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RESOURCE MANAGEMENT AGENCY
COUNTY OF TULARE
PLANNING COMMISSION SUMMARY

PLANNING COMMISSION

CHAIRMAN: Wayne O. Millies
VICE-CHAIR: Bill Whitlatch
COMMISSIONERS:
Steve Pearson
John Elliott
Ed Dias
Vacancy
Maria McElroy
Gil Aguilar
AIRPORT LAND USE COMMISSIONERS (ALUC)
Bill Whitlatch
Steve Dwelle

Project Number(s): 2019 Lemon Cove Community Plan General Plan Amendment GPA 17-007 – 2019 Lemon Cove Community Plan Change of Zone PZC 19-016 Mixed-Use Combining Zone (Section 18.9) PZC 19-017 By-Right Uses (Section 16) PZC 17-007 Zoning District Ordinance Map (Rezoning Plan)	**Agenda Date:**	**December 11, 2019**
Applicant: TC Board of Supervisors	**Agenda Item Number:**	
Agent: N/A	**AGENDA ITEM TYPE**	
Subject: Recommendations to the Board of Supervisors: Planning Commission Public Hearing on the Proposed Lemon Cove Community Plan, and Proposed Zone Changes. **Exceptions:** N/A **Waiver:** N/A **Environmental Review:** IS/MND & MMRP	Presentation	
	Consent Calendar	
	Unfinished Business	
	New Business	
	Public Hearing	X
	Continued Public Hearing	
	Discussion	
	ACTION REQUESTED	
	Resolution – Board of Supervisors	
Motion(s): 5 Motions to Recommend Approval	Resolution(s) – Planning Commission	X
Contact Person: Aaron R. Bock and Dave Bryant	Decision - Director	

RECOMMENDATION(S):

That the Planning Commission:

1. Hold a Public Hearing;
2. Receive a Staff Presentation on the Proposed 2019 Lemon Cove Community Plan, Proposed Zone Changes and Proposed Initial Study/Mitigated Negative Declaration (IS/MND) and Reporting Program (MMRP);
3. Open the Public Hearing and receive public comment regarding the Proposed 2019 Lemon Cove Community Plan, Proposed Zoning Ordinance Amendments and the Proposed Initial Study/Mitigated Negative Declaration (IS/MND) and Reporting Program (MMRP);
4. Close the Public Hearing and approve, by separate motion, the following Planning Commission recommendations to the Board of Supervisors:
    A. Certification and adoption of the Initial Study/Mitigated Negative Declaration (IS/MND), under the California Environmental Quality Act

(CEQA), and the Mitigation Monitoring and Reporting Program (MMRP) for the 2019 Lemon Cove Community Plan (SCH #2019119031);

B. Adoption of General Plan Amendment No. GPA 17-007 for the 2019 Lemon Cove Community Plan;

C. Amendment to Section 18.9 of Ordinance No.352, the Zoning Ordinance, to establish a Mixed-Use Combining Zone, No. PZC 19-016, within the Lemon Cove Urban Development Boundary (UDB);

D. Amendment to Section 16 of Ordinance No. 352, the Zoning Ordinance, to allow additional by-right uses, No. PZC 19-017, within the Lemon Cove Urban Development Boundary (UDB);

E. Amendment to Ordinance No. 352, the Zoning Ordinance, as set forth in the Zoning District Ordinance Maps, No. PZC 17-007, for Lemon Cove, consistent with the 2019 Lemon Cove Community Plan to rezone certain properties within Lemon Cove.

PLANNING COMMISSION ALTERNATIVES:

Alternative No. 1: Move to recommend approval, subject to modifications as discussed by the Planning Commission.

Alternative No. 2: Move to recommend denial.

Alternative No. 3: Refer back to Staff for further study and report.

ENVIRONMENTAL SUMMARY:

Lemon Cove - GPA 17-007, PZC 19-016, PZC 19-017, and PZC 17-007 - An Initial Study and Mitigated Negative Declaration (IS/MND) have been approved for this project by the Environmental Assessment Officer indicating 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 or agreed to by the project proponent **(See Attachment No. 1 Exhibits A and B – IS/MND)**. Eighteen (18) Mitigation Measures have been included and are represented as findings in the CEQA Resolution and will be implemented at the building permit stage. The IS/MND, State Clearinghouse Number (SCH #2019119031), was circulated for responsible agency and public comment commencing November 8, 2019 and ending on December 9, 2019.

PROJECT SUMMARY:

Community Plans are the blueprint for guiding growth and development in a community. They reflect the communities' desires for their neighborhoods and designate land for the range of uses needed in a community, including housing, jobs, transportation and amenities.

The Tulare County Board of Supervisors, on April 4, 2017, approved a General Plan Initiation (GPI 17-001) for the Lemon Cove Community Plan (Resolution Number 2017-0222). The Initial Study/Mitigated Negative Declaration (IS/MND) can be found on the Tulare County Web Site:https://tularecounty.ca.gov/rma/index.cfm/planning-building/environmental-planning/mitigated-negative-declarations/lemon-cove-community-plan-2019/

Community Outreach:

The purpose of public workshops or community meetings is to engage in discussions with local residents and business owners regarding specific topics. Formal meetings were held at the local school, public utility district, and town council forums. Informal meetings were conducted with individual business owners or property owners associated to specific concerns or issues. Publicity for meetings times and locations generally consisted of newspaper releases, local newsletter informational items, handing out bi-lingual fliers at schools and posting fliers at various locations in the community. There have been over six (6) public meetings held in Lemon Cove regarding the 2019 Lemon Cove Community Plan.

Lemon Cove Community Concerns

1) Alleys within the community contain overgrown vegetation, specifically that alley behind the post office. Who is responsible to clean up the alleys?

2) Community members expressed concerns with regards to homeowners building their fences on County rights-of-way along the alleys.

UPDATE: Staff has investigated and the project is currently out to bid. The project will include removal of some trees along the property line which should alleviate most of the issues in the alley way.

3) Community members expressed concern regarding a missing street sign at SR198/Pogue Avenue.

UPDATE: The street sign for SR 198/Pogue Avenue has been reattached to the stop sign post as per County Engineering Staff.

4) Residents of the community were concerned about the Phasing for Complete Streets. The community felt Phase 3, being a residential area, should be improved before Phase 2.

UPDATE: Addressing the importance of Phase 3 (residential area) to the community, Phase 2 and Phase 3 would be combined into one Phase (Phase 2). In addition, the north alignment of Phase 2 would continue along State Route 198 instead of being along proposed Road 244.

5) Residents of the community would like the horizontal alignment of State Route 198 straightened through Lemon Cove including concerns regarding traffic speed and proposed a northbound left turn lane on SR 198 to Avenue 324.

UPDATE: The SR 198 2016 Transportation Concept Report indicates that the year 2040 Transportation Concept for SR 198 in Lemon Cove is a two-lane conventional facility with operational improvements 2C(I). The 2040 concept level LOS is C and D through the proposed Lemon Cove UDB, which meets the General Plan minimum LOS D standard. The 20-25 Year System Operations and Management Concept includes construction of shoulders, upgrade/install guardrails, CAPM, and highway advisory radio. The 20-25 Facility Concept includes operational improvements, construction of shoulders, upgrade/install guardrails, CAPM, and highway advisory radio.

6) Residents expressed interest in maintaining the existing residential zoning between Road 244 and State Route 198.

UPDATE: Existing Residential zoning is substantially maintained in the proposed zoning plan.

Tulare County Resource Management Agency Community Outreach

Lemon Cove Sanitary District meetings:

- August 6, 2019
- September 3, 2019
- October 1, 2019
- November 5, 2019
- December 3, 2019

Sequoia Union School District Board meeting:

- September 12, 2019

Community Outreach Workshop (Sequoia Union School):

- November 7, 2019

County Staff, in conjunction with Sequoia Union School District held a community input workshop for residents of Lemon Cove, which was held on November 7, 2019, at 6:00 p.m. Prior to the meeting, the Sequoia Union School staff handed out bi-lingual fliers (announcing the community meeting). County staff also posted fliers at the Lemon Cove Post Office, Lemon Cove Fire Station, and several businesses in Lemon Cove. The meeting was held in the cafeteria of the Sequoia Union School located at 23958 Avenue 324, Lemon Cove, California. Tulare County Resource Management Agency provided one translator at the meeting.

The Proposed 2019 Lemon Cove Community Plan is consistent with the Tulare County General Plan 2030 Update (2012) and will include the following primary goals and objectives:

1) Land Use and Environmental Planning - Promote development within planning areas next to the Regional SR 198 Corridor in order to implement the following General Plan goals:
   - Ensure that the text and mapping of the Community Plan Designations and Zoning Reclassifications address various development matters, such as encouraging Agricultural Adaptive Reuse activities, recognizing Non-Conforming Use activities, and facilitating Ministerial Permit approvals;
   - Encourage infill development within Urban Development Boundaries, thereby discouraging leapfrog development within Tulare County;
   - Reduce development pressure on agriculturally designated lands within the Valley Floor, thereby encouraging agricultural production to flourish;
   - Reduce vehicle miles travelled throughout the County, thereby positively affecting air quality and greenhouse gas reduction; and
   - Help to improve the circulation and transit transportation system within this community, including, but not limited to, laying the groundwork for the construction of key projects such as Safe Routes to Schools, Complete Streets, and Bike Lanes/Pedestrian Paths.

2) Improvements for a "disadvantaged community" - It is expected that the community planning areas will be improved for the following reasons:
   - With faster project processing resulting from an updated community plan, increased employment opportunities are more likely to be provided by the private sector as proposed project developments can be approved as expeditiously as possible;
   - Increased housing grant awards are more likely to occur based on updated community plans that are consistent with the policies of the General Plan 2030 Update (August 2012) and the recently adopted Housing Element 2015 Update (November 2015); and
   - With updated community plans, enhanced infrastructure grant awards are more likely, thereby providing access to funding to install or upgrade road, water, wastewater, and storm water facilities.

3) Strengthening Relationship with TCAG - An important benefit of this expedited community plan process will be the opportunity for RMA to strengthen the County's relationship with the Tulare County Association of Governments (TCAG) in that this and other community plans will help to facilitate the funding and implementation of several key transportation programs, such as Safe Routes to Schools, Complete Streets, and Bike/Pedestrian Projects.

   By pursuing these transportation programs through a heightened collaborative process, the likelihood of getting actual projects in the ground will be realized faster than historically achieved. In doing so, these communities and others can become safer and healthier by providing a more efficient transportation network.

General Plan Amendments:

The Proposed 2019 Lemon Cove Community Plan is newly established with this proposed General Plan Amendment and implements the Tulare County General Plan:

Planning Framework Element (Urban Boundaries). The Planning Framework Element is revised to update the Urban Development Boundary Part 1, of the Tulare County General Plan. The intent is that the County's UDB is coterminous, as administratively feasible, with the Sphere of Influence (SOI) adopted by Tulare County Local Agency Formation Commission.

Open Space Element. The Environmental Resources Management Element is amended to revise the "Urban Expansion Area" designation on the Open Space Map Part 1, Figure 8-1 of the Tulare County General Plan to reflect the area within the revised Urban Development Boundary of Lemon Cove.

Land Use, Transportation and Circulation Elements Part 1. This Plan Amendment incorporates the following: The County's General Plan land use designations, circulation functional classification, and development policies into the 2019 Lemon Cove Community Plan.

Community Plan Updates Part III. The proposed Community Plan for Lemon Cove is newly established with this proposed amendment.

Zone Ordinance Amendments:

Section 18.9: "MU" Mixed-Use Combining Zone. This amendment will establish the Mixed-Use Combining Zone(s) within the UDB of Lemon Cove. Currently, this overlay zone applies to 34 communities including Ivanhoe, Plainview, Woodville, Poplar/Cotton Center, Three

Rivers, Goshen, Ducor, Terra Bella, Traver, Strathmore, Pixley, Tipton, Earlimart, Alpaugh, East Orosi, London, Richgrove, Sultana, El Monte Mobile Village, Hypericum, Jovista, Matheny Tract, Tooleville, Allensworth, Delft Colony, East Tulare Villa, Lindcove, Monson, Seville, Teviston, Tonyville, Waukena, West Goshen, and Yettem. The purpose of this zone is to allow for mixed uses. Allowing a mix of uses promotes flexibility in the types of entitlements that can be issued. Economic Development can be pursued with a wide variety of development potential. In addition, mixed use can allow for decreased vehicle miles traveled if residential uses are mixed with uses for employment.

Section 16 H: Additional By-Right Uses. This amendment will establish additional by-right uses within the UDB of Lemon Cove. The allowance of additional by-right uses applies to 34 communities including Ivanhoe, Plainview, Woodville, Poplar/Cotton Center, Three Rivers, Goshen, Ducor, Terra Bella, Traver, Strathmore, Pixley, Tipton, Earlimart, Alpaugh, East Orosi, London, Richgrove, Sultana, El Monte Mobile Village, Hypericum, Jovista, Matheny Tract, Tooleville, Allensworth, Delft Colony, East Tulare Villa, Lindcove, Monson, Seville, Teviston, Tonyville, Waukena, West Goshen, and Yettem. The purpose of adding additional by-right uses is to promote sustainability; economic development and prosperity by providing design flexibility, streamline the approval process and reduce vehicles miles traveled by locating residential uses within proximity to employment areas.

Ordinance No. 352: Zoning District Ordinance Map. This amendment to the Zoning District Ordinance Map will rezone properties within the Lemon Cove UDB to be consistent with the 2019 Lemon Cove Community Plan. Existing Zone Districts within the Lemon Cove UDB are listed in Table 1. The Zone Districts consistent with the 2019 Lemon Cove Community Plan are listed in Table 2.

Zoning

Existing Zoning Districts within the Lemon Cove Community Development Boundaries (UDB) consists of

Table 1 – Existing Zone Districts	
R-3 (Multiple-Family)	AE-20 (Agriculture-20-acre minimum)
R-A (Rural Residential)	O (Recreation)
R-A-M (Rural Residential Mobilehome Overlay)	PD-F-M (Planned Development-Foothill-Mobilehome)
R-A-M-43 (Rural Residential Mobilehome Overlay 43,000 sq. ft. minimum)	C-2-SC (General Commercial – Scenic Corridor)
AE-40 (Agriculture-40-acre minimum)	M-1-SC (Light Manufacturing-Scenic Corridor)
A-1 (Agriculture)	

In order to maintain consistency with the proposed Land Use Designations, a rezoning plan to reclassify those affected properties within the Lemon Cove Urban Development Boundary (UDB) is proposed. The proposed Zoning Districts consist of:

Table 2 – Proposed Zone Districts	
R-3 (Multiple-Family)	AE-40 (Agriculture–40-acre minimum)
R-3-MU (Multiple- Family Residential – Mixed Use)	P-O (Professional Office)
R-A (Rural Residential)	O (Recreation)
R-A-M (Rural Residential-Mobilehome Overlay)	C-2-MU-SC (General Commercial – Mixed Use-Scenic Corridor)
R-A-M-43 (Rural Residential-Mobilehome Overlay 43,000 sq. ft. minimum)	C-3-MU (Service Commercial – Mixed Use-Scenic Corridor)
A-1 (Agriculture)	C-O (Commercial Recreation)
AE-20 (Agriculture-20-acre minimum)	M-1-SC (Light Manufacturing –-Scenic Corridor)

See Attachment 5, Exhibit E, for a list of affected properties within the Lemon Cove UDB.

It should be noted that a change of zone takes effect 30-days after final adoption by the Board of Supervisors.

ENTITLEMENT(S):

The Zoning Districts applied to the 2019 Lemon Cove Community Plan are as follows:

The **MU (Mixed-Use) Combining Zone** allows a mix of uses that promotes flexibility in the types of entitlements that can be issued. All uses outlined in the C-1, C-2, C-3, R-1, R-2, and R-3 uses are allowed.

The **SC (Scenic Corridor) Combining Zone** preserves and protects the scenic quality of the immediately visible land area adjacent to those scenic highways and scenic roads established by the Tulare County General Plan, and to prevent visual obstructions of the extended view from such scenic highways and roads.

The **R-A (Rural Residential) Zone** allows one-family dwellings of a permanent character placed in permanent locations and one-family manufactured homes installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code, which comply with Subsection H of this Section. Additional housing for not more than nine (9) farmworkers and employees who work on the property, provided that the buildings therefor are not located within the required front, side or rear yard areas, and provided further that such housing for farmworkers or employees be permitted on sites of ten (10) acres or more. Private garages to accommodate not more than three (3) cars. The growing and harvesting of field crops, fruit and nut trees, vines, vegetables, horticultural specialties and timber, the operation of plant nurseries and greenhouses for producing trees, vines and other horticultural stock, and animal raising uses are allowed.

The R-A-M (Rural Residential – Special Mobilehome (see uses listed under the R-A Zone).

The **R-A-M-43, (Rural Residential – 43,000 sq. ft. minimum) Zone** (See uses listed under the R-A Zone).

The **R-3 (Multiple-Family) Zone** allows any use permitted in the "R-2" Two-Family Zone. Multiple dwellings; provided, however, that if more than four (4) dwelling units are proposed to be constructed on one (1) lot, the construction of such units shall be subject to approval of a site plan pursuant to the procedure set forth in Paragraph 1 of Subsection G of Section 16.2 of this Ordinance.

The **C-O (Commercial Recreation) Zone** is intended primarily for the foothill and mountain areas of Tulare County and allows commercial uses, which are oriented to recreation-related activities, services, and other recreational characteristics of these areas, especially where such uses may be located in environmentally sensitive surroundings.

The **C-2 (General Commercial) Zone** is intended for retail stores and businesses, which do not involve manufacturing and/or processing.

The **C-3 (Service Commercial) Zone** is intended for wholesale establishments and establishments engaged in repairing and servicing equipment, materials and products, but which do not involve the manufacturing, assembling, packaging or processing of articles of merchandise for distribution and retail sales.

The **PO (Professional and Administrative Office) Zone** allows any use permitted in the R-3, Multiple-Family Zone. Apothecary (limited to the sale of pharmaceuticals, medical and hygienic supplies and packaged confections). Clinic, dental or medical. Laboratory, dental or medical. Museum. Mortuary. Business and Professional office. Optician. Optometrist. Parking Lot: no servicing, repair, dismantling or commercial freight handling will be permitted. Post Office. Telephone exchange. Incidental and accessory structures and uses located on the same site with and necessary for the operation of a permitted use.

The **M-1 (Light Manufacturing)** Zone is intended for establishments engaged in the manufacturing, assembling, packaging, treatment and processing of products other than those which may be obnoxious or offensive because of emission of odor, dust, smoke, gas, noise, or other similar causes.

The **A-1 (Agriculture) Zone** is intended to insure that areas zoned A-1 develop in a manner consistent with the General Plan and the public health, safety, and general welfare, and to prevent the introduction of incompatible commercial, manufacturing, subdivision, and other urban uses into predominantly agricultural areas of the County. A minimum limitation on minimum parcel size of five (5) acres is included in order to preserve agricultural lands and to serve as a holding zone within the UDB.

The **AE-20 (Exclusive Agricultural – 20-Acre Minimum) Zone** is an exclusive zone for intensive and extensive agricultural uses and for those uses, which are a necessary and integral part of intensive and extensive agricultural operations.

The **AE-40 (Exclusive Agricultural – 40-Acre Minimum) Zone** is an exclusive zone for intensive and extensive agricultural uses and for those uses, which are a necessary and integral part of intensive and extensive agricultural operations.

GENERAL PLAN CONSISTENCY:

The County's General Plan Amendment Policy provides that *the Board shall, among other considerations give consideration as to the public need or necessity of the amendment and whether the proposed amendment would further the goals, objectives, and policies of the general plan and not obstruct their attainment* (Policies and Procedures 391).

The proposed 2019 Lemon Cove Community Plan is consistent with, and implements, the following applicable Tulare County General Plan Policies:

Planning Framework:

PF-2.4 – Community Plans:

The County shall ensure that community plans are prepared, updated, and maintained for each of the communities. These plans shall include the entire area within the community's UDB and shall address the community's short and long-term ability to provide necessary urban services.

PF-2.5 – Collaborative Community Planning Partnerships:

The County should encourage establishment of collaborative partnerships for preparation of community plan updates where one or more applicants are willing to fund the update, regardless of the position of the community on the community plan priority list. Requirements for new town development shall be utilized to guide such private/public joint planning efforts.

PF-2.6 – Land Use Consistency:

The County shall require all community plans, when updated, to use the same land use designations as used in this Countywide General Plan (See Chapter 4-Land Use). All community plans shall also utilize a similar format and content. The content may change due to the new requirements such as Global Climate Change and Livable Community Concepts. Changes to this format may be considered for unique and special circumstances as determined appropriate by the County.

PF-2.9 – Zoning in Communities:

The County shall maintain zoning that is consistent with the adopted Community Plan Land Use Diagram in accordance with California Code § 65103.

LU-1.2 – Innovative Development:

The County shall promote flexibility and innovation through the use of planned unit developments, development agreements, specific plans, Mixed Use projects, and other innovative development and planning techniques.

LU-7.3 – Friendly Streets:

The County shall encourage new streets within UDBs to be designed and constructed to not only accommodate traffic, but also serve as comfortable pedestrian and cyclist environments.

TC-1.16 – County Level of Service (LOS) Standards:

The County shall strive to develop and manage its roadway system (both segments and intersections) to meet a LOS of "D" or better in accordance with the LOS definitions established by the Highway Capacity Manual.

TC-5.2 – Consider Non-Motorized Modes in Planning and Development:

The County shall consider incorporating facilities for non-motorized users, such as bike routes, sidewalks, and trails when constructing or improving transportation facilities and when reviewing new development proposals. For developments with 50 or more dwelling units or non-residential projects with an equivalent travel demand, the feasibility of such facilities shall be evaluated.

AGRICULTURAL PRESERVES AND WILLIAMSON ACT CONTRACTS:

The Lemon Cove UDB contains parcels that are within agricultural preserves, under land conservation contracts (Williamson Act). These parcels may be zoned for urban type uses; however, the property owner is still bound by contract restrictions according to uniform rules regarding the types of uses allowed on the property.

ENVIRONMENTAL SUMMARY:

Initial Study/Mitigated Negative Declaration (IS/MND) consistent with the California Environment Quality Act (CEQA) and the State CEQA Guidelines, pursuant to Title 14 Cal. Code Regulations, Section 15090, (State Clearinghouse # 2019119031.

The Environmental Assessment Officer has approved the Draft Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Plan (MMRP) for public review indicating a Mitigated Negative Declaration (MND) is the appropriate environmental document for the project and that the proposed project. The notice for the 2019 Lemon Cove Community Plan and Rezoning was published, and the Draft IS/MND was circulated through the State Clearinghouse for a 30-day review period that started on November 8, 2019, and closed on December 9, 2019. The Notice of Public Hearing to Adopt an Initial Study/Mitigated Negative Declaration (MND) was published on November 27, 2019, fourteen (14) days before the scheduled public hearing on December 11, 2019.

PUBLIC NOTICE:

Government Code §65009(b) requires the County to include in any public notice pursuant to Government Code, Title 7, Planning and Land Use, a notice substantially stating all of the following: "If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the County of Tulare at, or prior to, the public hearing."

SPECIAL PROJECTS

Dave Bryant, Chief Planner

PROJECT PROCESSING

Aaron R. Bock, MCRP, JD, LEED AP
Assistant Director
Economic Development & Planning Branch

ENVIRONMENTAL PLANNING

Hector Guerra, Chief Planner
Environmental Planning Division

RESOURCE MANAGEMENT AGENCY

Michael Washam,
Associate Director

Economic Development & Planning Branch

ATTACHMENTS:

Attachment No. 1 – Planning Commission Resolution Recommending the Board of Supervisors Certify and Adopt a Mitigated Negative Declaration and Mitigation Monitoring Reporting Program.

Exhibit "A" – Lemon Cove Mitigated Negative Declaration (MND)
Exhibit "B" – Mitigated Monitoring Reporting Program (MMRP)
Exhibit "C" – Errata

Attachment No. 2 – Planning Commission Resolution – General Plan Amendment (GPA 17-007)

Exhibit "A" – 2019 Lemon Cove Community Plan

Attachment No. 3 – Planning Commission Resolution – Section 18.9 Mixed-Use Combining Zone (PZC 19-016)

Exhibit "A" – Section 18.9 Zone Full Ordinance

Exhibit "B" – Section 18.9 Summary Ordinance

Attachment No. 4 – Planning Commission Resolution – Section 16 Variances and Special Use Permits (PZC 19-017)

Exhibit "A" – Section 16 – Full Ordinance

Exhibit "B" – Section 16 – Summary Ordinance

Attachment No. 5 – Planning Commission Resolution – Zoning District Ordinance Maps Change of Zone (PZC 17-007)

Exhibit "A" – Rezoning Districts Map

Exhibit "B" – List of Affected Properties/Map

Attachment No. 6 – Staff Report

Attachment No. 7 – General Plan Initiation (GPI 17-001)

Attachment No. 8 – Public Hearing Notice

Attachment No. 9 – Notice of Determination

Attachment No. 10 – Correspondence

Attachment No. 1 – Planning Commission Resolution Recommending the Board of Supervisors Adopt Lemon Cove IS/MND & MMRP

Exhibit "A" – Initial Study/Mitigated Negative Declaration (IS/MND)

Exhibit "B" – Mitigation Monitoring and Reporting Program (MMRP)

Exhibit "C" – Errata

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF THE INITIAL STUDY AND MITIGATED NEGTIVE DECLARATION FOR THE LEMON COVE COMMUNITY PLAN 2019 (GPA 17-007) INCLUSIVE OF ZONING ORDINANCE AMENDMENTS FOR LEMON COVE MIXED USE OVERLAY DISTRICT (PZC 19-016), LEMON COVE BY-RIGHT DISTRICT (PZC 19-017), AND LEMON COVE ZONING DISTRICT MAP (PZC 17-007)	)	RESOLUTION NO. ____

Resolution of the Tulare County Planning Commission ("Commission") recommending adoption to the Board of Supervisors ("Board") of the Initial Study and Mitigated Negative Declaration (IS/MND), inclusive of the Mitigation Monitoring and Reporting Plan (MMRP) for the Lemon Cove Community Plan 2019 (GPA 17-007, PZC 19-016, PZC 19-017, and PZC 17-007). The General Plan Amendment is required to (i) allow preparation and adoption of the Lemon Cove Community Plan, (ii) approve an amendment to Section 18.9 of the Zoning Ordinance to add Lemon Cove to the Mixed Use Overlay Zoning District and, (iii) approve an amendment to Section 16 of the Zoning Ordinance to allow additional by-right uses (within the Lemon Cove Urban Development Boundary, pursuant to Sections 15070 through 15073 of the CEQA Guidelines. The unincorporated community of Lemon Cove is located within Sections 02, 03, 10, and 11, Township 18 South, Range 27 East Mount Diablo Base & Meridian (MDB&M).

WHEREAS, the IS/MND (Exhibit "A"), inclusive of the MMRP (Attachment "E" of Exhibit "A"), is attached and incorporated by reference herein; and

WHEREAS, on April 4, 2017, the Board, by Resolution No. 2017-0222, approved the Economic Development and Planning Branch's proposal to prepare the Lemon Cove Community Plan; and

WHEREAS, this resolution of the Commission recommends that the Board adopt the IS/MND, inclusive of the MMRP for the Lemon Cove Community Plan 2019, as being in compliance with the California Environmental Quality Act ("CEQA") and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970 ("State CEQA Guidelines"); and

WHEREAS, on November 8, 2019, pursuant to State CEQA Guideline section 15072, the Notice of Intent to Adopt the IS/MND for the Lemon Cove Community Plan 2019, was published in the Visalia Times Delta (a newspaper of general circulation in Tulare County) and posted on the Tulare County Resource Management Agency (RMA) website. The Notice of Completion for this IS/MND was submitted to the State Clearinghouse for circulation to relevant State Agencies,

and notification to necessary property owners, for public review, with a review period that started on November 8, 2019, and closed on December 9, 2019; and

WHEREAS, the IS/MND, inclusive of the MMRP, is for the Lemon Cove Community Plan 2019 inclusive of General Plan Amendment No. GPA 17-007, Mixed Use Overlay PZC 19-016, Additional By-Right Uses PZC 19-017 and Community Plan Rezoning No. PZC 17-007; and

WHEREAS, the public hearing was conducted for this matter at the meeting of the Commission held on December 11, 2019; and

WHEREAS, this resolution recommends that the Board approve and certify the IS/MND, inclusive of the MMRP, for the Lemon Cove Community Plan 2019 that was presented at the meeting on December 11, 2019; and

WHEREAS, the Commission finds that the Staff of the Tulare County RMA has conducted the necessary investigations (including environmental review of this matter); prepared a written Staff Report (made a part hereof), and provided additional information affecting this IS/MND, inclusive of the MMRP, and identification of errata within the IS/MNDs (Exhibit "B"), at the public hearing noticed, convened and conducted for this matter; and based on substantial evidence, submitted this IS/MND, inclusive of the MMRP for the consideration of, and action by, the Commission; and

WHEREAS, through a good faith and substantial analysis of environmental impacts from this Project in the IS/MND, staff found, and the Commission agrees, that all impacts are less than significant, with the exception of Biological, Cultural, and Tribal Cultural Resources, which will be less than significant with mitigation; and therefore, the IS/MND and MMRP were the appropriate level of environmental review under CEQA for this Project; and

WHEREAS, the Lemon Cove Community Plan 2019 will become consistent with the Tulare County General Plan 2030 Update, and will include the following primary goals and objectives;

1) Land Use and Environmental Planning - Promote development within planning areas next to the Regional State Route 198 and State Route 216 Corridors in order to implement the following General Plan goals:
   a) Ensure that the text and mapping of the Community Plan Designations and Zoning Reclassifications address various development matters such as encouraging Agricultural Adaptive Reuse activities, recognizing Non-Conforming Use activities, and facilitating Ministerial Permit approvals;
   b) Encourage infill development within Urban Development Boundaries, thereby discouraging leapfrog development within Tulare County;
   c) Reduce development pressure on agriculturally designated lands within the Valley Floor, thereby encouraging agricultural production to flourish;
   d) Reduce vehicle miles travelled throughout the County, thereby positively affecting air quality and greenhouse gas reduction; and

e) Help to improve the circulation, transit and railroad transportation system within this community, including, but not limited to, laying the groundwork for the construction of key projects such as Safe Routes to Schools, Complete Streets, and Bike Lanes/Pedestrian Paths.

2) Improvements for a "disadvantaged community" - It is expected that the community planning areas will be improved for the following reasons:
   a) With faster project processing resulting from an updated community plan, increased employment opportunities are more likely to be provided by the private sector as proposed project developments can be approved as expeditiously as possible;
   b) Increased housing grant awards are more likely to occur based on updated community plans that are consistent with the policies of the General Plan 2030 Update (August 2012) and the Housing Element 2015 Update (November 2015); and
   c) With updated community plans, enhanced infrastructure grant awards are more likely, thereby providing access to funding to install or upgrade road, water, wastewater, and storm water facilities.

3) Strengthening Relationship with TCAG - An important benefit of this expedited community plan process will be the opportunity for RMA to strengthen the County's relationship with the Tulare County Association of Governments (TCAG) in that this and other community plans will help to facilitate the funding and implementation of several key transportation programs such as Safe Routes to Schools, Complete Streets, and Bike/Pedestrian Projects. By pursuing these transportation programs through a heightened collaborative process, the likelihood of getting actual projects in the ground will be realized faster than historically achieved. In doing so, these communities and others can become safer and healthier by providing a more efficient transportation network.

WHEREAS, an IS/MND for the Lemon Cove Community Plan 2019, inclusive of General Plan Amendment No. GPA 17-007, Mixed Use Overlay PZC 19-016, Additional By-Right Uses PZC 19-017, and Community Plan Rezoning No. PZC 17-007, was prepared by Tulare County Staff and approved for public review by the Tulare County Environmental Assessment Officer; and submitted for 30-day public review, comment, and response on November 8, 2019;

WHEREAS, in accordance with state and local ordinance, RMA Staff has given due notice of the public hearing for the IS/MND that would be held for the purpose of receiving comment on the environmental document for the Lemon Cove Community Plan 2019 (GPA 17-007, PZC 19-016, PZC 19-017, and PZC 17-007); and

WHEREAS, the IS/MND and Environmental Impacts Checklist for the Lemon Cove Community Plan 2019 were duly circulated for a 30-day public review period commencing on November 8, 2019, and ending December 9, 2019, and

WHEREAS, on Wednesday, November 27, 2019, a Notice of Public Hearing was duly sent to public agencies, pertinent departments, and interested parties, and published in the Sun-Gazette

(a newspaper of general circulation in Tulare County) for a Commission meeting set for Wednesday, December 11, 2019;

WHEREAS, no written comments were received during the 30-day comment period;

WHEREAS, a public hearing was conducted on December 11, 2019, at the regular Commission Meeting in the Board of Supervisors Chambers where there was opportunity for public testimony to be received on the Project; and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. This Commission hereby recommends certification by the Board based on their findings and substantial evidence in the record that the analysis presented in the IS/MND, inclusive of the MMRP, for the Lemon Cove Community Plan 2019 (GPA 17-007, PZC 17-007, PZC 19-016, and PZC 17-017) has been completed in compliance with CEQA and the State CEQA Guidelines.

2. This Commission further finds that the public review period for the IS/MND, inclusive of the MMRP, closed on December 9, 2019, and a Public Hearing was opened and closed at the conclusion of the items discussion, at a regular meeting of the Commission held on December 11, 2019.

3. This Commission is deemed the recommending body, and the Board is the approving body, with respect to the IS/MND and Community Plan. In the context of CEQA, the County is the "Lead Agency."

4. Therefore, the findings made in regards to the IS/MND, inclusive of the MMRP, for the Project, are recommended by the Commission for the County as Lead Agency on December 11, 2019, by Resolution No. ____.

5. Consistent with Public Resource Code section 21081 and State CEQA Guidelines sections 15091 through 15093 (including Public Resources Code section 21061.1 and State CEQA Guidelines section 15364 relating to the definition of "feasibility"), the Commission hereby makes various findings relating to the less than significant effects identified in the Project IS/MND. Based on substantial evidence in the IS/MND and pursuant to the discussion in each section of the IS/MND, and the Public Record of Proceedings, the Commission finds and declares that the mitigation measures included in the MMRP are required and that the Project will not cause a significant impact to the environment with adoption of these mitigations measures.

AND, BE IT FURTHER RESOLVED as follows:

A. The Commission, after considering all of the evidence presented, hereby determines the following findings to be relevant in evaluating the proposed General Plan Amendments:

1. The amendment of the Land Use Element to incorporate the land use designations contained in the Lemon Cove Community Plan 2019 is recommended to the Board for approval.

2. The amendment of the General Plan Circulation Element to incorporate circulation plan designations and the "Complete Streets Programs" contained in the Lemon Cove Community Plan 2019 is recommended to the Board for approval.

3. The amendment of the Planning Framework Element to adopt Urban Development Boundaries and the amendment to the Environmental Resources Management Element to modify the urban expansion area in the open space element reflective of the adoption of urban development boundaries consistent with the Planning Framework Element of the Tulare County General Plan as the Lemon Cove Urban Development Boundary expanded by 263.7 acres, from approximately 404.1 acres to approximately 667.8 acres, as set forth in the Lemon Cove Community Plan 2019 in GPA 17-007.

4. Amendments to the Zoning Ordinance (PZC 19-016, PZC 19-017, and PZC 17-007) to implement the Lemon Cove Community Plan 2019 will reflect and remain consistent with the Land Use Plan for the community.

5. State law requires that the County General Plan shall be internally consistent. The proposed amendments are consistent with the Land Use and Transportation and Circulation Elements of the Tulare County General Plan.

6. The Environmental Assessment Officer approved the IS/MND, inclusive of the MMRP, prepared for the Lemon Cove Community Plan 2019.

7. This Commission hereby finds, based on substantial evidence that the analysis presented in the IS/MND, inclusive of the MMRP, for the Lemon Cove Community Plan 2019 (GPA 17-007) has been completed in compliance with CEQA and the State CEQA Guidelines.

8. RMA Staff conducted public outreach as part of the Lemon Cove Community Plan 2019 and Complete Streets process.

B. The Commission finds that the County is required to implement Mitigation Measures (see Attachment "E" of Exhibit "A"), that are restrictive and applied only to the Lemon Cove Community Plan 2019. Therefore, the public will benefit from the Project as it will implement the General Plan and advance socially desirable community improvements that are environmentally and economically sound.

C. The Commission confirms that the IS/MND, inclusive of the MMRP, is available at the Tulare County Resource Management Agency at 5961 South Mooney Boulevard, Visalia, California 93277, (559) 624-7000. The custodian for these documents and other material is Mr.

Hector Guerra, Chief Environmental Planner, Environmental Planning Division, Tulare County Resource Management Agency.

D. The Commission hereby recommends that the Board: (i) certify and adopt the IS/MND, inclusive of the MMRP, for the Lemon Cove Community Plan 2019 (GPA 17-007, PZC 19-016, PZC 19-017, and PZC 17-007), and (ii) direct the Environmental Assessment Officer, or designee, to file the Notice of Determination for the Project upon approval of the Community Plan.

The foregoing resolution was adopted upon motion of Commissioner _____, seconded by Commissioner _____, at a regular meeting of the Planning Commission on December 11, 2019, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

TULARE COUNTY PLANNING COMMISSION

_____
Michael Washam, Secretary

Exhibits:
A – Initial Study and Mitigated Negative Declaration (IS/MND), inclusive of the Mitigation Monitoring and Reporting Plan (MMRP, Attachment "E" of this Exhibit)
B – Errata

Exhibit A: Initial Study/Mitigated Negative Declaration (IS/MND) (SCH#2019119031)

COUNTY OF TULARE
RESOURCE MANAGEMENT AGENCY

5961 South Mooney Boulevard
Visalia, CA 93277

Initial Study and Mitigated Negative Declaration

Lemon Cove Community Plan 2019

GPA 17–007(Community Plan)
PZC 17–007 (Zoning District Map)
PZC 19–006 (Section 18.9 Zoning Ordinance - Mixed Use)
PZC 19–017 (Section 16 Zoning Ordinance - By Right)

November 2019

Prepared by
County of Tulare Resource Management Agency
Economic Development and Planning Branch
Environmental Planning Division

INITIAL STUDY CHECKLIST

1. Project Title: Draft Lemon Cove Community Plan 2019

2. Lead Agency: County of Tulare
Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277

3. Contact Persons: Jessica Willis, Planner IV (Project Planner) – 559-624-7122
Hector Guerra, Chief, Environmental Planning Division – 559-624-7121

4. Project Location Lemon Cove **(see Figure 1)** is located in the northern portion of Tulare County, approximately four (4) miles southeast of Woodlake and eleven miles northeast of Visalia. It is generally bounded by Avenue 319 in the south, Goodale Lane in the north, Road 236 in the west, and Road 248 in the east and encompasses approximately 0.8 square miles of land. Lemon Cove is an agriculturally oriented service community surrounded by lands in agricultural production, vacant lands, and scattered residential homes. State Route (SR) 198 and State Route (SR) 216 provide primary access to the cities of Visalia and Woodlake **(see Figure 2)** to the northwest, and the community of Three Rivers to the northeast. The Tulare County/Fresno County Line is located approximately 10.5 miles north of Lemon Cove.

Lemon Cove is located in Sections 02, 03, 10, and 11, Township 18 South, Range 27 East MDB&M, and can be found within the Woodlake and Rocky Hill Quads United States Geological Survey 7.5 minute topographic quadrangle. Lemon Cove is located at an elevation of 502 feet above sea level.

5. Latitude, Longitude: Latitude: 36º 22’ 53”N and Longitude: 119º 1’ 33”.

6. Applicant: County of Tulare
Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277

7. General Plan Designation: General Plan Amendment

8. Zoning: A-1; AE-20; C-2-SC; O; PD-F-M; R-3; R-A; R-A-M; R-A-M-43; Rights-of-Way

9. Description of Project (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.

It has been recognized that Lemon Cove, an unincorporated community, has localized land use needs and issues that should be addressed in a more specific manner particular to its community, geographic features, location of major roadways, such as State Route (SR) 198, population characteristics, availability of water, and other issues unique to the community’s area. Therefore, the Lemon Cove Community Plan 2019 has been prepared with an emphasis on these considerations with particular focus on land use and circulation.[1]

[1] Draft Lemon Cove Community Plan 2019. Page 17.

"As with any community plan, the contents of this document are not intended to be absolute. Planning is a continuous process and, to be effective, requires periodic re-evaluation and revision to reflect changing needs and priorities. This Plan, therefore, should be reviewed on a periodic basis with the assistance and participation of local citizens, groups, and agencies."[2]

10. **Surrounding land uses and setting (Brief description):** Lemon Cove **(see Figure 2)** is an agriculturally oriented service community surrounded by lands in agricultural production, vacant lands, and scattered residential homes. Cities and communities surrounding Lemon Cove include Visalia to the southwest; Woodlake to the northwest; and the community of Three Rivers to the northeast. The Tulare County/Fresno County Line is located approximately 10.5 miles north of Lemon Cove.

11. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):** None.

12. **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, has consultation begun?** Pursuant to AB 52 and SB 18, a Sacred Land File request was submitted to the Native American Heritage Commission on July 23, 2019 and was returned with negative results. On August 28, 2019, tribal consultation notices were sent to tribal contacts representing five (5) Native American tribes. The County received no responses from the tribes within the 30-day response time. Mitigation measures have been included in the project to reduce potential impacts on tribal cultural resources in the event that any are unearthed during construction-related activities.

[2] Ibid.

Figure 1
Vicinity Map

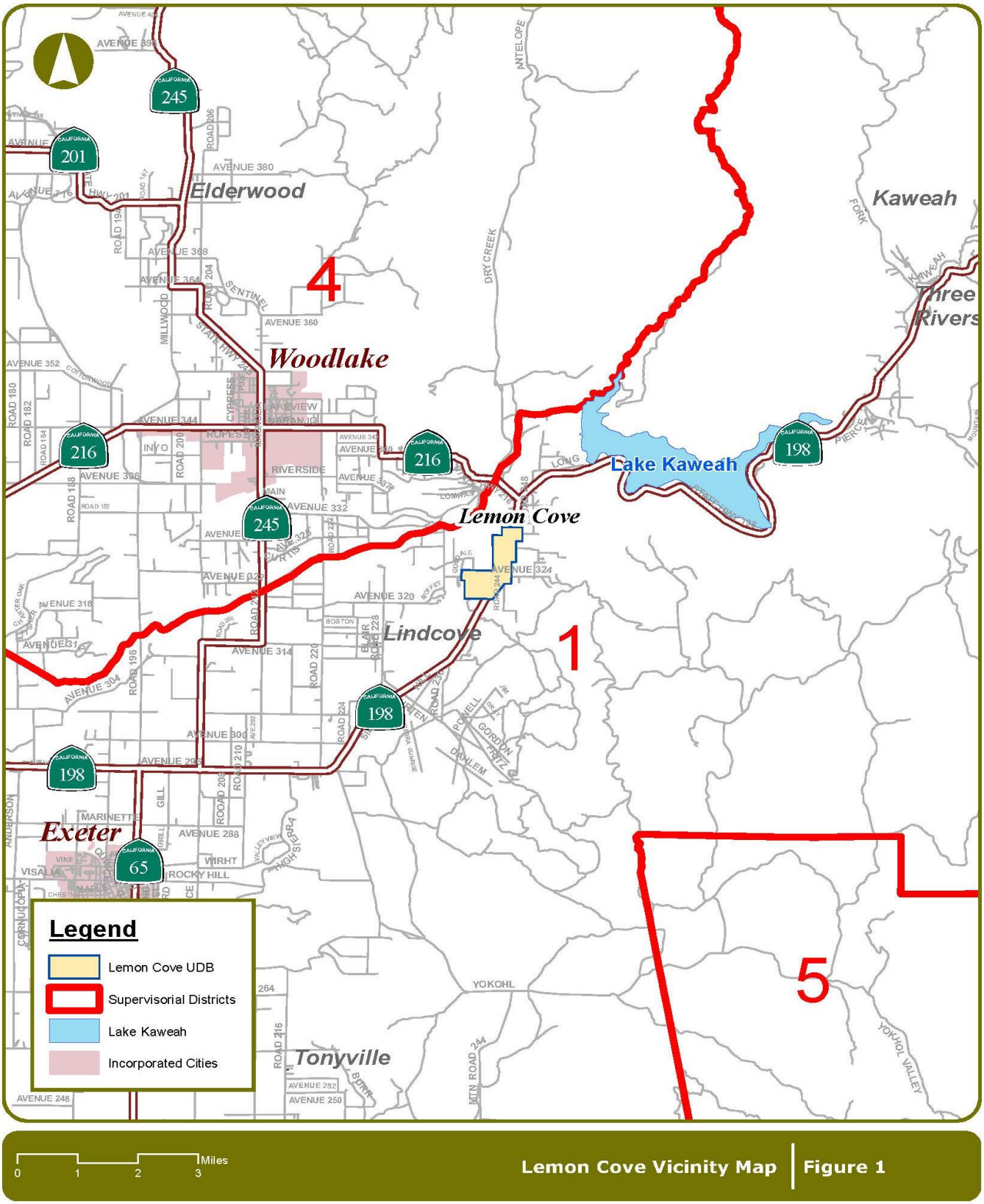


Figure 2
Aerial Map

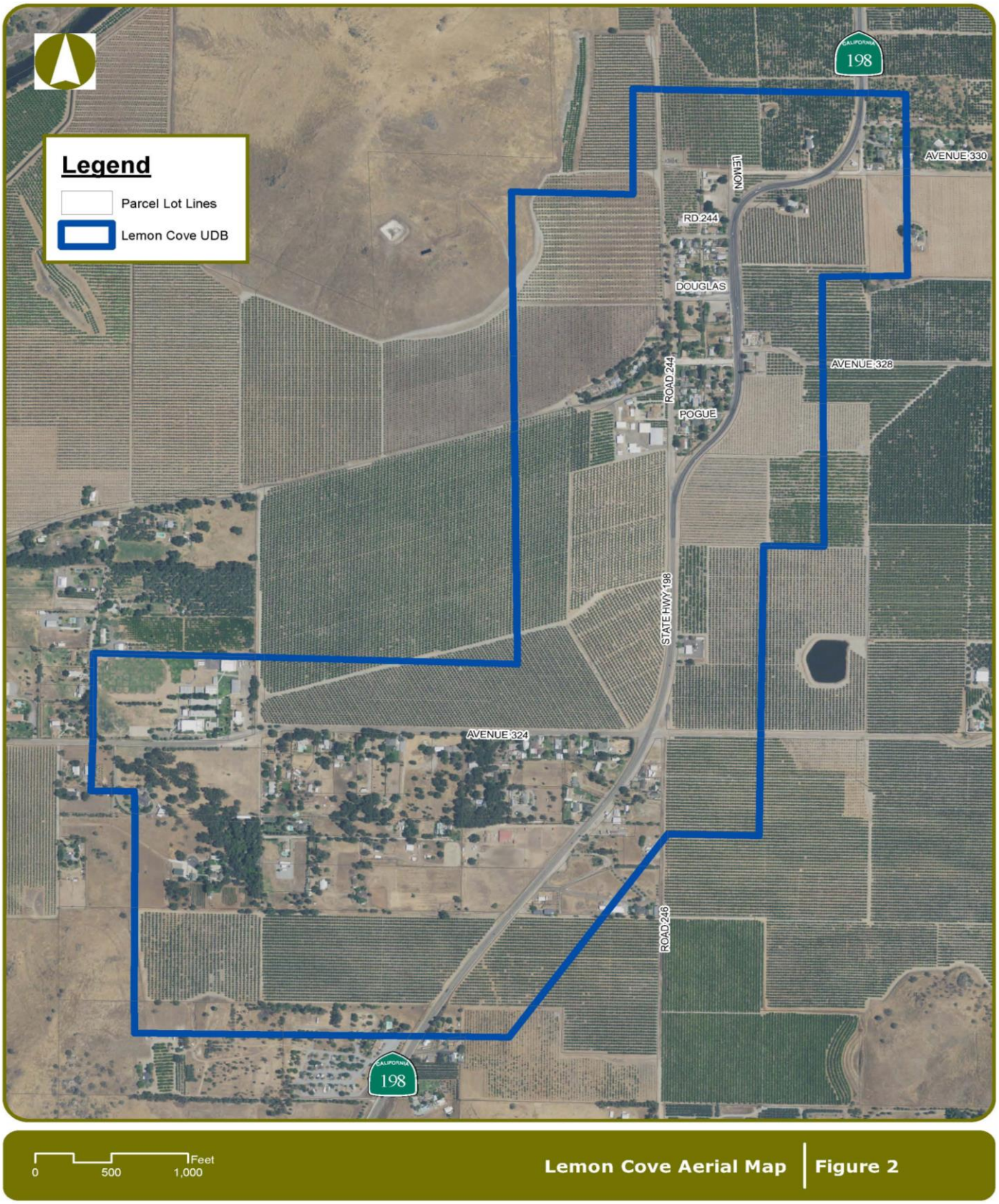


Figure 3
Proposed Urban Development Boundary

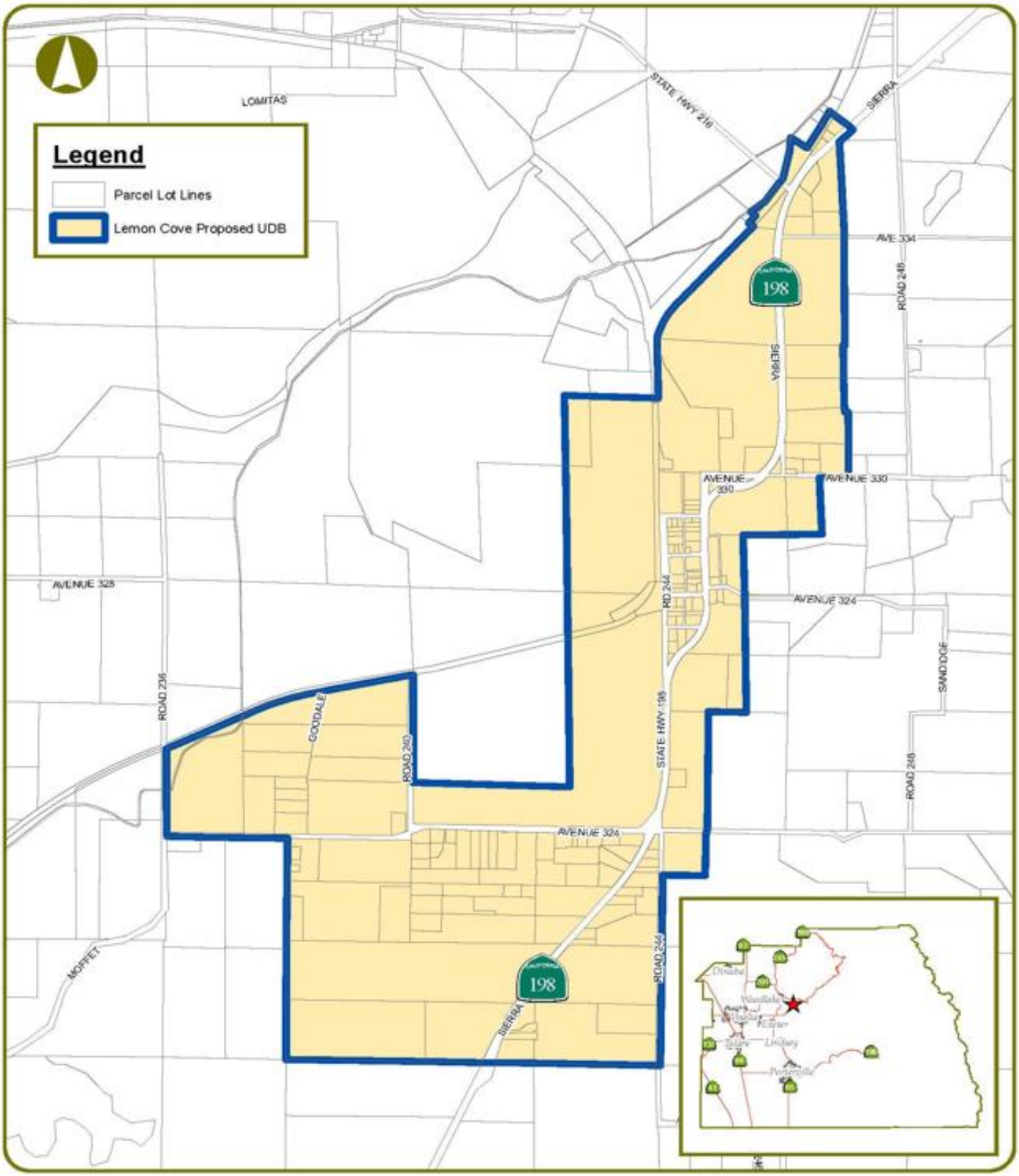


Figure 4
Lemon Cove Proposed Land Use Plan

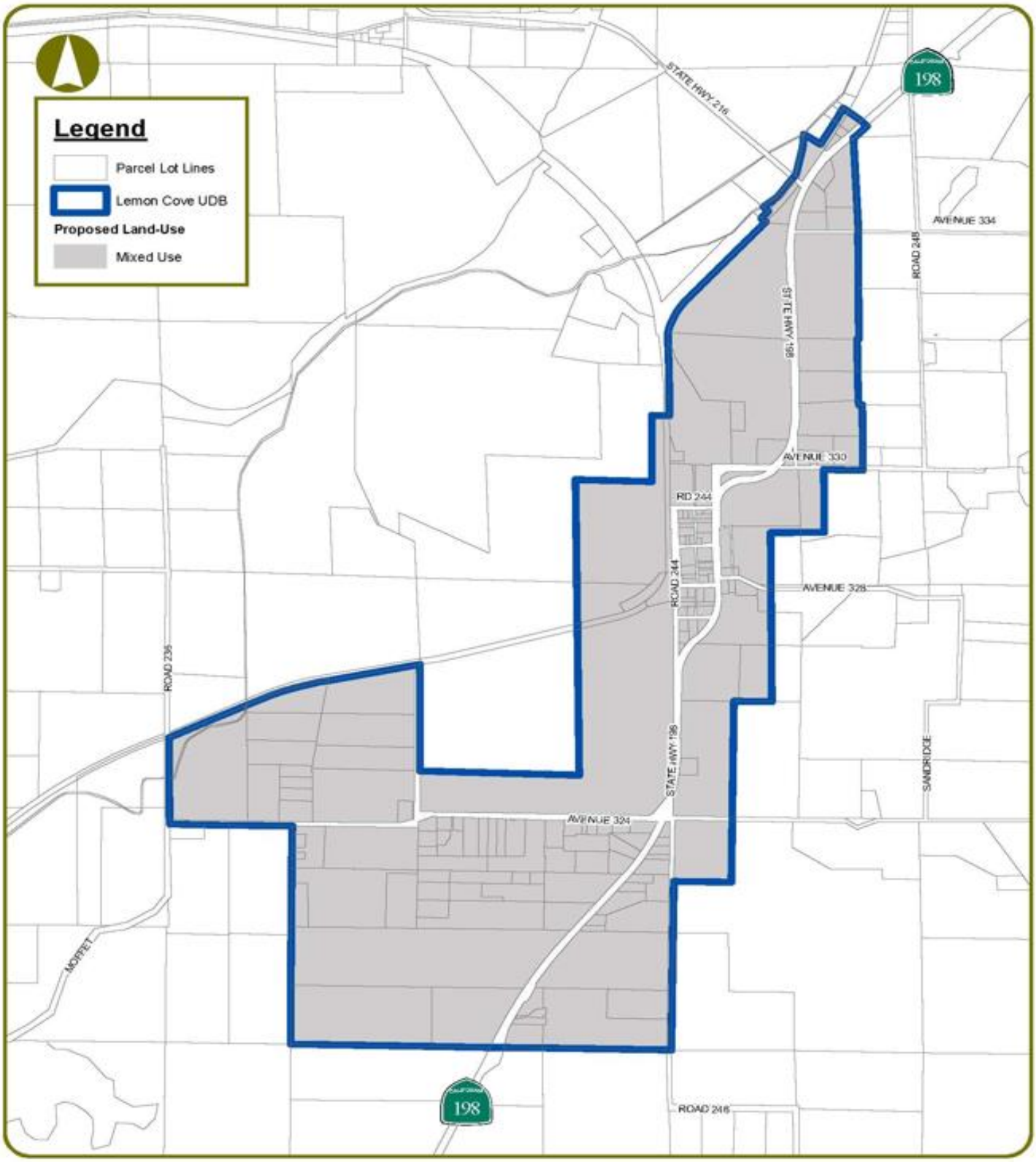
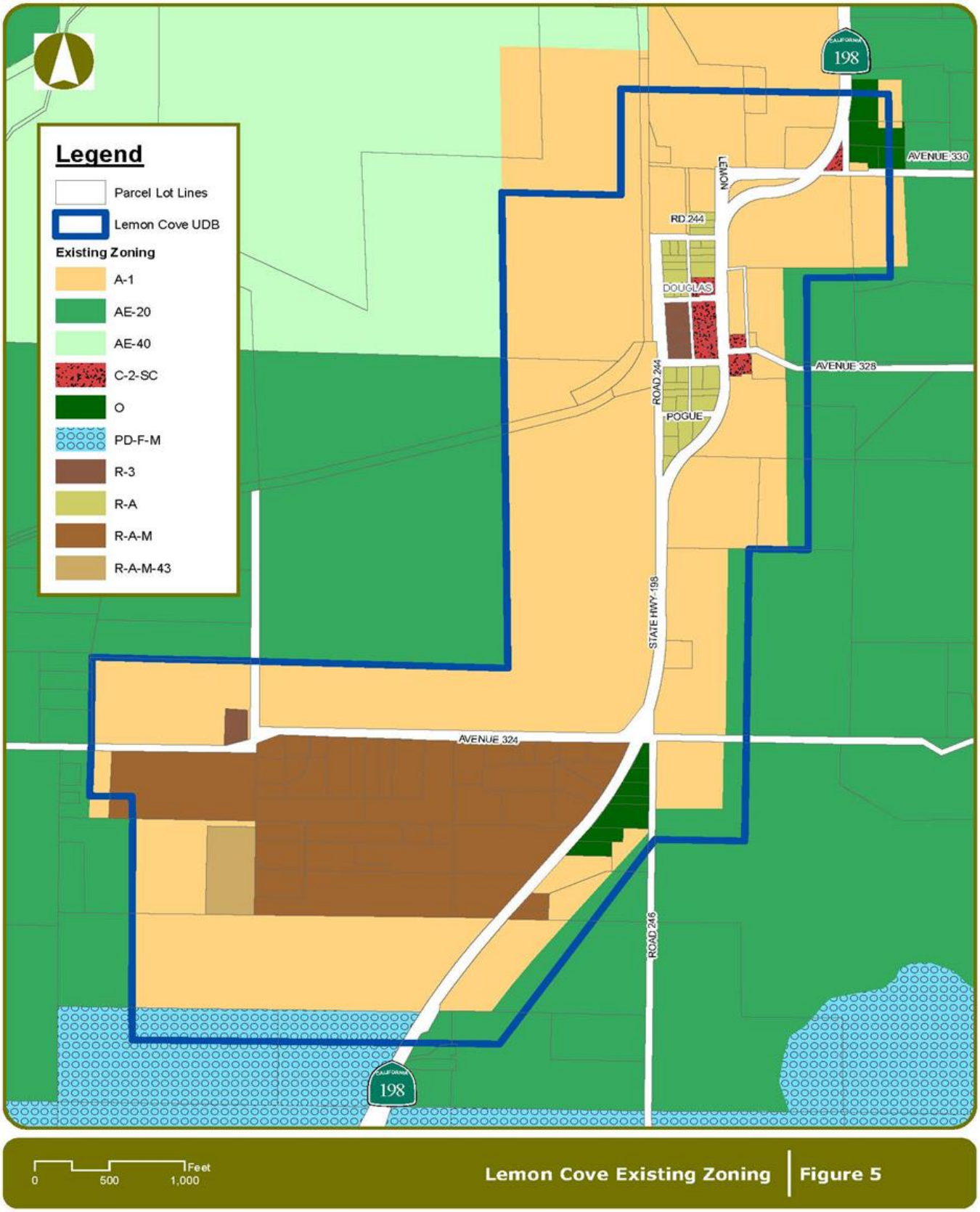


Figure 5
Lemon Cove Existing Zoning District Map



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Geology / Soils
☐ Greenhouse Gases	☐ Hazards and Hazardous Materials	☐ Hydrology / Water Quality
☐ Land Use / Planning	☐ Mineral Resources	☐ Noise
☐ Population / Housing	☐ Public Services	☐ Recreation
☒ Transportation / Traffic	☒ Tribal Cultural Resources	☐ Utilities / Service Systems
☐ Mandatory Findings of Significance		

B. 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 or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

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

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

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

Signature: _____ Date: 11/7/19

Hector Guerra
Printed Name

Chief Environmental Planner
Title

Signature: _____ Date: 11/7/19

Reed Schenke, P.E.
Printed Name

Environmental Assessment Officer
Title

C. 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; and

b) the mitigation measure identified, if any, to reduce the impact to less than significance.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
1.	**AESTHETICS**					
	Would the project:					
	a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
	b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
	c)	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?	☐	☐	☐	☒
	d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Analysis:

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project:

The Lemon Cove Urban Development Boundary (UDB) contains approximately 404.1 acres (including Rights-of-way); the proposed amendment will increase the UDB by approximately 263.7 acres, for a total of approximately 667.8 acres.[3] No proposed development projects are part of this proposed amendment. However, over time, the proposed 263.7-acre expansion and ultimate planned development within the Planning Area could impact the area's aesthetic character as future development replaces existing agricultural lands and rural open spaces. At the time of development, existing General Plan policies and proposed Community Plan policies will be implemented to avoid and/or minimize any potentially adverse impacts to scenic views (for example, *ERM-1.15 Minimize Lighting Impacts* and *ERM-5.18 Night Sky Protection*.

