

**DRAFT INITIAL STUDY AND  
MITIGATED NEGATIVE DECLARATION**

---

**SHEPHERDS RANCH PROJECT**

State of California

**City of Visalia**



**JUNE 2022**

---



**DRAFT INITIAL STUDY AND  
MITIGATED NEGATIVE DECLARATION**

**SHEPHERDS RANCH PROJECT**

Prepared for:

City of Visalia  
Visalia Planning and Zoning Department  
315 East Acequia Avenue  
Visalia, Ca 93291  
Contact Person: Brandon Smith, AICP  
Phone: (559) 716-4636

Consultant :



5080 California Avenue, Suite 220  
Bakersfield, CA 93309  
Contact: Jaymie Brauer  
Phone: (661) 616-2600

June 2022

# Table of Contents

*Mitigated Negative Declaration*..... 1

***SECTION 1 - Introduction***..... 1-1

1.1 - Overview ..... 1-1

1.2 - California Environmental Quality Act ..... 1-1

1.3 - Impact Terminology..... 1-1

1.4 - Document Organization and Contents..... 1-2

1.5 - Incorporated by Reference..... 1-2

***SECTION 2 - Project Description***..... 2-1

2.1 - Introduction ..... 2-1

2.2 - Project Location..... 2-1

2.3 - Surrounding Land Uses ..... 2-1

2.4 - Proposed Project..... 2-1

***SECTION 3 - Initial Study***..... 3-1

3.1 - Environmental Checklist..... 3-1

3.2 - Environmental Factors Potentially Affected ..... 3-4

3.3 - Determination ..... 3-4

3.4 - Evaluation of Environmental Impacts ..... 3-6

    3.4.1 - Aesthetics ..... 3-8

    3.4.2 - Agriculture and Forestry Resources ..... 3-12

    3.4.3 - Air Quality ..... 3-16

    3.4.4 - Biological Resources ..... 3-23

    3.4.5 - Cultural Resources..... 3-34

    3.4.6 - Energy..... 3-38

    3.4.7 - Geology and Soils..... 3-40

    3.4.8 - Greenhouse Gas Emissions..... 3-48

    3.4.9 - Hazards and Hazardous Materials..... 3-51

    3.4.10 - Hydrology and Water Quality ..... 3-57

    3.4.11 - Land Use and Planning..... 3-65

    3.4.12 - Mineral Resources..... 3-67

    3.4.13 - Noise ..... 3-69

    3.4.14 - Population and Housing..... 3-75

    3.4.15 - Public Services..... 3-77

    3.4.16 - Recreation ..... 3-82

    3.4.17 - Transportation and Traffic ..... 3-84

    3.4.18 - Tribal Cultural Resources..... 3-91

    3.4.19 - Utilities and Service Systems ..... 3-94

3.4.20 - Wildfire.....	3-99
3.4.21 - Mandatory Findings of Significance .....	3-102
<b>SECTION 4 - List of Preparers .....</b>	<b>4-1</b>
4.1 - Lead Agency .....	4-1
4.2 - QK Inc.....	4-1
<b>SECTION 5 - Bibliography .....</b>	<b>5-1</b>

List of Appendices

Appendix A	Mitigation Monitoring and Reporting Program
Appendix B	Air Quality & Greenhouse Gas Impact Assessment
Appendix C	Biological Assessment
Appendix D	Cultural Resources Technical Memorandum
Appendix E	Noise Study
Appendix F	Traffic Impact Study

List of Figures

Figure 2-1 Regional Location .....	2-3
Figure 2-2 Project Location.....	2-4

List of Tables

Table 3.4.3-1 SJVAPCD Air Quality Thresholds of Significance.....	3-19
Table 3.4.3-2 Project Construction Emissions.....	3-20
Table 3.4.3-3 Project Operational Emissions (tons/year).....	3-20
Table 3.4.3-4 Screening Levels for Potential Odor Sources.....	3-22
Table 3.4.8-1 Project Operational Greenhouse Gas Emissions .....	3-48
Table 3.4.13-1 Construction Equipment Reference and Projected Noise Levels.....	3-70
Table 3.4.13-2 Vibration Source Levels for Construction Equipment and Projected Levels at 30 Feet.....	3-73
Table 3.4.17-1 Project Estimated Trips.....	3-86
Table 3.4.17-2 Intersection Operations .....	3-86
Table 3.4.17-3 20-Year Horizon Equitable Share Responsibility.....	3-88

## MITIGATED NEGATIVE DECLARATION

As Lead Agency under the California Environmental Quality Act (CEQA), the City of Visalia reviewed the Project described below to determine whether it could have a significant effect on the environment because of its development. In accordance with CEQA Guidelines Section 15382, “[s]ignificant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

### ***Project Name***

Shepherds Ranch

### ***Project Location***

The Project is located approximately ¼ mile south of the intersection of North Shirk Street and West Goshen Avenue, Visalia, California.

### ***Project Description***

The Project would develop a total of 241 single-family homes and a 3.05-acre linear park on a combined 50.3 acres. The Project has two components called Shepherds Ranch I and Shepherds Ranch II.

Shepherds Ranch I (APN 081-030-46) includes 10.31 acres of undeveloped land located inside the current Visalia city limits on the west side of Shirk Street in the western portion of the City. The site is surrounded by developed light industrial properties to the north, with rural residential homes land to the east and south. This component includes 41 homes.

The Shepherds Ranch II site is to the west of the Shepherds Ranch I site.

The following discretionary actions are required for the proposed Shepherds Ranch I development:

- General Plan Amendment (GPA) - Residential Very Low Density (VLDR) to Residential Low Density (LDR) and Parks / Recreation.
- Change of Zone – from R-1-20 to R-1-5 and QP.
- Tentative Subdivision Map.
- Right-of-way dedication and street improvements for North Shirk Street and Road 88.

Construction will be in a single phase and is anticipated start in October 2023 and take one year to build out all homes.

Shepherds Ranch II (APN 081-030-36) is 40 acres in size and is located outside the city limits but within the City of Visalia’s sphere of influence on the east side of Road 88, located

approximately ¼ mile south of the intersection of North Shirk Street and West Goshen Avenue, Visalia, California. Shepherds Ranch II is outside the City limits and within unincorporated Tulare County.

The proposed park strip will also be designated as Parks/recreation and zoned as Quasi-Public. Since the parks span both Project components, it will be included in the rezoning of Shepherds Ranch I and included in the pre-zone of Shepherds Ranch II.

The following discretionary actions are required for the proposed development:

- Annexation into the City of Visalia.
- General Plan Amendment – Residential Very Low Density to Residential Low Density and Parks / Recreation.
- Tentative Subdivision Map.
- Tentative Parcel Map.
- Right-of-way dedication and street improvements for Shirk Street and Road 88.

Construction will be in three phases and is anticipated to start in May 2023 and take two years to build out all homes.

For the analysis throughout this document, the Project refers to both Shepherds Ranch I and Shepherds Ranch II unless the component is specifically called out as such.

***Mailing Address and Phone Number of Contact Person***

Brandon Smith, AICP- Planner  
Visalia Planning and Zoning Department  
315 East Acequia Avenue  
Visalia, CA 93291  
(559) 713-4636  
Email: [brandon.smith@visalia.city](mailto:brandon.smith@visalia.city)

***Findings***

As Lead Agency, the City of Visalia finds that the Project will not have a significant effect on the environment. The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see *Section 3 - Environmental Checklist*) identified one or more potentially significant effects on the environment, but revisions to the Project have been made before the release of this Mitigated Negative Declaration (MND), or mitigation measures would be implemented that reduce all potentially significant impacts to less than significant levels. The Lead Agency further finds that there is no substantial evidence that this Project would have a significant effect on the environment.

***Mitigation Measures Included in the Project to Avoid Potentially Significant Effects***

**BIO-1:** Within 14 days prior to the start of Project ground-disturbing activities, a pre-activity survey with a 500-foot buffer, where land access is permitted, shall be conducted by a qualified biologist knowledgeable in the identification of these species and approved by the California Department of Fish and Wildlife (CDFW). If dens/burrows that could support any of these species are discovered during the pre-activity survey, the avoidance buffers outlined below shall be established. No work shall occur within these buffers unless the biologist approves and monitors the activity. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

Burrowing Owl (active burrows)

- Non-breeding season: September 1 – January 31 – 160 feet
- Breeding season: February 1 – August 31 – 250 feet

American Badger/SJKF

- Potential or Atypical den – 50 feet
- Known den – 100 feet
- Natal Den –Contact CDFW for consultation

**BIO-2:** A qualified biologist shall remain on-call throughout the construction phase if a burrowing owl, American badger, or San Joaquin kit fox occurs on the site during construction. If one of these species occurs on-site, the biologist shall be contacted immediately to determine whether biological monitoring or the implementation of avoidance buffers may be warranted.

**BIO-3:** The following avoidance and minimization measures shall be implemented during all phases of the Project to reduce the potential for impact from the Project. They are modified from the U.S. Fish and Wildlife Service (USFWS) *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance*.

- a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction or Project Site.
- b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds shall not exceed 20 miles per hour (mph) within the Project Site.
- c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are

filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the Project Site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted, and USFWS and California Department of Fish and Wildlife (CDFW) shall be consulted.

- d. 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 four inches or greater that are stored at a construction site for one or more overnight periods shall 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 shall not be moved until the USFWS and CDFW have 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.
- e. No pets, such as dogs or cats, shall be permitted on the Project Sites to prevent harassment, mortality of kit foxes, or destruction of dens.
- f. Use of anti-coagulant rodenticides and herbicides in Project Sites shall 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 shall observe labels 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 USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.
- g. 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 shall be identified during the employee education program, and their name and telephone number shall be provided to the USFWS.
- h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to an SJKF 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. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and R4CESA@wildlifeca.gov.
- i. All sightings of the SJKF shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with

the location of where the kit fox was observed shall also be provided to the Service at the address below.

- j. Any Project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone: (916) 414-6620 or (916) 414-6600.
- k. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-4:** If Project construction activities occur during the Swainson's hawk nesting season (February 15 to August 31), pre-construction activity surveys shall be conducted over the Project area and within 0.5-mile for Swainson's hawk nests in accordance with the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*, Swainson's Hawk Technical Advisory Committee. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-5:** If an active Swainson's hawk nest is discovered at any time within 0.5-mile of active construction, a qualified biologist shall complete an assessment of the potential for current construction activities to impact the nest. The assessment would consider the type of construction activities, the location of construction relative to the nest, the visibility of construction activities from the nest location, and other existing disturbances in the area that are not related to the construction activities of this Project. Based on this assessment, the biologist will determine if construction activities can proceed and the level of nest monitoring required. Construction activities shall not occur within 500 feet of an active nest but depending upon conditions at the site, this distance may be reduced. Full-time monitoring to evaluate the effects of construction activities on nesting Swainson's hawks may be required. The qualified biologist shall have the authority to stop work if it is determined that Project construction is disturbing the nest. These buffers may need to increase depending on the sensitivity of the nesting Swainson's hawk to disturbances and at the discretion of the qualified biologist.

**BIO-6:** If Project construction activities are initiated during the nesting season (February 1 to September 15), a pre-activity nesting bird survey shall be conducted within 14 days prior to the start of construction. The surveys shall encompass the Project footprint and accessible areas or land visible from accessible areas within a 250-foot buffer for songbirds and a 500-foot buffer for raptors. If no active nests are found, no further action is required. However, existing nests may become active, and new nests may be built at any time prior to and throughout the nesting season, including when construction activities are in progress.

If active nests are found during the survey or at any time during construction of the Project, an avoidance buffer ranging from 50 feet to 500 feet may be required, with the avoidance buffer from any specific nest being determined by a qualified biologist. The avoidance buffer will

remain in place until the biologist has determined that the young are no longer reliant on the adults or the nest, or if breeding attempts have otherwise been unsuccessful. Work may occur within the avoidance buffer under the approval and guidance of the biologist, but full-time monitoring may be required. The biologist shall have the ability to stop construction if nesting adults show any sign of distress. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-7:** Within 14 days prior to the start of ground disturbance activities, a pre-activity survey shall be conducted by a qualified biologist knowledgeable in the identification of all special-status plant and wildlife species with the potential to occur in the vicinity of the Project. All suitable burrows that could support special-status kangaroo rats, Tulare grasshopper mouse, or other special-status wildlife species shall be avoided during construction in accordance with BIO-5 and BIO-6 unless verification surveys have indicated that the species are not present. Consultation with the USFWS and CDFW may be required if listed or fully protected species are detected during the survey. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-8:** Prior to the initiation of construction activities, all construction personnel shall attend a Worker Environmental Awareness Training program developed by a qualified biologist. Any personnel associated with the construction that did not attend the initial training shall be trained by the authorized biologist prior to working on the project site. Any employee responsible for the operations and maintenance or decommissioning of the project facilities shall also attend the Worker Environmental Awareness Training program prior to starting work on the project and on an annual basis. The Program shall be developed and presented by the project qualified biologist(s) or designee approved by the qualified biologist(s). The program shall include information on the life histories of special-status species with the potential to occur on the Project, their legal status, course of action should these species be encountered on-site, and avoidance and minimization measures to protect these species. It shall include the components described below:

- a. Information on the life history and identification of special-status species that may occur or that may be affected by Project activities. The program shall also discuss the legal protection status of each such species, the definition of “take” under the Federal Endangered Species Act and California Endangered Species Act, measures the Project proponent/operator shall implement to protect the species, reporting requirements, specific measures for workers to avoid take of special-status plant and wildlife species, and penalties for violation of the requirements outlined in the California Environmental Quality Act mitigation measures and agency permit requirements.
- b. An acknowledgment form signed by each worker indicating that the Worker Environmental Awareness Training and Education Program has been completed shall be kept on file at the construction site. A copy of the acknowledgment form shall be submitted to the lead agency as evidence of compliance.
- c. A copy of the training transcript and/or training video, as well as a list of the names of all personnel who attended the Worker Environmental Awareness Training and

Education Program, and signed acknowledgment forms, shall be submitted to the City of Tulare Planning Department.

- d. A copy of the training transcript, training video, or informational binder for specific procedures shall be kept available for all personnel to review and be familiar with, as necessary.
- e. A sticker shall be placed on hard hats indicating that the worker has completed the Worker Environmental Awareness Training and Education Program. Construction workers shall not be permitted to operate equipment within the construction areas unless they have attended the Worker Environmental Awareness Training and Education Program and are wearing hard hats with the required sticker.

The construction crews and contractor(s) shall be responsible for preventing unauthorized impacts from project activities to sensitive biological resources that are outside the areas defined as subject to impacts by Project permits. Unauthorized impacts may result in project stoppage, and/or fines depending on the impact and coordination with the California Department of Fish and Wildlife and/or U.S. Fish and Wildlife Service.

**CUL-1:** If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation. Implementation of the mitigation measure below would ensure that the proposed Project would not cause a substantial adverse change in the significance of a historical resource.

**CUL-2:** If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of a discovery of human remains, at the direction of the county coroner.

**GEO-1:** Prior to issuing of grading or building permits, if required, (a) the Project applicant shall submit to the Lead Agency (1) the approved Storm Water Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design

specifications and construction contracts. Recommended best management practices for the construction phase may include the following:

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

Evidence of the approved SWPPP shall be submitted to the Lead Agency.

**GEO-2:** Prior to any ground-disturbing activities, the Project owner shall develop and implement a Paleontological Worker Education and Awareness Program. If paleontological resources are discovered during ground-disturbing activities (e.g., during Project construction or decommissioning), all earthwork or other types of ground disturbance within 50 feet of the find shall stop immediately until a qualified professional paleontologist (meeting the standards of the Society of Vertebrate Paleontology [SVP]) can assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue or recommend salvage and recovery of the fossil. The paleontologist may also propose modifications to the stop-work radius based on the nature of the find, site geology, and the activities occurring on the site. If treatment and salvage are required, recommendations will be consistent with the Society of Vertebrate Paleontology standards that are current as of the discovery and with currently accepted scientific practice.

**NSE-1:** The Project developer or contractor shall continuously comply with the following measures throughout construction activities:

- a. Pursuant to Visalia Municipal Code Section 8.36.050(C), the operation of construction equipment, including jackhammers, portable generators, pneumatic equipment, trenchers, or other such equipment shall not be operated on the project site 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.
- b. All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with manufacturers-recommended mufflers and be maintained in good working condition.
- c. All mobile or fixed noise-producing equipment used on the project site that is regulated for noise output by a federal, State, or local agency shall comply with such regulations while in the course of project construction activity.
- d. Electrically powered equipment shall be used instead of pneumatic or internal combustion-powered equipment, where feasible.

- e. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors.
- f. Project area and site access road speed limits shall be established and enforced during the construction period.
- g. Nearby residences shall be notified of construction schedules so that arrangements can be made, if desired, to limit their exposure to short-term increases in ambient noise levels.

**NSE-2:** Prior to final map recordation, the Developer shall record a covenant on all lots to disclose noise exposure from the stationary industrial equipment adjacent to the Project site. The covenant will ensure future residential property owners are notified of the potential noise impacts as follows:

*“Property owner(s) of lots within the Shepherds Ranch I/ Shepherds Ranch II Project are hereby notified that noise levels from adjacent industrial operations may exceed the City of Visalia 2030 General Plan and Municipal Code daytime and nighttime noise level standards of 50 dB Leq/L50 and 45 dB Leq/L50, respectively.”*

**TRA-1:** Prior to the issuance of building permits, the developer shall pay its pro-rata share for of the following intersections improvements:

- a. Shirk Street at SR 198 EB Ramps:

5-Year With Project and 10-Year With and Without Project Horizon scenarios:

- Installation of traffic signal

20-Year With and Without Project Horizon scenarios:

- Install traffic signal
- Widen the eastbound approach to 1 left turn lane, 1 left-through lane, and 1 right turn lane (adding 1 left turn lane)

- b. Shirk Street at SR 198 WB Ramps

Opening Year With and Without Project, 5-Year With and Without Project, and 10-Year Without Project Horizon scenarios:

- Installation of traffic signal

10-Year With Project and 20-Year With and Without Project Horizon scenarios:

- Intall traffic signal
- Widen the westbound approach to 1 left-through lane and 2 right turn lanes (adding 1 right turn lane)

## **SECTION 1 - INTRODUCTION**

### ***1.1 - Overview***

The Project is summarized as the subdivision and development of 241 single-family residences and a 3.05-acre linear park on approximately 50 acres, located approximately ¼ mile south of the intersection of North Shirk Street and West Goshen Avenue, Visalia, California.

### ***1.2 - California Environmental Quality Act***

The City of Visalia is the Lead Agency for this Project pursuant to the CEQA Guidelines (Public Resources Code Section 15000 et seq.). The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see *Section 3 - Initial Study*) provides analysis that examines the potential environmental effects of the construction and operation of the Project. Section 15063 of the CEQA Guidelines requires the Lead Agency to prepare an IS to determine whether a discretionary project will have a significant effect on the environment. A Mitigated Negative Declaration (MND) is appropriate when an IS has been prepared, and a determination can be made that no significant environmental effects will occur because revisions to the Project have been made or mitigation measures will be implemented that reduce all potentially significant impacts to less than significant levels. The content of an MND is the same as a Negative Declaration, with the addition of identified mitigation measures and a Mitigation Monitoring and Reporting Program (MMRP) (see *Appendix A - Mitigation Monitoring and Reporting Program*).

Based on the IS, the Lead Agency has determined that the environmental review for the proposed application can be completed with an MND.

### ***1.3 - Impact Terminology***

The following terminology is used to describe the level of significance of impacts.

- A finding of “no impact” is appropriate if the analysis concludes that the Project would not affect a topic area in any way.
- An impact is considered “less than significant” if the analysis concludes that it would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered “less than significant with mitigation incorporated” if the analysis concludes that it would cause no substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by the applicant.
- An impact is considered “potentially significant” if the analysis concludes that it could have a substantial adverse effect on the environment.

## ***1.4 - Document Organization and Contents***

The content and format of this IS/MND is designed to meet the requirements of CEQA. The report contains the following sections:

- *Section 1 – Introduction:* This section provides an overview of CEQA requirements, intended uses of the IS/MND, document organization, and a list of regulations that have been incorporated by reference.
- *Section 2– Project Description:* This section describes the Project and provides data on the site’s location.
- *Section 3 – Environmental Checklist:* This chapter contains the evaluation of 21 different environmental resource factors contained in Appendix G of the CEQA Guidelines. Each environmental resource factor is analyzed to determine whether the proposed Project would have an impact. One of four findings is made, which include: no impact, less than significant impact, less than significant with mitigation, or significant and unavoidable. If the evaluation results in a finding of significant and unavoidable for any of the 21 environmental resource factors, then an Environmental Impact Report will be required.
- *Section 4 – List of Preparers:* This chapter identifies the individuals who prepared the IS/MND.
- *Section 5 – Bibliography:* This chapter contains a full list of references that were used in the preparation of this IS/MND.
- *Appendix A – Mitigation Monitoring and Reporting Program:* This appendix contains the Mitigation Monitoring and Reporting Program.

## ***1.5 - Incorporated by Reference***

The following documents and/or regulations are incorporated into this IS/MND by reference:

- City of Visalia 2030 General Plan Update (2014)
- Tulare County General Plan 2030 (2021)
- City of Visalia 2020-2023 Adopted Housing Element (2019)
- Visalia City Improvement Standards (Updated Improvement Standard Implementation 2016)
- Visalia Airport Master Plan (1971)
- Visalia City Improvement Standards (Updated Improvement Standard Implementation 2016)
- Tulare County Comprehensive Airport Land Use Plan (2012)
- Mid-Kaweah GSA Groundwater Sustainability Plan (2019)
- Tulare County Association of Governments (TCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

## **SECTION 2 - PROJECT DESCRIPTION**

### ***2.1 - Introduction***

The Project is summarized as the subdivision and development of 241 single-family residences and a 3.05-acre linear park on approximately 50 acres, located approximately ¼ mile south of the intersection of North Shirk Street and West Goshen Avenue, Visalia, California.

