including significant unavoidable impacts, growth inducement, and significant irreversible environmental changes, if any, which would be involved in the proposed project should it be implemented. Chapter 3, Environmental Impact Analysis, describes the significant environmental effects of the proposed project and provides mitigation measures proposed to minimize significant effects to the extent feasible. Chapter 6, Alternatives to the Proposed Project discusses a reasonable range of potential alternatives to the proposed project.

5.1 - Significant Unavoidable Impacts

CEQA Guidelines Section 15126.2(a)(c) requires an EIR to identify and focus on the significant environmental effects of the proposed project, including effects that could not be avoided if the proposed project were implemented. This includes those significant impacts that can be mitigated but not reduced to a level of insignificance.

As required under CEQA, the proposed project was analyzed for potentially significant impacts related to each of the environmental topic areas discussed in Sections 3.1 through 3.16. The results of the analysis indicate that the proposed project would result in the following significant and unavoidable impacts:

- **Project-Level Conversion of Prime Farmland:** Although the proposed project is consistent with the project site's General Plan designation and conversion of the project site to industrial use has long been envisioned as part of buildout under the General Plan, the proposed project would result in the loss of agricultural land and conversion of Prime Farmland to urban uses. There are no feasible mitigation measures available to reduce this impact. Accordingly, despite the fact that this conversion was previously evaluated and disclosed as part of the General Plan EIR, this Draft EIR has evaluated and hereby discloses that the proposed project would result in significant and unavoidable impacts related to the conversion of Important Farmland identified by Farmland Mapping and Monitoring Program (FMMP) mapping to nonagricultural use.
- **Cumulative Conversion of Prime Farmland:** Much of the City's Urban Development Boundary (UDB) consists of Important Farmland that would be converted to nonagricultural uses with

implementation of future development already envisioned by the General Plan Land Use Element. Development within Tier II and III of the UDB that would convert Prime Farmland is subject to the 1:1 ratio of agricultural land preservation elsewhere outside of the City's UDB. Although cumulative projects occurring in Tier II and III of the UDB would be required to preserve agricultural land elsewhere, loss of Prime Farmland would still occur and the cumulative impact remains significant. The development of the proposed project would further contribute to this already significant cumulative impact, due to the loss of approximately 284 acres of Prime Farmland, which has been identified as an individual significant and unavoidable impact due to lack of feasible mitigation. Moreover, the proposed project's contribution to this significant cumulative effect to agricultural resources would be considered cumulatively considerable.

- **Project-Level Impact Related to Implementation of the Applicable Air Quality Plan:** The proposed project is consistent with the project site's General Plan designation which means the proposed industrial use was accounted for in the Air Quality Plan (AQP) land use projections. However, the proposed project could create a localized violation of State or federal air quality standards, significantly contribute to cumulative nonattainment pollutant violations, and could expose sensitive receptors to substantial pollutant concentrations. The proposed project would be required to implement Mitigation Measure (MM) AIR-2a through MM AIR-2g. However, because MM AIR-2a through MM AIR-2f would not reduce construction or operational impacts below the applicable thresholds and full implementation of MM AIR-2g cannot be guaranteed due to potential technical and/or financial feasibility, the proposed project's potentially significant impact is conservatively identified as significant and unavoidable. Therefore, the proposed project is inconsistent with Criterion 1 of the AQP even after the incorporation of feasible mitigation. The impact would be significant and unavoidable.

- **Project-Level Impact Related to Cumulatively Considerable Net Increase of Nitrogen Oxide (NO_X) During Construction, and ROG, NO_X, and PM_{10} During Operation:** For purposes of a conservative analysis, this Draft EIR evaluated the potential impacts assuming that none of the three anticipated project phases overlapped (sequential), and also considered the potential impacts if the project phases did, in fact, overlap (concurrent). In the sequential phasing scenario, after the incorporation of MM AIR-2a and MM AIR-2b, construction of the proposed project would not exceed the applicable San Joaquin Valley Air Pollution Control District (Valley Air District) daily emission screening levels for an Ambient Air Quality Analysis (AAQA), pursuant to District Rule 2201. However, if the three phases of construction occur concurrently, emissions of CO and NO_X would exceed the applicable Valley Air District's significance thresholds even after implementation of feasible mitigation. As such, this impact would remain significant and unavoidable after implementation of identified mitigation.

  During operation, unmitigated emissions would exceed applicable Valley Air District thresholds of significance for CO, ROG, and NO_X. Therefore, MMs AIR-2c through MM AIR-2g would be required to mitigate operational emissions to below Valley Air District thresholds. However, the full implementation of MMs AIR-2c through MM AIR-2f would not reduce emissions below the applicable thresholds and MM AIR-2g cannot be guaranteed during project operation; therefore, the reasonable worst-case operational emissions would exceed

the applicable Valley Air District significance thresholds for CO, ROG, NO_X, and PM_{10} and this impact would remain significant and unavoidable.

- **Cumulative Significant Air Quality Impact:** Because the proposed project would exceed certain identified construction and operational significance thresholds, its emissions would also be cumulatively considerable.
- **Project-Level Impact Related to Mobile Source Operational Noise:** Without development of the proposed project, nearly every roadway segment is estimated to experience noise increases from a minimum 0.9 dBA L_{eq} to a maximum 8.6 dBA L_{eq} by 2028, compared to existing traffic noise levels. The addition of the proposed project's traffic would increase noise levels up to an additional 3.7 dBA L_{eq} upon full buildout. The proposed project would contribute to increasing traffic volumes–and therefore traffic-related noise levels–in its primary trip distribution area, which is generally bounded by the project site/Riggin Avenue to the north, State Route (SR) 99 to the west, Akers Street to the east, and SR-198 to the south. There are no feasible mitigation measures available to reduce this impact to less than significant. The proposed project's off-site mobile source operational noise impact from traffic generation would be considered significant and unavoidable.
- **Cumulative Noise Impact:** The proposed project would exceed the identified operational significance threshold, its impact would also be cumulatively considerable.

5.2 - Growth-inducing Impacts

CEQA requires a discussion of the ways in which a project could foster economic or population growth, or the construction of additional housing, in the surrounding environment or may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Therefore, to assess the potential for growth-inducing impacts, a project's characteristics that may encourage and facilitate activities that individually or cumulatively could affect the environment must be evaluated (CEQA Guidelines § 15126(d) and 15126.2(e)).

Pursuant to the CEQA Guidelines, there would be a significant growth-inducing impact if the proposed project would:

- Induce substantial population growth in an area (for example, by proposing new homes or commercial or industrial businesses beyond the land use density/intensity envisioned in the general plan);
- Substantially alter the planned location, distribution, density, or growth rate of the population of an area; or
- Remove obstacles to population growth such as, for example, extensions of roads or expansions of other infrastructure not assumed in the general plan or adopted capital improvements project list, or otherwise upsize infrastructure (i.e., exceeds the needs of the project and could accommodate future developments) to serve unplanned growth.

The City recognizes that certain forms of growth are beneficial, both economically and socially. The proposed project would include the construction of flex industrial and light industrial uses and

related improvements as well as other compatible non-industrial uses, such as self storage and RV parking, a gas station, convenience store, a car wash, and two drive-through restaurants. The proposed project would be expected to employ a total of approximately 4,100 employees at full buildout. As described in Chapter 4, Effects Found not to be Significant, direct population growth would result if the proposed project were to include residential units. Because the proposed project is industrial in nature and would not develop single-family or multi-family residential uses, no direct population growth would be expected to occur.

In terms of the removal of any direct barriers to growth, this would not occur as a result of the proposed project because it would not remove any existing obstacles that currently prevent growth within the City. For example, the proposed project would not require expansion of existing water, wastewater and public facilities and services beyond what was already planned for in the City General Plan. Instead, the proposed project only involves the connection to various City-operated existing utility and infrastructure systems for water, wastewater, and stormwater facilities, as well as connection to existing non-City provided infrastructure such as natural gas (to be provided by Southern California Gas Company [SoCalGas]) and electrical services (to be provided by Southern California Edison [SCE]). The utility infrastructure installed as part of the proposed project would be sized and located expressly to serve only the proposed project and would not, therefore, induce growth in the project vicinity. The proposed project does not involve any extensions of roads or other infrastructure not assumed in the General Plan or adopted capital improvements project list, which would exceed the needs of the proposed project and thus accommodate future developments.

Therefore, because the proposed project does not involve housing, nor would it remove any direct barriers to growth, the proposed project would not directly increase population.

Indirect population growth occurs when a project creates substantial employment opportunities or provides new, upsized infrastructure that could lead to additional unplanned growth. As noted, the proposed project is anticipated to create approximately 4,100 new employees at full buildout. Given the nature of the proposed project, it would likely be staffed primarily by local employees. In 2022, the City had an unemployment of 4.2 percent, indicating a presence of approximately 6,005 unemployed workers.[1] Approximately 22.5 percent of the City's workforce works in industry sectors that the proposed project would occupy, including employment opportunities with potential tenants/operators involving wholesale trade, manufacturing, retail trade, and transportation and warehousing consistent with the proposed flex industrial, light industrial and other commercial uses.[2] Therefore, it is reasonable to conclude there are at least 1,352 workers eligible to in the City who could fill a portion of the jobs that are expected to result from the proposed project.[3] Furthermore, Tulare County currently has an unemployment rate of 9.7 percent, or 20,800 people of the working population.[4] There are a total of 140,091 workers who both live in Tulare County and

[1] State of California. 2022. Monthly Labor Force Data for Cities and Census Designated Places (CDP) July 2022. August 19.
[2] United States Census. "OnTheMap" Tool. Website: https://onthemap.ces.census.gov/. Accessed August 26, 2022.
[3] 6005 * .225 = 1,352
[4] Employment Development Department – Labor Market Information Division. 2023. Visalia Porterville MSA (Tulare County). May 19. Website: https://labormarketinfo.edd.ca.gov/file/lfmonth/visa$pds.pdf. Accessed May 25, 2023.

commute to work within the County.[5] It is reasonable to assume that a number of unemployed county residents living near the City of Visalia could accept a job working at one of the proposed project businesses, and would commute to the City to work.

Nonetheless, additional employees could potentially transfer into the area as a result of the proposed project, resulting in population growth. However, the General Plan contemplated a certain amount of population growth, projecting that its population would grow from 125,000 people in 2014 to 210,000 people by 2030, which corresponds to an average annual growth rate of 2.6 percent. Employment in the City was projected to increase by 39 percent between 2010 and 2030, with a total of 25,520 new jobs projected during this time frame.[6] Therefore, any population growth caused by increased employment opportunities provided by the proposed project would be within the planned growth anticipated in the General Plan. To the extent people transfer into the City and vicinity to fill the positions provided by the proposed project, it is reasonable to conclude that any such increase in potential housing demand could be readily absorbed by the local housing inventory and/or the pending and approved residential projects in the City and the surrounding area. As of this writing, the current housing vacancy rate in the City is 3.9 percent, and the County vacancy rate is 5.7 percent.[7] Thus, the proposed project would not result in a significant, unplanned change to the population of the City or alter the location, distribution, density, or growth rate of the anticipated population planned for the City.

As noted above, existing infrastructure and services would be extended to make the necessary connections to serve the proposed project, but would not involve any upsizing of infrastructure that was not already planned for in the General Plan and relevant City master infrastructure plans and thus would not encourage additional unplanned growth. For these reasons, implementation of the proposed project would not induce substantial indirect population growth within the City.