SR 198 traverses through Lemon Cove as it continues northeast toward the Lake Kaweah, and it is designated as a Candidate State Scenic Highway[4]. SR 216, a designated County Scenic Road, also has a small section in the northwest part of Lemon Cove Proposed Planning Study Area.[5] As with much of Tulare County, the Sierra Nevada mountains are visible when conditions (such as haze, fog, or air quality) do not interfere with visibility. Implementation of General Plan policies (for example, *SL-1.1 Natural Landscapes and SL-2.1 Designated Scenic Routes and Highways*) are intended to

[3] Draft Lemon Cove Community Plan 2019. Pages 22 and 154.

[4] Tulare County General Plan 2030 Update. Part I. Figure 7-1. Page 7-5. Accessed November 2019 at: http://generalplan.co.tulare.ca.us/documents.html.

[5] Ibid.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

minimize impacts to views of landscapes. Future development design will be required to consider potential visual impacts to the surrounding areas, and set-back requirements and building height limitations contained in the Tulare County Zoning Ordinance will also prevent adverse impacts to a scenic vista.

a) ***Less Than Significant Impact*** - The proposed Project is a Community Plan and contains no plans for development or construction projects. The Project will not adversely affect any scenic vista; as such, it will not include any structures which may substantially impact a scenic vista. As such, there will be no impact to this resource.

b) ***No Impact*** - The proposed Project area includes a mix of uses such as retail office, single-family and multi-family residential, hotel, recreation, limited industrial, and public facilities etc.,.[6] The community is completely surrounded by agriculturally productive lands, vacant lands, and scattered residential homes.[7] As such, the proposed Community Plan will not impact scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state or county designated scenic highway or county designated scenic road. Therefore, there will be no impact to this resource.

c) ***No Impact*** - The Community Plan will ultimately expand the existing UDB from approximately 404.1 acres to 667.8 acres. The Community Plan does not include any plans for construction or development. As noted earlier, future development design will be required to consider potential visual impacts to the surrounding areas, and set-back and building height limitations contained in the Tulare County Zone Ordinance will also prevent any adverse impacts to a scenic vista. The predominantly agricultural scenery surrounding the Community will remain unchanged as a result of the proposed Community Plan. As such, there will be no impact to this resource.

d) ***No Impact*** - The proposed Community Plan will not result in the creation of a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Over the course to the planning horizon, the Plan acknowledges that additional development and growth will likely occur in the planning area that could lead to future impacts from light or glare. Various General Plan Policies are anticipated to minimize impacts from light or glare sources. Evening hour lighting for safety and security purposes cannot be determined until specific locations and development proposals are received. However, there are several General Plan Policies (such as *ERM-1.15* Minimize Lighting Impacts, *LU-4.5* Commercial Building Design, *LU-7.19* Minimize Lighting Impacts, and *SL-1.2* Working Landscapes) that require new development to minimize lighting impacts. Therefore, the Project will result in no impact to this resource.

Cumulative Impact Analysis: No Impact

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan Background Report, Tulare County 2030 General Plan EIR, and/or draft Lemon Cove Community Plan.

As the proposed Project is merely a proposed Community Plan and does not include any development proposal, the Project will not create significant Project-specific visual impacts. As such, the proposed Project will result in no significant Project-specific or Cumulative Impacts related to this Checklist Item

Mitigation: None Required

[6] Draft Lemon Cove Community Plan 2019. Page 24.
[7] Ibid. 17.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
Mitigation: None Required						
2.	**AGRICULTURAL AND FOREST RESOURCES**					
	In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the Rural Valley Lands Plan point evaluation system prepared by the County of Tulare 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 non-agricultural use?	☐	☐	☐	☒
	b)	Conflict with existing zoning for agriculture use, or a Williamson Act contract?	☐	☐	☐	☒
	c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources code 12220(g), timberland (as defined in Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
	d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
	e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒
Analysis: a) - e) ***No Impact*** **–** As mentioned earlier, the proposed Project area includes a mix of uses such as retail office, single-family and multi-family residential, hotel, recreation, limited industrial, and public facilities etc.[8] The Project does not include any						

[8] Op. Cit. 24.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

development projects/proposals; however, future development is anticipated to occur within the proposed UDB area over time. Development within the Planning Area would, over time, affect the area's agricultural lands and rural open spaces as future urban development occurs. The Lemon Cove UDB expansion would result in the addition of approximately 263.7 acres to the existing UDB area. The overall land use pattern will remain as currently defined; however, those areas within the proposed UDB expansion area could ultimately result in new residential, institutional, commercial, and light industrial uses as contained in the Community Plan (see Table 38)[9].

The Project will likely result in the ultimate conversion (i.e., cancellation or non-renewal) of parcels containing Williamson Act (WA) Preserves as build-out of the Planning Area occurs. Over time, parcels classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) are planned for development to non-agricultural uses. The area within the existing 404.1 acre UDB is designated in the 2018 FMMP map (see Figure 7 of the Community Plan). Of these, approximately 134.54 acres are designated Urban and Built-up Land, approximately 269.56 acres are designated Prime Farmland, approximately 5.50 acres are designated Vacant or Disturbed land. As specific future development proposals are considered, each will be evaluated on its own merits and the appropriate environmental evaluation will determine the level of mitigation measures, if necessary/applicable.

As the Project does not include any development proposals, it will not result in the conversion of any prime agricultural land as defined in Section 51201(C) of the Govt. Code to non-agricultural use. It will not conflict with existing zoning for agriculture use, or a Williamson Act contract; it will not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources code 12220(g) or timberland (as defined in Public Resource Code section 4526); it will not result in the loss of forest land or conversion of forest land to non-forest use, nor will it involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use. The Project, over time and at full build-out, would likely result in conversion of farmland to future non-agricultural use (residential, commercial, or industrial) which will be addressed when project-specific proposals are considered. However, as no development proposals are included as part of this Community Plan, there will be no impact to these resources.

Cumulative Impacts Analysis: No Impact

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan Background Report, Tulare County 2030 General Plan EIR, and draft Lemon Cove Community Plan.

As noted earlier, the Project does not include any development projects/proposals; however, future development is anticipated to occur within the proposed UDB area over time. Development within the Planning Area would, over time, affect the area's agricultural lands and rural open spaces as future urban development occurs. The overall cumulative impact to agricultural resources has been accounted for in the Tulare County General Plan 2030 Update Revised EIR. As noted in the General Plan Revised EIR, "While the proposed project includes policies to minimize this impact, there would still be a project level significant and unavoidable impact. The loss of agricultural land within the County as a result of urban development is part of an overall trend within the San Joaquin Valley and the County will continue to face development pressure in the foreseeable future. As more fully described in Section 3.10, "Agricultural Resources" [in the Revised EIR], the proposed project does include several policies stating that the County will work at a regional level to control the conversion of agricultural uses. However, since the County is projected to continue to urbanize, the loss of agricultural lands as a result of the proposed project would contribute considerably to a significant and unavoidable cumulative impact to agricultural resources."[10]

[9] Op. Cit. Table 37. Page 159.

[10] Tulare County General Plan 2030 Update Recirculated EIR. Page 5-12. Accessed September 2019. http://generalplan.co.tulare.ca.us/documents.html then locate

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
This Project is consistent with the conclusions contained in the Tulare County General Plan 2030 Update EIR and does not compound nor contribute to exacerbation of an already determined cumulative impact. As such, the Project is consistent with the Tulare County General Plan 2030 Update EIR as it relates to the agricultural resource. **Mitigation: None Required**						
3.	**AIR QUALITY**					
	Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
	a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
	b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
	c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
	d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	☐	☐	☒	☐

Analysis:

As noted previously, the Project is update to the proposed Lemon Cove Community Plan and no development proposals are being considered at this time. The update is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). Also, the Project includes proposed expansion of the Urban Development Boundary (UDB) from its existing approximately 404 acres to approximately 668 acres (and increase of 264 acres).

The proposed Project is located in the San Joaquin Valley Air Basin (SJVAB), a continuous inter-mountain air basin. The Sierra Nevada Range forms the eastern boundary; the Coast Range forms the western boundary; and the Tehachapi Mountains form the southern boundary. These topographic features restrict air movement through and beyond the SJVAB. The SJVAB is comprised of San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and Tulare Counties and the valley portion of Kern County; it is approximately 25,000 square miles in area. Tulare County lies within the southern portion of the SJVAB. The SJVAB is managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD or Air District).

Both the federal government (through the United State Environmental Protection Agency (EPA)) and the State of California (through the California Air Resources Board (CARB)) have established health-based ambient air quality standards (AAQS) for six air pollutants, commonly referred to as "criteria pollutants." The six criteria pollutants are: carbon monoxide (CO), ozone (O_3), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter (PM_{10} and $PM_{2.5}$), and lead (Pb).

"Recirculated Draft Environmental Impact Report February 2010 Draft", select "Recirculated DEIR.

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National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for each criteria pollutant to protect the public health and welfare. The federal and state standards were developed independently with differing purposes and methods, although both processes are intended to avoid health-related effects. As a result, the federal and state standards differ in some cases. In general, the California state standards are more stringent.

The Federal Clean Air Act requires EPA to set NAAQS for the six criteria pollutants, noted above, that occur throughout the United States. Of the six pollutants, particle pollution and ground-level ozone are the most widespread health threats. EPA regulates the criteria pollutants by developing human health-based and/or environmentally-based criteria (science-based guidelines) for setting permissible levels. The set of limits based on human health is called primary standards. Another set of limits intended to prevent environmental and property damage is called secondary standards.

EPA is required to designate areas as meeting (attainment) or not meeting (nonattainment) the air pollutant standards. The Federal Clean Air Act (CAA) further classifies nonattainment areas based on the severity of the nonattainment problem, with marginal, moderate, serious, severe, and extreme nonattainment classifications for ozone. Nonattainment classifications for PM range from marginal to serious. The Federal CAA requires areas with air quality violating the NAAQS to prepare an air quality control plan referred to as the State Implementation Plan (SIP). The SIP contains the strategies and control measures that states will use to attain the NAAQS. The Federal CAA amendments of 1990 require states containing areas that violate the NAAQS to revise their SIP to incorporate additional control measures to reduce air pollution. The SIP is periodically modified to reflect the latest emissions inventories, planning documents, rules, and regulations of Air Basins as reported by the agencies with jurisdiction over them. The EPA reviews SIPs to determine if they conform to the mandates of the Federal CAA amendments and will achieve air quality goals when implemented. If the EPA determines a SIP to be inadequate, it may prepare a Federal Implementation Plan (FIP) for the nonattainment area and impose additional control measures.

The SJVAB is designated non-attainment of state and federal health based air quality standards for ozone and respirable particulate matter (PM). The federal classification for the SJVAB is extreme non-attainment for the 8-hour ozone standard. To meet Federal Clean Air Act requirements, the District adopted the 2007 Ozone Plan on April 30, 2007. The ARB approved the Plan on June 14, 2007, while the EPA approved the Plan effective April 30, 2012. The Plan projects that the Valley will achieve the 8-hour ozone standard for all areas of the SJVAB no later than 2023. The District adopted the 2016 Plan for the 2008 8-Hour Ozone Standard in June 2016. This plan satisfies Clean Air Act requirements and ensures expeditious attainment of the 75 parts per billion 8-hour ozone standard. The federal PM_{10} standard has been achieved and the US EPA re-classified the SJVAB as in attainment on September 25, 2008. Even after achieving the PM_{10} standard, the SJVAB is currently a PM_{10} Maintenance Area and all rules and regulations are still in effect. The SJVAB is designated non-attainment for state and federal $PM_{2.5}$ (particulate matter less than 2.5 micrometers in diameter) annual standards. The Air District adopted the 2008 PM2.5 Plan in April 2008 to address EPA's annual $PM_{2.5}$ standard of 15 µg/m³, which was established by EPA in 1997. The Air District adopted the 2012 PM2.5 Plan to address EPA's 2006 revised 24-hour standard (35 µg/m³) in December 2012. On April 16, 2015, the Air District adopted the 2015 Plan for the 1997 PM2.5 Standard which addresses both the annual (35 µg/m³) and 24-hour (35 µg/m³) standards established by EPA in 1997. The District adopted the 2015 Plan for the 1997 PM2.5 Standard on April 16, 2015. This plan addresses EPA's annual PM2.5 standard of 15 µg/m3 and 24-hour PM2.5 standard of 65 µg/m3, established in 1997. The Air District adopted the 2016 Moderate Area Plan for the 2012 PM2.5 Standard on September 15, 2016. This plan addresses the EPA federal annual PM2.5 standard of 12 µg/m3, established in 2012. This plan includes an attainment impracticability demonstration and request for reclassification of the Valley from Moderate nonattainment to Serious nonattainment. The District adopted the 2018 Plan for the 1997, 2006, and 2012 PM2.5 Standards on November 15, 2018. This plan addresses the EPA federal 1997 annual PM2.5 standard of 15 µg/m³ and 24-hour PM2.5 standard of 65 µg/m³; the 2006 24-hour PM2.5 standard of 35 µg/m³; and

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the 2012 annual PM2.5 standard of 12 µg/m³.Measures contained in the 2007 PM10 Maintenance Plan will also help reduce $PM_{2.5}$ levels and will provide progress toward attainment until new measures are implemented for the PM2.5 Plan, if needed. The State does not have an attainment deadline for the ozone standards; however, it does require implementation of all feasible measures to achieve attainment at the earliest date possible. State PM_{10} and $PM_{2.5}$ standards have no attainment planning requirements, but must demonstrate that all measures feasible for the area have been adopted.

In addition to consistency with Air District attainment plans, the Tulare County General Plan has a number of policies that apply to projects within County of Tulare. For example, General Plan policies that would apply to future development in the Project area include *AQ-1.1 Cooperation with Other Agencies*; *AQ-1.2 Cooperation with Local Jurisdictions; AQ-1.3 Cumulative Air Quality Impacts*; *AQ-1.4 Air Quality Land Use Compatibility*; *AQ-1.5 California Environmental Quality Act (CEQA) Compliance*; *AQ-3.6 Mixed Land Uses*; and *AQ-4.2 Dust Suppression Measures*. Among General Plan policies regarding land uses which benefit air quality are *LU-1.1: Smart Growth and Healthy Communities; LU-1.4: Compact Development; LU-1.8: Encourage Infill Development; LU-3.2: Cluster Development; LU-3.3;* and *High-Density Residential Locations*.

The Technical Memorandum "Air Quality Assessment for the Lemon Cove Community Plan" (AQ Memo) was completed by RMA Staff (Jessica Willis, Planner IV) in November 2019 to analyze potential air quality emissions (See Attachment "A"). As indicated in the AQ Memo, the following air quality analysis was "…prepared to evaluate whether the estimated air pollutant emissions generated from implementation of the Project (i.e., future development projects) would cause significant impacts to air quality and health risks to nearby receptors. The air quality assessment was conducted within the context of the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000, et seq.). The assessment is intended to provide the County of Tulare (County) with sufficient detail regarding potential impacts of Project implementation and to identify mitigation measures, if necessary, to reduce potentially significant impacts. The estimated emissions are compared to federal and state ambient air quality standards (AAQS) and the thresholds of significance established by the San Joaquin Valley Unified Air Pollution Control District (Air District). The methodology for the air quality assessment follows the Air District recommendation for quantification of emissions and evaluations of potential impacts on air resources as provided in the *Guidance for Assessing and Mitigating Air Quality Impacts* (GAMAQI) adopted by the Air District Governing Board on March 19, 2015."[11]

PROJECT DESCRIPTION

"Lemon Cove is currently designated an Unincorporated Community in the 2030 Tulare County General Plan. The objective of the Lemon Cove Community Plan (Plan) is to develop a plan, which can accurately reflect the needs and priorities of the unincorporated community of Lemon Cove. The Land Use and Circulation portions of this Plan provide the mechanism to minimize or avoid the potential adverse impacts of urban growth. The development of an orderly, harmonious land use pattern and appropriate implementation measures are designed to reduce potential conflict between neighboring uses across Tulare County's 2030 planning horizon, consistent with the Tulare County 2030 General Plan Update. The Plan is needed to increase the availability of infrastructure funding, such as drinking water system improvements (wells, water distribution piping, storage tanks, etc.), wastewater system (such as piping, lift stations, etc.), and public work/safety improvements (such as curbs, gutters, sidewalks, etc.), and to stimulate economic development within the community. Tulare County is proposing new land use and zoning designations within an expanded UDB. The proposed Community Plan, if adopted, will update these designations to be consistent with the General Plan, and will bring existing non-compliant properties into conformity with the Tulare County Zoning Ordinance. The Community Plan also includes the Complete Streets and Road Maintenance programs and the community's anticipated growth through

[11] County of Tulare. 2019. Technical Memorandum: Air Quality Assessment (AQ Memo) for the Lemon Cove Community Plan. Page 1. Included in Attachment "A" of this MND.

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year 2030 based on the existing land uses, census population data, and the projected 1.3% annual growth rate in unincorporated areas of Tulare County. Other than the Complete Streets and Road Maintenance Programs, there are no specific development projects (such as residential, commercial, or industrial uses) proposed as part of this Project. As an unknown number of proposals may occur within the lifetime of the Plan, the Plan is intended to direct the density, intensity, and types of growth needed to meet the needs of the community. Future developments within the Project planning area will be required to undergo additional CEQA evaluation on a project-by-project basis at such time development is proposed to determine potential environmental impacts.

Complete Streets and Road Maintenance

The Lemon Cove Complete Streets and Road Maintenance Programs are included in the Circulation Element of the proposed Community Plan. The Complete Streets Program has thoroughly analyzed the alternative forms of transportation, including transit, bicycle ways, and pedestrian circulation. Improvements proposed in the Complete Streets Program include, but are not limited to, installation of streetlights, bus shelters, street signage and striping, curbs, gutters, sidewalks, drainage system, and utilities. Road maintenance activities vary by road segment dependent upon the condition of the road and may include chip seal, overlay resurfacing, and asphalt reconstructions.

Growth Projections

There are no specific development projects proposed with the Lemon Cove Community Plan; however, the Plan does include updates to land use designations that could increase the buildout potential of the planning area. Population and residential growth through planning horizon year 2030 was estimated by applying a 1.3% annual growth rate, consistent with the Tulare County 2030 General Plan, to the 2017 baseline population and housing data, as provided in the United States Census Bureau 2017 American Community Survey (ACS).[12] Non-residential growth was estimated through planning horizon year 2030 for a worst-case emissions scenario by applying a 1.3% annual growth rate to the existing uses and assuming all parcels have been improved with structures at a floor to area ratio of 0.20. Using these assumptions for baseline conditions provides a conservative (larger) overall growth estimate. Table 1 (**Table 3-1** in this MND) summarizes the projected growth of the community through horizon Year 2030."

Table 3-1. Projected Growth through Year 2030

	Residential[1]		Commercial / Public / Other[2]		Retail[2]		Industrial[2]	
Year	Population	Dwelling Units	Square Feet	Acres	Square Feet	Acres	Square Feet	Acres
2017	232	115	277,129	31.81	65,079	7.47	15,507	1.78
2030	274	136	327,797	37.63	76,977	8.84	18,343	2.11
Overall Growth	42	21	50,668	5.85	11,898	1.37	2,835	0.33

[1] Projections based on 2017 American Community Survey data applying an annual growth rate of 1.3%.
[2] Projections based on existing land uses assuming developments/improvements with a Floor to Area Ratio of 0.2 and annual growth rate of 1.3%.

[12] United States Census Bureau. American FactFinder. 2017 American Community Survey. 2013-2017 American Community Survey 5-Year Estimates. Demographic and Housing Estimates (DP05) and Selected Housing Characteristics (DP04). Accessed November 2019 at: https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml., then enter "Lemon Cove CDP, California".

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SIGNIFICANCE THRESHOLDS

As noted in the AQ Memo, "CEQA Guidelines define a significant effect on the environment as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project. To determine if a project would have a significant impact on air quality and climate change, the type, level, and impact of criteria pollutant and GHG emissions generated by the project must be evaluated. Appendix G of the CEQA Guidelines provides the criteria (as Checklist Items) for evaluating potential impacts on the environment."[13] The CEQA criteria and the Air District's significance thresholds and guidance for evaluation are provided below.

Air Quality Plans

The Air District has established thresholds of significance for criteria pollutant emissions. These thresholds are based on District New Source Review (NSR) offset requirements for stationary sources. "Stationary sources in the District are subject to some of the toughest regulatory requirements in the nation. Emission reductions achieved through implementation of District offset requirements are a major component of the District's air quality plans. Thus, projects with emissions below the thresholds of significance for criteria pollutants would be determined to "Not conflict or obstruct implementation of the District's air quality plan"."[14]

"The Air District has three sets of significance thresholds based on the source of the emissions. According to the GAMAQI, "The District identifies thresholds that separate a project's short-term emissions from its long-term emissions. The short-term emissions are mainly related to the construction phase of a project and are recognized to be short in duration. The long-term emissions are mainly related to the activities that will occur indefinitely as a result of project operations.""[15]

Long-term (operational) emissions are further separated into permitted and non-permitted equipment and activities. Stationary (permitted) sources that comply or will comply with Air District rules and regulations are generally not considered to have a significant air quality impact. Specifically, the GAMAQI states, "District Regulation II ensures that stationary source emissions will be reduced or mitigated to below the District's significance thresholds… District implementation of New Source Review (NSR) ensures that there is no net increase in emissions above specified thresholds from New and Modified Stationary Sources for all nonattainment pollutants and their precursors. Furthermore, in general, permitted sources emitting more than the NSR Offset Thresholds for any criteria pollutant must offset all emission increases in excess of the thresholds..."[16] The Air District's significance thresholds are provided in **Table 3-2**.

Air Quality Violations

"Determination of whether project emissions would violate any ambient air quality standard is largely a function of air quality dispersion modeling. If project emissions would not exceed State and Federal ambient air quality standards at the project's property boundaries, the project would be considered to not violate any air quality standard or contribute substantially to an existing or projected air quality violation. The need to perform an air quality dispersion modeling analysis for any project (urban development, commercial, or industrial projects) is determined on a case-by-case basis depending on the level of emissions associated with the proposed project. If such modeling is found necessary, the project consultant should check with the District to determine the appropriate model and input data to use in the analysis. Specific information for assessing significance, including screening tools and modeling guidance is available on-line at the District's website

[13] AQ Memo Page 3.
[14] Ibid.
[15] Op. Cit. 3 and 4.
[16] Op. Cit. 4.

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www.valleyair.org." [17]

"The thresholds of significance for Ambient Air Quality are based on the California Ambient Air Quality Standard (CAAQS) and National Ambient Air Quality Standard (NAAQS). A project would be considered to have a significant impact if its emissions are predicted to cause or contribute to a violation of an ambient air quality standard by exceeding any of the following:

1. Any of the CAAQS, or
2. Any of the NAAQS, and if available, the associated Significant Impact Level (SIL)."[18]

Table 3-2. Air District Criteria Pollutant Significance Thresholds

Pollutant/ Precursor	Construction Emissions	Operational Emissions	
		Permitted Equipment and Activities	Non- Permitted Equipment and Activities
	Emissions (tpy)	Emissions (tpy)	Emissions (tpy)
CO	100	100	100
NOx	10	10	10
ROG	10	10	10
SOx	27	27	27
PM_{10}	15	15	15
$PM_{2.5}$	15	15	15

Source: Air District, GAMAQI, Table 2, page 80; and http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf, accessed November 1, 2019.

See Table 3 of the AQ Memo which provides the California and National Ambient Air Quality Standards.

"The District ISR rule exempts small development projects (see Table 4 [of the GAMAQI]) from project-specific mitigation requirements. The District performed extensive analysis to identify small projects for which additional mitigation is not feasible. For instance, the exemptions include small residential housing developments of less than 50 units and commercial developments of less than 2,000 square feet. All projects on the exemption list emit less than 2 tons per year of either PM10 or NOx, which is substantially lower than the District's 10-ton per year significance thresholds. Furthermore, as the tailpipe emissions from motor vehicles continue to decline, these projects will emit even less today than was estimated in 2005 when this rule was adopted. In addition, two tons per year is expected to result in daily emissions of less than the 100 lb/day screening level for either NOx or PM10 that the District has concluded that projects under the ISR exemption thresholds will have a less than significant impact on air quality. Consequently, projects below ISR applicability thresholds are not expected to exceed the thresholds of significance for criteria pollutants emissions (see Section 8.3 [of the GAMAQI]). In addition, projects below the ISR applicability thresholds are not expected to violate any air quality standards or contribute substantially to an existing or projected air quality violation and will not exceed the thresholds of significance for ambient air quality. In this case, the District concludes no emission calculation is needed and no ambient air quality analysis is required."[19]

"Table 4 [**Table 3-3** in this MND] provides the Air District's ambient air quality analysis (AAQA) screening levels for

[17] Op. Cit. 4 and 5.
[18] Op. Cit. 5.
[19] Op. Cit. 6.

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development projects. For projects that exceed the screening thresholds identified in Table 4, the Air District provides further guidance on how to evaluate the 100 pound per day screening level in their guidance document *Ambient Air Quality Analysis Project Daily Emissions Assessment*.[20]

Table 3-3
AAQA Screening Levels For Development Project

Development Project Type	Space / Size
Residential	50 dwelling units
Commercial	2,000 square feet
Light Industrial	25,000 square feet
Heavy Industrial	100,000 square feet
Medical Office	20,000 square feet
General Office	39,000 square feet
Educational	9,000 square feet
Governmental	10,000 square feet
Recreational	20,000 square feet
Transportation / Transit	Construction exhaust emissions equal or exceeding 2.0 tons NOx or 2.0 tons PM_{10}

Source: Air District, GAMAQI, Table 4, page 96

Cumulative Increase in Emissions

"By its very nature, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development. Future attainment of State and Federal ambient air quality standards is a function of successful implementation of the District's attainment plans. Consequently, the District's application of thresholds of significance for criteria pollutants is relevant to the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality. A Lead Agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program, including, but not limited to an air quality attainment or maintenance plan that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located [CCR §15064(h)(3)]. Thus, if project specific emissions exceed the thresholds of significance for criteria pollutants the project would be expected to result in a cumulatively considerable net increase of any criteria pollutant for which the District is in non-attainment under applicable Federal or State ambient air quality standards. This does not imply that if the project is below all such significance thresholds, it cannot be cumulatively significant."[21] **Table 3-4** [Table 5 in the AQ Memo] provides the San Joaquin Valley Air Basin attainment status for federal and state ambient air quality standards

[20] Op. Cit. 6.
[21] Op. Cit. 7.

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Table 3-4
San Joaquin Valley Attainment Status

Pollutant	Designation	
	Federal Standards	State Standards
Ozone—1-hour	No Federal Standard	Nonattainment/Severe
Ozone—8-hour	Nonattainment/Extreme	Nonattainment
PM_{10}	Attainment	Nonattainment
$PM_{2.5}$	Nonattainment	Nonattainment
Carbon monoxide	Attainment/Unclassified	Attainment/Unclassified
Nitrogen dioxide	Attainment/Unclassified	Attainment
Sulfur dioxide	Attainment/Unclassified	Attainment
Lead (Particulate)	No Designation/Classification	Attainment
Hydrogen sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility-reducing particles	No Federal Standard	Unclassified
Vinyl chloride	No Federal Standard	Attainment

Source: Air District, http://www.valleyair.org/aqinfo/attainment.htm. Accessed November 1, 2019.

Exposure Risks

"The location of a project is a major factor in determining whether the project will result in localized air quality impacts. The potential for adverse air quality impacts increases as the distance between the source of emissions and receptors decreases. From a health risk perspective, there are two (2) categories of projects that have the potential to cause long-term health risks impacts:

- Type A Projects: Land use projects that will place new toxic sources in the vicinity of existing receptors. This category includes sources of toxic emissions such as gasoline dispensing facilities, asphalt batch plants, warehouse distribution centers, freeways and high traffic roads, and other stationary sources that emit toxic substances.
- Type B Projects: Land use projects that will place new receptors in the vicinity of existing toxic sources. This category includes residential, commercial, and institutional developments proposed in the vicinity of existing sources such as stationary sources, freeways and high traffic roads, rail yards, and warehouse distribution centers."[22]

"Various tools already exist to perform a screening analysis from stationary sources impacting receptors (Type A projects) as developed for the AB2588 Hot Spots and air district permitting programs. Screening tools may include prioritization charts, AERSCREEN and various spreadsheets. For projects being impacted by existing sources (Type B projects), one screening tool is contained in the ARB Handbook: *Air Quality and Land Use Handbook: A Community Health Perspective*. The document includes a table entitled "*Recommendations on Siting New Sensitive Land Uses Such As Residences, Schools, Daycare Centers, Playgrounds, or Medical Facilities*" with recommended buffer distances associated with various types of common sources. If a proposed project is located within an established buffer distance to any of the listed sources, a health risk screening and/or assessment should be performed to assess risk to potential sensitive receptors. These guidelines are intended only for projects that are impacted by a single source. Another useful tool is the CAPCOA Guidance Document: *Health Risk Assessments for Proposed Land Use Projects*. CAPCOA prepared the guidance to assist Lead Agencies in

[22] Op. Cit. 8.

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complying with CEQA requirements. The guidance document describes when and how a health risk assessment should be prepared and what to do with the results."[23] **Table 3-5** [Tab le 6 in the AQ Memo] presents the Air District's and ARB's siting recommendations for projects proposing sensitive land uses.

Table 3-5
ARB Recommendations on Siting New Sensitive Land Uses

Source Category	Advisory Recommendations
Freeways and High-Traffic Roads	Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day.
Distribution Centers	Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week). Take into account the configuration of existing distribution centers and avoid locating residences and other new sensitive land uses near entry and exit points.
Rail Yards	Avoid siting new sensitive land uses within 1,000 feet of a major service and maintenance rail yard. Within one mile of a rail yard, consider possible siting limitations and mitigation approaches.
Ports	Avoid siting of new sensitive land uses immediately downwind of ports in the most heavily impacted zones. Consult local air districts or the ARB on the status of pending analyses of health risks.
Refineries	Avoid siting new sensitive land uses immediately downwind of petroleum refineries. Consult with local air districts and other local agencies to determine an appropriate separation.
Chrome Platers	Avoid siting new sensitive land uses within 1,000 feet of a chrome plater.
Dry Cleaners Using Perchloroethylene	Avoid siting new sensitive land uses within 300 feet of any dry cleaning operation. For operations with two or more machines, provide 500 feet. For operations with 3 or more machines, consult with the local air district. Do not site new sensitive land uses in the same building with perchloroethylene dry cleaning operations.
Gasoline Dispensing Facilities	Avoid siting new sensitive land uses within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater). A 50 foot separation is recommended for typical gas dispensing facilities.

Sources:
Air Resources Board, "Air Quality and Land Use Handbook: A Community Health Perspective", Page 4, Table 1-1, https://www.arb.ca.gov/ch/handbook.pdf, accessed November 1, 2019.
California Air Pollution Control Officers Association, Health Risk Assessments for Proposes Land Use Projects, Page 9, Table 2, http://www.valleyair.org/transportation/CAPCOA_HRA_LU_Guidelines_8-6-09.pdf, accessed November 1, 2019.

"Determination of whether project emissions would expose sensitive receptors to substantial pollutant concentrations is a function of assessing potential health risks. Sensitive receptors are facilities that house or attract children, the elderly, people

[23] Op. Cit. 8 and 9.

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with illnesses, or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent facilities, and residential areas are examples of sensitive receptors. When evaluating whether a development proposal has the potential to result in localized impacts, Lead Agency staff need to consider the nature of the air pollutant emissions, the proximity between the emitting facility and sensitive receptors, the direction of prevailing winds, and local topography. Lead Agencies are encouraged to use the screening tools for Toxic Air Contaminant presented in section 6.5 (Potential Land Use Conflicts and Exposure of Sensitive Receptors [pages 44 – 45 of the GAMAQI]) to identify potential conflicts between land use and sensitive receptors and include the result of their analysis in the referral document."[24]

Nuisance Odors

"Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, there are no quantitative or formulaic methodologies to determine the presence of a significant odor impact. Rather, the District recommends that odor analyses strive to fully disclose all pertinent information. The intensity of an odor source's operations and its proximity to sensitive receptors influences the potential significance of odor emissions. The District has identified some common types of facilities that have been known to produce odors in the San Joaquin Valley. These are presented in Chapter 8 [of the GAMAQI] along with a reasonable distance from the source within which, the degree of odors could possibly be significant.

Two situations create a potential for odor impact. The first occurs when a new odor source is located near an existing receptor. The second occurs when a new receptor locates near an existing source of odor. An analysis of potential odor impacts should be conducted for the following two situations:

1. Generators – projects that would potentially generate odorous emissions proposed to locate near existing sensitive receptors or other land uses where people may congregate, and
2. Receivers – residential or other sensitive receptor projects or other projects built for the intent of attracting people locating near existing odor sources.

The intensity of an odor source's operations and its proximity to sensitive receptors influences the potential significance of odor emissions. The District has identified some common types of facilities that have been known to produce odors in the San Joaquin Valley Air Basin. These are presented in Table 6 (Screening Levels For Potential Odor Sources) [of the GAMAQI] along with a reasonable distance from the source within which, the degree of odors could possibly be significant. Table 6 (Screening Levels for Potential Odor Sources) [of the GAMAQI], can be used as a screening tool to qualitatively assess a project's potential to adversely affect area receptors. This list of facilities is not all-inclusive. The Lead Agency should evaluate facilities not included in the table or projects separated by greater distances if warranted by local conditions or special circumstances. If the proposed project would result in sensitive receptors being located closer than the screening level distances, a more detailed analysis should be provided."[25] **Table 3-6** [Table 7 in the AQ Memo] presents the Air District's screening levels for potential nuisance odor sources.

[24] Op. Cit. 10.
[25] Op. Cit. 10 and 11.

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Table 3-6
Air District Screening Levels for Potential Odor Sources

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

Sources: Air District, GAMAQI, Table 6, page 103; and http://www.valleyair.org/transportation/GAMAQI-2015/GAMAQI-Criteria-Pollutant-Thresholds-of-Odors.pdf.

Project Impact Analysis

a) ***Less Than Significant Impact -*** AAQS designed to protect the health and safety of residents within that air basin. In order to show attainment of the standards, the Air District analyzes the growth projections in the San Joaquin Valley Air Basin (SJVAB), contributing factors in the formation and emission of air pollutants, and existing and future emissions controls. The Air District then formulates an AQP which details the Air District's control strategy to reach attainment. The Air District's 2016 Plan for the 2008 8-Hour Ozone Standard, 2013 Plan for the Revoked 1-Hour Ozone Standard, 2007 Ozone Plan, 2007 PM_{10} Maintenance Plan and Request for Redesignation, 2008 $PM_{2.5}$ Plan, 2012 $PM_{2.5}$ Plan, 2015 Plan for the 1997 $PM_{2.5}$ Standard, and the 2016 Moderate Area Plan for the 2012 $PM_{2.5}$ Standard outline a number of control strategies to help the SJVAPCD reach attainment for the revoked federal 1-hour ozone standard, the 24-hour PM_{10} standard, and the federal and state $PM_{2.5}$ standards, respectively. The 2008 $PM_{2.5}$ Plan, 2012 $PM_{2.5}$ Plan, and 2015 Plan for the 1997 $PM_{2.5}$ Standard focus specifically on $PM_{2.5}$, although the control strategies from previous PM10 plans (particularly those related to fugitive dust control) have already improved the SJVAB ambient $PM_{2.5}$ levels. Therefore, because fugitive dust controls continue to be addressed in the PM_{10} plan, the plans contain a comprehensive list of strict regulatory and incentive-based measures to reduce directly-emitted $PM_{2.5}$ and precursor emissions. The San Joaquin Valley Air Basin is in attainment for CO, SO_2, and lead, so there are no attainment plans for those pollutants.[26] The proposed Project will be required to comply with all applicable Air District rules and regulations including, but not limited to, Regulation VIII (Fugitive PM_{10} Prohibitions) requirements and District Rule 9510 (Indirect Source Review).

As previously noted, the Air District has determined that projects with emissions below the thresholds of significance for criteria pollutants (see **Table 3-2**) would "Not conflict or obstruct implementation of the District's air quality plan."[27] There

[26] More information on Air District air quality plans can be found online at http://valleyair.org/Air_Quality_Plans/air-quality-plans.htm.

[27] San Joaquin Valley Air Pollution Control District (Air District). Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI). Table 2. Page 80, and Section 7.12. Page 65. Accessed November 2019 at: http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan. However, the Plan does include updates to land use designations that could increase the buildout potential of the planning area. As such, projected growth estimates for population, housing, and non-residential land uses are based on the 1.3% annual growth rate projected for the County in the Tulare County 2030 General Plan. To assess a worst-case growth scenario, the 1.3% growth rate was applied to the existing 2017 base year population and housing data (as provided in the United States Census Bureau 2017 American Community Survey) and the existing non-residential uses within the community (assuming that all developed properties have been improved with structures at a floor-to-area ratio of 0.2) to determine the amount of development that could occur by 2030. The projected growth through 2030 is presented in **Table 3-1**.

The future buildout of the Project would result in short-term, temporary, and intermittent construction-related and long-term operations-related criteria air pollutant emissions. Consistent with the Air District guidance, Project-related construction and operation emissions have been estimated using CalEEMod, Version 2016.3.2 (the most recent version of the model). The CalEEMod modeling results can be found in Attachment "A". Construction phasing, off-road construction equipment and on-road employee, hauling, and vendor vehicle estimates utilized model default values. Model defaults were also utilized for operational activities, except where Project-specific information could be input. The following changes to default values were used:

- *Project Characteristics – Land Use Setting:* Although the future development will be located within the Urban Development Boundary, the rural land use was selected as the Project is within a relatively sparsely developed area.
- *Land Use – Lot Acreage:* Non-residential acreage is greater than the model default as the projected growth is based on the acreage of existing land uses. The acreage represents a 1.3% annual growth rate based on developed/improved properties.
- *Operational-Mobile – Fleet Mix:* The "District Accepted Fleet Mix for Residential Projects" was used for the operational year (2021).
- *Mitigation – Construction:* Water exposed area 3 times per day and unpaved road vehicle speed of 15 miles per hour were selected to account for compliance with Air District Regulation VIII requirements.
- *Mitigation – Traffic:* The following items were selected: low density suburban project setting; improve destination accessibility with the job center at 4 miles from the site; and improve pedestrian network onsite.
- *Mitigation – Area:* The following items were selected: No hearth was selected because residents rely on the use of propane tanks to provide gas services and to account for compliance with Air District Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters); and 3% was used for electronic lawnmower, electric leaf blower, and electric chainsaw, consistent with Air District approved changes.
- *Mitigation – Water:* Low-flow bathroom faucets, kitchen faucets, toilets and showers were selected to account for Title 24 and Green Building Code requirements; and use of water-efficient irrigation systems was selected to account for the County's Model Water Efficient Landscaping Ordinance (also referred to as MWELO)

Table 3-7 (Table 8 in the AQ Memo) provides the construction-related criteria pollutant emissions and **Table 3-8** (Table 9 in the AQ Memo) provides the operations-related criteria pollutant emissions associated with the projected growth.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Table 3-7
Annual Construction Emissions Estimates (Mitigated)

Construction Year	Estimated Emissions, tons per year					
	ROG	NOx	CO	SO_2	Total PM_{10}	Total $PM_{2.5}$
2020	0.36	3.41	2.70	4.99e-003	0.31	0.22
2021	0.91	1.07	1.06	1.93e-003	0.08	0.06
Construction Total	1.27	4.48	3.76	6.92e-003	0.39	0.28
SJVAPCD Threshold	10	10	100	27	15	15
Threshold Exceeded	No	No	No	No	No	No

Source: See Attachment "A" of this document.

Table 3-8
Annual Operational Emissions Estimates (Mitigated)

Construction Year	Estimated Emissions, tons per year					
	ROG	NOx	CO	SO_2	Total PM_{10}	Total $PM_{2.5}$
Operations at Buildout	0.86	2.84	4.06	0.01	0.97	0.27
SJVAPCD Threshold	10	10	100	27	15	15
Threshold Exceeded	No	No	No	No	No	No

Source: See Attachment "A" of this document.

As previously noted, there are no specific development projects associated with the Community Plan that would result in emissions exceeding Air District thresholds of significance. The Air District evaluates significance of short-term (construction) emissions independent of long-term (operational) emissions. As demonstrated in Tables 8 and 9, the estimated Project-related emissions during construction and operations will not exceed the Air District's CEQA significance thresholds for any criteria pollutant. Future developments will be subject to additional CEQA review and will be evaluated at the time of submittal. The County will consult with the Air District on a project-by-project basis as new developments are proposed to evaluate potential impacts based on project-specific details and determine whether a localized pollutant analysis (such as an Ambient Air Quality Analysis or Health Risk Assessment) would be required. Future developments will comply with all applicable Air District rules and regulations including, but not limited to, Regulation VIII (Fugitive PM10 Prohibition), Rule 2201 (New and Modified Stationary Source Review), and Rule 9510 (Indirect Source Review). Furthermore, the Air District has used an average annual growth rate for Tulare County ranging from 1.44% to 1.94%. The 1.3% annual growth rate applied in the Lemon Cove Community Plan is lower than the growth rates applied in the applicable Air Quality Plans (AQPs). As such, Project-related emissions would be included in the AQPs emissions inventories. Therefore, the Project would not conflict with or obstruct implementation of the applicable AQPs. The Project will have a Less Than Significant Project-specific Impact related to this Checklist Item.

Cumulative Impact Analysis: ***Less Than Significant Impact***

The geographic area of this cumulative analysis is the San Joaquin Air Basin. The emissions analysis demonstrates the Project will not exceed the Air District's thresholds of significance. As such, the Project will not conflict with or obstruct implementation of the applicable air quality plans. Furthermore, the County will consult with the Air District on a project-by-project basis, and future developments will be required to implement all applicable General Plan policies and to comply with all applicable Air District rules and regulations. Therefore, the Project will result in a less than significant Cumulative impact related to this Checklist Item.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

As previously noted, the Project will not exceed the Air District's thresholds of significance and therefore, will not conflict with or obstruct implementation of the applicable air quality plans. Therefore, less than significant Project-specific and Cumulative impacts related to this Checklist Item will occur.

b) ***Less Than Significant Impact -*** The Project would be considered to have a significant cumulative impact on air quality if project-specific impacts are determined to be significant. As previously noted, the emissions analysis confirms that Project-specific emissions are below the Air District's thresholds of significance at a project-specific level, and that the Project will not cause or contribute to an existing air quality violation. Furthermore, the County will consult with the Air District on a project-by-project basis to ensure that future developments are implemented consistent with Air District rules and regulations, including but not limited to, Regulation VIII (Fugitive PM10 Prohibition), Rule 2201 (New and Modified Stationary Source Review), and Rule 9510 (Indirect Source Review). The Project will be required to implement all applicable General Plan policies and to comply with all applicable Air District rules and regulations. Therefore, because the Project would have less than significant Project-specific Impacts, the Project will have a less than significant Cumulative Impact on air quality.

Cumulative Impact Analysis: ***Less Than Significant Impact***

The Project would be considered to have a significant cumulative impact on air quality if project-specific impacts are determined to be significant. Because project-specific impacts are less than significant, the Project will have a less than significant Cumulative Impact on air quality.

Conclusion: ***Less Than Significant Impact***

As previously noted, Project-related criteria pollutant emissions fall below the Air District's significance thresholds and the Project will be required to implement all applicable General Plan policies and to comply with all applicable Air District rules and regulations. Therefore, the Project will have a less than significant Cumulative Impact related to this Checklist Item

c) ***Less Than Significant Impact –***

Project Impact Analysis

Sensitive receptors are those individuals who are sensitive to air pollution and include children, the elderly, and persons with pre-existing respiratory or cardiovascular illness. The Air District considers a sensitive receptor to be a location that houses or attracts children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Examples of sensitive receptors include schools, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential dwelling units.[28]

Construction-Related Emissions

Construction Equipment TACs/HAPs: Particulate emissions from diesel powered construction equipment are considered a TAC by the California Air Resources Board. There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan. However, future development projects have the potential to temporarily expose receptors to increased pollutant emission concentrations from diesel powered construction

[28] Air District. GAMAQI. Page 10.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

equipment during the short-term construction phase. However, construction emissions are temporary and would cease upon completion of construction activities. The short-term nature of construction-related emissions would not expose nearby receptors to substantial TAC concentrations. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Dust-borne TACs/HAPs: There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan. However, future development projects have the potential to temporarily expose nearby receptors to fugitive particulate (dust) emissions during the short-term construction phase or from landscaping activities once the development project is operational. As of November 2019, there were no listings within the Project planning area in the California Department of Toxic Substances Control (DTSC) Hazardous Waste and Substances Site List.[29] A query performed on the DTSC *Envirostor* indicated that there are no superfund, state response, voluntary cleanup, school cleanup or corrective actions within five (5) miles of the Project planning area.[30] A query of the State Water Resources Control Board (WRCB) *GeoTracker* Site and Facilities mapping programs revealed seven (7) leaking underground storage tank (LUST) sites within the Project planning area; however, all of these sites are designated as having cleanup being completed and case closed.[31] A query performed on the U.S. Environmental Protection Agency (EPA) *Superfund Enterprise Management System* (SEMS) website found that there are no listed polluted sites within the Project planning area.[32] Therefore, fugitive dust emissions resulting from earthmoving activities during construction or landscaping activities during operations, would not expose future residents or nearby receptors to substantial pollutant concentrations. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan. However, future development projects have the potential to temporarily expose nearby residences to other airborne hazards from generation of fugitive dust emissions during construction-related earthmoving activities. Although not specifically required by CEQA, the following discussions related to valley fever and asbestos are included to satisfy requirements for full disclosure of potential Project-related impacts and are for information purposes only.

Valley Fever: Valley fever, or coccidioidomycosis, is an infection caused by inhalation of the spores of the fungus, *Coccidioides immitis (C. immitis*). According to the Centers for Disease Control (CDC), the San Joaquin Valley is considered an endemic area for valley fever.[33] "The fungus is known to live in the soil in the southwestern United States and parts of Mexico and Central and South America. The fungus was also recently found in south-central Washington. People can get Valley fever by breathing in the microscopic fungal spores from the air in these areas. Most people who breathe in the spores don't get sick, but some people do. Usually, people who get sick with Valley fever will get better on their own within weeks to months, but some people will need antifungal medication. Certain groups of people are at higher risk for developing the severe forms of the infection, and these people typically need antifungal treatment. It's difficult to prevent exposure to *Coccidioides* in areas where it's common in the environment, but people who are at higher risk for severe Valley fever should try to avoid breathing in large amounts of dust if they're in these areas."[34]

[29] DTSC. Hazardous Waste and Substance Site List. https://www.envirostor.dtsc.ca.gov/public/search.asp?page=8&cmd=search&business_name=&main_street_name=&city=&zip=&county=&status=ACT%2CBKLG%2CCOM&branch=&site_type=CSITES%2COPEN%2CFUDS%2CCLOSE&npl=&funding=&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST&reporttype=CORTESE&federal_superfund=&state_response=&voluntary_cleanup=&school_cleanup=&operating=&post_closure=&non_operating=&corrective_action=&tiered_permit=&evaluation=&spec_prog=&national_priority_list=&senate=&congress=&assembly=&critical_pol=&business_type=&case_type=&searchtype=&hwmp_site_type=&cleanup_type=&ocieerp=&hwmp=False&permitted=&pc_permitted=&inspections=&complaints=&censustract=&cesdecile=&school_district=&orderby=county. Accessed November 1, 2019.