### ***2.2 - Project Location***

The Project is located approximately ¼ mile south of the intersection of North Shirk Street and West Goshen Avenue, Visalia (Figures 2-1 and 2-2). The Project is within Section 28, Township 18S, Range 24E, Mount Diablo Base and Meridian.

### ***2.3 - Surrounding Land Uses***

The Project site is bounded by light industrial development to the north, North Shirk Street and residential development to the east, an unnamed dirt road, residential, orchards, and fallow agriculture with non-native grassland to the south, and Road 88 and fallow agriculture to the west.

### ***2.4 - Proposed Project***

The Project would develop a total of 241 single-family homes and a 3.05-acre linear park on a combined 50.3 acres. The Project has two components called Shepherds Ranch I and Shepherds Ranch II.

Shepherds Ranch I (APN 081-030-46) includes 10.31 acres of undeveloped land located inside the current Visalia city limits on the west side of Shirk Street in the western portion of the City. The site is surrounded by developed light industrial properties to the north, with rural residential homes land to the east and south. This component includes 41 homes.

The Shepherds Ranch II site is to the west of the Shepherds Ranch I site.

The following discretionary actions are required for the proposed Shepherds Ranch I development:

- General Plan Amendment (GPA) - Residential Very Low Density (VLDR) to Residential Low Density (LDR) and Parks / Recreation.
- Change of Zone – from R-1-20 to R-1-5 and QP.
- Tentative Subdivision Map.
- Right-of-way dedication and street improvements for North Shirk Street and Road 88.

Construction will be in a single phase and is anticipated start in October 2023 and take one year to build out all homes.

Shepherds Ranch II (APN 081-030-36) is 40 acres in size and is located outside the city limits but within the City of Visalia's sphere of influence on the east side of Road 88, located approximately ¼ mile south of the intersection of North Shirk Street North Shirk Street and West Goshen Avenue, Visalia, California. Shepherds Ranch II is outside the City limits and within unincorporated Tulare County.

The proposed park strip will also be designated as Parks/recreation and zoned as Quasi-Public. Since the parks span both Project components, they will be included in the rezoning of Shepherds Ranch I and included in the pre-zone of Shepherds Ranch II.

The following discretionary actions are required for the proposed development:

- Annexation into the City of Visalia.
- General Plan Amendment – Residential Very Low Density to Residential Low Density and Parks / Recreation.
- Tentative Subdivision Map.
- Tentative Parcel Map.
- Right-of-way dedication and street improvements for Shirk Street and Road 88.

Construction will be in three phases and is anticipated to start in May 2023 and take two years to build out all homes.

For the analysis throughout this document, the Project refers to both Shepherds Ranch I and Shepherds Ranch II unless the component is specifically called out as such.

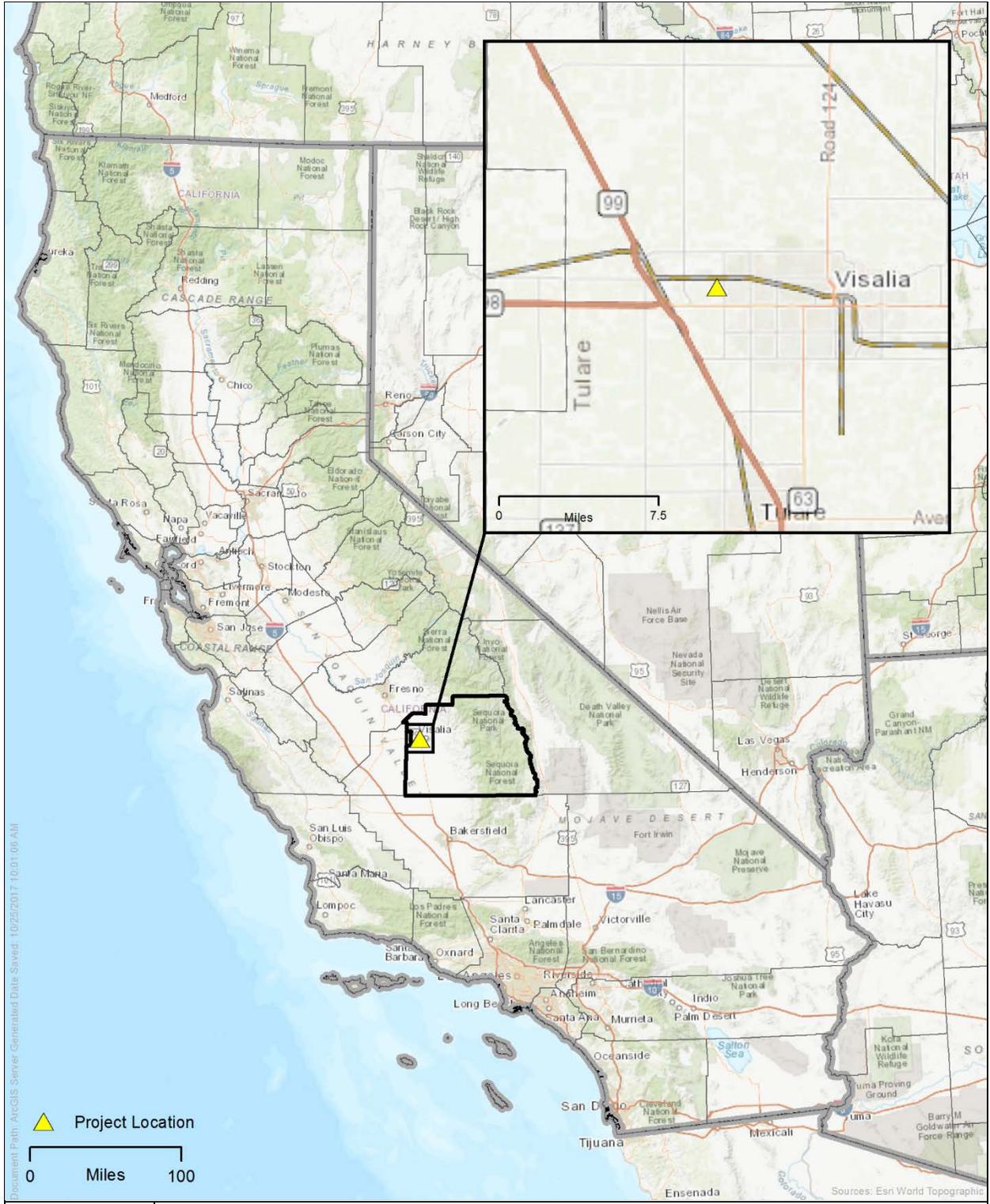
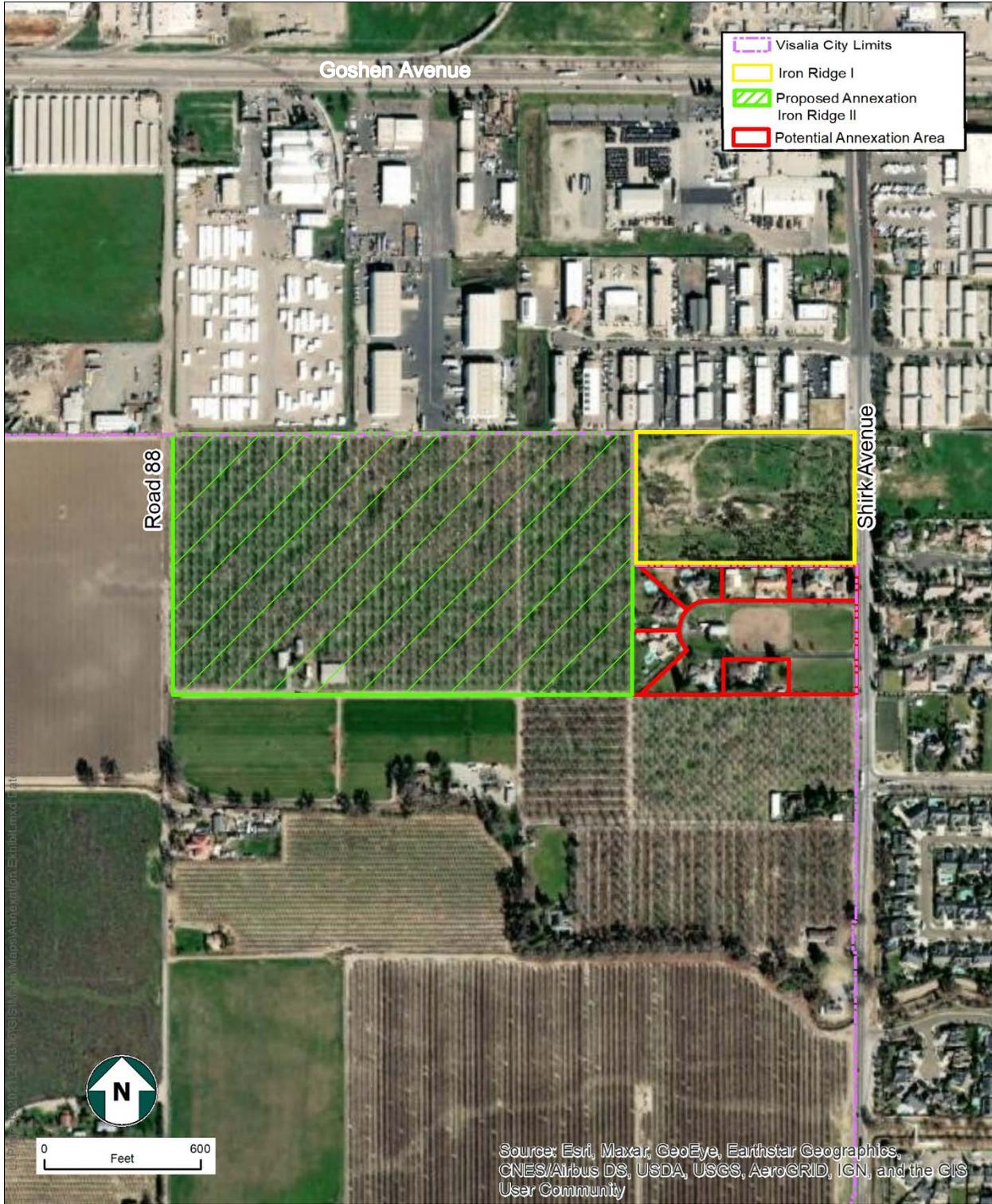


Figure 2-1  
Regional Location



 **Figure 2-2**  
**Project Location**

## **SECTION 3 - INITIAL STUDY**

### ***3.1 - Environmental Checklist***

**1. Project Title:**

Shepherds Ranch

**2. Lead Agency Name and Address:**

City of Visalia  
315 East Acequia Avenue  
Visalia, California 93291

**3. Contact Person and Phone Number:**

Brandon Smith (559) 713-4636

**Project Location:**

The Project is located approximately ¼ mile south of the intersection of North Shirk Street and West Goshen Avenue, Visalia, California.

**4. Project Sponsor's Name and Address:**

DR Horton  
419 W Murray  
Visalia, CA 93291  
Contact Person : Corine Demetrios  
Phone : (559) 631-6208

**5. General Plan Designation:**

Existing: City of Visalia – Residential Very Low Density – 18.6 acres

Existing: City of Visalia – Residential Low Density – 31.7 acres

Proposed: City of Visalia – Residential Low Density – 50 acres, including 3 acres to be used as Parks / Recreation

**6. Zoning:**

Existing: City of Visalia – R-1-20 (20,000 SF Min Site Area) – 5 acres

Existing: City of Visalia – R-1-5 (5,000 SF Min Site Area) – 5 acres

Existing: Tulare County (proposed for annexation to the City of Visalia) – AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) – 40 acres

Proposed: City of Visalia – R-1-5 (5,000 SF Min Site Area) – 50 acres, including 3 acres to be used as QP (Quasi-Public)

## **7. Description of Project:**

The Project would develop a total of 241 single-family homes and a 3.05-acre linear park on a combined 50.3 acres. The Project has two components called Shepherds Ranch I and Shepherds Ranch II.

Shepherds Ranch I (APN 081-030-46) includes 10.31 acres of undeveloped land located inside the current Visalia city limits on the west side of Shirk Street in the western portion of the City. The site is surrounded by developed light industrial properties to the north, with rural residential homes land to the east and south. This component includes 41 homes.

The Shepherds Ranch II site is to the west of the Shepherds Ranch I site.

The following discretionary actions are required for the proposed Shepherds Ranch I development:

- General Plan Amendment (GPA) - Residential Very Low Density (VLDR) to Residential Low Density (LDR) and Parks / Recreation.
- Change of Zone – from R-1-20 to R-1-5 and QP.
- Tentative Subdivision Map.
- Right-of-way dedication and street improvements for North Shirk Street and Road 88.

Construction will be in a single phase and is anticipated start in October 2023 and take one year to build out all homes.

Shepherds Ranch II (APN 081-030-36) is 40 acres in size and is located outside the city limits but within the City of Visalia’s sphere of influence on the east side of Road 88, located approximately ¼ mile south of the intersection of North Shirk Street and West Goshen Avenue, Visalia, California. Shepherds Ranch II is outside the City limits and within unincorporated Tulare County.

The proposed park strip will also be designated as Parks/recreation and zoned as Quasi-Public. Since the parks span both Project components, they will be included in the rezoning of Shepherds Ranch I and included in the pre-zone of Shepherds Ranch II.

The following discretionary actions are required for the proposed development:

- Annexation into the City of Visalia.
- General Plan Amendment – Residential Very Low Density to Residential Low Density and Parks / Recreation.

- Tentative Subdivision Map.
- Tentative Parcel Map.
- Right-of-way dedication and street improvements for Shirk Street and Road 88.

Construction will be in three phases and is anticipated to start in May 2023 and take two years to build out all homes.

For the analysis throughout this document, the Project refers to both Shepherds Ranch I and Shepherds Ranch II unless the component is specifically called out as such.

### **8. Surrounding Land Uses and Setting:**

The Project site is bounded by light industrial development to the north, North Shirk Street and residential development to the east, an unnamed dirt road, residential, orchards, and fallow agriculture with non-native grassland to the south, and Road 928 and fallow agriculture to the west.

Land use within the Project boundary consists of annual grassland and barren land on 10 acres (Shepherds Ranch I), and a deciduous orchard with a single-family residence and associated structures on the south side of the boundary on 40 acres (Shepherds Ranch II).

### **9. Other Public Agencies Whose Approval is Required:**

- State of California Department of Fish and Wildlife (CDFW)
- United States Fish & Wildlife Service (USFWS)
- Tulare County LAFCO

### **10. Have California Native American tribes traditionally and culturally affiliated with the Project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

A Sacred Land Files search was requested from the Native American Heritage Commission (NAHC), and a response was received on August 30, 2021. The NAHC responded with its findings that indicate negative results. Based on the results of cultural records search findings and the lack of historical or archaeological resources previously identified within a half-mile radius of the proposed Project, the potential to encounter subsurface cultural resources is minimal. Additionally, the Project construction would be conducted within the partially developed and previously disturbed parcel. The potential to uncover subsurface historical or archaeological deposits would be considered unlikely.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and Project proponents to discuss the level of environmental review,

identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission’s Sacred Lands File per Public Resources Code Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code Section 21082.3(c) contains provisions specific to confidentiality.

**3.2 - Environmental Factors Potentially Affected**

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

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology and Soils             | <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Hazards and Hazardous Materials    |
| <input type="checkbox"/> Hydrology and Water Quality   | <input type="checkbox"/> Land Use and Planning              | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                         | <input type="checkbox"/> Population and Housing             | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                    | <input type="checkbox"/> Transportation                     | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire                           | <input type="checkbox"/> Mandatory Findings of Significance |

**3.3 - Determination**

On the basis of this initial evaluation:

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

- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
  
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENT IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
  
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
Signature 

Brandon Smith

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date: June 28, 2022

City of Visalia

\_\_\_\_\_  
For

### **3.4 - Evaluation of Environmental Impacts**

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question.
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**3.4.1 - AESTHETICS**

Except as provided in Public Resources Code Section 21099, would the Project:

a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

**Impact #3.4.1a – Except as provided in Public Resources Code Section 21099, would the Project have a substantial adverse effect on a scenic vista?**

According to the City of Visalia 2030 General Plan, there are no designated scenic views within the City’s limits; however, Highway 198 is designated as a state scenic corridor, and the City has implemented PSCU-P-12 to create a “greenway” setback of 200 feet along Highway 198 within the City limits as dedicated to the City for open space use in perpetuity, also known as the West 198 Scenic Corridor. The Project site is approximately 0.5 miles north of Highway 198, outside of the designated West 198 Scenic Corridor, and is not located within a designated scenic vista. Therefore, the Project will have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*

**Impact #3.4.1b - Except as provided in Public Resources Code Section 21099, would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**

***Scenic Resources***

The City of Visalia adopted a Valley Oak Ordinance that provides basic standards, measures, and compliance requirements for the preservation and protection of native Valley oak trees and landmark trees within the City. The Ordinance prohibits the destruction of oak trees except with an oak tree removal permit. A permit may be granted only if it is found that the oak tree is in danger of falling on a structure or is a host for a plant, pest, or disease endangering other species; if removal is necessary to allow the reasonable enjoyment of private property; or if urban forestry or land management practices warrant removal. If a tree removal permit is granted, the tree must either be replaced by new oak trees on the same property or by paying mitigation fees to be used for the establishment of new oak trees on other property. As discussed under Biological Resources Impact #3.4.4e, the Project will not impact the City's Valley Oak Ordinance because the site is established with an orchard on 40 acres and does not contain any identified native Valley oak trees. Therefore, the Project has no impact.

***Historic Buildings***

Additionally, the discussion under Cultural Resources indicates that a cultural resources records search was conducted through the Southern San Joaquin Valley Information Center (SSJVIC) for the Project. The records search covered an area within one-half mile of the Project and included a review of the *National Register of Historic Places, California Points of Historical Interest, California Registry of Historic Resources, California Historical Landmarks, California State Historic Resources Inventory*, and a review of cultural resource reports on file. Only one cultural resource property has been recorded within a half-mile of the proposed project, the historic route of the Southern Pacific/San Joaquin Valley Railroad, and will not be impacted by the Project. The Project was found to not impact cultural resources related to historic buildings.

***State Scenic Highway***

See discussion under 3.4.1 – AESTHETICS (a). The City of Visalia adopted its Scenic Highways Element in February 1976, in which Highway 198 was identified as a scenic resource. The Project site is located 0.5 miles north of Highway 198 and is outside of the designated setbacks as identified in the City's General Plan and will therefore not have an impact on a state scenic highway.

As discussed in this section, the Project will have no impact to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.1c - Except as provided in Public Resources Code Section 21099, would the Project 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). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?**

The area surrounding the Project site consists of urban development, light industrial, fallow agriculture, orchards, non-native grassland, and barren land.

As discussed in Impact #3.4.1 (a) and (b), the Project site is not located within any designated scenic vista or scenic resource, specifically SR 198, which is located 0.5 miles south of the Project. The Project is also planned for residential development under the City of Visalia 2030 General Plan, and urbanized areas are currently adjacent to the site to the north and east. Therefore, the Project will not conflict with applicable zoning and other regulations governing scenic quality and will have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.1d - Except as provided in Public Resources Code Section 21099, would the Project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?**

According to the General Plan, the construction of new buildings may result in nighttime light pollution or daytime glare; however, the General Plan identifies construction impacts as likely be insignificant as a result of development. As in most typical residential areas, homes emit some light and glare during the day and evening hours. Development under the proposed General Plan would include indoor lighting and outdoor lighting for safety purposes but would generally not be out of character with the existing urban environment and would not rise to a level of being significant. There are a number of circumstances that

mitigate the potential for new or significant sources of light pollution in Visalia through the General Plan policies; however, these are associated with commercial, industrial development, and recreational facilities. As the Project is for residential development, it will have a less than significant impact.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

The Project would have a *less than significant impact*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

**3.4.2 - AGRICULTURE AND FORESTRY RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the Project:

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with existing zoning for agricultural use or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

**Impact #3.4.2a – 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?**

According to the Department of Conservation - Farmland Mapping and Monitoring Program (California Department of Conservation, 2021), a 40-acre portion of the Project site is

identified as Prime Farmland. The 40 acres are currently within Tulare County boundaries, and the intent of the Project is to annex the 40 acres into the City boundaries for residential development. Although the Project is within Prime Farmland designation, the property is not under an existing Williamson Act Contract. The 40-acre site is currently used for agricultural cultivation as an orchard.

The City of Visalia 2030 General Plan has designated the easterly 10 acres of the Project site for urban uses under the Urban Growth Development Tier 1 and the westerly 40 acres of the Project site for urban uses under the Urban Growth Development Tier 2. Implementation of this Project will support the General Plan designation for future urban land use Policy LU-P-21 for residential development. The General Plan established criteria, dependent upon land use type, for when development may advance from the first tier (Tier I) to subsequent tiers (Tiers 2 and 3), which are contained in Policy LU-P-21 of the General Plan. For residential uses, the threshold is the issuance of permits for 5,850 housing units within Tier 1 since April 1, 2010. The City met the residential permit threshold in July 2021 and now considers development located with Tiers 1 and/or 2 (City of Visalia, 2021).

The 2014 General Plan Policy LU-P-34 contained a supplemental requirement for development within the Tier 2 and Tier 3 growth boundaries to establish an Agricultural Mitigation Program. As the City approached the development permit threshold that would allow Tier 2 and Tier 3 residential development, the City Council, in early 2020, initiated a study regarding the establishment of an Agricultural Mitigation Program to ensure this supplemental requirement would be satisfied prior to the permit threshold being met.