Based on the foregoing reasons, the proposed project would not result in direct or indirect growth. It would not negatively alter the existing jobs/housing balance, be inconsistent with the General Plan or relevant City master infrastructure plans, or remove a barrier to growth through the extension of infrastructure or utilities to an unserved area or upsize infrastructure to serve unplanned growth. Therefore, growth-inducing impacts would be less than significant.

5.3 - Significant Irreversible Environmental Changes

The environmental effects of the proposed project are summarized in the Executive Summary and are analyzed in detail in Section 3, Environmental Impact Analysis, of this Draft EIR.

As mandated by CEQA Guidelines Section 15126.2(c), the Draft EIR must address significant irreversible environmental changes (if any) that would result from implementation of the proposed project. Primary impacts and, particularly, secondary impacts (such as a highway improvement that

[5] United States Census. 2011–2015 5-Year ACS Commuting Flows. Website: https://www2.census.gov/programs-surveys/demo/tables/metro-micro/2015/commuting-flows-2015/table1.xlsx. Accessed November 17, 2022.
[6] City of Visalia. 2014. Visalia General Plan Chapter 2: Land Use. October.
[7] California Department of Finance. 2022. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2022.

provides access to a previously inaccessible area) generally commit future generations to similar uses. Specifically, such an irreversible environmental change would occur if:

- The proposed project would involve a large commitment of nonrenewable resources, which makes removal or nonuse thereafter unlikely.
- Irreversible damage could result from environmental accidents associated with the proposed project.
- Any irretrievable commitments of resources are not justified (e.g., the proposed project results in the wasteful use of energy). (Refer to Section 3.6, Energy, which addresses this topic in accordance with CEQA Guidelines Appendix F.)

The proposed project involves construction and operation of light industrial, flex industrial, as well as compatible commercial uses, consisting of self storage/RV parking, a gas station, convenience store, a car wash, and two drive-through restaurants, which, at buildout, would total approximately 3.7 million square feet.

Stringent construction and demolition debris recycling practices consistent with applicable laws and regulations, which would be imposed on the proposed project, would be expected to facilitate the recovery and reuse of building materials such as concrete, lumber, and steel and would limit disposal of these materials, some of which are nonrenewable.

Construction of the proposed project would include the consumption of resources that are not replenishable, or that may renew so slowly to be considered nonrenewable. These resources would include the following: certain types of lumber and other forest products; aggregate materials used in concrete and asphalt, such as sand, gravel, and stone; metals such as steel, copper, and lead; petrochemical construction materials such as plastics; and water. Fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment. However, anticipated consumption of these common building materials and energy would be typical and consistent with other similar developments in the region and commitments of resources would not be unique or unusual to the proposed project. Given its nature and scope, development of the proposed project would not be expected to involve an unusual commitment of nonrenewable resources, nor would it be expected to consume resources in a wasteful manner.

At operation, day-to-day activities would involve the typical use of nonrenewable resources such as petroleum and natural gas during operations. However, the new buildings and related infrastructure would be required to adhere to the latest adopted edition of the California Building Standards Code (CBC), which are viewed as some of the most stringent in the nation; this would include a number of standards that would reduce energy demand, water consumption, wastewater generation, and solid waste generation that would collectively reduce the demand for resources. This would result in the emission and generation of less pollution and effluent and would lessen the severity of corresponding environmental effects. Although the proposed project would result in an irretrievable commitment of nonrenewable resources, the commitment of these resources would not be significantly inefficient, unnecessary, or wasteful.

Furthermore, given its nature and scope, the proposed project does not have the potential to cause significant environmental accidents through releases into the environment, as it would not involve large quantities of hazardous materials, as discussed in Section 3.9, Hazards and Hazardous Materials. The project site is designated as Local Responsibility Area (LRA) Un-zoned, which identifies areas with low fire frequency. The potential for wildfire on the project site is not considered high. In addition, the project site has not previously experienced wildfire and is not located in or near an area of steep terrain or historical wildfire burn, nor does it experience consistent high winds; therefore, the project site would not be prone to wildfire risk (see Section 3.17, Wildfire). During operation, the proposed project would be readily and adequately served by police and fire protection services. The proposed project does not contain any uses or features that would exacerbate wildfire risks or place occupants at a greater risk to wildfire pollutants or uncontrolled wildfire. The proposed project would also be required to comply with applicable provisions of the California Fire Code with regard to access and building materials. Public Resources Code 4291 further requires the proposed project to maintain, at all times, a minimum of 30 feet of defensible space in every direction from structures adjacent to forest, brush, grass, or lands covered with flammable material. In addition, new construction would be required to comply with applicable requirements as set forth in Chapter 7A of the most current adopted CBC, which would further reduce risk due to wildland fire. As such, the design of the proposed project would be required to incorporate fire safety features and comply with the applicable fire safety provisions of the CBC, thereby further reducing the risk of loss, injury, or death involving wildland fires.

Thus, implementation of the proposed project's light industrial, flex industrial and other compatible commercial uses would not have the potential to result in significant environmental accidents and would not result in significant irreversible environmental changes.

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CHAPTER 6: ALTERNATIVES TO THE PROPOSED PROJECT

6.1 - Introduction

In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15126.6, this Draft Environmental Impact Report (Draft EIR) contains a comparative impact assessment of alternatives to the proposed project. The purpose of this section is to provide decision-makers, other interested organizations, and the public with a reasonable number of potentially feasible project alternatives that could attain most of the basic project objectives, while avoiding or reducing any of the project's significant adverse environmental effects. Important considerations for this alternatives analysis are noted below pursuant to CEQA Guidelines Section 15126.6.

- An EIR need not consider every conceivable alternative to a project;
- An EIR should identify alternatives that were considered by the lead agency, but rejected as infeasible during the scoping process;
- Reasons for rejecting an alternative include:
  - Failure to meet most of the basic project objectives;
  - Infeasibility; or
  - Inability to avoid significant environmental effects.

6.1.1 - Significant Unavoidable Impacts

The proposed project would result in the following significant unavoidable impacts:

- **Project-level conversion of Prime Farmland:** Although the proposed project is consistent with the project site's General Plan designation and conversion of the project site to industrial use has long been envisioned as part of buildout under the General Plan, the proposed project would result in the loss of agricultural land and conversion of Prime Farmland to urban uses. There are no feasible mitigation measures available to reduce this impact. Accordingly, despite the fact that this conversion was previously evaluated and disclosed as part of the General Plan EIR, this Draft EIR has evaluated and hereby discloses that the proposed project would result in significant and unavoidable impacts related to the conversion of Important Farmland identified by Farmland Mapping and Monitoring Program (FMMP) mapping to nonagricultural use.
- **Cumulative conversion of Prime Farmland:** Much of the City's Urban Development Boundary (UDB) consists of Important Farmland that would be converted to nonagricultural uses with implementation of future development already envisioned by the General Plan Land Use Element. Development within Tier II and III of the UDB that would convert Prime Farmland is subject to the 1:1 ratio of agricultural land preservation elsewhere outside of the City's UDB. Although cumulative projects occurring in Tier II and III of the UDB would be required to preserve agricultural land elsewhere, loss of Prime Farmland would still occur and the cumulative impact remains significant. The development of the proposed project would further contribute to this already significant cumulative impact, due to the loss of

approximately 284 acres of Prime Farmland, which has been identified as an individual significant and unavoidable impact due to lack of feasible mitigation. Moreover, the proposed project's contribution to this significant cumulative effect to agricultural resources would be considered cumulatively considerable.

- **Project-level impact related to implementation of the applicable Air Quality Plan:** The proposed project is consistent with the project site's General Plan designation which means the proposed industrial use was accounted for in the Air Quality Plan (AQP) land use projections. However, the proposed project could create a localized violation of State or federal air quality standards, significantly contribute to cumulative nonattainment pollutant violations, and could expose sensitive receptors to substantial pollutant concentrations. The proposed project would be required to implement Mitigation Measure (MM) AIR-2a through MM AIR-2g. However, because MM AIR-2a through MM AIR-2f would not reduce construction or operational impacts below the applicable thresholds and full implementation of MM AIR-2g cannot be guaranteed due to potential technical and/or financial feasibility, the proposed project's potentially significant impact is conservatively identified as significant and unavoidable. Therefore, the proposed project is inconsistent with Criterion 1 of the AQP even after the incorporation of feasible mitigation. The impact would be significant and unavoidable.
- **Project-level impact related to cumulatively considerable net increase of nitrogen oxide (NO_X) during construction, and reactive organic gas (ROG), NO_X, and particulate matter 10 micrometers or less in diameter (PM_{10}) during operation:** For purposes of a conservative analysis, this Draft EIR evaluated the potential impacts assuming that none of the three anticipated project phases overlapped (sequential), and also considered the potential impacts if the project phases did, in fact, overlap (concurrent). In the sequential phasing scenario, after the incorporation of MM AIR-2a and MM AIR-2b, construction of the proposed project would not exceed the applicable San Joaquin Valley Air Pollution Control District (Valley Air District) daily emission screening levels for an Ambient Air Quality Analysis (AAQA), pursuant to District Rule 2201. However, if the three phases of construction occur concurrently, emissions of carbon monoxide (CO) and NO_X would exceed the applicable Valley Air District's significance thresholds even after implementation of feasible mitigation. As such, this impact would remain significant and unavoidable after implementation of identified mitigation.

  During operation, unmitigated emissions would exceed applicable Valley Air District thresholds of significance for CO, ROG, and NO_X. Therefore, MM AIR-2c through MM AIR-2g would be required to mitigate operational emissions to below Valley Air District thresholds. However, the full implementation of MM AIR-2c through MM AIR-2f would not reduce emissions below the applicable thresholds and MM AIR-2g cannot be guaranteed during project operation; therefore, the reasonable worst-case operational emissions would exceed the applicable Valley Air District's significance thresholds for CO, ROG, NO_X, and PM_{10} and this impact would remain significant and unavoidable.
- **Cumulative significant air quality impact:** Because the proposed project would exceed certain identified construction and operational significance thresholds, its emissions would also be cumulatively considerable.

- **Project-level impact related to mobile source operational noise:** Without development of the proposed project, nearly every roadway segment is estimated to experience noise increases from a minimum 0.9 A-weighted decibel (dBA) equivalent sound level (L_{eq}) to a maximum 8.6 dBA L_{eq} by 2028, compared to existing traffic noise levels. The addition of the proposed project's traffic would increase noise levels up to an additional 3.7 dBA L_{eq} upon full buildout. The proposed project would contribute to increasing traffic volumes—and therefore traffic-related noise levels—in its primary trip distribution area, which is generally bounded by the project site/Riggin Avenue to the north, State Route (SR) 99 to the west, Akers Street to the east, and SR-198 to the south. There are no feasible mitigation measures available to reduce this impact to less than significant. The proposed project's off-site mobile source operational noise impact from traffic generation would be considered significant and unavoidable.
- **Cumulative noise impact:** The proposed project would exceed the identified operational significance threshold, its impact would also be cumulatively considerable.

Potential significant impacts were identified with respect to biological resources, cultural resources, geology and soils, noise, and transportation; however, mitigation measures were identified that would reduce the impacts to less than significant.

6.1.2 - Alternatives to the Proposed Project

Following is an analysis of a reasonable range of potentially feasible alternatives to the proposed project for evaluation of their comparative merits, pursuant to CEQA Guidelines Section 15126.6.