[30] DTSC. Envirostor. Sites and Facilities mapping website. https://www.envirostor.dtsc.ca.gov/public/map/, Accessed November 1, 2019.

[31] WRCB, GeoTracker, Sites and Facilities mapping website. https://geotracker.waterboards.ca.gov/. Accessed November 1, 2019.

[32] EPA. SEMS Search. Accessed November 2019 at: https://www.epa.gov/enviro/sems-search.

[33] CDC. Accessed November 2019 at: https://www.cdc.gov/fungal/diseases/coccidioidomycosis/maps.html.

[34] CDC. Accessed November 2019 at: https://www.cdc.gov/fungal/diseases/coccidioidomycosis/definition.html.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Construction-related activities generate fugitive dust that could potentially contain *C. immitis* spores. The Project will be required to implement General Plan Policy AQ-4.2 (Dust Suppression Measures), which was specifically designed to address impacts from the generation of dust emitted into the air. The Project will be required to comply with Air District Regulation VIII (Fugitive PM10 Prohibitions) requirements, including submittal of construction notification and/or dust control plan(s), which minimize the generation of fugitive dust during construction-related activities. Therefore, implementation of General Plan policies and compliance with Air District rules and regulations would reduce the chance of exposure to valley fever during construction-related activities. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Naturally Occurring Asbestos: In areas containing naturally occurring asbestos, earthmoving construction-related activities, such as grading and trenching, could expose receptors to windblown asbestos. According to a United States Geological Soil Survey map of areas where naturally occurring asbestos in California are likely to occur, the Project is not located in an area known to contain naturally occurring asbestos.[35] The Project planning area and the immediate vicinity has been previously disturbed by agricultural operations and by rural residential and commercial/retail development. Future development projects will be required to implement General Plan Policy AQ-4.2 (Dust Suppression Measures) to comply with Air District Regulation VIII (Fugitive PM10 Prohibitions) requirements, thereby reducing the chance of exposure to valley fever during construction-related activities. Therefore, ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Operations-Related Emissions

Operations from Future Development: There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan that would be a source of TAC or HAP emissions. However, construction- and operation-related activities associated with future development projects may require the transport and use of hazardous materials. Consumer products and gasoline are regulated by the State and use of these products would not pose a significant risk to residents or nearby receptors. Medium- and Heavy-duty diesel trucks would be a source of diesel particulate matter, which is considered to be a TAC. The County will work with the Air District on a project-by-project basis to determine whether health risk assessments would be required for projects generating diesel truck trips travelling through the Project planning area, and for other equipment that may require Air District permits. Furthermore, future applicants will be required to comply with all local, state, and federal policies related to emission of TACs/HAPs in the event such pollutants require control efforts to minimize their impacts. Tulare County Environmental Health Division will require a Hazardous Waste Business Plan if materials exceed 55 gallons (liquids), 500 pounds (solids), or 200 cubic feet (compressed gas) handled or stored on site.[36] As such, the Project will not expose sensitive receptors to substantial pollutant concentrations. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Existing Sources: There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan that would be a source of TAC or HAP emissions, and the location of future development projects in close proximity to sensitive receptors cannot be determined until future projects are identified. To ensure that development within the Project planning area does not expose sensitive receptors to significant impacts from TAC emissions, the County will review individual projects on a project-by-project basis to determine if ARB's Air

[35] USGS. *Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California.* Accessed November 2019 at: http://pubs.usgs.gov/of/2011/1188/.

[36] Tulare County Health and Human Services Agency, Environmental Health Division. Hazardous Material Business Plan. Accessed November 2019 at: https://tularecountyeh.org/eh/index.cfm/our-services/hazardous-materials-cupa/hazardous-materials-business-plan-hmbp/ and https://tularecountyeh.org/eh/index.cfm/guidance-library/hazmat-cupa/hazardous-materials-business-plan-hmbp/business-plan-faqs/.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Quality Land Use Handbook screening criteria presented in **Table3-5** [Table 6 in the AQ Memo] are exceeded. Projects that exceed the screening criteria will be subject to analysis using screening models or may require dispersion modeling and a health risk assessment. Tulare County will also consult with the Air District during the CEQA process for guidance on the appropriate screening tools and modeling protocols for future development projects within the Plan area. Therefore, existing sources of TAC/HAP emissions would not expose receptors to substantial pollutant concentrations. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Existing Agricultural Operations: The Project planning area is located in a rural area with urban built up land as well as active agricultural operations. Agricultural operations typically include the use of chemicals on crops for activities such as pest control, damage control, weed abatement, etc. However, these chemicals are regulated by the State and would not pose a significant risk to the existing and future residents within the Project planning area. Furthermore, the Tulare County General Plan includes Policy AG-1.14 Right-to-Farm Noticing which requires new property owners to acknowledge and accept the inconveniences associated with normal farming activities. Future development projects adjacent to agricultural lands will be required to sign a "Right to Farm" notice. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Cumulative Impact Analysis: ***Less Than Significant Impact***

The geographic area of this cumulative analysis is the San Joaquin Valley Air Basin. The Tulare County General Plan includes policies, which were specifically designed to engage responsible agencies in the CEQA process, to reduce air pollutant emissions through project design, require compliance with emission-reducing regulations, and to address potential impacts from siting incompatible uses in close proximity to each other. Applicable General Plan policies will be implemented for the Project. The County will consult with the Air District on a project-by-project basis as new developments are proposed to evaluate project-specific impacts based on project-specific details and to determine whether a health risk assessment would be needed. Compliance with applicable Air District rules and regulations would further reduce potential impacts from exposure to TAC and HAP emissions, as well as valley fever and asbestos. As such, the development of the proposed Project would not expose the public to substantial pollutant concentrations. Therefore, a less than significant Cumulative Impact related to this Checklist Item will occur.

Mitigation: None Required

There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan. As such, the Project is not a source of, nor are there any known existing sources of, HAPs or TACs within the Project vicinity. Therefore, the proposed Project would not expose the public to substantial pollutant concentrations. less than significant ***Project-specific and Cumulative Impacts*** related to this Checklist Item will occur.

d) ***Less Than Significant Impact:***

Project Impact Analysis: ***Less Than Significant Impact***

Two situations create a potential for odor impact. The first occurs when a new odor source is located near an existing sensitive receptor. The second occurs when a new sensitive receptor locates near an existing source of odor. There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan that would be a source of nuisance odors. However, as the Community Plan is built out, dependent upon the location and nature of operations, potential exists for odor impacts to occur resulting from existing and/or new agricultural, commercial, and industrial land uses.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Potential odor sources associated with construction-related activities could originate from diesel exhaust from construction equipment and fumes from architectural coating and paving operations. However, construction-related odors, if perceptible, would dissipate as they mix with the surrounding air and would be of very limited duration. As such, objectionable odors during construction would not affect a substantial number of people.

As presented in **Table 3-6** [Table 7 in the AQ Memo], the Air District has determined the common land use types that are known to produce odors in the San Joaquin Valley Air Basin. As previously noted, there are no specific development projects associated with the Community Plan. However, the existing agricultural uses in the vicinity of the community could be a source of nuisance odors. All projects, with the exception of agricultural operations, are subject to Air District Rule 4102 (Nuisance). Therefore, odors from agriculture-related operations would not be subject to complaint reporting. There is potential for these agricultural operations to generate objectionable odors; however, these odors would be temporary or seasonal. Furthermore, the Tulare County General Plan includes Policy AG-1.14 Right-to-Farm Noticing which requires new property owners to acknowledge and accept the inconveniences associated with normal farming activities. If future developments are proposed adjacent to active agricultural uses, future residents will be required to sign a "Right to Farm" notice. To ensure potential nuisance odor impacts are addressed, if proposed developments were to result in sensitive receptors being located closer than the recommended distances to any odor generator identified in **Table 3-6** [Table 7 in the AQ Memo], a more detailed analysis, is recommended. The detailed analysis would involve contacting the Air District's Compliance Division for information regarding odor complaints Implementation of the applicable General Plan policies and compliance with applicable Air District rules and regulations specifically designed to address air quality and odor impacts, would reduce potential odor impacts. Therefore, the Project would not create or expose existing residents to objectionable odors. Less than significant ***Project-specific Impacts*** related to this Checklist Item will occur.

Cumulative Impact Analysis: ***Less Than Significant Impact***

The geographic area of this cumulative analysis is the San Joaquin Valley Air Basin. As there are no development projects proposed with the Project, the Project does not include any new sources of odors. Future developments will be subject to Air District Rule 4102 (Nuisance) and General Plan Policy AG-1.14 Right-to-Farm Noticing will be implemented. As such, the Project will not expose a substantial number of people to objectionable odors. Therefore, less than significant ***Cumulative Impacts*** related to this Checklist Item will occur.

Mitigation Measures: None Required

The Project is not a source of nuisance odors, nor are there existing sources of permanent odors in the Project vicinity that would affect future residents. As such, the Project will not expose a substantial number of people to objectionable odors. Therefore, ***Less Than Significant Project-specific and Cumulative Impacts*** related to this Checklist Item will occur.

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	☐	☒	☐	☐

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
		Department of Fish and Game or U.S. Fish and Wildlife Service?				
	b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
	c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
	d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
	e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
	f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Analysis:

As noted previously, the Project is adopt the Lemon Cove Community Plan and no development proposals are being considered at this time. The update is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). The Project includes expansion of the Urban Development Boundary (UDB); as such, a case-by-case evaluation will be conducted when development proposals are received for both the existing UDB and future UDB area. However, as this Project is merely development of a Community Plan, there is no possibility of changes to biological resources within the UDB area to be established. The basis for the analysis and determinations below is a Technical Memorandum Biological Species Evaluation (Bio Memo) conducted by RMA staff person Jessica Willis, Planner IV and is included in Attachment "B" of this MND.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

PROJECT DESCRIPTION

The objective in preparing of the Lemon Cove Community Plan is to develop a plan which can accurately reflect the needs and priorities of the unincorporated community of Lemon Cove and assist in fostering future economic development opportunities and grants. Lemon Cove, an unincorporated community, has localized land use needs and issues that should be addressed in a more specific manner particular to its community, geographic features, location of major roadways, such as State Route 198, population characteristics, availability of water, and other issues unique to the community's area. Therefore, the Lemon Cove Community Plan 2019 has been prepared with an emphasis on these considerations with particular focus on land use and circulation.

PROJECT LOCATION

Project site is located in the northern portion of Tulare County, approximately four (4) miles southeast of the City of Woodlake and eleven (11) miles northeast of the City Visalia. The community is generally bounded by Avenue 319 in the south, Goodale Lane in the north, Road 236 in the west, and Road 248 in the east (see Figure 1 of the Bio Memo)

United States Geological Survey 7.5-minute Quadrangle(s): Woodlake and Rocky Hill
Public Land Survey System: Section(s) 02, 03, 10, 11, Township 18 South, Range 27 East, Mount Diablo Base and Meridian
Latitude/Longitude: 36° 22' 53" N / 119° 01' 33" W (at SR 198, approximately 650 feet south of Avenue 328)

SPECIAL STATUS SPECIES EVALUATION

The most recent California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB), RareFind 5 and Biogeographic Information and Observation System (BIOS) mapping applications were accessed on November 5, 2019.[37]

9-Quad CNDDB Results

The Project is located within the Woodlake and Rocky Hill Quadrangles. To identify special status species within the 9-quadrangle Project area, twelve (12) quads were reviewed (Stokes Mountain, Auckland, Shadequarter Mountain, Ivanhoe, Woodlake, Kaweah, Exeter, Rocky Hill, Chickencoop Canyon, Cairns Corner, Lindsay, and Frazier Valley). Based on the information in the CNDDB and BIOS, there are forty-nine (49) special status species and six (6) natural plant communities of special concern within the 9-quadrangle Project area.

Project Quad Results

Based on the information in the CNDDB and BIOS, within the Woodlake and Rocky Hill quadrangles there are nineteen (19) special status species and two (2) natural plant communities of special concern within the general Project vicinity.

Project Area Results

Two (2) special status animal species (*Bombus crotchii*, Crotch bumble bee and *Rana boylii*, foothill yellow-legged frog) have been recorded within the Project study area (i.e., the existing Lemon Cove Urban Development Boundary (UDB) and the proposed expanded UDB)(see Figure 2). The Crotch bumble bee is presumed extant (still in existence or

[37] California Department of Fish and Wildlife (CDFW). Accessed November 2019 at: https://www.wildlife.ca.gov/Data/CNDDB/Maps-and-Data#43018407-rarefind-5

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

surviving) while the foothill yellow-legged frog is considered extirpated (a species that has been locally eliminated but is not extinct) within the Project study area. The one (1) special status plant species (*Pseudobahia peirsonii*, San Joaquin adobe sunburst) identified in Figure 2 is located outside of the Project study area.

The following special status plant and animal species and natural plant communities have not been recorded within the Project study area, but have been recorded within 2.5 miles of the Project study area (see Figure 3).

- *Brodiaea insignis* (Kaweah brodiaea)
- *Diplacus pictus* (calico monkeyflower)
- *Delphinium recurvatum* (recurved larkspur)
- *Eryngium spinosepalum* (spiny-sepaled button-celery)
- *Pseudobahia peirsonii* (San Joaquin adobe sunburst)
- *Agelaius tricolor* (tri-colored blackbird)
- *Ardea herodias* (great blue heron)
- *Branchinecta lynchi* (vernal pool fairy shrimp)
- *Emys marmorata* (western pond turtle)
- *Eumops perotis californicus* (western mastiff bat)
- *Gymnogyps californianus* (California condor)
- *Haliaeetus leucocephalus* (bald eagle)
- *Spea hammondii* (western spadefoot)
- Northern Claypan Vernal Pool
- Sycamore Alluvial Woodland

Although only one (1) special status species (Crotch bumble bee) has been recorded and is considered extant in the Project study area, there is a possibility that migratory birds and raptors may be present or that currently undeveloped areas within the UDB could provide habitat or foraging areas. Therefore, future development projects within the UDB subject to subsequent CEQA analysis will be required to implement applicable mitigation measure(s) to reduce potential impacts on special status species to less than significant.

Also, the Tulare County General Plan has a number of policies that apply to projects within County of Tulare. For example, General Plan policies that would apply to future development in the Project area include *ERM-1.1 Protection of Rare and Endangered Species*; *ERM-1.17 Conservation Plan Coordination*; and *ERM-2.7 Minimize Adverse Impacts.* And, as indicated earlier, proposed development(s) will be evaluated on a case-by-case basis regarding impacts to the biological resource.

a) ***Less Than Significant Impact With Mitigation*** **-** The Lemon Cove Community Plan Urban Development Boundary (UDB) is proposed to be increased by approximately 263.7 acres to an area of approximately 667.8 acres. The following section assumes that special status species within the UDB may be impacted by future development, which will be evaluated on a case-by-case basis, as development occurs.

As noted earlier, based on the information in the CNDDB and BIOS 9-Quad results, there are two special status animal species were identified and are shown in Figure 2 (of the Bio Memo). Also, one special status plan outside of the Project study area is also shown in Figure 2 (of the Bio Memo). No other special status plant or animal species have been recorded within the Project's existing Urban Development Boundary (UDB) or within the proposed UDB expansion area. However, there is a possibility that migratory birds and raptors may be present within the Project site, or that currently undeveloped areas within the UDB could provide habitat or foraging areas.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Therefore, future development projects within the UDB subject to subsequent CEQA analysis may be required to implement **Mitigation Measures 4-1** through **4-12** (shown as mitigation measures BIO-1 through BIO-12 in the Bio Memo) would reduce potential impacts on special status species to less than significant. **Table 4-1** summarizes **Mitigation Measures 4-1** through **4-12** which can be found in their entirety in Attachment "E" of this IS/MND.

TABLE 4-1
Summary of Mitigation Measures 4-1 through 4-12

MITIGATION	TYPE OF MITIGATION	SUMMARIZED DESCRIPTION
Measures for Special Status Plant Species		
4-1	Pre-construction Survey	Qualified biologist/botanist conducts pre-construction surveys for special status plant species
Measures for Special Status Animal Species		
4-2	Pre-construction Survey	Qualified biologist conducts pre-construction surveys for special status animal species.
Measures for Special Status Species Identified in Pre-construction Surveys.		
4-3	Employee Education Program	Qualified biologist conducts tailgate meeting to train construction staff on special status species that occur/may occur on the project site.
Measures for Nesting Raptors and Migratory Birds		
4-4	Avoidance	Where possible, Project will be constructed outside the nesting season (between September 1st and January 31st).
4-5	Pre-construction Survey	If Project activities occur during the nesting season (February 1-August 31), a qualified biologist will conduct preconstruction surveys per the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (2000)*.
4-6	Pre-construction Survey	A qualified biologist will conduct pre-construction surveys per the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (2000).*
4-7	Buffers	Upon active nest discovery, the biologist determines appropriate construction setback distances and a behavioral baseline using applicable CDFW guidelines and/or the biology of the affected species.
Measures for Roosting Bats		
4-8	Temporal Avoidance	To avoid potential impacts to maternity bat roosts, removal of buildings and trees should occur outside of the period between April 1 and September 30.
4-9	Pre-construction Surveys	If removal of buildings or trees is to occur between April 1 and September 30 (general maternity bat roost season), then within 30 days prior to these activities, a qualified biologist will survey affected buildings and trees for the presence of bats. The biologist will utilize bat detection techniques to determine presence of bats.
4-10	Minimization	If a non-breeding bat colony is detected during preconstruction surveys, a biologist shall supervise removal of bats and/or installation of bat exclusion devices to ensure no harm or take of bats occur.
4-11	Avoidance of Maternity Roosts	If a maternity colony is detected during preconstruction surveys, a qualified biologist will supervise establishment of a disturbance-free buffer around the colony and remain in place until a qualified biologist deems that the nursery is no longer active.
Wetlands		
4-12	Consultation	Consultation with the Fresno Field Office of the CDFW and/or the Sacramento Field Office of the USFWS.

Implementation of **Mitigation Measures 4-1 through 4-12** would reduce potential impacts to less than significant with mitigation and ensure that future development activities within the UDB remain compliant with state and federal laws protecting these species.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

b) ***No Impact -*** As noted in Item a., above, the proposed Project area is within the historic sites of various species of concern. However, the Crotch bumble bee is the only species documented as occurring in the CNDDB Occurrence List within the existing and proposed Lemon Cove UDB. Riparian habitat is proximate to the UDB; however, it is absent and would not be impacted by the proposed Project. Existing rural residences, clusters of single-family residences, and agriculturally productive lands constitute the majority of the types of habitat within the existing and proposed UDB and, as such, are not considered habitats of special concern. Because riparian and other habitats of special concern are absent, the Project and future development proposals will have no impact on these habitats.

c) ***No Impact –*** As noted in the Bio Memo, "In addition to the CDFW BIOS mapping application, the most recent United States Geological Survey (USGS) National Water Information System (NWIS) and United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) mapping applications were accessed on November 5, 2019. [38,39] Based on the information in the CDFW BIOS map (see Figure 2), the USGS NWIS map (see Figure 4), and USFWS NWI map (see Figure 5), the following waterways and wetlands are located within the Project study area or in close proximity.

- Foothill Ditch: The ditch (classified as riverine) is located along the northwestern boundary of the Project study area, adjacent and parallel to the proposed expanded UDB (crossing SR 216 at SR 198); the ditch is also approximately 1,500 feet west of the existing UDB.
- Kaweah River: The river (classified as riverine and freshwater forested/shrub wetland) is approximately 1,800 feet west of the Project study area at its nearest point (northwest of Wutchumna Hill).
- Saint John's River: The river (classified as riverine, with an area classified as freshwater emergent wetland) is approximately 3,800 feet north of the southern region of the Project study area.
- Lemoncove Ditch: This ditch (classified as freshwater pond bounded with freshwater emergent wetland) is located approximately 700 feet east of the Project study area (on the north side of Avenue 328 and approximately 1,500 feet east of SR 198).
- Other Waterways: A waterway (classified as riverine and branching off the Lemoncove Ditch wetland) is located approximately 300 feet east of the proposed UDB (near Avenue 330 and Road 248). A waterway branching off Foothill Ditch (classified as riverine) transects the southwestern most portion of the Project study area in two locatation.
- Other Water Bodies: A freshwater pond is located approximately 300 feet east of the Project study area (approximately 1,500 feet east of SR 198 and 500 feet north of Avenue 324); and various small bodies are located to the south and west of the study area.

There are no development projects proposed with this Project. Future projects will be evaluated on a project-by-project bases as they are identified. Best management practices, including compliance with all applicable Regional Water Quality Control Board requirements, which includes a storm water pollution prevention plan (SWPPP), will be required during construction activities. A grading and drainage plan will be submitted and approved by the Tulare County Resource Management Agency (RMA) Engineering Branch. However, to ensure that potential jurisdictional waters are not adversely impacted by future development within the Project study area (the proposed expanded UDB), the following mitigation measure [See Mitigation Measure 4-12 in **Table 4-1**, above] will be required for projects located adjacent to the waterways and water bodies identified in the BIOS, NWIS and NWI mapping applications. Therefore, the Project will not result in significant impact to any riparian habitats or other protected wetlands."[40].

[38] USGS. https://maps.waterdata.usgs.gov/mapper/index.html

[39] USFWS. https://www.fws.gov/wetlands/data/mapper.HTML

[40] Bio Memo. Pages 6 and 7. Included in Attachment "B" of this MND.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

d) ***Less Than Significant Impact -*** Wildlife movement corridors usually occur where there are relatively large areas of open space composed of undeveloped habitat, ideally native habitat. The majority of the existing UDB is already developed to urban type uses and agriculturally productive land, and it is surrounded by more agricultural land. The areas within the proposed UDB expansion are predominantly agriculturally productive lands. While agricultural land may be attractive to wildlife as movement corridor in otherwise urban, developed landscapes, there is nothing within the existing UDB that would make it more attractive as a wildlife movement corridor than adjacent parcels. It is noted, however, neither the existing nor proposed UDB of the Project were identified in the Environmental Resources Management Element as being a migration corridor or wildlife nursery for any wildlife species. Therefore, a less than significant impact could occur as a result of the Project.

e) ***No Impact -*** The proposed Project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinances. Therefore, the Project will result in no impact to this resource.

f) ***No Impact -*** There are two habitat conservation plans that could apply in Tulare County. The Kern Water Habitat Conservation Plan only applies to an area in Allensworth (located approximately 40 miles southwest of the Project area) and does not apply this Project. The Recovery Plan for Upland Species in the San Joaquin Valley outlines a number of species that are important to the San Joaquin Valley; however, only one species (the SJKF) has been documented to occur and its historical range is identified within the proposed Project area.[41] As the Project is a proposed Community Plan and there are no development or other proposed projects, the Project would not conflict with local policies or habitat conservation plans. Further, in the event of future development (e.g., residential, commercial, infrastructure, etc.), **Mitigation Measures 4-1** through **4-12** would be implemented, as applicable. As such, the proposed Community Plan will result in no impact to this resource.

Cumulative Impact Analysis: No Impact/Less Than Significant Impact

The geographic area of this cumulative analysis is the San Joaquin Valley. While the study area is limited to Tulare County, sensitive species with similar habitat requirements may exist in other portions of the San Joaquin Valley, and therefore cumulative impacts would extend beyond Tulare County political boundaries. The proposed Project would only contribute to cumulative impacts related to this Checklist Item if Project-specific impacts were to occur.

As the proposed Project does not result in significant loss of habitat or direct impact to these special status species, implementation of **Mitigation Measures 4-1** through **4-12**, (which can be found in their entirety in Attachment "E" of this IS/MND), as applicable, would result in a less than significant impact to this resource. The proposed Project does not result in significant loss of habitat or direct impact to these special status species, a less than significant cumulative impact will occur. The proposed Project does not result in significant impacts to potential waters of the U.S., a less than significant cumulative impact with mitigation would occur through implementation of **Mitigation Measures 4-1** through **4-12**, (which can be found in their entirety in Attachment "E" of this IS/MND), as applicable, would result in a less than significant impact to this resource. The Project Study Area is surrounded by agriculturally productive lands (mostly citrus) with the Valley floor generally to the west and the Sierra foothills to the north, south, and east which could serve as movement corridors for native wildlife. Birds using the Pacific flyway will continue to do so following project development. As such, a less than significant cumulative impact related to this Checklist Item will occur. The Project area is not within or in the vicinity of any approved habitat conservation plans, natural community conservation plans, or regional or state habitat conservation plans in effect, will not conflict with any local policies or ordinances protecting biological resources (such as a tree preservation policy or ordinances), and is not expected to conflict with the goals or

[41] U.S. fish and Wildlife Service, Portland, Oregon. "Recovery Plan for Upland Species in the San Joaquin Valley." 1998. Pages 122-136. Prepared by Region 1 Accessed in November 2019 at: https://ecos.fws.gov/docs/recovery_plan/980930a.pdf

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

policies of the Tulare County General Plan that protect biological resources; as such, there will be no Project-specific or Cumulative impacts to these resources.

Mitigation: See Mitigation Measures 4-1 through **4-12** (in their entirety in Attachment "E")

5.	**CULTURAL RESOURCES**					
	Would the project:					
	a)	Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☒	☐	☐
	b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
	c)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

Analysis:

As noted previously, the Project is the Lemon Cove Community Plan and no development proposals are being considered at this time. The Project is based on a projected annual population growth rate of 1.3%[42] (consistent with the Tulare County General Plan). Limited changes to the Urban Development Boundary (UDB) will occur and such changes would incorporate areas that have historically been agriculturally productive; as such, there is no possibility of changes to cultural resources outside of the already established UDB area.

The Southern San Joaquin Valley Information Center, Bakersfield (SSJVIC or Center) conducted a cultural resources records search at the request of RMA Planning Branch staff. The Center records search (dated August 6, 2019 is included in Attachment "C" of this document) included historic sites listed on the National Register of Historic Places, Historic Property Directory, California State Historical Landmarks, California Register of Historical Resources, California Inventory of Historic Resources, and California Points of Historical Interest. According to the California Historical Resources Information System, there are three (3) recorded cultural resources within the project area and eight within a one-half mile radius of the project area.

According to the information provided by the SSJVIC, there have been 3 previous cultural resource studies conducted within the project area, TU-00985, 01498, and 01675. There have been five additional studies conducted within the one-half mile radius, TU-00049, 00108, 00135, 00378, and 00550. However, until the specific location of a development proposal occurs, the locations and nature of the resources will remain confidential and will only be shared with an applicant and remain confidential until otherwise determined by the courts.

The following Native American tribes were contacted on August 28, 2019, in order to solicit their interest regarding tribal consultation: Kern Valley Indian Council; Santa Rosa Rancheria Tachi Yokut Tribe; Tubatulabals of Kern County; Tule River Indian Tribe; and Wuksache Indian Tribe. No responses have been received to date. The Native American Heritage Commission (NAHC) was also contacted on July 23, 2019, with a request that they conduct a sacred lands files (SLF)

[42] Draft Lemon Cove Community Plan 2019. Page 86.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

search. The SLF records search was completed with negative results.

As the Project is a community plan, no immediate ground disturbance will take place. Once specific projects are proposed, location specific studies can be conducted to determine the appropriateness of avoiding or minimizing impacts to cultural resources as applicable.

The Tulare County General Plan has a number of policies that relate to the proposed Project area including *ERM-6.1 Evaluation of Cultural and Archaeological Resources; ERM-6.2 Protection of Resources with Potential State or Federal*; *ERM-6.4 Mitigation; ERM-6.10 Grading Cultural Resources Sites;* and *ERM-6.9 Confidentiality of Archaeological Sites* which allows the County to (within its authority) maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts.

a) and b) ***Less Than Significant Impact With Mitigation -*** As noted above, a CHRIS records search was conducted by the SSJVIC. Three cultural resources have been recorded within the project area, eight known resources were identified within one-half mile of the project area, and there was one unrecorded prehistoric rock art site as well. These resources consist of prehistoric era pictographs and lithic scatters, as well as historic era trash scatters, transmission lines, a hotel, a railroad, and a ditch. The records search included an examination of the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historic Interest, the California Inventory of Historic Resources, or the California State Historic Landmarks (see Attachment "C"). Also, as noted earlier, three previous cultural resources studies have been completed within the project area and five additional studies have been conducted within the one-half mile radius. The planning area consists of a mix of uses such as retail office, single-family and multi-family residential, hotel, recreation, limited industrial, and public facilities etc.[43] Until an actual development project is initiated, it remains unknown if subsurface historic resources would be encountered.

While the proposed Community Plan contains no plans for development or construction, over the planning horizon, future development within the UDB may result in the eventual construction of residences, and establishment of commercial and industrial use, and streets (and possibly other infrastructure such as curbs, gutters, sidewalks, sewer and water collection/distribution systems, etc.). Such future activity could cause a substantial adverse change in the significance of a historical resource were any such resources to be located within the planning area. The proposed Project would not result in a substantial adverse change in the significance of an historical or archaeological resource as defined in Section 15064.5 of the CEQA Guidelines. There will be potentially significant impact if historical resources are uncovered during proposed specific development project construction in the future; however, implementation of the **Mitigation Measures 5-1** through **5-3** (and also contained in the Mitigation Monitoring and Reporting Program, Attachment "E") are included as part of this Mitigated Negative Declaration to reduce potential impacts to historical or archaeological resources to less than significant with mitigation.

Mitigation Measures:

5-1. If, in the course of construction or operation within the Project area, any archaeological, historical, or paleontological resources are uncovered, discovered, or otherwise detected or observed, activities within fifty (50) feet of the find shall be ceased. A qualified archaeologist/paleontologist shall be contacted and advise the County of the site's significance. If the findings are deemed significant by the Tulare County Resources Management Agency, appropriate mitigation measures shall be required prior to any resumption of work in the affected area of the proposed Project. Where feasible, mitigation achieving preservation in place will be implemented. Preservation in place may be accomplished by, but is not limited to: planning construction to avoid archaeological/paleontological sites or

[43] Ibid. 24.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

covering archaeological/paleontological sites with a layer of chemically stable soil prior to building on the site. If significant resources are encountered, the feasibility of various methods of achieving preservation in place shall be considered, and an appropriate method of achieving preservation in place shall be selected and implemented, if feasible. If preservation in place is not feasible, other mitigation shall be implemented to minimize impacts to the site, such as data recovery efforts that will adequately recover scientifically consequential information from and about the site. Mitigation shall be consistent with CEQA Guidelines section 15126.4(b)(3).

5-2 - If cultural/archeological/paleontological resources are encountered during project-specific construction or land modification activities, work shall stop and the County shall be notified at once to assess the nature, extent, and potential significance of any cultural resources. If such resources are determined to be significant, appropriate actions shall be determined. Depending upon the nature of the find, mitigation could involve avoidance, documentation, or other appropriate actions to be determined by a qualified archaeologist. For example, activities within 50 feet of the find shall be ceased.

5-3 - Compliance with Section 7050.5 of the of the California Health and Safety Code and (CEQA Guidelines) Section 15064.5, if human remains of Native American origin are discovered during Project construction (See MMRP in Attachment "E" for complete description of this mitigation measure).

No formal cemeteries or other places of human internment are known to exist within the Project site; however, in accordance with State Health and Safety Code Section 7050.5 and Public Resource Code Section 5097.98, if human remains are unearthed during project-specific construction as development occurs, no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition of such remains. If the remains are determined to be Native American, the Coroner must notify the Native American Heritage Commission (NAHC) within 48 hours of the Coroner's determination. The NAHC will then identify the person(s) thought to be the most likely descendent of the deceased Native American, who will then assist in determining what course of action shall be taken in handling the remains. Impacts to this checklist item will be less than significant with mitigation.

c) ***Less Than Significant -*** No paleontological resources are known to exist within the proposed Project area, nor are there any known geologic features in the proposed Project area. As there is no project-specific construction anticipated or contemplated, the Project will not disturb any paleontological resources not previously disturbed; however, the measures discussed in Item a.), will ensure proper investigation and handling of any discovery were to occur in future projects. If, in the course of specific-project construction or operation, any archaeological or historical resources are uncovered, discovered, or otherwise detected or observed, activities within fifty (50) feet of the find shall immediately cease. A qualified archaeologist shall be contacted and advise the County of Tulare of the site's significance. If the findings are deemed significant by the Tulare County Resources Management Agency, appropriate measures shall be required prior to any resumption of work in the affected area of the proposed Project area. As such, the Project would result in a less than significant impact to this resource.

Cumulative Impact Analysis: Less Than Significant Impact

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan Background Report, Tulare County 2030 General Plan EIR, and draft Lemon Cove Community Plan.

It is not anticipated that Native American remains or other cultural will be found at the proposed Project site. However, consistent with CEQA requirements, Mitigation Measures 5-1 through 5-3 are included in the unlikely event that if Native

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
American remains are unearthed during any ground disturbance activities, or if any cultural resources are discovered, such finds will be mitigated to less than significant Project-specific and Cumulative Impacts. **Mitigation: See Mitigation Measures 5-1 through 5-3 in Attachment "E"**						
			SIGNIFICANT IMPACT	**LESS THAN SIGNIFICANT IMPACT WITH MITIGATION**	**LESS THAN SIGNIFICANT IMPACT**	**NO IMPACT**
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?	☐	☐	☒	☐
	b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Analysis:

As noted previously, the Project is the Lemon Cove Community Plan and no development proposals are being considered at this time. The Community Plan is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). The Project includes expansion of the Urban Development Boundary (UDB); as such, a case-by-case evaluation will be conducted when development proposals are received for both the existing UDB and future UDB area. However, as this Project is merely development of a Community Plan, there is no possibility of changes to energy resources within the already established UDB area.

The Technical Memorandum "Energy Assessment for the Lemon Cove Community Plan" (Energy Memo) was completed by RMA Staff (Jessica Willis, Planner IV) in November 2019 to analyze potential impacts on energy resources (See Attachment "A"). As indicated in the Energy Memo, the following energy analysis was "…to evaluate whether future buildout of the Project would result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. The energy assessment was conducted within the context of the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000, et seq.). The assessment is intended to provide the County of Tulare (County) with sufficient detail regarding potential impacts of Project implementation and to identify mitigation measures, if necessary, to reduce potentially significant impacts."[44]

a) **Less Than Significant Impact** – **"**The proposed Project consists of a Community Plan for the unincorporated community of Lemon Cove. The objective of the Plan is to develop a plan, which can accurately reflect the needs and priorities of the unincorporated community of Lemon Cove. The Land Use and Circulation portions of this Plan provide the mechanism to minimize or avoid the potential adverse impacts of urban growth. The Plan contains various policies that encourage future development to incorporate energy efficient features into the project design, require the County to participate in energy

[44] County of Tulare. 2019. Technical Memorandum: Energy Assessment (Energy Memo) for the Lemon Cove Community Plan. Page 1. Included in Attachment "A" of this MND.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

reduction programs when feasible, and encourages the development of alternative energy resources, such as wind and solar facilities, when appropriately sited. Furthermore, no development projects are proposed as part of the Plan. As such, the Plan itself will not result in wasteful, inefficient, or unnecessary consumption of energy resources. However, the Plan does include updates to land use designations that could increase the buildout potential of the planning area."[45]

"Electricity and Natural Gas

"Southern California Edison provides electric service to the majority of Tulare County, including the majority of the San Joaquin Valley and the foothills. Natural gas service is primarily provided by The Gas Company (formerly Southern California Gas Company). Pacific Gas & Electric also serves northern Tulare County's electric needs on limited basis. The electrical facilities network includes both overhead and underground lines, with new development required to install underground service lines. All utility providers indicate that additional service should be available to new development, depending on the necessary load of the services requested."

"Electrical service for the Project study area is provided by Southern California Edison (SCE). The Project study area is not supplied with natural gas services and residents rely on the use of propane to supply their fuel needs. However, the analysis presented below presents the theoretical natural gas usage that would occur if services were available.

In 2018, SCE provided 102,520,762.59 gigawatt-hours (GWh) of electricity to approximately 15 million customers across a service area of 15 counties in a 50,000 square mile area within Central, Coastal and Southern California. In the same year, SoCal Gas provided a total of 7,195.95 million therms of natural gas to nearly 21.8 million customers across a service area of 12 counties in a 24,000 square mile area within Central and Southern California. Within the County, total demand for SCE electrical services was 4,433.98 GWh, and total demand for SoCal Gas natural gas services was 157.29 million therms in 2018. Total state and countywide energy demands, including per capita calculations of energy demands based on 2018 populations, are provided in **Table 2** [Table 6-1 of this MND]. The energy demands presented include all residential and nonresidential customers."[46]

"Implementation of the proposed Project would result in the commitment of additional energy resources, including consumption of natural gas and electricity through operation of the Project. As provided in **Table 3** [Table 6-2 of this MND], operation of the proposed Project is estimated to result in the demand for 15,032 therms per year (therms/yr) of natural gas, and 803 megawatt-hours per year (MWh/yr) of electricity based on CalEEMod modeling results (see Attachment "A")."[47]

Table 6-1
2018 County and State Energy Demands (All Users)

	2018 Population[1]	Total 2018 Energy Demand		2018 Energy Demand Per Capita	
		Electricity (MWh)[2]	Natural Gas (therms)[3]	Electricity (MWh)	Natural Gas (therms)
State	39,557,045	281,120,193.430	12,638,157,740	7.11	319.49
Service Area	---	102,520,762.582	7,195,951,252	---	---
Tulare County	465,861	4,433,976.762	157,285,390	9.52	337.62

[45] Ibid. 3-4.
[46] Op. Cit. 4.
[47] Op. Cit. 5

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

1 US Census population estimates as of July 1, 2018.
2 Converted to MWh as CEC Energy Reports expresses in Millions of kWh (GWh).
3 Converted to Therms as CEC Energy Reports expresses in Millions of Therms.

Sources: California Energy Commission. Energy Consumption Database. http://ecdms.energy.ca.gov/. Accessed October 2019. http://ecdms.energy.ca.gov/elecbycounty.aspx; http://ecdms.energy.ca.gov/gasbycounty.aspx; http://ecdms.energy.ca.gov/elecbyplan.aspx; http://ecdms.energy.ca.gov/gasbyplan.aspx

U.S. Census Bureau. American FactFinder. Community Facts. https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml. Accessed October 2019.

Table 6-2
Estimated (mitigated) Project Electricity and Natural Gas Demands (All Users)

Proposed Land Use	Proposed Project[1]		
	Square Feet / Population[2]	Electricity Demand (MWh/yr)[3]	Natural Gas Demand (therms/yr)[4]
Non-residential Uses	65,401	632.97	9,864.30
Residential Uses	60	169.58	5,167.88
Project Total	**---**	**802.55**	**15,032.18**
Project Average Per Capita/Year	---	13.38	250.54

1 Proposed Project demand includes 'mitigation measures' in the CalEEMod runs.
2 The projected Project population based on existing population data is 42 residents; however, because default CalEEMod population is greater and the energy usage is based on the model's population, the model population is used for this analysis
3 1,000 megawatt-hours (MWh) = 1 gigawatt-hours (GWh)
4 1 therm = 100 thousand British Thermal Units (BTU)

Source: CalEEMod output files provided in Attachment "A" of this MND.

"Comparison of **Tables 2** and **3** [Tables 6-1 and 6-2 of this MND],indicate that electricity demand per capita for the Project (13.38 MWh/yr) is higher than Tulare County (9.52 MWh/yr) and State (7.11 MWh/yr) demands per capita. The natural gas demand per capita for the Project (250.54 therm/yr) is lower than both the Tulare County (337.62 therm/yr) and State (319.49 therm/yr) demands per capita. As previously noted, there are no development projects included in the Plan; as such, project-specific energy reducing features have not been included in the analysis. As future development project are identified, energy efficiency and conservation measures will be implemented in conjunction with Project design, including measures resulting from federal, State, and local mandates, as well as voluntary measures proposed by the project applicant. Compliance with the California Building Standards Code and CALGreen are considered demonstrable evidence of efficient use of energy. In addition, the progressive enhancements in building energy efficiency mandates resulting from regular updates to the California building codes will result in lower electrical and natural gas consumption from the totals shown in **Table 3** [Table 6-2 of this MND]. Energy would also be indirectly conserved through water efficient landscaping requirements. Solid waste recycling requirements applicable to both project construction and operation would reduce energy consumed in solid waste disposal. As such, it is anticipated that the Project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources during construction and operation."[48]

[48] Op.Cit. 5-6.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

"Vehicle Fuel Consumption

The California Department of Transportation (Caltrans) reports that approximately 25.65 million automobiles, 8.01 million trucks, 434,671 trailer coaches (motor home/RV), 857,677 motorcycles, and 755,976 other vehicles (miscellaneous and fee exempt vehicles) were registered in the state in 2017, resulting in a total estimated 344.3 billion vehicles miles traveled (VMT). Within Tulare County, an estimated 3.67 million vehicle miles were traveled in 2016.

Operation of the Project would result in the daily consumption of vehicle fuel as residents and visitors would travel to and from the Project site. In order to estimate fuel consumption, it is necessary to estimate vehicle type(s), daily distance(s) travelled (in vehicle miles travelled (VMT)), and average fuel economy by vehicle type(s). According to the Tulare County Association of Governments (TCAG), all of Tulare County averaged 10,650,825 million VMT/day.

Table 4 [Table 6-3 of this MND] provides a comparison of State, County, and Project annual VMT (based on available 2017 data). As provided in **Table 4** [Table 6-3 of this MND], Project operation is anticipated to result in the generation of 636,813 VMT annually, or approximately 0.017 percent of the County's and 0.0002 percent of the State's 2017 annual VMT.

Table 6-3
Vehicle Miles Traveled

	Population	Total Annual VMT	Daily VMT (365 days/year)	Daily VMT per Capita
State of California	38,982,847[1]	344,300,000,000[2]	943,287,671	24.20
Tulare County	471,686[3]	3,686,282,000[3]	10,099,403	21.40
Proposed Project[4]	60	636,813	1745	29.08

1 Source: American FactFinder. State of California. (2017)
2 Source: Caltrans Fact Booklet, June 2019. The 2019 report provided data for year 2017.
3 Source: Caltrans. Tulare County Transportation Quick Facts (2017)
4 Source: Project population and VMT see CalEEMod reports (Attachment A)

"**Tables 5** and **6** [Tables 6-4 and 6-5 of this MND] provides the vehicle fleet mix, VMT, and fuel consumption from the non-residential and residential components of the Project, respectively. Using vehicle fleet mix data provided in Attachment A and average fuel economy information provided by the Bureau of Transportation Statistics, the Project-generated annual VMT would result in the consumption of approximately 128,828 gallons of fuel per year."[49]

Table 6-4
Estimated Operational Fuel Consumption – Non-Residential[1]

Vehicle Type	Percent of Vehicle Trips[2]	Mitigated Annual VMT[3]	National Average Fuel Economy (miles/gallon)[4]	Total Annual Fuel Consumption (gallons)
Passenger Car	51.67	972,338	23.96	40,582
Light-Duty Vehicle	34.70	653,038	22.04	29,630
Light-Duty Truck/Van	4.86	91,535	17.40	5,261
Heavy-Duty Truck	7.82	147,213	6.64	22,171
Motorcycles	0.43	8,142	43.89	186
Buses	0.43	8,026	6.33	1,268
Other Vehicles	0.08	1,432	7.69	186
Total	**100%**	**1,881,725**	**--**	**99,282**

[49] Op. Cit. 6.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

1 U.S. Department of Energy. Alternative Fuels Date Center. Average Fuel Economy of Major Vehicle Categories https://afdc.energy.gov/data/10310. Accessed October 2019.
2 Percentage of Vehicle Trips and Fleet Mix information provided by Attachment A. Passenger Car is the LDA fleet mix trip percentage column; Light Duty Vehicles is the sum of the LDT1, LDT2, and MDV fleet mix trip percentage columns; Light Duty Truck is the sum of LHD1, LHD2, and MHD fleet mix trip percentage columns; Heavy Duty Truck is the HHD fleet mix trip percentage columns, Buses is the sum of OBUS, SBUS and UBUS fleet mix trip percentage columns, Other is the MH fleet mix trip percentage column.
3 Annual VMT calculated from total mitigated VMT, which incorporates Project design features; See CalEEMod reports in Attachment A.
4 Average fuel economy based on average 2016 U.S. vehicle fuel efficiency (mpg) from Table 4-11: Light Duty Vehicle, Short Wheel Base and Motorcycle Fuel Consumption and Travel; Table 4-12: Average Light Duty Vehicle, Long Wheel Base Fuel Consumption and Travel, and Table 4-13: Single-Unit 2-Axle 6-Tire or More Truck Fuel Consumption and Travel of the National Transportation Statistics.

Table 6-5
Estimated Operational Fuel Consumption –Residential[1]

Vehicle Type	Percent of Vehicle Trips[2]	Mitigated Annual VMT[3]	National Average Fuel Economy (miles/gallon)[4]	Total Annual Fuel Consumption (gallons)
Passenger Car	53.73	342,160	23.96	14,280
Light-Duty Vehicle	42.13	268,289	22.04	12,173
Light-Duty Truck/Van	1.13	7,196	17.40	414
Heavy-Duty Truck	2.06	13,118	6.64	1,976
Motorcycles	0.26	1,656	43.89	38
Buses	0.53	3,375	6.33	533
Other Vehicles	0.16	1,019	7.69	132
Total	**100%**	**636,813**	**--**	**29,546**

1 U.S. Department of Energy. Alternative Fuels Date Center. Average Fuel Economy of Major Vehicle Categories https://afdc.energy.gov/data/10310. Accessed October 2019.
2 Percentage of Vehicle Trips and Fleet Mix information provided by Attachment A. Passenger Car is the LDA fleet mix trip percentage column; Light Duty Vehicles is the sum of the LDT1, LDT2, and MDV fleet mix trip percentage columns; Light Duty Truck is the sum of LHD1, LHD2, and MHD fleet mix trip percentage columns; Heavy Duty Truck is the HHD fleet mix trip percentage columns, Buses is the sum of OBUS, SBUS and UBUS fleet mix trip percentage columns, Other is the MH fleet mix trip percentage column.
3 Annual VMT calculated from total mitigated VMT, which incorporates Project design features; See CalEEMod reports in Attachment A.
4 Average fuel economy based on average 2016 U.S. vehicle fuel efficiency (mpg) from Table 4-11: Light Duty Vehicle, Short Wheel Base and Motorcycle Fuel Consumption and Travel; Table 4-12: Average Light Duty Vehicle, Long Wheel Base Fuel Consumption and Travel, and Table 4-13: Single-Unit 2-Axle 6-Tire or More Truck Fuel Consumption and Travel of the National Transportation Statistics.

"Daily VMT per capita for the Project (29.08 VMT) is slightly higher than Tulare County (21.41 VMT) and State (24.20) averages. VMT is used as an important indicator of the impact on the local circulation system and of a project's air quality impacts. Air quality impacts as described in the Air Quality section of this MND showed the impacts to be less than significant, and that Greenhouse Gas impacts comply with the County's Climate Action Plan. As future development projects are identified, project design features will be added for compliance with federal, State, and County regulations, which ultimately reduce VMT. The Project includes a Complete Streets component that identify where sidewalks, curbs, and gutters will connect existing uses; future developments will be required to comply with Tulare County building standards for sidewalks, streets, and parking lots. With the implementation of mandatory and voluntary VMT-reducing measures in future developments, the Project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. Impacts are less than significant.

Energy Conservation Standards

Operation of the proposed Project would result in the demand for approximately 15,032 therms/yr of natural gas and 803 MWh/yr of electricity (see **Table 3** [Table 6-2 of this MND]), and 128,828 gallons/yr of vehicle fuel (see **Tables 5** and **6** [Tables 6-4 and 6-5 of this MND]). Based on existing energy demands, the Project's estimated operational demand for electricity represents 0.018 percent of SCE's and 0.0096 percent of SoCal Gas' total 2018 energy demands for the County.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Further, additional vehicle fuel demand under operation of the Project would result in an increase in statewide fuel demand by less than 0.0006 percent.

Based on comparisons of the Project's energy demands with statewide and regional demand and service capacity in total and per capita (**Table 3** [Table 6-2 of this MND]), the proposed Project is not expected to result in the use of a large amount of energy in an unnecessary, wasteful, or inefficient manner, nor would it affect regional supplies or peak/base periods of demand as the estimated energy demand is typical for a Project of this size, and would result in a negligible increase in regional energy demands. As such, the proposed Project would not necessitate the expansion of existing facilities or construction of new energy generation or transmission facilities. Furthermore, future development projects would be required to implement and be consistent with existing energy design standards at the local and state level. The Project would be subject to energy conservation requirements in the California Energy Code and CALGreen. Adherence to state code requirements would ensure that the Project would not result in wasteful and inefficient use of non-renewable resources due to building operation."[50]

"When considering the potential for the Project to result in greater conservation of electricity, natural gas, and transportation fuel through the implementation of proposed Project design features and required mitigation measures not quantified above, the proposed Project has a low potential to result in adverse impacts on energy resources and conservation. Therefore, the direct impacts to energy resources and conservation are less than significant.

No development projects are proposed as part of the Plan. Future developments within the Project planning area will be required to undergo additional CEQA evaluation on a project-by-project basis at such time development is proposed to determine potential environmental impacts. Therefore, the Project will not result in wasteful, inefficient, or unnecessary consumption of energy resources. The Project will have a less than significant Project-specific impact related to this Checklist Item.

Cumulative Impact Analysis: - Less Than Significant Impact

The geographic area of this cumulative analysis is Tulare County. The proposed Project would incrementally contribute to adverse impacts on energy resource demand and conservation when considering the cumulative impact of concurrently planned projects; however, future development projects within the Project study area will be required to comply with local, regional, state, and federal policies designed to reduce wasteful energy consumption, and improve overall energy conservation and sustainability. For instance, all local projects involving the development of new buildings must be designed to conform to CALGreen and the 2019 California Energy Code. Therefore, it is not anticipated that the Project's contribution to cumulative impacts would result in a significantly considerable wasteful use of energy resources, such that the Project, and other cumulative projects, would have a cumulative effect on energy conservation. The proposed Project will not have a direct or cumulative impact, or create wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, the Project will result in a less than significant Cumulative impact related to this Checklist Item.

Mitigation Measures: - None Required

As previously noted, the Project will not result in wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, less than significant Project-specific and Cumulative impacts related to this Checklist Item will occur."[51]

[50] Op. Cit. 8.
[51] Op. Cit. 9.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

b) **No Impact** – "The proposed Project is development of a Community Plan. The Plan contains various policies that encourage future development to incorporate energy efficient features into the project design, require the County to participate in energy reduction programs when feasible, and encourages the development of alternative energy resources, such as wind and solar facilities, when appropriately sited. Furthermore, no development projects are proposed as part of the Plan. As such, the Plan itself will not result in conflicts or obstructions with state or local plan for energy consumption.

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: *ERM-4.1 Energy Conservation and Efficiency Measures* wherein the County encourages the use of solar energy, solar hot water panels, and other energy conservation and efficiency features; *ERM-4.3 Local and State Programs* wherein the County shall participate, to the extent feasible, in local and State programs that strive to reduce the consumption of natural or man-made energy sources; *ERM-4.3 Local and State Programs* wherein the County shall participate, to the extent feasible, in local and State programs that strive to reduce the consumption of natural or man-made energy sources; and *ERM-4.6 Renewable Energy* wherein the County shall support efforts, when appropriately sited, for the development and use of alternative energy resources, including renewable energy such as wind and solar, biofuels and co-generation. As the Plan requires future development to comply with and implement the General Plan 2030 Update within the community, the Project does not conflict with any local plan for energy consumption.

Energy efficiency and conservation measures will be implemented on a project-by-project basis in conjunction with project design and operation, including measures resulting from federal, State, and local mandates, as well as voluntary measures proposed by project applicants. Government-mandated measures include increasingly stringent state and federal regulatory actions addressing vehicle fuel economies and vehicle emissions standards. Compliance with the California Building Standards Code and CALGreen requirements are considered demonstrable evidence of efficient use of energy. In addition, the progressive enhancements in building energy efficiency mandates resulting from regular updates to the California building codes will result in lower electrical and natural gas consumption from those identified in Checklist Item a) above. Energy would also be indirectly conserved through water efficient landscaping requirements consistent with the Tulare County Water Efficient Landscaping Ordinance. Stringent solid waste recycling requirements applicable to both project construction and operation would reduce energy consumed in solid waste disposal. In summary, future developments will implement all mandatory federal, State, and local conservation measures and, project design features and voluntary energy conservation measures will further reduce energy demands. Therefore, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The Project will have no Project-specific impact related to this Checklist Item.

Cumulative Impact Analysis: No Impact

The geographic area of this cumulative analysis is Tulare County. The proposed Project would incrementally contribute to adverse impacts on energy resource demand and conservation when considering the cumulative impact of concurrently planned projects; however, future development projects within the Project study area will be required to comply with local, regional, state, and federal policies designed to reduce energy consumption and improve overall energy conservation and sustainability. Therefore, the Project would not conflict with or obstruct any plan for renewable energy or energy efficiency. The Project will result in a no Cumulative impact related to this Checklist Item.

As previously noted, the Project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, no Project-specific and Cumulative impacts related to this Checklist Item will occur"[52]

Mitigation Measures: None Required

[52] Op. Cit. 9-11.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
7.	**GEOLOGY/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 No. 42.	☐	☐	☐	☒
	ii)	Strong seismic ground shaking?	☐	☐	☐	☒
	iii)	Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
	iv)	Landslides?	☐	☐	☐	☒
	b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
	c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
	d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
	e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
	f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☐
Analysis: <u>Seismicity</u>:						

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

As noted previously, the Project is development of the Lemon Cove Community Plan and no development proposals are being considered at this time. The Community Plan Update is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). As changes to the Urban Development Boundary (UDB) are proposed, there is a possibility of changes to geology or soil analysis as areas outside of the already established UDB area may become incorporated into the planning area.