However, an Addendum to the City of Visalia 2030 General Plan Environmental Impact Report (SCH No. 2010041078) for General Plan Amendment No. 2021-01 was adopted in 2021 that replaced the 2014 Policy LU-P-34 requirement to establish an Agricultural Mitigation Program with policy language to retain coordination with Tulare County and other agencies to prevent urban development of agricultural land outside of the current growth boundaries, where such efforts will promote orderly development and preservation of farming operations within Tulare County. The City noted the following as infeasible mitigation related to the establishment of Agricultural Mitigation Programs (AMP):

- There was evidence suggesting that a local City-wide AMP may result in a patchwork of easements not contiguous enough to sustain economic viability or that the easements could frustrate orderly development in the future.
- That an AMP could only provide a speculative mitigation benefit due to the variability in the cost of conservation easements compared to the fees that would be established, thereby rendering the effectiveness of such a program questionable.
- That the cost of purchasing easements would be cost-prohibitive to development.
- That economic realities tend to guide the purchase of agricultural easements towards properties not subject to development pressures in the first place, thereby again rendering the mitigation benefits speculative at best.

As a result of the above, the City Council adopted the update to the General Plan Policy LU-P-34, which now states:

- 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, where such efforts will promote orderly development and preservation of farming operations within Tulare County. The City will support regional efforts to prevent urban development of agricultural lands, specifically at the county level.

The Project lies within the existing planned urban growth boundaries of the Urban Growth Development Tiers 1 and 2 within the City's Sphere of Influence, and with the implementation of the recent adoption by the Visalia City Council of an Amendment to the City of Visalia 2030 General Plan through General Plan Amendment No. 2021-01, the Project will have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.2b – Would the Project conflict with existing zoning for agricultural use or a Williamson Act Contract?**

See discussion of Impact #3.4.2(a). The Project site is not subject to a Williamson Act contract; however, the Project is currently in agricultural production and is designated as Prime Farmland, which will result in the conversion of farmland to a nonagricultural use. With the implementation of the revised General Plan Policy LU-P-34, and the City's implementation of the planned conversion of the Project site as identified in the General Plan's Urban Growth Development program, the Project will have a less than significant impact and would not conflict with existing zoning for agricultural use or a Williamson Act Contract.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.2c – 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 is not identified as forest land or timberland. Therefore, the Project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. The Project would have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.2d – Would the Project result in the loss of forest land or conversion of forest land to non-forest use?**

As discussed Impact #3.4.2 (c), the Project area does not include forest land. Therefore, there would not be loss or conversion of forest land as a result of the Project. The Project would have no impact.

**MITIGATION MEASURE(S)**

None are required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.2e – Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

As discussed in Impact #3.4.2 (a) and (b), the Project will result in the conversion of Farmland to nonagricultural use; however, with the implementation of the revised General Plan Policy LU-P-34, and implementation of the City's implementation of the planned conversion of the Project site as identified in the General Plan's Urban Growth Development program, the Project will have a less than significant impact. Additionally, as discussed in Impact #3.4.2 (d), the Project area does not include conversion of forest land to a non-forest use. Therefore, Project impacts are considered less than significant.

**MITIGATION MEASURE(S)**

None are required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

### 3.4.3 - AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

The impact analyses in this section are based on an *Air Quality & Greenhouse Gas Impact Assessment* (VRPA Technologies, Inc., 2021) conducted for the Project, which is included as Appendix B.

#### Impact #3.4.3a – Would the Project Conflict with or obstruct implementation of the applicable air quality plan?

The City of Visalia is located in the San Joaquin Valley Air Basin (SJVAB). Air Quality monitoring has been conducted in the SJVAB for many years. While new and innovative pollution controls have made the San Joaquin Valley Air Pollution Control District (SJVAPCD) a leader in the rate of improvement, the region is not in attainment for numerous criteria air pollutants, and the air basin still has poor air quality. Much of this pollution is attributed to the Valley's topography, meteorology, two major highways, and intensive agricultural uses. In 2011, the major sources of air pollution in the San Joaquin Valley were heavy-duty trucks, other mobile sources, autos and light trucks, and fuel combustion from stationary sources. Ozone and particulate matter are the two largest contributors to the Valley's poor air quality. The causes and effects of these and other air pollutants are discussed in the next section.

The California Air Resources Board (CARB) operates a regional network of air pollution monitoring stations that provide information on ambient concentrations of criteria air pollutants and toxic air contaminants. In Tulare County, CARB measures certain air

pollutants, such as carbon monoxide (CO), ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), and particulate matter less than 2.5 microns in diameter (PM-2.5).

Federal and State laws require emission control measures in areas where air pollution exceeds standards. The San Joaquin Valley is one of these areas. The federal government, primarily through the Environmental Protection Agency (EPA) and the federal Clean Air Act, sets standards, oversees state and local actions, and implements programs for toxic air pollutants, heavy-duty trucks, locomotives, ships, aircraft, off-road diesel equipment, and some types of industrial equipment. Currently, EPA has established national standards for criteria air pollutants: ozone (O<sub>3</sub>); carbon monoxide (CO); nitrogen dioxide (NO<sub>2</sub>); sulfur dioxide (SO<sub>2</sub>); suspended particulate matter (PM-10 and PM-2.5); and lead (Pb).

The primary way of determining consistency with an air quality plan's (AQP's) assumptions is determining consistency with the applicable General Plan to ensure that the Project's population density and land use are consistent with the growth assumptions used in the AQPs for the air basin. Tulare County Association of Governments (TCAG) uses the growth projections, and land use information in adopted general plans to estimate future average daily trips and then Vehicle Miles Traveled (VMT), which are then provided to San Joaquin Valley Air Pollution Control District (SJVAPCD) to estimate future emissions in the AQPs. Existing and future pollutant emissions computed in the AQP are based on land uses from area general plans. AQPs detail the control measures and emission reductions required for reaching the attainment of the air standards. The following policies are found within the City of Visalia 2030 General Plan, which are applicable to this Project:

- 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 Dust Rule.
- 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).*

*The San Joaquin Valley Air Pollution Control District Guidelines for Assessing and Mitigating Air Quality Impacts provide BMPs for determining and mitigating project air quality impacts and related thresholds of significance for use in environmental documents.*

Therefore, with implementation of appropriate Project BMPs as required by the City of Visalia 2030 General Plan and the San Joaquin Air Pollution Control District, the Project would be consistent with the applicable AQPs. As a result, the Project will not conflict with or obstruct implementation of any air quality plans and, therefore, would have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.3b – Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?**

The City of Visalia is located within Tulare County, which is designated as nonattainment for Federal and State air quality standards for ozone, in attainment of Federal standards and nonattainment for State standards for PM<sub>10</sub>, and nonattainment for Federal and State standards for PM<sub>2.5</sub>. The SJVAPCD has prepared the 2016 and 2013 Ozone Plans, 2007 PM<sub>10</sub> Maintenance Plan, and 2012 PM<sub>2.5</sub> Plan to achieve Federal and State standards for improved air quality in the SJVAB regarding ozone and PM. Inconsistency with any of the plans would be considered a cumulatively adverse air quality impact. As discussed in Section 4.1.1 of the *Air Quality & Greenhouse Gas Impact Assessment* (VRPA Technologies, Inc., 2021), the Project is consistent with the currently adopted General Plan for the City of Visalia and is therefore consistent with the population growth and VMT applied in the plan. Therefore, the Project is consistent with the growth assumptions used in the 2016 and 2013 Ozone Plan, 2007 PM<sub>10</sub> Maintenance Plan, and 2012 PM<sub>2.5</sub> Plan.

Project-specific emissions that exceed the thresholds of significance for criteria pollutants would be expected to result in a cumulatively considerable net increase of any criteria pollutant for which the County is in non-attainment under applicable federal or state ambient air quality standards. It should be noted that a project isn't characterized as cumulatively insignificant when project emissions fall below thresholds of significance. The SJVAPCD has established thresholds of significance for determining environmental significance, which are provided in Table 3.4.3-1 below.

**Table 3.4.3-1  
SJVAPCD Air Quality Thresholds of Significance**

Project Type	Ozone Precursor Emissions (tons/year)					
	CO	NO <sub>x</sub>	ROG	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Construction Emissions	100	10	10	27	15	15
Operational Emissions (Permitted Equipment and Activities)	100	10	10	27	15	15
Operational Emissions (Non-Permitted Equipment and Activities)	100	10	10	27	15	15

Source: SJVAPCD 2021

Results of the analysis show that emissions generated from the construction and operation of the Project will be less than the applicable SJVAPCD emission thresholds for criteria pollutants. Therefore, the Project will have a less than significant impact.

#### **MITIGATION MEASURE(S)**

No mitigation is required.

#### **LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

#### **Impact #3.4.3c – Would the Project expose sensitive receptors to substantial pollutant concentrations?**

Sensitive receptors refer to those segments of the population most susceptible to poor air quality (i.e., children, the elderly, and those with pre-existing serious health problems affected by air quality). Land uses that have the greatest potential to attract these types of sensitive receptors include schools, parks, playgrounds, daycare centers, nursing homes, hospitals, and residential communities. From a health risk perspective, the proposed Project is a “Type B” project in that it may potentially place sensitive receptors in the vicinity of existing sources.

The first step in evaluating the potential for impacts to sensitive receptors for Toxic Air Contaminants (TACs) from the Project is to perform a screening-level analysis. For Type B projects, one type of screening tool is found in the California Air Resources Board (CARB) Handbook: *Air Quality and Land Use Handbook: A Community Perspective*. The screening tool indicates that new sensitive land uses should not be sited within 500 feet of a freeway/urban roads with 100,000 vehicles/day or rural roads with 50,000 vehicles/day. The Project is located more than 3,000 feet from the SR 198 highway. In addition, the Project is not located within the specified boundary for this source category. Therefore, TACs from sources in the study area will not significantly impact the Project. In addition, the Project will

not generate TACs that would have a significant impact on the environment or adjacent sensitive receptors. Therefore, no mitigation measures are required.

### **Short-Term Impacts**

The annual emissions from the construction phase of the Project will be less than the applicable SJVAPCD emission thresholds for criteria pollutants, as shown in Table 3.4.3-2 below. Therefore, construction emissions associated with the Project are considered less than significant.

**Table 3.4.3-2  
Project Construction Emissions**

<b>Summary Report</b>	<b>CO</b>	<b>NO<sub>x</sub></b>	<b>ROG</b>	<b>SO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>	<b>CO<sub>2e</sub></b>
Construction Emissions	3.10	3.76	4.22	0.01	1.13	0.57	569.46
SJVAPCD Level of Significance	100	10	10	27	15	15	None
Does the Project Exceed Standard?	No	No	No	No	No	No	No

Source: CalEEMod, VRPA 2021

### **Long-Term Impacts**

Long-Term emissions from the Project are generated primarily by mobile source (vehicle) emissions from the Project site and area sources such as lawn maintenance equipment. Emissions from long-term operations generally represent a project's most substantial air quality impact. Table 3.4.3-3 below summarizes the Project's operational impacts by pollutant.

**Table 3.4.3-3  
Project Operational Emissions (tons/year)**

<b>Summary Report</b>	<b>CO</b>	<b>NO<sub>x</sub></b>	<b>ROG</b>	<b>SO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>	<b>CO<sub>2e</sub></b>
Project Operational Emissions	11.54	2.05	3.25	0.03	2.44	0.07	2885.84
SJVAPCD Level of Significance	100	10	10	27	15	15	None
Does the Project Exceed Standard?	No	No	No	No	No	No	No

Source: CalEEMod, VRPA 2021

Results from Table 3.4.3-3 indicate that the annual operational emissions from the Project will be less than the SJVAPCD emission thresholds for criteria pollutants. Therefore, operational emissions associated with the Project are considered less than significant.

### **MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.3d – Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

The SJVAPCD requires that an analysis of potential odor impacts be conducted for the following two situations:

- Generators – projects that would potentially generate odorous emissions proposed to be located near existing sensitive receptors or other land uses where people may congregate, and

The Project will potentially generate odorous emissions proposed to be located near existing development adjacent to the site, including nearby residential and school site, approximately ¼ mile west of the Project. However, as analyzed under Impact #3.4.3 (a) through (c), emissions from cars as a result of the Project were identified as producing less than significant impacts. Therefore, it is determined that the odors generated from the development as a result of additional vehicles would also be considered a less than significant impact.

- Receivers – residential or other sensitive receptor projects or other projects built for the intent of attracting people located near existing odor sources.

The Project will not generate odorous emissions given the nature or characteristics of residential developments. The intensity of an odor source's operations and its proximity to sensitive receptors influence the potential significance of odor emissions. The SJVAPCD has identified some common types of facilities that have been known to produce odors in the SJV Air Basin. The types of facilities that are known to produce odors are shown in Table 3.4.3-4 below along with a reasonable distance from the source within which the degree of odors could possibly be significant. Manufacturing facilities are known to generate odorous emissions and include a screening distance of one (1) mile. There is a Hydrite Chemical Company facility (SJVAPCD Facility ID 8199) located a third of a mile to the north of the Project site that falls within the 1-mile screening distance set by the SJVAPCD. It should be noted that the SJVAPCD has no rules or standards related to odor emissions other than its nuisance rule.

**Table 3.4.3-4  
Screening Levels for Potential Odor Sources**

<b>Type of Facility</b>	<b>Distance</b>
Wastewater Treatment Facility	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 shops)	1 mile
Food Processing Facility	1 mile
Feed Lot/Dairy	1 mile
Rendering Plant	1 mile

Source: SJVAPCD 2021

While the Hydrite Chemical facility is located within the 1-mile screening distance as depicted in Table 3.4.3-4, it should be noted that there are other residential and school land uses in the vicinity of the Project that also falls within the 1-mile boundary. In addition, prevailing wind patterns in the area indicate that wind blows primarily from the northwest and southwest depending upon the time of year. As a result, potential odors from the Hydrite Chemical facility would have minimal impact on the Project given the location of the facility with respect to the Project. Lastly, the lack of odor complaints logged for the Hydrite Chemical facility for the previous three years indicates that odorous emissions from the facility would not have a significant impact on the Project.

Based on the assessment above, the Project will not generate potential odorous emissions or attract receivers and other sensitive receptors near existing odor sources. Therefore, impacts are less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**3.4.4 - BIOLOGICAL RESOURCES**

Would the Project:

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 U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## ***Discussion***

The impact analysis in this section is based on a *Biological Analysis Report* prepared for the Project (*QK, Inc., 2021a*), included as Appendix C.

**Impact #3.4.4a – Would the Project 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 U.S. Fish and Wildlife Service?**

Project activities have the potential to affect biological resources. A reconnaissance survey of the Project and a 250 foot buffer, where feasible, also called the Biological Survey Area (BSA), was conducted on August 30, 2021. The survey consisted of walking meandering pedestrian transects throughout the BSA, where feasible. A portion of the buffer was inaccessible because it overlapped with private residential and industrial properties. Those areas were surveyed visually with the aid of binoculars to gather a representative inventory of the plant and wildlife species present.

No special-status species were observed during the survey. There were no special-status plant species identified within the Project site or survey buffer, and based on historical disturbance and current conditions, none are expected to occur. However, three special-status animal species were determined to have the potential to occur on-site and potentially be affected by the Project. The literature review identified 32 special-status animal species known or with the potential to occur in the vicinity of the project. Of those, three (3) were determined to have the potential to occur on-site.

### ***Swainson's Hawk***

Swainson's hawks occur in grassland, desert, and agricultural landscapes throughout the Central Valley and Antelope Valley. Some hawks may be residents, especially in the southern portion of their range, while others may migrate between winter and breeding habitats. They prefer larger isolated trees or small woodlots for nesting, usually with grassland or dry-land grain fields nearby for foraging, and have been known to nest in large eucalyptus trees along heavily traveled freeway corridors. Swainson's hawks forage in grassland, open scrub, pasture, and dryland grain agricultural habitats, primarily for rodents. Swainson's hawks exhibit a moderate to high nest site fidelity for successful nest sites. The nearest occurrence was recorded in 2017, 1.2 miles west of the Project, where a stick nest was observed in an oak tree adjacent to agricultural fields and a commercial area.

Based on information from the reconnaissance site visit, there are large walnut trees in the orchard on the western portion of the site that could potentially support nesting Swainson's hawks, in addition to large, planted trees in urban areas in the vicinity of the Project. The annual grassland on the Project site and within the BSA could potentially provide foraging opportunities for the Swainson's hawk. However, the high density of residential

neighborhoods, traffic, and lack of other potential foraging habitat in the area would decrease the likelihood of Swainson's hawk nesting activity on the Project site.

### ***Western Burrowing Owl***

The western burrowing owl is a small ground-dwelling owl that can be found throughout western North America. This species can be found in a variety of habitat types, including grasslands, deserts, or other open habitats where food resources are available and contain treeless areas with low vegetation cover and gently sloping terrain. Burrowing owls use earthen burrows, typically relying on other fossorial mammals to construct their burrows such as CAGS or American badger. They use a burrow throughout the year for temperature regulation, offspring rearing, shelter, and escape from predators. While burrows are most often earthen, they also use atypical burrows such as pipes, culverts, and other man-made structures, most often as shelter. Burrowing owls can have several burrows close to one other that they may frequently move among to avoid predators.

The nearest CNDDDB occurrence is from 1998 and was located approximately 5.6 miles northwest of the Project site. No western burrowing owl or diagnostic sign (e.g., burrows, whitewash, pellets, prey remains) were observed during the survey. Burrowing owls are present year-round in the Central Valley and typically use multiple burrows within their ranges. Burrowing owls have also been known to occur in urban and agriculturally developed areas. The prey base (i.e., insects and lizards) within the Project site is marginal, however it is still possible that burrowing owls may become established in the existing CAGS burrows or pass through the Project site as transients.

### ***San Joaquin Kit Fox***

The San Joaquin kit fox (SJKF) is a subspecies of kit fox that is endemic to the San Joaquin Valley, Carrizo Plain, and Cuyama Valley, as well as other small valleys in the western foothills of the Central Valley of California. They are only found west of the Sierra Nevada crest. They occupy arid to semi-arid grasslands, open shrublands, savannahs, and grazed lands with loose-textured soils. SJKF are well-established in some urban areas and are highly adaptable to human-altered landscapes. They generally avoid intensively maintained agricultural land but forage well into croplands from surrounding habitat. SJKF uses subterranean dens year-round for shelter and pup-rearing. They are nocturnally active but may be above ground near their dens during the day, particularly in the spring. They feed primarily on small mammals, but will consume a variety of prey, and will scavenge for human food.

The nearest CNDDDB occurrence is from 2003 and approximately 3.4 miles northwest of the Project and is presumed extant. No SJKF were observed during the survey. No kit fox or diagnostic sign (e.g., tracks, scat, prey remains, or dens) were observed during the reconnaissance survey. This species is a highly mobile transient forager which preys on small burrowing mammals and has adapted well to urbanized settings, even feeding on anthropogenic food sources. Suitable foraging and denning habitat are present within the BSA, and the species may pass through as a transient.

~~Implementation of the mitigation measures listed below would reduce impacts of the Project to special-status wildlife species to a level that would be less than significant. eight~~

**MITIGATION MEASURE(S)**

**BIO-1:** Within 14 days prior to the start of Project ground-disturbing activities, a pre-activity survey with a 500-foot buffer, where land access is permitted, shall be conducted by a qualified biologist knowledgeable in the identification of these species and approved by the California Department of Fish and Wildlife (CDFW). If dens/burrows that could support any of these species are discovered during the pre-activity survey, the avoidance buffers outlined below shall be established. No work shall occur within these buffers unless the biologist approves and monitors the activity. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

Burrowing Owl (active burrows)

- Non-breeding season: September 1 – January 31 – 160 feet
- Breeding season: February 1 – August 31 – 250 feet

American Badger/SJKF

- Potential or Atypical den – 50 feet
- Known den – 100 feet
- Natal Den – Contact CDFW for consultation

**BIO-2:** A qualified biologist shall remain on-call throughout the construction phase if a burrowing owl, American badger, or San Joaquin kit fox occurs on the site during construction. If one of these species occurs on-site, the biologist shall be contacted immediately to determine whether biological monitoring or the implementation of avoidance buffers may be warranted.

**BIO-3:** The following avoidance and minimization measures shall be implemented during all phases of the Project to reduce the potential for impact from the Project. They are modified from the U.S. Fish and Wildlife Service (USFWS) *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance*.

- a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction or Project Site.
- b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds shall not exceed 20 miles per hour (mph) within the Project Site.
- c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes

or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the Project Site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted, and USFWS and California Department of Fish and Wildlife (CDFW) shall be consulted.

- d. 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 four inches or greater that are stored at a construction site for one or more overnight periods shall 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 shall not be moved until the USFWS and CDFW have 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.
- e. No pets, such as dogs or cats, shall be permitted on the Project Sites to prevent harassment, mortality of kit foxes, or destruction of dens.
- f. Use of anti-coagulant rodenticides and herbicides in Project Sites shall 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 shall observe labels 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 USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.
- g. 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 shall be identified during the employee education program, and their name and telephone number shall be provided to the USFWS.
- h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to an SJKF 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. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and R4CESA@wildlifeca.gov.

- i. All sightings of the SJKF shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.
- j. Any Project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone: (916) 414-6620 or (916) 414-6600.
- k. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-4:** If Project construction activities occur during the Swainson's hawk nesting season (February 15 to August 31), pre-construction activity surveys shall be conducted over the Project area and within 0.5-mile for Swainson's hawk nests in accordance with the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*, Swainson's Hawk Technical Advisory Committee. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-5:** If an active Swainson's hawk nest is discovered at any time within 0.5-mile of active construction, a qualified biologist shall complete an assessment of the potential for current construction activities to impact the nest. The assessment would consider the type of construction activities, the location of construction relative to the nest, the visibility of construction activities from the nest location, and other existing disturbances in the area that are not related to the construction activities of this Project. Based on this assessment, the biologist will determine if construction activities can proceed and the level of nest monitoring required. Construction activities shall not occur within 500 feet of an active nest but depending upon conditions at the site, this distance may be reduced. Full-time monitoring to evaluate the effects of construction activities on nesting Swainson's hawks may be required. The qualified biologist shall have the authority to stop work if it is determined that Project construction is disturbing the nest. These buffers may need to increase depending on the sensitivity of the nesting Swainson's hawk to disturbances and at the discretion of the qualified biologist.