The three alternatives to the proposed project analyzed in this section are as follows:

- **No Project Alternative:** Under this alternative, development of the project site would not occur, and the project site would remain in its current existing condition.
- **Reduced Footprint Alternative:** Under this alternative, the proposed project would be developed in such a way as to reduce some construction and operational air quality impacts, operational noise impacts, and protect some of the on-site Prime Farmland by reducing the overall footprint of the developed areas. The eastern half of the project site, approximately 142 acres, would be preserved and would remain in agricultural production, and half of the total warehouse and industrial park land uses would be developed. The proposed associated commercial uses would be relocated to the western half of the site. The stormwater basins would be sized accordingly. It is assumed that culvert crossings over Modoc Ditch would be required, similar to the proposed project.
- **Alternative Location:** Under this alternative, the proposed project would be constructed in the approximately 284-acre parcels west of Plaza Drive and Riggin Avenue (APNs 077-840-001, 077-840-002, and 077-840-003). These parcels are selected as they are few of the remaining parcels within Tier I of the UDB that is designated as Industrial therefore generally suitable for the proposed development. The proposed project would require a General Plan Amendment to re-designate a portion of the site as Light Industrial for the proposed associated flex industrial/commercial uses conditionally allowed under Light Industrial. This site would be approximately 650 feet from the nearest sensitive receptors located to the southwest.

The boundaries of Alternative 2 and Alternative 3 are shown in Exhibit 6-1. The three alternatives to the proposed project are analyzed below. These analyses compare the proposed project and each individual project alternative. In several cases, the description of the impact may be the same under each alternative when compared with the CEQA Thresholds of Significance (i.e., both the project and the alternative would result in a less than significant impact). The actual degree of impact may be slightly different between the proposed project and each alternative, and this relative difference will factor into this analysis in terms of a conclusion of greater or lesser impacts.

CEQA Guidelines Section 15126.6(f)(2) sets forth considerations to be used in evaluating an alternative location. The section states that the "key question" is whether any of the significant effects of the project would be avoided or substantially lessened by relocating the project.

The CEQA Guidelines identify the following factors that may be taken into account when addressing the feasibility of an alternative location:

1) Site suitability
2) Economic viability
3) Availability of infrastructure
4) General Plan consistency
5) Other plans or regulatory limitations
6) Jurisdictional boundaries
7) Whether the project applicant can reasonably acquire, control, or otherwise have access to the alternative site.

6.2 - Alternative Eliminated from Further Consideration

An EIR must describe a reasonable range of alternatives to the proposed project, or to its location, which would feasibly attain most of the project's basic objectives while reducing or avoiding any of its significant effects. An EIR must briefly describe the rationale for selection and rejection of alternatives. The lead agency may make an initial determination as to which alternatives are potentially feasible and, therefore, merit in-depth consideration, and which are clearly infeasible. "The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly" (CEQA Guidelines § 15126.6(b)). Alternatives that are remote or speculative, or the effects of which cannot be reasonably predicted, need not be considered (CEQA Guidelines § 15126.6(f)(3)). CEQA Guidelines Section 15126.6(a) states that an EIR need not evaluate every conceivable alternative to a project. The discussion of alternatives is subject to a rule of reason and the scope of alternatives to be analyzed must be evaluated on the facts of each case.

Following is the identification of one alternative initially considered by the lead agency, but rejected as infeasible, along with a brief explanation of the reasons for its exclusion. As noted below, this

alternative was eliminated from detailed consideration in the Draft EIR since it fails to meet most of the project objectives and is infeasible.

Self Storage/Lighter Use Alternative: Under this alternative, the proposed project would be developed as self storage or other uses allowed or allowed with a conditional use permit under the land use designations that would involve fewer use of heavy heavy-duty trucks that use diesel as the fuel source, such as office, selected types of eateries, and gas station. Operation may increase passenger trips but decrease heavy heavy-duty truck trips. However, due to the sheer size of the project site, it would not be economically viable to have these types of uses to fill the entire site. It would not be consistent with applicable goals and policies as set forth in the General Plan, including the land use vision set forth therein that contemplates light industrial and industrial uses. It also would not maximize development of the currently underutilized site and would not create as many employment opportunities for the region. For these reasons, this alternative to develop the site as other uses is considered but rejected.

6.3 - Project Objectives

The fundamental purpose and goal of the proposed project is to accomplish the orderly development of the project site as proposed, consistent with the General Plan's industrial land use designation, which would provide economic benefits to the City, among others. As stated in Chapter 2, Project Description, the objectives of the proposed project are to:

1. Ensure that development of the project site is accomplished in an economically viable manner consistent with applicable goals and policies as set forth in the City's General Plan, including the land use vision set forth therein that contemplates light industrial and industrial uses, taking into account necessary site plan considerations including efficient access and loading.
2. Maximize development of the existing underutilized project site and generate increased revenue and economic development for the City in order to support the City's ongoing City operations.
3. Develop of a mixed-use industrial park, with light manufacturing, warehouse, distribution, and/or flex industrial uses, in the City that is designed to meet market demand and contemporary industry standards including building size and clear height requirements, modern façades, articulated concrete panels, a natural color palette, and expansive glass entry features.
4. Create employment-generating businesses in the City to reduce the need for members of the local workforce to commute outside the area for employment and to improve the jobs-to-housing balance.
5. Maximize placement of industrial uses in close proximity to the State Highway system (SR-99) and other major transportation corridors to avoid or shorten truck-trip lengths, as feasible, on other roadways and to avoid locating industrial buildings in close proximity to residential uses or other sensitive receptors.

6. Develop innovative industrial uses providing a range of building sizes with cross dock and rear load capability that have ready access to available infrastructure, including major transportation corridors and utilities to be used as part of the Central Valley supply chain and goods movement network.

6.4 - Alternative 1—No Project Alternative

CEQA Guidelines Section 15126.6(e) requires EIRs to evaluate a "No Project Alternative," which is defined as the "circumstance under which the project does not proceed." Under the No Project Alternative, the 3,720,149 square feet of light industrial and flex industrial development, infrastructure improvements, roadway frontage improvements would not be constructed on the project site and in its vicinity. In this scenario, the project site's existing agricultural uses would remain; road improvements would not occur; trees and crops would not be removed or impacted; and grading would not take place. This alternative would not require annexation or conditional use permit.

6.4.1 - Impact Analysis

Aesthetics, Light, and Glare

The proposed project's impacts related to aesthetics would be less than significant (See Section 3.1, Aesthetics, Light, and Glare). Under the No Project Alternative, the existing orchards, tree cover, retention basin, and pump station would not be converted and could remain on-site. The infrastructure improvements to utilities and roadway frontage improvements would not occur. There would be no change in visual character, views, nighttime lighting, daytime glare, or shadow, as there would be no change to the existing on-site buildings, parking area, streets, utility lines, topography, or vegetation/landscaping, or conflict with zoning. Thus, there would be no aesthetics impacts under this alternative.

Because there would be no impacts under the No Project Alternative, this alternative would have a lesser impact as compared to the proposed project.

Agriculture and Forest Resources

The proposed project's impacts related to agriculture would be significant and unavoidable, and there would be no impact related to forestry resources (See Section 3.2, Agricultural Resources and Forestry Resources). The No Project Alternative would not convert any Prime Farmland as identified by the FMMP to nonagricultural use, nor would it conflict with zoning or a Williamson Act Contract. This alternative would have no impacts to existing conditions with respect to agriculture or forestry resources.

The No Project Alternative would avoid the significant and unavoidable impact on agricultural resources that would result from the proposed project and would therefore have reduced impacts as compared to the proposed project. However, this alternative would not meet any of the proposed project's objectives, fulfill the underlying purpose of the proposed project, or meet the General Plan's development vision.

Air Quality

Under the proposed project, air quality impacts would be significant and unavoidable because construction and operational emissions would exceed applicable thresholds even after compliance with all applicable rules, regulations, and implementation of feasible mitigation.

Under the No Project Alternative, the project site would not be developed with 3,720,149 square feet of light industrial and flex industrial uses, and existing site conditions would remain the same. There would be no ground disturbance within the project site and within the areas proposed for the off-site improvements, and no construction or operation of the facilities would occur. Therefore, no impacts to air quality would occur under this alternative during construction**,** and the significant and unavoidable impacts in this regard would be avoided. Similarly, the significant and unavoidable air quality impacts related to operations would not occur. Therefore, this alternative would result in reduced impacts as compared to the proposed project.

However, this alternative would not meet any of the project objectives related to air quality because it would not reduce commutes for regional residents by proving local employment opportunities or maximize the placement of industrial sites in proximity to major transportation corridors to avoid or shorten truck-trip lengths.

Biological Resources

The proposed project's impacts related to biological resources would be less than significant with mitigation incorporated (see Section 3.4, Biological Resources). Under the No Project Alternative, there would be no change related to wildlife or habitat on-site, and the No Project Alternative would not have any potential impacts to special-status wildlife species or jurisdictional wetlands. Thus, there would be no biological resources impacted under this alternative. Therefore, this alternative would result in reduced impacts as compared to the proposed project.

Cultural Resources and Tribal Cultural Resources

The proposed project's impacts related to cultural resources would be less than significant with mitigation incorporated (see Section 3.5, Cultural Resources and Tribal Cultural Resources). Under the No Project Alternative, there would be no change in historic, archaeological, or tribal resources, as there would be no change to the existing on-site structures and no ground disturbance. Thus, there would be no cultural or tribal resources impacts under this alternative, and there would be reduced impacts as compared to the proposed project.

This alternative would not meet the project objectives in terms of employment opportunities and infrastructure and services.

Energy

The proposed project's impacts related to energy use and conservation would be less than significant (see Section 3.6, Energy). Under the No Project Alternative, there would be no change related to energy consumption, as there would be no change to the existing land uses or daily vehicle trips. Thus, there would be no impact related to energy use under this alternative, and the level of impacts would be reduced as compared to the proposed project.

The No Project Alternative would not result in the construction of industrial and flex industrial buildings or infrastructure improvements, and would therefore have no impact related to energy consumption. However, this alternative would not meet the project objectives related to energy because it would not provide local jobs to reduce the commute for regional residents, which would reduce energy impacts resulting from the use of car fuels, nor would it maximize the placement of industrial sites in proximity to major transportation corridors to reduce truck fuel usage.

Geology and Soils

The proposed project's impacts related to geology and soils would be less than significant with mitigation incorporated (see Section 3.7, Geology and Soils). Under the No Project Alternative, there would be no impact related to potential exposure of persons and property to seismic- and soil-related hazards, nor would there be any potential paleontological impacts. The No Project Alternative would not construct warehouses in a seismically active area and on soil that is expansive, unstable, and susceptible to liquefaction and other seismic-related ground failure. Therefore, there would be no impact with regard to geology and soils and paleontological resources under the No Project Alternative.

Therefore this alternative would have reduced impacts compared to the proposed project.

Greenhouse Gas Emissions

The proposed project's impacts related to greenhouse gas (GHG) emissions would be less than significant with mitigation incorporated (see Section 3.8, Greenhouse Gas Emissions). Under the No Project Alternative, there would be no change related to GHG emission generation, as there would be no change to the existing land uses or daily vehicle trips. Thus, there would be no impact related to GHG emissions under this alternative. The No Project Alternative would have no impact related to GHG emissions, as it would not create emissions from construction or operation of the warehouses. Therefore, it would have reduced impacts compared to the proposed project. However, it would not meet any of the project objectives related to GHG emissions, because this alternative would not reduce commutes for regional residents by proving local employment opportunities or place industrial sites in proximity to major transportation corridors to avoid or shorten truck-trip lengths.