The official maps of earthquake fault zones delineated by the California Geological Survey (CGS), State of California Department of Conservation (2010), in accordance with the Alquist-Priolo Earthquake Fault Zoning Act, indicate that several faults are known to occur in Tulare County. According to the CGS Fault Activity Map, there is no presence of faults in the vicinity of the Project area [the closest Pre-Quatemary faults (concealed) are more than 8 miles away to the southwest of the Project area.[53] "Earthquakes occur on faults-strike-slip earthquakes occur on strike-slip faults, normal earthquakes occur on normal faults, and thrust earthquakes occur on thrust or reverse faults."[54]

Additional faults with the potential to affect the proposed Project area are the San Andreas Fault approximately 40 miles west of the Tulare County boundary, the Owens Valley Fault (approximately 65 miles to the northeast), and the Clovis Fault, approximately six miles south of the Madera County boundary in Fresno County (or approximately 40 miles northwest of Lemon Cove).[55]

"In 1973, five counties within the Southern San Joaquin Valley undertook the preparation of the Five County Seismic Safety Element to assess seismic hazards. The Element identifies areas of potential seismic activity, including Doyle Springs and most of the Moorehouse subareas, as being in the Sierra 1 (S1) Zone (eastern Sierra Nevada). All of the subareas east of and including Sequoia Crest, Pierpoint, and Roger's Camp lie within the Sierra 2 (S2) Zone (eastern Sierra Nevada, south of Owens Valley fault). In general, zones C1, S1, and V1 (V-1) are safer than zones C2, S2, and V2."[56]

According to the Tulare County General Plan, the planning area lies in the S-1 seismic study area.[57]

Seismic Zone "S-I" is the "eastern, roughly one-half of the Sierra Nevada Mountains, and is characterized by hard to moderately hard granite or metamorphic rock. The distance to either of the faults expected to be a source of shaking is sufficiently great that shaking should be minimal and the requirements of the Uniform Building Code Zone II should be adequate for normal facilities."[58]

Soils:

"According to the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), and the Soil Survey of Tulare County, the following soil types are located in Lemon Cove :

San Joaquin loam, 0 to 2 percent slopes, is moderately deep to a hardpan, well drained and nearly level. This soil is

[53] California Department of Conservation. Fault Activity Map of California (2010), http://maps.conservation.ca.gov/cgs/fam/. Accessed September 2019.

[54] What is the relationship between faults and earthquakes? What happens to a fault when an earthquake occurs? USGS, https://www.usgs.gov/faqs/what-relationship-between-faults-and-earthquakes-what-happens-a-fault-when-earthquake-occurs?qt-news_science_products=0#qt-news_science_products. Accessed September 2019.

[55] Background Report Tulare County General Plan. Page 8-6. Accessed November 2019 at: http://generalplan.co.tulare.ca.us/documents.html., then locate "Background Report" and click on it.

[56] Ibid.

[57] Tulare County General Plan 2030 Update. August 2012. Seismic/Geologic Hazards and Microzone. Figure 10-5. Page 10-31. . http://generalplan.co.tulare.ca.us/documents.html.

[58] Summary of Seismic Hazards & Safety Recommendations. Page 16.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

suitable for orchards, vineyards, and cultivated crops but is somewhat limited by the presence of hardpan which restricts root growth. This problem can be alleviated by ripping and shattering the hardpan. The soil is poorly suited to urban uses because of a high clay content, very slow permeability and a cemented hardpan. Septic tank filter fields are severely limited for these reasons.

San Joaquin loam, 0 to 9 percent slopes, is moderately deep to hardpan, well drained and gently rolling. The soil is suited to cultivated crops and orchards. The main limitations are hardpan and a moderate erosion risk on steeper slopes. The soil is also suited for rangeland with erosion a slight limitation. The soil is unsuitable for building sites, roads and septic tank filter fields due to high clay content, very slow permeability and the cemented hardpan. This problem can be overcome by the importation of more suitable soils.

Blasingame Sandy Loam, 15 to 30 percent slopes, consists of moderately deep, well drained soils located on uneven side slopes in the lower foothills. Surface and subsurface loams and clay loams have of approximately 30 inches, below which exists strongly weathered quartz diorite. Surface run-off is medium and erosion hazard is moderate. Permeability is moderately slow. Limitations for septic tank absorption fields are severe due to shallow depth to rock and slow percolation.

Blasingame Sandy Loam, 30 to 50 percent slopes, consists of rolling to steeply sloping soil is found on uneven side slopes. Permeability of the Blasingame soil is moderately slow and the available water capacity is low or moderate.

Blasingame-rock Outcrop Complex, 9 to 50 percent slopes, consists of rolling to steeply sloping soil is found on uneven side slopes. Permeability of the Blasingame soil is moderately slow and the available water capacity is low or moderate. Surface runoff is medium or rapid and the erosion hazard is moderate or high. Effective rooting depth is 20 to 40 inches. Rock outcrop consists of exposures of hard quartz diorite. These areas are impermeable and vegetative growth is limited to features in the rock structure. Surface runoff is rapid with no erosion hazard. The soil is suitable for rangeland while the potential for urban development is poor because of steep slope, depth of soil and rock outcrops. However, some small isolated areas with gentle slopes are suitable for home sites

Cibo-rock Outcrop Complex 15 to 50 percent slopes, consist of moderately deep, well drained soils that formed in material weathered from basic igneous rocks. Cibo soils are on foothills and mountainous uplands have slopes of 2 to 75 percent. Rock outcrop is impermeable, so run-off is very rapid with no erosion hazard.

Clear Lake Clay, Drained 2 to 5 percent slopes, consists of very deep, poorly drained soil located on alluvial fans and basins and swales of drainage ways. Surface and subsurface materials are dark gray and gray clay to a depth of 66 inches. Permeability is slow. Limitations for septic tank absorption fields are severe due to slow percolation.

Greenfield Sandy Loam, consists of deep, well drained soils that formed in moderately coarse and coarse textured alluvium derived from granitic and mixed rock sources. Greenfield sandy loam is used for the production of a wide variety of irrigated field, forage and fruit crops. Vegetation on uncultivated areas consists of annual grass, forbs, some shrubs and scattered oak trees.

Havala Loam, 0 to 5 percent slopes, consists of deep, well drained soils that formed from mixed alluvium. Havala soils are on old stream terraces and alluvial fans in mountain valleys. Use mainly for range, orchard, cultivated fields, and hay crops. Native vegetation is annual grasses, forbs, scattered live oak, blue oak, and white oak.

Honcut Sandy Loam, 2 to 5 percent slopes, consists of very deep, well drained soils that formed in moderately coarse textured alluvium from basic igneous and granitic rocks. Honcut soils are on floodplains and moderately sloping alluvial

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

fans. Honcut soils are highly productive under irrigation. Crops includes alfalfa, small grains, forage crops, apricots, peaches, grapes, prunes, apples, oranges, pears and berries. Vegetation consists of open parklike areas of annual grasses, herbs and scattered oaks.

Porterville Clay, 2 to 89 percent slopes, deep well drained soils that formed in fine textured alluvial material from basic and metabasic igneous rock. Porterville soils are on fans and foothills, used mostly for range pasture. Vegetation is annual grasses, burclove, herbs and widely spaced shrubs. Most cultivated areas are irrigated and planted to oranges, lemons, olive, figs, and some grapes.

Yettem Sandy Loam, 0 to 2 percent slopes, consists of very deep, well drained soils that formed in alluvium from granitic sources. Yettem soils are on alluvial fans and flood plains. Vegetation is cropland and annual pasture. Crops are oranges, plums, olives, walnuts and grapes. The native vegetation is annual grasses and forbs."[59]

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project:

a) ***No Impact*** **-** According to the Tulare County General Plan, the planning area lies in the S1 seismic study area, characterized by hard to moderately hard granite or metamorphic rock.(see precious text).

> Seismic Zone "S-I" is the "eastern, roughly one-half of the Sierra Nevada Mountains, and is characterized by hard to moderately hard granite or metamorphic rock. The distance to either of the faults expected to be a source of shaking is sufficiently great that shaking should be minimal and the requirements of the Uniform Building Code Zone II should be adequate for normal facilities."[60]

i) *Fault Rupture:* An analysis prepared by the Tulare County Environmental Planning Department based on information provided by the State of California and the Five County Seismic Safety Element indicates that the Project site is not located within the Alquist-Priolo Earthquake Fault Zone. No active or potentially active fault traces are known to traverse the site.[61] In addition, the California Department of Conservation's CGS Information Warehouse indicates that the planning area is not located in a "fault zone," i.e. in an area where hazards exist that are associated with surface fault rupture.[62] The Project does not include specific development projects (such as residential, commercial, or industrial uses). Any future developments would be evaluated on a project-by-project basis and will be constructed in accordance with all applicable building codes. As such, risk to persons or structures caused by rupture of known earthquake faults are minimal. As such, there will be no impact as a result of the Project.

ii) *Ground Shaking:* As previously discussed, the Project is located in the S-1 seismic zone. The distance to either of the faults expected to be a source of shaking is sufficiently great that shaking should be minimal and the requirements of the Uniform Building Code Zone II should be adequate for normal facilities."[63] The release of energy caused by an earthquake is a direct result of fault rupture at depth, and when that rupture extends to the ground surface it manifests as displacements expressed as fractures, fissures, tectonic deformation and ground

[59] Draft Lemon Cove Community Plan 2019. Pages 47-49.

[60] Summary of Seismic Hazards & Safety Recommendations. Page 16.

[61] California Department of Conservation. 2019. Fault Activity Map of California (2010). Accessed November 2019 at: http://maps.conservation.ca.gov/cgs/fam/.

[62] California Department of Conservation. 2019. CGS Warehouse: Regulatory Maps. Accessed November 2019 at: http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps.

[63] Summary of Seismic Hazards & Safety Recommendations. Page 16.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

shaking.[64] Based on the information discussed in checklist sub-item i), it is unlikely that ground shaking will affect the planning area. As such, there will be no impact as a result of the Project.

iii) *Ground Failure and Liquefaction:* As previously discussed, the Project is located in the S-1 zone. According to The California Department of Conservation's CGS Information Warehouse Regulatory Maps, the planning area is not located in a liquefaction zone.[65] The Project does not include specific development projects (such as residential, commercial, or industrial uses). Any future developments would be evaluated on a project-by-project basis and will be constructed in accordance with all applicable building codes. As such, risk to persons or structures due to liquefaction is minimal. There will be no impact as a result of the Project.

iv) *Landslides:* As previously discussed, the Project is located in the S-1 zone. According to The California Department of Conservation's CGS Information Warehouse Regulatory Maps, the planning area is not located in a landslide zone.[66] The Project does not include specific development projects (such as residential, commercial, or industrial uses). Any future developments would be evaluated on a project-by-project basis and will be constructed in accordance with all applicable building codes. As such, risk to persons or structures due to landslides is minimal. There will be a no impact as a result of the Project.

b) ***No Impact -*** The proposed Project is a Community Plan and contains no plans for development or construction. As future development occurs, site construction activities would involve earthmoving activities to shape land, trenching for sewer and potable water distribution systems, pouring concrete for sidewalks, curbs, and gutters, and other typical construction-related activities. These activities could expose soils to erosion processes. The extent of erosion would vary depending on slope steepness/stability, vegetation/cover, concentration of runoff, and weather conditions.

To prevent water and wind erosion during the construction-related activities, a Storm Water Pollution Prevention Plan (SWPPP) will be developed for projects within the planning area which disturb more than one acre in area where applicable. As part of the SWPPP, applicants would be required to provide erosion control measures to protect the topsoil. Any stockpiled soils would be watered and/or covered to prevent loss due to wind erosion as part of the SWPPP during construction. As a result of these efforts, loss of topsoil and substantial soil erosion during the construction period are not anticipated. Therefore, the Project would result in no impact.

c) ***No Impact -*** As discussed in subsections a) i – v, the Project site is located in a S-1 seismic zone with minimal and low-to- moderate risks for landslide, lateral spreading, subsidence, liquefaction or collapse. The Project does not include specific development projects (such as residential, commercial, or industrial uses). Any future developments would be evaluated on a project-by-project basis and will be constructed in accordance with all applicable building codes. A substantial grade change would not occur in the area topography to the point where the developments within the proposed Project area would expose people or structures to potential substantial adverse effects from on or off-site landslides. Furthermore, as previously discussed in this chapter, lateral spreading, liquefaction or collapse are unlikely to occur as area soils, substrate and seismology are not conducive to such phenomena. Therefore, the Project will result in no impact.

[64] California Department of Conservation. 2018. Special Publication 42 Revised 2018 Earthquake Fault Zones. A Guide for Government Agencies. Property Owners / Developers, and Geoscience Practitioners for Assessing Fault Rupture Hazards in California. Page 6. Accessed at November 2019 at: ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sp/Sp42.pdf.

[65] California Department of Conservation. 2019. CGS Warehouse: Regulatory Maps. Accessed November 2019 at: http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps.

[66] Ibid.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

d) ***No Impact -*** As identified in the analysis section of this chapter, the planning area contains at least ten soil types**,** and most exhibit "moderately" or "well" drained as identified by the USDA's Soil Survey Map.[67] The California Department of Parks and Recreation has defined expansive soils as clay-based soils that tend to expand (increase in volume) as they absorb water and shrink (lessen in volume) as water is drawn away, resulting in damage to structures, slabs, pavements, and retaining walls if wetting and drying of the soil does not occur uniformly across the entire area.[68] The 1994 Uniform Building Code requires that when expansive soils are present, the building official may require that special provisions be made in the foundation design and construction to safeguard against damage due to this expansiveness, requiring a special investigation and report to provide design and construction criteria. The proposed Project is a Community Plan and contains no plans for development or construction; however, it does anticipate that across the planning horizon that the Lemon Cove community will continue to grow at a 1.3% rate, consistent with the Tulare County General Plan.

As future development occurs, construction of residential or commercial structures would be evaluated on a case-by-case basis. Based on the analysis performed in this chapter, it is anticipated that the area's low frequency of seismological activity, combined with soil types of moderately to well drained, the use of building and construction standards would result in a low risk thresholds with regard to life or property. Because no development or any project is planned as part of this Community Plan, the Project will result in no impact.

e) ***Less Than Significant Impact -*** The Lemon Cove Community Plan is intended to serve as an outline of community goals regarding the physical development of these respective communities in addition to the promotion of the general welfare of each community. As the proposed Project is a Community Plan contains no plans for development or construction, the Plan in and of itself will not require or lead to the introduction or installation of septic tanks or alternative waste water disposal systems into area soils.

The Lemon Cove Sanitary District (LCSD or District) is responsible for providing sanitary sewer service to about 50 residents within the District's boundary, which is also the same number of connections to their water system.[69] "According to the Wastewater User Charge Survey Report FY 2004-05 (Cal EPA- State Water Resources Control Board, May 2005), the average dry weather flow at the WWTF is approximately 12,000 GPD. Using a demand of 310 GPD per connection, it is estimated that the District's sanitary sewer treatment and disposal capabilities would allow for approximately 25 additional connections (equivalent dwelling units) to the system." [70]

As indicated in the Draft Community Plan, Lemon Cove currently does not have a storm drainage system.[71]

As noted previously, because no development or any project is planned as part of this development of the proposed Community Plan, the Project will result in no impact.

Cumulative Impact Analysis: No Impact

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan Background Report, Tulare County 2030 General Plan EIR, and draft Lemon Cove Community Plan.

[67] Draft Lemon Cove Community Plan 2019. Pages 47-49.

[68] California Department of Parks and Recreation. 2010. Page 3.5-3. Los Angeles State Historic Park Master Development Plan Final EIR. Accessed November 2019 at: https://www.parks.ca.gov/pages/22272/files/r3_5_geology_soils.pdf.

[69] Draft Lemon Cove Community Plan 2019. Page 74.

[70] Ibid.

[71] Op. Cit. 75.

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The proposed Project will not increase geotechnical related impacts off-site. Therefore, no Project-specific or Cumulative impacts related to this Checklist Item will occur. **Mitigation: None Required**						
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?	☐	☐	☒	☐
	b)	Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Analysis:

As noted previously, the Project is the Lemon Cove Community Plan and no development proposals are being considered at this time. The Community Plan Update is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). Although the Project includes expansion of the Urban Development Boundary (UDB), there are no specific development projects included in the proposed update that would contribute to an increase of greenhouse gases ; as such, there is no possibility of the Project resulting in changes of greenhouse gas emissions outside of the already established UDB. However, future developments within the proposed UDB would generate greenhouse gases and are evaluated in this analysis. The Technical Memorandum "Greenhous Gas Assessment for the Lemon Cove Community Plan" (GHG Memo) was completed by RMA Staff (Jessica Willis, Planner IV) in November 2019 to analyze potential air quality emissions and is included in See Attachment "A" of this MND.

PROJECT DESCRIPTION

Lemon Cove is currently designated an Unincorporated Community in the 2030 Tulare County General Plan. The objective of the Lemon Cove Community Plan (Plan) is to develop a plan, which can accurately reflect the needs and priorities of the unincorporated community of Lemon Cove. The Land Use and Circulation portions of this Plan provide the mechanism to minimize or avoid the potential adverse impacts of urban growth. The development of an orderly, harmonious land use pattern and appropriate implementation measures are designed to reduce potential conflict between neighboring uses across Tulare County's 2030 planning horizon, consistent with the Tulare County 2030 General Plan Update. The Plan is needed to increase the availability of infrastructure funding, such as drinking water system improvements (wells, water distribution piping, storage tanks, etc.), wastewater system (such as piping, lift stations, etc.), and public work/safety improvements (such as curbs, gutters, sidewalks, etc.), and to stimulate economic development within the community.

Tulare County is proposing new land use and zoning designations within an expanded UDB. The proposed Community Plan, if adopted, will update these designations to be consistent with the General Plan, and will bring existing non-compliant properties into conformity with the Tulare County Zoning Ordinance. The Community Plan also includes the Complete Streets and Road Maintenance programs and the community's anticipated growth through year 2030 based on the existing land uses, census population data, and the projected 1.3% annual growth rate in unincorporated areas of Tulare County. Other than the Complete Streets and Road Maintenance Programs, there are no specific development projects (such as residential, commercial, or industrial uses) proposed as part of this Project. As an unknown number of proposals may occur

within the lifetime of the Plan, the Plan is intended to direct the density, intensity, and types of growth needed to meet the needs of the community. Future developments within the Project planning area will be required to undergo additional CEQA evaluation on a project-by-project basis at such time development is proposed to determine potential environmental impacts.

Complete Streets and Road Maintenance

The Lemon Cove Complete Streets and Road Maintenance Programs are included in the Circulation Element of the proposed Community Plan. The Complete Streets Program has thoroughly analyzed the alternative forms of transportation, including transit, bicycle ways, and pedestrian circulation. Improvements proposed in the Complete Streets Program include, but are not limited to, installation of streetlights, bus shelters, street signage and striping, curbs, gutters, sidewalks, drainage system, and utilities. Road maintenance activities vary by road segment dependent upon the condition of the road and may include chip seal, overlay resurfacing, and asphalt reconstructions.

Growth Projections

There are no specific development projects proposed with the Lemon Cove Community Plan; however, the Plan does include updates to land use designations that could increase the buildout potential of the planning area. Population and residential growth through planning horizon year 2030 was estimated by applying a 1.3% annual growth rate, consistent with the Tulare County 2030 General Plan, to the 2017 baseline population and housing data, as provided in the United States Census Bureau 2017 American Community Survey (ACS).[72] Non-residential growth was estimated through planning horizon year 2030 for a worst-case emissions scenario by applying a 1.3% annual growth rate to the existing uses and assuming all parcels have been improved with structures at a floor to area ratio of 0.20. Using these assumptions for baseline conditions provides a conservative (larger) overall growth estimate. **Table 8-1** (Table 1 in the GHG memo) summarizes the projected growth of the community through horizon Year 2030.

Table 8-1
Projected Growth through Year 2030

	Residential[1]		Commercial/Public/Other[2]		Retail[2]		Industrial[2]	
Year	Population	Dwelling Units	Square Feet	Acres	Square Feet	Acres	Square Feet	Acres
2017	232	115	277,129	31.81	65,079	7.47	15,507	1.78
2030	274	136	327,797	37.63	76,977	8.84	18,343	2.11
Overall Growth	42	21	50,668	5.85	11,898	1.37	2,835	0.33

[1] *Projections based on 2017 American Community Survey data applying an annual growth rate of 1.3%.*
[2] *Projections based on existing land uses assuming developments/improvements with a Floor to Area Ratio of 0.2 and annual growth rate of 1.3%.*

Significance Thresholds

CEQA Guidelines define a significant effect on the environment as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project.[73] To determine if a project would have a significant impact on climate change, the type, level, and impact of GHG emissions generated by the Project must be evaluated. Appendix G of the CEQA Guidelines provides the criteria (as Checklist Items) for evaluating potential impacts on the environment. The CEQA criteria and the Air District's significance thresholds and guidance for evaluation are provided below.

[72] United States Census Bureau. American FactFinder. 2017 American Community Survey. 2013-2017 American Community Survey 5-Year Estimates. Demographic and Housing Estimates (DP05) and Selected Housing Characteristics (DP04). Accessed November 2019 at: https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml.

[73] Natural Resources Agency. Governor's Office of Planning. California Environmental Quality Act (CEQA). Sections 15002(g) and 15382.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

2008 Climate Change Scoping Plan

The California State Legislature adopted Assembly Bill 32 (AB 32) on September 27, 2006. AB 32 focuses on reducing GHG emissions to 1990 levels by the year 2020 and to 80% below 1990 levels by the year 2050. Pursuant to the requirements in AB 32, the ARB adopted the Climate Change Scoping Plan (2008 Scoping Plan), which outlines actions recommended to obtain that goal. The 2008 Scoping Plan calls for an "ambitious but achievable" reduction in California's GHG emissions, cutting emissions approximately 29% from BAU emission levels projected for 2020, or about 10% from 2008 levels. On a per capita basis, that means reducing annual emissions of 14 tons of carbon dioxide for every man, woman, and child in California down to about 10 tons per person by 2020.[74]

2017 Climate Change Scoping Plan

The California State Legislature adopted Senate Bill 32 (SB 32) on September 8, 2016. SB 32 focuses on reducing GHG emissions to 40% below 1990 levels by the year 2030. Pursuant to the requirements in SB 32, the ARB adopted the Climate Change Scoping Plan Update (2017 Scoping Plan), which outlines actions recommended to obtain that goal. ARB recommends statewide targets of no more than six (6) metric tons CO_2e per capita by 2030 and no more than two (2) metric tons CO_2e per capita by 2050.[75]

Air District Guidance

"On December 17, 2009, the District's Governing Board adopted the District Policy: *Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. The District's Governing Board also approved the guidance document: *Guidance for Valley Land-Use Agencies in Addressing GHG Emission Impacts for New Projects Under CEQA.* In support of the policy and guidance document, District staff prepared a staff report: *Addressing Greenhouse Gas Emissions Under the California Environmental Quality Act*. These documents adopted in December of 2009 continue to be the relevant policies to address GHG emissions under CEQA. As these documents may be modified under a separate process, the latest versions should be referenced to determine the District's current guidance at the time of analyzing a particular project."[76]

"It is widely recognized that no single project could generate enough GHG emissions to noticeably change the global climate temperature. However, the combination of GHG emissions from past, present and future projects could contribute substantially to global climate change. Thus, project specific GHG emissions should be evaluated in terms of whether or not they would result in a cumulatively significant impact on global climate change. GHG emissions, and their associated contribution to climate change, are inherently a cumulative impact issue. Therefore, project-level impacts of GHG emissions are treated as one-in-the-same as cumulative impacts.

In summary, the staff report evaluates different approaches for assessing significance of GHG emission impacts. As presented in the report, District staff reviewed the relevant scientific information and concluded that the existing science is inadequate to support quantification of the extent to which project specific GHG emissions would impact global climate features such as average air temperature, average rainfall, or average annual snow pack. In other words, the District was not able to determine a specific quantitative level of GHG emissions increase, above which a project would have a significant impact on the environment, and below which would have an insignificant impact. This is readily understood, when one

[74] CARB. Climate Change Scoping Plan. Accessed November 2019 at: http://www.arb.ca.gov/cc/scopingplan/document/scopingplandocument.htm.

[75] CARB. California's 2017 Climate Change Scoping Plan. Page 99. Accessed November 1, 2019 at: https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf.

[76] San Joaquin Valley Air Pollution Control District, *Guidance for Assessing and Mitigating Air Quality Impacts.* Section 8.9. Page 110. Accessed November 2019 at: www.valleyair.org/Programs/CCAP/CCAP_idx.htm.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

considers that global climate change is the result of the sum total of GHG emissions, both manmade and natural that occurred in the past; that is occurring now; and will occur in the future.

In the absence of scientific evidence supporting establishment of a numerical threshold, the District policy applies performance based standards to assess project-specific GHG emission impacts on global climate change. The determination is founded on the principal that projects whose emissions have been reduced or mitigated consistent with the California Global Warming Solutions Act of 2006, commonly referred to as "AB 32", should be considered to have a less than significant impact on global climate change. For a detailed discussion of the District's establishment of thresholds of significance for GHG emissions, and the District's application of said thresholds, the reader is referred to the above referenced staff report, District Policy, and District Guidance documents."[77]

"As presented in Figure 6 (Process of Determining Significance of Greenhouse Gas Emissions) [of the GAMAQI], the policy provides for a tiered approach in assessing significance of project specific GHG emission increases.

- Projects complying with an approved GHG emission reduction plan or GHG mitigation program which avoids or substantially reduces GHG emissions within the geographic area in which the project is located would be determined to have a less than significant individual and cumulative impact for GHG emissions. Such plans or programs must be specified in law or approved by the Lead Agency with jurisdiction over the affected resource and supported by a CEQA compliant environmental review document adopted by the Lead Agency. Projects complying with an approved GHG emission reduction plan or GHG mitigation program would not be required to implement Best Performance Standards (BPS).
- Projects implementing BPS would not require quantification of project specific GHG emissions. Consistent with CEQA Guideline, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.
- Projects not implementing BPS would require quantification of project specific GHG emissions and demonstration that project specific GHG emissions would be reduced or mitigated by at least 29%, compared to Business as Usual (BAU), including GHG emission reductions achieved since the 2002-2004 baseline period, consistent with GHG emission reduction targets established in ARB's AB 32 Scoping Plan. Projects achieving at least a 29% GHG emission reduction compared to BAU would be determined to have a less than significant individual and cumulative impact for GHG.

The District guidance for development projects also relies on the use of BPS. For development projects, BPS includes project design elements, land use decisions, and technologies that reduce GHG emissions. Projects implementing any combination of BPS, and/or demonstrating a total 29 percent reduction in GHG emissions from business-as-usual (BAU), would be determined to have a less than cumulatively significant impact on global climate change."[78]

The Air District's *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Project under CEQA* states, "Projects implementing Best Performance Standards in accordance with this guidance would be determined to have a less than significant individual and cumulative impact on global climate change and would not require project specific quantification of GHG emissions. Projects exempt from the requirements of CEQA, and projects complying with an approved GHG emission reduction plan or mitigation program would also be determined to have a less than significant individual or cumulative impact. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources and have a certified final CEQA document. Projects not implementing BPS would require quantification of project specific GHG emissions. To be determined to have a less than significant individual and cumulative impact on global climate changes, such projects must be determined to have reduced or mitigated GHG

[77] Ibid. 111-112.
[78] Op. Cit. 112.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

emissions by 29%, consistent with GHG emission reduction targets established in ARB's AB 32 Scoping Plan. Furthermore, quantification of GHG emissions would be expected for all projects for which the lead agency has determined that an Environmental Impact Report is required, regardless of whether the project incorporates Best Performance Standards."[79]

"If total GHG emissions reductions measures add up to 29% or more, are enforceable, and are required as a part of the development's approval process, the project achieves the Best Performance Standard (BPS) for the respective type of development project. Thus, the GHG emissions from the development project would be determined to have a less than individually and cumulatively significant impact on global climate change for CEQA purposes."[80]

"By definition, BPS for development projects is achieving a project-by-project 29% reduction in GHG emissions, compared to BAU. Thus, it is reasonable to conclude that Lead Agencies implementing the proposed *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* threshold will achieve an overall reduction in GHG emissions consistent with AB 32 emission reduction targets…"[81]

The Air District's guidance document was adopted to provide a basis for lead agencies to establish significance thresholds consistent with ARB's 2008 Scoping Plan. The Air District currently does not have a recommendation for establishing thresholds or assessing significance consistent with the reduction requirements established in ARB's 2017 Scoping Plan Update, which requires a 33.2% reduction from BAU to achieve the 2030 target. As such, Tulare County prepared and adopted the Tulare County 2018 Climate Action Plan (CAP) Update. **Figure 8-1** (Figure 1 in the GHG Memo) provides a visual summary of the Air District's process for determining significance of project-related GHG emissions

"The CAP serves as a guiding document for County of Tulare ("County") actions to reduce greenhouse gas emissions and adapt to the potential effects of climate change. The CAP is an implementation measure of the 2030 General Plan Update. The General Plan provides the supporting framework for development in the County to produce fewer greenhouse gas emissions during Plan buildout. The CAP builds on the General Plan's framework with more specific actions that will be applied to achieve emission reduction targets consistent with California legislation."[82]

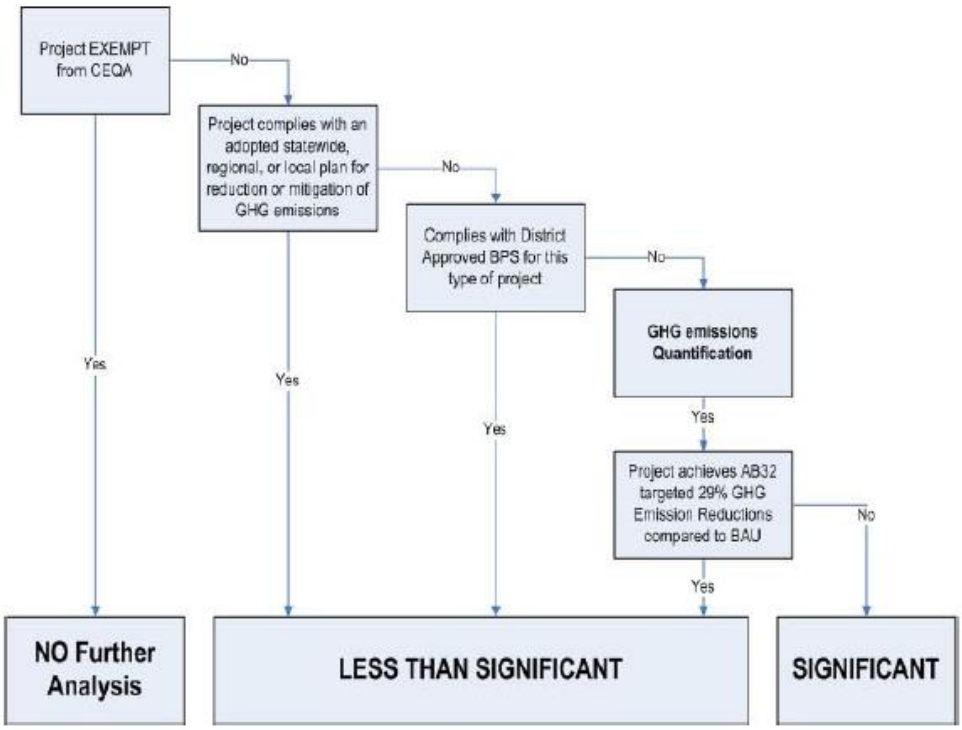
"The County of Tulare (County) adopted the Tulare County Climate Action Plan (CAP) in August 2012. The CAP includes provisions for an update when the State of California Air Resources Board (CARB) adopts a Scoping Plan Update that provides post-2020 targets for the State and an updated strategy for achieving a 2030 target. Governor Brown signed Senate Bill (SB) 32 on September 8, 2016 which contains the new 2030 target. The CARB 2017 Scoping Plan Update for the Senate Bill (SB) 32 2030 targets was adopted by the CARB on December 14, 2017 which provided new emission inventories and a comprehensive strategy for achieving the 2030 target (CARB 2017a). With the adoption of the 2017 Scoping Plan, the County proceeded with the 2018 CAP Update that is provided in this document.

The 2018 CAP Update incorporates new baseline and future year inventories to reflect the latest information and updates the County's strategy to address the SB 32 2030 target. The 2030 target requires the State to reduce emissions by 40 percent below 1990 levels from the 2017 Scoping Plan and County data. The CAP identifies the County's fair share of reductions required to maintain consistency with the State target."[83]

[79] San Joaquin Valley Air Pollution Control District. Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. Page 4.
[80] Ibid. 7-8.
[81] Op. Cit. 8.
[82] Tulare County Climate Action Plan. December 2018 Update. Page 1. Accessed November 2019 at: http://generalplan.co.tulare.ca.us., then locate and click on "Climate Action Plan February 2010 Draft" or Google: Tulare County Climate Action Plan"
[83] Ibid.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Figure 8-1
Process of Determining Significance of Greenhouse Gas Emissions



In addition to consistency with Air District GHG Guidance, the Tulare County General Plan has a number of policies that apply to projects within County of Tulare regarding GHG emissions. For example, General Plan policies that would apply to future development in the Project area include *AQ-1.7 Support Statewide Climate Change Solutions; AQ-1.9 Support Off-Site Measures to Reduce Greenhouse Gas Emissions; AQ-3.5 Alternative Energy Design; and LU-1.1 Smart Growth and Healthy Communities wherein the County shall promote the principles of smart growth and healthy communities in UDBs and HDBs, including LU-1.1.-3. (creating a strong sense of place), LU-1.1.-4. (mixing land uses),* and *LU-1.1.-9.* (preserving open space).

To reiterate, there are no specific development projects (such as residential, commercial, or industrial uses) associated with the Lemon Cove Community Plan. As such, the proposed Project will not result in GHG emissions until specific development occurs. As noted earlier, the Technical Memo "Greenhouse Gas Assessment for the Lemon Community Plan" (GHG Memo) was completed by RMA Staff (Jessica Willis, Planner IV) in November 2019 to assess potential GHG impacts (See Attachment "A"). The assessment was conducted within the context of the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000, et seq.). The methodology follows Air District recommendations for quantification of GHG emissions and evaluation of potential impacts on global climate change as provided in their guidance documents.

a) ***Less Than Significant Impact -*** Project Impact Analysis: The Air District has determined that projects consistent with an adopted Climate Action Plan (CAP) would be considered to have a less than significant impact on the environment. The Tulare County CAP was initially adopted in August 2012 and serves as a guiding document for County actions to reduce GHG emissions and adapt to the potential effects of climate change. The CAP is an implementation measure of the Tulare County General Plan 2030 Update (General Plan) which provides the supporting framework for development in the County.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

The CAP builds on the General Plan's framework with more specific actions that will be applied to achieve emission reduction targets required by State of California legislation. The General Plan fulfills many sustainability and GHG reduction objectives at the program level. The CAP identifies the policies from the various General Plan elements that promote more efficient development, and reduce travel and energy consumption. The CAP requires projects achieve reductions in excess of the reduction identified in the Scoping Plan. The CAP identifies General Plan policies in place to assist the County in reducing GHG emissions. The 2018 CAP Update incorporates new baseline and future year inventories to reflect the latest information and updates the County's strategy to address the SB 32 2030 target. The CAP identifies the County's fair share of reductions required to maintain consistency with the State's target.

The CAP thresholds for determining consistency with the CAP are 500 dwelling units, 100,000 square feet of retail, or equivalent intensity for other uses. These thresholds are the amounts currently required from development related sources within the County to demonstrate consistency with SB 32 2030 targets. Projects exceeding the consistency thresholds must comply with the requirements of the CAP, which requires a GHG analysis report demonstrating emission reductions of at least 31% below 2015 levels by 2030 or a 9% reduction from 2030 BAU emissions. As the CAP implements the County's strategy to achieve the State's 2030 reduction targets, projects below the consistency thresholds have been determined to be consistent with the State's targets and do not require GHG emissions quantification. Projects below the consistency thresholds would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan. As such, the proposed Project will not result in GHG emissions until specific development occurs. Future developments would be required to comply with the CAP. The CAP states, "The 2018 CAP Update includes an additional method of determining project consistency with the CAP and 2030 targets. Projects subject to CEQA review could use a checklist containing design features and measures that are needed to determine consistency. Large projects (500-unit subdivisions and 100,000 square feet of retail or equivalent intensity for other uses) and new specific plans should provide a greenhouse gas analysis report quantifying GHG emissions to demonstrate that the project emissions are at least 31 percent below 2015 levels by 2030 or 9 percent below BAU emissions in 2030. These are the amounts currently required from development related sources to demonstrate consistency with SB 32 2030 targets. Smaller projects may also prepare a GHG analysis report if the checklist is not appropriate for a particular project or is deemed necessary by the project proponent or County staff. The GHG analysis should incorporate as many measures as possible from the CalEEMod mitigation component as described in Table 15 [of the 2018 CAP] and can take credit for 2017 Scoping Plan measures that have not been incorporated into CalEEMod but that will be adopted prior to 2030 such as 50 percent RPS."[84]

"The County has already approved a substantial number of lots for development. Development of some of these lots will be limited by various factors such as water supply, sewer/septic capability, road capacity, etc. that cannot be addressed during the planning horizon due to lack of resources. This means that the County expects that new development proposals will be received that are more likely to develop before existing lots are developed because the rural community, landowner, or developer has the resources to provide all improvements and services required for the site. As a rough estimate, this analysis assumes that 40 percent of the development will occur on existing lots and 60 percent will occur in new developments. Development occurring on existing lots will be subject to existing conditions of the approved subdivision and zoning standards. Development occurring in new subdivisions and projects [after 2012] would be subject to additional measures required to mitigate significant impacts. The County will encourage developers of existing lots [established prior to 2012] to implement measures that reduce greenhouse gas emissions, but it has no authority to require additional reductions beyond those required by State regulation, the building code, and local ordinance."[85]

[84] Op. Cit. 73.
[85] Op. Cit. 76.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

"Commercial and industrial development in Tulare County during the 2020 and 2030 planning timeframes will comply with increasingly stringent State energy efficiency regulations in most projects. For industrial projects where the SJVAPCD is a Responsible Agency, the project will be expected to implement Best Performance Standards included in the SJVAPCD Guidelines for Addressing Greenhouse Gas Emissions on the processes and stationary equipment that emit greenhouse gases to levels that meet or exceed State targets and may be subject to Cap-and-Trade Program requirements."[86]

There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community. As indicated in **Table 8-1** (Table 1 in the GHG Memo), projected future growth based on the County's 1.3% annual growth rate is 21 residential units, 62,566 sf of commercial/retail/office space, and 2,668 sf of industrial space. Projected growth through horizon year 2030 is below the CAP consistency thresholds of 500 dwelling units, 100,000 square feet of retail, or equivalent intensity for other uses. As the Project falls below the CAP consistency thresholds, the Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. However, the air quality emissions reports include quantification of GHG emissions (see Attachment "A"). Project-related emissions were estimated using the California Emissions Estimator Model (CalEEMod), Version 2016.3.2, and are summarized and provided below for informational purposes only. **Table 8-2** (Table 2 in the GHG Memo) provides the Project's construction-related GHG emission while **Table 8-3** (Table 3 in the GHG Memo) provides the operations-related GHG emissions.

The Air District does not have a recommendation for lead agencies in assessing the significance of construction related GHG emissions. Emissions from construction would be temporary; however, to account for the construction emissions, the emissions were amortized based on the average life of all future development (30 years) and added to the operational emissions.

TABLE 8-2
CONSTRUCTION-RELATED GHG EMISSIONS (mitigated)

	CO_{2e} Emissions (metric tons per year)
Construction Total	608.90
Amortized Annual Emissions	**20.30**

Note: Amortized emissions are based on a 30-year life for all developments.
Source: See Attachment "A" in the AQA Memo.

TABLE 8-3
OPERATIONS-RELATED GHG EMISSIONS (metric tons per year)

	CO_{2e} Emissions (unmitigated)	CO_{2e} Emissions (mitigated)	% Reduction
Total Operations	1,787.06	1,674.65	6.29
Amortized Annual Emissions	20.30	20.30	0.00
Total Project Emissions	1,807.36	1,694.95	6.22

Note: Amortized emissions are based on a 30-year life for all developments.
Source: See Attachment "A" in the AQA Memo.

As demonstrated in **Table 8-3** (Table 3 in the GHG Memo), the Project achieves an approximately 6.22% reduction in GHG emissions through compliance with current regulation. As future development is unknown, the analysis was performed assuming a worst-case emissions scenario, that is, that all future development would be developed in one phase beginning in 2020. The analysis did not include GHG reductions from compliance with Renewable Portfolio Standards for energy producers or from compliance with 2019 California Building Code or Green Building Standards. Also, as future development is unknown, incorporation of project-specific design features that would reduce GHG emissions cannot be

[86] Op. Cit.

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incorporated into the emissions analysis. Therefore, the emissions reductions presented above underestimate the actual reductions that would be achieved on a project-by-project basis. As such, the Project demonstrates continued progress towards the County achieving the 2017 Scoping Plan Update 2030 reduction requirements with an overall GHG reduction. Furthermore, the State anticipates increases in the number of zero emission vehicles operated in the State under the Advanced Clean Car Program. Compliance with SB 375 reduction targets for light duty vehicles will provide continued reductions in emissions from that source through SB 375's 2035 milestone year. The Project will provide a GHG emission reduction benefit as future buildout of the community will supply residents within the Lemon Cove UDB and immediate vicinity with greater shopping and employment opportunities, thereby reducing vehicle miles traveled from travelling to larger communities/cities for such opportunities. Since future development projects would undergo additional CEQA review, the Project will continue to comply with existing and future regulations, and the General Plan, Community Plan, and CAP will continue to be implemented through 2030, the growth projected for 2030 would not result in significant greenhouse gas impacts. Therefore, less than significant Project-specific impacts related to this Checklist Item will occur.

Cumulative Impact Analysis: Less Than Significant Impact

The geographic area of this cumulative analysis is the San Joaquin Valley Air Basin. Project-related emissions would be considered to have a significant cumulative impact if project-specific impacts are determined to be significant. As previously noted, there are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan. Future developments would be required to comply with the CAP. The Project is consistent with the Tulare County CAP and as such, is consistent with the reduction targets established in the Scoping Plan. As the proposed Project would result in less than significant Project-specific impacts, less than significant Cumulative impacts would also occur.

As previously noted, the Project is consistent with the Tulare County CAP and the reduction targets established in the Scoping Plan. As such, the Project would not generate GHG emissions that would have a significant impact on the environment. Less Than Significant Project-specific and Cumulative Impacts related to this Checklist Item will occur.

b) ***Less Than Significant Impact -*** Since the proposed Project is located in an unincorporated area of Tulare County, the most applicable GHG plans are the Tulare County Climate Action Plan and ARB's 2017 Climate Change Scoping Plan. As previously noted, the CAP, initially adopted in August 2012, serves as a guiding document for County actions to reduce GHG emissions and adapt to the potential effects of climate change. The CAP is an implementation measure of the Tulare County General Plan which provides the supporting framework for development in the County. The CAP builds on the General Plan's framework with more specific actions that will be applied to achieve emission reduction targets required by State of California legislation. The General Plan fulfills many sustainability and GHG reduction objectives at the program level. The CAP identifies the policies from the various General Plan elements that promote more efficient development, and reduce travel and energy consumption. The CAP requires projects achieve reductions in excess of the reduction identified in the Scoping Plan. The CAP identifies General Plan policies in place to assist the County in reducing GHG emissions. The 2018 CAP Update incorporates new baseline and future year inventories to reflect the latest information and updates the County's strategy to address the SB 32 2030 target. The CAP identifies the County's fair share of reductions required to maintain consistency with the State's target.

"The 2018 CAP Update includes an additional method of determining project consistency with the CAP and 2030 targets. Projects subject to CEQA review could use a checklist containing design features and measures that are needed to determine consistency. Large projects (500-unit subdivisions and 100,000 square feet of retail or equivalent intensity for other uses) and new specific plans should provide a greenhouse gas analysis report quantifying GHG emissions to demonstrate that the project emissions are at least 31 percent below 2015 levels by 2030 or 9 percent below BAU emissions in 2030. These are the amounts currently required from development related sources to demonstrate consistency with SB 32 2030 targets. Smaller projects may also prepare a GHG analysis report if the checklist is not appropriate for a particular project or is

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deemed necessary by the project proponent or County staff. The GHG analysis should incorporate as many measures as possible from the CalEEMod mitigation component as described in Table 15 and can take credit for 2017 Scoping Plan measures that have not been incorporated into CalEEMod but that will be adopted prior to 2030 such as 50 percent RPS.

Table 17 [of the 2018 CAP] lists the overarching consistency requirements for all projects based on consistency with County land use plans that apply to the project location. Reviews for consistency with land use plans require planning staff to review projects to determine if they comply with applicable plan policies and implementation measures."[87]

TABLE 8-4
CEQA PROJECT REQUIREMENTS FOR CONSISTENCY WITH CAP

Item	Required
Project helps to meet the density goals from the Tulare Blueprint	Yes
Consistency with General Plan policies	Yes
Consistency with Rural Valley Lands Plan or Foothill Growth Management Plan development criteria	Yes
Consistency with Urban Growth Boundary expansion criteria	Yes
Consistency for development within Rural Community Urban Development Boundaries (UDB) and Hamlet Development Boundaries (HDB), and Legacy Development Boundaries (LDB)	Yes

Note: Criteria as identified in the General Plan Planning Framework
Source: 2018 CAP Update, Table 17, page 73

"A more detailed review for compliance with CAP measures is required to ensure that a project is doing its part in reducing emissions. Table 18 [of the 2018 CAP] provides a checklist containing measures that will provide reductions necessary to achieve CAP consistency. A project checklist that can be used by staff is provided as Appendix C [of the CAP]."[88]

TABLE 8-5
CAP CONSISTENCY CHECKLIST

CAP Measure	Compliance
Land Use: Project is consistent with the Tulare County General Plan policies listed in the CAP applicable to GHG emissions and sustainability.	Review for compliance during project review process.
Land Use—Residential: Subdivisions and multifamily projects propose densities consistent with County commitments for the Tulare Blueprint. Densities in subdivisions within the boundaries of Valley rural communities must be at least 5.0 units per acre. (County R-1 zoning has a 6,000 square foot minimum lot size or 7.26 units per gross acre). Overall residential density is 5.3 units per acre for the entire County including the cities. Mountain subdivisions over 50 lots require review to determine if they are consistent with the Blueprint.	Review development plans during project review to determine if densities are consistent with Blueprint.
Land Use—Non-Residential: Retail and office projects should be constructed within the boundaries of Rural Communities, HDB, UDB, LDB, and in designated transportation corridors to provide needed local goods services to residents and the traveling public. Agricultural industrial projects may be constructed in rural locations as long as consistent with the General Plan.	Review development plans to ensure locations are appropriate for type of project that is proposed and consistent with County plans.
Land Use Design: Projects that require construction of new roads or major intersection improvements provide a fair share of improvements such as sidewalks and pedestrian friendly crossings, and bike lanes/paths connecting to schools, shopping, and other uses consistent with County development standards.	Include roadway improvements as conditions of approval of subdivision or commercial site plan

[87] Op. Cit. 73.
[88] Op. Cit.

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Energy Efficiency: Project complies with current version of Title 24. (Current version is 2016 Title 24)	Provide copy of the Title 24 Report demonstrating compliance with the applicable standards with Building Permit application.
Renewable Energy: Project includes solar panels or other alternative energy source meeting County Solar Ordinance or new Title 24 standards whichever is more stringent.	Include solar on building plans and provide Title 24 compliance reports with Building Permit applications.
EV Charging: Project meets charging installation/charging ready requirements of the CalGreen Code.	Include charging in building plans
CalGreen Building Code Water: Project complies with indoor and outdoor water conservation measures.	Provide copy of report showing code compliance.
Water Conservation Landscaping:	Project complies with County water conservation ordinance requirements for landscaping.
Solid Waste: Project has access to recycling service for homes and businesses meeting CalRecycle requirements.	County verify that providers are in compliance with CalRecycle regulations regarding recycling and diversion of solid waste.
Large Employment Projects: Projects that will have large numbers of employees (over 100) are required to comply with Rule 9410 Employee Trip Reduction Plans (ETRIP). Provide a copy of the ETRIP plan to the County after approval of the plan by the SJVAPCD.	Employer is responsible for compliance with Rule 9410
Industrial Projects: Industrial projects that are large employers will comply with Rule 9410. Industrial process related GHG emissions are not under the County's regulatory authority but will require permits from the SJVAPCD and may be subject to Cap-and-Trade.	Employer is responsible for compliance with Rule 9410
Note: Criteria as identified in the General Plan Planning Framework *Source: 2018 CAP Update, Table 18, pages 73-74*	

As the County CAP requires projects to achieve reductions in excess of the reductions required in the Scoping Plan and by State legislation, projects that are consistent with the County CAP would not conflict with any applicable plan, policy or regulation adopted for reducing GHG emissions. There are no specific development projects (such as residential, commercial, or industrial uses) associated with the proposed Community Plan. Future developments will be required to comply with the requirements of the Tulare County CAP. Therefore, the Project does not conflict with the reduction strategies included in the Scoping Plan. Less than significant Project-specific impacts related to this Checklist Item will occur.

Cumulative Impact Analysis: Less Than Significant Impact

The geographic area of this cumulative analysis is the San Joaquin Valley Air Basin. The Project is consistent with the applicable Scoping Plan reductions measures and the Air District's CCAP. The Project will implement applicable Tulare County General Plan and Tulare County CAP policies. As such, the Project will not conflict with applicable state, regional, and local plans, policies or regulation adopted for the purpose of reducing the emissions of greenhouse gases. less than significant Cumulative impacts related to this Checklist Item will occur.

Mitigation: None Required

9.	**HAZARDS AND HAZARDOUS MATERIALS**					
	Would the project:					
	a)	Create a significant hazard to the public or the environment through	☐	☐	☐	☒

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
		the routine transport, use, or disposal of hazardous materials?				
	b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
	c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
	d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
	e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
	f)	Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
	g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.	☐	☐	☐	☒

Analysis:

As noted previously, the Project is the proposed Lemon Cove Community Plan; no development proposals are being considered at this time. The Community Plan is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). Expansion of the Urban Development Boundary (UDB) may result in the discovery of, or over time, proposed businesses that handle hazards and hazardous materials.

The community plan does not include any specific development projects (such as residential, commercial, or industrial uses) and will not involve any hazards or hazardous materials. Future development projects will be evaluated on a case-by-case basis and, in the event a specific project may include the use of potentially hazardous materials, said project will be required to comply with all rules/regulations of the Tulare County Environmental Health Department, California

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Department of Toxic Substances Control, San Joaquin Valley Air Pollution Control District, and any other regulatory agency's rules and regulations.

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project:

The General Plan has a number of policies that apply to projects within Tulare County. General Plan policies that relate to the proposed Project include**:** *HS-4.1 Hazardous Materials*; *HS-4.3 Incompatible Land Uses*; and *HS-4.4 Contamination Prevention*.

a) ***No Impact -*** The Community Plan does not include any specific development projects (such as residential, commercial, or industrial uses) and as such, will not, in and of itself, create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The proposed Project is a Community Plan and contains no plans for development or construction; however, it does anticipate that across the planning horizon, the Lemon Cove community will continue to grow at a 1.3% rate, consistent with the Tulare County General Plan's forecast growth rate for its unincorporated communities. Future development projects, anticipated to meet this 1.3% growth rate, will be evaluated on a case-by-case basis and 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. Construction-related activities would also be required to comply with the California fire code to reduce the risk of potential fire hazards. The Tulare County Environmental Health Services Division (TCEHSD) requires submittal of a Hazardous Materials Business Plan, if the site ever handles or stores quantities of hazardous materials in excess of 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of a compressed gas or any amount of a hazardous waste. Compliance with local, state and federal regulations would be adequate such that any future projects would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Therefore, this Community Plan would result in no impact to this Checklist Item.

b) ***No Impact -*** As discussed in the previous checklist item, the Community Plan does not include any specific development projects (such as residential, commercial, or industrial uses) and as such, will not, in and of itself, 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. Over the planning horizon, it is anticipated that residential, commercial and/or municipal infrastructure projects may require and/or generate hazardous materials as part of the construction process. Furthermore, long-term storage of hazardous materials (i.e., agricultural compounds, building supplies, etc.,) may occur on residential premises or commercial supply yards upon buildout of the proposed UDB and will be evaluated on a case-by-case basis. Long-term construction, operational and storage-related activities involving hazardous materials would be required to comply with the California fire code to reduce the risk of potential fire hazards. The TCEHSD requires submittal of a Hazardous Materials Business Plan, if the site ever handles or stores quantities of hazardous materials in excess of 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of a compressed gas or any amount of a hazardous waste. Compliance with local, state and federal regulations would be adequate such that any future projects would not, upon buildout, 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. Therefore, the Project would result in a no impact to this Checklist Item.

c) ***No Impact*** **–** "The Lemon Cove Community Planning Area is within the Sequoia Union School District with one (1) school located within its boundaries. Sequoia Union School District is located at 23958 Avenue 324, Lemon Cove, California."[89]

[89] Draft Lemon Cove Community Plan 2019. Page 78.