**BIO-6:** If Project construction activities are initiated during the nesting season (February 1 to September 15), a pre-activity nesting bird survey shall be conducted within 14 days prior to the start of construction. The surveys shall encompass the Project footprint and accessible areas or land visible from accessible areas within a 250-foot buffer for songbirds and a 500-foot buffer for raptors. If no active nests are found, no further action is required. However, existing nests may become active, and new nests may be built at any time prior to and throughout the nesting season, including when construction activities are in progress.

If active nests are found during the survey or at any time during construction of the Project, an avoidance buffer ranging from 50 feet to 500 feet may be required, with the avoidance buffer from any specific nest being determined by a qualified biologist. The avoidance buffer will remain in place until the biologist has determined that the young are no longer reliant on the adults or the nest, or if breeding attempts have otherwise been unsuccessful. Work may occur within the avoidance buffer under the approval and guidance of the biologist, but full-time monitoring may be required. The biologist shall have the ability to stop construction if nesting adults show any sign of distress. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-7:** Within 14 days prior to the start of ground disturbance activities, a pre-activity survey shall be conducted by a qualified biologist knowledgeable in the identification of all special-status plant and wildlife species with the potential to occur in the vicinity of the Project. All suitable burrows that could support special-status kangaroo rats, Tulare grasshopper mouse, or other special-status wildlife species shall be avoided during construction in accordance with BIO-5 and BIO-6 unless verification surveys have indicated that the species are not present. Consultation with the USFWS and CDFW may be required if listed or fully protected species are detected during the survey. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-8:** Prior to the initiation of construction activities, all construction personnel shall attend a Worker Environmental Awareness Training program developed by a qualified biologist. Any personnel associated with the construction that did not attend the initial training shall be trained by the authorized biologist prior to working on the project site. Any employee responsible for the operations and maintenance or decommissioning of the project facilities shall also attend the Worker Environmental Awareness Training program prior to starting work on the project and on an annual basis. The Program shall be developed and presented by the project qualified biologist(s) or designee approved by the qualified biologist(s). The program shall include information on the life histories of special-status species with the potential to occur on the Project, their legal status, course of action should these species be encountered on-site, and avoidance and minimization measures to protect these species. It shall include the components described below:

- a. Information on the life history and identification of special-status species that may occur or that may be affected by Project activities. The program shall also discuss the legal protection status of each such species, the definition of “take” under the Federal Endangered Species Act and California Endangered Species Act, measures the Project proponent/operator shall implement to protect the species, reporting requirements, specific measures for workers to avoid take of special-status plant and wildlife species, and penalties for violation of the requirements outlined in the California Environmental Quality Act mitigation measures and agency permit requirements.
- b. An acknowledgment form signed by each worker indicating that the Worker Environmental Awareness Training and Education Program has been completed shall be kept on file at the construction site. A copy of the acknowledgment form shall be submitted to the lead agency as evidence of compliance.

- c. A copy of the training transcript and/or training video, as well as a list of the names of all personnel who attended the Worker Environmental Awareness Training and Education Program, and signed acknowledgment forms, shall be submitted to the City of Tulare Planning Department.
- d. A copy of the training transcript, training video, or informational binder for specific procedures shall be kept available for all personnel to review and be familiar with, as necessary.
- e. A sticker shall be placed on hard hats indicating that the worker has completed the Worker Environmental Awareness Training and Education Program. Construction workers shall not be permitted to operate equipment within the construction areas unless they have attended the Worker Environmental Awareness Training and Education Program and are wearing hard hats with the required sticker.

The construction crews and contractor(s) shall be responsible for preventing unauthorized impacts from project activities to sensitive biological resources that are outside the areas defined as subject to impacts by Project permits. Unauthorized impacts may result in project stoppage, and/or fines depending on the impact and coordination with the California Department of Fish and Wildlife and/or U.S. Fish and Wildlife Service.

#### **LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

**Impact #3.4.4b – Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

Sensitive natural communities are designated by various resource agencies, including the CDFW, USFWS, Bureau of Land Management, U.S. Forest Service, or are designated by local agencies through policies, ordinances, and regulations. Sensitive natural communities generally have important functions or values for plants and wildlife or are recognized as declining in extent or distribution and warrant some level of protection.

According to the *Biological Analysis Report* prepared for the Project, no water or wetland features are present on the Project site (QK, Inc., 2021a). The literature review, NHD, and NWI identified three Waters of the U.S. or wetland features in the vicinity of the Project site; however, none were observed within the Project site during the reconnaissance survey. One aquatic resource to the south, Mill Creek Ditch, was dry at the time of the survey. Two freshwater ponds to the north of the Project site are no longer present. Further, the CNDDDB search resulted in four sensitive natural communities occurring in the region of the Project: Northern Claypan Vernal Pool, Northern Hardpan Vernal Pool, Valley Sacaton Grassland, and Great Valley Oak Riparian Forest. However, none of these communities were determined to have potential to occur within the BSA because all areas have been previously disturbed

and/or are developed and no longer support suitable habitat for sensitive natural communities. There are no sensitive natural communities present on the Project, and therefore would be no impacts to sensitive natural communities.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.4c – 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?**

See discussion for 3.4.4 - BIOLOGICAL RESOURCES (b). There are no identified water features or federal waters, or wetlands located on or near the Project. Therefore, the Project will result in no impacts to any waters or wetlands.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.4d – 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 native wildlife nursery sites?**

Wildlife movement corridors, also referred to as dispersal corridors or landscape linkages, are generally defined as linear features along which animals can travel from one habitat or resource area to another. Wildlife movement corridors can be large tracts of land that connect regionally important habitats that support wildlife in general, such as stop-over habitat that supports migrating birds or large contiguous natural habitats that support animals with very large home ranges (e.g., coyotes, mule deer). They can also be small scale movement corridors, such as riparian zones, that provide connectivity and cover to support movement at a local scale.

There are no identified movement corridors on or near the Project site. The Project site may be used by transient foragers such as San Joaquin Kit fox. The open landscape creates a foraging habitat, that may be used from time to time by these species. The Project will result in no impacts to fish or wildlife movement corridors, linkages, or nurse sites.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.4e – Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

The General Plan contains policies aimed at the preservation of biological resources and promotes coordination with federal and State resource agencies. The General Plan outlines a work plan with implementation measures by which to uphold these policies, including biological resource review for proposed projects and development of mitigation measures for these projects.

The City of Visalia Valley Oak Ordinance establishes policies for care, trimming, and removal of Valley Oaks. However, the Project does not conflict with the City of Visalia 2030 General Plan, the Valley Oak Tree Ordinance, or any other local ordinances.

Therefore, there are no impacts with respect to local policies and ordinance, and no measures are warranted adopted or approved plans related to the Project.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.4f – Would the Project 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 would have a significant effect on biological resources if it would:

- a) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan.*

According to the California Department of Fish and Wildlife BIOS Map Viewer, the Project is not located within an area covered by Habitat Conservation Plan (HCP) or natural Conservation Community Plan (NCCP), or other approved local, regional, or state habitat conservation plan (California Department of Fish and Wildlife, 2022). Therefore, no Project

impacts related to adopted or approved plans would occur, no measures are warranted, and the Project has no impacts.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

The Project would have ***no impact***.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**3.4.5 - CULTURAL RESOURCES**

Would the Project:

a. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion**

The impact analyses in this section based on a *Cultural Resources Technical Memorandum*, (QK, Inc., 2021b) which is attached as Appendix D.

**Impact #3.4.5a – Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?**

A cultural resources records search was conducted Southern San Joaquin Valley Information Center (SSJVIC) for the Project. The purpose of the search was to determine whether any known cultural resources or previously conducted cultural resource surveys were located on or near the proposed Project site.

The records search covered an area within one-half mile of the Project and included a review of the *National Register of Historic Places, California Points of Historical Interest, California Registry of Historic Resources, California Historical Landmarks, California State Historic Resources Inventory*, and a review of cultural resource reports on file.

The records search covered an area within one-half mile of the Project and included a review of the National Register of Historic Places, California Points of Historical Interest, California Registry of Historic Resources, California Historical Landmarks, California State Historic Resources Inventory, and a review of cultural resource reports on file.

The records search indicated that the subject property had never been surveyed for cultural resources and it is not known if any exist on it.

Three cultural resource studies have been conducted within a half-mile of the project. Only one cultural resource property has been recorded within a half-mile of the proposed project, the historic route of the Southern Pacific/San Joaquin Valley Railroad. The Project will not impact this cultural resource.

A Sacred Lands File request was also submitted to the Native American Heritage Commission. A response dated August 30, 2021, indicates negative results (see Appendix D).

Based on the results of cultural records search findings and the lack of historical or archaeological resources previously identified within a half-mile radius of the proposed Project, the potential to encounter subsurface cultural resources is minimal. Additionally, the Project construction would be conducted within the partially developed and previously disturbed parcel. The potential to uncover subsurface historical or archaeological deposits would be considered unlikely.

However, there is still a possibility that historical or archaeological materials may be exposed during construction. Grading and trenching, as well as other ground-disturbing actions have the potential to damage or destroy these previously unidentified and potentially significant cultural resources within the project area, including historical or archaeological resources. Disturbance of any deposits that have the potential to provide significant cultural data would be considered a significant impact. To reduce the potential impacts of the Project on cultural resources, implementation of CUL-1 and CUL-2, the Project would have a less than significant impact related to cultural resources.

***MITIGATION MEASURE(S)***

**CUL-1:** If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation. Implementation of the mitigation measure below would ensure that the proposed Project would not cause a substantial adverse change in the significance of a historical resource.

**CUL-2:** If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American

involvement, in the event of a discovery of human remains, at the direction of the county coroner.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

**Impact #3.4.5b – Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?**

See discussion for Impact #3.4.5(a). Although considered unlikely since there is no indication of any historical or archaeological resources on the Project site, subsurface construction activities associated with the proposed Project could potentially damage or destroy previously undiscovered archaeological resources. This is considered a potentially significant impact. Mitigation is proposed requiring implementation of standard inadvertent discovery procedures to reduce potential impacts to previously undiscovered subsurface historical and archaeological resources. To reduce the potential impacts of the Project on cultural resources, implementation of CUL-1 and CUL-2, the Project would have a less than significant impact related to cultural resources

**MITIGATION MEASURE(S)**

Implement mitigation measure CUL-1 and CUL-2.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

**Impact #3.4.5c – Would the Project disturb any human remains, including those interred outside of formal cemeteries?**

See discussion for Impact #3.4.5 - (a). The records searches did not indicate the presence of any human remains, burials, or cemeteries within the Project site. No human remains have been discovered at the Project site, and no burials or cemeteries are known to occur within the area of the Project site. However, construction would involve earth-disturbing activities, and it is still possible that human remains may be discovered, possibly in association with archaeological sites. Mitigation Measure MM CUL-2 has been included in the unlikely event that human remains are found during ground-disturbing activities. Accordingly, this is a potentially significant impact. Mitigation is proposed to reduce this potentially significant impact to a level of less than significant.

**MITIGATION MEASURE(S)**

Implement mitigation measure CUL-1 and CUL-2.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**3.4.6 - ENERGY**

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion**

**Impact #3.4.6a – Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?**

CEQA Guidelines require consideration of the potentially significant energy implications of a project. CEQA requires mitigation measures to reduce “wasteful, inefficient and unnecessary” energy usage (Public Resources Code Section 21100, subdivision [b][3]). The means to achieve the goal of conserving energy include decreasing overall energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources. In particular, the proposed Project would be considered “wasteful, inefficient, and unnecessary” if it were to violate State and federal energy standards and/or result in significant adverse impacts related to Project energy requirements, energy inefficiencies, energy intensiveness of materials, cause significant impacts on local and regional energy supplies or generate requirements for additional capacity, fail to comply with existing energy standards, otherwise result in significant adverse impacts on energy resources, or conflict or create an inconsistency with applicable plan, policy, or regulation.

The City of Visalia 2030 General Plan discusses how new development would result in increased energy use, in the form of new building energy use and transportation. Both residential and nonresidential development use electricity, natural gas, and petroleum products for power, lighting, heating, and other indoor and outdoor services, while cars use both oil and gas. Use of these types of energy for new development would result in the overall increased use of nonrenewable energy resources. Energy demand during the construction phase would result from the transportation of materials, construction equipment, and construction worker vehicle trips. Compliance with standard regional and local regulations, the Project would minimize fuel consumption during construction. By complying with

standard regional and local regulations, the Project would minimize fuel consumption during construction. Construction-related fuel consumption is not expected to result in inefficient, wasteful, or unnecessary energy use. Thus, construction-related fuel consumption at the Project site would not result in inefficient, wasteful, or unnecessary energy use. The Project would be required to comply with California's Title 24 energy efficiency requirements and other applicable City development standards. Additionally, the Project will be required to comply with all applicable standards and building codes included in the 2019 California Green Building Standards Code. Therefore, the Project will have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.6b – Would the Project Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

See discussion above for 3.4.6 – ENERGY (a). The Project will not conflict with or obstruct a state or local plan for renewable energy efficiency and will have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

### 3.4.7 - GEOLOGY AND SOILS

Would the Project:

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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii.	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii.	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv.	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

### ***Discussion***

**Impact #3.4.7a(i) – Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?**

The Alquist-Priolo Earthquake Fault Zoning Act (formerly the Alquist-Priolo Special Studies Zone Act) requires the delineation of zones along active faults in California. The purpose of the Alquist-Priolo Act is to regulate development on or near active fault traces to reduce the hazard of fault rupture; however, surface fault rupture is not necessarily restricted to the area within the Alquist-Priolo Zone. The Alquist-Priolo Act prohibits the location of most structures for human occupancy across active fault traces. Within these zones, cities and counties must regulate certain development, which includes withholding permits until geologic investigations demonstrate that development sites are not threatened by future surface displacement. There are no designated Alquist-Priolo zones in the City of Visalia.

The Project site is identified in the City of Visalia 2030 General Plan as being located within a seismically stable region of the State. While the southern San Joaquin Valley contains some small faults, the closest of these is 30 miles away, and none are known to be active. In comparison to many regions in California, Visalia exhibits relatively little tectonic activity. The major fault systems in the area include the San Andreas Fault, located 75 miles away from Visalia, and the Owens Valley Fault Group, located east of the Sierras and more than 125 miles away from the City. No active or potentially active faults are known to exist within the Planning Area. The closest potentially active fault is located approximately 25 miles southeast of Visalia but is not known to be active within the last 1.6 million years. The San Andreas and Owens Valley fault systems would not be expected to cause surface fault rupture in the Project area and therefore has a less than significant impact.

### ***MITIGATION MEASURE(S)***

No mitigation is required.

### ***LEVEL OF SIGNIFICANCE***

The Project would have a *less than significant impact*.

**Impact #3.4.7a(ii) – Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?**

Ground movement during an earthquake can vary depending on the overall moment magnitude, distance to the fault, focus of earthquake energy, and type of geologic material. As a rule, the greater the earthquake magnitude and the closer the fault rupture to the site, the greater the intensity of ground shaking. However, different geologic materials respond differently to earthquake waves. The composition of underlying soils, even those relatively distant from faults, can intensify ground shaking.

The California Geological Survey and US Geological Survey conducts a Probabilistic Seismic Hazard Analysis based on historic earthquakes, slip rates on major faults and deformation throughout the region, and the potential for amplification of seismic waves by near-surface geologic materials. The resulting earthquake shaking potential is used in developing building code design values, estimating future earthquake losses, and prioritizing earthquake retrofit. According to the City's General Plan, the City experiences low levels of shaking, with less frequency, are expected to damage only weaker masonry buildings. However, very infrequent earthquakes could still cause strong shaking but with implementation of Title 24 building requirements and local standards. Therefore, the Project would have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.7a(iii) – Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?**

The susceptibility of land sliding/slope failure is dependent on the slope and geology as well as the amount of rainfall, excavation, or seismic activities. Land that has experienced sliding in the past is often more slide-prone and more sensitive to both human-induced changes and to earthquakes. Earthquake-induced ground failures are unlikely to occur in the City of Visalia because of its relatively stable geologic formation and lack of active faults. Therefore, the Project would have less than significant impacts related to seismic-related ground failure.

Settlement of the ground surface can be accelerated and accentuated by earthquakes. During an earthquake, settlement can occur as a result of the relatively rapid compaction and settling of subsurface materials (particularly loose, non-compacted, and variable sandy sediments) due to the rearrangement of soil particles during prolonged ground shaking. Settlement can occur both uniformly and differentially (i.e., where adjoining areas settle at different rates). Typically, areas underlain by artificial fills, unconsolidated alluvial sediments, slope wash, and areas with improperly engineered construction fills are susceptible to this type of settlement. During an earthquake, some settlement of soil

materials in Visalia may occur. However, very infrequent earthquakes occur within the City of Visalia and the surrounding region. With implementation of Title 24 building requirements and local standards, the Project would have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.7a(iv) – Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?**

Surface soils exhibit various characteristics dependent on location, slope, parent rock, climate, and drainage. According to the City’s General Plan, surface soils in the City of Visalia range from fine sandy loam and loam to alkali soils. The most prevalent soils are Nord fine sandy loam; Grangeville sandy loam, drained; Tagus loam; and Akers-Akers, saline-sodic, complex. Some soils have the potential to present moderate geologic hazards to building, due to their susceptibility to erosion or to expansion and contraction.

In general, soil containing high amounts of silt can be easily eroded, while sandy soils are less susceptible. Erosion is most likely to occur on sloped areas with exposed soil, especially where unnatural slopes are created by cut-and-fill activities. Soil erosion rates can be higher during the construction phase. Excessive soil erosion can eventually damage building foundations and roadways. Most surface soils in the Planning Visalia General Plan Draft Environmental Impact Report 3.7-2 Area have moderate potential for erosion by water; in some areas, the erosion potential is considered low to moderate, depending on soil depth.

The City of Visalia has adopted the 2019 California Building Code as the City’s building code and ordinance (Title 15: Buildings and Construction). The City’s Subdivision Ordinance requires that a preliminary soils report be provided as part of the application for a tentative subdivision map, unless the city engineer determines that no preliminary analysis is necessary (Title 16: Subdivisions). If the preliminary soils report indicates the presence of expansive soils, settlement, and potential for subsidence, the City will make a recommendation for necessary adjustments to project plans that offset potential soil problems. Adherence to these requirements reduces this impact to a level that is less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.7b – Would the Project result in substantial soil erosion or the loss of topsoil?**

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. Future development and creation of new impervious surfaces also has the potential to contribute to increased stormwater runoff, which could make soil erosion more severe if stormwater is not handled properly. Soil erosion at construction sites can increase sedimentation in nearby streams and drainage channels.

Soil erosion can lead to sedimentation of watercourses, eventually having an adverse impact on water quality and aquatic life. Furthermore, once erosion occurs, it may be difficult for natural vegetation to reestablish itself. The loss of topsoil to erosion is detrimental to agriculture and other landscaping. The risk of erosion is greatly increased during grading and construction activities, and agricultural practices, when soils are loosened and bare of vegetation.

Construction activities associated with the proposed Project will disturb surface vegetation and soils and expose these disturbed areas to erosion by wind and water. To reduce the potential for soil erosion and loss of topsoil during construction, the Project would comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit from the State of California Central Valley Regional Water Quality Control Board (RWQCB) during construction. Under the NPDES, the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) are required for construction activities that would disturb an area of one acre or more. An SWPPP must identify potential sources of erosion or sedimentation and identify and implement best management practices (BMPs) that ensure reduced erosion. If an SWPPP was not required, the Project would implement the standard BMPs. Typical BMPs intended to control erosion include sandbags, silt fencing, street sweeping, etc. Mitigation Measure GEO-1 requires the approval of an SWPPP to comply with the NPDES General Construction Permit, if appropriate. Compliance with local grading and erosion control ordinances would also help minimize adverse effects associated with erosion and sedimentation. Any stockpiled soils would be watered and/or covered to prevent loss due to wind erosion as part of the SWPPP during construction.

The Project will comply with all the City's grading requirements outlined in Title 24 and Appendix J of the California Building Code. The Project is not expected to result in substantial soil erosion or the loss of topsoil with the incorporation of mitigation measure GEO-1.

Once constructed, the Project will have both impermeable surfaces and permeable surfaces. Impermeable surfaces would include existing roadways, driveways, and structures. Permeable surfaces would include open areas of the site any landscaped areas. Overall, the development of the Project would not result in conditions where substantial surface soils would be exposed to wind and water erosion.

Therefore, with implementation GEO-1, impacts to soil erosion or the loss of topsoil at the Project site will be reduced to less than significant.

**MITIGATION MEASURE(S)**

**GEO-1:** Prior to issuing of grading or building permits, if required, (a) the Project applicant shall submit to the Lead Agency (1) the approved Storm Water Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts. Recommended best management practices for the construction phase may include the following:

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

Evidence of the approved SWPPP shall be submitted to the Lead Agency.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

**Impact #3.4.7c – Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?**

See above discussions under Impact #3.4.7 (a)(i) - (iv) & (b). The Project will have a less than significant impact with existing state and local requirements and standards.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact.*

**Impact #3.4.7d – 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?**

See discussion under Impact #3.4.7(a)(iv). The City of Visalia’s Subdivision Ordinance requires a preliminary soils report as part of the application for a tentative subdivision map. If the preliminary soils report indicates the presence of expansive soils, settlement, and potential for subsidence, the city will make recommendation for necessary adjustments to project plans that offset potential soil problems. Adherence to these requirements will reduce the Project impacts to a level that is less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.7e – Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?**

According to the City of Visalia 2030 General Plan Housing Element, housing developments proposed after adoption of the document are not permitted to use septic tanks or alternative wastewater disposal systems since sanitary sewer lines are used for the disposal of wastewater throughout the city. Therefore, the Project will have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have no impact.