Hazards and Hazardous Material

The proposed project's impacts related to hazards and hazardous materials would be less than significant with mitigation incorporated (see Section 3.9, Hazards and Hazardous Materials). Under the No Project Alternative, there would be no demolition of the existing on-site buildings, and no potential exposure to lead-based paint or asbestos-containing materials (ACM) would occur from demolition activities.

The No Project Alternative would have no impact related to hazards and hazardous materials. Therefore, it would have a lesser level of hazards and hazardous materials impact compared to the proposed project.

Hydrology and Water Quality

The proposed project's impacts related to hydrology and water quality would be less than significant (see Section 3.10, Hydrology and Water Quality). Under the No Project Alternative, there would be no change related to hydrology, stormwater runoff and drainage, water quality, groundwater recharge and depletion, or flooding, as there would be no change to the existing on-site buildings, hardscape, or landscaping resulting in changes in impervious vs. pervious surfaces on-site. The stormwater detention basin would eventually be constructed by the City as part of their Stormwater Master Plan. Thus, there would be no hydrology and water quality impacts or improvements under this alternative.

The No Project Alternative would have no impacts related to hydrology and water quality; thus, the impacts would be reduced as compared to the proposed project. However, the No Project Alternative would not meet the project objectives in terms of infrastructure improvements.

Land Use and Planning

The proposed project's impacts related to land use and planning would be less than significant, and the proposed project would meet many of the project objectives, including applying the goals and policies of the General Plan (see Section 3.11, Land Use and Planning). Under the No Project Alternative, the project site would not be developed with 3,720,149 square feet of warehouse development, and the improvements to utilities, roadway frontage, and infrastructure would not occur.

This alternative would not be consistent with the project objective to apply the goals and policies of the General Plan, which focuses on developing employment opportunities and expanding the City's industrial base. The No Project Alternative would not be consistent with the General Plan's land use vision or with the goals and policies outlined in the General Plan. Therefore, impacts under this alternative would be less than significant, which is similar to the proposed project. This alternative would not reduce impacts as compared to the proposed project and may result in somewhat increased impacts due to the land use inconsistency, although the impacts under this alternative would still be considered less than significant.

In addition, this alternative would not meet any of the project objectives related to employment opportunities, land use, and industrial uses.

Noise

The proposed project would result in a significant and unavoidable impact related to mobile source operational noise, less than significant impact with mitigation for temporary increase in ambient noise levels during construction, and less than significant impacts for noise land use compatibility, groundborne vibration, and airport noise (see Section 3.12, Noise). Under the No Project Alternative, there would be no change in groundborne vibration and noise sources (including from traffic-related noise), as there would be no changes to the existing land uses or daily vehicle trips. Noise and vibration levels in the project vicinity would remain the same as under existing conditions. Thus, there would be no noise impacts under this alternative.

Compared to the project, the No Project Alternative would have reduced noise impacts and would avoid the proposed project's significant and unavoidable noise impact.

Public Services

The proposed project's impacts to public services would be less than significant (see Section 3.13, Public Services). Under the No Project Alternative, there would be no change related to fire, police, school, or library services, as there would be no change to the existing land uses on the project site. There would be no impact.

The No Project Alternative would have a lower level of public services impacts compared to the proposed project. However, the No Project Alternative would not meet the project objectives related to public services, such as providing buildings that meet contemporary industry standards, providing industrial uses with ready access to available infrastructure, or applying the land use vision that is contemplated for this site. Furthermore, the infrastructure improvements associated with the proposed project would not be implemented.

Transportation and Traffic

The proposed project's transportation impacts would be less than significant with mitigation incorporated. Mitigation would include the preparation and implementation of a construction traffic control plan that would reduce the potential for construction vehicle conflicts with other roadway users, as well as funding the addition of two flashing beacons/solar panels to be mounted on existing stop signs at the intersection, installing new STOP pavement markings and limit lines for the northbound and southbound approaches, and funding the addition of an advance intersection warning sign for the eastbound and westbound approaches.

Under the No Project Alternative, transportation and traffic conditions would remain the same as the existing conditions because no development would occur on the project site. However, the proposed improvements to roadways and circulation, including new bike and pedestrian facilities, would not be implemented under this alternative. Under the No Project Alternative, there would be no impact, no mitigation would be required, and impacts would be reduced compared to the proposed project.

While the project site conditions would remain the same as existing conditions under the No Project Alternative, this alternative would not meet any of the project objectives related to transportation because this alternative would not reduce the need for members of the local workforce to commute outside the area for employment, place industrial sites in proximity to major transportation corridors to avoid or shorten truck-trip lengths, or place innovative industrial facilities in proximity to the Central Valley supply chain and goods movement network.

Utilities and Service Systems

The proposed project's impacts to utility and service systems would be less than significant with mitigation incorporated (see Section 3.15, Utilities and Service Systems). Under the No Project Alternative, the infrastructure improvements to utilities and roadway frontage improvements would not occur. There would be no change related to water supply and wastewater utilities and

stormwater and solid waste collection service systems, as there would be no change to the existing on-site buildings and agricultural operations and associated utilities demand and infrastructure facilities. However, as discussed in Section 3.15, Utilities, the proposed project would use significantly less water than the existing almond farm on-site. As such, water demand would be greater under the No Project Alternative than under the proposed project. The Pacific Institute of California Department of Water Resources found that almond farms require 4.49 acre-feet per year (AFY) per acre, which is among the most water-intensive crops. Therefore, the No Project Alternative would demand more water than the proposed project. Furthermore, other project benefits related to utilities would not be implemented under this alternative, such as installation of stormwater retention basins, payment of impact fees for new water services, and reduced water use implementations from the policies outlined in the Visalia General Plan. However, because the existing water use on the project site is not considered a significant impact, no mitigation measures would be required, and this impact is considered less than significant. Thus, impacts related to utility and service systems would be less than significant under this alternative, which is less than the proposed project. The No Project Alternative would lessen impacts related to utilities and service systems.

Additionally, this alternative would not meet the project objectives related to utilities and service systems because it would not provide buildings that meet contemporary industry standards and ready access to available infrastructure, including utilities.

Wildfire

The proposed project would have less than significant impacts related to wildfire (See Section 3.16, Wildfire). The project site is not located in a “Fire Hazard Severity Zone,” nor is it located in an State Responsibility Area (SRA) or a “Very High Fire Hazard Severity Zone” in a local, State, or federal responsibility area. Under the No Project Alternative, there would be no change to the project site with regard to wildfire susceptibility. Thus, there would be no impact related to wildfire under this alternative.

The No Project Alternative would not exacerbate existing wildfire conditions and would have a lower level of wildfire risk, as the existing agricultural operations would remain on-site and would not add additional facilities and associated employees, potentially exposing additional persons to wildfire risk. However, the No Project Alternative would not add enhancements to reduce roadway safety hazards or improve emergency access, which would incrementally reduce impacts associated with wildfires. As such, under this alternative, there would be no impact, which is less than the proposed project.

6.4.2 - Conclusion

Under the proposed project, the implementation of mitigation measures would be required to reduce the potentially significant impacts associated with biological resources; cultural resources and tribal cultural resources; geology and soils; GHG emissions; hazards and hazardous materials; transportation; and utilities and service systems to less than significant levels. Agriculture and forest resource impacts related to the conversion of farmland would be significant and unavoidable. Air quality impacts related to criteria pollutants would be significant and unavoidable. Noise impacts

related to mobile source and operational noise would be significant and unavoidable. None of the mitigation measures required for biological resources; cultural resources and tribal cultural resources; geology and soils; GHG emissions; hazards and hazardous materials; transportation; and utilities and service systems would be implemented under this alternative; thus, these impacts would be lesser than the proposed project.

The No Project Alternative would further reduce the proposed project's less than significant impacts related to aesthetics, light, and glare; energy; hydrology and water quality; public services; and wildfire.

The No Project Alternative would have similar impacts as compared to the proposed project's less than significant impacts on land use and planning. This alternative would not result in any increased impacts.

The No Project Alternative would avoid the majority of the project's impacts by leaving the site in its existing condition, thus avoiding impacts caused by the demolition of on-site buildings, construction of industrial and flex industrial buildings, infrastructure and off-site improvements, and impacts caused by the operation of the proposed project. Additionally, this alternative would avoid all of the proposed project's significant and unavoidable impacts related to agriculture and forest resources, air quality, and noise. However, the No Project Alternative would not offer any of the benefits of the proposed project and would not advance any of the overall project objectives.

6.5 - Alternative 2—Reduced Footprint Alternative

Under this alternative, the alternative project would be developed in such a way as to reduce some construction and operational air quality impacts, operational noise impacts, and protect some of the on-site Prime Farmland by reducing the overall footprint of the developed areas. The eastern half of the project site, approximately 142 acres, would be preserved and would remain in agricultural production, and half of the total warehouse and industrial park land uses would be developed. The proposed associated commercial uses would be relocated to the western half of the site. The stormwater basins would be sized accordingly. It is assumed that culvert crossings over Modoc Ditch would be required, similar to the proposed project.

6.5.1 - Impact Analysis

Aesthetics, Light, and Glare

The proposed project's impacts related to aesthetics would be less than significant (See Section 3.1, Aesthetics, Light, and Glare). Under Alternative 2, the square footage of the industrial park would be reduced, and approximately 142 acres would be preserved, which would result in reduced impacts to aesthetics, light, and glare as compared to the proposed project. Construction-related impacts including light and glare from construction equipment, construction machinery, and nighttime security lighting would be reduced because of the smaller development footprint. Additionally, the change in lighting and glare sources and changes to the existing character would not occur on 142 acres of the project site, resulting in incrementally reduced impacts. However, under Alternative 2, there would still be changes to the existing character of the project site, as well as the addition of

new light and glare sources, resulting in less than significant impacts. Therefore, impacts under this alternative would be similar to the proposed project.

Agriculture and Forest Resources

The proposed project's impacts related to agriculture would be significant and unavoidable, and there would be no impact related to forestry resources. Most of the project site is designated as Prime Farmland and is subject to a Williamson Act Contract. The proposed project would result in the conversion of 284 acres of farmland to urban uses (See Section 3.2, Agricultural Resources and Forestry Resources). Under this alternative, 142 acres on the eastern half of the project site would be preserved and would remain in agricultural production, resulting in a 50 percent reduction in the number of acres that would be converted from farmland to urban uses. This alternative would preserve approximately half of the agricultural lands as compared to the proposed project. However, a partial Nonrenewal of the Williamson Act Contract was approved by the Tulare County Board of Supervisors on May 3, 2022 (Resolution No. 2022-0677). Cancellation of the Williamson Act Contract was approved by the Board of Supervisors on November 29, 2022 (Resolution No. 2022-1005). Accordingly, the Williamson Act Contract will be issued a Certificate of Cancellation upon payment of cancellation fees. Under Alternative 2, half of the farmland on the project site would be preserved, but the Williamson Act Contract would still expire because of the County-approved cancellation.

The General Plan EIR planned for the conversion of approximately 14,265 acres of farmland to be converted into urban uses, including the project site. This conversion was evaluated and disclosed as part of the General Plan EIR. By reducing the amount of farmland to be converted, the impacts that were evaluated in the General Plan would be slightly reduced. However, even with the preservation of 142 acres on the project site, the overall loss of farmland in the General Plan area would still be significant and unavoidable with no available mitigation measures. Under this alternative, the project would result in a loss of 142 acres of farmland. While the total loss of acres in the General Plan area would be lower, the Draft EIR would still need to conservatively conclude that the project impacts are significant and unavoidable due to the loss of Prime Farmland on the project site. The preservation of 142 acres would not be substantial enough to change the conclusions of the General Plan EIR or of the Draft EIR prepared for the proposed project. Therefore, similar to the proposed project, impacts would remain significant and unavoidable under this alternative.