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The Community Plan does not include any specific development projects (such as residential, commercial, or industrial uses) and will not, in and of itself, involve any hazards or hazardous materials. Future development projects will be evaluated on a case-by-case basis and, in the event a specific future project, may include the use of potentially hazardous materials, the project will be required to comply with all rules/regulations of the Tulare County Environmental Health Department, California Department of Toxic Substances Control, San Joaquin Valley Air Pollution Control District, the California Department of Education and all applicable local, state and federal regulations with regards to hazardous emissions, materials, substances, or waste within one-quarter mile of an existing or proposed school. Based on this analysis, there will be no impact as a result of adopting the Community Plan.

d) ***No Impact -*** According to the State of California Department of Toxic Substances Control *EnviroStor* database map and *Hazardous Waste and Substance Sites List*, the planning area does not contain and is not proximate to a listed hazardous site, pursuant to Government Code Section 65962.5.[90] A search of the United States Environmental Protection Agency's *Superfund* database indicates that the planning area does not contain and is not near a listed hazardous site, pursuant to 26 U.S. Code § 9507.[91] Based on this information, it is not anticipated that the planning area will be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The Community Plan will not create a significant hazard to the public or the environment and as such, no impact will result from this update.

e) ***No Impact -*** According to a search in County's GIS and the Tulare County Comprehensive Airport Land Use Plan (CALUP), the nearest airport is Woodlake Airport located more than three (3) miles northwest of the Lemon Cove UDB. It is anticipated that across the planning horizon (including the proposed UDB expansion area), future growth within Lemon Cove will continue to lie outside of the Woodlake airport land use plan and beyond a two-mile radius of Woodlake airport. The Lemon Cove Community Plan will not result in a safety hazard for people residing or working in the project area and as such, there will be no impact related to this Checklist item.

f) ***No Impact -*** The Community Plan is consistent with policies contained in the Tulare County General Plan 2030 Update such as *HS – 1.1 Maintaining Emergency Services, HS -1.9 Emergency Access,* and *HS – 1.10 Emergency Services Near Assisted Living Housing,* in addition to the Multi-Jurisdictional Local Hazard Mitigation Plan. "[T]he Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP) to assess the natural, technological, and human-caused risks to County communities, to reduce the potential impact of the hazards by creating mitigation strategies. The 2017 MJLHMP represents the County's commitment to create a safer, more resilient community by taking actions to reduce risk and by committing resources to lessen the effects of hazards on the people and property of the County."[92] Therefore, the Community Plan will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. As such there will be no impact as a result of this project.

g) ***No Impact -*** The planning area is located outside of a Calfire-designated wildland fire hazard zone.[93] Fire protection and emergency medical services are provided by the Tulare County Fire Department. The community of Lemon Cove is served by Tulare County Fire Department Station #13 located at 32490 State Route 198 in Lemon Cove, and includes

[90] California Department of Toxic Substances Control, 2019. Hazardous Waste and Substances Site List (Cortese). https://www.envirostor.dtsc.ca.gov/public/search.asp?PAGE=8&CMD=search&ocieerp=&business_name=&main_street_number=&main_street_name=&city=&zip=&county=&branch=&status=ACT%2CBKLG%2CCOM%2CCOLUR&site_type=CSITES%2COPEN%2CFUDS%2CCLOSE&cleanup_type=&npl=&funding=&reporttype=CORTESE&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29&federal_superfund=&state_response=&voluntary_cleanup=&school_cleanup=&operating=&post_closure=&non_operating=&corrective_action=&tiered_permit=&evaluation=&spec_prog=&national_priority_list=&senate=&congress=&assembly=&critical_pol=&business_type=&case_type=&display_results=&school_district=&pub=&hwmp=False&permitted=&pc_permitted=&inspections=&complaints=&censustract=&cesdecile=&ORDERBY=county&next=Next+50. Accessed October, 2019.

[91] United States Environmental Protection Agency. 2019. Superfund. Accessed November 2019 at: https://www.epa.gov/superfund/search-superfund-sites-where-you-live.

[92] Draft Lemon Cove Community Plan 2019. Page 89.

[93] Calfire FHSZ Viewer http://egis.fire.ca.gov/FHSZ/. Accessed October 2019.

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one (1) Battalion; Patrol 13 & Engine 13, and Water Tender 13 are assigned to this location.[94] As such, the Community Plan will not result in any exposure to people or structures to a significant risk of loss, injury or death from wildland fires. There will be no impact related to this Checklist item.

Cumulative Impact Analysis: No Impact

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan Background Report, Tulare County 2030 General Plan EIR, and draft Lemon Cove Community Plan.

Cumulative development throughout the Project area and its vicinity, under Year 2030 build out conditions will cumulatively increase the potential for exposure to existing hazards associated with State Route 201. However, as discussed earlier, the transportation of hazardous materials will continue to be regulated by federal, state, and regional agencies, and all new development will be subject to independent environmental review and all applicable regulations to minimize any potential health risks associated with state routes or other roadways. Therefore, through appropriate regulations, potential cumulative health impacts associated *with the build out* of the Project area could result in less than significant Project-specific and Cumulative Impacts related to this Checklist Item.

Mitigation: None Required

10.	**HYDROLOGY AND WATER QUALITY**					
	Would the project:					
	a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☐	☒
	b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
	c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would: i) result in substantial erosion or siltation on-or off-site; ii) substantially increase the rate or amount of surface runoff in a	☐	☐	☐	☒

[94] Draft Lemon Cove Community Plan 2019. Page 76.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
		manner which would result in flooding on-or offsite; 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				
	d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
	e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Analysis:

Water Quality/Quantity

As noted previously, the Project is the Lemon Cove Community Plan and no development proposals are being considered at this time. The Project is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). As development occurs with the proposed Urban Development Boundary (UDB), hydrology and water quality outside of the already established UDB area may, be impacted and will therefore be evaluated on a case-by-case basis.

"Domestic water and sewer service in Lemon Cove is provided by the Lemon Cove Sanitary Sewer District (see Figure 17 [in the Community Plan]), formed in December 1950. Table 19 [in the Community Plan, **Table 10-1** in the MND] shows the number of existing water and sewer connections, the capacity of each system, and the number of additional connections the systems can accommodate for new development (Housing Element, May 2012 and Municipal Service Review, May 2006). Maps of the sewer and water systems are currently unavailable."[95]

Table 10-1
Existing Infrastructure

Drinking Water			Waste Water*		
No. of Existing Connections	**Capacity**	**Available**	**No. of Existing Connections**	**Capacity**	**Available**
50	50	0	50	75	25

Source: Draft Lemon Cove Community Plan 2019.

"The Lemon Cove Sanitary District is also responsible for providing sanitary sewer service to residents within its Boundary. It is assumed that there are 50 connections to the District's sewer system, the same number of connections to their water system. The District owns and operates a Wastewater Treatment Facility (WWTF) located approximately 0.7 miles north of the community. The WWTF is operated under the provisions of Waste Discharge Requirements Order No. 94-348, issued by the Regional Water Quality Control Board (RWQCB).

[95] Ibid. 71.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Order No. 94-348 prescribes that the monthly average dry weather discharge flow shall not exceed 20,000 gallons per day (GPD). According to the Wastewater User Charge Survey Report FY 2004-05 (Cal EPA- State Water Resources Control Board, May 2005), the average dry weather flow at the WWTF is approximately 12,000 GPD. Using a demand of 310 GPD per connection, it is estimated that the District's sanitary sewer treatment and disposal capabilities would allow for approximately 25 additional connections (equivalent dwelling units) to the system (see Table 1 [**Table 10-1** in the MND]). The District would need to expand the capacity of its WWTF to support any significant development projects proposed within its SOI."[96]

"The Lemon Cove Sanitary District is a member of the East Kaweah Groundwater Sustainable Agency. Under SGMA, East Kaweah GSA is responsible for submitting a Groundwater Sustainable Plan (GSP) to the Department of Water Resources (DWR) by January 31, 2020. A memorandum of Understanding (MOU) is in place between the East Kaweah GSA, Mid Kaweah GSA, and Greater Kaweah GSA to coordinate throughout the SPP development phase to meet the sustainability requirements for the entire Kaweah Sub-basin.
"[97]

"The County and East Kaweah Groundwater Sustainability Agency work collaboratively under the Tulare County General Plan to assist the Lemon Cove Sanitary District in establishing conservation measures and credits in order to sustainably grow water and sewer infrastructure consistent with the Projected Growth Rates considered in the General Plan of Tulare County" [98]

Storm Drainage

"Storm drainage systems should be designed so they have adequate capacity to accommodate runoff that enters the system for the design frequency, and should also be designed considering future development. An inadequate roadway drainage system could result in the following:

- ✓ Water overflowing the curb and entering adjacent property leading to damage
- ✓ Accelerated roadway deterioration and public safety concerns may occur due to excessive water accumulation on roadways
- ✓ Over saturation of the roadway structural section due to immersion will lead to pavement deterioration"[99]

Flooding

"Flooding is a natural occurrence in the Central Valley because it is a natural drainage basin for thousands of watershed acres of Sierra Nevada and Coast Range foothills and mountains. Two kinds of flooding can occur in the Central Valley: general rainfall floods occurring in the late fall and winter in the foothills and on the valley floor; and snowmelt floods occurring in the late spring and early summer. Most floods are produced by extended periods of precipitation during the winter months. Floods can also occur when large amounts of water (due to snowmelt) enter storage reservoirs, causing an increase in the amount of water that is released."[100]

[96] Op. Cit. 74.
[97] Op. Cit. 75.
[98] Op. Cit. 131.
[99] Op. Cit. 75.
[100] Op. Cit. 53.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Official floodplain maps are maintained by the Federal Emergency Management Agency (FEMA). FEMA determines areas subject to flood hazards and designates these areas by relative risk of flooding on a map for each community, known as the Flood Insurance Rate Map (FIRM). A 100-year flood is considered for purposes of land use planning and protection of property and human safety. The boundaries of the 100-year floodplain are delineated by FEMA on the basis of hydrology, topography, and modeling of flow during predicted rainstorms.[101]

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: There are several General Plan policies which will be implemented to avoid and/or minimize any potentially adverse impacts to hydrology/water quality such as: *HS-4.4 Contamination Prevention; WR-2.1 Protect Water Quality; WR-2.2 National Pollutant Discharge Elimination System (NPDES) Enforcement; WR-2.3 Best Management Practices (BMPs); WR-2.4 Construction Site Sediment Control; WR-3.3 Adequate Water Availability; WR-3.6 Water Use Efficiency; HS-5.1 Development Compliance with Federal, State, and Local Agencies;* and *HS-5.2 Development in Floodplain Zones*.

a) ***No Impact -*** The proposed planning area contains a variety of uses such as retail office, single-family and multi-family residential, hotel, recreation, limited industrial, and public facilities etc.,. Much of the Lemon Cove community is surrounded by agriculturally productive lands (refer to Agricultural and Forestry Resources Section for different types of farmland). The Community Plan does not contain specific development projects, however, over time, the Community Plan would allow for the future development of non-urban lands to urban-type uses. The expansion of the existing UDB, as proposed in the Community Plan, would add approximately 264 acres to the Project area. The proposed Zoning Districts for Lemon Cove is compatible to the Land Use Map outlined in the General Plan.

"The [Lemon Cove Sanitary] District owns and operates a Wastewater Treatment Facility (WWTF) located approximately 0.7 miles north of the community. The WWTF is operated under the provisions of Waste Discharge Requirements Order No. 94-348, issued by the Regional Water Quality Control Board (RWQCB).

Order No. 94-348 prescribes that the monthly average dry weather discharge flow shall not exceed 20,000 gallons per day (GPD). According to the Wastewater User Charge Survey Report FY 2004-05 (Cal EPA- State Water Resources Control Board, May 2005), the average dry weather flow at the WWTF is approximately 12,000 GPD. Using a demand of 310 GPD per connection, it is estimated that the District's sanitary sewer treatment and disposal capabilities would allow for approximately 25 additional connections (equivalent dwelling units) to the system."[102]

As stated previously, the Project is the Lemon Cove Community Plan and there are no specific developments proposed as part of this project. However, future developments within the UDB area will be evaluated on a case-by-case basis to ensure the Sanitary District can accommodate proposed developments or if the developer must pay for future capacity improvements. Therefore, there will be no impact related to this Checklist item.

b) ***No Impact -*** As indicated earlier, this Project is the Community Plan of Lemon Cove, with proposed increase in its UDB. As such, there are no specific developments proposed as part of this project; however, future developments within the UDB area will be evaluated on a case-by-case basis. Therefore, the Community Plan would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. As such, the Project would result in no impact to this resource.

c) ***No Impact -*** As noted earlier, this project is the Lemon Cove Community Plan, with proposed expansion of its UDB. As such, there are no specific developments proposed as part of this project; therefore, the Project would not substantially

[101] Op. Cit. 53-54
[102] Op. Cit. 74.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

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. Therefore, the Project would result in no impact to this resource (i-iii).

d) ***No Impact*** – According to the FEMA Flood Map, the Project site is located in an Area of Minimal Flood Hazard (Zone X)[103]. The project is the Community Plan of Lemon Cove, with proposed increase in its UDB, and is located in an inland location. Therefore, the Project would result in no impact to this resource.

e) ***No Impact*** **-** As indicated earlier, this project is the Lemon Cove Community Plan, with proposed increase in its UDB. As such, there are no specific developments proposed as part of this Project; therefore, the Project would not otherwise obstruct or conflict with surface or groundwater quality control or management plans. Thus, the Project would result in no impact to this resource.

Cumulative Impact: No Impact

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the requirements of the Central Valley Regional Water Quality Control Board, Lemon Cove Sanitary Service District, and Tulare County Environmental Health Division.

As noted previously, the Project is the Lemon Cove Community Plan and no development proposals are being considered at this time. The Project is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). As development occurs with the proposed Urban Development Boundary (UDB), hydrology and water quality outside of the already established UDB area may be impacted and will therefore be evaluated on a case-by-case basis. As such, the proposed Project will result in no Project-specific and Cumulative impacts related to this Checklist Item.

Mitigation: None Required

11.	**LAND USE AND PLANNING**					
	Would the project:					
	a)	Physically divide an established community?	☐	☐	☐	☒
	b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Analysis:

"Lemon Cove is a census-designated place located in the northern portion of Tulare County, approximately four miles southeast of Woodlake and eleven miles northeast of Visalia. It is generally bounded by Avenue 319 in the south, Goodale Lane in the north, Road 236 in the west, and Road 248 in the east and encompasses 0.8 square miles of land. Lemon Cove is an agriculturally oriented service community surrounded by lands in agricultural production, vacant lands, and scattered residential homes. State Route (SR) 198 and SR 216 provide primary access to the cities of Visalia and

[103] United States Department of Homeland Security. FEMA Flood Map Service Center. https://msc.fema.gov/portal/search?AddressQuery=tulare%20County%20California%20-%20searchresultsanchor#searchresultsanchor. Accessed November 2019.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Woodlake, respectively. Cities and communities surrounding Lemon Cove include Visalia to the southwest; Woodlake to the northwest; and the community of Three Rivers to the northeast. The Tulare County/Fresno County Line is located approximately 10.5 miles north of Lemon Cove."[104]

The Lemon Cove Urban Development Boundary (UDB) contains approximately 404.1 acres (including Rights-of-way); the proposed amendment will increase the UDB by approximately 263.7 acres, for a total of approximately 667.8 acres (see **Figure 4**).[105]

"One of the most important purposes of the Lemon Cove Community Plan is to establish land use patterns and development policies and standards for the community for the planning period, through the year 2030. The general intent of the land use plan for Lemon Cove is to identify the most appropriate types and distribution of land uses for the community, based on environmental, circulation, infrastructure, services, opportunities and constraints, urban development boundary suitability analysis and other economic capacities and concerns discussed in the chapters of this Plan."[106]

"The County of Tulare, through existing policies, has encouraged both incorporated and unincorporated communities to establish urban development and land use patterns, which are compact and contiguous. This policy position has reduced so-called "leap frog" development throughout the County, helping preserve agricultural lands, and minimize land use conflicts between urban and agricultural areas."[107]

"The existing Land Use for the community of Lemon Cove is designated Mixed-Use (MU). At this time, the community of Lemon Cove does not have a community plan; therefore, the Tulare County General Plan Update 2030 provides the framework for development. The Goals and Policies Report reinforce, amend and expand policies with respect to development in the unincorporated area. The General Plan 2030 Update provides guidance to development within the community."[108]

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: *LU-1.2 Innovative Development; LU-1.8 Encourage Infill Development; PF-1.3 Land Uses in UDBs/HDBs; PF-2.4 Community Plans; PF-2.6 Land Use Consistency); PF-2.7 Improvement Standards in Communities*; and *AQ-3.6 Mixed Land Uses.*

In addition to Tulare County General Plan policies, Lemon Cove Community Plan includes policies specific to the community. See the Policy Plan discussion of the Lemon Cove Community.

a) ***No Impact -*** The Community Plan anticipates a 1.3% annual growth rate (consistent with the Tulare County General Plan). While the community may see the expansion of its existing UDB, no development projects are proposed with this project. Growth of the community anticipated by this Project will be encouraged within the UDB boundaries. As future development will likely occur along the expansion areas of the communities' core, such growth will not physically divide the established community. Therefore, the Project would have no impact related to this Checklist item.

b) ***Less Than Significant Impact -*** The Community Plan anticipates a 1.3% annual growth rate (consistent with the Tulare County General Plan). Any improvements, developments and/or improvements made as part of the Community Plan

[104] Draft Lemon Cove Community Plan 2019. Page 17.
[105] Ibid. 22 and 154.
[106] Op. Cit. 24
[107] Op. Cit.
[108] Op. Cit.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

would be required to comply with applicable land use plans, policies, or regulations of agencies with jurisdiction over the project (such as the Tulare County General Plan, Zoning Ordinance, Valley Air District, Regional Water Quality Control Board, etc.). Therefore, the Project would result in a less than significant related to this Checklist Item will occur.

Cumulative Impact: Less Than Significant

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, Tulare County 2030 General Plan EIR, and draft Lemon Cove Community Plan. As this Project is consistent with and represents implementation of the aforementioned planning documents, no Project-specific or Cumulative Impacts would occur to this resource.

Mitigation: None Required

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?	☐	☐	☐	☒
	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?	☐	☐	☐	☒

Analysis:

The Tulare County General Plan Background Report indicates that Mineral Resource Zones (MRZ) have been documented by the California State Geologist as existing in Tulare County.[109] Generally these sites are deposited along the foothill corridor of the Sierra Nevada Mountains. The Tulare County General Plan 2030 Update defines mineral resources as naturally occurring materials in the earth that can be utilized for commercial purposes.[110] The Background Report states that the most important minerals extracted in Tulare County are sand, gravel, crushed rock and natural gas.[111] According to the California Department of Conservation, the Lemon Cove planning area lies east of designated MRZ-2 and northeast of MRZ-3 zones.[112] MRZ-3 is described by the Department of Conservation as an area containing mineral deposits, the significance of which cannot be evaluated from available data, and MRZ-2 is described as an area with adequate information that significant mineral deposits are present or where mineral deposits are highly likely to exist.[113]

[109] Tulare County General Plan Background Report. Page 10-17. Accessed November 2019 at: http://generalplan.co.tulare.ca.us, then locate and click on "Background Report."

[110] Goals and Policies Report, Tulare County General Plan 2030 Update. Page 8-2. November 2019 at: http://generalplan.co.tulare.ca.us

[111] Tulare County General Plan Background Report. Page 10-17. Accessed November 2019 at: http://generalplan.co.tulare.ca.us, then locate and click on "Background Report."

[112] California Department of Conservation, 1997. Active Aggregate Producers in the Tulare County Production – Consumption Region. Plate 1 of 7 (Map). ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/OFR_97-01/OFR_97-01_Plate1.pdf.

[113] Ibid.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

As noted previously, the Project is the Community Plan of Lemon Cove and no development proposals are being considered at this time. The Project is being prepared to accommodate an unincorporated community growth rate of 1.3% and is consistent with the Tulare County General Plan. As part of the Community Plan, it is anticipated that expansion of the Urban Development Boundary (UDB) will occur; however, it is not anticipated that the expansion would impact mineral resources as the expansion generally would move away from zones MRZ-2 and MRZ-3.

The following Tulare County General Plan 2030 Update policies for this resource that apply to this Project: *ERM-2.1 Conserve Mineral Deposits; ERM-2.2 Recognize Mineral Deposits; ERM-2.3 Future Resource Development* and; *ERM-2.7 Minimize Adverse Impacts*.

a) ***No Impact -*** The proposed Project area includes a mix of uses such as retail office, single-family and multi-family residential, hotel, recreation, limited industrial, and public facilities etc.[114] It would not lead to a loss of availability of a known mineral resource as the Community Plan does not contain projects, proposed developments or construction activity that would currently, or upon build-out, fall inside of a Mineral Resource Zone. Accounting for the County's unincorporated 1.3 percent population growth rate, the planning area would remain confined to the proposed UDB outside of, MRZ-2 and MRZ-3. As such, no impact related to this Checklist Item will occur.

b) ***No Impact -*** As noted earlier, the proposed Project area includes a mix of uses such as retail office, single-family and multi-family residential, hotel, recreation, limited industrial, and public facilities etc.,[115] over the course of the 2030 planning horizon and is not located in a known MRZ. As such, no impact related to this Checklist Item will occur.

Cumulative Impact Analysis: No Impact

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, Tulare County 2030 General Plan EIR, and/or Lemon Community Plan. As this Project would not occur on lands containing mineral resources, no Project-specific or Cumulative Impacts would occur to the Mineral resource.

Mitigation: None Required

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?	☐	☐	☐	☒
	b)	Generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☐	☒

[114] Draft Lemon Cove Community Plan 2019. Page 24.
[115] Ibid.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
	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?	☐	☐	☐	☒

Analysis:

The State of California General Plan Guidelines identify rules for the Noise Elements of city and county General Plans, including a sound level/land-use compatibility chart that categorized, by land use, outdoor Ldn ranges in up to four categories (normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable). These guidelines provide the State's recommendations for city and county General Plan Noise Elements (see Figure 12 of the Draft Lemon Cove Community Plan 2019).[116]

The 2010 Recirculated Environmental Impact Report (RDEIR) prepared for the Tulare County General Plan Update included data regarding freeway and railroad noise. Baseline traffic noise contours for major roads in the County were developed using Sound32 (Caltrans' computer implementation of the FHWA Traffic Noise Prediction Model).[117] Table 3.5-3 in the RDEIR summarized the daily traffic volumes, and the predicted Ldn noise level at 100 feet from the roadway centerline is approximately 79 feet, and the distance from the roadway centerline to the 60-, 65-, and 70-dB-Ldn contours are 82 feet, 1,813 feet, and 3,907 feet respectively.[118]

"The Noise Element includes performance standards for new residential or other noise-sensitive land uses which are to be located near noise-impacted areas. The Element indicates that these uses will not be permitted unless effective design measures can be integrated into the development to mitigate the impact of noise. Table 18 [of the Draft Lemon Cove Community Plan 2019] summarizes the daily traffic volumes on SR 198 and SR 216."[119]

As noted earlier, the Project is the Community Plan of Lemon Cove and no development proposals are being considered at this time. As such, implementation of the Community Plan will not in and of itself create or induce impacts from noise in the planning area; however, buildout and urban infill over the course of the 2030 planning horizon may create the conditions wherein noise issues become a factor for sensitive receptors. As development proposals are received, they will be evaluated on a case-by-case basis to determine what, if any, noise impact they may have on the community and if mitigation to minimize noise impacts are necessary.

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: *HS-8.2 Noise Impacted Areas; HS-8.3 Noise Sensitive Land Uses; HS-8.5 State Noise Standards; HS-8.6 Noise Level Criteria; HS-8.7 - Inside Noise; HS-8.8 Adjacent Uses; HS-8.9County Equipment; HS-8.11 Peak Noise Generators;* and *HS-8.13 Noise Analysis*.

[116] Op. Cit. 56.
[117] Op. Cit. 57.
[118] Op Cit.
[119] Op. Cit.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

a) ***No Impact -*** The proposed Project does not include any proposed development or construction-related activities, as such, it does not involve long- or short-term noise sources. During the construction phase of a development or activity, noise from construction activities (for example; earth-shaping activities, construction of roads, trenching to install water/sewer lines, etc.) would contribute to the noise environment in the immediate proposed Project vicinity. Activities involved in construction would generate maximum noise levels, as indicated in the table below, ranging from 79 to 91 dBA at a distance of 50 feet, without feasible noise control (e.g., mufflers, well maintained equipment, shielding noisier equipment parts, and/or time and activity constraints) and ranging from 75 to 80 dBA at a distance of 50 feet, with feasible noise control. Although the noise generated from earthmoving equipment may exceed the 65 dB Ldn during earthmoving operations, the impact is short-term, temporary, and will only occur during normal business hours, typically from 8:00 a.m-5:00 p.m. Existing General Plan policies and draft Community Plan policies will be implemented to minimize noise exposure. **Table 12-1** shows typical noise levels from various construction-related equipment. Therefore, the proposed Community Plan will result in no impact to this Checklist item.

Table 12-1 - Typical Construction Noise Levels

Type of Equipment	dBA at 50 feet	
	Without Feasible Noise Control	With Feasible Noise Control[1]
Dozer or Tractor	80	75
Excavator	88	80
Scraper	88	80
Front End Loader	79	75
Backhoe	85	75
Grader	85	75
Truck	91	75

Source: U.S. Department of Transportation, Federal Transit Administration. 2006.
[1] Feasible noise control includes the use of intake mufflers, exhaust mufflers, and engine shrouds operating in accordance with manufacturers specifications.

b) ***No Impact -*** Vibration is the periodic oscillation of a medium or object. Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. Similar to airborne sound, ground borne vibrations may be described by amplitude and frequency. Vibration amplitudes are usually expressed in peak particle velocity (PPV) or root mean squared (RMS), as in RMS vibration velocity. The PPV and RMS (VbA) vibration velocity are normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal and is often used in monitoring of blasting vibration because it is related to the stresses that are experienced by buildings.[120]

Although PPV is appropriate for evaluating the potential for building damage, it is not always suitable for evaluating human response. As it takes some time for the human body to respond to vibration signals, it is more prudent to use vibration velocity when measuring human response. The vibration velocity level is reported in decibels relative to a level of 1x10-6 inches per second and is denoted as VdB.[121] The typical background vibration-velocity level in residential areas is usually 50 VdB or lower.[122] Ground-borne vibration is normally perceptible to humans at approximately 65 VdB.[123] For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels (FTA 2006).[124]

[120] Federal Transit Administration. 2006. Transit Noise and Vibration Impact Assessment. Chapter 7: Basic Ground-Borne Vibration Concepts. Page 7-3. Accessed November 2019 at: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf.
[121] Ibid.7-4.
[122] Op. Cit. 7-5.
[123] Op. Cit.
[124] Op. Cit. 7-8.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Examples of outdoor sources of perceptible ground borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. Construction vibrations can be transient, random, or continuous. The approximate threshold of such vibration perception is 65 VdB, while 85 VdB is the vibration acceptable only if there are an infrequent number of events per day (FTA 2006).[125] **Table 12-2** describes the typical construction equipment vibration levels.

Table 12-2
Typical Construction Vibration Levels

Equipment	VdB at 25 feet[2]
Small Bulldozer	58
Jackhammer	79

Source: U.S. Department of Transportation. Federal Transit Administration, Transit Noise and Vibration Impact Assessment. Page 12-12, Table 12-2, 2006.

The proposed Project does not include any construction-related activity; as such, it does not involve long- or short-term noise sources. Vibration from future construction-related activities will be evaluated on a case-by-case basis. As construction-related activity is short term and temporary, it is not anticipated to exceed the FTA threshold for the nearest potential receptors. Therefore, the Project would result in no impact of exposure of persons to, or generation of, excessive ground-borne vibration or ground-borne noise levels.

c) ***No Impact -*** The proposed Project is not located within an airport land use plan or, within two miles of a public airport project nor is it within the vicinity of a private airstrip. There is no possibility of exposing people residing or working in the project area to excessive noise levels in or near an existing airport public or private airstrip. According to a search in County's GIS and the CALUP, the nearest airport is Woodlake Airport located more than three (3) miles northwest of the Lemon Cove UDB. As such, there will be no impact as a result of the Project.

Cumulative Impact Analysis: No Impact

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, Tulare County 2030 General Plan EIR, and/or Lemon Cove Community Plan.

As indicated earlier, the Project is the Lemon Cove Community Plan and does not include any development proposals. As development occurs, noise impacts will be evaluated on a case-by-case basis.

Mitigation: None Required

14.	**POPULATION AND HOUSING**					
	Would the project:					
	a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through	☐	☐	☐	☒

[125] Op. Cit.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
		extension of roads or other infrastructure)?				
	b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Analysis:

As noted previously, the Project is the Community Plan of Lemon Cove and no development proposals are being considered at this time. The Project is being prepared to accommodate a growth rate of 1.3% consistent with the Tulare County General Plan. If approved, the proposed expansion to the Urban Development Boundary (UDB) will be realized; as such, it is anticipated that changes to the landscape would occur beyond the existing UDB. Further, the proposed Project is consistent with the adopted/certified Tulare County Housing Element and; the 2014 Regional Housing Needs Assessment (RHNA) prepared by the Tulare County Association of Governments (TCAG).

The following Tulare County General Plan 2030 Update policies for this resource that apply to this Project: *General Plan Housing Element Housing Guiding Principle 1.1; Housing Policy 1.11; Housing Policy 1.12; Housing Policy 1.16; Housing Guiding Principle 1.3; Housing Policy 1.42; Housing Guiding Principle 1.6; Housing Policy 2.11; Housing Guiding Principle 2.2; Housing Policy 2.21; Housing Policy 2.22; Housing Policy 3.15; Housing Policy 3.21; Housing Policy 3.22; Housing Policy 3.23;* and *Housing Policy 4.12*.

a) and b) ***No Impact*** **-** As indicated earlier, this Project is the proposed Lemon Cove Community Plan, which includes a proposed expansion of the UDB. There are no specific developments proposed as part of this project; however, future developments within the UDB area will be evaluated on a case-by-case basis. As noted earlier, the is being prepared to accommodate a growth rate of 1.3% consistent with the Tulare County General Plan. If approved, the proposed expansion to the Urban Development Boundary (UDB) UDB is intended to accommodate future development consistent with the projections forecasted growth through the Year 2030 planning horizon. Potential growth and development is based on the existing land uses, census population data, and the projected 1.3% annual growth rate for unincorporated areas of Tulare County as specified in the County's General Plan.

The population growth rate as contained in the Tulare County General Plan 2030 Update is anticipated to continue at 1.3%. Proposed land use changes, rezoning, and/or UDB expansion is intended to provide more opportunities to accommodate projected growth in Lemon Cove. Therefore, the Community Plan is intended to address localized land use needs and issues while accommodating anticipated growth consistent with the Tulare County General Plan and Regional Housing Needs Plan. As such, the Community Plan will not result in substantial population growth in an area. Therefore, no impact related to this Checklist Item would occur as a result of adopting the Community Plan.

Cumulative Impact Analysis: No Impact

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, Tulare County 2030 General Plan EIR, and/or Lemon Cove Community Plan.

As noted earlier, the Project is the Lemon Cove Community Plan and does not include any development proposals. As development occurs, impacts to this resource will be evaluated on a case-by-case basis. It is noted; however, the Project could result in a beneficial impact as the Community Plan can serve as a platform in providing affordable housing opportunities in Tulare County in general, but particularly in the Lemon Cove planning area.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
Mitigation: None Required						
15.	**PUBLIC SERVICES**					
	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
	a)	Fire protection?	☐	☐	☐	☒
	b)	Police protection?	☐	☐	☐	☒
	c)	Schools?	☐	☐	☐	☒
	d)	Parks?	☐	☐	☐	☒
	e)	Other public facilities?	☐	☐	☐	☒

Analysis:

As noted earlier, the Project is the Lemon Cove Community Plan and no development proposals are being considered at this time. The Project is being prepared to accommodate a growth rate of 1.3 percent and is consistent with the Tulare County General Plan. If adopted as proposed, expansion of the Urban Development Boundary will occur and changes to public or utility services outside of the established UDB area will also occur, accordingly. As the Project does not contain any development proposal, the need to expand public or utility services will be evaluated on a case-by-case basis as development occurs.

"Fire protection and emergency medical services are provided by the Tulare County Fire Department. The community of Lemon Cove is served by the Tulare County Fire Department Station # 13 located at 32490 State Route 198 in Lemon Cove, and includes one (1) Patrol 13, Engine 13,and Water Tender 13, which are assigned to this location."[126]

"Police protection in the Lemon Cove Planning Area is provided by the Tulare County Sheriff's Department (patrol service only). The main Sheriff's Office is located at 2404 W. Burrel Avenue, in Visalia, which serves the unincorporated areas of Tulare County."[127]

"The Lemon Cove Community Planning Area is within the Sequoia Union School District with one (1) school located within its boundaries. Sequoia Union School District is located at 23958 Avenue 324, Lemon Cove, California. It offers pre-Kindergarten through 8th grade education and had a 2018-2019 enrollment of 358 students (see Table 20 [in the Community Plan])."[128] "Students in high school are bused to Exeter Union High School (Exeter Unified School District) located in Exeter, California approximately ten (10) miles from Lemon Cove. The College of the Sequoias provides community college instruction for Lemon Cove residents at its Visalia and Tulare campuses."[129]

The nearest County-operated park is Cutler Park located southwest of Ivanhoe at 15520 Ivanhoe Dr. in Visalia, California.[130] Cutler Park is located approximately 11 miles from Lemon Cove.[131]

[126] Draft Lemon Cove Community Plan 2019. Page 76.
[127] Ibid.
[128] Op. Cit. 78.
[129] Op. Cit.
[130] Op. Cit. 79.
[131] Google Earth map measured straight line from Cutler Park to Lemon Cove.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

"The Tulare County Public Library System is comprised of interdependent branches, grouped by services, geography and usage patterns to provide efficient and economical services to the residents of the county. At present, there are 14 regional libraries and one main branch."[132] The closest library to Lemon Cove is located in Visalia.[133]

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: *PFS-7.1 Fire Protection; PFS-7.2 Fire Protection Standards; PFS-7.3 Visible Signage for Roads and Buildings; PFS-7.4 Interagency Fire Protection Cooperation;* and *PFS-7.5 Fire Staffing and Response Time Standards.*

In addition to fire protection services, the General Plan contains policies to ensure police services (provided by the Tulare County Sherriff's Office) meets the needs of the affected community such as *PFS-7.8 Law Enforcement Staffing Ratios; PFS-7.9 Sheriff Response Time; PFS-7.10 Interagency Law Enforcement Protection Cooperation;* and *PFS-7.11 Locations of Fire and Sheriff Stations/Sub-stations* wherein the County shall strive to locate fire and sheriff sub-stations in areas that ensure the minimum response times to service calls.

a) ***No Impact -*** As previously noted, the Tulare County Fire Department has a fire sub-station in Lemon Cove (Station 13), located at 32490 State Route 198 in Lemon Cove. The Tulare County Fire Department will be responsible for reviewing service provision for this community and ensuring maintenance of acceptable service ratios, response times or other performance objectives for any of the public services. The proposed Community Plan in and of itself will not significantly impact the Fire Department's response times. Therefore, the Project would result in no impact related to this Checklist Item.

b) ***No Impact -*** The Community Plan is based on the General Plan's 1.3 percent growth rate, and it is consistent with the Tulare County General Plan. While no development projects are proposed as part of the Community Plan, future growth is anticipated to occur within the proposed Urban Development Boundary over the planning horizon. Public safety components of the Community Plan and General Plan 2030 Update require that activities related to the Community Plan comply with Tulare County's General Plan policies and regulations. The Tulare County Sheriff's Department will be responsible for law enforcement for this community and ensuring maintenance of acceptable service ratios, response times or other performance objectives for any of the public services. The proposed Community Plan, in and of itself, will not significantly impact the Sheriff Department's response times. Therefore, no impact as a result of this Project related to this Checklist Item will occur.

c) ***No Impact -*** As the proposed Project does not involve any development proposals that could contribute to the need for expanded school facilities. The estimated growth rate applied to this community is project at 1.3% per year. It is not anticipated that the population growth of school-age children will exceed the capabilities of the Sequoia Union School District to provide school facilities. As such, there will be no impact to this resource related to this Checklist item.

d) ***No Impact –*** As noted earlier in the nearest County-operated park is Cutler Park located near Visalia approximately 11 miles west of Lemon Cove. The proposed Project does not include plans for a future park within the community. As such, there will be no impact to this resource related to this Checklist item.

e) ***No Impact -*** The proposed Project does not involve any development proposals that could contribute to the need for expanded electrical power, communications, natural gas services, or other public services causing an increase in consumer demand and/or subsequent service provision. Development proposals will be evaluated on a case-by-case basis and

[132] Lemon Cove Background Report. Draft Lemon Cove Community Plan 2019. Page 79.
[133] Ibid.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

referred to the local electricity and gas service providers to determine the availability of the respective service. As such, the Project would result in no impact related to this Checklist item.

Cumulative Impact Analysis: No Impact

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, Tulare County 2030 General Plan EIR, and/or Lemon Cove Community Plan.

As noted earlier, the Project is the Lemon Cove Community Plan and no development proposals are being considered at this time. As such, the proposed Project will not impact the fire or police response times, schools, parks, or other facilities. Therefore, Project-specific or Cumulative impacts related to this Checklist Item will occur.

Mitigation: None Required

16.	**RECREATION**					
	a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
	b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Analysis:

As noted previously, the Project is the Lemon Cove Community Plan and no development proposals are being considered at this time. The Project is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). Changes to the UDB will occur; as such, it is likely that recreational opportunities/facilities outside of the existing UDB area; however unlikely, could occur. Also as previously indicated, adoption of the Community Plan would result in no impact as future projects are viewed as "growth accommodating" rather than growth-inducing.

The Community Plan contains no development proposals and will not result in the need for expanded or new recreational facilities. As development occurs within the expanded UDB the need for additional park or recreational facilities will be evaluated on a case-by-case basis, and as appropriate, a development proposal may result in the need for the project proponent to accommodate recreational needs. However, as this Project does not include any development proposals, the Project would result in no impact.

a) and b) ***No Impact -*** The proposed Project does not include plans for a future park or other recreational facilities within the Planning area. The proposed Project will not result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated; nor will it include recreational facilities which might have an adverse physical effect on the environment. There will be

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

no impact to this resource as a result of this Project.

Cumulative Impact Analysis: No Impact

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, Tulare County 2030 General Plan EIR, and/or Lemon Cove Community Plan.

As noted earlier, the Project is the Lemon Cove Community Plan and no development proposals are being considered at this time. As such, the proposed Project will not impact recreational facilities. Therefore, no Project-specific or Cumulative impacts related to this Checklist Item will occur.

Mitigation: None Required

17.	**TRANSPORTATION**					
	Would the project:					
	a)	Conflict with program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
	b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☒
	c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses, (e.g., farm equipment)?	☐	☐	☐	☒
	d)	Result in inadequate emergency access?	☐	☐	☐	☒

Analysis:

As noted previously, the Project is the Lemon Cove Community Plan and no development proposals are being considered at this time. The update is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). Changes to the UDB will occur; as such, there is the possibility of changes to circulation patterns outside of the already established UDB area. However, future projects are viewed as "growth accommodating" rather than growth-inducing and; as such, no impact will occur as a result of adopting the Community Plan.

"State Route 198 is a regionally significant corridor between Visalia through Lemon Cove and Three Rivers to Sequoia National Park." [134] "All streets in the circulation network are classified as local streets".[135]

[134] Op. Cit. 171.
[135] Op. Cit.166.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

"In recent years the concept of "Complete Streets" has evolved. Under this concept, while streets may still carry a primary functional classification, the design of streets aims to allow all modes and trip purposes to be safely accommodated to the extent feasible and as warranted by local needs and conditions."[136]

"The ability of Tulare County to compete domestically and internationally on an economic basis requires an efficient and cost-effective method for distributing and receiving products. State Route 198 and SR 216, serves as an important link to Lemon Cove and other eastside and foothill communities for commercial and industrial goods movement."[137]

"The level of service (LOS) for operating State highway facilities is based upon measures of effectiveness (MOEs). These MOEs describe the measures best suited for analyzing State highway facilities (i.e., freeway segments, signalized intersections, on- or off-ramps, etc.). Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities."[138]

Tulare County General Plan Policy *TC – 1.16 County Level of Service (LOS) Standards* states; "The County shall strive to develop and manage its roadway system (both segments and intersections) to meet a LOS of "D" or better in accordance with the LOS definitions established by the Highway Capacity Manual."[139]

"LOS is categorized by two parameters, uninterrupted flow and interrupted flow. Uninterrupted flow facilities have no fixed elements, such as traffic signals, that cause interruptions in traffic flow. Interrupted flow facilities have fixed elements that cause an interruption in the flow of traffic such as stop signs and signalized intersections."[140]

"A complete street is a transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users, including bicyclists, pedestrians, transit vehicles, truckers, and motorists, appropriate to the function and context of the facility. Every complete street looks different, according to its context, community preferences, the types of road users, and their needs."[141]

Integration of the Complete Streets Program in the Lemon Cove Community Circulation Element will aid to establish a comprehensive multi-modal transportation system that is efficient, environmentally and financially sound, and coordinated with the Land Use Element of the Tulare County General Plan.

The proposed Lemon Cove Community Plan is intended to implement a multi-modal transportation system that will serve projected future travel demand, minimize congestion, and address future growth in Lemon Cove.

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: *AQ-3.3 Street Design; LU- 7.1 Friendly Streets; TC-1.2 Intermodal Connectivity; TC-4.7 Bicycle/Pedestrian Trail System; and TC-5.2 Consider Non-Motorized Modes in Planning and Development.*

a) and b) ***No Impact*** **-** The proposed Project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system nor will it conflict with an applicable congestion

[136] Op. Cit.

[137] Op Cit.165

[138] Caltrans. Guide for the Preparation of Traffic Impact Studies. Accessed November 2019 at: https://nacto.org/docs/usdg/guide_preparation_traffic_impact_studies_caltrans.pdf.

[139] Draft Lemon Cove Community Plan 2019. Page 104.

[140] Ibid. 166.

[141] Caltrans. Complete Streets Program. Accessed November 2019 at: https://dot.ca.gov/programs/transportation-planning/office-of-smart-mobility-climate-change/smart-mobility-active-transportation/complete-streets.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

management program. Over the course of the 2030 planning horizon, development within the Planning Area is intended to accommodate the projected 1.3% population growth rate. Over the planning horizon, it is anticipated that traffic in the Planning Area will increase along with area population; however, it is also anticipated that the current street system will function adequately will continue to adequately accommodate traffic demands through the year 2030 planning horizon. New intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit will not be required by the Community Plan as it does not contain plans for development, construction or new transportation infrastructure. If future proposals are submitted that have the potential to conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system; and/or, conflict with an applicable congestion management program, a new analysis may be warranted to identify potential impacts. As such, the Community Plan will result in no impact to this Checklist Item.

c) ***No Impact -*** The proposed Lemon Cove Community Plan will not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). As noted previously, the Project is the proposed Lemon Cove Community Plan and no development proposals are being considered at this time. The proposed Plan is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). If proposed expansion of the Urban Development Boundary (UDB) occurs, future growth will be required to comply with applicable laws, lands use designations, zoning classifications, etc., regarding urban design and use. As such, the Project would result in no impact to this Checklist Item.

d) ***No Impact -*** The Tulare County General Plan Update contains policies and guidelines that mandate, where feasible, road networks (public and private) that will provide for safe and ready access for emergency equipment and evacuation routes.[142] The Lemon Cove Community Plan contains no development proposals and is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). Changes to the Urban Development Boundary (UDB) will occur; however, any future growth will be required to comply with all laws and regulations governing emergency response that facilitate and enhance emergency access. There will be no impact related to this Checklist Item.

Cumulative Impact Analysis; No Impact

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, Tulare County 2030 General Plan EIR, and/or Lemon Cove Community Plan.

As noted earlier, the Project is the Lemon Cove Community Plan and no development proposals (which could result in increase to traffic or transportation-related impacts) are being considered at this time. The Project is consistent the Tulare County 2030 General Plan and EIR. As such, the Project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. Further, it will not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. The Project will not result in a change in air traffic patterns, including either increase in traffic levels or a change in location that results in substantial safety risks. It will not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses, (e.g., farm equipment) and it will not result in inadequate emergency access. Lastly, the Project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

[142] Tulare County General Plan 2030 Update. August 2012. Goals and Policy Report. (Part I) Page 10-20 Accessed November 2019 at: http://generalplan.co.tulare.ca.us/.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
Therefore, the proposed Project will not impact the transportation resource. As such, no Project-specific or Cumulative impacts related to this Checklist Item will occur.						
18.	**TRIBAL CULTURAL RESOURCES**					
	Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
	a)	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	☐	☒	☐	☐
	b)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Analysis:

As noted previously, the Project is the Community Plan of Lemon Cove and no development proposals are being considered at this time. The update is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). Limited changes to the Urban Development Boundary (UDB) will occur and such changes would incorporate areas that have historically been under heavy agricultural production; as such, there is no possibility of changes to cultural resources outside of the already established UDB area.

The Southern San Joaquin Valley Information Center, Bakersfield (SSJVIC or Center) conducted a cultural resources records search at the request of RMA Planning Branch staff. The Center records search (dated August 6, 2019 is included in Attachment "C" of this document) included historic sites listed on the National Register of Historic Places, Historic Property Directory, California State Historical Landmarks, California Register of Historical Resources, California Inventory of Historic Resources, and California Points of Historical Interest. According to the California Historical Resources Information System, there are three (3) recorded cultural resources within the project area and eight within a one-half mile radius of the project area.

According to the information provided by the SSJVIC, there have been 3 previous cultural resource studies conducted within the project area, TU-00985, 01498, and 01675. There have been five additional studies conducted within the one-half mile radius, TU-00049, 00108, 00135, 00378, and 00550. However, until the specific location of a development

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

proposal occurs, the locations and nature of the resources will remain confidential and will only be shared with an applicant and remain confidential until otherwise determined by the courts.

The following Native American tribes were contacted on August 28, 2019, in order to solicit their interest regarding tribal consultation: Kern Valley Indian Council; Santa Rosa Rancheria Tachi Yokut Tribe; Tubatulabals of Kern County; Tule River Indian Tribe; and Wuksache Indian Tribe. No responses have been received to date. The Native American Heritage Commission (NAHC) was also contacted on July 23, 2019, with a request that they conduct a sacred lands files (SLF) search. The SLF records search was completed with negative results.

As the Project is a Community Plan, no immediate ground disturbance will take place. Once specific projects are proposed, location specific studies can be conducted to determine the appropriateness of avoiding or minimizing impacts to cultural resources as applicable.

The Tulare County General Plan has a number of policies that relate to the proposed Project area including *ERM-6.1 Evaluation of Cultural and Archaeological Resources; ERM-6.2 Protection of Resources with Potential State or Federal*; *ERM-6.4 Mitigation; ERM-6.10 Grading Cultural Resources Sites;* and *ERM-6.9 Confidentiality of Archaeological Sites* which allows the County to (within its authority) maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts.

a) and b) ***Less Than Significant Impact With Mitigation -*** As noted in Checklist Item 5 *Cultural Resources*, a CHRIS records search was conducted by the SSJVIC. There were three recorded cultural resources within the project area, eight recorded resources within one-half mile radius of the project area, and there was one unrecorded prehistoric rock art site as well. These resources consist of prehistoric era pictographs and lithic scatters, as well as historic era trash scatters, transmission lines, a hotel, a railroad, and a ditch. The records search included an examination of the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historic Interest, the California Inventory of Historic Resources, or the California State Historic Landmarks (see Attachment "C"). Also, as noted earlier, three previous cultural resources studies have been completed within the project area and five additional studies have been conducted within the one-half mile radius. The Planning Area consists of a mix of uses such as retail office, single-family and multi-family residential, hotel, recreation, limited industrial, and public facilities etc.[143] Until an actual development project is initiated, it remains unknown if subsurface historic resources would be encountered.

While the proposed Community Plan contains no plans for development or construction, future development within the UDB may result in the residential, commercial, and industrial uses (including streets and other infrastructure such as curbs, gutters, sidewalks, and upgrades to the existing sewer and water collection/distribution systems, etc.) over the planning horizon. Such future activity could result in impacts to historical resources within the Planning Area. However, as proposed, the Project would not result in a substantial adverse change in the significance of an historical or archaeological resource as defined in Section 15064.5 of the CEQA Guidelines. There will be potentially significant impact if historical resources are uncovered during proposed specific development project construction in the future; however, implementation of the **Mitigation Measures 5-1** through **5-3** (and also contained in the Mitigation Monitoring and Reporting Program) are included as part of this Mitigated Negative Declaration to reduce potential impacts to historical or archaeological resources to less than significant with mitigation.

No formal cemeteries or other places of human internment are known to exist within the Project site; however, in accordance with State Health and Safety Code Section 7050.5 and Public Resource Code Section 5097.98, if human remains are unearthed during project-specific construction as development occurs, no further disturbance shall occur until

[143] Draft Lemon Cove Community Plan 2019. Page 24.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

the County Coroner has made the necessary findings as to the origin and disposition of such remains. If the remains are determined to be Native American, the Coroner must notify the Native American Heritage Commission (NAHC) within 48 hours of the Coroner's determination. The NAHC will then identify the person(s) thought to be the most likely descendent of the deceased Native American, who will then assist in determining what course of action shall be taken in handling the remains. Impacts to this checklist item will be less than significant with mitigation.

Cumulative Impact Analysis: Less Than Significant

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, Tulare County 2030 General Plan EIR, and/or Lemon Cove Community Plan.

It is not anticipated that Native American remains or other cultural will be found at the proposed Project site. However, consistent with CEQA requirements, Mitigation Measures 5-1 through 5-3 are included in the unlikely event that if Native American remains are unearthed during any ground disturbance activities, or if any cultural resources are discovered, such finds will be mitigated to less than significant Project-specific and Cumulative Impacts.

Mitigation Measure(s): See Mitigation Measures 5-1 through 5-3

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 could cause significant environmental effects?	☐	☐	☒	☐
	b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
	c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
	d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair	☐	☐	☒	☐

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
		the attainment of solid waste reduction goals?				
	e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

Analysis:

As noted in the draft Lemon Cove Community Plan, "Domestic water and sewer service in Lemon Cove is provided by the Lemon Cove Sanitary Sewer District (see Figure 17 [in the Community Plan]), formed in December 1950. Table 19 [Table 10-1 at Item 10 a) Hydrology and Water Supply in this MND] shows the number of existing water and sewer connections, the capacity of each system, and the number of additional connections the systems can accommodate for new development (Housing Element, May 2012 and Municipal Service Review, May 2006). Maps of the sewer and water systems are currently unavailable."[144]

"According to the Municipal Service Review 2006 (MSR), the Lemon Cove Sanitary District operates a water supply and distribution system under the jurisdiction of the State Water Resource Control Board (SWRCB) Division of Drinking Water for the administration and enforcement of the Safe Drinking Water Act involving those systems in Tulare County with less than 200 connections. The District's water supply and distribution system, which includes a 30,000 gallon storage tank, booster pump, and a 4,000 gallon pressure tank, supports approximately 50 active connections (see Table 19 [Table 10-1 of this MND]).

The water system has no permanently installed treatment at this time, and there is no backup water supply on the District's system. The District's water system is fully metered, which is indicative of the District's desire to promote water conservation, and continue to provide effective water service to its residents.

According to the District's 2004 Consumer Confidence Report, water samples taken in December 2004 contained nitrate levels of 55 mg/L, which exceeds the maximum contaminant level (MCL) of 45 mg/L. The Lemon Cove Sanitary District has been issued a compliance order (No. 04-95) to address the elevated nitrate levels.

Assuming 50 equivalent dwelling units (EDUs), in order to meet Tulare County Improvement Standards the Lemon Cove Sanitary District water system would need to be capable of delivering a combined flow rate (from all source and storage facilities) of 780 gallons per minute (GPM) (500 GPM fire flow, and 280 GPM domestic demand) for a period of two hours while maintaining a minimum pressure of 25 pounds per square inch (PSI) to each lot served; The water system storage volume of 34,000 gallons would be capable of delivering a source flow of approximately 280 GPM for a period of two hours, indicating that the pumping efficiency of the District's only well would need to be 500 GPM in order to meet the requirements of the Tulare County Improvement Standards. Prior to granting any sphere of influence (SOI) expansions, it is recommended that the Local Agency Formation Commission (LAFCO) verify that there is adequate water system capacity to meet any anticipated increased demands."[145]

"The Lemon Cove Sanitary District (see Figure 17 [in the Community Plan]) is also responsible for providing sanitary sewer service to residents within its Boundary. It is assumed that there are 50 connections to the District's sewer system, the same number of connections to their water system. The District owns and operates a Wastewater Treatment Facility

[144] Ibid. 71.
[145] Op. Cit. 71-72.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

(WWTF) located approximately 0.7 miles north of the community. The WWTF is operated under the provisions of Waste Discharge Requirements Order No. 94-348, issued by the Regional Water Quality Control Board (RWQCB).

Order No. 94-348 prescribes that the monthly average dry weather discharge flow shall not exceed 20,000 gallons per day (GPD). According to the Wastewater User Charge Survey Report FY 2004-05 (Cal EPA- State Water Resources Control Board, May 2005), the average dry weather flow at the WWTF is approximately 12,000 GPD. Using a demand of 310 GPD per connection, it is estimated that the District's sanitary sewer treatment and disposal capabilities would allow for approximately 25 additional connections (equivalent dwelling units) to the system (see Table 19 [Table 10-1 of this MND]). The District would need to expand the capacity of its WWTF to support any significant development projects proposed within its SOI.

The Lemon Cove Sanitary District is in the process of improving the existing wastewater treatment plant (WDR) Order No. 94-348. The wastewater treatment site consists of an existing 90-foot (northwest-southeast) by 70-foot (northeast-southwest) by 10-foot deep wastewater pond. The single two-celled, bentonite-sealed pond is currently dry. An overflow ditch lies to the east of the pond and will not be included in the Project improvements. The wastewater treatment plant is bordered by citrus groves in all directions. The District service area totals approximately 22.2 acres and includes approximately 50 connections. The existing pond was evaluated and determined to be in poor condition, thus improved disposal alternatives are necessary to maintain the highest levels of service. It was determined that an alternate disposal system within the existing footprint of the WWTP facility was feasible. The proposed upgrades to the existing WWTP includes:

- Installation of a 20,000 gallon (10-foot diameter X 35-foot long) septic tank,
- Installation of a 4.000 square foot leach field and associated leach lines, and
- Connection to the existing sewer collection system (with an 8-inch influent line).

Construction will occur as plans and funding are in place and is expected to take several months (expected to occur in 2020)."[146]

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: *PFS-1.1 Existing Development; PFS-1.2 Maintain Existing Levels of Services; PFS-1.3 Impact Mitigation; PFS-1.7 Coordination with Service Providers; PFS-2.1 Water Supply; PFS-2.2 Adequate Systems; PFS-2.4 Water Connections; PFS-3.2 Adequate Capacity; PFS-3.3 New Development Requirements;* and *PFS-3.7 Financing.*

In addition to Tulare County General Plan policies, the Lemon Cove Community Plan contains policies specific to infrastructure including water supply and water systems. See the "Community Development" discussion of the Lemon Cove Community Plan.