**Impact #3.4.7f – Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Paleontological resources are the mineralized (fossilized) remains of prehistoric plant and animal life exclusive of human remains or artifacts. Fossil remains such as bones, teeth, shells, and leaves are found in geologic deposits (rock formations) where they were originally buried. Fossil remains are considered to be important as they provide indicators of the earth's chronology and history. These resources are afforded protection under CEQA and are considered to be limited and nonrenewable, and they provide invaluable scientific and educational data.

The Project site does not have any known paleontological resources or unique geologic features. There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the Project site. Nevertheless, there is some possibility that a buried site may exist in the area and be obscured by vegetation, fill, or other historical activities, leaving no surface evidence.

**MITIGATION MEASURE(S)**

**GEO-2:** Prior to any ground-disturbing activities, the Project owner shall develop and implement a Paleontological Worker Education and Awareness Program. If paleontological resources are discovered during ground-disturbing activities (e.g., during Project

construction or decommissioning), all earthwork or other types of ground disturbance within 50 feet of the find shall stop immediately until a qualified professional paleontologist (meeting the standards of the Society of Vertebrate Paleontology [SVP]) can assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue or recommend salvage and recovery of the fossil. The paleontologist may also propose modifications to the stop-work radius based on the nature of the find, site geology, and the activities occurring on the site. If treatment and salvage are required, recommendations will be consistent with the Society of Vertebrate Paleontology standards that are current as of the discovery and with currently accepted scientific practice.

***LEVEL OF SIGNIFICANCE***

The Project would have a *less than significant impact with mitigation incorporated.*

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
--	--------------------------------------	--	-------------------------------------	--------------

### 3.4.8 - GREENHOUSE GAS EMISSIONS

Would the Project:

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. | Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?        | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. | Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The impact analyses in this section based on an *Air Quality & Greenhouse Gas Impact Assessment* (VRPA Technologies, Inc., 2021), which is attached as Appendix B.

#### Discussion

#### Impact #3.4.8a – Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The SJVAPCD does not have an established threshold for GHG emission impacts. South Coast Air Quality Management District (SCAQMD) identifies a threshold of 10,000 MTCO<sub>2</sub>eq./year for GHG for construction emissions amortized over a 30-year project lifetime, plus annual operation emissions. Although the Project is under SJVAPCD jurisdiction, the SCAQMD GHG threshold provides some perspective on the GHG emissions generated by the Project. Table 9 in the Assessment attached as Exhibit B shows the yearly GHG emissions generated by the Project as determined by the CalEEMod model, which is roughly 70% less than the threshold identified by the SCAQMD, and is shown in Table 3.4.8-1, below.

**Table 3.4.8-1  
Project Operational Greenhouse Gas Emissions**

Summary Report	CO <sub>2</sub> e
Project Operational Emissions Per Year	2,905 MT/yr

Source: (VRPA Technologies, Inc., 2021)

Results indicate that the resulting permanent greenhouse gas increases related to Project operations would be within the greenhouse gas increases analyzed in the City of Visalia 2030 General Plan EIR, so there would be no increase in severity to the previously identified greenhouse gas impacts, and implementation of the Project will not result in Project-specific or site-specific significant adverse impacts from greenhouse gas emissions within the Project

study area. Therefore, no mitigation measures are needed, and impacts are less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.8b – Would the Project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

California passed the California Global Warming Solutions Act of 2006. AB 32 requires that statewide greenhouse gas (GHG) emissions be reduced to 1990 levels by 2020. Under AB 32, CARB must adopt regulations by January 1, 2011, to achieve reductions in GHGs to meet the 1990 emission cap by 2020. On December 11, 2008, CARB adopted its initial Scoping Plan, which functions as a roadmap of CARB’s plans to achieve GHG reductions in California required by AB 32 through subsequently enacted regulations. CARB’s 2017 Climate Change Scoping Plan builds on the efforts and plans encompassed in the initial Scoping Plan.

SB 375 requires MPOs to adopt a SCS or APS that will prescribe land use allocation in that MPO's regional transportation plan. CARB, in consultation with MPOs, has provided each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. For the TCAG region, CARB set targets at thirteen (13) percent per capita decrease in 2020 and a sixteen (16) percent per capita decrease in 2035 from a base year of 2005.

Executive Order B-30-15 establishes a California greenhouse gas reduction target of 40 percent below 1990 levels by 2030 to ensure California meets its target of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050. Executive Order B-30-15 requires MPO's to implement measures that will achieve reductions of greenhouse gas emissions to meet the 2030 and 2050 greenhouse gas emissions reductions targets.

As required by California law, city and county General Plans contain a Land Use Element that details the types and quantities of land uses that the city or county estimates will be needed for future growth, and that designate locations for land uses to regulate growth. TCAG uses the growth projections and land use information in adopted general plans to estimate future average daily trips and then VMT, which are then provided to SJVAPCD to estimate future emissions in the AQPs.

The Project would be consistent with the City of Visalia 2030 General Plan upon preparation and approval of a general plan amendment in accordance with General Plan Policy LU-P-33 and LUP-24 and the adopted 2018 RTP/SCS and is therefore consistent with the population growth and VMT applied in those plan documents. Therefore, the Project is consistent with the growth assumptions used in the applicable AQP.

CARB's 2017 Climate Change Scoping Plan builds on the efforts and plans encompassed in the initial Scoping Plan. The current plan has identified new policies and actions to accomplish the State's 2030 GHG limit.

Based on the assessment above, the Project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The Project furthers the achievement of the County's greenhouse gas reduction goals. Therefore, any impacts would be less than significant.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
<b>3.4.9 - HAZARDS AND HAZARDOUS MATERIALS</b>				
Would the Project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site that 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

**Impact #3.4.9a – Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

### ***Project Construction***

Project construction-related activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction-related activities. These materials could expose human health or the environment to undue risks associated with their use, and no significant impacts will occur during construction activities.

Transportation, storage, use, and disposal of hazardous materials during construction activities will be required to comply with applicable federal, State, and local statutes and regulations. U.S. Department of Transportation and Caltrans regulate the transportation of hazardous materials. Additionally, the City's routes that have been designated for hazardous materials transport would be used. Any hazardous waste or debris that is generated during the construction of the proposed Project would be collected and transported away from the site and disposed of at an approved offsite landfill or other such facilities. In addition, sanitary waste generated during construction would be managed through portable toilets located at reasonably accessible onsite locations.

Federal and State laws require detailed planning to ensure that hazardous materials are properly handled, used, stored, transported and disposed of, and in the event that such materials are accidentally released, to prevent or mitigate injury to health or the environment. Laws and regulations require hazardous materials users to train employees to manage them safely. The primary Federal agencies with responsibility for hazardous materials management include the U.S. Environmental Protection Agency (EPA), U.S. Department of Labor Occupational Safety and Health Administration (OSHA), and the U.S. Department of Transportation (DOT). In many cases, California State law mirrors or is more restrictive than federal law, and enforcement of these laws has been delegated to the State or a local agency. The General Plan reflects the following objective:

- S-O-3: Protect soils, surface water, and groundwater from contamination from hazardous materials.

Construction activities associated with the proposed Project may involve the temporary transport and use of minor quantities of hazardous materials such as fuels, oils, lubricants, hydraulic fluids, paints and solvents as a result of construction build-out related to residential development. The handling and transport of all hazardous materials onsite would be required to perform in accordance with all applicable federal, State, and local laws and regulations.

### ***Project Operation***

Once constructed, the use of such materials as paint, bleach, etc., is considered common for residential developments. It would be unlikely for such materials to be stored or used in such quantities that would be considered a significant hazard. The Project will not generate or use hazardous materials outside health department requirements. Operation activities will

comply with the California Building Code, local building codes, and applicable safety measures.

Based on the analysis above, Project construction and operation are not anticipated to result in significant impacts due to the transportation, use, or disposal of hazardous materials. Therefore, impacts would be less than significant.

Therefore, the Project will not result in any hazards and hazardous material impacts, and with implementation of standard local, state, and federal requirements regarding handling of hazardous materials, and would have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.9b – Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Hazardous materials handling on the Project site as a result of the residential development may result in soil and groundwater contamination from accidental spills. Construction of the Project would require preparing and implementing an SWPPP, as noted in Impact #3.4.7b.. The SWPPP is a State requirement under the National Pollution Discharge Elimination System (NPDES) permit for construction sites over one acre. The SWPPP identifies potential sources of pollution from the Project that may affect the quality of stormwater discharge and requires that best management practices (BMPs) be implemented to prevent contamination at the source. By implementing BMPs during any future construction activities, accidental spills of hazardous materials would be contained, and soil and groundwater contamination would be minimized or prevented. Development of a SWPPP and associated BMPs shall be determined by the city engineer through standard permitting processes for the Project.

The proposed Project is not anticipated to create a significant hazard to the public or the environment; as mentioned previously, the residential Project would not routinely transport, use, dispose of, or discharge hazardous materials into the environment. With the implementation of GEO-1 during construction, impacts would be less than significant.

**MITIGATION MEASURE(S)**

Implement mitigation measure GEO-1.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant with mitigation incorporated*.

**Impact #3.4.9c – Would the Project emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

The nearest school to the Project is Hurley Elementary School, approximately 0.2 miles southeast of the Project site. Construction activities for the residential development could result in the temporary use of hazardous materials and or substances, such as lubricant and diesel fuel during construction. Exhaust from construction and related activities are expected to be minimal and not significant. All future construction related activities as a result of the proposed Project would be subject to local, State, and federal laws related to emissions of hazardous materials and substances. However, construction of the Project would require the use of minimal hazardous materials and require implementation of BMPs when handling any hazardous materials, substances, or waste. As noted in Impact #3.4.3a, emissions from construction and related activities are expected to be minimal and not significant. Once constructed, the residential development is not expected to result in hazardous emissions; therefore, the Project would have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.9d – Would the Project be located on a site that 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?**

According to EnviroStor (Department of Toxic Substances Control, 2022) the Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

As such, the Project site will not create a significant hazard to the public or the environment and therefore has no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.9e – Would the Project be 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, and**

**would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?**

The Project site is located 1.27 miles northeast of the Visalia Municipal Airport and is not located within the Airport Influence Area as indicated in the Tulare County Airport Land Use Compatibility Plan (Tulare County, 2012). Therefore, the proposed Project to develop a 241 single-family residential unit development is compatible and in compliance with the Airport Land Use Compatibility Plan, as it indicated there are no special policies, procedures, and standards referenced in the City's ordinance. Therefore, the Project will have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.9f – Would the Project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?**

The City of Visalia utilized Tulare County's Emergency Operations Plan, which includes planning and response scenarios for seismic hazards, extreme weather conditions, landslides, dam failure, other flooding, wildland fires, hazardous materials incidents, transportation emergencies, civil disturbance, and terrorist attacks. In addition, the Project would also comply with the appropriate local and State requirements regarding emergency response plans and access (City of Visalia, 2022). The Project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed Project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities.

The Traffic Study prepared for the proposed Project did not identify any traffic hazards that impede emergency response or evacuation plans (VRPA Technologies, Inc., 2021a). The Project site and surrounding area are relatively flat, with little to no topography that might obscure visibility to motorists. Additionally, roadway improvements have been proposed to maintain traffic safety with the anticipated increase in vehicle trips. Therefore, impacts would be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.9g – Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?**

The land surrounding the Project site is primarily developed with a mix of urban and agricultural uses. The area is not considered to have impacts from wildfires. Further, the Project site is located within the Urban Growth Boundary and the Visalia Sphere of Influence for future development, outside of any natural vegetate community. The Visalia General Plan includes policies that would protect any future development on the Project site and the community from fire dangers.

The Project site is less than 1 mile southwest of the Visalia Fire Department Station 55, the closest fire station. The Project will comply with all applicable State and local building standards as required by local fire codes and impact fees to support additional fire protection services. The Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

Therefore, there would be no impact.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

The Project would have *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact	
<b>3.4.10 - HYDROLOGY AND WATER QUALITY</b>					
Would the Project:					
a.	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would?				
i.	Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii.	Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv.	Impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

---

**Discussion****Impact #3.4.10a – Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

Project construction activities including grading could temporarily increase soil erosion rates during and shortly after Project construction. Construction-related erosion could result in the loss of soil and could adversely affect water quality in nearby surface waters. As noted in Impact 3.4.7a, construction of the proposed Project will be required to prepare a site-specific SWPPP as required by the RWQCB. The SWPPP is required to be approved by the RWQCB prior to construction that identifies project-specific best management measures that are designed to control drainage and erosion. The Project is also required to implement MM GEO-1 to identify the soil types within the development Project area as part of the preparation of a site-specific SWPPP and related BMPs.

The Project site is located 350 feet north of the Mill Creek Ditch and will not impact this waterway as related to the goals and policies of the General Plan and the updated City of Visalia Waterways and Trails Master Plan, as the site is not adjacent to or within a water corridor.

Therefore, implementation of Project-specific drainage improvements as identified in the city's standard requirements for subdivisions would reduce the potential for the proposed Project to violate water quality standards during construction to a less than significant impact with mitigation incorporated.

**MITIGATION MEASURE(S)**

Implement mitigation measure GEO-1.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

**Impact #3.4.10b – 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?**

The Visalia area is located within the Kaweah Groundwater Subbasin of the San Joaquin Valley Groundwater Basin. The Subbasin's 696 square miles generally comprises lands in the Kaweah Delta Water Conservation District (KDWCD), and include the Kaweah and St. Johns Rivers, with the former being the primary source of groundwater recharge. The alluvial fans of waterways provide highly permeable areas in which groundwater is readily replenished. Annual rainfall in Visalia usually ranges from eight to 12 inches; however, there is no estimate of what percentage of rainfall reaches the groundwater supply. Groundwater flow is generally southwestward. Based on groundwater elevation maps, horizontal groundwater barriers do not appear to exist in the subbasin.

According to the Department of Water Resources, groundwater levels in the subbasin have declined about 12 feet on average from 1970 to 2000, with periodic fluctuations. As population continues to grow and farming practices continue at the current rate, groundwater levels may also decline unless recharge is increased.

According to the General Plan, the City of Visalia and the Kaweah Delta Water Conservation District (KDWCD) have mutual interests in restoring and maintaining groundwater supplies and controlling flood water, and have worked on a number of projects in the past that benefit City and District interests. Visalia has implemented a Groundwater Overdraft Mitigation Ordinance, which imposes a groundwater mitigation fee on new development and a groundwater impact fee on water suppliers. The fees are used to construct and improve groundwater recharge facilities and to purchase water for groundwater recharge. Recharge efforts are coordinated by the City with KDWCD and local irrigation districts.

According to the U.S. Census Bureau, the average household size in Visalia is 3.02 persons (U.S. Census Bureau, 2022); therefore, future development could support approximately 728 people. According to California Water Service's 2015 UWMP (California Water Service, 2022), the actual water used in 2015 was 160 gallons per capita per day (gpcd). Therefore, the proposed 241 single-family residences would result in estimated water demand of 262,270 gallons/day (728 people x 160 gallons/day = 116,480 gpcd, which 42.5 gallon per capita annually) or approximately 130.4 acre-feet per year.

The City has adopted numerous policies to reduce water demand through conservation and other means and to increase surface water imports to the City and surrounding areas. These include the Groundwater Recharge Fee, Groundwater Impact Fee, Groundwater Mitigation Fee, and the Water Conservation Ordinance.

The developer will be responsible for paying the City of Visalia's Groundwater Overdraft Mitigation Fee, and therefore the Project will result in a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.10c(i) – Would the Project 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 result in substantial erosion or siltation on-or off-site?**

The Project site is mostly flat and would not substantially alter the existing drainage pattern of the site or area. The Project site does not have a stream or river and is approximately 350 feet away from the Mill Creek Ditch. The Project has a proposed storm basin that will collect stormwater runoff on the site. The Project would develop areas of impervious surfaces that

would reduce the rate of percolation at the site, but areas of open space would allow for the percolation of stormwater to recharge the aquifer, or the water would be directed into the City's existing stormwater sewer system. The Project would comply with applicable City development standards and codes. Therefore, the Project would have a less-than-significant impact on drainage patterns or cause substantial erosion or siltation on or off the site.

As discussed in Impact #3.4.10a above, potential impacts on water quality from erosion and sedimentation are expected to be localized and temporary during construction. Construction-related erosion and sedimentation impacts due to soil disturbance would be less than significant after implementing an SWPPP (see Mitigation Measure GEO-1) and BMPs required by the NPDES. No drainages or other water bodies are present on the Project site, and therefore, the proposed project would not change the course of any such drainages.

The existing drainage pattern of the site and area would be affected by Project development because of the increase in impervious surfaces at the site. The Project design includes natural features such as landscaping and vegetation that would allow for the percolation of stormwater. However, there will be an addition in impervious surfaces that could increase the potential for stormwater runoff and soil erosion. The Project would connect to existing City stormwater sewer infrastructure. The Project will comply with all applicable local building codes and regulations to minimize impacts during construction and post-construction. With the implementation of GEO-1, impacts that would result in substantial erosion or siltation on or offsite are less than significant.

**MITIGATION MEASURE(S)**

Implement mitigation measure GEO-1.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

**Impact #3.4.10c(ii) – Would the Project 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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

No drainages or other water bodies are present on the Project site. Therefore, the development of the site would not change the course of any such drainages that may potentially result in on or offsite flooding. Water would be used during the temporary construction phase of the Project (e.g., for dust suppression). However, any water used for dust control would be mechanically and precisely applied and would generally infiltrate or evaporate prior to running off.

The Project site is flat, and the proposed grading would not substantially alter the overall topography of the Project site. Although the amount of surface runoff on the Project site would not substantially increase with the construction of the Project, runoff patterns and

concentrations could be altered by grading activities associated with the Project. Improper design of the access road or building pads could alter drainage patterns that would cause flooding on or offsite. The potential for the construction of the proposed Project to alter existing drainage patterns would be minimized through compliance with the preparation of an SWPPP (GEO-1). With the implementation of such measures, the Project would not substantially increase the amount of runoff to result in flooding on or offsite. Impacts would be reduced to less-than-significant levels.

Additionally, with the approval of grading plans and site development requirements by the City Building Division that incorporates BMPs and design standards, the new development operations would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or offsite. Impacts would be less than significant with the implementation of GEO-1.

**MITIGATION MEASURE(S)**

Implement mitigation measure GEO-1.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

**Impact #3.4.10c(iii) – Would the Project 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 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?**

Water would be used during the temporary construction phase of the proposed Project (e.g., for dust suppression). However, any water used for dust control would be mechanically and precisely applied and would generally infiltrate or evaporate prior to running off.

The Project would comply with all applicable State and City codes and regulations. The Project will construct a stormwater retention basin onsite to capture stormwater, and engineering calculations will support the storm drainage plan to ensure that the Project does not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, the Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.10c(iv) – Would the Project 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 impede or redirect flood flows?**

As discussed under Impact #3.4.10(a) – (c)(iii), Project construction activities could potentially alter the course of existing drainage pattern on site. The Project would be required comply with the NPDES Construction General Permit by preparing a SWPPP to specify BMPs to prevent construction pollutants. The proposed Project does not include any construction activities that would direct excess surface waters or impede or redirect any potential flood flows.

Once constructed, there will be imperious surfaces create by the houses, roads, driveways, etc. However, there are also open spaces such as lawns and the proposed park that will allow stormwater to percolate back into the aquifer. The Project would comply with all applicable State and City codes and regulations related to stormwater during construction and post-construction.

Therefore, the Project impacts would be less than significant.

**MITIGATION MEASURE(S)**

Implement mitigation measure GEO-1.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

**Impact #3.4.10d – Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?**

The Project is located inland and is not located near an ocean or large body of water, and therefore, would not be affected by a tsunami. Since the Project is located in an area that is not susceptible to inundation, the Project would not risk release of pollutants.

There is no potential for the inundation of the Project site by seiche. Therefore, the Project would not contribute to inundation by seiche, tsunami, or mudflow. The Project would have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*

**Impact #3.4.10e – Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

See Impact #3.4.10b.

Implementation of the City of Visalia 2030 General Plan policies, California Water Service's 2015 Urban Water Management Plan, the Kaweah Delta Water Conservation District (KDWCD) 2010 Groundwater Management Plan, and the City's involvement with the KDWCD Integrated Regional Water Management Planning (IRWM) program, in addition to the City's Stormwater Master Plan and Management Program and the Waterways and Trails Master Plan, will address the issues of providing an adequate, reliable, and sustainable water supply for the Project's future urban domestic and public safety consumptive purposes. The City of Visalia obtains the majority of its domestic water from California Water Service.

Private development participates in the City's ability to meet water supply goals and initiatives through payment of fees established by the city for construction of recharge facilities, the construction of recharge facilities directly by the Project, or participation in augmentation/enhancement/enlargement of the recharge capability of Fresno Metropolitan Flood Control District storm water ponding basins. While any future development as a result of approval of the proposed Project may be served by conventional groundwater pumping and distribution systems, full development of the Fresno General Plan boundaries may necessitate utilization of treated surface water due to inadequate groundwater aquifer recharge capabilities. The Department of Public Utilities works with Fresno Metropolitan Flood Control District to utilize suitable FMFCD ponding (drainage) basins for the groundwater recharge program and works with Fresno Irrigation District to ensure that the City's allotment of surface water is beneficially used for intentional groundwater recharge.

The City of Visalia Public Works Department will review any future development as a result of the Project approval and associated water demand analysis to determine if water service will be available through City of Visalia. The future development will be required to show water infrastructure connections to the nearest water main and water mains would be extended within the proposed lot to provide service to each unit created, subject to payment of applicable water charges.