Furthermore, the preservation of an additional 142 acres of farmland would prevent the project from fully meeting several project objectives, including ensuring that development of the project site is consistent with applicable goals and policies as set forth in the City's General Plan, including the land use vision set forth therein that contemplates light industrial and industrial uses; and maximizing development of the existing underutilized project site.

Air Quality

Under the proposed project, air quality impacts related to consistency with the applicable AQP and criteria pollutant emissions would be significant and unavoidable because construction and operational emissions and health risks would exceed applicable thresholds even after compliance with all applicable rules, regulations, and implementation of feasible mitigation. Whereas impacts related to odors would be less than significant.

Under Alternative 2, the square footage of the industrial park would be reduced, and approximately 142 acres would be preserved, which would result in reduced construction and operational air quality impacts as compared to the proposed project. Reducing the size of development by 50 percent would reduce construction criteria pollutant emissions, such as CO and NO_X, below the applicable thresholds, because 50 percent less development would result in fewer days of construction, fewer hours of operation of heavy equipment, less grading and hauling of soils, and fewer construction worker vehicles trips. In addition, Alternative 2 would reduce operational criteria pollutant emissions because 50 percent less development would result in fewer mobile emissions from trucks and passenger vehicles. However, despite the reduction of at least half of the proposed warehouse and industrial park uses and proportional heavy heavy-duty trucks trips during this alternative, operational criteria pollutant emissions would still exceed thresholds for CO, ROG, and NO_X because the vast majority of operational emissions would still be from the use of heavy heavy-duty trucks as part of warehouse and industrial park land uses. MM AIR-2c through MM Air-2f would reduce operational emissions. No additional mitigation measures would be feasible beyond what was proposed in the EIR, because the applicant would not have ownership over any of the heavy heavy-duty truck fleets. Therefore, although Alternative 2 would reduce some operational air quality criteria pollutants, air quality impacts related to operational emissions of criteria pollutants would remain significant and unavoidable. By reducing the project footprint and preserving the eastern half of the site, the project's distance from the nearest sensitive receptors is significantly increased to over 2,700 feet. Health risk impacts during construction would be reduced to less than significant levels because diesel particulate matter (DPM) emissions would no longer be significantly concentrated in close proximity to sensitive receptors. This alternative would result in the same impacts related to odors because the type of land uses and development considered would be the same as analyzed in the EIR.

This alternative would meet the project objectives of developing innovative industrial uses as part of the Central Valley supply chain and goods movement network. However, because the project site would not be built out to its full potential, it would only partially meet the project objectives related to air quality, such as creating employment-generating businesses to reduce the need for members of the local workforce to commute outside the area for employment, and maximizing the placement of industrial uses in close proximity to the State Highway system and other major transportation corridors to avoid or shorten truck-trip lengths.

Biological Resources

Under the proposed project, impacts to biological resources would be less than significant with mitigation incorporated. Under Alternative 2, approximately 142 acres would be preserved, which would protect some of the project site's farmland and reduce potential impacts to biological resources, including Swainson's hawk, special-status wildlife such as San Joaquin kit fox, active bird's nests, and roosting bats, because fewer habitats could be disturbed. Overall, Alternative 2 would have marginally reduced impacts to biological resources as compared to the proposed project, although mitigation to prevent impacts to birds, kit fox, and bats would still be required under this alternative. Additionally, under this alternative, culvert crossings over Modoc Ditch and mitigation related to the jurisdictional delineation would still be required. Therefore, with implementation of MM BIO-1a through MM BIO-1f, and MM BIO-3 impacts to special-status species and to wetlands

and jurisdictional features under this alternative would be less than significant with mitigation incorporated, which is similar to the proposed project.

Cultural Resources and Tribal Cultural Resources

Under the proposed project, impacts to cultural resources and tribal cultural resources would be less than significant with mitigation incorporated. Under Alternative 2, the overall footprint of the developed areas would be reduced, and approximately 142 acres would be preserved. Because of the reduced square footage of development, there would be less ground disturbance and potentially fewer impacts on cultural resources and tribal cultural resources. However, because ground will be disturbed under this alternative, the possibility of inadvertent discovery remains similar to the proposed project and the mitigation measures to prevent impacts to cultural resources and tribal cultural resources from ground disturbance would still be required under this alternative. Therefore, with implementation of MM CUL-1, MM CUL-2, MM CUL-3, and MM CUL-4, impacts to historic resources, archaeological resources, human remains, and to tribal cultural resources under this alternative would be less than significant with mitigation, which is similar to the proposed project.

Energy

Under the proposed project, impacts related to energy would be less than significant. Under Alternative 2, the overall footprint of the developed areas would be reduced. Under Alternative 2, there would be a smaller change related to energy consumption during construction because the overall amount of construction activity, including building square footage, would be smaller. In addition, during operation less energy would be needed for lighting and energy due to smaller overall building space and fewer vehicle fuel consumption due to less demand for employees and truck deliveries. As a result, impacts would remain less than significant, similar to the proposed project.

This alternative would meet the project objectives of developing innovative industrial uses as part of the Central Valley supply chain and goods movement network. However, because the project site would not be built out to its full potential, it would only partially meet the project objectives related to energy, such as creating employment-generating businesses to reduce the need for members of the local workforce to commute outside the area for employment, and maximizing the placement of industrial uses in close proximity to the State Highway system and other major transportation corridors to reduce fuel usage from truck trips.

Geology and Soils

The proposed project's impacts related to geology and soils would be less than significant with mitigation incorporated (see Section 3.7, Geology and Soils). Development under Alternative 2 could cause potential substantial adverse impacts associated with seismic ground shaking because of the project's location in a highly seismic region within the influence of multiple faults, similar to the proposed project. Because geological impacts such as seismic hazards are due to the project's location, this alternative would still require the same mitigation measures as the proposed project to reduce geological impacts to less than significant. Implementaiton of MM GEO-1 and MM GEO-2 would reduce impacts related to earthquakes, seismic ground shaking, soil erosion and topsoil loss, unstable geologic location, and expansive soil. Furthermore, similar to the proposed project,

structures would be designed in accordance with the current California Building Standards Code (CBC) and Visalia Building Code (Chapter 15.08) to reduce hazards posed by seismic ground shaking and the proximity to known active faults. Additionally, this alternative would have a reduced impact on paleontological resources because the development footprint is smaller than the proposed project; however, because this alternative would still result in ground disturbance, mitigation would still be required during construction. Implementation of MM GEO-3 would reduce impacts to paleontological resources. Therefore, this alternative would be less than significant with mitigation incorporated. With the implementation of mitigation, this alternative would have a similar level of impacts as the proposed project.

Greenhouse Gas Emissions

Under the proposed project, impacts related to GHG emissions would be less than significant with mitigation incorporated. Mitigation measures to reduce GHG emissions impacts would require rooftop solar panels or a solar-ready rooftop design, as well as roofing material with light coloring, electric vehicle (EV) charging infrastructure, and limiting warehouse uses to dry storage. Under Alternative 2, the overall footprint of the developed areas would be reduced. Because of the reduced size of the facility and a smaller construction footprint and fewer operational vehicle trips, GHG emissions generation would be reduced as compared to the proposed project. However, under this alternative, mitigation measures such as rooftop solar and EV charging infrastructure would still be required in order to ensure the project would not conflict with applicable policies and plans with goals of reducing GHG emissions. Implementation of MM AIR-2d, MM GHG-2a, and MM GHG-2b would reduce impacts related to conflict with a plan, policy, or regulation that reduces GHG emissions. Therefore, similar to the proposed project, impacts related to GHG emissions would be less than significant with mitigation incorporated.

Additionally, because of the reduced development, this alternative would only partially meet the project objectives related to GHG emissions, such as reducing the need for members of the local workforce to commute outside the area for employment and maximizing the placement of industrial uses in close proximity to the State Highway system and other major transportation corridors to reduce emissions from trucks.

Hazards and Hazardous Material

The proposed project's impacts related to hazards and hazardous materials would be less than significant with mitigation incorporated (see Section 3.9, Hazards and Hazardous Materials). Under this alternative, the overall square footage of buildings would be reduced, and a portion of the site would be preserved for agricultural uses. The reduced development footprint would likely reduce the total amount of hazardous materials present on-site during both construction and operation; however, the hazardous materials on-site would require the same level of compliance with applicable regulations as the proposed project. Therefore, although impacts associated with hazards and the handling of hazardous materials may slightly decrease, the level of impacts would be less than significant, which would not be substantially lower than the proposed project such that there would be no impacts. However, similar to the proposed project, an unknown, abandoned, or unrecorded well may occur on-site and may be discovered during construction of this alternative,

which would require adherence to MM HAZ-1. Therefore, similar to the proposed project, impacts would be less than significant with mitigation incorporated under this alternative.

Hydrology and Water Quality

The proposed project's impacts related to hydrology and water quality would be less than significant (see Section 3.10, Hydrology and Water Quality). Under this alternative, the overall square footage of development would be reduced, and ground disturbance would be reduced. Because of the reduced impervious hardscape due to preservation of existing agricultural lands, impacts related to hydrology, stormwater runoff and drainage, water quality, groundwater recharge and depletion, or flooding would be reduced. However, the level of impacts would not be reduced significantly such that there would be no impacts. Thus, hydrology and water quality impacts or improvements under this alternative would be less than significant, which is similar to the proposed project.

Land Use and Planning

The proposed project's impacts related to land use and planning would be less than significant, and the proposed project would meet many of the project objectives, including of applying the goals and policies of the General Plan (see Section 3.11, Land Use and Planning). Under this alternative, the total square footage of development would be reduced, and 142 acres of agricultural land would be preserved.

This alternative would be only partially consistent with the project objective of applying the goals and policies of the General Plan, which focuses on developing employment opportunities and expanding the City's industrial base. This alternative would not fully implement the General Plan's land use vision, which planned the project site for industrial and light industrial uses. Therefore, this alternative would result in the same or slightly increased land use and planning impacts as compared to the proposed project. Impacts under this alternative would still be considered less than significant, which is similar to the proposed project.

In addition, this alternative would only partially meet the project objectives related to employment opportunities, land use, and industrial uses.

Noise

Under the proposed project, mitigation would be required to reduce impacts from noise-generating equipment associated with the drive-through carwash during operation of the proposed project, as well as noise impacts from potential conflicts between noise-generating operations and noise-sensitive receptors. However, impacts related to off-site mobile source operational noise impact from traffic generation would be significant and unavoidable.

Under Alternative 2, there would be a change in noise sources from traffic-related noise as a result of the reduced project footprint, and a fewer number of employees would result in fewer daily vehicle trips and fewer truck trips when compared to the proposed project. Operational noise levels from traffic generation in the project vicinity would be somewhat reduced as compared to the proposed project. However, this alternative would still have the potential to result in impacts due to the drive-through carwash and conflicts between noise generators and noise-sensitive receptors and

would therefore require implementation of the same mitigation measures as the proposed project. implementation of MM NOI-1 and NOI-2 would reduce impacts related to substantial noise increase in excess of standards. Additionally, the significant and unavoidable off-site mobile source operational noise impact from traffic generation would be reduced under this alternative. Therefore, impacts would be less than significant with mitigation incorporated, and Alternative 2 would result in lesser noise impacts as compared to the proposed project.