Solid Waste Disposal

The Tulare County General Plan has a number of policies that apply to existing development and future development projects regarding solid waste disposal within the County of Tulare. The nearest solid waste disposal facility, the Teapot Dome Landfill, is owned and operated by the County. The Teapot Dome has the capacity to accommodate solid waste refuse generated within the planning area through the year 2025.[147] According to Solid Waste Management Department conversation with Mr. J. Treviño, Supervisor) the Teapot Dome landfill has a current net remaining capacity of 666,281

[146] Op. Cit. 74

[147] Conversation with Mr. Jonah Treviño, Tulare County Solid Waste Management Supervisor on April 16, 2019.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

cubic yards or 11% of total capacity.[148] Per the Tulare County Solid Waste Department the Teapot Dome landfill is scheduled to close in 2025 and solid waste from the planning area will be disposed of in the Woodville landfill.[149] The Woodville landfill is currently under temporary closure and is not accepting waste, however the landfill is slated to open in 2022.[150] The Woodville landfill has a current net remaining capacity of 5,319,859 cubic yards or 64% of the landfill's total capacity.[151]

The adopted 2030 General Plan contains policies that would apply to existing and future development in the Project area regarding solid waste such as: *PFS-5.3 Solid Waste Reduction; PFS-5.5 Private Use of Recycled Products; PFS-5.6 Ensure Capacity;* and *PFS-5.7 Provisions for Solid Waste Storage, Handling, and Collection.*

a) and b) ***Less Than Significant Impact -*** The Lemon Cove Community Plan contains no development proposals and is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). If adopted, the Urban Development Boundary (UDB) will be expanded to accommodate potential growth projections and will be consistent with the Tulare County General Plan. As noted earlier, , it is estimated that the PUD's current water system could support approximately 25 additional EDUs. However, also as noted earlier, as full build-out occurs over time, capacity availability and disposal elements in the collection system would be evaluated on a case-by-case basis with deficiencies being addressed by developers that wish to connect to the District's system. The Lemon Cove Sanitary District has plans and funding in place to expand capacity as noted above; with construction/expansion activities anticipated to take several months during 2020. As such, the Project would result in a less than significant impact.

c) ***Less Than Significant Impact -*** The Lemon Cove Community Plan contains no development proposals and is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). If adopted, the Urban Development Boundary (UDB) will be expanded to accommodate potential growth projections and will be consistent with the Tulare County General Plan. As mentioned earlier, the wastewater collection system is currently in adequate operating condition. The Community Plan also acknowledges that the District is actively working toward increasing the capacity of its WWTF to support projected growth through year 2030. The Lemon Cove Community Plan contains policies encouraging the District to continue researching State and Federal grants and/or loans that may be available to help finance future improvements, and make efforts to attract development which can pay its fair share to allow further treatment capacity to the District's WWTF.

d) ***Less Than Significant Impact -*** The proposed Lemon Cove Community Plan contains no development proposals and is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). If adopted, the Urban Development Boundary (UDB) will be expanded to accommodate potential growth projections and will be consistent with the Tulare County General Plan are not anticipated to exceed permitted capacities of area landfills.

Tulare County Operates the Teapot Dome Landfill Disposal Site located at 20801-21169 Teapot Dome Avenue, Porterville, CA. According to the Tulare County Solid Waste Department, the Teapot Dome facility has sufficient permitted capacity to accommodate the project's solid waste disposal needs until 2025, at which time it is anticipated that the Woodville landfill will become the primary solid waste disposal facility for the planning area.[152] Subsequently, the planning area will be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste

[148] Ibid.
[149] Op. Cit.
[150] Op. Cit.
[151] Op. Cit.
[152] Op. Cit.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

disposal needs. Therefore, the Project would result in a less than significant impact is anticipated to occur to this Checklist Item.

e) ***No Impact -*** The proposed Lemon Cove Community Plan contains no development proposals and is being prepared to accommodate a growth rate of 1.3% consistent with the Tulare County General Plan. If adopted, the Urban Development Boundary (UDB) will be expanded to accommodate potential growth projections and will be consistent with the Tulare County General Plan. Upon any eventual buildout, all solid waste disposal will be required to comply with the requirements of the contracted waste hauler, which follows federal, state, and local statutes and regulations related to the collection and disposal of solid waste. As such, no impact related to this Checklist Item will occur.

Cumulative Impact Analysis: No Impact

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, Tulare County 2030 General Plan EIR, and/or Lemon Cove Community Plan.

As noted earlier, the Project is the Lemon Cove Community Plan and no development proposals are being considered at this time. As such, the proposed Project will not impact utilities. Therefore, no Project-specific or Cumulative impacts related to this Checklist Item will occur.

Mitigation: None Required

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
20.	**WILDFIRE**					
	Would the project:					
	a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
	b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
	c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
	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?	☐	☐	☐	☒

Analysis:

According to the State Responsibility Area (SRA) Viewer, the proposed Project site is not located in the SRA (see attachment "D")[153]As noted previously, the Project is the proposed Lemon Cove Community Plan and no development proposals are being considered at this time. The Plan is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). The Project includes expansion of the Urban Development Boundary (UDB); as such, a case-by-case evaluation will be conducted when development proposals are received for both the existing UDB and future UDB area. However, as this Project is merely a proposed Community Plan, there is no possibility of impact to this Checklist Item within the already established UDB area.

a) **No Impact.** The Tulare County General Plan Update contains policies and guidelines that mandate where feasible, road networks (public and private) will provide for safe and ready access for emergency equipment and evacuation route.[154] As this is only a proposed Community Plan, no development proposals are being considered at this time. A case-by-case evaluation will be conducted when development proposals are received for both the existing UDB and future UDB area. Any future growth will be required to comply with all laws and regulations governing emergency response, both facilitating and enhancing emergency access. Thus, there will be no impact related to this Checklist Item.

b) **No Impact.** As noted previously, the Project is merely preparation of the Lemon Cove Community Plan and no development proposals are being considered at this time. The Lemon Cove community rests entirely within alluvial deposits from the Sierra Nevada foothills and mountains. Lemon Cove's elevation is 502 feet above sea level. Thus, there is no possibility of impact to this Checklist Item within the already established UDB area.

c-d) **No Impact.** As noted previously, the Project is an the proposed Lemon Cove Community Plan and no development proposals are being considered at this time. The update is being prepared to accommodate a growth rate of 1.3% (consistent with the Tulare County General Plan). The Project includes expansion of the Urban Development Boundary (UDB); as such, a case-by-case evaluation will be conducted when development proposals are received for both the existing UDB and future UDB area. However, as this Project is merely an update to the Community Plan, there is no possibility of impact to this Checklist Item within the already established UDB area.

Cumulative Impact Analysis: No Impact.

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, Tulare County General Plan Background Report, the Tulare County 2030 General Plan EIR, and/or Lemon Cove Community Plan. For the reasons stated above, Items 20 a) through d) do not apply to the Project as it is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. As such, no Project-specific Impact or Cumulative Impacts will occur.

[153] CalFire. Accessed November 2019 at: https://frap.fire.ca.gov/frap-projects/fhsz-in-sra-county-maps/., then click on "Tulare."

[154] Tulare County General Plan 2030 Update. August 2012. Goals and Policy Report. (Part I) Page 10-20 Accessed November 2019 at: http://generalplan.co.tulare.ca.us/., then locate and click on "GP Library", then locate and click on "Goals and Policies Report"

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
Mitigation: None Required.						
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?	☐	☒	☐	☐
	b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
	c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Analysis:

a) ***Less Than Significant Impact With Mitigation*** **–** As noted earlier, The proposed Lemon Cove Community Plan contains no development proposals and is being prepared to accommodate a growth rate of 1.3% consistent with the Tulare County General Plan. If adopted, the Urban Development Boundary (UDB) will be expanded to accommodate potential growth projections and will be consistent with the Tulare County General Plan.

As discussed in Item 4 Biological Resources, impacts associated with future development of proposed Project planning area would be less than significant, as defined by the California Environmental Quality Act (CEQA), for special status plant species, wildlife movement corridors, downstream water quality, and sensitive habitats. Loss of habitat for special status animal species would also be considered less than significant under CEQA. Mitigation Measures 4-1 through 4-20 contained in the Mitigation Monitoring and Reporting Program are included as part of this Mitigated Negative Declaration which are intended to prevent or minimize disturbance or accidental take of species of concern. In the unlikely event of discovery of a special species on the site, protocols established by the U.S. Fish and Wildlife Service (USFW) or California Department

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

of Fish and Game (DFG) will be implemented before any future construction-related activities are allowed to commence. If discovery occurs during future construction-related activities, all activities will be immediately ceased until a qualified biologist determines which course of action to implement per USFW or DFG protocols.

As noted at Item 5 Cultural Resources and Item 17 Tribal Cultural Resources, a CHRIS records search was conducted by the SSJVIC. Four previously recorded historic-period sites have been recorded within the study area and one historic-period site identified within one-half mile of the study area. These resources consist of two historic era ditches, an historic era transmission line, an historic era commercial building, and a prehistoric era lithic and bead scatter. The records search included an examination of the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historic Interest, the California Inventory of Historic Resources, or the California State Historic Landmarks (see Attachment "C"). Also, as noted earlier, three previous cultural resources studies have been completed within the project area and five additional studies have been conducted within the one-half mile radius. The planning area consists of predominantly existing residential, commercial, and agricultural uses. Future UDB expansion will encompass areas to the north, west, and southeast of the existing UDB. These areas are currently under agricultural cultivation and as such, unlikely to contain surface cultural resources. Until an actual development project is initiated, it remains unknown if subsurface historic resources would be encountered. While the proposed Community Plan contains no plans for development or construction, over the planning horizon, future development within the UDB may result in the eventual construction of additional residences, and establishment of commercial and industrial use, and streets (and other infrastructure such as curbs, gutters, sidewalks, sewer and water collection/distribution systems, etc.). Such future activity could cause a substantial adverse change in the significance of a historical resource were any such resources to be located within the planning area. The proposed Project would not result in a substantial adverse change in the significance of an historical or archaeological resource as defined in Section 15064.5 of the CEQA Guidelines. Although no cultural resources were identified in the records search, there will, nonetheless, be a potentially significant impact if historical resources were uncovered during proposed specific development project construction; however, implementation of the Mitigation Measures 5-1, 5-2, and 5-3 (and also contained in the Mitigation Monitoring and Reporting Program) are included as part of this Mitigated Negative Declaration to reduce potential impacts to historical or archaeological resources to less than significant with mitigation.

Therefore, the proposed Project does not 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, reduce the number or restrict the range of an endangered, rare or threatened plant or animal species, or eliminate important examples of the major periods of California history or prehistory. Therefore, there will be a less than significant impact with mitigation to these resources.

b) ***Less Than Significant Impact -*** As noted earlier, The proposed Lemon Cove Community Plan contains no development proposals and is being prepared to accommodate a growth rate of 1.3% consistent with the Tulare County General Plan. If adopted, the Urban Development Boundary (UDB) will be expanded to accommodate potential growth projections and will be consistent with the Tulare County General Plan Use and Zoning designation contained in the Community Plan. It is not growth inducing, however, development is anticipated to occur consistent with the policies contained in the Tulare County General Plan, the draft Ivanhoe Community Plan, and other agencies (for example, the Valley Air District and Regional Water Quality Control Board). As such, it will result in Less Than Significant Impacts to resources such as air quality, noise, Greenhouse Gas Emissions, hazard or hazardous materials, hydrology and water quality, population and housing, pubic services, transportation/traffic, or utilities and service systems. Therefore, the proposed Project will result in less than significant impacts.

c) ***No Impact*** **-** The proposed Project is the Lemon Cove Community Plan. It is intended to accommodate projected growth and to provide a mechanism to stimulate economic development within the existing geographic area and consistent with

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
current General Plan Land Use and Zoning designations contained in the Community Plan. The proposed Project will not result in environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. There will be no adverse impact.					

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Attachment "A"

Air Quality, Energy, and Greenhouse Gas Technical Memorandums

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Air Quality Technical Memorandum

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TECHNICAL MEMORANDUM
AIR QUALITY ASSESSMENT

DATE: November 1, 2019

TO: Hector Guerra, Chief Environmental Planner

FROM: Jessica Willis, Planner IV

SUBJECT: Air Quality Assessment for the Lemon Cove Community Plan (GPA 17-007, PZC 17-007, PZC 19-016, PZC 19-017)

PURPOSE AND NEED FOR ASSESSMENT

This document is intended to assist Tulare County Resource Management Agency (RMA) staff in the preparation of the Air Quality component of the Mitigated Negative Declaration (MND) being prepared for the Lemon Cove Community Plan (Project). The assessment is intended to provide sufficient detail regarding potential impacts of Project implementation and to identify mitigation measures, if necessary, to reduce potentially significant impacts.

The air quality assessment provided in this document was prepared to evaluate whether the air pollutant emissions generated from implementation of the Project (i.e., future development projects) would cause significant impacts to air quality and health risks to nearby receptors. The air quality assessment was conducted within the context of the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000, et seq.). The assessment is intended to provide the County of Tulare (County) with sufficient detail regarding potential impacts of Project implementation and to identify mitigation measures, if necessary, to reduce potentially significant impacts.

The estimated emissions are compared to federal and state ambient air quality standards (AAQS) and the thresholds of significance established by the San Joaquin Valley Unified Air Pollution Control District (Air District). The methodology for the air quality assessment follows the Air District recommendations for quantification of emissions and evaluation of potential impacts as provided in their guidance document *Guidance for Assessing and Mitigating Air Quality Impacts* (GAMAQI), adopted March 19, 2015.[1]

[1] Air District. Guidance for Assessing and Mitigating Air Quality Impacts. March 19, 2015. http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf. Accessed November 1, 2019.

PROJECT DESCRIPTION

Lemon Cove is currently designated an Unincorporated Community in the 2030 Tulare County General Plan. The objective of the Lemon Cove Community Plan (Plan) is to develop a plan, which can accurately reflect the needs and priorities of the unincorporated community of Lemon Cove. The Land Use and Circulation portions of this Plan provide the mechanism to minimize or avoid the potential adverse impacts of urban growth. The development of an orderly, harmonious land use pattern and appropriate implementation measures are designed to reduce potential conflict between neighboring uses across Tulare County's 2030 planning horizon, consistent with the Tulare County 2030 General Plan Update. The Plan is needed to increase the availability of infrastructure funding, such as drinking water system improvements (wells, water distribution piping, storage tanks, etc.), wastewater system (such as piping, lift stations, etc.), and public work/safety improvements (such as curbs, gutters, sidewalks, etc.), and to stimulate economic development within the community.

Tulare County is proposing new land use and zoning designations within an expanded UDB. The proposed Community Plan, if adopted, will update these designations to be consistent with the General Plan, and will bring existing non-compliant properties into conformity with the Tulare County Zoning Ordinance. The Community Plan also includes the Complete Streets and Road Maintenance programs and the community's anticipated growth through year 2030 based on the existing land uses, census population data, and the projected 1.3% annual growth rate in unincorporated areas of Tulare County. Other than the Complete Streets and Road Maintenance Programs, there are no specific development projects (such as residential, commercial, or industrial uses) proposed as part of this Project. As an unknown number of proposals may occur within the lifetime of the Plan, the Plan is intended to direct the density, intensity, and types of growth needed to meet the needs of the community. Future developments within the Project planning area will be required to undergo additional CEQA evaluation on a project-by-project basis at such time development is proposed to determine potential environmental impacts.

Complete Streets and Road Maintenance

The Lemon Cove Complete Streets and Road Maintenance Programs are included in the Circulation Element of the proposed Community Plan. The Complete Streets Program has thoroughly analyzed the alternative forms of transportation, including transit, bicycle ways, and pedestrian circulation. Improvements proposed in the Complete Streets Program include, but are not limited to, installation of streetlights, bus shelters, street signage and striping, curbs, gutters, sidewalks, drainage system, and utilities. Road maintenance activities vary by road segment dependent upon the condition of the road and may include chip seal, overlay resurfacing, and asphalt reconstructions.

Growth Projections

There are no specific development projects proposed with the Lemon Cove Community Plan; however, the Plan does include updates to land use designations that could increase the buildout potential of the planning area. Population and residential growth through planning horizon year 2030 was estimated by applying a 1.3% annual growth rate, consistent with the Tulare County 2030 General Plan, to the 2017 baseline population and housing data, as provided in the United

States Census Bureau 2017 American Community Survey (ACS).[2] Non-residential growth was estimated through planning horizon year 2030 for a worst-case emissions scenario by applying a 1.3% annual growth rate to the existing uses and assuming all parcels have been improved with structures at a floor to area ratio of 0.20. Using these assumptions for baseline conditions provides a conservative (larger) overall growth estimate. **Table 1** summarizes the projected growth of the community through horizon Year 2030.

Table 1. Projected Growth through Year 2030

	Residential[1]		Commercial / Public / Other[2]		Retail[2]		Industrial[2]	
Year	Population	Dwelling Units	Square Feet	Acres	Square Feet	Acres	Square Feet	Acres
2017	232	115	277,129	31.81	65,079	7.47	15,507	1.78
2030	274	136	327,797	37.63	76,977	8.84	18,343	2.11
Overall Growth	42	21	50,668	5.85	11,898	1.37	2,835	0.33

[1] Projections based on 2017 American Community Survey data applying an annual growth rate of 1.3%.
[2] Projections based on existing land uses assuming developments/improvements with a Floor to Area Ratio of 0.2 and annual growth rate of 1.3%.

SIGNIFICANCE THRESHOLDS

CEQA Guidelines define a significant effect on the environment as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project.[3] To determine if a project would have a significant impact on air quality and climate change, the type, level, and impact of criteria pollutant and GHG emissions generated by the project must be evaluated. Appendix G of the CEQA Guidelines provides the criteria (as Checklist Items) for evaluating potential impacts on the environment. The CEQA criteria and the Air District's significance thresholds and guidance for evaluation are provided below.

Air Quality Plans

The Air District has established thresholds of significance for criteria pollutant emissions. These thresholds are based on District New Source Review (NSR) offset requirements for stationary sources. "Stationary sources in the District are subject to some of the toughest regulatory requirements in the nation. Emission reductions achieved through implementation of District offset requirements are a major component of the District's air quality plans. Thus, projects with emissions below the thresholds of significance for criteria pollutants would be determined to "Not conflict or obstruct implementation of the District's air quality plan"."[4]

The Air District has three sets of significance thresholds based on the source of the emissions. According to the GAMAQI, "The District identifies thresholds that separate a project's short-term emissions from its long-term emissions. The short-term emissions are mainly related to the

[2] United States Census Bureau. American FactFinder. 2017 American Community Survey. 2013-2017 American Community Survey 5-Year Estimates. Demographic and Housing Estimates (DP05) and Selected Housing Characteristics (DP04). https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml. November 1, 2019.
[3] CEQA §§ 15002(g), 15382
[4] Air District, GAMAQI, Section 7.12, Page 65.

construction phase of a project and are recognized to be short in duration. The long-term emissions are mainly related to the activities that will occur indefinitely as a result of project operations."[5]

Long-term (operational) emissions are further separated into permitted and non-permitted equipment and activities. Stationary (permitted) sources that comply or will comply with Air District rules and regulations are generally not considered to have a significant air quality impact. Specifically, the GAMAQI states, "District Regulation II ensures that stationary source emissions will be reduced or mitigated to below the District's significance thresholds… District implementation of New Source Review (NSR) ensures that there is no net increase in emissions above specified thresholds from New and Modified Stationary Sources for all nonattainment pollutants and their precursors. Furthermore, in general, permitted sources emitting more than the NSR Offset Thresholds for any criteria pollutant must offset all emission increases in excess of the thresholds…."[6]

The Air District's significance thresholds are provided in **Table 2**.

Table 2. Air District Criteria Pollutant Significance Thresholds

Pollutant/ Precursor	Construction Emissions	Operational Emissions	
		Permitted Equipment and Activities	Non- Permitted Equipment and Activities
	Emissions (tpy)	Emissions (tpy)	Emissions (tpy)
CO	100	100	100
NOx	10	10	10
ROG	10	10	10
SOx	27	27	27
PM_{10}	15	15	15
$PM_{2.5}$	15	15	15

Source: Air District, GAMAQI, Table 2, page 80; and http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf, accessed November 1, 2019.

Air Quality Violations

"Determination of whether project emissions would violate any ambient air quality standard is largely a function of air quality dispersion modeling. If project emissions would not exceed State and Federal ambient air quality standards at the project's property boundaries, the project would be considered to not violate any air quality standard or contribute substantially to an existing or projected air quality violation. The need to perform an air quality dispersion modeling analysis for any project (urban development, commercial, or industrial projects) is determined on a case-by-case basis depending on the level of emissions associated with the proposed project. If such modeling is found necessary, the project consultant should check with the District to determine the appropriate model and input data to use in the analysis. Specific information for assessing

[5] Air District, GAMAQI, Section 8.1, Page 75
[6] Air District, GAMAQI, Section 8.2.1, Page 76

significance, including screening tools and modeling guidance is available on-line at the District's website www.valleyair.org."[7]

"The thresholds of significance for Ambient Air Quality are based on the California Ambient Air Quality Standard (CAAQS) and National Ambient Air Quality Standard (NAAQS). A project would be considered to have a significant impact if its emissions are predicted to cause or contribute to a violation of an ambient air quality standard by exceeding any of the following:

1. Any of the CAAQS, or
2. Any of the NAAQS, and if available, the associated Significant Impact Level (SIL)."[8]

Table 3 provides the California and National Ambient Air Quality Standards.

Table 3. Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards	National Standards	
		Concentration	Primary	Secondary
Ozone (O_3)	1 Hour	0.09 ppm (180 µg/m^3)	---	Same as Primary
	8 Hour	0.070 ppm (137 µg/m^3)	0.070 ppm* (137 µg/m^3)	
Respirable Particulate Matter (PM_{10})	24 Hour	50 µg/m^3	150 µg/m^3	Same as Primary
	Annual Arithmetic Mean	20 µg/m^3	---	
Fine Particulate Matter ($PM_{2.5}$)	24 Hour	---	35 µg/m^3	Same as Primary
	Annual Arithmetic Mean	12 µg/m^3	12.0 µg/m^3	15.0 µg/m^3
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)	---
	8 Hour	9.0 ppm (10 mg/m^3)	9 ppm (10 mg/m^3)	---
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)	---	---
Nitrogen Dioxide (NO_2)	1 Hour	0.18 ppm (339 µg /m^3)	100 ppb (188 µg/m^3)	Same as Primary
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	0.053 ppm (100 µg/m^3)	
Sulfur Dioxide (SO_2)	1 Hour	0.25 ppm (655 µg/m^3)	75 ppb (196 µg/m^3)	---
	3 Hour	---	---	0.5 ppm (1300 µg/m^3)
	24 Hour	0.04 ppm (105 µg/m^3)	0.14 ppm (for certain areas)	---
	Annual Arithmetic Mean	---	0.030 ppm (for certain areas)	---

[7] Air District, GAMAQI, Section 7.13, Page 65
[8] Air District, GAMAQI, Section 8.4, Page 90

Table 3. Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards	National Standards	
		Concentration	Primary	Secondary
Lead	30 Day Average	1.5 µg/m^3	---	---
	Calendar Quarter	---	1.5 µg/m^3 (for certain areas)	Same as Primary
	Rolling 3-Month Average	---	0.15 µg/m^3	
Visibility Reducing Particles	8 Hour	Extinction of 0.23/km; visibility of 10 miles or more	No National Standards	
Sulfates	24 Hour	25 µg/m^3		
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)		
Vinyl Chloride	24 Hour	0.01 ppm (26 µg/m^3)		

* The standard at the time of the GAMAQI was 0.075 ppm; the standard presented here was finalized on October 26, 2015.
Abbreviations: ppm = parts per million; mg/m^3 = milligram per cubic meter; µg/m^3 = micrograms per cubic meter.
Sources: Air District, GAMAQI, Table 3, page 91; ARB, http://www.arb.ca.gov/research/aaqs/aaqs2.pdf, accessed November 1, 2019.

"The District ISR rule exempts small development projects (see Table 4 [of the GAMAQI]) from project-specific mitigation requirements. The District performed extensive analysis to identify small projects for which additional mitigation is not feasible. For instance, the exemptions include small residential housing developments of less than 50 units and commercial developments of less than 2,000 square feet. All projects on the exemption list emit less than 2 tons per year of either PM10 or NOx, which is substantially lower than the District's 10-ton per year significance thresholds. Furthermore, as the tailpipe emissions from motor vehicles continue to decline, these projects will emit even less today than was estimated in 2005 when this rule was adopted. In addition, two tons per year is expected to result in daily emissions of less than the 100 lb/day screening level for either NOx or PM10 that the District has concluded that projects under the ISR exemption thresholds will have a less than significant impact on air quality. Consequently, projects below ISR applicability thresholds are not expected to exceed the thresholds of significance for criteria pollutants emissions (see Section 8.3 [of the GAMAQI]). In addition, projects below the ISR applicability thresholds are not expected to violate any air quality standards or contribute substantially to an existing or projected air quality violation and will not exceed the thresholds of significance for ambient air quality. In this case, the District concludes no emission calculation is needed and no ambient air quality analysis is required."[9]

Table 4 provides the Air District's ambient air quality analysis (AAQA) screening levels for development projects. For projects that exceed the screening thresholds identified in Table 4, the Air District provides further guidance on how to evaluate the 100 pound per day screening level in their guidance document *Ambient Air Quality Analysis Project Daily Emissions Assessment*.[10]

[9] Air District, GAMAQI, Section 8.4.4, Page 95
[10] Air District, http://www.valleyair.org/transportation/CEQA%20Rules/Ambient-Air-Quality-Analysis-Project-Daily-Emissions-Assessment.pdf, accessed November 1, 2019.

Table 4: AAQA Screening Levels For Development Project	
Development Project Type	**Space / Size**
Residential	50 dwelling units
Commercial	2,000 square feet
Light Industrial	25,000 square feet
Heavy Industrial	100,000 square feet
Medical Office	20,000 square feet
General Office	39,000 square feet
Educational	9,000 square feet
Governmental	10,000 square feet
Recreational	20,000 square feet
Transportation / Transit	Construction exhaust emissions equal or exceeding 2.0 tons NOx or 2.0 tons PM_{10}
Source: Air District, GAMAQI, Table 4, page 96	

Cumulative Increase in Emissions

"By its very nature, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development. Future attainment of State and Federal ambient air quality standards is a function of successful implementation of the District's attainment plans. Consequently, the District's application of thresholds of significance for criteria pollutants is relevant to the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality. A Lead Agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program, including, but not limited to an air quality attainment or maintenance plan that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located [CCR §15064(h)(3)]. Thus, if project specific emissions exceed the thresholds of significance for criteria pollutants the project would be expected to result in a cumulatively considerable net increase of any criteria pollutant for which the District is in non-attainment under applicable Federal or State ambient air quality standards. This does not imply that if the project is below all such significance thresholds, it cannot be cumulatively significant."[11]

Table 5 provides the San Joaquin Valley Air Basin attainment status for federal and state ambient air quality standards.

[11] Air District, GAMAQI, Section 7.14, Pages 65-66

Table 5. San Joaquin Valley Attainment Status		
Pollutant	**Designation**	
	Federal Standards	**State Standards**
Ozone—1-hour	No Federal Standard	Nonattainment/Severe
Ozone—8-hour	Nonattainment/Extreme	Nonattainment
PM_{10}	Attainment	Nonattainment
$PM_{2.5}$	Nonattainment	Nonattainment
Carbon monoxide	Attainment/Unclassified	Attainment/Unclassified
Nitrogen dioxide	Attainment/Unclassified	Attainment
Sulfur dioxide	Attainment/Unclassified	Attainment
Lead (Particulate)	No Designation/Classification	Attainment
Hydrogen sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility-reducing particles	No Federal Standard	Unclassified
Vinyl chloride	No Federal Standard	Attainment
Source: Air District, http://www.valleyair.org/aqinfo/attainment.htm, accessed November 1, 2019.		

Exposure Risks

The location of a project is a major factor in determining whether the project will result in localized air quality impacts. The potential for adverse air quality impacts increases as the distance between the source of emissions and receptors decreases. From a health risk perspective, there are two (2) categories of projects that have the potential to cause long-term health risks impacts:

- Type A Projects: Land use projects that will place new toxic sources in the vicinity of existing receptors. This category includes sources of toxic emissions such as gasoline dispensing facilities, asphalt batch plants, warehouse distribution centers, freeways and high traffic roads, and other stationary sources that emit toxic substances.
- Type B Projects: Land use projects that will place new receptors in the vicinity of existing toxic sources. This category includes residential, commercial, and institutional developments proposed in the vicinity of existing sources such as stationary sources, freeways and high traffic roads, rail yards, and warehouse distribution centers.[12]

"Various tools already exist to perform a screening analysis from stationary sources impacting receptors (Type A projects) as developed for the AB2588 Hot Spots and air district permitting programs. Screening tools may include prioritization charts, AERSCREEN and various spreadsheets. For projects being impacted by existing sources (Type B projects), one screening tool is contained in the ARB Handbook: *Air Quality and Land Use Handbook: A Community Health Perspective*. The document includes a table entitled "*Recommendations on Siting New Sensitive Land Uses Such As Residences, Schools, Daycare Centers, Playgrounds, or Medical Facilities*" with recommended buffer distances associated with various types of common sources. If a proposed project is located within an established buffer distance to any of the listed

[12] Air District, GAMAQI, Section 6.5, Page 44

sources, a health risk screening and/or assessment should be performed to assess risk to potential sensitive receptors. These guidelines are intended only for projects that are impacted by a single source. Another useful tool is the CAPCOA Guidance Document: *Health Risk Assessments for Proposed Land Use Projects*. CAPCOA prepared the guidance to assist Lead Agencies in complying with CEQA requirements. The guidance document describes when and how a health risk assessment should be prepared and what to do with the results."[13]

Table 6 presents the Air District's and ARB's siting recommendations for projects proposing sensitive land uses.

Table 6: ARB Recommendations on Siting New Sensitive Land Uses

Source Category	Advisory Recommendations
Freeways and High-Traffic Roads	Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day.
Distribution Centers	Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week). Take into account the configuration of existing distribution centers and avoid locating residences and other new sensitive land uses near entry and exit points.
Rail Yards	Avoid siting new sensitive land uses within 1,000 feet of a major service and maintenance rail yard. Within one mile of a rail yard, consider possible siting limitations and mitigation approaches.
Ports	Avoid siting of new sensitive land uses immediately downwind of ports in the most heavily impacted zones. Consult local air districts or the ARB on the status of pending analyses of health risks.
Refineries	Avoid siting new sensitive land uses immediately downwind of petroleum refineries. Consult with local air districts and other local agencies to determine an appropriate separation.
Chrome Platers	Avoid siting new sensitive land uses within 1,000 feet of a chrome plater.
Dry Cleaners Using Perchloroethylene	Avoid siting new sensitive land uses within 300 feet of any dry cleaning operation. For operations with two or more machines, provide 500 feet. For operations with 3 or more machines, consult with the local air district. Do not site new sensitive land uses in the same building with perchloroethylene dry cleaning operations.
Gasoline Dispensing Facilities	Avoid siting new sensitive land uses within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater). A 50 foot separation is recommended for typical gas dispensing facilities.

Sources:
Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*, Page 4, Table 1-1, https://www.arb.ca.gov/ch/handbook.pdf, accessed November 1, 2019.
California Air Pollution Control Officers Association, *Health Risk Assessments for Proposes Land Use Projects*, Page 9, Table 2, http://www.valleyair.org/transportation/CAPCOA_HRA_LU_Guidelines_8-6-09.pdf, accessed November 1, 2019.

[13] Air District, GAMAQI, Section 6.5, Page 45

"Determination of whether project emissions would expose sensitive receptors to substantial pollutant concentrations is a function of assessing potential health risks. Sensitive receptors are facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent facilities, and residential areas are examples of sensitive receptors. When evaluating whether a development proposal has the potential to result in localized impacts, Lead Agency staff need to consider the nature of the air pollutant emissions, the proximity between the emitting facility and sensitive receptors, the direction of prevailing winds, and local topography. Lead Agencies are encouraged to use the screening tools for Toxic Air Contaminant presented in section 6.5 (Potential Land Use Conflicts and Exposure of Sensitive Receptors [pages 44 – 45 of the GAMAQI]) to identify potential conflicts between land use and sensitive receptors and include the result of their analysis in the referral document."[14]

Nuisance Odors

"Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, there are no quantitative or formulaic methodologies to determine the presence of a significant odor impact. Rather, the District recommends that odor analyses strive to fully disclose all pertinent information. The intensity of an odor source's operations and its proximity to sensitive receptors influences the potential significance of odor emissions. The District has identified some common types of facilities that have been known to produce odors in the San Joaquin Valley. These are presented in Chapter 8 [of the GAMAQI] along with a reasonable distance from the source within which, the degree of odors could possibly be significant."[15]

Two situations create a potential for odor impact. The first occurs when a new odor source is located near an existing receptor. The second occurs when a new receptor locates near an existing source of odor. "An analysis of potential odor impacts should be conducted for the following two situations:

1. Generators – projects that would potentially generate odorous emissions proposed to locate near existing sensitive receptors or other land uses where people may congregate, and
2. Receivers – residential or other sensitive receptor projects or other projects built for the intent of attracting people locating near existing odor sources." [16]

"The intensity of an odor source's operations and its proximity to sensitive receptors influences the potential significance of odor emissions. The District has identified some common types of facilities that have been known to produce odors in the San Joaquin Valley Air Basin. These are presented in Table 6 (Screening Levels For Potential Odor Sources) [of the GAMAQI] along with a reasonable distance from the source within which, the degree of odors could possibly be significant. Table 6 (Screening Levels for Potential Odor Sources) [of the GAMAQI], can be used as a screening tool to qualitatively assess a project's potential to adversely affect area receptors. This list of facilities is not all-inclusive. The Lead Agency should evaluate facilities

[14] Air District, GAMAQI, Section 7.15, Page 66
[15] Air District, GAMAQI, Section 7.16, Pages 66-67
[16] Air District, GAMAQI, Section 8.6, Page 102

not included in the table or projects separated by greater distances if warranted by local conditions or special circumstances. If the proposed project would result in sensitive receptors being located closer than the screening level distances, a more detailed analysis should be provided."[17]

Table 7 presents the Air District's screening levels for potential nuisance odor sources.

Table 7. Air District Screening Levels for Potential Odor Sources	
Odor Generator / Type of Facility	**Distance**
Wastewater Treatment Facilities	2 miles
Sanitary Landfill	1 mile
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles
Asphalt Batch Plant	1 mile
Chemical Manufacturing	1 mile
Fiberglass Manufacturing	1 mile
Painting/Coating Operations (e.g., auto body shop)	1 mile
Food Processing Facility	1 mile
Feed Lot/Dairy	1 mile
Rendering Plant	1 mile
Sources: Air District, GAMAQI, Table 6, page 103; and http://www.valleyair.org/transportation/GAMAQI-2015/GAMAQI-Criteria-Pollutant-Thresholds-of-Odors.pdf.	

IMPACT EVALUATION

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Project Impact Analysis: ***Less Than Significant Impact***

Air quality plans (also known as AQPs or attainment plans) and subsequent rules are used to bring the applicable air basin into attainment with federal AAQS designed to protect the health and safety of residents within that air basin. In order to show attainment of the standards, the Air District analyzes the growth projections in the San Joaquin Valley Air Basin (SJVAB), contributing factors in the formation and emission of air pollutants, and existing and future emissions controls. The Air District then formulates an AQP which details the Air District's control strategy to reach attainment. The Air District's 2016 Plan for the 2008 8-Hour Ozone Standard, 2013 Plan for the Revoked 1-Hour Ozone Standard, 2007 Ozone Plan, 2007 PM_{10} Maintenance Plan and Request for Redesignation, 2008 $PM_{2.5}$ Plan, 2012 $PM_{2.5}$ Plan, 2015 Plan for the 1997 $PM_{2.5}$ Standard, and the 2016 Moderate Area Plan for the 2012 $PM_{2.5}$ Standard outline a number of control strategies to help the SJVAPCD reach attainment for the revoked

[17] Air District, GAMAQI, Section 8.6, Pages 102-103

federal 1-hour ozone standard, the 24-hour PM_{10} standard, and the federal and state $PM_{2.5}$ standards, respectively. The 2008 $PM_{2.5}$ Plan, 2012 $PM_{2.5}$ Plan, and 2015 Plan for the 1997 $PM_{2.5}$ Standard focus specifically on $PM_{2.5}$, although the control strategies from previous PM10 plans (particularly those related to fugitive dust control) have already improved the SJVAB ambient $PM_{2.5}$ levels. Therefore, because fugitive dust controls continue to be addressed in the PM_{10} plan, the plans contain a comprehensive list of strict regulatory and incentive-based measures to reduce directly-emitted $PM_{2.5}$ and precursor emissions. The San Joaquin Valley Air Basin is in attainment for CO, SO_2, and lead, so there are no attainment plans for those pollutants.[18] The proposed Project will be required to comply with all applicable Air District rules and regulations including, but not limited to, Regulation VIII (Fugitive PM_{10} Prohibitions) requirements and District Rule 9510 (Indirect Source Review).

As previously noted, the Air District has determined that projects with emissions below the thresholds of significance for criteria pollutants (see **Table 2**) would "Not conflict or obstruct implementation of the District's air quality plan."[19] There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan. However, the Plan does include updates to land use designations that could increase the buildout potential of the planning area. As such, projected growth estimates for population, housing, and non-residential land uses are based on the 1.3% annual growth rate projected for the County in the Tulare County 2030 General Plan. To assess a worst-case growth scenario, the 1.3% growth rate was applied to the existing 2017 base year population and housing data (as provided in the United States Census Bureau 2017 American Community Survey) and the existing non-residential uses within the community (assuming that all developed properties have been improved with structures at a floor-to-area ratio of 0.2) to determine the amount of development that could occur by 2030. The projected growth through 2030 is presented in **Table 1**.

The future buildout of the Project would result in short-term, temporary, and intermittent construction-related and long-term operations-related criteria air pollutant emissions. Consistent with the Air District guidance, Project-related construction and operation emissions have been estimated using CalEEMod, Version 2016.3.2 (the most recent version of the model). The CalEEMod modeling results can be found in Attachment "A". Construction phasing, off-road construction equipment and on-road employee, hauling, and vendor vehicle estimates utilized model default values. Model defaults were also utilized for operational activities, except where Project-specific information could be input. The following changes to default values were used:

- *Project Characteristics – Land Use Setting:* Although the future development will be located within the Urban Development Boundary, the rural land use was selected as the Project is within a relatively sparsely developed area.
- *Land Use – Lot Acreage:* Non-residential acreage is greater than the model default as the projected growth is based on the acreage of existing land uses. The acreage represents a 1.3% annual growth rate based on developed/improved properties.
- *Operational-Mobile – Fleet Mix:* The "District Accepted Fleet Mix for Residential Projects" was used for the operational year (2021).

[18] More information on Air District air quality plans can be found online at http://valleyair.org/Air_Quality_Plans/air-quality-plans.htm.
[19] Air District, GAMAQI, Section 7.12, Page 65.

- *Mitigation – Construction:* Water exposed area 3 times per day and unpaved road vehicle speed of 15 miles per hour were selected to account for compliance with Air District Regulation VIII requirements.
- *Mitigation – Traffic:* The following items were selected: low density suburban project setting; improve destination accessibility with the job center at 4 miles from the site; and improve pedestrian network onsite.
- *Mitigation – Area:* The following items were selected: No hearth was selected because residents rely on the use of propane tanks to provide gas services and to account for compliance with Air District Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters); and 3% was used for electronic lawnmower, electric leaf blower, and electric chainsaw, consistent with Air District approved changes.
- *Mitigation – Water:* Low-flow bathroom faucets, kitchen faucets, toilets and showers were selected to account for Title 24 and Green Building Code requirements; and use of water-efficient irrigation systems was selected to account for the County's Model Water Efficient Landscaping Ordinance (also referred to as MWELO)

Table 8 provides the construction-related criteria pollutant emissions and **Table 9** provides the operations-related criteria pollutant emissions associated with the projected growth.

Table 8. Annual Construction Emissions Estimates (Mitigated)

Construction Year	Estimated Emissions, tons per year					
	ROG	NOx	CO	SO_2	Total PM_{10}	Total $PM_{2.5}$
2020	0.36	3.41	2.70	4.99e-003	0.31	0.22
2021	0.91	1.07	1.06	1.93e-003	0.08	0.06
Construction Total	1.27	4.48	3.76	6.92e-003	0.39	0.28
SJVAPCD Threshold	10	10	100	27	15	15
Threshold Exceeded	No	No	No	No	No	No

Source: See Attachment "A" of this document.

Table 9. Annual Operational Emissions Estimates (Mitigated)

Construction Year	Estimated Emissions, tons per year					
	ROG	NOx	CO	SO_2	Total PM_{10}	Total $PM_{2.5}$
Operations at Buildout	0.86	2.84	4.06	0.01	0.97	0.27
SJVAPCD Threshold	10	10	100	27	15	15
Threshold Exceeded	No	No	No	No	No	No

Source: See Attachment "A" of this document.

As previously noted, there are no specific development projects associated with the Community Plan that would result in emissions exceeding Air District thresholds of significance. The Air District evaluates significance of short-term (construction) emissions independent of long-term (operational) emissions. As demonstrated in Tables 8 and 9, the estimated Project-related

emissions during construction and operations will not exceed the Air District's CEQA significance thresholds for any criteria pollutant. Future developments will be subject to additional CEQA review and will be evaluated at the time of submittal. The County will consult with the Air District on a project-by-project basis as new developments are proposed to evaluate potential impacts based on project-specific details and determine whether a localized pollutant analysis (such as an Ambient Air Quality Analysis or Health Risk Assessment) would be required. Future developments will comply with all applicable Air District rules and regulations including, but not limited to, Regulation VIII (Fugitive PM10 Prohibition), Rule 2201 (New and Modified Stationary Source Review), and Rule 9510 (Indirect Source Review). Furthermore, the Air District has used an average annual growth rate for Tulare County ranging from 1.44% to 1.94%.[20] The 1.3% annual growth rate applied in the Lemon Cove Community Plan is lower than the growth rates applied in the applicable Air Quality Plans (AQPs). As such, Project-related emissions would be included in the AQPs emissions inventories. Therefore, the Project would not conflict with or obstruct implementation of the applicable AQPs. The Project will have a ***Less Than Significant Project-specific Impact*** related to this Checklist Item.

Cumulative Impact Analysis: ***Less Than Significant Impact***

The geographic area of this cumulative analysis is the San Joaquin Air Basin. The emissions analysis demonstrates the Project will not exceed the Air District's thresholds of significance. As such, the Project will not conflict with or obstruct implementation of the applicable air quality plans. Furthermore, the County will consult with the Air District on a project-by-project basis, and future developments will be required to implement all applicable General Plan policies and to comply with all applicable Air District rules and regulations. Therefore, the Project will result in a ***Less Than Significant Cumulative Impact*** related to this Checklist Item.

Mitigation Measures: ***None Required***

Conclusion: ***Less Than Significant Impact***

As previously noted, the Project will not exceed the Air District's thresholds of significance and therefore, will not conflict with or obstruct implementation of the applicable air quality plans. Therefore, ***Less Than Significant Project-specific and Cumulative Impacts*** related to this Checklist Item will occur.

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

Project Impact Analysis: ***Less Than Significant Impact***

The Project would be considered to have a significant cumulative impact on air quality if project-specific impacts are determined to be significant. As previously noted, the emissions analysis confirms that Project-specific emissions are below the Air District's thresholds of significance at a project-specific level, and that the Project will not cause or contribute to an existing air quality violation. Furthermore, the County will consult with the Air District on a project-by-project basis

[20] Earlimart Community Plan 2017 Update Environmental Impact Report, Page 3.3-31

to ensure that future developments are implemented consistent with Air District rules and regulations, including but not limited to, Regulation VIII (Fugitive PM10 Prohibition), Rule 2201 (New and Modified Stationary Source Review), and Rule 9510 (Indirect Source Review). The Project will be required to implement all applicable General Plan policies and to comply with all applicable Air District rules and regulations. Therefore, because the Project would have ***Less Than Significant Project-specific Impacts***, the Project will have a ***Less Than Significant Cumulative Impact*** on air quality.

Cumulative Impact Analysis: ***Less Than Significant Impact***

The Project would be considered to have a significant cumulative impact on air quality if project-specific impacts are determined to be significant. Because project-specific impacts are less than significant, the Project will have a ***Less Than Significant Cumulative Impact*** on air quality.

Mitigation Measures: ***None Required***

Conclusion: ***Less Than Significant Impact***

As previously noted, Project-related criteria pollutant emissions fall below the Air District's significance thresholds and the Project will be required to implement all applicable General Plan policies and to comply with all applicable Air District rules and regulations. Therefore, the Project will have a ***Less Than Significant Cumulative Impact*** related to this Checklist Item.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Project Impact Analysis: ***Less Than Significant Impact***

Sensitive receptors are those individuals who are sensitive to air pollution and include children, the elderly, and persons with pre-existing respiratory or cardiovascular illness. The Air District considers a sensitive receptor to be a location that houses or attracts children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Examples of sensitive receptors include schools, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential dwelling units.[21]

Construction-Related Emissions

Construction Equipment TACs/HAPs: Particulate emissions from diesel powered construction equipment are considered a TAC by the California Air Resources Board. There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan. However, future development projects have the potential to temporarily expose receptors to increased pollutant emission concentrations from diesel powered construction equipment during the short-term construction phase. However, construction emissions are temporary and would cease upon completion of construction activities. The short-term nature of construction-related emissions would not expose nearby receptors to substantial TAC concentrations. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

[21] Air District, *Guidance for Assessing and Mitigating Air Quality Impacts*, page 10

Dust-borne TACs/HAPs: There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan. However, future development projects have the potential to temporarily expose nearby receptors to fugitive particulate (dust) emissions during the short-term construction phase or from landscaping activities once the development project is operational. As of November 2019, there were no listings within the Project planning area in the California Department of Toxic Substances Control (DTSC) Hazardous Waste and Substances Site List.[22] A query performed on the DTSC *Envirostor* indicated that there are no superfund, state response, voluntary cleanup, school cleanup or corrective actions within five (5) miles of the Project planning area.[23] A query of the State Water Resources Control Board (WRCB) *GeoTracker* Site and Facilities mapping programs revealed seven (7) leaking underground storage tank (LUST) sites within the Project planning area; however, all of these sites are designated as having cleanup being completed and case closed.[24] A query performed on the U.S. Environmental Protection Agency (EPA) *Superfund Enterprise Management System* (SEMS) website found that there are no listed polluted sites within the Project planning area.[25] Therefore, fugitive dust emissions resulting from earthmoving activities during construction or landscaping activities during operations, would not expose future residents or nearby receptors to substantial pollutant concentrations. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan. However, future development projects have the potential to temporarily expose nearby residences to other airborne hazards from generation of fugitive dust emissions during construction-related earthmoving activities. Although not specifically required by CEQA, the following discussions related to valley fever and asbestos are included to satisfy requirements for full disclosure of potential Project-related impacts and are for information purposes only.

Valley Fever: Valley fever, or coccidioidomycosis, is an infection caused by inhalation of the spores of the fungus, *Coccidioides immitis (C. immitis*). According to the Centers for Disease Control (CDC), the San Joaquin Valley is considered an endemic area for valley fever.[26] "The fungus is known to live in the soil in the southwestern United States and parts of Mexico and Central and South America. The fungus was also recently found in south-central Washington. People can get Valley fever by breathing in the microscopic fungal spores from the air in these areas. Most people who breathe in the spores don't get sick, but some people do. Usually, people who get sick with Valley fever will get better on their own within weeks to months, but some people will need antifungal medication. Certain groups of people are at higher risk for developing the severe forms of the infection, and these people typically need antifungal treatment. It's difficult to prevent exposure to *Coccidioides* in areas where it's common in the

[22] DTSC. Hazardous Waste and Substance Site List. https://www.envirostor.dtsc.ca.gov/public/search.asp?page=8&cmd=search&business_name=&main_street_name=&city=&zip=&county=&status=ACT%2CBKLG%2CCOM&branch=&site_type=CSITES%2COPEN%2CFUDS%2CCLOSE&npl=&funding=&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST&reporttype=CORTESE&federal_superfund=&state_response=&voluntary_cleanup=&school_cleanup=&operating=&post_closure=&non_operating=&corrective_action=&tiered_permit=&evaluation=&spec_prog=&national_priority_list=&senate=&congress=&assembly=&critical_pol=&business_type=&case_type=&searchtype=&hwmp_site_type=&cleanup_type=&ocierp=&hwmp=False&permitted=&pc_permitted=&inspections=&complaints=&censustract=&cesdecile=&school_district=&orderby=county. Accessed November 1, 2019.

[23] DTSC. Envirostor. Sites and Facilities mapping website. https://www.envirostor.dtsc.ca.gov/public/map/, Accessed November 1, 2019.

[24] WRCB, GeoTracker, Sites and Facilities mapping website. https://geotracker.waterboards.ca.gov/. Accessed November 1, 2019.

[25] EPA, SEMS Search, https://www.epa.gov/enviro/sems-search, accessed May 15, 2018.

[26] CDC, https://www.cdc.gov/fungal/diseases/coccidioidomycosis/maps.html, accessed November 1, 2019.

environment, but people who are at higher risk for severe Valley fever should try to avoid breathing in large amounts of dust if they're in these areas."[27]

Construction-related activities generate fugitive dust that could potentially contain *C. immitis* spores. The Project will be required to implement General Plan Policy AQ-4.2 (Dust Suppression Measures), which was specifically designed to address impacts from the generation of dust emitted into the air. The Project will be required to comply with Air District Regulation VIII (Fugitive PM10 Prohibitions) requirements, including submittal of construction notification and/or dust control plan(s), which minimize the generation of fugitive dust during construction-related activities. Therefore, implementation of General Plan policies and compliance with Air District rules and regulations would reduce the chance of exposure to valley fever during construction-related activities. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Naturally Occurring Asbestos: In areas containing naturally occurring asbestos, earthmoving construction-related activities, such as grading and trenching, could expose receptors to windblown asbestos. According to a United States Geological Soil Survey map of areas where naturally occurring asbestos in California are likely to occur, the Project is not located in an area known to contain naturally occurring asbestos.[28] The Project planning area and the immediate vicinity has been previously disturbed by agricultural operations and by rural residential and commercial/retail development. Future development projects will be required to implement General Plan Policy AQ-4.2 (Dust Suppression Measures) to comply with Air District Regulation VIII (Fugitive PM10 Prohibitions) requirements, thereby reducing the chance of exposure to valley fever during construction-related activities. Therefore, ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Operations-Related Emissions

Operations from Future Development: There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan that would be a source of TAC or HAP emissions. However, construction- and operation-related activities associated with future development projects may require the transport and use of hazardous materials. Consumer products and gasoline are regulated by the State and use of these products would not pose a significant risk to residents or nearby receptors. Medium- and Heavy-duty diesel trucks would be a source of diesel particulate matter, which is considered to be a TAC. The County will work with the Air District on a project-by-project basis to determine whether health risk assessments would be required for projects generating diesel truck trips travelling through the Project planning area, and for other equipment that may require Air District permits. Furthermore, future applicants will be required to comply with all local, state, and federal policies related to emission of TACs/HAPs in the event such pollutants require control efforts to minimize their impacts. Tulare County Environmental Health Division will require a Hazardous Waste Business Plan if materials exceed 55 gallons (liquids), 500 pounds (solids), or 200 cubic feet (compressed gas) handled or stored on site.[29] As such, the Project will not expose sensitive

[27] CDC, https://www.cdc.gov/fungal/diseases/coccidioidomycosis/definition.html, accessed November 1, 2019.
[28] USGS, *Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California*, http://pubs.usgs.gov/of/2011/1188/, accessed July 25, 2018.
[29] Tulare County Health and Human Services Agency, Environmental Health Division. Hazardous Material Business Plan. https://tularecountyeh.org/eh/index.cfm/our-services/hazardous-materials-cupa/hazardous-materials-business-plan-hmbp/ and

receptors to substantial pollutant concentrations. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Existing Sources: There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan that would be a source of TAC or HAP emissions, and the location of future development projects in close proximity to sensitive receptors cannot be determined until future projects are identified. To ensure that development within the Project planning area does not expose sensitive receptors to significant impacts from TAC emissions, the County will review individual projects on a project-by-project basis to determine if ARB's Air Quality Land Use Handbook screening criteria presented in **Table 6** are exceeded. Projects that exceed the screening criteria will be subject to analysis using screening models or may require dispersion modeling and a health risk assessment. Tulare County will also consult with the Air District during the CEQA process for guidance on the appropriate screening tools and modeling protocols for future development projects within the Plan area. Therefore, existing sources of TAC/HAP emissions would not expose receptors to substantial pollutant concentrations. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Existing Agricultural Operations: The Project planning area is located in a rural area with urban built up land as well as active agricultural operations. Agricultural operations typically include the use of chemicals on crops for activities such as pest control, damage control, weed abatement, etc. However, these chemicals are regulated by the State and would not pose a significant risk to the existing and future residents within the Project planning area. Furthermore, the Tulare County General Plan includes Policy AG-1.14 Right-to-Farm Noticing which requires new property owners to acknowledge and accept the inconveniences associated with normal farming activities. Future development projects adjacent to agricultural lands will be required to sign a "Right to Farm" notice. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Cumulative Impact Analysis: ***Less Than Significant Impact***

The geographic area of this cumulative analysis is the San Joaquin Valley Air Basin. The Tulare County General Plan includes policies, which were specifically designed to engage responsible agencies in the CEQA process, to reduce air pollutant emissions through project design, require compliance with emission-reducing regulations, and to address potential impacts from siting incompatible uses in close proximity to each other. Applicable General Plan policies will be implemented for the Project. The County will consult with the Air District on a project-by-project basis as new developments are proposed to evaluate project-specific impacts based on project-specific details and to determine whether a health risk assessment would be needed. Compliance with applicable Air District rules and regulations would further reduce potential impacts from exposure to TAC and HAP emissions, as well as valley fever and asbestos. As such, the development of the proposed Project would not expose the public to substantial pollutant concentrations. Therefore, a ***Less Than Significant Cumulative Impact*** related to this Checklist Item will occur.

Mitigation Measures: ***None Required***

https://tularecountyeh.org/eh/index.cfm/guidance-library/hazmat-cupa/hazardous-materials-business-plan-hmbp/business-plan-faqs/. Accessed November 1, 2019.

Conclusion: ***Less Than Significant Impact***

There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan. As such, the Project is not a source of, nor are there any known existing sources of, HAPs or TACs within the Project vicinity. Therefore, the proposed Project would not expose the public to substantial pollutant concentrations. ***Less Than Significant Project-specific and Cumulative Impacts*** related to this Checklist Item will occur.

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

Project Impact Analysis: ***Less Than Significant Impact***

Two situations create a potential for odor impact. The first occurs when a new odor source is located near an existing sensitive receptor. The second occurs when a new sensitive receptor locates near an existing source of odor. There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan that would be a source of nuisance odors. However, as the Community Plan is built out, dependent upon the location and nature of operations, potential exists for odor impacts to occur resulting from existing and/or new agricultural, commercial, and industrial land uses.

Potential odor sources associated with construction-related activities could originate from diesel exhaust from construction equipment and fumes from architectural coating and paving operations. However, construction-related odors, if perceptible, would dissipate as they mix with the surrounding air and would be of very limited duration. As such, objectionable odors during construction would not affect a substantial number of people.