City of Visalia Public Works Department will review the future development on the Project site for compliance with water quality and groundwater management and will determine if water service will be available for the Project. Further, the City's General Plan includes policies and initiatives to ensure the City promotes water conservation. Therefore, compliance with payment of the City's Groundwater Overdraft Mitigation Fee would reduce Project impacts to less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**3.4.11 - LAND USE AND PLANNING**

Would the Project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Physically divide an established community?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Discussion**

**Impact #3.4.11a – Would the Project physically divide an established community?**

The Project is surrounded by undeveloped or developed property to the east, agricultural fields to the south and west, and various industrial uses to the north. There is existing residential development to the south.

The Project would increase an established community within the area and promote orderly land use development by providing the ability to develop the 50 acres, which is a supported goal under the General Plan, and, therefore, would have no impact. The Project proposes connecting to existing roadways, providing future connectivity access, and not dividing an established or future community. Future development would not be built in a pre-existing community area and would not create any physical barrier between an established community.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.11b – 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?**

As proposed, the Project will be consistent with the following City of Visalia 2030 General Plan goals, objectives and policies for Land Use.

The General Plan establishes two new growth boundaries to reflect current conditions and available population and job growth data. The First Tier, also known as the Urban Development Boundary I or UDB (Tier I), is largely coterminous with the 2012 city limits. It comprises slightly over half of the potentially developable land under the Plan, and could support a target buildout population of approximately 160,000. The Second Tier, known as the Urban Development Boundary II or UDB (Tier II) comprises 27,936 acres and could support a target build population of approximately 178,000..

The City of Visalia 2030 General Plan has designated the Project area within the existing and proposed city limits as developable under the Tier 2 Urban Development Boundary. The General Plan established criteria, dependent upon land use type, for when development may advance from the first tier (Tier I) to subsequent tiers (Tiers II and III), which are contained in Policy LU-P-21 of the General Plan. For residential uses, the threshold is the issuance of permits for 5,850 housing units within Tier 1 since April 1, 2010. The City met the residential permit threshold in July 2021 and now considers development located with Tiers 1 and/or 2 (City of Visalia, 2021). The Project will not cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation, as the Project site has been identified for future residential development build-out. The Project will have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**3.4.12 - MINERAL RESOURCES**

Would the Project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion**

**Impact #3.4.12a – Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

According to the City of Visalia 2030 General Plan, the Project site is not located in an area designated for mineral resource preservation or recovery; therefore, the Project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

According to the Department of Conservation Division of Mine Reclamation SMARA mapping tool, the nearest open mine (Kaweah South 91-54-0036) to the Project site is approximately 16 miles to the northeast (Department of Conservation, 2022). Additionally, the Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) well finder tool does not designate an active oil or gas well in proximity to the Project site (Department of Conservation, 2022).

The Project will have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*

**Impact #3.4.12b – Would the Project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

The Project site is not delineated on a local general plan, specific plan, or other land use plan as a locally important mineral resource recovery site; therefore, it will not result in the loss of availability of a locally-important mineral resource. Therefore, the Project would have no impact.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

The Project would have *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

### 3.4.13 - NOISE

Would the Project result in:

- |   |                          |                                     |                                     |                          |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| b. Generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The impact analyses in this section based on an *Environmental Noise & Vibration Assessment* (Bollard Acoustical Consultants, Inc., 2021), which is attached as Appendix E.

#### **Discussion**

**Impact #3.4.13a – Would the Project result in 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?**

Noise is often described as unwanted sound. Sound is defined as any pressure variation in air that the human ear can detect. The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. Community noise is commonly described in terms of the ambient noise level, which is defined as the all-encompassing noise level associated with a given noise environment.

#### **Construction Noise**

During Project construction, heavy equipment would be used for grading excavation, paving, and building construction, which would increase ambient noise levels when in use. Noise levels would vary depending on the type of equipment used, how it is operated, and how well it is maintained. Noise exposure at any single point outside the Project work area would also

vary depending upon the proximity of equipment activities to that point. The nearest existing sensitive uses (residential) are located approximately 30 feet away from where construction activities could occur within the Project area.

Based on the equipment noise levels in Table 3.4.13-1 below, worst-case on-site Project construction equipment noise levels at the nearest residential uses located 30 feet away are expected to range from approximately 80 to 89 dB.

**Table 3.4.13-1  
Construction Equipment Reference and Projected Noise Levels**

<b>Equipment Description</b>	<b>Maximum Noise Level at 50 Feet (dB)</b>	<b>Predicted Maximum Noise Level at 30 Feet (dB)</b>
Air compressor	80	84
Backhoe	80	84
Ballast equalizer	82	86
Ballast tamper	83	87
Compactor	82	86
Concrete mixer	85	89
Concrete pump	82	86
Concrete vibrator	76	80
Crane, mobile	83	87
Dozer	85	89
Excavator	85	89
Generator	82	86
Grader	85	89
Impact wrench	85	89
Loader	80	84
Paver	85	89
Pneumatic tool	85	89
Pump	77	81
Saw	76	80
Scarifier	83	87
Scraper	85	89
Shovel	82	86
Spike driver	77	81
Tie cutter	84	88
Tie inserter	85	89
Truck	84	88

*Source:* (Bollard Acoustical Consultants, Inc., 2021)

The Visalia General Plan exterior noise level standard of 65 dB DNL applicable to transportation noise sources affecting residential uses. Therefore, it is possible Project

construction equipment could result in short-term increases over ambient maximum noise levels at nearby existing residential uses. Further, it is possible that those noise levels could exceed the applicable Visalia General Plan and Municipal Code noise level limits. As a result, noise impacts associated with Project's construction activities are identified as being potentially significant. Therefore, mitigation measures have been proposed to reduce noise impacts to less than significant levels. NSE-1 requires the Project developer or contractor to continuously comply with measures to reduce noise impacts from the Project. This includes restricting construction activities to daylight hours, the use of noise baffles or mufflers on construction equipment, the use of electric equipment, locating equipment in areas away from sensitive receptors, and neighboring property owners will be notified of construction schedules prior to the start of construction. Implementation of MM NSE-1 will reduce noise impacts to less than significant levels.

### ***Traffic Noise***

The development of the Project will result in increased traffic volumes on the local roadway network. Those increases in daily traffic volumes will result in a corresponding increase in traffic noise levels at existing uses located along those roadways. The analyses provided in the study utilized the FHWA Model with traffic input data from the project traffic impact analysis to predict project-generated traffic noise level increases relative to Opening Year, 5-Year Horizon, 10-Year Horizon, and 20-Year Horizon project and no Project conditions (Bollard Acoustical Consultants, Inc., 2021).

The study indicated that the existing ambient noise environment within the Project area is defined primarily by traffic on Shirk Street to the east, and by industrial operations from adjacent uses to the north. It was also concluded that baseline ambient conditions were considerably higher than baseline traffic noise levels.

Based on the analyses provided in the study, including consideration of measured existing ambient noise conditions within the Project area, off-site traffic noise impacts related to increases in traffic resulting from the implementation of the Project are identified as being less than significant.

### ***Industrial Operations Noise at Proposed Residential Uses***

There are industrial uses adjacent to the north side of the Project boundary that exceed the City of Visalia's General Plan and Municipal Code daytime and nighttime noise level standards of 50 dB Leq/L50 and 45 dB Leq/L50, respectively (Bollard Acoustical Consultants, Inc., 2021). However, CEQA does not require an analysis of impacts of the existing environment on the Project itself. The noise levels emanating from the neighboring industrial operation would be considered part of the baseline ambient noise levels present at the Project. However, NSE-2 requires the developer to record a covenant on the Project properties disclosing noise impacts from the adjacent industrial uses identified. The covenant, combined with implementation of the City of Visalia's General Plan and Municipal Code standards for noise impacts will reduce impacts to a less than significant level.

**MITIGATION MEASURE(S)**

**NSE-1:** The Project developer or contractor shall continuously comply with the following measures throughout construction activities:

- a. Pursuant to Visalia Municipal Code Section 8.36.050(C), the operation of construction equipment including jackhammers, portable generators, pneumatic equipment, trenchers, or other such equipment shall not be operated on the project site 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.
- b. All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with manufacturers-recommended mufflers and be maintained in good working condition.
- c. All mobile or fixed noise-producing equipment used on the project site that is regulated for noise output by a federal, State, or local agency shall comply with such regulations while in the course of project construction activity.
- d. Electrically powered equipment shall be used instead of pneumatic or internal combustion-powered equipment, where feasible.
- e. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors.
- f. Project area and site access road speed limits shall be established and enforced during the construction period.
- g. Nearby residences shall be notified of construction schedules so that arrangements can be made, if desired, to limit their exposure to short-term increases in ambient noise levels.

**NSE-2:** Prior to final map recordation, the Developer shall record a covenant on all lots to disclose noise exposure from the stationary industrial equipment adjacent to the Project site. The covenant will ensure future residential property owners are notified of the potential noise impacts with disclosure language as follows:

*“Property owner(s) of lots within the Shepherds Ranch I/ Shepherds Ranch II Project are hereby notified that noise levels from adjacent industrial operations may exceed the City of Visalia 2030 General Plan and Municipal Code daytime and nighttime noise level standards of 50 dB Leq/L50 and 45 dB Leq/L50, respectively.”*

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

### Impact #3.4.13b – Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?

During Project construction, heavy equipment would be used for grading, excavation, paving, and building construction, which would generate localized vibration in the immediate vicinity of the construction. The nearest existing sensitive receptors have been identified as residential structures located approximately 30 feet from construction activities that would occur within the Project area.

The City of Visalia does not currently have adopted standards for groundborne vibration. As a result, the noise study prepared for this Project indicated that the vibration impact criteria developed by the California Department of Transportation (Caltrans) was applied to the Project. Equipment or activities typical of continuous vibration include excavation equipment, static compaction equipment, tracked vehicles, traffic on a highway, vibratory pile drivers, pile-extraction equipment, and vibratory compaction equipment. Equipment or activities typical of single-impact (transient) or low-rate repeated impact vibration include impact pile drivers, blasting, drop balls, “pogo stick” compactors, and crack-and-seat equipment. Table 3.4.13-2 below has identified construction equipment proposed to be utilized for this Project’s construction activities.

**Table 3.4.13-2  
Vibration Source Levels for Construction Equipment and Projected Levels at 30 Feet**

<b>Equipment</b>	<b>Maximum Vibration Level at 25 Feet (PPV)<sup>1</sup></b>	<b>Predicted Maximum Vibration Level at 30 Feet (PPV)</b>
Vibratory roller	0.210	0.160
Hoe ram	0.089	0.068
Large bulldozer	0.089	0.068
Caisson drilling	0.089	0.068
Loaded trucks	0.076	0.058
Jackhammer	0.035	0.027
Small bulldozer	0.003	0.002

<sup>1</sup> PPV = Peak Particle Velocity

Source: 2020 FTA Transit Noise and Vibration Impact Assessment Manual and BAC calculations

As shown above in Table 3.4.13-2, vibration levels generated from on-site construction activities at the nearest existing sensitive structures located approximately 30 feet away (residences) are predicted to be below the strictest Caltrans thresholds. Further, construction activities are not expected to result in adverse human response relative to the vibration annoyance criteria. Therefore, on-site construction within the Project area is not expected to result in excessive groundborne vibration levels at nearby existing sensitive uses.

It is expected that the Project would not result in the exposure of persons to excessive groundborne vibration levels at proposed uses of the Project; therefore this impact is less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.13c – Would the Project result in 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?**

The Project is located approximately 1 ¼ miles to the northeast of Visalia Municipal Airport. The Project is geographically located outside of the established 55 dB CNEL airport noise contour not within a safety zone identified in the ALUCP (County of Tulare, 2012).

Impacts are considered to be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less- than Significant Impact	No Impact
--	--------------------------------	--	-------------------------------	-----------

**3.4.14 - POPULATION AND HOUSING**

Would the Project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Induce substantial population unplanned growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion**

**Impact #3.4.14a – Would the Project induce substantial population unplanned growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

The proposed Project includes the development of 240 single-family residences and a 3.051-acre linear park with associated utilities and infrastructure.

Population forecasts adopted by the City’s General Plan indicates growth for the City population of 210,000 people by 2030, with an average annual growth rate of 2.6 percent (City of Visalia, 2014). The total population of the City of Visalia is 141,384 people, and the average persons per household is 3.02 (U.S. Census Bureau, 2022).

As noted previously, the City General Plan has designated the Project site for future urban uses under the Urban Growth Development Tier 2. Implementation of this Project will support the General Plan designation for future urban land use Policy LU-P-21 for residential development. The General Plan established criteria, dependent upon land use type, for when development may advance from the first tier (Tier I) to subsequent tiers (Tiers 2 and 3), which are contained in Policy LU-P-21 of the General Plan. For residential uses, the threshold is the issuance of permits for 5,850 housing units within Tier 1 since April 1, 2010. The City met the residential permit threshold in July 2021 and now considers development located with Tiers 1 and/or 2 (City of Visalia, 2021). Thus, it is anticipated that the area would be residentially developed to meet the housing needs of the City, and the Project will not induce substantial unplanned population growth.

In addition, it is likely some portion of the people who would purchase Project homes may already reside in Visalia or the surrounding communities, thereby reducing the overall impact on the population the Project may generate. The Project would not include upsizing of offsite infrastructure or roadways. Impacts would be less than significant.

Therefore, Project impacts are considered to be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.14b – Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

The surrounding parcels are developed with residential or industrial uses to the north and east of the Project. The properties to the south and west are undeveloped agricultural land. The General Plan's existing land use designations for the Project site are Residential Very Low Density and Residential Low Density. The proposed General Plan Amendment eliminates the Residential Very Low Density designation and increases the acreage of the Residential Low Density designation.

Construction of the Project would likely be completed by construction workers residing in the City or the surrounding area; they would not require new housing. The Project will not result in the displacement of any persons as there are no residential units on the Project site. As such, no impact associated with displacement of housing or people would occur. In conclusion, with the implementation of the Project, the Project will not result in any population and housing impacts.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

### 3.4.15 - PUBLIC SERVICES

Would the Project:

- a. 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 to other performance objectives for any of the public services:

i.	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii.	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii.	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv.	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v.	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

**Impact #3.4.15a(i) – 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 to other performance objectives for any of the public services - Fire Protection?**

The City of Visalia Fire Station 55 is less than 1 mile southwest of the Project.

Prior to the recordation of the proposed subdivision maps, the developer will be required to pay development impact fees. A portion of those funds will be specifically earmarked for the use of the Fire Department to maintain an adequate level of service within its service boundary. The entire Project, whether submitted in phases or not, will be subject to review by the City of Visalia Engineering, Public Works, and Fire Department in order to determine whether the Projects infrastructure design is in compliance with City policies for development. The Project's water system will be reviewed to verify that the system can supply the required fire flow for fire protection purposes. The establishment of gallons-per-

minute requirements for fire flow shall be based on the review of the City of Visalia Fire Department.

Development of the Project will increase the need for fire protection services and expand the service area and response times of the local City Fire Department. As previously mentioned, the Project will be required to adhere to any conditions/policies pertaining to the construction of infrastructure needed for the Visalia Fire Department to provide an adequate level of fire protection service.

According to the General Plan and the standard review procedures for development projects within the City of Visalia, the Project's plans and permits will be reviewed for input from the Fire Department. The Project's proposed construction would be located adjacent to existing residential areas, which the City Fire Department already serves. The developer will be required to pay development impact fees to offset growth in population in the area that would impact fire protection. Impacts would be less than significant.

**MITIGATION MEASURE(S)**

None are required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.15a(ii) – 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 to other performance objectives for any of the public services – Police Protection?**

The Visalia Police Department (VPD) provides police protection in the City of Visalia and collaborates with other law enforcement agencies and the District Attorney's office on crime prevention. The City has approximately 143 sworn officers working out of two districts. The City of Visalia Police Station - District 1 office is located approximately 4 miles east, and the District 2 office is approximately 4.5 miles southeast. The District 1 office serves northern Visalia. The Project is proposing development in an area that is adjacent to residential development and undeveloped agricultural land. The Project proposes additional residential development in a previously undeveloped location, which will increase the need for police services. However, the Project will pay appropriate development fees based on the adopted fee calculations and is responsible for constructing any infrastructure needed to serve the Project. Impacts would be less than significant.

**MITIGATION MEASURE(S)**

None are required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.15a(iii) – 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 to other performance objectives for any of the public services – Schools?**

Visalia Unified School District (VUSD or District) provides public education from kindergarten through 12th grade in the Planning Area. The nearest schools to the Project site include Hurley Elementary School, located 0.3 miles east, Ridgeview Middle School, located 0.8 miles north, and El Diamonte High School, located 2.2 miles south. The General Plan identifies a need for a total of 21 new schools, including 17 new elementary schools, two middle and two high schools to accommodate projected growth through 2030. The General Plan identifies a proposed school site adjacent to the Project Site on the south boundary. It is noted in the General Plan that specific locations may change depending on a variety of factors, including land availability, infrastructure needs, and financing.

The Project shall implement the City of Visalia’s new development and subdivision requirements related to schools. Pursuant to Government Code Section 66006, school districts must maintain separate capital facilities account for reportable fees, and must make available to the public within 180 days after the last day of each fiscal year a Reportable Fees Report. Pursuant to Government Code Section 66001, school districts must make findings every five years with respect to unexpended funds.

The finalized and most recent Developer Fees Report was made available to the public by the Visalia Unified School District website (Visalia Unified School District, 2022) that includes the School Facility Needs Analysis (SFNA). According to the VUSD Website (Visalia Unified School District, 2022), residential school fees established for developers within the City of Visalia is \$4.41 per square foot. The purpose of Developer Fees is for the construction and/or reconstruction of facilities necessary to accommodate the students generated by new residential and commercial development.

According to Government Code Section 65996, the development fees authorized by SB 50 are deemed “full and complete school facilities mitigation.” School districts would utilize the General Plan and codes to establish new school sites and make decisions on school amenities and facility size. The development will be subject to school impact fees to mitigate any increased impacts on school facilities. Project impacts will be less than significant.

**MITIGATION MEASURE(S)**

None are required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.15a(iv) – 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 to other performance objectives for any of the public services – Parks?**

Neighborhood and community parks are an important component of the City of Visalia 2030 General Plan, as both recreational and aesthetic resources that contribute to the City's character. The City maintains several types of parks and facilities. Almost all parkland described here is owned by the City or another public body and used for public recreational purposes, though some small parks are maintained by local landscaping and lighting and lighting district.

Visalia classifies parks and public open space into five general categories. Facilities at each park type vary according to size. Park sizes within the City of Visalia include Pocket Park, Linear park, Community Park, Large City Park, and Natural Corridors and Greenways.

As mentioned in previous sections, the Project contains a 3.05-acre linear park. The developer is required to provide acquisition and development costs associated with the annual established fees as indicated in the City's municipal code, which would reduce Project impacts to less than significant.

**MITIGATION MEASURE(S)**

None are required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.15a(v) – 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 to other performance objectives for any of the public services – Other Public Facilities?**

Community facilities are the network of public and private institutions that support the civic and social needs of the population. They offer a variety of recreational, artistic, and educational programs and special events. The City also provides animal control services, refuse pick-up (via an agreement with Tulare County Resource Management Agency and Consolidated Waste Management Authority), and drainage management (City of Visalia,

2014). These services receive funds allocated through the General Fund, usage fees, penalties, or impact fees.

These facilities within the City of Visalia include community centers, civic buildings, libraries, visual and performing arts venues, medical facilities, and other social and community services. The Project is required to implement the City of Visalia's new development and subdivision requirements related to public facilities, which would reduce Project impacts to be less than significant.

***MITIGATION MEASURE(S)***

None are required.

***LEVEL OF SIGNIFICANCE***

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**3.4.16 - RECREATION**

Would the Project:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion**

**Impact #3.4.16a – Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

See discussion under Impact #3.4.11 (b) and Impact #3.4.15 (a)(iv).

Visalia has a number of parks dispersed throughout City neighborhoods. The Riverway Sports Park is approximately 4 miles northeast, Plaza Park is approximately 2 miles southwest, West Main Park is 2.5 miles southeast, and Constitution Park is less than 2 miles southeast of the Project site.

The Project is proposing the development of a park that will be available for the community/public. The City's General Plan defines an overall parkland standard of 7.6 acres per 1,000 residents; however, this total consists of separate standards for city parks, school sites, and private open space. The City has a ratio of five acres of parkland per 1,000 residents. (City of Visalia, 2014).

The Project to develop 241 single-family residences will increase the use of existing neighborhood and regional parks. However, the Project also includes development of a 3.051 acres of linear park along the north boundary of the site, which would decrease existing recreational facility impacts to less than significant.

**MITIGATION MEASURE(S)**

None are required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.16b – Would the Project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?**

See discussion under Impact #3.4.11 (b) Impact #3.4.15 (a)(iv) and Impact #3.4.16a. The Project's linear park would include green space and playground equipment for children. The Project would not cause the construction or expansion of any existing recreational facilities elsewhere off-site. Impacts would be considered as less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**3.4.17 - TRANSPORTATION AND TRAFFIC**

Would the Project:

a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The impact analyses in this section based on a a revised *Traffic Impact Study* (VRPA Technologies, Inc., 2022b), which is attached as Appendix F.

**Discussion**

**Impact #3.4.17a – Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

**Transit Services**

Visalia Transit (VT) is the transit operator in the City of Visalia. The closest is VT Route 10 and Route 11, which runs on W. Noble Avenue (or Highway 198), located approximately 0.7 miles south of the Project site. VT operates several fixed routes that serve city residents with some routes serving the outlying cities and communities. VT operates fixed route service 7 days a week with operational hours Monday through Friday between 6:00 a.m. and 9:30 p.m., 9:00 a.m. and 6:30 p.m. on Saturdays, and between 8:00 a.m. and 6:30 p.m. on Sundays. Visalia has additional transit services that interconnect to other regional locations that could be reached from Route 10 and Route 11.