Under Alternative 2, on-site construction activities would be located at the same distances from surrounding sensitive land uses (i.e., residences), meaning that construction-related noise impacts from on-site activities would be similar to the proposed project and also less than significant. However, due to the reduction in land uses, Alternative 2 would require a shorter construction schedule. So, in this sense, the impact may be considered reduced compared to the proposed project.

Off-site construction noise impacts from sources such as haul trucks would be similar to the proposed project and also less than significant because haul trucks and other construction vehicles would likely utilize the same roadways as they would for the proposed project. But, as explained, Alternative 2 would require a shorter construction schedule and involve reduced construction requirements. As a result, Alternative 2 may require a shorter construction schedule. Overall, this alternative would result in lesser impacts as compared to the proposed project.

This alternative would not meet the project objectives related to placement of industrial uses to avoid locating industrial buildings in close proximity to residential uses and other sensitive receptors.

Public Services

The proposed project's impacts to public services would be less than significant (see Section 3.13, Public Services). Because of the reduced square footage, the demand for public services would be reduced under this alternative. However, development under this alternative would still generate a demand for public services, which would be considered a less than significant impact. Therefore, impacts under this alternative would be similar to the proposed project.

This alternative would only partially meet the project objectives related to public services, such as providing buildings that meet contemporary industry standards, providing industrial uses with ready access to available infrastructure, and applying the land use vision that is contemplated for this site.

Transportation and Traffic

The proposed project's transportation impacts would be less than significant with mitigation incorporated. Mitigation would include the preparation and implementation of a construction traffic control plan that would reduce the potential for construction vehicle conflicts with other roadway users, funding the addition of two flashing beacons/solar panels to be mounted on existing stop signs at the intersection, installing new STOP pavement markings and limit lines for the northbound and southbound approaches, and funding the addition of an advance intersection warning sign for the eastbound and westbound approaches, and additional improvements to intersections, drive approaches, and sidewalks, as well as installation of end-of-trip bicycle facilities and expansion of bicycle network. Implementation of MM TRANS-1 through MM TRANS-9, MM TRANS-10a, MM

TRANS-10b, and MM TRANS-11 would reduce impacts related to circulation system, Vehicle Miles Traveled (VMT), hazards, and emergency access.

Although the building footprint would be reduced, the proposed infrastructure improvements would still be required under this alternative. As such, this alternative would still generate potential conflicts between construction vehicles and other roadway users, and would require similar mitigation measures as the proposed project to reduce potential roadway safety hazards. Therefore, impacts would be less than significant with mitigation under this alternative. This alternative would result in similar impacts related to transportation as compared to the proposed project.

This alternative would only partially meet the project objectives related to transportation, such as creating local employment opportunities to reduce the commute for regional residents and placing industrial facilities close to major transportation corridors.

Utilities and Service Systems

The proposed project's impacts to utility and service systems would be less than significant with mitigation incorporated (see Section 3.15, Utilities and Service Systems). Under this alternative, the overall development would be reduced, but the infrastructure improvements to utilities would still be developed to serve the project. Because of the reduced square footage, the demand for wastewater and solid waste collection service systems would be reduced under this alternative. However, under this alternative, approximately 142 acres of farmland would remain in agricultural production. As discussed in Section 3.15, Utilities and Service Systems, the proposed project would use significantly less water than the existing almond farm. As such, because half of the existing almond farm would remain in production, water demand would be greater under this alternative than under the proposed project. However, water demand under this alternative would be reduced as compared to the existing conditions. Similar to the proposed project, development under this alternative would be adequately served by the existing water system and would not require the relocation or construction of new or expanded water facilities. Similar to the proposed project, development under this alternative would be required to adhere to MM UTIL-1, which would require that debris and waste generated shall be recycled to the extent feasible, allowing the development to be served by a landfill that contains sufficient capacity. Therefore, impacts under this alternative would be less than significant with mitigation incorporated, which is similar to the proposed project.

This alternative would only partially meet the project objectives related to utilities, such as providing buildings that meet contemporary industry standards, providing industrial uses with ready access to available infrastructure, and applying the land use vision that is contemplated for this site.

Wildfire

The proposed project would have no impacts related to wildfire (See Section 3.16, Wildfire). The project site is not located in a "Fire Hazard Severity Zone" nor is it located in an SRA or a "Very High Fire Hazard Severity Zone" in a local, State, or federal responsibility area. Under this alternative, there would be no change to the project site with regard to wildfire susceptibility. Thus, there would be no impact related to wildfire under this alternative, which is similar to the proposed project.

6.5.2 - Conclusion

Based on the above, this project alternative would result in lesser impacts related to noise. There are no greater impacts under this alternative. Alternative 2 would have similar impacts as compared to the proposed project regarding aesthetics, light, and glare; agricultural and forestry resources; air quality; biological resources; cultural resources and tribal cultural resources; energy; geology and soils; GHG emissions; hazards and hazardous materials; hydrology and water quality; land use and planning; public services; transportation; utilities and service systems; and wildfire. While these impacts would be marginally reduced under this alternative due to the reduced footprint of development and preservation of agriculture, it would not eliminate the significant and unavoidable impacts or reduce the need for mitigation, with the exception of noise impacts.

This alternative would meet the project objectives of developing a mixed-use industrial park, placing industrial uses near the State Highway system, and developing innovative industrial uses as part of the Central Valley supply chain and goods movement network, and applying the goals and policies of the General Plan, which focuses on developing light industrial and industrial uses. However, because the project site would not be built out to its full potential, it would only partially meet the project objectives of maximizing development of the site to generate increased revenue and economic development, and creating employment-generating businesses to reduce commuting and improve the jobs-to-housing balance.

Therefore, Alternative 2 would be environmentally inferior to the proposed project.

6.6 - Alternative 3—Alternative Location

Under this alternative, the alternative project would be constructed in the approximately 284-acre parcels west of Plaza Drive and Riggin Avenue. These parcels are selected as they are few of the remaining parcels within Tier I of the UDB that is designated as Industrial therefore generally suitable for the proposed development. The proposed project would require a General Plan Amendment to re-designate a portion of the site as Light Industrial for the proposed associated flex industrial/commercial uses conditionally allowed under Light Industrial. This site would be approximately 650 feet from the nearest sensitive receptors located southwest.

6.6.1 - Impact Analysis

Aesthetics, Light, and Glare

The proposed project's impacts related to aesthetics would be less than significant (See Section 3.1, Aesthetics, Light, and Glare). Under the Alternative Location alternative, the project site would be located on a parcel west of the proposed project site (See Exhibit 6-1). Construction-related impacts including light and glare from construction equipment, construction machinery, and nighttime security lighting would be similar to the proposed project. Additionally, the change in lighting and glare sources and changes to the existing character of the alternative site would result in similar impacts. However, under this alternative, the nearest sensitive receptors would be located farther from the site, which would potentially reduce the light and glare impacts to the nearest sensitive receptors. However, the overall level of impacts would remain less than significant. Therefore, impacts under this alternative would be similar to the proposed project.

Agriculture and Forest Resources

The proposed project's impacts related to agriculture would be significant and unavoidable, and there would be no impact related to forestry resources. Most of the project site is designated as Prime Farmland and is subject to a Williamson Act Contract. The proposed project would result in the conversion of 284 acres of farmland to urban uses (See Section 3.2, Agricultural Resources and Forestry Resources).

Under this alternative, the project site would be located on a site currently designated Industrial. A majority the alternative site is designated Prime Farmland, while the northern portion of the alternative site is designated Farmland of Statewide Importance.[1] A partial Nonrenewal of the project site's Williamson Act Contract was approved by the Tulare County Board of Supervisors on May 3, 2022 (Resolution No. 2022-0677). Cancellation of the Williamson Act Contract was approved by the Board of Supervisors on November 29, 2022 (Resolution No. 2022-1005). Accordingly, the Williamson Act Contract will be issued a Certificate of Cancellation upon payment of cancellation fees. Therefore, under this alternative, the Prime Farmland and Farmland of Statewide Importance would be converted to nonagricultural uses; however, the Williamson Act Contract would still expire regardless of the alternative development because of the County-approved cancellation.

Similar to the project site, the alternate site is located within Tier 1 of the City's UDB.[2] Therefore, similar to the proposed project, the mitigation program required in LU-P-34 is not applicable to the alternative site. This alternative would result in the loss of Prime Farmland, which was evaluated and disclosed as part of the General Plan EIR. Therefore, this alternative would not reduce the significant and unavoidable impacts associated with the proposed project. Impacts under this alternative would conservatively be considered significant and unavoidable, similar to the proposed project.

This alternative would meet the project objectives related to the conversion of agriculture, including ensuring that the development of the project site is consistent with applicable goals and policies as set forth in the City's General Plan.

Air Quality

Under the proposed project, air quality impacts related to consistency with the applicable AQP and criteria pollutant emissions would be significant and unavoidable because construction and operational emissions and health risks would exceed applicable thresholds even after compliance with all applicable rules, regulations, and implementation of feasible mitigation. Under the proposed project, odor impacts were less than significant.

Under Alternative 3, the proposed project would be constructed in the parcels west of Plaza Drive and Riggin Avenue, but the square footage would be the same as the proposed project, and the construction and operations of this alternative would be the same as the proposed project. Accordingly, there would be significant and unavoidable air quality impacts from construction and operational activities associated with generation of criteria pollutants, such as CO, ROG, NO_X, and PM_{10} in Alternative 3. Since this alternative would be of the same size and scale and within close

[1] California Department of Conservation. 2022. California Important Farmland Finder. Website: https://maps.conservation.ca.gov/dlrp/ciff/. Accessed June 13, 2023.
[2] City of Visalia. 2014. Visalia General Plan Figure 6-4: Farmland.

proximity of the proposed project, impacts related to emissions of criteria pollutants would be significant and unavoidable, which is the same as the proposed project. Similar to the proposed project, under this alternative the same odor impacts would occur because the type of development-warehouse, industrial, and commercial uses would not generate significant odors.

This alternative would meet the project objectives of developing innovative industrial uses as part of the Central Valley supply chain and goods movement network. Because the project would be of similar size and scale under Alternative 3, it would achieve the project objectives related to air quality, such as creating employment-generating businesses to reduce the need for members of the local workforce to commute outside the area for employment, and maximizing the placement of industrial uses in close proximity to the State Highway system and other major transportation corridors to avoid or shorten truck-trip lengths.

Biological Resources

Under the proposed project, impacts to biological resources would be less than significant with mitigation incorporated. With development of a similar project on an alternate site under Alternative 3, biological impacts could occur from development of a site previously used for agricultural purposes. The alternate location would potentially have similar biological resources as the proposed project (e.g., a project site used in an agricultural capacity), such as Swainson's hawk, special-status wildlife such as San Joaquin kit fox, active bird's nests, and roosting bats, which would require the same mitigation as the proposed project.

However, the Modoc Ditch runs through the center of the Alternative 3 site and would likely require multiple crossings or may require filling the Ditch in order to link the northern and southern parcels. In contrast, the Ditch is located on the border of the current project site and would not require linking parcels between the Ditch. Therefore, mitigation measures to reduce potential impacts to the Ditch would be less practicable under this alternative as compared to the potential project impacts on the current project site.