As presented in **Table 7**, the Air District has determined the common land use types that are known to produce odors in the San Joaquin Valley Air Basin. As previously noted, there are no specific development projects associated with the Community Plan. However, the existing agricultural uses in the vicinity of the community could be a source of nuisance odors. All projects, with the exception of agricultural operations, are subject to Air District Rule 4102 (Nuisance). Therefore, odors from agriculture-related operations would not be subject to complaint reporting. There is potential for these agricultural operations to generate objectionable odors; however, these odors would be temporary or seasonal. Furthermore, the Tulare County General Plan includes Policy AG-1.14 Right-to-Farm Noticing which requires new property owners to acknowledge and accept the inconveniences associated with normal farming activities. If future developments are proposed adjacent to active agricultural uses, future residents will be required to sign a “Right to Farm” notice. To ensure potential nuisance odor impacts are addressed, if proposed developments were to result in sensitive receptors being located closer than the recommended distances to any odor generator identified in **Table 7**, a more detailed analysis, is recommended. The detailed analysis would involve contacting the Air District’s Compliance Division for information regarding odor complaints Implementation of the applicable General Plan policies and compliance with applicable Air District rules and regulations specifically designed to address air quality and odor impacts, would reduce potential odor impacts. Therefore, the Project would not create or expose existing residents to

objectionable odors. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Cumulative Impact Analysis: ***Less Than Significant Impact***

The geographic area of this cumulative analysis is the San Joaquin Valley Air Basin. As there are no development projects proposed with the Project, the Project does not include any new sources of odors. Future developments will be subject to Air District Rule 4102 (Nuisance) and General Plan Policy AG-1.14 Right-to-Farm Noticing will be implemented. As such, the Project will not expose a substantial number of people to objectionable odors. Therefore, ***Less Than Significant Cumulate Impacts*** related to this Checklist Item will occur.

Mitigation Measures: ***None Required***

Conclusion: ***Less Than Significant Impact***

The Project is not a source of nuisance odors, nor are there existing sources of permanent odors in the Project vicinity that would affect future residents. As such, the Project will not expose a substantial number of people to objectionable odors. Therefore, ***Less Than Significant Project-specific and Cumulative Impacts*** related to this Checklist Item will occur.

Energy Technical Memorandum

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TECHNICAL MEMORANDUM
ENERGY ASSESSMENT

DATE: November 6, 2019

TO: Hector Guerra, Chief Environmental Planner

FROM: Jessica Willis, Planner IV

SUBJECT: Energy Assessment for the Lemon Cove Community Plan (GPA 17-007, PZC 17-007, PZC 19-016, PZC 19-017)

PURPOSE AND NEED FOR ASSESSMENT

This document is intended to assist Tulare County Resource Management Agency (RMA) staff in the preparation of the Energy component of the Mitigated Negative Declaration (MND) being prepared for the Lemon Cove Community Plan (Project). The assessment is intended to provide sufficient detail regarding potential impacts of Project implementation and to identify mitigation measures, if necessary, to reduce potentially significant impacts.

The assessment provided in this document was prepared to evaluate whether future buildout of the Project would result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. The energy assessment was conducted within the context of the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000, et seq.). The assessment is intended to provide the County of Tulare (County) with sufficient detail regarding potential impacts of Project implementation and to identify mitigation measures, if necessary, to reduce potentially significant impacts.

PROJECT DESCRIPTION

Lemon Cove is currently designated an Unincorporated Community in the 2030 Tulare County General Plan. The objective of the Lemon Cove Community Plan (Plan) is to develop a plan, which can accurately reflect the needs and priorities of the unincorporated community of Lemon Cove. The Land Use and Circulation portions of this Plan provide the mechanism to minimize or avoid the potential adverse impacts of urban growth. The development of an orderly, harmonious land use pattern and appropriate implementation measures are designed to reduce potential conflict between neighboring uses across Tulare County's 2030 planning horizon, consistent with the Tulare County 2030 General Plan Update. The Plan is needed to increase the availability of infrastructure funding, such as drinking water system improvements (wells, water distribution piping, storage tanks, etc.), wastewater system (such as piping, lift stations, etc.), and public

work/safety improvements (such as curbs, gutters, sidewalks, etc.), and to stimulate economic development within the community.

Tulare County is proposing new land use and zoning designations within an expanded UDB. The proposed Community Plan, if adopted, will update these designations to be consistent with the General Plan, and will bring existing non-compliant properties into conformity with the Tulare County Zoning Ordinance. The Community Plan also includes the Complete Streets and Road Maintenance programs and the community's anticipated growth through year 2030 based on the existing land uses, census population data, and the projected 1.3% annual growth rate in unincorporated areas of Tulare County. Other than the Complete Streets and Road Maintenance Programs, there are no specific development projects (such as residential, commercial, or industrial uses) proposed as part of this Project. As an unknown number of proposals may occur within the lifetime of the Plan, the Plan is intended to direct the density, intensity, and types of growth needed to meet the needs of the community. Future developments within the Project planning area will be required to undergo additional CEQA evaluation on a project-by-project basis at such time development is proposed to determine potential environmental impacts.

Complete Streets and Road Maintenance

The Lemon Cove Complete Streets and Road Maintenance Programs are included in the Circulation Element of the proposed Community Plan. The Complete Streets Program has thoroughly analyzed the alternative forms of transportation, including transit, bicycle ways, and pedestrian circulation. Improvements proposed in the Complete Streets Program include, but are not limited to, installation of streetlights, bus shelters, street signage and striping, curbs, gutters, sidewalks, drainage system, and utilities. Road maintenance activities vary by road segment dependent upon the condition of the road and may include chip seal, overlay resurfacing, and asphalt reconstructions.

Growth Projections

There are no specific development projects proposed with the Lemon Cove Community Plan; however, the Plan does include updates to land use designations that could increase the buildout potential of the planning area. Population and residential growth through planning horizon year 2030 was estimated by applying a 1.3% annual growth rate, consistent with the Tulare County 2030 General Plan, to the 2017 baseline population and housing data, as provided in the United States Census Bureau 2017 American Community Survey (ACS).[1] Non-residential growth was estimated through planning horizon year 2030 for a worst-case emissions scenario by applying a 1.3% annual growth rate to the existing uses and assuming all parcels have been improved with structures at a floor to area ratio of 0.20. Using these assumptions for baseline conditions provides a conservative (larger) overall growth estimate. **Table 1** summarizes the projected growth of the community through horizon Year 2030.

[1] United States Census Bureau. American FactFinder. 2017 American Community Survey. 2013-2017 American Community Survey 5-Year Estimates. Demographic and Housing Estimates (DP05) and Selected Housing Characteristics (DP04). https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml. November 1, 2019.

Table 1. Projected Growth through Year 2030								
	Residential[1]		Commercial / Public / Other[2]		Retail[2]		Industrial[2]	
Year	Population	Dwelling Units	Square Feet	Acres	Square Feet	Acres	Square Feet	Acres
2017	232	115	277,129	31.81	65,079	7.47	15,507	1.78
2030	274	136	327,797	37.63	76,977	8.84	18,343	2.11
Overall Growth	42	21	50,668	5.85	11,898	1.37	2,835	0.33

[1] Projections based on 2017 American Community Survey data applying an annual growth rate of 1.3%.
[2] Projections based on existing land uses assuming developments/improvements with a Floor to Area Ratio of 0.2 and annual growth rate of 1.3%.

SIGNIFICANCE THRESHOLDS

CEQA Guidelines define a significant effect on the environment as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project.[2] To determine if a project would have a significant impact on energy resources, the project's size, location, orientation, equipment and vehicle use, and any renewable energy features incorporated into the project must be evaluated. The analysis is subject to the rule of reason and shall focus on energy demand that is caused by the project. Appendix G of the CEQA Guidelines provides the criteria (as Checklist Items) for evaluating potential impacts on the environment. The project would have a significant impact on energy resources if it would:

- Result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption of energy.
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

IMPACT EVALUATION

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Project Impact Analysis: ***Less Than Significant Impact***

The proposed Project consists of a Community Plan for the unincorporated community of Lemon Cove. The objective of the Plan is to develop a plan, which can accurately reflect the needs and priorities of the unincorporated community of Lemon Cove. The Land Use and Circulation portions of this Plan provide the mechanism to minimize or avoid the potential adverse impacts of urban growth. The Plan contains various policies that encourage future development to incorporate energy efficient features into the project design, require the County to participate in energy reduction programs when feasible, and encourages the development of alternative energy resources, such as wind and solar facilities, when appropriately sited. Furthermore, no development projects are proposed as part of the Plan. As such, the Plan itself will not result in wasteful, inefficient, or unnecessary consumption of energy resources. However, the Plan does

[2] CEQA §§ 15002(g), 15382

include updates to land use designations that could increase the buildout potential of the planning area.

Electricity and Natural Gas

"Southern California Edison provides electric service to the majority of Tulare County, including the majority of the San Joaquin Valley and the foothills. Natural gas service is primarily provided by The Gas Company (formerly Southern California Gas Company). Pacific Gas & Electric also serves northern Tulare County's electric needs on limited basis. The electrical facilities network includes both overhead and underground lines, with new development required to install underground service lines. All utility providers indicate that additional service should be available to new development, depending on the necessary load of the services requested."[3]

Electrical service for the Project study area is provided by Southern California Edison (SCE). The Project study area is not supplied with natural gas services and residents rely on the use of propane to supply their fuel needs. However, the analysis presented below presents the theoretical natural gas usage that would occur if services were available.

In 2018, SCE provided 102,520,762.59 gigawatt-hours (GWh) of electricity to approximately 15 million customers across a service area of 15 counties in a 50,000 square mile area within Central, Coastal and Southern California.[4] In the same year, SoCal Gas provided a total of 7,195.95 million therms of natural gas to nearly 21.8 million customers across a service area of 12 counties in a 24,000 square mile area within Central and Southern California.[5] Within the County, total demand for SCE electrical services was 4,433.98 GWh, and total demand for SoCal Gas natural gas services was 157.29 million therms in 2018. Total state and countywide energy demands, including per capita calculations of energy demands based on 2018 populations, are provided in **Table 2**. The energy demands presented include all residential and nonresidential customers.

Table 2
2018 County and State Energy Demands (All Users)

	2018 Population[1]	Total 2018 Energy Demand		2018 Energy Demand Per Capita	
		Electricity (MWh)[2]	Natural Gas (therms)[3]	Electricity (MWh)	Natural Gas (therms)
State	39,557,045	281,120,193.430	12,638,157,740	7.11	319.49
Service Area	---	102,520,762.582	7,195,951,252	---	---
Tulare County	465,861	4,433,976.762	157,285,390	9.52	337.62

3 Tulare County General Plan 2030 Update Recirculated Draft EIR. 3.4 Energy and Global Climate Change. February 2010. Page 3.4-14. http://generalplan.co.tulare.ca.us/documents/generalplan2010/RecirculatedDraftEIR.pdf. Accessed October 2019.

4 Southern California Edison. https://newsroom.edison.com/internal_redirect/cms.ipressroom.com.s3.amazonaws.com/166/files/20193/SCE%20Service%20Area%20Fact%20Sheet_Ver2_04252019.pdf. Accessed October 2019.

5 SoCalGas. Company Profile. https://www.socalgas.com/about-us/company-profile. Accessed October 2019.

1 US Census population estimates as of July 1, 2018.
2 Converted to MWh as CEC Energy Reports expresses in Millions of kWh (GWh).
3 Converted to Therms as CEC Energy Reports expresses in Millions of Therms.

Sources: California Energy Commission. Energy Consumption Database. http://ecdms.energy.ca.gov/. Accessed October 2019.
http://ecdms.energy.ca.gov/elecbycounty.aspx
http://ecdms.energy.ca.gov/gasbycounty.aspx
http://ecdms.energy.ca.gov/elecbyplan.aspx
http://ecdms.energy.ca.gov/gasbyplan.aspx
U.S. Census Bureau. American FactFinder. Community Facts. https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml. Accessed October 2019.

Implementation of the proposed Project would result in the commitment of additional energy resources, including consumption of natural gas and electricity through operation of the Project. As provided in **Table 3**, operation of the proposed Project is estimated to result in the demand for 15,032 therms per year (therms/yr) of natural gas, and 803 megawatt-hours per year (MWh/yr) of electricity based on CalEEMod modeling results (see Attachment "A").

Table 3
Estimated (mitigated) Project Electricity and Natural Gas Demands (All Users)

Proposed Land Use	Proposed Project[1]		
	Square Feet / Population[2]	Electricity Demand (MWh/yr)[3]	Natural Gas Demand (therms/yr)[4]
Non-residential Uses	65,401	632.97	9,864.30
Residential Uses	60	169.58	5,167.88
Project Total	**---**	**802.55**	**15,032.18**
Project Average Per Capita/Year	---	13.38	250.54

1 Proposed Project demand includes 'mitigation measures' in the CalEEMod runs.
2 The projected Project population based on existing population data is 42 residents; however, because default CalEEMod population is greater and the energy usage is based on the model's population, the model population is used for this analysis
3 1,000 megawatt-hours (MWh) = 1 gigawatt-hours (GWh)
4 1 therm = 100 thousand British Thermal Units (BTU)

Source: CalEEMod output files provided in Attachment A of this MND.

Comparison of **Tables 2** and **3** indicate that electricity demand per capita for the Project (13.38 MWh/yr) is higher than Tulare County (9.52 MWh/yr) and State (7.11 MWh/yr) demands per capita. The natural gas demand per capita for the Project (250.54 therm/yr) is lower than both the Tulare County (337.62 therm/yr) and State (319.49 therm/yr) demands per capita. As previously noted, there are no development projects included in the Plan; as such, project-specific energy reducing features have not been included in the analysis. As future development project are identified, energy efficiency and conservation measures will be implemented in conjunction with Project design, including measures resulting from federal, State, and local mandates, as well as voluntary measures proposed by the project applicant. Compliance with the California Building Standards Code and CALGreen are considered demonstrable evidence of efficient use of energy. In addition, the progressive enhancements in building energy efficiency mandates resulting from regular updates to the California building codes will result in lower electrical and natural gas

consumption from the totals shown in **Table 3**. Energy would also be indirectly conserved through water efficient landscaping requirements. Solid waste recycling requirements applicable to both project construction and operation would reduce energy consumed in solid waste disposal. As such, it is anticipated that the Project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources during construction and operation.

Vehicle Fuel Consumption

The California Department of Transportation (Caltrans) reports that approximately 25.65 million automobiles, 8.01 million trucks, 434,671 trailer coaches (motor home/RV), 857,677 motorcycles, and 755,976 other vehicles (miscellaneous and fee exempt vehicles) were registered in the state in 2017, resulting in a total estimated 344.3 billion vehicles miles traveled (VMT). Within Tulare County, an estimated 3.67 million vehicle miles were traveled in 2016.

Operation of the Project would result in the daily consumption of vehicle fuel as residents and visitors would travel to and from the Project site. In order to estimate fuel consumption, it is necessary to estimate vehicle type(s), daily distance(s) travelled (in vehicle miles travelled (VMT)), and average fuel economy by vehicle type(s). According to the Tulare County Association of Governments (TCAG), all of Tulare County averaged 10,650,825 million VMT/day. [6]

Table 4 provides a comparison of State, County, and Project annual VMT (based on available 2017 data). As provided in **Table 4**, Project operation is anticipated to result in the generation of 636,813 VMT annually, or approximately 0.017 percent of the County's and 0.0002 percent of the State's 2017 annual VMT.

Table 4
Vehicle Miles Traveled

	Population	Total Annual VMT	Daily VMT (365 days/year)	Daily VMT per Capita
State of California	38,982,847[1]	344,300,000,000[2]	943,287,671	24.20
Tulare County	471,686[3]	3,686,282,000[3]	10,099,403	21.40
Proposed Project[4]	60	636,813	1745	29.08

1 Source: American FactFinder. State of California. (2017)
2 Source: Caltrans Fact Booklet, June 2019. The 2019 report provided data for year 2017.
3 Source: Caltrans. Tulare County Transportation Quick Facts (2017)
4 Source: Project population and VMT see CalEEMod reports (Attachment A)

Tables 5 and 6 provides the vehicle fleet mix, VMT, and fuel consumption from the non-residential and residential components of the Project, respectively. Using vehicle fleet mix data provided in Attachment A and average fuel economy information provided by the Bureau of Transportation Statistics, the Project-generated annual VMT would result in the consumption of approximately 128,828 gallons of fuel per year.

[6] Tulare County Association of Government. E-mail received from Roberto Brady, Principal Regional Planner. August 6, 2019.

Table 5
Estimated Operational Fuel Consumption – Non-Residential[1]

Vehicle Type	Percent of Vehicle Trips[2]	Mitigated Annual VMT[3]	National Average Fuel Economy (miles/gallon)[4]	Total Annual Fuel Consumption (gallons)
Passenger Car	51.67	972,338	23.96	40,582
Light-Duty Vehicle	34.70	653,038	22.04	29,630
Light-Duty Truck/Van	4.86	91,535	17.40	5,261
Heavy-Duty Truck	7.82	147,213	6.64	22,171
Motorcycles	0.43	8,142	43.89	186
Buses	0.43	8,026	6.33	1,268
Other Vehicles	0.08	1,432	7.69	186
Total	**100%**	**1,881,725**	**--**	**99,282**

1 U.S. Department of Energy. Alternative Fuels Date Center. Average Fuel Economy of Major Vehicle Categories https://afdc.energy.gov/data/10310. Accessed October 2019.
2 Percentage of Vehicle Trips and Fleet Mix information provided by Attachment A. Passenger Car is the LDA fleet mix trip percentage column; Light Duty Vehicles is the sum of the LDT1, LDT2, and MDV fleet mix trip percentage columns; Light Duty Truck is the sum of LHD1, LHD2, and MHD fleet mix trip percentage columns; Heavy Duty Truck is the HHD fleet mix trip percentage columns, Buses is the sum of OBUS, SBUS and UBUS fleet mix trip percentage columns, Other is the MH fleet mix trip percentage column.
3 Annual VMT calculated from total mitigated VMT, which incorporates Project design features; See CalEEMod reports in Attachment A.
4 Average fuel economy based on average 2016 U.S. vehicle fuel efficiency (mpg) from Table 4-11: Light Duty Vehicle, Short Wheel Base and Motorcycle Fuel Consumption and Travel; Table 4-12: Average Light Duty Vehicle, Long Wheel Base Fuel Consumption and Travel, and Table 4-13: Single-Unit 2-Axle 6-Tire or More Truck Fuel Consumption and Travel of the National Transportation Statistics.

Table 6
Estimated Operational Fuel Consumption –Residential[1]

Vehicle Type	Percent of Vehicle Trips[2]	Mitigated Annual VMT[3]	National Average Fuel Economy (miles/gallon)[4]	Total Annual Fuel Consumption (gallons)
Passenger Car	53.73	342,160	23.96	14,280
Light-Duty Vehicle	42.13	268,289	22.04	12,173
Light-Duty Truck/Van	1.13	7,196	17.40	414
Heavy-Duty Truck	2.06	13,118	6.64	1,976
Motorcycles	0.26	1,656	43.89	38
Buses	0.53	3,375	6.33	533
Other Vehicles	0.16	1,019	7.69	132
Total	**100%**	**636,813**	**--**	**29,546**

1 U.S. Department of Energy. Alternative Fuels Date Center. Average Fuel Economy of Major Vehicle Categories https://afdc.energy.gov/data/10310. Accessed October 2019.
2 Percentage of Vehicle Trips and Fleet Mix information provided by Attachment A. Passenger Car is the LDA fleet mix trip percentage column; Light Duty Vehicles is the sum of the LDT1, LDT2, and MDV fleet mix trip percentage columns; Light Duty Truck is the sum of LHD1, LHD2, and MHD fleet mix trip percentage columns; Heavy Duty Truck is the HHD fleet mix trip percentage columns, Buses is the sum of OBUS, SBUS and UBUS fleet mix trip percentage columns, Other is the MH fleet

Table 6 Estimated Operational Fuel Consumption –Residential[1]
mix trip percentage column. 3 Annual VMT calculated from total mitigated VMT, which incorporates Project design features; See CalEEMod reports in Attachment A. 4 Average fuel economy based on average 2016 U.S. vehicle fuel efficiency (mpg) from Table 4-11: Light Duty Vehicle, Short Wheel Base and Motorcycle Fuel Consumption and Travel; Table 4-12: Average Light Duty Vehicle, Long Wheel Base Fuel Consumption and Travel, and Table 4-13: Single-Unit 2-Axle 6-Tire or More Truck Fuel Consumption and Travel of the National Transportation Statistics.

Daily VMT per capita for the Project (29.08 VMT) is slightly higher than Tulare County (21.41 VMT) and State (24.20) averages. VMT is used as an important indicator of the impact on the local circulation system and of a project's air quality impacts. Air quality impacts as described in the Air Quality section of this MND showed the impacts to be less than significant, and that Greenhouse Gas impacts comply with the County's Climate Action Plan. As future development projects are identified, project design features will be added for compliance with federal, State, and County regulations, which ultimately reduce VMT. The Project includes a Complete Streets component that identify where sidewalks, curbs, and gutters will connect existing uses; future developments will be required to comply with Tulare County building standards for sidewalks, streets, and parking lots. With the implementation of mandatory and voluntary VMT-reducing measures in future developments, the Project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. Impacts are less than significant.

Energy Conservation Standards

Operation of the proposed Project would result in the demand for approximately 15,032 therms/yr of natural gas and 803 MWh/yr of electricity (see **Table 3**), and 128,828 gallons/yr of vehicle fuel (see **Tables 5** and **6**). Based on existing energy demands, the Project's estimated operational demand for electricity represents 0.018 percent of SCE's and 0.0096 percent of SoCal Gas' total 2018 energy demands for the County. Further, additional vehicle fuel demand under operation of the Project would result in an increase in statewide fuel demand by less than 0.0006 percent.[7]

Based on comparisons of the Project's energy demands with statewide and regional demand and service capacity in total and per capita (**Table 3**), the proposed Project is not expected to result in the use of a large amount of energy in an unnecessary, wasteful, or inefficient manner, nor would it affect regional supplies or peak/base periods of demand as the estimated energy demand is typical for a Project of this size, and would result in a negligible increase in regional energy demands. As such, the proposed Project would not necessitate the expansion of existing facilities or construction of new energy generation or transmission facilities. Furthermore, future development projects would be required to implement and be consistent with existing energy design standards at the local and state level. The Project would be subject to energy conservation requirements in the California Energy Code and CALGreen. Adherence to state code requirements would ensure that the Project would not result in wasteful and inefficient use of non-renewable resources due to building operation.

[7] Based on State of California 2016 annual consumption of 15,507,693,865 gallons of gasoline. See Federal Highway Administration Table MF-33GA. https://www.fhwa.dot.gov/policyinformation/motorfuel/jun17/jun17.pdf. Accessed October 2019.

When considering the potential for the Project to result in greater conservation of electricity, natural gas, and transportation fuel through the implementation of proposed Project design features and required mitigation measures not quantified above, the proposed Project has a low potential to result in adverse impacts on energy resources and conservation. Therefore, the direct impacts to energy resources and conservation are less than significant.

No development projects are proposed as part of the Plan. Future developments within the Project planning area will be required to undergo additional CEQA evaluation on a project-by-project basis at such time development is proposed to determine potential environmental impacts. Therefore, the Project will not result in wasteful, inefficient, or unnecessary consumption of energy resources. The Project will have a ***Less Than Significant Project-specific Impact*** related to this Checklist Item.

Cumulative Impact Analysis: ***Less Than Significant Impact***

The geographic area of this cumulative analysis is Tulare County. The proposed Project would incrementally contribute to adverse impacts on energy resource demand and conservation when considering the cumulative impact of concurrently planned projects; however, future development projects within the Project study area will be required to comply with local, regional, state, and federal policies designed to reduce wasteful energy consumption, and improve overall energy conservation and sustainability. For instance, all local projects involving the development of new buildings must be designed to conform to CALGreen and the 2019 California Energy Code. Therefore, it is not anticipated that the Project's contribution to cumulative impacts would result in a significantly considerable wasteful use of energy resources, such that the Project, and other cumulative projects, would have a cumulative effect on energy conservation. The proposed Project will not have a direct or cumulative impact, or create wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, the Project will result in a ***Less Than Significant Cumulative Impact*** related to this Checklist Item.

Mitigation Measures: ***None Required***

Conclusion: ***Less Than Significant Impact***

As previously noted, the Project will not result in wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, ***Less Than Significant Project-specific and Cumulative Impacts*** related to this Checklist Item will occur.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Project Impact Analysis: ***No Impact***

The proposed Project is development of a Community Plan. The Plan contains various policies that encourage future development to incorporate energy efficient features into the project design, require the County to participate in energy reduction programs when feasible, and encourages the development of alternative energy resources, such as wind and solar facilities, when appropriately sited. Furthermore, no development projects are proposed as part of the Plan.

As such, the Plan itself will not result in conflicts or obstructions with state or local plan for energy consumption.

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: *ERM-4.1 Energy Conservation and Efficiency Measures* wherein the County encourages the use of solar energy, solar hot water panels, and other energy conservation and efficiency features; *ERM-4.3 Local and State Programs* wherein the County shall participate, to the extent feasible, in local and State programs that strive to reduce the consumption of natural or man-made energy sources; *ERM-4.3 Local and State Programs* wherein the County shall participate, to the extent feasible, in local and State programs that strive to reduce the consumption of natural or man-made energy sources; and *ERM-4.6 Renewable Energy* wherein the County shall support efforts, when appropriately sited, for the development and use of alternative energy resources, including renewable energy such as wind and solar, biofuels and co-generation. As the Plan requires future development to comply with and implement the General Plan 2030 Update within the community, the Project does not conflict with any local plan for energy consumption.

Energy efficiency and conservation measures will be implemented on a project-by-project basis in conjunction with project design and operation, including measures resulting from federal, State, and local mandates, as well as voluntary measures proposed by project applicants. Government-mandated measures include increasingly stringent state and federal regulatory actions addressing vehicle fuel economies and vehicle emissions standards. Compliance with the California Building Standards Code and CALGreen requirements are considered demonstrable evidence of efficient use of energy. In addition, the progressive enhancements in building energy efficiency mandates resulting from regular updates to the California building codes will result in lower electrical and natural gas consumption from those identified in Checklist Item a) above. Energy would also be indirectly conserved through water efficient landscaping requirements consistent with the Tulare County Water Efficient Landscaping Ordinance. Stringent solid waste recycling requirements applicable to both project construction and operation would reduce energy consumed in solid waste disposal. In summary, future developments will implement all mandatory federal, State, and local conservation measures and, project design features and voluntary energy conservation measures will further reduce energy demands. Therefore, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The Project will have ***No Project-specific Impact*** related to this Checklist Item.

Cumulative Impact Analysis: ***No Impact***

The geographic area of this cumulative analysis is Tulare County. The proposed Project would incrementally contribute to adverse impacts on energy resource demand and conservation when considering the cumulative impact of concurrently planned projects; however, future development projects within the Project study area will be required to comply with local, regional, state, and federal policies designed to reduce energy consumption and improve overall energy conservation and sustainability. Therefore, the Project would not conflict with or obstruct any plan for renewable energy or energy efficiency. The Project will result in a ***No Cumulative Impact*** related to this Checklist Item.

Mitigation Measures: ***None Required***

Conclusion: ***No Impact***

As previously noted, the Project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, ***No Project-specific and Cumulative Impacts*** related to this Checklist Item will occur.

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Greenhouse Gas Technical Memorandum

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TECHNICAL MEMORANDUM
GREENHOUSE GAS ASSESSMENT

DATE: November 1, 2019

TO: Hector Guerra, Chief Environmental Planner

FROM: Jessica Willis, Planner IV

SUBJECT: Greenhouse Gas Assessment for the Lemon Cove Community Plan (GPA 17-007, PZC 17-007, PZC 19-016, PZC 19-017)

PURPOSE AND NEED FOR ASSESSMENT

This document is intended to assist Tulare County Resource Management Agency (RMA) staff in the preparation of the Greenhouse Gas (GHG) component of the Mitigated Negative Declaration (MND) being prepared for the Lemon Cove Community Plan (Project). The assessment is intended to provide sufficient detail regarding potential impacts of Project implementation and to identify mitigation measures, if necessary, to reduce potentially significant impacts.

The GHG assessment was prepared to evaluate whether the estimated GHG emissions generated from the implementation of the Project (i.e., future development projects) would cause significant impacts on global climate change. The assessment was conducted within the context of the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000, et seq.). The methodology for the GHG assessment follows Air District recommendations for quantification of GHG emissions and evaluation of potential impacts on global climate change as provided in their guidance documents:

- *Guidance for Assessing and Mitigating Air Quality Impacts* (GAMAQI), adopted March 19, 2015.[1]
- *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Project under CEQA*, adopted December 17, 2009.[2]

[1] Air District. Guidance for Assessing and Mitigating Air Quality Impacts. March 19, 2015. http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf. Accessed November 1, 2019.
[2] Air District. Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Project under CEQA. December 17, 2009. https://www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20-%20FINAL%20LU%20Guidance%20-%20Dec%2017%202009.pdf. Accessed November 1, 2019.

PROJECT DESCRIPTION

Lemon Cove is currently designated an Unincorporated Community in the 2030 Tulare County General Plan. The objective of the Lemon Cove Community Plan (Plan) is to develop a plan, which can accurately reflect the needs and priorities of the unincorporated community of Lemon Cove. The Land Use and Circulation portions of this Plan provide the mechanism to minimize or avoid the potential adverse impacts of urban growth. The development of an orderly, harmonious land use pattern and appropriate implementation measures are designed to reduce potential conflict between neighboring uses across Tulare County's 2030 planning horizon, consistent with the Tulare County 2030 General Plan Update. The Plan is needed to increase the availability of infrastructure funding, such as drinking water system improvements (wells, water distribution piping, storage tanks, etc.), wastewater system (such as piping, lift stations, etc.), and public work/safety improvements (such as curbs, gutters, sidewalks, etc.), and to stimulate economic development within the community.

Tulare County is proposing new land use and zoning designations within an expanded UDB. The proposed Community Plan, if adopted, will update these designations to be consistent with the General Plan, and will bring existing non-compliant properties into conformity with the Tulare County Zoning Ordinance. The Community Plan also includes the Complete Streets and Road Maintenance programs and the community's anticipated growth through year 2030 based on the existing land uses, census population data, and the projected 1.3% annual growth rate in unincorporated areas of Tulare County. Other than the Complete Streets and Road Maintenance Programs, there are no specific development projects (such as residential, commercial, or industrial uses) proposed as part of this Project. As an unknown number of proposals may occur within the lifetime of the Plan, the Plan is intended to direct the density, intensity, and types of growth needed to meet the needs of the community. Future developments within the Project planning area will be required to undergo additional CEQA evaluation on a project-by-project basis at such time development is proposed to determine potential environmental impacts.

Complete Streets and Road Maintenance

The Lemon Cove Complete Streets and Road Maintenance Programs are included in the Circulation Element of the proposed Community Plan. The Complete Streets Program has thoroughly analyzed the alternative forms of transportation, including transit, bicycle ways, and pedestrian circulation. Improvements proposed in the Complete Streets Program include, but are not limited to, installation of streetlights, bus shelters, street signage and striping, curbs, gutters, sidewalks, drainage system, and utilities. Road maintenance activities vary by road segment dependent upon the condition of the road and may include chip seal, overlay resurfacing, and asphalt reconstructions.

Growth Projections

There are no specific development projects proposed with the Lemon Cove Community Plan; however, the Plan does include updates to land use designations that could increase the buildout potential of the planning area. Population and residential growth through planning horizon year 2030 was estimated by applying a 1.3% annual growth rate, consistent with the Tulare County 2030 General Plan, to the 2017 baseline population and housing data, as provided in the United

States Census Bureau 2017 American Community Survey (ACS).[3] Non-residential growth was estimated through planning horizon year 2030 for a worst-case emissions scenario by applying a 1.3% annual growth rate to the existing uses and assuming all parcels have been improved with structures at a floor to area ratio of 0.20. Using these assumptions for baseline conditions provides a conservative (larger) overall growth estimate. **Table 1** summarizes the projected growth of the community through horizon Year 2030.

Table 1. Projected Growth through Year 2030

	Residential[1]		Commercial / Public / Other[2]		Retail[2]		Industrial[2]	
Year	Population	Dwelling Units	Square Feet	Acres	Square Feet	Acres	Square Feet	Acres
2017	232	115	277,129	31.81	65,079	7.47	15,507	1.78
2030	274	136	327,797	37.63	76,977	8.84	18,343	2.11
Overall Growth	42	21	50,668	5.85	11,898	1.37	2,835	0.33

[1] Projections based on 2017 American Community Survey data applying an annual growth rate of 1.3%.
[2] Projections based on existing land uses assuming developments/improvements with a Floor to Area Ratio of 0.2 and annual growth rate of 1.3%.

SIGNIFICANCE THRESHOLDS

CEQA Guidelines define a significant effect on the environment as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project.[4] To determine if a project would have a significant impact on climate change, the type, level, and impact of GHG emissions generated by the Project must be evaluated. Appendix G of the CEQA Guidelines provides the criteria (as Checklist Items) for evaluating potential impacts on the environment. The CEQA criteria and the Air District's significance thresholds and guidance for evaluation are provided below.

2008 Climate Change Scoping Plan

The California State Legislature adopted Assembly Bill 32 (AB 32) on September 27, 2006. AB 32 focuses on reducing GHG emissions to 1990 levels by the year 2020 and to 80% below 1990 levels by the year 2050. Pursuant to the requirements in AB 32, the ARB adopted the Climate Change Scoping Plan (2008 Scoping Plan), which outlines actions recommended to obtain that goal. The 2008 Scoping Plan calls for an "ambitious but achievable" reduction in California's GHG emissions, cutting emissions approximately 29% from BAU emission levels projected for 2020, or about 10% from 2008 levels. On a per capita basis, that means reducing annual

[3] United States Census Bureau. American FactFinder. 2017 American Community Survey. 2013-2017 American Community Survey 5-Year Estimates. Demographic and Housing Estimates (DP05) and Selected Housing Characteristics (DP04). https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml. Accessed November 1, 2019.
[4] CEQA §§ 15002(g), 15382

emissions of 14 tons of carbon dioxide for every man, woman, and child in California down to about 10 tons per person by 2020.[5]

2017 Climate Change Scoping Plan

The California State Legislature adopted Senate Bill 32 (SB 32) on September 8, 2016. SB 32 focuses on reducing GHG emissions to 40% below 1990 levels by the year 2030. Pursuant to the requirements in SB 32, the ARB adopted the Climate Change Scoping Plan Update (2017 Scoping Plan), which outlines actions recommended to obtain that goal. ARB recommends statewide targets of no more than six (6) metric tons CO_2e per capita by 2030 and no more than two (2) metric tons CO_2e per capita by 2050.[6]

Air District Guidance

"On December 17, 2009, the District's Governing Board adopted the District Policy: *Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. The District's Governing Board also approved the guidance document: *Guidance for Valley Land-Use Agencies in Addressing GHG Emission Impacts for New Projects Under CEQA.* In support of the policy and guidance document, District staff prepared a staff report: *Addressing Greenhouse Gas Emissions Under the California Environmental Quality Act*. These documents adopted in December of 2009 continue to be the relevant policies to address GHG emissions under CEQA. As these documents may be modified under a separate process, the latest versions should be referenced to determine the District's current guidance at the time of analyzing a particular project."[7]

"It is widely recognized that no single project could generate enough GHG emissions to noticeably change the global climate temperature. However, the combination of GHG emissions from past, present and future projects could contribute substantially to global climate change. Thus, project specific GHG emissions should be evaluated in terms of whether or not they would result in a cumulatively significant impact on global climate change. GHG emissions, and their associated contribution to climate change, are inherently a cumulative impact issue. Therefore, project-level impacts of GHG emissions are treated as one-in-the-same as cumulative impacts.

In summary, the staff report evaluates different approaches for assessing significance of GHG emission impacts. As presented in the report, District staff reviewed the relevant scientific information and concluded that the existing science is inadequate to support quantification of the extent to which project specific GHG emissions would impact global climate features such as average air temperature, average rainfall, or average annual snow pack. In other words, the District was not able to determine a specific quantitative level of GHG emissions increase, above which a project would have a significant impact on the environment, and below which would have an insignificant impact. This is readily understood, when one considers that global climate change is the result of the sum total of GHG emissions, both manmade and natural that occurred in the past; that is occurring now; and will occur in the future.

[5] Climate Change Scoping Plan website: http://www.arb.ca.gov/cc/scopingplan/document/scopingplandocument.htm. Accessed November 1, 2019.
[6] ARB, California's 2017 Climate Change Scoping Plan , Page 99, https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf. Accessed November 1, 2019.
[7] Air District, GAMAQI, Section 8.9, Page 110

In the absence of scientific evidence supporting establishment of a numerical threshold, the District policy applies performance based standards to assess project-specific GHG emission impacts on global climate change. The determination is founded on the principal that projects whose emissions have been reduced or mitigated consistent with the California Global Warming Solutions Act of 2006, commonly referred to as "AB 32", should be considered to have a less than significant impact on global climate change. For a detailed discussion of the District's establishment of thresholds of significance for GHG emissions, and the District's application of said thresholds, the reader is referred to the above referenced staff report, District Policy, and District Guidance documents."[8]

"As presented in Figure 6 (Process of Determining Significance of Greenhouse Gas Emissions) [of the GAMAQI], the policy provides for a tiered approach in assessing significance of project specific GHG emission increases.

- Projects complying with an approved GHG emission reduction plan or GHG mitigation program which avoids or substantially reduces GHG emissions within the geographic area in which the project is located would be determined to have a less than significant individual and cumulative impact for GHG emissions. Such plans or programs must be specified in law or approved by the Lead Agency with jurisdiction over the affected resource and supported by a CEQA compliant environmental review document adopted by the Lead Agency. Projects complying with an approved GHG emission reduction plan or GHG mitigation program would not be required to implement Best Performance Standards (BPS).
- Projects implementing BPS would not require quantification of project specific GHG emissions. Consistent with CEQA Guideline, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.
- Projects not implementing BPS would require quantification of project specific GHG emissions and demonstration that project specific GHG emissions would be reduced or mitigated by at least 29%, compared to Business as Usual (BAU), including GHG emission reductions achieved since the 2002-2004 baseline period, consistent with GHG emission reduction targets established in ARB's AB 32 Scoping Plan. Projects achieving at least a 29% GHG emission reduction compared to BAU would be determined to have a less than significant individual and cumulative impact for GHG.

The District guidance for development projects also relies on the use of BPS. For development projects, BPS includes project design elements, land use decisions, and technologies that reduce GHG emissions. Projects implementing any combination of BPS, and/or demonstrating a total 29 percent reduction in GHG emissions from business-as-usual (BAU), would be determined to have a less than cumulatively significant impact on global climate change."[9]

The Air District's *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Project under CEQA* states, "Projects implementing Best Performance Standards in accordance with this guidance would be determined to have a less than significant individual and cumulative impact on global climate change and would not require project specific quantification of GHG emissions. Projects exempt from the requirements of CEQA, and projects complying with an approved GHG emission reduction plan or mitigation program would also be determined

[8] Air District, GAMAQI, Section 8.9.1, Pages 111-112
[9] Air District, GAMAQI, Section 8.9.1, Page 112

to have a less than significant individual or cumulative impact. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources and have a certified final CEQA document. Projects not implementing BPS would require quantification of project specific GHG emissions. To be determined to have a less than significant individual and cumulative impact on global climate changes, such projects must be determined to have reduced or mitigated GHG emissions by 29%, consistent with GHG emission reduction targets established in ARB's AB 32 Scoping Plan. Furthermore, quantification of GHG emissions would be expected for all projects for which the lead agency has determined that an Environmental Impact Report is required, regardless of whether the project incorporates Best Performance Standards."[10]

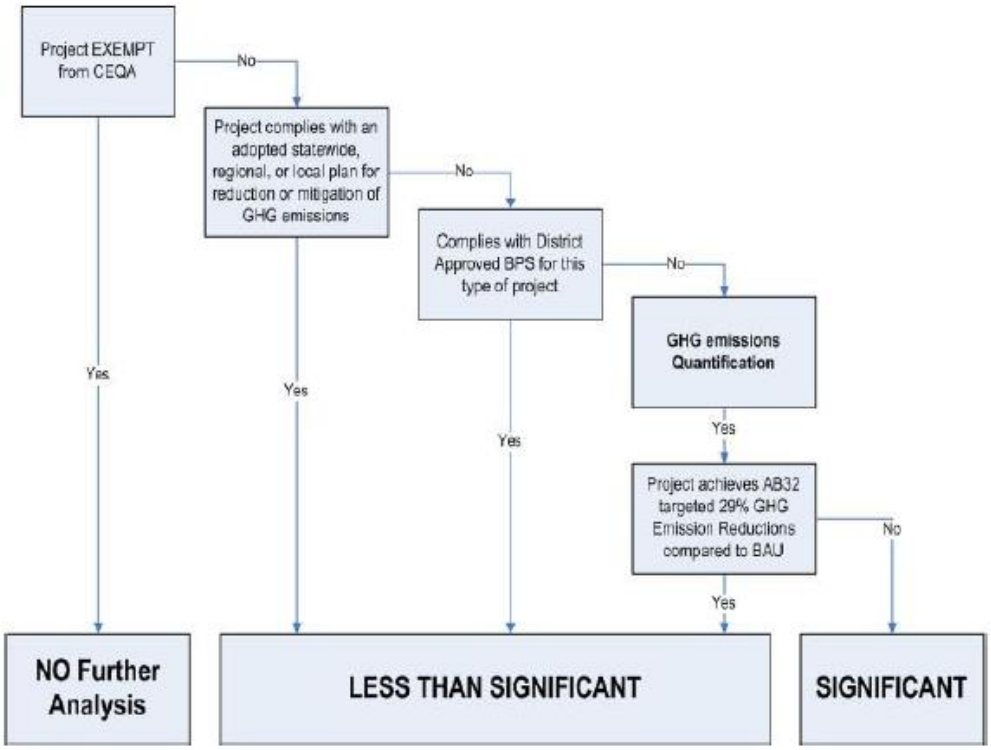
"If total GHG emissions reductions measures add up to 29% or more, are enforceable, and are required as a part of the development's approval process, the project achieves the Best Performance Standard (BPS) for the respective type of development project. Thus, the GHG emissions from the development project would be determined to have a less than individually and cumulatively significant impact on global climate change for CEQA purposes."[11]

"By definition, BPS for development projects is achieving a project-by-project 29% reduction in GHG emissions, compared to BAU. Thus, it is reasonable to conclude that Lead Agencies implementing the proposed *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* threshold will achieve an overall reduction in GHG emissions consistent with AB 32 emission reduction targets…"[12]

Figure 1 provides a visual summary of the Air District's process for determining significance of project-related GHG emissions.

[10] Air District, Guidance for Valley Land-use Agencies, Page 4
[11] Air District, Guidance for Valley Land-use Agencies, Pages 7-8
[12] Air District, Guidance for Valley Land-use Agencies, Page 8

Figure 1. Process of Determining Significance of Greenhouse Gas Emissions



Source: Air District, GAMAQI, Figure 6, Page 113

The Air District's guidance document was adopted to provide a basis for lead agencies to establish significance thresholds consistent with ARB's 2008 Scoping Plan. The Air District currently does not have a recommendation for establishing thresholds or assessing significance consistent with the reduction requirements established in ARB's 2017 Scoping Plan Update, which requires a 33.2% reduction from BAU to achieve the 2030 target. As such, Tulare County prepared and adopted the Tulare County 2018 Climate Action Plan (CAP) Update.

"The CAP serves as a guiding document for County of Tulare ("County") actions to reduce greenhouse gas emissions and adapt to the potential effects of climate change. The CAP is an implementation measure of the 2030 General Plan Update. The General Plan provides the supporting framework for development in the County to produce fewer greenhouse gas emissions during Plan buildout. The CAP builds on the General Plan's framework with more specific actions that will be applied to achieve emission reduction targets consistent with California legislation."[13]

"The County of Tulare (County) adopted the Tulare County Climate Action Plan (CAP) in August 2012. The CAP includes provisions for an update when the State of California Air Resources Board (CARB) adopts a Scoping Plan Update that provides post-2020 targets for the State and an updated strategy for achieving a 2030 target. Governor Brown signed Senate Bill (SB) 32 on September 8, 2016 which contains the new 2030 target. The CARB 2017 Scoping Plan Update for the Senate Bill (SB) 32 2030 targets was adopted by the CARB on December

[13] Tulare County Climate Action Plan, December 2018 Update. Page 1. http://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/220Climate%20Action%20Plan/CLIMATE%20ACTION%20PLAN%202018%20UPDATE.pdf. Accessed November 1, 2019.

14, 2017 which provided new emission inventories and a comprehensive strategy for achieving the 2030 target (CARB 2017a). With the adoption of the 2017 Scoping Plan, the County proceeded with the 2018 CAP Update that is provided in this document.

The 2018 CAP Update incorporates new baseline and future year inventories to reflect the latest information and updates the County's strategy to address the SB 32 2030 target. The 2030 target requires the State to reduce emissions by 40 percent below 1990 levels from the 2017 Scoping Plan and County data. The CAP identifies the County's fair share of reductions required to maintain consistency with the State target."[14]

IMPACT EVALUATION

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Project Impact Analysis: ***Less Than Significant Impact***

The Air District has determined that projects consistent with an adopted Climate Action Plan (CAP) would be considered to have a less than significant impact on the environment. The Tulare County CAP was initially adopted in August 2012 and serves as a guiding document for County actions to reduce GHG emissions and adapt to the potential effects of climate change. The CAP is an implementation measure of the Tulare County General Plan 2030 Update (General Plan) which provides the supporting framework for development in the County. The CAP builds on the General Plan's framework with more specific actions that will be applied to achieve emission reduction targets required by State of California legislation. The General Plan fulfills many sustainability and GHG reduction objectives at the program level. The CAP identifies the policies from the various General Plan elements that promote more efficient development, and reduce travel and energy consumption. The CAP requires projects achieve reductions in excess of the reduction identified in the Scoping Plan. The CAP identifies General Plan policies in place to assist the County in reducing GHG emissions. The 2018 CAP Update incorporates new baseline and future year inventories to reflect the latest information and updates the County's strategy to address the SB 32 2030 target. The CAP identifies the County's fair share of reductions required to maintain consistency with the State's target.

The CAP thresholds for determining consistency with the CAP are 500 dwelling units, 100,000 square feet of retail, or equivalent intensity for other uses. These thresholds are the amounts currently required from development related sources within the County to demonstrate consistency with SB 32 2030 targets. Projects exceeding the consistency thresholds must comply with the requirements of the CAP, which requires a GHG analysis report demonstrating emission reductions of at least 31% below 2015 levels by 2030 or a 9% reduction from 2030 BAU emissions. As the CAP implements the County's strategy to achieve the State's 2030 reduction targets, projects below the consistency thresholds have been determined to be consistent with the State's targets and do not require GHG emissions quantification. Projects below the consistency thresholds would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

[14] Ibid.

There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan. As such, the proposed Project will not result in GHG emissions until specific development occurs. Future developments would be required to comply with the CAP. The CAP states, "The 2018 CAP Update includes an additional method of determining project consistency with the CAP and 2030 targets. Projects subject to CEQA review could use a checklist containing design features and measures that are needed to determine consistency. Large projects (500-unit subdivisions and 100,000 square feet of retail or equivalent intensity for other uses) and new specific plans should provide a greenhouse gas analysis report quantifying GHG emissions to demonstrate that the project emissions are at least 31 percent below 2015 levels by 2030 or 9 percent below BAU emissions in 2030. These are the amounts currently required from development related sources to demonstrate consistency with SB 32 2030 targets. Smaller projects may also prepare a GHG analysis report if the checklist is not appropriate for a particular project or is deemed necessary by the project proponent or County staff. The GHG analysis should incorporate as many measures as possible from the CalEEMod mitigation component as described in Table 15 [of the 2018 CAP] and can take credit for 2017 Scoping Plan measures that have not been incorporated into CalEEMod but that will be adopted prior to 2030 such as 50 percent RPS."[15]

"The County has already approved a substantial number of lots for development. Development of some of these lots will be limited by various factors such as water supply, sewer/septic capability, road capacity, etc. that cannot be addressed during the planning horizon due to lack of resources. This means that the County expects that new development proposals will be received that are more likely to develop before existing lots are developed because the rural community, landowner, or developer has the resources to provide all improvements and services required for the site. As a rough estimate, this analysis assumes that 40 percent of the development will occur on existing lots and 60 percent will occur in new developments. Development occurring on existing lots will be subject to existing conditions of the approved subdivision and zoning standards. Development occurring in new subdivisions and projects [after 2012] would be subject to additional measures required to mitigate significant impacts. The County will encourage developers of existing lots [established prior to 2012] to implement measures that reduce greenhouse gas emissions, but it has no authority to require additional reductions beyond those required by State regulation, the building code, and local ordinance."[16]

"Commercial and industrial development in Tulare County during the 2020 and 2030 planning timeframes will comply with increasingly stringent State energy efficiency regulations in most projects. For industrial projects where the SJVAPCD is a Responsible Agency, the project will be expected to implement Best Performance Standards included in the SJVAPCD Guidelines for Addressing Greenhouse Gas Emissions on the processes and stationary equipment that emit greenhouse gases to levels that meet or exceed State targets and may be subject to Cap-and-Trade Program requirements."[17]

There are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community. As indicated in **Table 1**, projected future growth based on the County's 1.3% annual growth rate is 21 residential units, 62,566 sf of commercial/retail/office space, and 2,668 sf of industrial space. Projected growth through horizon year 2030 is below the

[15] Op. Cit. 73
[16] Op. Cit. 76
[17] Op. Cit. 76

CAP consistency thresholds of 500 dwelling units, 100,000 square feet of retail, or equivalent intensity for other uses. As the Project falls below the CAP consistency thresholds, the Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. However, the air quality emissions reports include quantification of GHG emissions (see Attachment "A"). Project-related emissions were estimated using the California Emissions Estimator Model (CalEEMod), Version 2016.3.2, and are summarized and provided below for informational purposes only. **Table 2** provides the Project's construction-related GHG emission while **Table 3** provides the operations-related GHG emissions.

The Air District does not have a recommendation for lead agencies in assessing the significance of construction related GHG emissions. Emissions from construction would be temporary; however, to account for the construction emissions, the emissions were amortized based on the average life of all future development (30 years) and added to the operational emissions.

TABLE 2. CONSTRUCTION-RELATED GHG EMISSIONS (mitigated)	
	CO_{2e} Emissions (metric tons per year)
Construction Total	608.90
Amortized Annual Emissions	**20.30**
Note: Amortized emissions are based on a 30-year life for all developments. *Source: See Attachment "A".*	

TABLE 3. OPERATIONS-RELATED GHG EMISSIONS (metric tons per year)			
	CO_{2e} Emissions (unmitigated)	CO_{2e} Emissions (mitigated)	% Reduction
Total Operations	1,787.06	1,674.65	6.29
Amortized Annual Emissions	20.30	20.30	0.00
Total Project Emissions	1,807.36	1,694.95	6.22
Note: Amortized emissions are based on a 30-year life for all developments. *Source: See Attachment "A".*			

As demonstrated in Table 3, the Project achieves an approximately 6.22% reduction in GHG emissions through compliance with current regulation. As future development is unknown, the analysis was performed assuming a worst-case emissions scenario, that is, that all future development would be developed in one phase beginning in 2020. The analysis did not include GHG reductions from compliance with Renewable Portfolio Standards for energy producers or from compliance with 2019 California Building Code or Green Building Standards. Also, as future development is unknown, incorporation of project-specific design features that would reduce GHG emissions cannot be incorporated into the emissions analysis. Therefore, the emissions reductions presented above underestimate the actual reductions that would be achieved on a project-by-project basis. As such, the Project demonstrates continued progress towards the County achieving the 2017 Scoping Plan Update 2030 reduction requirements with an overall GHG reduction. Furthermore, the State anticipates increases in the number of zero emission

vehicles operated in the State under the Advanced Clean Car Program. Compliance with SB 375 reduction targets for light duty vehicles will provide continued reductions in emissions from that source through SB 375's 2035 milestone year. The Project will provide a GHG emission reduction benefit as future buildout of the community will supply residents within the Lemon Cove UDB and immediate vicinity with greater shopping and employment opportunities, thereby reducing vehicle miles traveled from travelling to larger communities/cities for such opportunities. Since future development projects would undergo additional CEQA review, the Project will continue to comply with existing and future regulations, and the General Plan, Community Plan, and CAP will continue to be implemented through 2030, the growth projected for 2030 would not result in significant greenhouse gas impacts. Therefore, ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Cumulative Impact Analysis: ***Less Than Significant Impact***

The geographic area of this cumulative analysis is the San Joaquin Valley Air Basin. Project-related emissions would be considered to have a significant cumulative impact if project-specific impacts are determined to be significant. As previously noted, there are no specific development projects (such as residential, commercial, or industrial uses) associated with the Community Plan. Future developments would be required to comply with the CAP. The Project is consistent with the Tulare County CAP and as such, is consistent with the reduction targets established in the Scoping Plan. As the proposed Project would result in Less Than Significant Project-specific Impacts, ***Less Than Significant Cumulative Impacts*** would also occur.

Mitigation Measures: ***None Required***

Conclusion: ***Less Than Significant Impact***

As previously noted, the Project is consistent with the Tulare County CAP and the reduction targets established in the Scoping Plan. As such, the Project would not generate GHG emissions that would have a significant impact on the environment. ***Less Than Significant Project-specific and Cumulative Impacts*** related to this Checklist Item will occur.

b) Would the project conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Impact Analysis: ***Less Than Significant Impact***

Since the proposed Project is located in an unincorporated area of Tulare County, the most applicable GHG plans are the Tulare County Climate Action Plan and ARB's 2017 Climate Change Scoping Plan. As previously noted, the CAP, initially adopted in August 2012, serves as a guiding document for County actions to reduce GHG emissions and adapt to the potential effects of climate change. The CAP is an implementation measure of the Tulare County General Plan which provides the supporting framework for development in the County. The CAP builds on the General Plan's framework with more specific actions that will be applied to achieve emission reduction targets required by State of California legislation. The General Plan fulfills many sustainability and GHG reduction objectives at the program level. The CAP identifies the policies from the various General Plan elements that promote more efficient development, and reduce travel and energy consumption. The CAP requires projects achieve reductions in excess

of the reduction identified in the Scoping Plan. The CAP identifies General Plan policies in place to assist the County in reducing GHG emissions. The 2018 CAP Update incorporates new baseline and future year inventories to reflect the latest information and updates the County's strategy to address the SB 32 2030 target. The CAP identifies the County's fair share of reductions required to maintain consistency with the State's target.