The Project is not expected to disrupt or impede existing transit facilities and therefore has a less than significant impact.

### ***Bicycle and Pedestrian Facilities***

The City's General Plan Update identifies bicycling and walking as inexpensive, energy-conserving, healthful, and non-polluting modes of transportation. Visalia's flat topography and dry, moderate climate make choosing to walk or bicycle an attractive transportation option during much of the year. The City of Visalia Bikeway Plan was adopted in February 2011 and is intended to guide bikeway policies, programs and facility improvements to improve safety, comfort and convenience for all bicyclists in the City of Visalia.

Currently, no bike lanes exist in the vicinity of the proposed Project site along Road 88 (future collector). However, the City of Visalia Bikeway Plan has identified portions of Road 88 adjacent to the Project site as developed for Greenway street plans, and General Plan Policy T-P-45 requires that collector streets include a bike lane. In addition, North Shirk Street is identified as a Class II Future Bike Lane according to the City's General Plan. At the time of development, the City will review the Project to identify whether or not a bike lane would be required to be constructed along the Project's frontage of North Shirk Street.

The Project is not expected to disrupt or impede existing or planned bicycle facilities with implementation of the City's requirements, and therefore has a less than significant impact.

### ***Pedestrian***

Currently, walkways do not exist in the vicinity of the proposed Project site along Road 88 (future collector) on the west side of the Project boundary. The Project proponent will be responsible for implementing all applicable requirements for updating sidewalks and other related infrastructure as directed by the City of Visalia. As stated above under Bicycle and Pedestrian Facilities, implementation of the City's Bikeway Plan will be required as identified along Road 88 and as reflected in the General Plan for North Shirk Street.

### ***Roadway***

Access to and from the Project site will be from Shirk Street, located on the east side of the Project boundary, and from Road 88, located on the west side of the Project boundary. The City General Plan Update indicates that Shirk Street adjacent to the Project is considered a Deferred Arterial that will eventually connect with a proposed upgraded interchange south of the Project on SR 198. The General Plan established LOS "D" as the minimum acceptable LOS standard on city roadways. Although Caltrans has not designated a LOS standard, Caltrans' Guide for the Preparation of Traffic Impact Studies (December 2002) indicates that when the LOS of a State highway facility falls below the LOS "C/D" in rural areas and the LOS "D/E" in urban areas, additional traffic may have a significant impact.

The following intersections were analyzed for this Project:

- Shirk Street / SR 198 EB Ramps
- Shirk Street / SR 198 WB Ramps
- Shirk Street / Hillsdale Avenue

- Shirk Street / School Avenue
- Shirk Street / Hurley Avenue
- Shirk Street / Allen Avenue (New Road)
- Shirk Street / Goshen Avenue
- Road 88 / Project Access
- Road 88 / Goshen Avenue

The Project trip generation and design hour volumes shown in Table 3.4.17-1 were estimated using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition.

**Table 3.4.17-1  
Project Estimated Trips**

Land Use	Units	ITE Land Use Code	Daily Trip Rate	Daily Trips	% AM Peak	% AM Inbound	% PM Peak	% PM Inbound	Peak Hour Trips			
									AM In	AM Out	PM In	PM Out
Single Family Housing	241	210	9.407	2,267	7.3%	26%	10.0%	63%	43	123	143	84
				<b>Total</b>					43	123	143	84
								<b>Total</b>	166		227	

Source: (VRPA Technologies, Inc., 2022b) Generation factors from ITE Trip Generation Manual, 11th Edition

The City adopted a threshold of LOS D for street segments and intersections. Table 3.4.17-2 illustrates the intersections within the scope of the study and indicates the anticipated Level of Service (LOS) prior to and with the addition of Project traffic. In addition to the analysis of the Project, there are several other development projects within the Project’s vicinity that will add additional trips to the study intersections and segments.

**Table 3.4.17-2  
Intersection Operations**

INTERSECTION	CONTROL	TARGET LOS	PEAK HOUR	OPENING YEAR WITHOUT PROJECT		OPENING YEAR PLUS PROJECT		5-YEAR HORIZON WITHOUT PROJECT		5-YEAR HORIZON PLUS PROJECT		10-YEAR HORIZON WITHOUT PROJECT		10-YEAR HORIZON PLUS PROJECT		20-YEAR HORIZON WITHOUT PROJECT		20-YEAR HORIZON PLUS PROJECT			
				DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS
1. Shirk Street / SR 198 EB Ramps	All-Way Stop Sign	-- <sup>1</sup>	AM	20.1	C	24.1	C	25.6	D	32.8	D	42.6	E	52.5	F	98.6	F	116.0	F		
			PM	26.2	D	34.8	D	27.7	D	49.1	E	57.7	F	62.7	F	130.3	F	148.3	F		
2. Shirk Street / SR 198 WB Ramps	All-Way Stop Sign	-- <sup>1</sup>	AM	64.7	F	95.1	F	96.3	F	127.0	F	138.4	F	169.9	F	239.8	F	275.0	F		
			PM	83.0	F	117.4	F	115.4	F	156.7	F	173.6	F	218.4	F	309.5	F	354.3	F		
3. Shirk Street / Hillsdale Avenue	One-Way Stop Sign	D	AM	92.4	F+	140.4	F+	157.9	F+	242.4	F+										
			PM	54.6	F+	79.0	F+	77.6	F+	121.9	F+										
4. Shirk Street / School Avenue	One-Way Stop Sign	D	AM	43.1	E+	54.3	F+	56.4	F+	74.5	F+										
			PM	34.8	D	44.6	E+	42.9	E+	56.4	F+										
5. Shirk Street / Hurley Avenue	Signalized	D	AM	18.7	B	19.7	B	21.3	C	22.4	C										
			PM	10.0	B	11.3	B	10.7	B	12.1	B										
6. Shirk Street / Allen Avenue	One-Way Stop Sign	D	AM			16.6	C			18.1	C										
			PM			16.5	C			18.0	C										
7. Shirk Street / Goshen Avenue	Signalized	D	AM	40.0	D	41.1	D	44.3	D	46.6	D										
			PM	34.4	C	41.9	D	38.0	D	49.0	D										

8. Road 88 / Project Access	One-Way Stop Sign	D	AM			8.5	A			8.5	A								
			PM			8.5	A			8.5	A								
9. Road 88 / Goshen Avenue	One-Way Stop Sign	D	AM	17.8	C	17.8	C	19.1	C	19.3	C								
			PM	17.9	C	17.9	C	19.6	C	20.1	C								

DELAY is measured in seconds. LOS = Level of Service / **BOLD** denotes LOS standard has been exceeded For s ignalized and all-way stop intersections, delay results show the average for the entire intersection. For one-way and two-way stop controlled intersections, delay results show the delay for the worst movement.

1 - With the changes brought about by SB 743, Caltrans no longer uses level of service to determine the need for transportation improvements . Instead, the focus is on providing adequate facilities for pedes trians, bicycles, and transit as well as safety considerations for all transportation modes . Guidance is provided in the Transportation Impact Study Guide dated May 20, 2020 and the Interim Land Development and O ntergovernmental Review Safety Review Practitioners Guidance dated July 2020. This guidance was us ed in determining the need for roadway improvements on Caltrans facilities.

+ Does not meet peak hour signal warrants. Provided for informational purposes only.

As shown above, three of the study intersections (Shirk Street at SR 198 EB Ramps / Shirk Street at SR 198 WB Ramps / Shirk Street at Hillsdale Avenue / Shirk Street at School Avenue) were found to exceed the City LOS threshold at the opening year and beyond.

The Project will generate approximately 2,267 ADT and will cause, in addition to other nearby developments, significant LOS impacts relating to the generation of unacceptable LOS at three intersections. Mitigation will be required to alleviate the LOS impacts caused by the Project and other proposed development in the area.

### ***Pro-Rate Fair Share of Future Transportation Improvements***

Based on the results of the capacity analysis and mitigation analysis, improvments are recommended on the Shirk Avenue intersections with the SR 198 Eastbound ramps and Shirk Avenue and Sr 198 Westbound ramps. Traffic signals as well as additional lanes are expected to be needed. Implementation of this level of improvements is beyond the scale of the proposed project and is recommended to be done by others. It is recomened that the Project contribute to the City of Visalia’s traffic impact fee program. Contribution of fees to this program will directly or indirectly contribute to the improvements described below as well as general roadway improvements on the City of Visalia.

**Table 3.4.17-3  
20-Year Horizon Equitable Share Responsibility**

INTERSECTION	PEAK HOUR	EXISTING	PROJECT TRIPS	20-YEAR HORIZON PLUS PROJECT	FAIR SHARE PERCENTAGE
Shirk Street / SR 198 EB Ramps	AM	1,136	77	2,037	8.5%
	PM	1,275	79	2,230	8.3%
Shirk Street / SR 198 WB Ramps	AM	1,519	122	2,773	9.7%
	PM	1,446	164	2,677	13.3%
Shirk Street / Hillsdale Avenue <sup>1</sup>	AM	1,362	122	1,871	24.0%
	PM	1,349	164	1,872	31.4%
Shirk Street / School Avenue <sup>1</sup>	AM	1,304	122	1,765	26.5%
	PM	1,277	164	1,738	35.6%

<sup>1</sup> - Provided for informational purposes only and based on 5-Year Horizon

The proposed Project will impact the existing transportation systems and will have an impact on the existing plans, ordinances, or policies related to the effectiveness or performance of the circulation system. Mitigation Measure MM TRA-1 requires the Project developer to pay their impact fees based on the cost to signalize three intersections and citywide improvements. With the implementation of the MM TRA-1, impacts will be less than significant.

#### **MITIGATION MEASURE(S)**

**TRA-1:** Prior to the issuance of building permits, the developer shall pay its pro-rata share for of the following intersections improvements:

a. Shirk Street at SR 198 EB Ramps:

5-Year With Project and 10-Year With and Without Project Horizon scenarios:

- Installation of traffic signal

20-Year With and Without Project Horizon scenarios:

- Install traffic signal
- Widen the eastbound approach to 1 left turn lane, 1 left-through lane, and 1 right turn lane (adding 1 left turn lane)

b. Shirk Street at SR 198 WB Ramps

Opening Year With and Without Project, 5-Year With and Without Project, and 10-Year Without Project Horizon scenarios:

- Installation of traffic signal

10-Year With Project and 20-Year With and Without Project Horizon scenarios:

- Intall traffic signal
- Widen the westbound approach to 1 left-through lane and 2 right turn lanes (adding 1 right turn lane)

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

**Impact #3.4.17b – Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b)?**

Under SB 743, vehicle miles traveled (VMT) is a key measure used for gauging the environmental impacts of projects under CEQA.

**VMT Analysis**

An assessment of potential VMT impacts associated with the Project was analyzed in the TIS to address changes in CEQA requirements. The VMT analysis compared the Project's expected VMT/capita to regional averages. The Project's VMT impacts will be considered less than significant if the VMT per capita is 16 percent below regional averages (or lower). The Tulare Council of Governments (TCAG) regional travel demand model was used in this calculation. The results are as follows:

- Project VMT/capita: 8.07
- Regional VMT/capita: 11.7

As discussed in Section 3.0 Impacts of the TIS, the potentially significant impacts resulting from the Project relate to the generation of unacceptable LOS at various intersections in the long term. Therefore, the Project's VMT impacts are less than significant.

**MITIGATION MEASURE(S)**

None are required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact.*

**Impact #3.4.17c – 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)?**

The Project will be designed to meet current standards and safety regulations. All intersections will be constructed to comply with the City and Caltrans regulations, and

design and safety standards of Chapter 33 of the California Building Codes (CBC) and the guidelines of Title 24 to create safe and accessible roadways.

Vehicles exiting the subdivision will be provided with a clear view of the roadway without obstructions. Landscaping associated with the entry driveways could impede such views if improperly installed. Specific circulation patterns and roadway designs will incorporate all applicable safety measures to ensure that hazardous design features or inadequate emergency access to the site or other areas surrounding the Project area would not occur.

Therefore, the Project will have a less-than-significant impact with the incorporated design features and all applicable rules and regulations.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.17d – Would the Project result in inadequate emergency access?**

See the discussion in Impact #3.4.9f

State and City Fire Codes establish standards by which emergency access may be determined. The proposed Project would have to provide adequate unobstructed space for fire trucks to turn around. The proposed Project site would have adequate internal circulation capacity, including entrance and exit routes to provide adequate unobstructed space for fire trucks and other emergency vehicles to gain access and to turn around. The proposed Project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. Therefore, the Project would result in a less-than-significant impact associated with emergency access.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

**3.4.18 - TRIBAL CULTURAL RESOURCES**

Would the Project:

a. 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:

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. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

**Discussion**

**Impact #3.4.18a(i) – 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)?**

Native American Tribal Consultation was completed for the Project in compliance with Assembly Bill 52 (AB 52), the California Environmental Quality Act (CEQA), and the Public

Resources Code. A Sacred Land Files search was requested from the Native American Heritage Commission (NAHC), and a response was received on August 30, 2021. As noted, the NAHC Sacred Lands File, results were negative and did not indicate the presence of any cultural places within the Project area.

As noted in Impact #3.4.5a-b, *Cultural Resources*, a cultural resources records search was conducted by the Southern San Joaquin Valley Information Center (SSJVIC), *National Register of Historic Places*, *California Points of Historical Interest*, *California Registry of Historic Resources*, *California Historical Landmarks*, and *California State Historic Resources Inventory* for the Project. It was noticed that there were no known cultural resources identified in the area.

Only one cultural resource property has been recorded within a half mile of the proposed project, the historic route of the Southern Pacific/San Joaquin Valley Railroad. The Project will not impact this cultural resource.

Although considered unlikely, since there is no indication of any tribal cultural resources on the Project site, subsurface construction activities associated with the proposed Project could potentially damage or destroy previously undiscovered tribal cultural resources. This is considered a potentially significant impact.

With implementation of mitigation measures CUL-1 and CUL-2, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources and therefore impacts would be considered less than significant.

**MITIGATION MEASURE(S)**

Implement MM CUL-1 and MM CUL-2

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

**Impact #3.4.18a(ii) – 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. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?**

See discussion in Section 3.4.5, *Cultural Resources* and Impact #3.4.1.18(i) above.

With implemented mitigation measures CUL-1 and CUL-2, the Project would not cause a substantial adverse changes in the significance of a tribal cultural resource. Therefore, impacts are considered less than significant with mitigation measures incorporated.

**MITIGATION MEASURE(S)**

Implement CUL-1 and CUL-2

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**3.4.19 - UTILITIES AND SERVICE SYSTEMS**

Would the Project:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Result in a determination by the wastewater treatment provider that serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion**

**Impact #3.4.19a – Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?**

The Project proposes to construct new wet and dry utility infrastructure to connect to the existing City and private service provider infrastructure. Services that will be installed during the construction of the Project include water, wastewater, storm drain drainage connections, natural gas, electric power, and telecommunications facilities. The proper sizing and placement of the utilities will be designed per the City and other utility

development design standards. All proposed wet infrastructure will be connected to existing infrastructure already located within the City road rights of way.

The General Plan identifies the existing sewer system lines, which indicates that the Project has the ability to expand on existing pipelines adjacent to the Project on the east side of North Shirk Street where there are single-family residences. It is noted that the storm drainage system lines also follow the existing sewer lines identified and are adjacent to the Project on North Shirk Street to the east.

New development has the potential to cause erosion sediment and surface water run-off that will enter the City's storm drainage system. As the City expands, more area is made impervious, and urban runoff increases. In order to minimize these impacts, General Plan policies focus on requiring future development projects to minimize runoff into the City's drainage system and establish development fees from development projects in order to pay for the construction and maintenance of the drainage system.

Southern California Edison provides electric service to Visalia residents. The electrical facilities network includes both overhead and underground lines, with new development required to install underground service lines. Natural gas service is primarily provided by the Southern California Gas Company. There are three major companies that provide communications services in Visalia: AT&T, Sprint, and Verizon. Comcast is the primary cable television and internet provider.

The City of Visalia provides refuse collection for residential customers and many commercial customers, and contracts with Sunset Waste Systems to provide recyclable material processing. The development of single-family residences will be serviced by Sunset Waste Systems.

The proposed Project would be subject to the payment of any applicable connection charges and/or fees and extension of services in a manner that is compliant with the Visalia standards, specifications, and policies. All applicable local, State, and federal requirements and best management practices will be incorporated into the construction and operation of the Project.

As part of the annexation process for the 40 of 50 acres currently located in unincorporated Tulare County, LAFCO will coordinate between urban growth management planning with public and private utilities to determine infrastructure needs, feasibility, timing, and financing. As previously stated, the Project is located within the City's General Plan's Tier 2 area identified for expanding urban development; therefore, the Project will have a less than significant impact with implementation of all required federal, State, and local requirements and standards for general utilities.

***MITIGATION MEASURE(S)***

None are required.

**LEVEL OF SIGNIFICANCE**

There would be a *less than significant impact*.

**Impact #3.4.19b – Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?**

See Impact #3.4.10b.

The groundwater supply is distributed by the California Water Service Company (Cal Water). Cal Water Visalia District supply wells extract groundwater from the Kaweah Groundwater Subbasin. 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 pipelined in the system, ranging from two inches in diameter to 12 inches in diameter. 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. In addition to the system serving the City of Visalia, Cal Water also operates three other small systems in the Visalia area, defined as Oak Ranch (wells with distribution pipeline), Post Mitts (two wells with distribution pipeline), and Fairway (well with distribution pipeline). These systems are within Cal Water’s Visalia District system but outside Visalia city limits (City of Visalia, 2014).

The system serves an estimated population of 147,000, which could grow to 226,850 by 2045, according to the adopted 2020 UWMP. Cal Water estimated that it was serving 45,325 residential, commercial, and industrial customers in 2020, with expected growth to 79,818 customers (households and businesses) by 2045. Therefore, impacts are considered to be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.19c – Would the Project result in a determination by the wastewater treatment provider that 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?**

The existing Waste Discharge Requirements placed on the City Water Conservation Plant (WCP) limit discharge to an average flow of 20 mgd and require that the ammonia concentration in the discharge be reduced to 0.025 mg/l by 2011. The certified EIR for the WCP analyzed impacts for average flow volumes of 22 mgd and 26 mgd (City of Visalia, 2014).

With the proposed upgrades to the plant processing capabilities and the rerouting of the discharge stream away from Mill Creek, the WCP has sufficient capacity to process the expected flows from land use classifications noted in the proposed General Plan for the near future and would expand its treatment capacity as the need dictates. The projected sanitary sewer flows entering the WCP at the proposed General Plan buildout (25,034,050 gpd in 2030) is expected to be less than the volume previously anticipated for the SWMP (25,949,996 gpd in 2030), meaning further expansions could be delayed. In 2014, the WCP was upgraded to provide the ability to increase capacity to 26 mgd as the demand increases. Additional mandated water conservation measures will likely cause reductions in average daily flows to the WCP. This will also help delay the need for future expansions of the Water Conservation Plant and give the City more flexibility in determining the types of development that are appropriate.

Expansion at the outer rings of the development boundaries will not cause significant impacts to the sewer system since the majority of the area was included in the WCP Solid Waste Master Plan. Thus, the inclusion of the Project's requirement to account for its impacts on the City's wastewater system and development impact fees will reduce the overall impact the Project may cause. The impact will be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.19d – 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?**

The Tulare County Resource Management Agency manages solid waste disposal in accordance with the Tulare County Integrated Waste Management Plan. The County landfills accumulate approximately 300,000 tons of waste per year, which is equivalent to about five pounds per person per day or one ton per County resident per year. The County operates three disposal sites: the Visalia Disposal Site, northwest of Visalia; the Woodville Disposal Site, southeast of Tulare; and the Teapot Dome Disposal Site, southwest of Porterville (City of Visalia, 2014). The City operates its own solid waste disposal fleet.

The California Department of Resources Recycling and Recovery's Solid Waste Information System (SWIS) manages information regarding the operations and disposal of all solid waste sites throughout California. According to the SWIS database, the Teapot and Visalia Landfills are operationally active. However, the Woodville landfill is operationally inactive (California Department of Resources Recycling and Recovery, 2022). The City will require the appropriate solid waste receptacles (compliance with the California Solid Waste Reuse and Recycling Access Act of 1991) to be provided to the Project. In addition, the Project will be

required to pay solid waste development impact fees, thus reducing the perceived impact the Project may generate. The impact will be less than significant.

The Project does not and would not conflict with federal, State, or local regulations related to solid waste. The proposed Project would be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs in compliance with federal, State, and local statutes and regulations related to solid waste.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.19e – Would the Project comply with federal, state, and local statutes and regulations related to solid waste?**

See Impact #3.4.19d, above.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**3.4.20 - WILDFIRE**

Would the Project:

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

**Discussion**

**Impact #3.4.20a – Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?**

Access for emergency vehicles to the site would be maintained throughout the construction period. The Project would not interfere with any local or regional emergency response or evacuation plans and would not result in a substantial alteration to the adjacent and area circulation system. The City has established emergency response and evacuation plans based on the Tulare Emergency Operations Plan. Impacts related to fire hazards and emergency response plans would be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.20b – 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?**

The potential for fire hazard is largely dependent on the extent and type of vegetation, known as surface fuels, that exists within the region. Fire hazards probability is typically highest in undeveloped, heavily wooded areas, as trees are a greater source of fuel rather than low-lying brush or grassland (City of Visalia, 2014).

The City General Plan indicates that a few very small portions of the City are classified by the California Department of Forestry and Fire Protection (CDF) as having moderate fire hazards. In general, the threat of wildland fires in Visalia is minimal because of the area's flat topography and the relative absence of forests, grassland, and brush. In addition, the CDF designates the Project site as non-wildland/non-urban and adjacent to the urban unzoned area.