With implementation of MM BIO1a through MM BIO-1f and MM BIO-3 impacts to special-status species and to wetlands and jurisdictional features would be reduced. Therefore, although impacts associated with biological resources would likely be less than significant with mitigation incorporated, this alternative would have greater impacts than the proposed project.

Cultural Resources and Tribal Cultural Resources

Under the proposed project, impacts to cultural resources and tribal cultural resources would be less than significant with mitigation incorporated. Under Alternative 3, there would be similar amounts of ground disturbance in a location near the proposed project site. The alternate site has not been evaluated for cultural resources and tribal cultural resources. Because ground will be disturbed under this alternative, the mitigation measures to prevent impacts to cultural resources and tribal cultural resources from ground disturbance would likely still be required under this alternative. Additionally, a pedestrian survey or records search result could potentially indicate a greater sensitivity for cultural and tribal cultural resources. Therefore, with implementation of MM CUL-1, MM CUL-2, MM CUL-3, and MM CUL-4, impacts to historic resources, archaeological resources,

human remains, and to tribal cultural resources under this alternative would likely be less than significant with mitigation, which is similar to the proposed project.

Energy

Under the proposed project, impacts related to energy would be less than significant. Under Alternative 3, the overall footprint of the developed areas would be the same as the proposed project. With development of a similar project on an alternate site, energy impacts would occur from construction activities that utilize electricity and fuel and operational activities that utilize electricity, natural gas, and fuel. Since Alternative 3 would be of similar size and scale as the proposed project, impacts would be less than significant, which is the same as the proposed project.

Additionally, because Alternative 3 would be of a similar size, location, and scale and the proposed project, this alternative would meet the project objectives related to energy, such as reducing the need for members of the local workforce to commute outside the area for employment and maximizing the placement of industrial uses in close proximity to the State Highway system and other major transportation corridors to reduce energy use from trucks.

Geology and Soils

The proposed project's impacts related to geology and soils would be less than significant with mitigation incorporated (see Section 3.7, Geology and Soils). Development under Alternative 3 could cause potential substantial adverse impacts associated with seismic ground shaking because of the project's location in a highly seismic region within the influence of multiple faults, similar to the proposed project.

The alternate site would be approximately 3,000 feet (0.57 mile) west of the proposed project site, which is in a similar geological setting as the proposed project site. Furthermore, development under this alternative would be of a similar size and scale as the propsed project. Furthermore, similar to the proposed project, structures would be designed in accordance with the current CBC and Visalia Building Code (Chapter 15.08) to reduce hazards posed by seismic ground shaking and the proximity to known active faults. Additionally, this alternative would have a similar potential to result in the discovery of previously unknown paleontological resources, so mitigation would still be required during construction. Therefore, the same mitigation measures that would be required for the proposed project, MM GEO-1, MM GEO-2, and MM GEO-3 would also be required under this alternative, and impacts related to earthquakes, seismic ground shaking, soil erosion and topsoil loss, unstable geologic location, expansive soil, and paleontological resources under this alternative would be less than significant with mitigation incorporated, which is similar to the proposed project.

Greenhouse Gas Emissions

Under the proposed project, impacts related to greenhouse gas emissions would be less than significant with mitigation incorporated. Mitigation measures to reduce greenhouse gas emissions impacts would require requiring rooftop solar panels or a solar-ready rooftop design, as well as roofing material with light coloring, EV charging infrastructure, and limiting warehouse uses to dry storage. Under Alternative 3, the project would be of a similar size and scale and would result in the same type of construction activities such as grading, hauling of soils, and building construction and

operational activities such as heavy heavy-duty trucks trips. Since this alternative would be of similar size and scale to the proposed project and is approximately the same distance to urbanized areas of Visalia, impacts would be similar to the proposed project. Furthermore, the mitigation measures that would be implemented under the proposed project for solar-ready rooftop and EV charging would need to be implemented under this alternative. Implementation of MM AIR-2d, MM GHG-2a, and MM GHG-2b would reduce impacts related to conflict with a plan, policy, or regulation that reduces GHG emissions. Therefore, similar to the proposed project, impacts would be less than significant with mitigation incorporated.

Additionally, because Alternative 3 would be of a similar size, location, and scale and the proposed project, this alternative would meet the project objectives related to greenhouse gas emissions, such as reducing the need for members of the local workforce to commute outside the area for employment, and maximizing the placement of industrial uses in close proximity to the State Highway system and other major transportation corridors to reduce emissions from trucks.

Hazards and Hazardous Material

The proposed project's impacts related to hazards and hazardous materials would be less than significant with mitigation incorporated (see Section 3.9, Hazards and Hazardous Materials). Under this alternative, the overall square footage of development would be similar to the proposed project, and the hazardous materials on-site would require the same level of compliance with applicable regulations as the proposed project. Therefore, impacts associated with hazards and the handling of hazardous materials would be the same as the proposed project. In addition, similar to the proposed project, an unknown, abandoned, or unrecorded well may occur on-site and may be discovered during construction of this alternative, which would require adherence to MM HAZ-1. The level of impacts would be less than significant with mitigation incorporated, which would be the same as the proposed project. Therefore, similar to the proposed project, impacts would be less than significant with mitigation incorporated under this alternative.

Hydrology and Water Quality

The proposed project's impacts related to hydrology and water quality would be less than significant (see Section 3.10, Hydrology and Water Quality). Under this alternative, the addition of new impervious surfaces would be the same as the proposed project, and associated improvements such as stormwater drainage would be similar to the proposed project. Impacts related to hydrology, stormwater runoff and drainage, water quality, groundwater recharge and depletion, or flooding would be similar to the proposed project. Thus, hydrology and water quality impacts or improvements under this alternative would be less than significant, which is similar to the proposed project.

Land Use and Planning

The proposed project's impacts related to land use and planning would be less than significant, and the proposed project would meet many of the project objectives, including of applying the goals and policies of the General Plan (see Section 3.11, Land Use and Planning).

This alternative would not fully meet the project objectives related to land use and planning. Although this alternative would be consistent with the project objective of applying the goals and policies of the General Plan, which focuses on developing employment opportunities and expanding the City's industrial base, this alternative would not fully implement the General Plan's land use vision because it would not implement the site of the proposed project for industrial and light industrial uses. Instead, it would develop on an alternate site that would require a General Plan Amendment to re-designate a portion of the site as Light Industrial for the proposed associated commercial uses conditionally allowed under Light Industrial. "General Plan consistency" is an important factor. CEQA case law is clear that EIRs for proposed private projects consistent with governing General Plan designations generally need not address alternative sites, given that such existing General Plan designations embody policy decisions already made by governing city councils and boards of supervisors. "[T]he keystone of regional planning is consistency—between the general plan, its internal elements, subordinate ordinances, and all derivative land use decisions." *(Citizens of Goleta Valley v. Board of Supervisors (1990)* 52 Cal.3d 553, 572.) "Case-by-case reconsideration of regional land use policies, in the context of a project-specific EIR, is the very antithesis of that goal." (*Id.* at p. 573.) "[A]n EIR is not ordinarily an occasion for the reconsideration or overhaul of fundamental land use policy." *(Ibid.)*

Therefore, this alternative would result in slightly increased land use and planning impacts as compared to the proposed project. However, with a General Plan Amendment, impacts under this alternative would still be considered less than significant, which is similar to the proposed project.

Noise

Under the proposed project, mitigation would be required to reduce impacts from noise-generating equipment associated with the drive-through carwash during operation of the proposed project, as well as noise impacts from potential conflicts between noise-generating operations and noise-sensitive receptors. However, impacts related to off-site mobile source operational noise impact from traffic generation would be significant and unavoidable.

Under Alternative 3, on-site construction activities would be located farther from surrounding sensitive land uses (i.e., residences), meaning that construction-related noise impacts from on-site activities would be slightly less than the proposed project and similarly less than significant. Off-site construction noise impacts from sources such as haul trucks would be similar to the proposed project and less than significant because haul trucks and other vehicles would likely utilize the same roadways as they would for the proposed project.

However, because Alternative 3 would result in a similar number of new vehicle trips as the proposed project, it would have similar impacts on roadside noise levels in the vicinity of the project site, and mobile source operational impacts would therefore remain significant and unavoidable. Overall, the level of impacts would be similar to the proposed project.

This alternative would meet the project objectives related to placement of industrial uses to avoid locating industrial buildings in close proximity to residential uses and other sensitive receptors, which would have the benefit of limiting noise impacts to residences and other noise-sensitive receptors.

Public Services

The proposed project's impacts to public services would be less than significant (see Section 3.13, Public Services). Because of the similar scale and size of development under this alternative, as well as the close proximity to the proposed project site, the demand for public services would be similar to the proposed project under this alternative. Development under this alternative would generate a similar demand for public services, which would be considered a less than significant impact. Therefore, impacts under this alternative would be similar to the proposed project.

This alternative would not fully meet the project objectives related to public services. Although it would meet the project objectives of providing buildings that meet contemporary industry standards and providing industrial uses with ready access to available infrastructure, this alternative would not meet the project objective of applying the land use vision that is contemplated for the proposed project site.

Transportation and Traffic

The proposed project's transportation impacts would be less than significant with mitigation incorporated. Mitigation would include the preparation and implementation of a construction traffic control plan that would reduce the potential for construction vehicle conflicts with other roadway users, as well as funding the addition of two flashing beacons/solar panels to be mounted on existing stop signs at the intersection, installing new STOP pavement markings and limit lines for the northbound and southbound approaches, and funding the addition of an advance intersection warning sign for the eastbound and westbound approaches.

With development of a similar project on an alternate site, transportation impacts would occur from construction (vehicles and equipment, which would require a Traffic Control Plan) and operation (vehicles associated with the residential and commercial development). Since Alternative 3 would be of similar size and scale to the proposed project, impacts are determined to be similar to the proposed project. Additionally, similar to the proposed project, the alternate site would be adjacent to Riggin Avenue, which would likely result in similar impacts as the proposed project regarding construction traffic and roadway safety, and mitigation would need to be implemented. Implementation of MM TRANS-1 through MM TRANS-9, MM TRANS-10a, MM TRANS-10b, and MM TRANS-11 would reduce impacts related to circulation system, VMT, hazards, and emergency access. Although the specific mitigation measures would be modified due to the alternate location, this alternative would not substantially reduce transportation impacts and would not eliminate the need for mitigation measures to reduce potential impacts related to construction vehicles and safety. Therefore, impacts would be less than significant with mitigation incorporated, which is similar to the proposed project.

This alternative would meet the project objectives related to transportation, such as creating local employment opportunities to reduce the commute for regional residents and placing industrial facilities close to major transportation corridors.

Utilities and Service Systems

The proposed project's impacts to utility and service systems would be less than significant with mitigation incorporated (see Section 3.15, Utilities and Service Systems). Under this alternative, the location of the project would change, but the infrastructure improvements to utilities would still be developed to serve the alternate project site, which is currently undeveloped. Because the project would be of similar scale and size, the demand for wastewater and solid waste collection service systems would be similar under this alternative. Furthermore, development under this alternative would demand the same amount of water as the proposed project and would therefore be adequately served by the existing water system, and would not require the relocation or construction of new or expanded water facilities. Similar to the proposed project, development under this alternative would be required to adhere to MM UTIL-1, which would require that debris and waste generated shall be recycled to the extent feasible, allowing the development to be served by a landfill that contains sufficient capacity. Therefore, impacts under this alternative would be less than significant with mitigation incorporated, which is similar to the proposed project.