In addition, the City requires that any construction comply with the Uniform Fire Code provisions and is subject to review and approval by the City's Fire Department. Therefore, the impacts related to the Project are considered less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.20c – 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?**

See discussion in Impact #3.4.20a-b.

The Project proposes to construct 241 single-family residences and includes the development of infrastructure (water, sewer, electrical power lines, and storm drainage) required to support the proposed residential uses. The Project site is surrounded by existing and future urban development.

The Project would require installing or maintaining additional electrical distribution lines and natural gas lines to connect the residences to the existing utility grid. However, the Project would be constructed in accordance with all local, State, and federal regulations

regarding power lines and other related infrastructure, as well as fire suppression requirements. The design of all proposed utilities will be subject to the review and approval of the City. This will ensure the viability of the utility infrastructure's ability for fire protection and suppression activities. Therefore, impacts for the Project would be considered as less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.20d – 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?**

The topography of the site and surrounding area is relatively flat with little topographic variation and no water features are present within the vicinity of the Project area, noting that the Mill Creek Ditch runs south of the property and is used for agricultural purposes not related to the Project. The surrounding area is predominantly developed with agricultural, residential, and industrial uses. Therefore, there is minimal risk of landslides.

The Project area is located in both a 1% Annual Change of Flood Hazard Zone and 0.2% Annual Chance of Flood Hazard Zone as determined by the Federal Emergency Management Agency (FEMA) Flood Maps and is further surrounded by properties that are identified as an Area of Minimal Flood Hazard. As the Project is a relatively flat area and is not located near a water feature, impacts would be considered as less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

### 3.4.21 - MANDATORY FINDINGS OF SIGNIFICANCE

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Does the Project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are significant when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects.)   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Does the Project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

### Discussion

**Impact #3.4.21a – Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?**

The Project may have the potential to impact biological and cultural resources as identified in this initial study; however, with implementation of the below mitigation measures, BIO-1 through BIO-8, CUL-1 and CUL-2, the Project impacts would be reduced to less than significant.

**MITIGATION MEASURE(S)**

Implement mitigation measures BIO 1 through BIO-8, CUL 1 and CUL-2.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

**Impact #3.4.21b - Does the Project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a Project are significant when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects.)?**

The Project may have cumulatively considerable impacts related to biological resources, cultural resources, geological resources, noise, and traffic, as identified in this initial study; however, with implementation of Mitigation Measures BIO-1 through BIO-7, CUL-1, CUL-2, GEO-1, GEO-2, NSE-1, NSE-2 and TRA-1, the Project impacts would be reduced to less than significant.

**MITIGATION MEASURE(S)**

Implement mitigation measures BIO-1 through BIO-7, CUL-1, CUL-2, GEO-1, GEO-2, NSE-1, NSE-2 and TRA-1.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

**Impact #3.4.21c - Does the Project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?**

The Project may have the potential to adversely impact human beings related to biological resources, cultural resources, geological resources, noise, and traffic; however, with implementation of the below Mitigation measures BIO-1 through BIO-7, CUL-1, CUL-2, GEO-1, GEO-2, NSE-1, and TRA-1 the Project impacts would be reduced to less than significant.

**MITIGATION MEASURE(S)**

Implement mitigation measures BIO-1 through BIO-7, CUL-1, CUL-2, GEO-1, GEO-2, NSE-1, TRA-1.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

## **SECTION 4 - LIST OF PREPARERS**

### ***4.1 - Lead Agency***

- City of Visalia

### ***4.2 - QK Inc.***

- Jaymie Brauer – Project Manager
- Kristin Pittack – Lead Author

**SECTION 5 - BIBLIOGRAPHY**

- Bollard Acoustical Consultants, Inc. (2021). *Environmental Noise & Vibration Assessment for Shepherds Ranch I & II*. Visalia.
- California Department of Conservation. (2021, October). *Farmland Mapping and Monitoring Program*. Retrieved from <https://maps.conservation.ca.gov/dlrp/ciff/>
- California Department of Fish and Wildlife. (2022). Retrieved from BIOS Map Viewer: <https://www.wildlife.ca.gov/Data/BIOS/Citing-BIOS>
- California Department of Resources Recycling and Recovery. (2022, Jan 1). *CalRecycle*. Retrieved from <https://www2.calrecycle.ca.gov/SolidWaste/Site/Search>
- California Water Service. (2022). *UWMP Standardized Tables Visalia District 2015 Urban Water Management Plan, Appendix H*. Retrieved from CalWater.com: [https://www.calwater.com/docs/uwmp2015/vis/Appendix\\_H\\_-\\_DWR\\_UWMP\\_Tables\\_Worksheets.pdf](https://www.calwater.com/docs/uwmp2015/vis/Appendix_H_-_DWR_UWMP_Tables_Worksheets.pdf)
- California Water Service. (2022). *UWMP Standardized Tables Visalia District 2015 Urban Water Management Plan, Appendix H*. Retrieved from CalWater.com: [https://www.calwater.com/docs/uwmp2015/vis/Appendix\\_H\\_-\\_DWR\\_UWMP\\_Tables\\_Worksheets.pdf](https://www.calwater.com/docs/uwmp2015/vis/Appendix_H_-_DWR_UWMP_Tables_Worksheets.pdf)
- City of Visalia. (2014, January). *General Plan Environmental Impact Report*. Retrieved from <https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=30499>
- City of Visalia. (2014). *Visalia General Plan Update*.
- City of Visalia. (2021). *Addendum to the City of Visalia 2030 General Plan Environmental Impact Report (SCH No. 2010041078) for General Plan Amendment No. 2021-01*. Visalia: Provost & Pritchard.
- City of Visalia. (2022, January). *City of Visalia General Plan - Safety Element*. Retrieved from <https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=30480>
- Department of Conservation. (2022, January 1). *Division of Oil, Gas, and Geothermal Resource*. Retrieved from <https://maps.conservation.ca.gov/doggr/wellfinder/#/-119.30129/36.36088/14>
- Department of Conservation. (2022, January 1). *SMARA mapping tool*. Retrieved from <https://maps.conservation.ca.gov/mol/index.html>
- Department of Toxic Substances Control. (2022). *EnviroStor*. Retrieved from <https://dtsc.ca.gov/your-envirostor/>
- QK, Inc. (2021a). *Biological Assessment Report*.

QK, Inc. (2021b). *Cultural Resources Technical Memorandum*.

Tulare County. (2012). *Tulare County Airport Land Use Compatability Plan*.

U.S. Census Bureau. (2022). *U.S. Census Bureau QuickFacts*. Retrieved from QuickFacts Visalia City, California: <https://www.census.gov/quickfacts/visaliacitycalifornia>

Visalia Unified School District. (2022). *Visalia Unified School District Annual Report: Public Report of Capital Facilities Fees FY 2020-2021*. Retrieved from <https://www.vusd.org/site/handlers/filedownload.ashx?moduleinstanceid=24&dataid=90515&FileName=Annual%20Developer%20Fee%20Report%20FY2020-2021.pdf>

Visalia Unified School District. (2022). *Visalia Unified School District Developer Fees*. Retrieved from <https://www.vusd.org/Page/241>

VRPA Technologies, Inc. (2021). *Shepherds Ranch Development Air Quality & Greenhouse Gas Impact Assessment*.

VRPA Technologies, Inc. (2021a). *Shepherds Ranch Residential Development Traffic Impact Study*.

VRPA Technologies, Inc. (2022b). *Shepherds Ranch Development Traffic Impact Study*.

**APPENDIX A**  
**MITIGATION MONITORING AND REPORTING PROGRAM**

## MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p><b>BIO-1:</b> Within 14 days prior to the start of Project ground-disturbing activities, a pre-activity survey with a 500-foot buffer, where land access is permitted, shall be conducted by a qualified biologist knowledgeable in the identification of these species and approved by the California Department of Fish and Wildlife (CDFW). If dens/burrows that could support any of these species are discovered during the pre-activity survey, the avoidance buffers outlined below shall be established. No work shall occur within these buffers unless the biologist approves and monitors the activity. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.</p> <p>Burrowing Owl (active burrows)</p> <ul style="list-style-type: none"> <li>• Non-breeding season: September 1 – January 31 – 160 feet</li> <li>• Breeding season: February 1 – August 31 – 250 feet</li> </ul> <p>American Badger/SJKF</p> <ul style="list-style-type: none"> <li>• Potential or Atypical den – 50 feet</li> <li>• Known den – 100 feet</li> <li>• Natal Den –Contact CDFW for consultation</li> </ul>	<p>Within 14 days prior to the start of Project ground-disturbance activities</p>	<p>Contractor/Lead Agency</p>		
<p><b>BIO-2:</b> A qualified biologist shall remain on-call throughout the construction phase if a burrowing owl,</p>	<p>Throughout Project ground-</p>	<p>Contractor</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>American badger, or San Joaquin kit fox occurs on the site during construction. If one of these species occurs on-site, the biologist shall be contacted immediately to determine whether biological monitoring or the implementation of avoidance buffers may be warranted.</p>	<p>disturbance activities</p>			
<p><b>BIO-3:</b> The following avoidance and minimization measures shall be implemented during all phases of the Project to reduce the potential for impact from the Project. They are modified from the U.S. Fish and Wildlife Service (USFWS) <i>Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance</i>.</p> <ul style="list-style-type: none"> <li>a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction or Project Site.</li> <li>b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds shall not exceed 20 miles per hour (mph) within the Project Site.</li> </ul>	<p>Throughout Project ground-disturbance activities</p>	<p>Contractor</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the Project Site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted, and USFWS and California Department of Fish and Wildlife (CDFW) shall be consulted.</p> <p>d. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or</p>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall 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 shall not be moved until the USFWS and CDFW have 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.</p>				
<p>e. No pets, such as dogs or cats, shall be permitted on the Project Sites to prevent harassment, mortality of kit foxes, or destruction of dens.</p>				
<p>f. Use of anti-coagulant rodenticides and herbicides in Project Sites shall 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 shall observe labels and other restrictions</p>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>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 USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.</p>				
<p>g. 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 shall be identified during the employee education program, and their name and telephone number shall be provided to the USFWS.</p>				
<p>h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to an SJKF during Project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead</p>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and R4CESA@wildlifeca.gov.</p>				
<p>i. All sightings of the SJKF shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.</p>				
<p>j. Any Project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone: (916) 414-6620 or (916) 414-6600.</p>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
k. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.				
<p><b>BIO-4:</b> If Project construction activities occur during the Swainson's hawk nesting season (February 15 to August 31), pre-construction activity surveys shall be conducted over the Project area and within 0.5-mile for Swainson's hawk nests in accordance with the <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley</i>, Swainson's Hawk Technical Advisory Committee. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.</p>	<p>14 days prior to any Project ground-disturbance activities occurring during nesting season (February 1 to September 15)</p>	<p>Contractor/Lead Agency</p>		
<p><b>BIO-5:</b> If an active Swainson's hawk nest is discovered at any time within 0.5-mile of active construction, a qualified biologist shall complete an assessment of the potential for current construction activities to impact the nest. The assessment would consider the type of construction activities, the location of construction relative to the nest, the visibility of construction activities from the nest location, and other existing disturbances in the area that are not related to the construction activities of this Project. Based on this assessment, the biologist will determine if construction activities can proceed and the level of nest monitoring required. Construction activities shall</p>	<p>Throughout Project ground-disturbance activities</p>	<p>Contractor</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>not occur within 500 feet of an active nest but depending upon conditions at the site, this distance may be reduced. Full-time monitoring to evaluate the effects of construction activities on nesting Swainson's hawks may be required. The qualified biologist shall have the authority to stop work if it is determined that Project construction is disturbing the nest. These buffers may need to increase depending on the sensitivity of the nesting Swainson's hawk to disturbances and at the discretion of the qualified biologist.</p>				
<p><b>BIO-6:</b> If Project construction activities are initiated during the nesting season (February 1 to September 15), a pre-activity nesting bird survey shall be conducted within 14 days prior to the start of construction. The surveys shall encompass the Project footprint and accessible areas or land visible from accessible areas within a 250-foot buffer for songbirds and a 500-foot buffer for raptors. If no active nests are found, no further action is required. However, existing nests may become active, and new nests may be built at any time prior to and throughout the nesting season, including when construction activities are in progress.</p>	<p>14 days prior to any Project ground-disturbance activities occurring during nesting season (February 1 to September 15)</p>	<p>Contractor/Lead Agency</p>		
<p>If active nests are found during the survey or at any time during construction of the Project, an avoidance buffer ranging from 50 feet to 500 feet may be required, with the avoidance buffer from any specific nest being determined by a qualified biologist. The avoidance buffer will remain in place until the biologist</p>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>has determined that the young are no longer reliant on the adults or the nest, or if breeding attempts have otherwise been unsuccessful. Work may occur within the avoidance buffer under the approval and guidance of the biologist, but full-time monitoring may be required. The biologist shall have the ability to stop construction if nesting adults show any sign of distress. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.</p>				
<p><b>BIO-7:</b> Within 14 days prior to the start of ground disturbance activities, a pre-activity survey shall be conducted by a qualified biologist knowledgeable in the identification of all special-status plant and wildlife species with the potential to occur in the vicinity of the Project. All suitable burrows that could support special-status kangaroo rats, Tulare grasshopper mouse, or other special-status wildlife species shall be avoided during construction in accordance with BIO-5 and BIO-6 unless verification surveys have indicated that the species are not present. Consultation with the USFWS and CDFW may be required if listed or fully protected species are detected during the survey. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.</p>	<p>Within 14 days prior to the start of Project ground-disturbance activities</p>	<p>Contractor/Lead Agency</p>		
<p><b>BIO-8:</b> Prior to the initiation of construction activities, all construction personnel shall attend a Worker Environmental Awareness Training program developed by a qualified biologist. Any personnel</p>	<p>Prior to any Project ground-disturbance activities</p>	<p>Contractor/Lead Agency</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>associated with the construction that did not attend the initial training shall be trained by the authorized biologist prior to working on the project site. Any employee responsible for the operations and maintenance or decommissioning of the project facilities shall also attend the Worker Environmental Awareness Training program prior to starting work on the project and on an annual basis. The Program shall be developed and presented by the project qualified biologist(s) or designee approved by the qualified biologist(s). The program shall include information on the life histories of special-status species with the potential to occur on the Project, their legal status, course of action should these species be encountered on-site, and avoidance and minimization measures to protect these species. It shall include the components described below:</p>				
<p>a. Information on the life history and identification of special-status species that may occur or that may be affected by Project activities. The program shall also discuss the legal protection status of each such species, the definition of “take” under the Federal Endangered Species Act and California Endangered Species Act, measures the Project proponent/operator shall implement to protect the species, reporting requirements, specific measures for workers to avoid take of special-status plant and wildlife species, and penalties for violation of the requirements</p>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>outlined in the California Environmental Quality Act mitigation measures and agency permit requirements.</p>				
<p>b. An acknowledgment form signed by each worker indicating that the Worker Environmental Awareness Training and Education Program has been completed shall be kept on file at the construction site. A copy of the acknowledgment form shall be submitted to the lead agency as evidence of compliance.</p>				
<p>c. A copy of the training transcript and/or training video, as well as a list of the names of all personnel who attended the Worker Environmental Awareness Training and Education Program, and signed acknowledgment forms, shall be submitted to the City of Tulare Planning Department.</p>				
<p>d. A copy of the training transcript, training video, or informational binder for specific procedures shall be kept available for all personnel to review and be familiar with, as necessary.</p>				
<p>e. A sticker shall be placed on hard hats indicating that the worker has completed the Worker Environmental Awareness Training and Education Program. Construction workers shall not be permitted to operate equipment within the construction areas unless they have</p>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>attended the Worker Environmental Awareness Training and Education Program and are wearing hard hats with the required sticker.</p> <p>The construction crews and contractor(s) shall be responsible for preventing unauthorized impacts from project activities to sensitive biological resources that are outside the areas defined as subject to impacts by Project permits. Unauthorized impacts may result in project stoppage, and/or fines depending on the impact and coordination with the California Department of Fish and Wildlife and/or U.S. Fish and Wildlife Service.</p>	<p>Throughout Project ground-disturbance activities</p>	<p>Contractor</p>		
<p><b>CUL-1:</b> If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data</p>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>recovery excavation. Implementation of the mitigation measure below would ensure that the proposed Project would not cause a substantial adverse change in the significance of a historical resource.</p>				
<p><b>CUL-2:</b> If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of a discovery of human remains, at the direction of the county coroner.</p>	<p>Throughout Project ground-disturbance activities</p>	<p>Contractor</p>		
<p><b>MM GEO-1:</b> Prior to issuing of grading or building permits, if required, (a) the Project applicant shall submit to the Lead Agency (1) the approved Storm Water Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts.</p>	<p>Prior to issuance of grading or building permits and initial ground disturbance activities</p>	<p>Contractor/Lead Agency</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>Recommended best management practices for the construction phase may include the following:</p> <ul style="list-style-type: none"> <li>• Stockpiling and disposing of demolition debris, concrete, and soil properly.</li> <li>• Protecting existing storm drain inlets and stabilizing disturbed areas.</li> <li>• Implementing erosion controls.</li> <li>• Properly managing construction materials.</li> <li>• Managing waste, aggressively controlling litter, and implementing sediment controls.</li> </ul>	<p>Evidence of the approved SWPPP shall be submitted to the Lead Agency.</p>	<p><b>MM GEO-2:</b> Prior to any ground-disturbing activities, the Project owner shall develop and implement a Paleontological Worker Education and Awareness Program. If paleontological resources are discovered during ground-disturbing activities (e.g., during Project construction or decommissioning), all earthwork or other types of ground disturbance within 50 feet of the find shall stop immediately until a qualified professional paleontologist (meeting the standards of the Society of Vertebrate Paleontology [SVP]) can assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue or recommend salvage and recovery of the fossil. The paleontologist may also propose modifications to the stop-work radius based on the</p>	<p>Prior to issuance of grading or building permits and during construction activities</p>	<p>Contractor/Lead Agency</p>

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>nature of the find, site geology, and the activities occurring on the site. If treatment and salvage are required, recommendations will be consistent with the Society of Vertebrate Paleontology standards that are current as of the discovery and with currently accepted scientific practice.</p>				
<p><b>NSE-1:</b> The Project developer or contractor shall continuously comply with the following measures throughout construction activities:</p> <ul style="list-style-type: none"> <li>a. Pursuant to Visalia Municipal Code Section 8.36.050(C), the operation of construction equipment including jackhammers, portable generators, pneumatic equipment, trenchers, or other such equipment shall not be operated on the project site 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.</li> <li>b. All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with manufacturers-recommended mufflers and be maintained in good working condition.</li> <li>c. All mobile or fixed noise-producing equipment used on the project site that is regulated for noise output by a federal, State, or local agency</li> </ul>	<p>Throughout Project ground-disturbance activities</p>	<p>Contractor</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>shall comply with such regulations while in the course of project construction activity.</p> <p>d. Electrically powered equipment shall be used instead of pneumatic or internal combustion-powered equipment, where feasible.</p> <p>e. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors.</p> <p>f. Project area and site access road speed limits shall be established and enforced during the construction period.</p> <p>g. Nearby residences shall be notified of construction schedules so that arrangements can be made, if desired, to limit their exposure to short-term increases in ambient noise levels.</p>				
<p><b>NSE-2:</b> Prior to final map recordation, the Developer shall record a covenant on all lots to disclose noise exposure from the stationary industrial equipment adjacent to the Project site. The covenant will ensure future residential property owners are notified of the potential noise impacts as follows:</p>	<p>Prior to final map recordation</p>	<p>Lead Agency</p>		
<p><i>“Property owner(s) of lots within the Shepherds Ranch I / Shepherds Ranch II Project are hereby notified that noise levels from adjacent industrial operations may exceed the</i></p>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p><i>City of Visalia 2030 General Plan and Municipal Code daytime and nighttime noise level standards of 50 dB Leq/L50 and 45 dB Leq/L50, respectively.”</i></p>				
<p><b>TRA-1:</b> Prior to the issuance of building permits, the developer shall pay its pro-rata share for of the following intersections improvements:</p>	<p>Prior to the issuance of grading or building permits</p>	<p>Contractor/Lead Agency</p>		
<p>a. Shirk Street at SR 198 EB Ramps:</p>				
<p>5-Year With Project and 10-Year With and Without Project Horizon scenarios:</p>				
<ul style="list-style-type: none"> <li>• Installation of traffic signal</li> </ul>				
<p>20-Year With and Without Project Horizon scenarios:</p>				
<ul style="list-style-type: none"> <li>• Install traffic signal</li> <li>• Widen the eastbound approach to 1 left turn lane, 1 left-through lane, and 1 right turn lane (adding 1 left turn lane)</li> </ul>				
<p>b. Shirk Street at SR 198 WB Ramps</p>				
<p>Opening Year With and Without Project, 5-Year With and Without Project, and 10-Year Without Project Horizon scenarios:</p>				
<ul style="list-style-type: none"> <li>• Installation of traffic signal</li> </ul>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>10-Year With Project and 20-Year With and Without Project Horizon scenarios:</p> <ul style="list-style-type: none"> <li>• Intall traffic signal</li> </ul> <p>Widen the westbound approach to 1 left-through lane and 2 right turn lanes (adding 1 right turn lane)</p>				

**APPENDIX B**  
**AIR QUALITY & GREENHOUSE GAS IMPACT ASSESSMENT**

**APPENDIX C**  
**BIOLOGICAL ANALYSIS REPORT**

**APPENDIX D**  
**CULTURAL RESOURCES TECHNICAL MEMORANDUM**

**APPENDIX E**  
**NOISE STUDY**

**APPENDIX F**  
**TRAFFIC IMPACT STUDY**