This alternative would only partially meet the project objectives related to utilities and service systems. Although it would meet the project objectives of providing buildings that meet contemporary industry standards, providing industrial uses with ready access to available infrastructure, it would not meet the project objective of building out the land use vision that is contemplated for the proposed project site.

Wildfire

The proposed project would have no impacts related to wildfire (See Section 3.16, Wildfire). The project site is not located in a "Fire Hazard Severity Zone" nor is it located in an SRA or a "Very High Fire Hazard Severity Zone" in a local, State, or federal responsibility area. Under this alternative, there would be no change to the project site with regard to wildfire susceptibility. Thus, there would be no impact related to wildfire under this alternative, which is similar to the proposed project.

6.6.2 - Conclusion

Based on the above, this project alternative would not increase or decrease any impacts, but it would meet most of the project objectives. Alternative 3 would have similar impacts as compared to the proposed project regarding aesthetics, light, and glare; agricultural resources and forest resources; air quality; cultural resources and tribal cultural resources; energy; geology and soils; GHG emissions; hazards and hazardous materials; hydrology and water quality; land use and planning; noise; public services; transportation; utilities; and wildfire.

This alternative would result in marginal increases or decreases to several impacts, as well as a substantial reduction in noise impacts due to conflicts between noise generators and noise-sensitive receptors, but it would not reduce the overall level of impacts for any of the topical areas analyzed under Alternative 3 above. Biological resources impacts would be slightly greater due to the location relative to the Modoc Ditch.

Overall, this alternative would meet most of the project objectives. These include developing a mixed-use industrial park, placing industrial uses near the State Highway system, and developing

innovative industrial uses as part of the Central Valley supply chain and goods movement network, maximizing development of the site to generate increased revenue and economic development, and creating employment-generating businesses to reduce commuting and improve the jobs-to-housing balance, and applying the goals and policies of the General Plan, which focuses on developing light industrial and industrial uses. However, this alternative would not meet the project objective of building out the land use vision that is contemplated for the proposed project site.

Furthermore, the alternative site that was analyzed under Alternative 3 is not currently under the ownership of the Applicant, and the project applicant cannot reasonably acquire, control, or otherwise have access to the alternative site that was selected (CEQA Guidelines § 15126.6(f)(2)). Additionally, this property would require a General Plan Amendment and is therefore less consistent with the General Plan than the proposed project site.

Therefore, this alternative is environmentally inferior to the proposed project.

6.7 - Environmentally Superior Alternative

CEQA Guidelines Section 15126(e)(2) requires identification of an environmentally superior alternative. If the No Project Alternative is environmentally superior, CEQA requires selection of the "environmentally superior alternative other than the No Project Alternative" from among the project and the alternatives evaluated. The qualitative environmental effects of each alternative in relation to the proposed project are summarized in Table 6-1 below. As shown in Table 6-1, the No Project Alternative is the environmentally superior alternative, as future development within the planning area under the current General Plan and Zoning would result in fewer and less severe impacts.

Table 6-1: Summary of Alternatives

Environmental Topic Area	No Project	Reduced Footprint	Alternate Location
Aesthetics, Light, and Glare	Lesser	Similar	Similar
Agricultural Resources and Forestry Resources	Lesser	Similar	Similar
Air Quality	Lesser	Similar	Similar
Biological Resources	Lesser	Similar	Greater
Cultural Resources and Tribal Cultural Resources	Lesser	Similar	Similar
Energy	Lesser	Similar	Similar
Geology and Soils	Lesser	Similar	Similar
Greenhouse Gas Emissions	Lesser	Similar	Similar
Hazards and Hazardous Materials	Lesser	Similar	Similar
Hydrology and Water Quality	Lesser	Similar	Similar
Land Use and Planning	Similar	Similar	Similar
Noise	Lesser	Lesser	Similar
Public Services	Lesser	Similar	Similar
Transportation	Lesser	Similar	Similar

Environmental Topic Area	No Project	Reduced Footprint	Alternate Location
Utilities and Service Systems	Lesser	Similar	Similar
Wildfire	Lesser	Similar	Similar
Source: FirstCarbon Solutions (FCS) 2023.			

CEQA Guidelines Section 15126(e)(2) requires an EIR to identify an environmentally superior alternative. If the No Project Alternative is the environmentally superior alternative, the EIR must also identify an environmentally superior alternative from among the other alternatives.

Of the two remaining alternatives, the Reduced Footprint Alternative (Alternative 2) has the greatest potential to yield reductions in the severity of the proposed significant and unavoidable impacts because the significant and unavoidable off-site mobile source operational noise impacts from traffic generation would be reduced under this alternative. However, this alternative would not meet the project objectives of maximizing development of the site to generate increased revenue and economic development, and would only partially meet the project objective of creating employment-generating businesses to reduce commuting and improve the jobs-to-housing balance.

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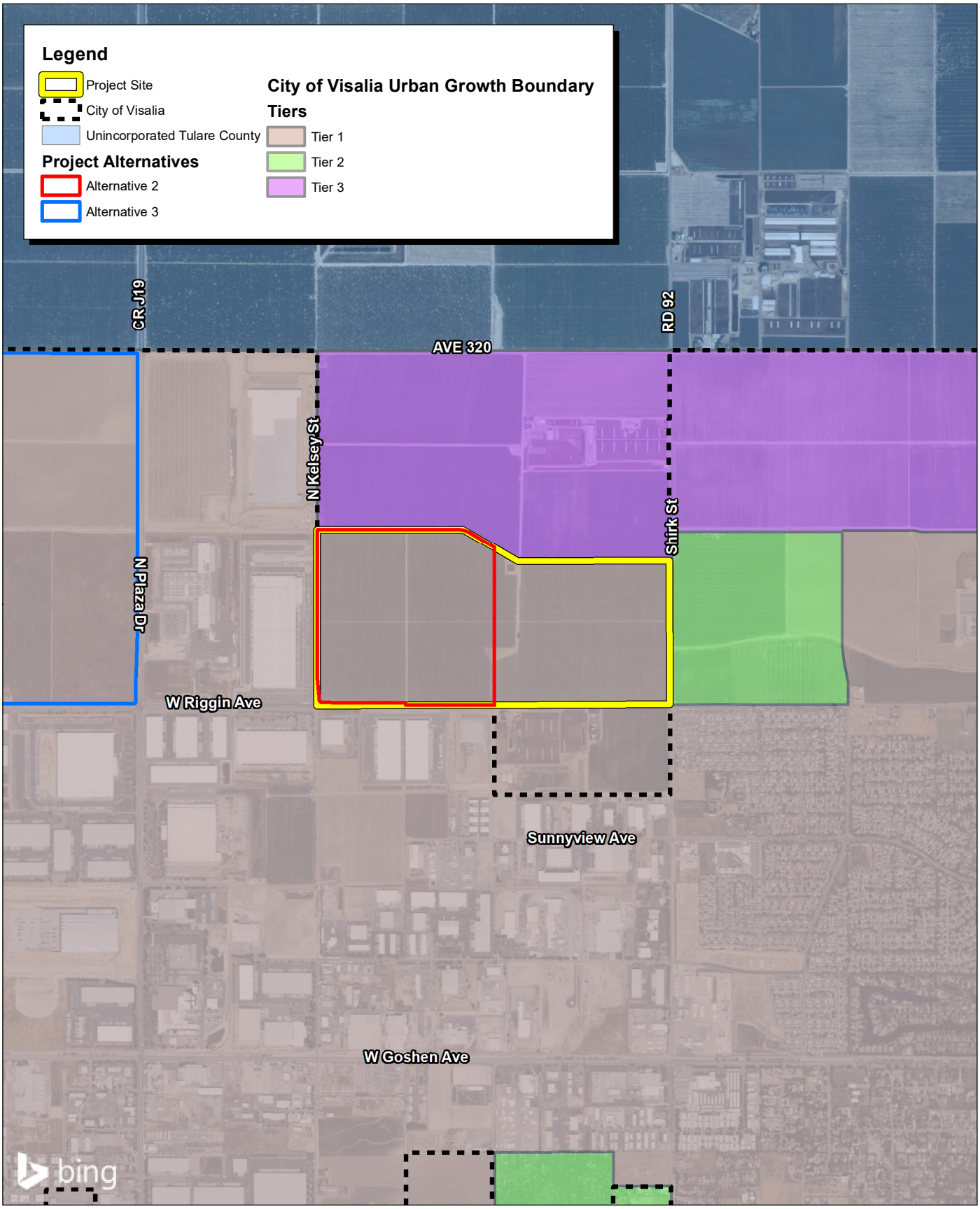

Source: Bing Aerial Imagery. City of Visalia, March 2024.

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Exhibit 6-1
Project Alternatives - Site Boundary

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CHAPTER 7: PERSONS AND ORGANIZATIONS CONSULTED/LIST OF PREPARERS

7.1 - Persons and Organizations Consulted

7.1.1 - CEQA Lead Agency

City of Visalia

Planning Division

Principal Planner..... Brandon Smith

Economic Development Division

Economic Development Manager ..... Devon Jones

Community Development Department

Community Development Director ..... Paul Bernal

CEQA Consultant- QK

Principal Planner..... Jaymie L. Brauer

7.1.2 - Other Agency Support

State Agencies

California Department of Fish and Wildlife

Regional Manager..... Julie Vance
Environmental Scientist..... Jaime Marquez

Native American Heritage Commission

Cultural Resources Analyst ..... Cameron Vela

San Joaquin Valley Air Pollution Control District

Director of Permit Services..... Brian Clements
Air Quality Specialist..... Michael Corder

7.2 - Project Sponsor and Project Consultants

7.2.1 - Seefried Industrial Properties

Vice President..... Bryan Frarey

7.2.2 - Kimley-Horn (Transportation Impact Analysis)

Project Engineer ..... Joe Schultz

7.2.3 - 4Creeks (Water Supply Assessment)

Assistant Planner ..... Nate Antepenko
Planner/Project Manager ..... Molly Baumeister

7.2.4 - Ninyo & Moore (Phase I and II Environmental Site Assessment and Geotechnical Report)

Senior Staff Geologist ..... Shayna Avila
Principal Environmental Operations Manager ..... Jeff Aguilar, PG
Principal Toxicologist ..... Heriberto Robles, MS, PhD, DABT

7.3 - City of Visalia Consultants

7.3.1 - FirstCarbon Solutions (Environmental Impact Report)

Project Director ..... Mary Bean
Project Manager ..... Yael Marcus
Project Manager ..... Tsui Li
Assistant Project Manager ..... Stephanie Shepard
Environmental Services Intern ..... Spencer Churchill
Legal Counsel ..... Megan Starr, JD
Director of Cultural Resources ..... Dana DePietro, PhD, RPA
Archaeologist ..... Stefanie Griffin
Director of Noise and Air Quality ..... Phil Ault, LEED® AP
Senior Air Quality Scientist ..... Kimber Johnson
Senior Noise and Air Quality Scientist ..... Noah Tanski
Air Quality Associate ..... Spencer Pignotti
Senior Biologist ..... Robert Carroll
Intern ..... Kelly Evans
Publications Manager ..... Susie Harris
Publications Coordinator ..... Alec Harris
Document Specialist ..... Melissa Ramirez
GIS/Graphics ..... Karlee McCracken
GIS Specialist ..... Sebastian Macias

7.3.2 - FirstCarbon Solutions Subconsultants

South Environmental (Jurisdictional Delineation)

Principal Biologist ..... Matthew R. South, CWB