"The 2018 CAP Update includes an additional method of determining project consistency with the CAP and 2030 targets. Projects subject to CEQA review could use a checklist containing design features and measures that are needed to determine consistency. Large projects (500-unit subdivisions and 100,000 square feet of retail or equivalent intensity for other uses) and new specific plans should provide a greenhouse gas analysis report quantifying GHG emissions to demonstrate that the project emissions are at least 31 percent below 2015 levels by 2030 or 9 percent below BAU emissions in 2030. These are the amounts currently required from development related sources to demonstrate consistency with SB 32 2030 targets. Smaller projects may also prepare a GHG analysis report if the checklist is not appropriate for a particular project or is deemed necessary by the project proponent or County staff. The GHG analysis should incorporate as many measures as possible from the CalEEMod mitigation component as described in Table 15 and can take credit for 2017 Scoping Plan measures that have not been incorporated into CalEEMod but that will be adopted prior to 2030 such as 50 percent RPS.

Table 17 [of the 2018 CAP] lists the overarching consistency requirements for all projects based on consistency with County land use plans that apply to the project location. Reviews for consistency with land use plans require planning staff to review projects to determine if they comply with applicable plan policies and implementation measures."[18]

TABLE 4. CEQA PROJECT REQUIREMENTS FOR CONSISTENCY WITH CAP

Item	Required
Project helps to meet the density goals from the Tulare Blueprint	Yes
Consistency with General Plan policies	Yes
Consistency with Rural Valley Lands Plan or Foothill Growth Management Plan development criteria	Yes
Consistency with Urban Growth Boundary expansion criteria	Yes
Consistency for development within Rural Community Urban Development Boundaries (UDB) and Hamlet Development Boundaries (HDB), and Legacy Development Boundaries (LDB)	Yes

Note: Criteria as identified in the General Plan Planning Framework
Source: 2018 CAP Update, Table 17, page 73

"A more detailed review for compliance with CAP measures is required to ensure that a project is doing its part in reducing emissions. Table 18 [of the 2018 CAP] provides a checklist containing measures that will provide reductions necessary to achieve CAP consistency. A project checklist that can be used by staff is provided as Appendix C."[19]

[18] .Op. Cit. 73.
[19] Op. Cit. 73

TABLE 5. CAP CONSISTENCY CHECKLIST	
CAP Measure	**Compliance**
Land Use: Project is consistent with the Tulare County General Plan policies listed in the CAP applicable to GHG emissions and sustainability.	Review for compliance during project review process.
Land Use—Residential: Subdivisions and multifamily projects propose densities consistent with County commitments for the Tulare Blueprint. Densities in subdivisions within the boundaries of Valley rural communities must be at least 5.0 units per acre. (County R-1 zoning has a 6,000 square foot minimum lot size or 7.26 units per gross acre). Overall residential density is 5.3 units per acre for the entire County including the cities. Mountain subdivisions over 50 lots require review to determine if they are consistent with the Blueprint.	Review development plans during project review to determine if densities are consistent with Blueprint.
Land Use—Non-Residential: Retail and office projects should be constructed within the boundaries of Rural Communities, HDB, UDB, LDB, and in designated transportation corridors to provide needed local goods services to residents and the traveling public. Agricultural industrial projects may be constructed in rural locations as long as consistent with the General Plan.	Review development plans to ensure locations are appropriate for type of project that is proposed and consistent with County plans.
Land Use Design: Projects that require construction of new roads or major intersection improvements provide a fair share of improvements such as sidewalks and pedestrian friendly crossings, and bike lanes/paths connecting to schools, shopping, and other uses consistent with County development standards.	Include roadway improvements as conditions of approval of subdivision or commercial site plan
Energy Efficiency: Project complies with current version of Title 24. (Current version is 2016 Title 24)	Provide copy of the Title 24 Report demonstrating compliance with the applicable standards with Building Permit application.
Renewable Energy: Project includes solar panels or other alternative energy source meeting County Solar Ordinance or new Title 24 standards whichever is more stringent.	Include solar on building plans and provide Title 24 compliance reports with Building Permit applications.
EV Charging: Project meets charging installation/charging ready requirements of the CalGreen Code.	Include charging in building plans
CalGreen Building Code Water: Project complies with indoor and outdoor water conservation measures.	Provide copy of report showing code compliance.
Water Conservation Landscaping:	Project complies with County water conservation ordinance requirements for landscaping.
Solid Waste: Project has access to recycling service for homes and businesses meeting CalRecycle requirements.	County verify that providers are in compliance with CalRecycle

	regulations regarding recycling and diversion of solid waste.
Large Employment Projects: Projects that will have large numbers of employees (over 100) are required to comply with Rule 9410 Employee Trip Reduction Plans (ETRIP). Provide a copy of the ETRIP plan to the County after approval of the plan by the SJVAPCD.	Employer is responsible for compliance with Rule 9410
Industrial Projects: Industrial projects that are large employers will comply with Rule 9410. Industrial process related GHG emissions are not under the County's regulatory authority but will require permits from the SJVAPCD and may be subject to Cap-and-Trade.	Employer is responsible for compliance with Rule 9410
Note: Criteria as identified in the General Plan Planning Framework Source: 2018 CAP Update, Table 18, pages 73-74	

As the County CAP requires projects to achieve reductions in excess of the reductions required in the Scoping Plan and by State legislation, projects that are consistent with the County CAP would not conflict with any applicable plan, policy or regulation adopted for reducing GHG emissions. There are no specific development projects (such as residential, commercial, or industrial uses) associated with the proposed Community Plan. Future developments will be required to comply with the requirements of the Tulare County CAP. Therefore, the Project does not conflict with the reduction strategies included in the Scoping Plan. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Cumulative Impact Analysis: ***Less Than Significant Impact***

The geographic area of this cumulative analysis is the San Joaquin Valley Air Basin. The Project is consistent with the applicable Scoping Plan reductions measures and the Air District's CCAP. The Project will implement applicable Tulare County General Plan and Tulare County CAP policies. As such, the Project will not conflict with applicable state, regional, and local plans, policies or regulation adopted for the purpose of reducing the emissions of greenhouse gases. ***Less Than Significant Cumulative Impacts*** related to this Checklist Item will occur.

Mitigation Measures: ***None Required***

Conclusion: ***Less Than Significant Impact***

As the proposed Project is consistent with aforementioned plans, policies, and regulations, ***Less Than Significant Project-specific and Cumulative Impacts*** related to this Checklist Item would occur.

SUMMARY TABLES

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TABLE 1. Population Growth

Year	Population	Total Housing
2017	232	115
2018	235	116
2019	238	118
2020	241	120
2021	244	121
2022	247	123
2023	251	124
2024	254	126
2025	257	128
2026	261	129
2027	264	131
2028	267	133
2029	271	134
2030	274	136
Total Growth	**42**	**21**

Growth based on 2017 ACS data and 1.3% annual growth rate.

TABLE 2. Projected Housing Needs

	% Total Units	Total Units	Population	Increase from 2017 Units	Increase from 2017 Population
Baseline Year 2017					
Single-family homes	87.0%	100	202	---	---
Multi-family homes	7.8%	9	18	---	---
Mobile homes	5.2%	6	12	---	---
Other	0.0%	0	0	---	---
Total Units	**100.0%**	**115**	**232**	---	---
Operational Year 2020					
Single-family homes	72.6%	104	210	4	8
Multi-family homes	13.4%	9	19	0	1
Mobile homes	13.1%	6	13	0	0
Other	0.9%	0	0	0	0
Total Units	**100.0%**	**120**	**241**	**5**	**9**
Horizon Year 2030					
Single-family homes	72.6%	118	239	18	37
Multi-family homes	13.4%	11	21	2	3
Mobile homes	13.1%	7	14	1	2
Other	0.9%	0	0	0	0
Total Units	**100.0%**	**136**	**274**	**21**	**42**

Housing unit types and percentages based on 2017 ACS data; growth based on 1.3% annual growth rate.

TABLE 3. Commercial Growth

Year	FAR	Total Acres	Bldg. Acres	Bldg. SF
2017	0.20	31.81	6.36	277,129
2018	0.20	32.22	6.44	280,731
2019	0.20	32.64	6.53	284,381
2020	0.20	33.07	6.61	288,078
2021	0.20	33.50	6.70	291,823
2022	0.20	33.93	6.79	295,617
2023	0.20	34.37	6.87	299,460
2024	0.20	34.82	6.96	303,353
2025	0.20	35.27	7.05	307,296
2026	0.20	35.73	7.15	311,291
2027	0.20	36.20	7.24	315,338
2028	0.20	36.67	7.33	319,437
2029	0.20	37.14	7.43	323,590
2030	0.20	37.63	7.53	327,797
Projected Commercial Growth		**5.82**	**1.16**	**50,668**

TABLE 4. Retail Growth

Year	FAR	Total Acres	Bldg. Acres	Bldg. SF
2017	0.20	7.47	1.49	65,079
2018	0.20	7.57	1.51	65,925
2019	0.20	7.67	1.53	66,782
2020	0.20	7.77	1.55	67,650
2021	0.20	7.87	1.57	68,529
2022	0.20	7.97	1.59	69,420
2023	0.20	8.07	1.61	70,323
2024	0.20	8.18	1.64	71,237
2025	0.20	8.28	1.66	72,163
2026	0.20	8.39	1.68	73,101
2027	0.20	8.50	1.70	74,051
2028	0.20	8.61	1.72	75,014
2029	0.20	8.72	1.74	75,989
2030	0.20	8.84	1.77	76,977
Projected Retail Growth		**1.37**	**0.27**	**11,898**

TABLE 5. Industrial Growth

Year	FAR	Total Acres	Bldg. Acres	Bldg. SF
2017	0.20	1.78	0.36	15,507
2018	0.20	1.80	0.36	15,709
2019	0.20	1.83	0.37	15,913
2020	0.20	1.85	0.37	16,120
2021	0.20	1.87	0.37	16,330
2022	0.20	1.90	0.38	16,542
2023	0.20	1.92	0.38	16,757
2024	0.20	1.95	0.39	16,975
2025	0.20	1.97	0.39	17,195
2026	0.20	2.00	0.40	17,419
2027	0.20	2.03	0.41	17,645
2028	0.20	2.05	0.41	17,875
2029	0.20	2.08	0.42	18,107
2030	0.20	2.11	0.42	18,343
Projected Industrial Growth		**0.33**	**0.07**	**2,835**

Non-residential growth projections are based on existing land uses within the proposed UDB planning area (assumes a floor to area ratio of 0.20 and 60/40 ratio of commercial to retail uses).

TABLE 6. Complete Streets

Segment	Roadway	Limits From	Limits To	Distance (miles)	Repair Code	Repair Time (days)
1	Avenue 324	Road 236	Road 248	1.5	GRX	6.00
2	Avenue 328	SR 198	Road 248	0.15	GRX	0.60
3	Avenue 330	SR 198	East End	0.4	CHIP	0.40
4	Lemon Road	SR 198	Avenue 330	0.1	CHIP	0.10
Total				2.15		7.10

Table 7. Project Energy Usage

Phase	Year	Annual VMT	Natural Gas kBTU/yr	Natural Gas MWh/yr	Electricity kWh/yr	Electricity MWh/yr
Non-Residential Uses		1,881,725	986,429.6	9,864.30	632,972.60	632.9726
Residential Uses		636,813	516,788.4	5,167.88	169,575.26	169.575
Total		**2,518,538**	**1,503,218.0**	**15,032.18**	**802,547.86**	**802.548**

Table 8. Electricity Conversions (Total - All Uses)

	GWh/yr	MWh/yr	kWh/yr	
State	281,120.193430	281,120,193.430	281,120,193,430	0.0003
So. Cal. Edison	102,520.762582	102,520,762.582	102,520,762,582	0.0008
Tulare County	4,433.976762	4,433,976.762	4,433,976,762	0.0181
Project	0.802548	802.548	802,548	

Table 9. Natural Gas Conversions (Total - All Uses)

	Millions of Therms	Therms	BTU	kBTU	
State	12,638.157740	12,638,157,740	1,263,815,774,000,000	1,263,815,774,000	0.0001
So. Cal. Gas	7,195.951252	7,195,951,252	719,595,125,200,000	719,595,125,200	0.0002
Tulare County	157.285390	157,285,390	15,728,539,000,000	15,728,539,000	0.0096
Project	0.015032	15,032	1,503,218,000	1,503,218	

Table 10. Energy Usage Per Capita (Total - All Uses)

	Population	Electricity MWh/Person	Natural Gas Therms/Person
State	39,557,045	7.11	319.49
So. Cal. Gas	---	---	---
Tulare County	465,861	9.52	337.62
Project	60	13.38	250.54

Note: The population for the State and County are based on 2018 American Community Survey Data; the Project population is based on the CalEEMod estimates, which are greater than the projected population based on the existing population in the community.

Table 11. FLEET MIX

	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Non-Residential	0.5167	0.0335	0.1724	0.1411	0.0223	0.0054	0.0209	0.0782	0.0018	0.0013	0.0043	0.0011	0.0008
Residential	0.5373	0.2000	0.1671	0.0542	0.0014	0.0009	0.0090	0.0206	0.0000	0.0044	0.0026	0.0009	0.0016

Table 12. VMT Per Capita

	Population	Annual VMT	Daily VMT	Project %	Daily VMT per Capita
State	38,982,847	344,300,000,000	943,287,671	0.0002	24.20
County	471,686	3,686,282,000	10,099,403	0.017	21.41
Project	60	636,813	1,745	---	29.08
State & County population based on ACS data; Project population is CalEEMod estimated population					

Table 13. Project Fuel Consumption

		Non-Residential					Residential					Project Total		
	Fuel Economy (mile/gal)	Fleet	VMT	Annual Fuel Consumption (gal)	Avg. Daily Fuel Consumption (gal)	Avg. Daily Fuel Consumption per Unit (gal/1,000 sf)	Fleet	VMT	Annual Fuel Consumption (gal)	Avg. Daily Fuel Consumption (gal)	Avg. Daily Fuel Consumption per Unit (gal/house)	Annual Fuel Consumption (gal)	Avg. Daily Fuel Consumption (gal)	Avg. Daily Fuel Consumption per Unit (gal)
Passenger Car	23.96	51.67%	972,338	40,582	111.18	1.70	53.73%	342,160	14,280	39.12	1.86	54,862	150.31	3.56
LD Vehicles	22.04	34.70%	653,038	29,630	81.18	1.24	42.13%	268,289	12,173	33.35	1.59	41,802	114.53	2.83
LD Truck	17.4	4.86%	91,535	5,261	14.41	0.22	1.13%	7,196	414	1.13	0.05	5,674	15.55	0.27
HD Truck	6.64	7.82%	147,213	22,171	60.74	0.93	2.06%	13,118	1,976	5.41	0.26	24,146	66.15	1.19
Motorcycle	43.89	0.43%	8,142	186	0.51	0.01	0.26%	1,656	38	0.10	0.00	223	0.61	0.01
Buses	6.33	0.43%	8,026	1,268	3.47	0.05	0.53%	3,375	533	1.46	0.07	1,801	4.93	0.12
Other	7.69	0.08%	1,432	186	0.51	0.01	0.16%	1,019	132	0.36	0.02	319	0.87	0.03
TOTAL	---	**100.00%**	**1,881,725**	**99,282**	**272.01**	**4.16**	**100.00%**	**636,813**	**29,546**	**80.95**	**3.85**	**128,828**	**352.95**	**0.87**

"Monthly Gasoline/Gasohol Reported by States - 2016" [Table MF-33GA] **https://www.fhwa.dot.gov/policyinformation/motorfuel/jun17/jun17.pdf**

California	Annual Total (gal)	15,507,693,865	42,486,832.51
		project %	0.0006

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CALEEMOD REPORT

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Lemon Cove Community Plan

Tulare County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Office Building	50.67	1000sqft	5.85	50,668.00	0
Strip Mall	11.90	1000sqft	1.37	11,898.00	0
General Light Industry	2.84	1000sqft	0.33	2,835.00	0
Single Family Housing	18.00	Dwelling Unit	5.84	32,400.00	51
Apartments Low Rise	2.00	Dwelling Unit	0.13	2,000.00	6
Mobile Home Park	1.00	Dwelling Unit	0.13	1,200.00	3

1.2 Other Project Characteristics

Urbanization	Rural	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	51
Climate Zone	7			**Operational Year**	2021
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	702.44	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - acres estimated from existing land uses (based on 0.20 FAR)

Fleet Mix - Residential fleet per "District Accepted Fleet Mix for Residential Projects" (online on 11/1/19)

Construction Off-road Equipment Mitigation - compliance with Regulation VIII

Mobile Land Use Mitigation - Lemon Cove is approx. 4 miles SE of City of Woodlake

Area Mitigation - residential users use propane for fuel; electric equipment per District defaults

Water Mitigation - per 2019 Title 24 & Green Building Codes; County MWELO for irrigation

Woodstoves -

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	WaterUnpavedRoadVehicleSpeed	0	15
tblFleetMix	HHD	0.08	0.02
tblFleetMix	HHD	0.08	0.02
tblFleetMix	HHD	0.08	0.02
tblFleetMix	LDA	0.52	0.54
tblFleetMix	LDA	0.52	0.54
tblFleetMix	LDA	0.52	0.54
tblFleetMix	LDT1	0.03	0.20
tblFleetMix	LDT1	0.03	0.20
tblFleetMix	LDT1	0.03	0.20
tblFleetMix	LDT2	0.17	0.17
tblFleetMix	LDT2	0.17	0.17
tblFleetMix	LDT2	0.17	0.17
tblFleetMix	LHD1	0.02	1.4000e-003
tblFleetMix	LHD1	0.02	1.4000e-003
tblFleetMix	LHD1	0.02	1.4000e-003
tblFleetMix	LHD2	5.4340e-003	9.0000e-004

tblFleetMix	LHD2	5.4340e-003	9.0000e-004
tblFleetMix	LHD2	5.4340e-003	9.0000e-004
tblFleetMix	MCY	4.3270e-003	2.6000e-003
tblFleetMix	MCY	4.3270e-003	2.6000e-003
tblFleetMix	MCY	4.3270e-003	2.6000e-003
tblFleetMix	MDV	0.14	0.05
tblFleetMix	MDV	0.14	0.05
tblFleetMix	MDV	0.14	0.05
tblFleetMix	MH	7.6100e-004	1.6000e-003
tblFleetMix	MH	7.6100e-004	1.6000e-003
tblFleetMix	MH	7.6100e-004	1.6000e-003
tblFleetMix	MHD	0.02	9.0000e-003
tblFleetMix	MHD	0.02	9.0000e-003
tblFleetMix	MHD	0.02	9.0000e-003
tblFleetMix	OBUS	1.8220e-003	0.00
tblFleetMix	OBUS	1.8220e-003	0.00
tblFleetMix	OBUS	1.8220e-003	0.00
tblFleetMix	SBUS	1.1320e-003	9.0000e-004
tblFleetMix	SBUS	1.1320e-003	9.0000e-004
tblFleetMix	SBUS	1.1320e-003	9.0000e-004
tblFleetMix	UBUS	1.3110e-003	4.4000e-003
tblFleetMix	UBUS	1.3110e-003	4.4000e-003
tblFleetMix	UBUS	1.3110e-003	4.4000e-003
tblLandUse	LandUseSquareFeet	50,670.00	50,668.00
tblLandUse	LandUseSquareFeet	11,900.00	11,898.00
tblLandUse	LandUseSquareFeet	2,840.00	2,835.00
tblLandUse	LotAcreage	1.16	5.85

tblLandUse	LotAcreage	0.27	1.37
tblLandUse	LotAcreage	0.07	0.33
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2020	0.3626	3.4050	2.7020	4.9900e-003	0.2725	0.1741	0.4466	0.1176	0.1627	0.2803	0.0000	436.5828	436.5828	0.1013	0.0000	439.1140
2021	0.9088	1.0734	1.0597	1.9300e-003	0.0246	0.0550	0.0796	6.6300e-003	0.0516	0.0583	0.0000	168.9029	168.9029	0.0353	0.0000	169.7841
Maximum	**0.9088**	**3.4050**	**2.7020**	**4.9900e-003**	**0.2725**	**0.1741**	**0.4466**	**0.1176**	**0.1627**	**0.2803**	**0.0000**	**436.5828**	**436.5828**	**0.1013**	**0.0000**	**439.1140**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2020	0.3626	3.4050	2.7020	4.9900e-003	0.1380	0.1741	0.3122	0.0544	0.1627	0.2171	0.0000	436.5824	436.5824	0.1013	0.0000	439.1135
2021	0.9088	1.0734	1.0597	1.9300e-003	0.0246	0.0550	0.0796	6.6300e-003	0.0516	0.0583	0.0000	168.9028	168.9028	0.0353	0.0000	169.7839
Maximum	**0.9088**	**3.4050**	**2.7020**	**4.9900e-003**	**0.1380**	**0.1741**	**0.3122**	**0.0544**	**0.1627**	**0.2171**	**0.0000**	**436.5824**	**436.5824**	**0.1013**	**0.0000**	**439.1135**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**45.26**	**0.00**	**25.55**	**50.86**	**0.00**	**18.67**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	1-1-2020	3-31-2020	1.4820	1.4820
2	4-1-2020	6-30-2020	0.7540	0.7540
3	7-1-2020	9-30-2020	0.7623	0.7623
4	10-1-2020	12-31-2020	0.7635	0.7635
5	1-1-2021	3-31-2021	0.6777	0.6777
6	4-1-2021	6-30-2021	0.9365	0.9365
7	7-1-2021	9-30-2021	0.3746	0.3746
		Highest	1.4820	1.4820

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.6034	0.0281	1.2892	3.7400e-003		0.1857	0.1857		0.1857	0.1857	24.6606	9.3532	34.0138	0.1157	1.7000e-004	36.9562
Energy	8.1100e-003	0.0722	0.0508	4.4000e-004		5.6000e-003	5.6000e-003		5.6000e-003	5.6000e-003	0.0000	335.9263	335.9263	0.0121	3.6500e-003	337.3178
Mobile	0.3832	2.8401	4.0283	0.0143	1.0096	0.0130	1.0226	0.2711	0.0123	0.2833	0.0000	1,324.8823	1,324.8823	0.0660	0.0000	1,326.5317
Waste						0.0000	0.0000		0.0000	0.0000	16.8239	0.0000	16.8239	0.9943	0.0000	41.6805
Water						0.0000	0.0000		0.0000	0.0000	3.7792	28.2572	32.0364	0.3893	9.4100e-003	44.5727
Total	**0.9947**	**2.9404**	**5.3682**	**0.0185**	**1.0096**	**0.2043**	**1.2139**	**0.2711**	**0.2035**	**0.4746**	**45.2637**	**1,698.4189**	**1,743.6826**	**1.5774**	**0.0132**	**1,787.0589**

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.4781	1.8000e-003	0.1557	1.0000e-005		8.6000e-004	8.6000e-004		8.6000e-004	8.6000e-004	0.0000	0.2536	0.2536	2.5000e-004	0.0000	0.2597
Energy	8.1100e-003	0.0722	0.0508	4.4000e-004		5.6000e-003	5.6000e-003		5.6000e-003	5.6000e-003	0.0000	335.9263	335.9263	0.0121	3.6500e-003	337.3178
Mobile	0.3762	2.7644	3.8539	0.0136	0.9495	0.0124	0.9619	0.2549	0.0116	0.2666	0.0000	1,257.0552	1,257.0552	0.0639	0.0000	1,258.6530
Waste						0.0000	0.0000		0.0000	0.0000	16.8239	0.0000	16.8239	0.9943	0.0000	41.6805
Water						0.0000	0.0000		0.0000	0.0000	3.0234	23.6788	26.7022	0.3115	7.5300e-003	36.7351
Total	**0.8624**	**2.8384**	**4.0604**	**0.0141**	**0.9495**	**0.0188**	**0.9684**	**0.2549**	**0.0181**	**0.2730**	**19.8473**	**1,616.9138**	**1,636.7611**	**1.3820**	**0.0112**	**1,674.6460**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**13.30**	**3.47**	**24.36**	**24.14**	**5.95**	**90.79**	**20.23**	**5.95**	**91.11**	**42.47**	**56.15**	**4.80**	**6.13**	**12.38**	**15.50**	**6.29**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	1/1/2020	1/28/2020	5	20	
2	Site Preparation	Site Preparation	1/29/2020	2/11/2020	5	10	
3	Grading	Grading	2/12/2020	3/24/2020	5	30	
4	Building Construction	Building Construction	3/25/2020	5/18/2021	5	300	
5	Paving	Paving	5/19/2021	6/15/2021	5	20	
6	Architectural Coating	Architectural Coating	6/16/2021	7/13/2021	5	20	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 75

Acres of Paving: 0

Residential Indoor: 72,090; Residential Outdoor: 24,030; Non-Residential Indoor: 98,102; Non-Residential Outdoor: 32,701; Striped Parking Area: 0 (Architectural Coating – sqft)

<u>OffRoad Equipment</u>

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Demolition	Excavators	3	8.00	158	0.38
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Grading	Excavators	2	8.00	158	0.38
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Paving	Pavers	2	8.00	130	0.42
Paving	Rollers	2	8.00	80	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Paving	Paving Equipment	2	8.00	132	0.36
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Building Construction	Welders	1	8.00	46	0.45
Grading	Scrapers	2	8.00	367	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	15.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	30.00	13.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	6.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

3.2 Demolition - 2020

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0331	0.3320	0.2175	3.9000e-004		0.0166	0.0166		0.0154	0.0154	0.0000	33.9986	33.9986	9.6000e-003	0.0000	34.2386
Total	**0.0331**	**0.3320**	**0.2175**	**3.9000e-004**		**0.0166**	**0.0166**		**0.0154**	**0.0154**	**0.0000**	**33.9986**	**33.9986**	**9.6000e-003**	**0.0000**	**34.2386**

3.2 Demolition - 2020

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	9.8000e-004	7.0000e-004	6.9500e-003	2.0000e-005	1.8600e-003	1.0000e-005	1.8700e-003	4.9000e-004	1.0000e-005	5.1000e-004	0.0000	1.5797	1.5797	5.0000e-005	0.0000	1.5809
Total	**9.8000e-004**	**7.0000e-004**	**6.9500e-003**	**2.0000e-005**	**1.8600e-003**	**1.0000e-005**	**1.8700e-003**	**4.9000e-004**	**1.0000e-005**	**5.1000e-004**	**0.0000**	**1.5797**	**1.5797**	**5.0000e-005**	**0.0000**	**1.5809**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0331	0.3320	0.2175	3.9000e-004		0.0166	0.0166		0.0154	0.0154	0.0000	33.9986	33.9986	9.6000e-003	0.0000	34.2385
Total	**0.0331**	**0.3320**	**0.2175**	**3.9000e-004**		**0.0166**	**0.0166**		**0.0154**	**0.0154**	**0.0000**	**33.9986**	**33.9986**	**9.6000e-003**	**0.0000**	**34.2385**

3.2 Demolition - 2020

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	9.8000e-004	7.0000e-004	6.9500e-003	2.0000e-005	1.8600e-003	1.0000e-005	1.8700e-003	4.9000e-004	1.0000e-005	5.1000e-004	0.0000	1.5797	1.5797	5.0000e-005	0.0000	1.5809
Total	**9.8000e-004**	**7.0000e-004**	**6.9500e-003**	**2.0000e-005**	**1.8600e-003**	**1.0000e-005**	**1.8700e-003**	**4.9000e-004**	**1.0000e-005**	**5.1000e-004**	**0.0000**	**1.5797**	**1.5797**	**5.0000e-005**	**0.0000**	**1.5809**

3.3 Site Preparation - 2020

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0903	0.0000	0.0903	0.0497	0.0000	0.0497	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0204	0.2121	0.1076	1.9000e-004		0.0110	0.0110		0.0101	0.0101	0.0000	16.7153	16.7153	5.4100e-003	0.0000	16.8505
Total	**0.0204**	**0.2121**	**0.1076**	**1.9000e-004**	**0.0903**	**0.0110**	**0.1013**	**0.0497**	**0.0101**	**0.0598**	**0.0000**	**16.7153**	**16.7153**	**5.4100e-003**	**0.0000**	**16.8505**

3.3 Site Preparation - 2020

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.9000e-004	4.2000e-004	4.1700e-003	1.0000e-005	1.1100e-003	1.0000e-005	1.1200e-003	3.0000e-004	1.0000e-005	3.0000e-004	0.0000	0.9478	0.9478	3.0000e-005	0.0000	0.9485
Total	**5.9000e-004**	**4.2000e-004**	**4.1700e-003**	**1.0000e-005**	**1.1100e-003**	**1.0000e-005**	**1.1200e-003**	**3.0000e-004**	**1.0000e-005**	**3.0000e-004**	**0.0000**	**0.9478**	**0.9478**	**3.0000e-005**	**0.0000**	**0.9485**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0352	0.0000	0.0352	0.0194	0.0000	0.0194	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0204	0.2121	0.1076	1.9000e-004		0.0110	0.0110		0.0101	0.0101	0.0000	16.7153	16.7153	5.4100e-003	0.0000	16.8505
Total	**0.0204**	**0.2121**	**0.1076**	**1.9000e-004**	**0.0352**	**0.0110**	**0.0462**	**0.0194**	**0.0101**	**0.0295**	**0.0000**	**16.7153**	**16.7153**	**5.4100e-003**	**0.0000**	**16.8505**

3.3 Site Preparation - 2020

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.9000e-004	4.2000e-004	4.1700e-003	1.0000e-005	1.1100e-003	1.0000e-005	1.1200e-003	3.0000e-004	1.0000e-005	3.0000e-004	0.0000	0.9478	0.9478	3.0000e-005	0.0000	0.9485
Total	**5.9000e-004**	**4.2000e-004**	**4.1700e-003**	**1.0000e-005**	**1.1100e-003**	**1.0000e-005**	**1.1200e-003**	**3.0000e-004**	**1.0000e-005**	**3.0000e-004**	**0.0000**	**0.9478**	**0.9478**	**3.0000e-005**	**0.0000**	**0.9485**

3.4 Grading - 2020

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1301	0.0000	0.1301	0.0540	0.0000	0.0540	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0668	0.7530	0.4794	9.3000e-004		0.0326	0.0326		0.0300	0.0300	0.0000	81.7264	81.7264	0.0264	0.0000	82.3872
Total	**0.0668**	**0.7530**	**0.4794**	**9.3000e-004**	**0.1301**	**0.0326**	**0.1627**	**0.0540**	**0.0300**	**0.0840**	**0.0000**	**81.7264**	**81.7264**	**0.0264**	**0.0000**	**82.3872**

3.4 Grading - 2020

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.9600e-003	1.4000e-003	0.0139	3.0000e-005	3.7200e-003	2.0000e-005	3.7400e-003	9.9000e-004	2.0000e-005	1.0100e-003	0.0000	3.1593	3.1593	1.0000e-004	0.0000	3.1617
Total	**1.9600e-003**	**1.4000e-003**	**0.0139**	**3.0000e-005**	**3.7200e-003**	**2.0000e-005**	**3.7400e-003**	**9.9000e-004**	**2.0000e-005**	**1.0100e-003**	**0.0000**	**3.1593**	**3.1593**	**1.0000e-004**	**0.0000**	**3.1617**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0507	0.0000	0.0507	0.0210	0.0000	0.0210	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0668	0.7530	0.4794	9.3000e-004		0.0326	0.0326		0.0300	0.0300	0.0000	81.7263	81.7263	0.0264	0.0000	82.3871
Total	**0.0668**	**0.7530**	**0.4794**	**9.3000e-004**	**0.0507**	**0.0326**	**0.0834**	**0.0210**	**0.0300**	**0.0510**	**0.0000**	**81.7263**	**81.7263**	**0.0264**	**0.0000**	**82.3871**

3.4 Grading - 2020

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.9600e-003	1.4000e-003	0.0139	3.0000e-005	3.7200e-003	2.0000e-005	3.7400e-003	9.9000e-004	2.0000e-005	1.0100e-003	0.0000	3.1593	3.1593	1.0000e-004	0.0000	3.1617
Total	**1.9600e-003**	**1.4000e-003**	**0.0139**	**3.0000e-005**	**3.7200e-003**	**2.0000e-005**	**3.7400e-003**	**9.9000e-004**	**2.0000e-005**	**1.0100e-003**	**0.0000**	**3.1593**	**3.1593**	**1.0000e-004**	**0.0000**	**3.1617**

3.5 Building Construction - 2020

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.2141	1.9378	1.7017	2.7200e-003		0.1128	0.1128		0.1061	0.1061	0.0000	233.9261	233.9261	0.0571	0.0000	235.3528
Total	**0.2141**	**1.9378**	**1.7017**	**2.7200e-003**		**0.1128**	**0.1128**		**0.1061**	**0.1061**	**0.0000**	**233.9261**	**233.9261**	**0.0571**	**0.0000**	**235.3528**

3.5 Building Construction - 2020

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	4.9000e-003	0.1535	0.0304	3.4000e-004	7.8500e-003	8.3000e-004	8.6700e-003	2.2700e-003	7.9000e-004	3.0600e-003	0.0000	32.6204	32.6204	1.6100e-003	0.0000	32.6606
Worker	0.0198	0.0141	0.1404	3.5000e-004	0.0375	2.5000e-004	0.0378	9.9700e-003	2.3000e-004	0.0102	0.0000	31.9092	31.9092	9.6000e-004	0.0000	31.9333
Total	**0.0247**	**0.1676**	**0.1708**	**6.9000e-004**	**0.0454**	**1.0800e-003**	**0.0465**	**0.0122**	**1.0200e-003**	**0.0133**	**0.0000**	**64.5296**	**64.5296**	**2.5700e-003**	**0.0000**	**64.5938**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.2141	1.9378	1.7017	2.7200e-003		0.1128	0.1128		0.1061	0.1061	0.0000	233.9258	233.9258	0.0571	0.0000	235.3526
Total	**0.2141**	**1.9378**	**1.7017**	**2.7200e-003**		**0.1128**	**0.1128**		**0.1061**	**0.1061**	**0.0000**	**233.9258**	**233.9258**	**0.0571**	**0.0000**	**235.3526**

3.5 Building Construction - 2020

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	4.9000e-003	0.1535	0.0304	3.4000e-004	7.8500e-003	8.3000e-004	8.6700e-003	2.2700e-003	7.9000e-004	3.0600e-003	0.0000	32.6204	32.6204	1.6100e-003	0.0000	32.6606
Worker	0.0198	0.0141	0.1404	3.5000e-004	0.0375	2.5000e-004	0.0378	9.9700e-003	2.3000e-004	0.0102	0.0000	31.9092	31.9092	9.6000e-004	0.0000	31.9333
Total	**0.0247**	**0.1676**	**0.1708**	**6.9000e-004**	**0.0454**	**1.0800e-003**	**0.0465**	**0.0122**	**1.0200e-003**	**0.0133**	**0.0000**	**64.5296**	**64.5296**	**2.5700e-003**	**0.0000**	**64.5938**

3.5 Building Construction - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0932	0.8542	0.8122	1.3200e-003		0.0470	0.0470		0.0442	0.0442	0.0000	113.5023	113.5023	0.0274	0.0000	114.1868
Total	**0.0932**	**0.8542**	**0.8122**	**1.3200e-003**		**0.0470**	**0.0470**		**0.0442**	**0.0442**	**0.0000**	**113.5023**	**113.5023**	**0.0274**	**0.0000**	**114.1868**

3.5 Building Construction - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.9400e-003	0.0678	0.0129	1.7000e-004	3.8100e-003	1.9000e-004	4.0000e-003	1.1000e-003	1.8000e-004	1.2800e-003	0.0000	15.6852	15.6852	7.4000e-004	0.0000	15.7037
Worker	8.8500e-003	6.0900e-003	0.0612	1.7000e-004	0.0182	1.2000e-004	0.0183	4.8400e-003	1.1000e-004	4.9500e-003	0.0000	14.9964	14.9964	4.1000e-004	0.0000	15.0067
Total	**0.0108**	**0.0739**	**0.0741**	**3.4000e-004**	**0.0220**	**3.1000e-004**	**0.0223**	**5.9400e-003**	**2.9000e-004**	**6.2300e-003**	**0.0000**	**30.6816**	**30.6816**	**1.1500e-003**	**0.0000**	**30.7104**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0932	0.8542	0.8122	1.3200e-003		0.0470	0.0470		0.0442	0.0442	0.0000	113.5021	113.5021	0.0274	0.0000	114.1867
Total	**0.0932**	**0.8542**	**0.8122**	**1.3200e-003**		**0.0470**	**0.0470**		**0.0442**	**0.0442**	**0.0000**	**113.5021**	**113.5021**	**0.0274**	**0.0000**	**114.1867**

3.5 Building Construction - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.9400e-003	0.0678	0.0129	1.7000e-004	3.8100e-003	1.9000e-004	4.0000e-003	1.1000e-003	1.8000e-004	1.2800e-003	0.0000	15.6852	15.6852	7.4000e-004	0.0000	15.7037
Worker	8.8500e-003	6.0900e-003	0.0612	1.7000e-004	0.0182	1.2000e-004	0.0183	4.8400e-003	1.1000e-004	4.9500e-003	0.0000	14.9964	14.9964	4.1000e-004	0.0000	15.0067
Total	**0.0108**	**0.0739**	**0.0741**	**3.4000e-004**	**0.0220**	**3.1000e-004**	**0.0223**	**5.9400e-003**	**2.9000e-004**	**6.2300e-003**	**0.0000**	**30.6816**	**30.6816**	**1.1500e-003**	**0.0000**	**30.7104**

3.6 Paving - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0126	0.1292	0.1465	2.3000e-004		6.7800e-003	6.7800e-003		6.2400e-003	6.2400e-003	0.0000	20.0235	20.0235	6.4800e-003	0.0000	20.1854
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0126**	**0.1292**	**0.1465**	**2.3000e-004**		**6.7800e-003**	**6.7800e-003**		**6.2400e-003**	**6.2400e-003**	**0.0000**	**20.0235**	**20.0235**	**6.4800e-003**	**0.0000**	**20.1854**

3.6 Paving - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	9.0000e-004	6.2000e-004	6.2500e-003	2.0000e-005	1.8600e-003	1.0000e-005	1.8700e-003	4.9000e-004	1.0000e-005	5.0000e-004	0.0000	1.5302	1.5302	4.0000e-005	0.0000	1.5313
Total	**9.0000e-004**	**6.2000e-004**	**6.2500e-003**	**2.0000e-005**	**1.8600e-003**	**1.0000e-005**	**1.8700e-003**	**4.9000e-004**	**1.0000e-005**	**5.0000e-004**	**0.0000**	**1.5302**	**1.5302**	**4.0000e-005**	**0.0000**	**1.5313**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0126	0.1292	0.1465	2.3000e-004		6.7800e-003	6.7800e-003		6.2400e-003	6.2400e-003	0.0000	20.0235	20.0235	6.4800e-003	0.0000	20.1854
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0126**	**0.1292**	**0.1465**	**2.3000e-004**		**6.7800e-003**	**6.7800e-003**		**6.2400e-003**	**6.2400e-003**	**0.0000**	**20.0235**	**20.0235**	**6.4800e-003**	**0.0000**	**20.1854**

3.6 Paving - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	9.0000e-004	6.2000e-004	6.2500e-003	2.0000e-005	1.8600e-003	1.0000e-005	1.8700e-003	4.9000e-004	1.0000e-005	5.0000e-004	0.0000	1.5302	1.5302	4.0000e-005	0.0000	1.5313
Total	**9.0000e-004**	**6.2000e-004**	**6.2500e-003**	**2.0000e-005**	**1.8600e-003**	**1.0000e-005**	**1.8700e-003**	**4.9000e-004**	**1.0000e-005**	**5.0000e-004**	**0.0000**	**1.5302**	**1.5302**	**4.0000e-005**	**0.0000**	**1.5313**

3.7 Architectural Coating - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.7888					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.1900e-003	0.0153	0.0182	3.0000e-005		9.4000e-004	9.4000e-004		9.4000e-004	9.4000e-004	0.0000	2.5533	2.5533	1.8000e-004	0.0000	2.5576
Total	**0.7910**	**0.0153**	**0.0182**	**3.0000e-005**		**9.4000e-004**	**9.4000e-004**		**9.4000e-004**	**9.4000e-004**	**0.0000**	**2.5533**	**2.5533**	**1.8000e-004**	**0.0000**	**2.5576**

3.7 Architectural Coating - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.6000e-004	2.5000e-004	2.5000e-003	1.0000e-005	7.4000e-004	0.0000	7.5000e-004	2.0000e-004	0.0000	2.0000e-004	0.0000	0.6121	0.6121	2.0000e-005	0.0000	0.6125
Total	**3.6000e-004**	**2.5000e-004**	**2.5000e-003**	**1.0000e-005**	**7.4000e-004**	**0.0000**	**7.5000e-004**	**2.0000e-004**	**0.0000**	**2.0000e-004**	**0.0000**	**0.6121**	**0.6121**	**2.0000e-005**	**0.0000**	**0.6125**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.7888					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.1900e-003	0.0153	0.0182	3.0000e-005		9.4000e-004	9.4000e-004		9.4000e-004	9.4000e-004	0.0000	2.5533	2.5533	1.8000e-004	0.0000	2.5576
Total	**0.7910**	**0.0153**	**0.0182**	**3.0000e-005**		**9.4000e-004**	**9.4000e-004**		**9.4000e-004**	**9.4000e-004**	**0.0000**	**2.5533**	**2.5533**	**1.8000e-004**	**0.0000**	**2.5576**

3.7 Architectural Coating - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.6000e-004	2.5000e-004	2.5000e-003	1.0000e-005	7.4000e-004	0.0000	7.5000e-004	2.0000e-004	0.0000	2.0000e-004	0.0000	0.6121	0.6121	2.0000e-005	0.0000	0.6125
Total	**3.6000e-004**	**2.5000e-004**	**2.5000e-003**	**1.0000e-005**	**7.4000e-004**	**0.0000**	**7.5000e-004**	**2.0000e-004**	**0.0000**	**2.0000e-004**	**0.0000**	**0.6121**	**0.6121**	**2.0000e-005**	**0.0000**	**0.6125**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Improve Destination Accessibility

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.3762	2.7644	3.8539	0.0136	0.9495	0.0124	0.9619	0.2549	0.0116	0.2666	0.0000	1,257.0552	1,257.0552	0.0639	0.0000	1,258.6530
Unmitigated	0.3832	2.8401	4.0283	0.0143	1.0096	0.0130	1.0226	0.2711	0.0123	0.2833	0.0000	1,324.8823	1,324.8823	0.0660	0.0000	1,326.5317

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
General Light Industry	19.79	3.75	1.93	57,761	54,324
General Office Building	558.89	124.65	53.20	1,172,286	1,102,535
Strip Mall	527.41	500.28	243.12	770,724	724,866
Apartments Low Rise	13.18	14.32	12.14	47,484	44,659
Mobile Home Park	4.99	5.00	4.36	17,639	16,590
Single Family Housing	171.36	178.38	155.16	611,977	575,564
Total	1,295.62	826.37	469.91	2,677,871	2,518,537

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
General Light Industry	14.70	6.60	6.60	59.00	28.00	13.00	92	5	3
General Office Building	14.70	6.60	6.60	33.00	48.00	19.00	77	19	4
Strip Mall	14.70	6.60	6.60	16.60	64.40	19.00	45	40	15
Apartments Low Rise	16.80	7.10	7.90	38.40	22.60	39.00	86	11	3
Mobile Home Park	16.80	7.10	7.90	38.40	22.60	39.00	86	11	3
Single Family Housing	16.80	7.10	7.90	38.40	22.60	39.00	86	11	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
General Light Industry	0.516727	0.033517	0.172440	0.141085	0.022326	0.005434	0.020884	0.078233	0.001822	0.001311	0.004327	0.001132	0.000761
General Office Building	0.516727	0.033517	0.172440	0.141085	0.022326	0.005434	0.020884	0.078233	0.001822	0.001311	0.004327	0.001132	0.000761
Strip Mall	0.516727	0.033517	0.172440	0.141085	0.022326	0.005434	0.020884	0.078233	0.001822	0.001311	0.004327	0.001132	0.000761
Apartments Low Rise	0.537300	0.200000	0.167100	0.054200	0.001400	0.000900	0.009000	0.020600	0.000000	0.004400	0.002600	0.000900	0.001600
Mobile Home Park	0.537300	0.200000	0.167100	0.054200	0.001400	0.000900	0.009000	0.020600	0.000000	0.004400	0.002600	0.000900	0.001600
Single Family Housing	0.537300	0.200000	0.167100	0.054200	0.001400	0.000900	0.009000	0.020600	0.000000	0.004400	0.002600	0.000900	0.001600

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	255.7088	255.7088	0.0106	2.1800e-003	256.6237
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	255.7088	255.7088	0.0106	2.1800e-003	256.6237
NaturalGas Mitigated	8.1100e-003	0.0722	0.0508	4.4000e-004		5.6000e-003	5.6000e-003		5.6000e-003	5.6000e-003	0.0000	80.2174	80.2174	1.5400e-003	1.4700e-003	80.6941
NaturalGas Unmitigated	8.1100e-003	0.0722	0.0508	4.4000e-004		5.6000e-003	5.6000e-003		5.6000e-003	5.6000e-003	0.0000	80.2174	80.2174	1.5400e-003	1.4700e-003	80.6941

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Low Rise	33360.4	1.8000e-004	1.5400e-003	6.5000e-004	1.0000e-005		1.2000e-004	1.2000e-004		1.2000e-004	1.2000e-004	0.0000	1.7802	1.7802	3.0000e-005	3.0000e-005	1.7908
General Light Industry	47628	2.6000e-004	2.3300e-003	1.9600e-003	1.0000e-005		1.8000e-004	1.8000e-004		1.8000e-004	1.8000e-004	0.0000	2.5416	2.5416	5.0000e-005	5.0000e-005	2.5567
General Office Building	870983	4.7000e-003	0.0427	0.0359	2.6000e-004		3.2400e-003	3.2400e-003		3.2400e-003	3.2400e-003	0.0000	46.4790	46.4790	8.9000e-004	8.5000e-004	46.7552
Mobile Home Park	20221	1.1000e-004	9.3000e-004	4.0000e-004	1.0000e-005		8.0000e-005	8.0000e-005		8.0000e-005	8.0000e-005	0.0000	1.0791	1.0791	2.0000e-005	2.0000e-005	1.0855
Single Family Housing	463207	2.5000e-003	0.0213	9.0800e-003	1.4000e-004		1.7300e-003	1.7300e-003		1.7300e-003	1.7300e-003	0.0000	24.7185	24.7185	4.7000e-004	4.5000e-004	24.8654
Strip Mall	67818.6	3.7000e-004	3.3200e-003	2.7900e-003	2.0000e-005		2.5000e-004	2.5000e-004		2.5000e-004	2.5000e-004	0.0000	3.6191	3.6191	7.0000e-005	7.0000e-005	3.6406
Total		**8.1200e-003**	**0.0722**	**0.0507**	**4.5000e-004**		**5.6000e-003**	**5.6000e-003**		**5.6000e-003**	**5.6000e-003**	**0.0000**	**80.2174**	**80.2174**	**1.5300e-003**	**1.4700e-003**	**80.6941**

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Low Rise	33360.4	1.8000e-004	1.5400e-003	6.5000e-004	1.0000e-005		1.2000e-004	1.2000e-004		1.2000e-004	1.2000e-004	0.0000	1.7802	1.7802	3.0000e-005	3.0000e-005	1.7908
General Light Industry	47628	2.6000e-004	2.3300e-003	1.9600e-003	1.0000e-005		1.8000e-004	1.8000e-004		1.8000e-004	1.8000e-004	0.0000	2.5416	2.5416	5.0000e-005	5.0000e-005	2.5567
General Office Building	870983	4.7000e-003	0.0427	0.0359	2.6000e-004		3.2400e-003	3.2400e-003		3.2400e-003	3.2400e-003	0.0000	46.4790	46.4790	8.9000e-004	8.5000e-004	46.7552
Mobile Home Park	20221	1.1000e-004	9.3000e-004	4.0000e-004	1.0000e-005		8.0000e-005	8.0000e-005		8.0000e-005	8.0000e-005	0.0000	1.0791	1.0791	2.0000e-005	2.0000e-005	1.0855
Single Family Housing	463207	2.5000e-003	0.0213	9.0800e-003	1.4000e-004		1.7300e-003	1.7300e-003		1.7300e-003	1.7300e-003	0.0000	24.7185	24.7185	4.7000e-004	4.5000e-004	24.8654
Strip Mall	67818.6	3.7000e-004	3.3200e-003	2.7900e-003	2.0000e-005		2.5000e-004	2.5000e-004		2.5000e-004	2.5000e-004	0.0000	3.6191	3.6191	7.0000e-005	7.0000e-005	3.6406
Total		**8.1200e-003**	**0.0722**	**0.0507**	**4.5000e-004**		**5.6000e-003**	**5.6000e-003**		**5.6000e-003**	**5.6000e-003**	**0.0000**	**80.2174**	**80.2174**	**1.5300e-003**	**1.4700e-003**	**80.6941**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Low Rise	9272.18	2.9543	1.2000e-004	3.0000e-005	2.9649
General Light Industry	6690.6	2.1318	9.0000e-005	2.0000e-005	2.1394
General Office Building	505160	160.9548	6.6400e-003	1.3700e-003	161.5306
Mobile Home Park	5610.08	1.7875	7.0000e-005	2.0000e-005	1.7939
Single Family Housing	154693	49.2885	2.0300e-003	4.2000e-004	49.4649
Strip Mall	121122	38.5920	1.5900e-003	3.3000e-004	38.7300
Total		**255.7089**	**0.0105**	**2.1900e-003**	**256.6236**

5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Low Rise	9272.18	2.9543	1.2000e-004	3.0000e-005	2.9649
General Light Industry	6690.6	2.1318	9.0000e-005	2.0000e-005	2.1394
General Office Building	505160	160.9548	6.6400e-003	1.3700e-003	161.5306
Mobile Home Park	5610.08	1.7875	7.0000e-005	2.0000e-005	1.7939
Single Family Housing	154693	49.2885	2.0300e-003	4.2000e-004	49.4649
Strip Mall	121122	38.5920	1.5900e-003	3.3000e-004	38.7300
Total		**255.7089**	**0.0105**	**2.1900e-003**	**256.6236**

6.0 Area Detail

6.1 Mitigation Measures Area

Use Electric Lawnmower

Use Electric Leafblower

Use Electric Chainsaw

No Hearths Installed

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.4781	1.8000e-003	0.1557	1.0000e-005		8.6000e-004	8.6000e-004		8.6000e-004	8.6000e-004	0.0000	0.2536	0.2536	2.5000e-004	0.0000	0.2597
Unmitigated	0.6034	0.0281	1.2892	3.7400e-003		0.1857	0.1857		0.1857	0.1857	24.6606	9.3532	34.0138	0.1157	1.7000e-004	36.9562

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0789					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.3945					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.1252	0.0263	1.1323	3.7300e-003		0.1848	0.1848		0.1848	0.1848	24.6606	9.0974	33.7580	0.1155	1.7000e-004	36.6941
Landscaping	4.7900e-003	1.8100e-003	0.1569	1.0000e-005		8.6000e-004	8.6000e-004		8.6000e-004	8.6000e-004	0.0000	0.2559	0.2559	2.5000e-004	0.0000	0.2621
Total	**0.6034**	**0.0281**	**1.2892**	**3.7400e-003**		**0.1857**	**0.1857**		**0.1857**	**0.1857**	**24.6606**	**9.3532**	**34.0138**	**0.1157**	**1.7000e-004**	**36.9562**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0789					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.3945					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	4.7200e-003	1.8000e-003	0.1557	1.0000e-005		8.6000e-004	8.6000e-004		8.6000e-004	8.6000e-004	0.0000	0.2536	0.2536	2.5000e-004	0.0000	0.2597
Total	**0.4781**	**1.8000e-003**	**0.1557**	**1.0000e-005**		**8.6000e-004**	**8.6000e-004**		**8.6000e-004**	**8.6000e-004**	**0.0000**	**0.2536**	**0.2536**	**2.5000e-004**	**0.0000**	**0.2597**

7.0 Water Detail

7.1 Mitigation Measures Water

Install Low Flow Bathroom Faucet

Install Low Flow Kitchen Faucet

Install Low Flow Toilet

Install Low Flow Shower

Use Water Efficient Irrigation System

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	26.7022	0.3115	7.5300e-003	36.7351
Unmitigated	32.0364	0.3893	9.4100e-003	44.5727

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Low Rise	0.130308 / 0.0821507	0.3576	4.2600e-003	1.0000e-004	0.4948
General Light Industry	0.65675 / 0	1.3406	0.0215	5.1000e-004	2.0303
General Office Building	9.00577 / 5.51966	24.5390	0.2944	7.1100e-003	34.0178
Mobile Home Park	0.065154 / 0.0410754	0.1788	2.1300e-003	5.0000e-005	0.2474
Single Family Housing	1.17277 / 0.739357	3.2185	0.0383	9.3000e-004	4.4530
Strip Mall	0.881463 / 0.540252	2.4018	0.0288	7.0000e-004	3.3296
Total		**32.0364**	**0.3893**	**9.4000e-003**	**44.5727**

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Low Rise	0.104246 / 0.0771395	0.2988	3.4100e-003	8.0000e-005	0.4086
General Light Industry	0.5254 / 0	1.0725	0.0172	4.1000e-004	1.6242
General Office Building	7.20462 / 5.18297	20.4868	0.2355	5.7000e-003	28.0729
Mobile Home Park	0.0521232 / 0.0385698	0.1494	1.7000e-003	4.0000e-005	0.2043
Single Family Housing	0.938218 / 0.694256	2.6894	0.0307	7.4000e-004	3.6774
Strip Mall	0.70517 / 0.507296	2.0052	0.0231	5.6000e-004	2.7477
Total		**26.7022**	**0.3115**	**7.5300e-003**	**36.7351**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	16.8239	0.9943	0.0000	41.6805
Unmitigated	16.8239	0.9943	0.0000	41.6805

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Low Rise	0.92	0.1868	0.0110	0.0000	0.4627
General Light Industry	3.52	0.7145	0.0422	0.0000	1.7702
General Office Building	47.12	9.5649	0.5653	0.0000	23.6967
Mobile Home Park	0.46	0.0934	5.5200e-003	0.0000	0.2313
Single Family Housing	18.36	3.7269	0.2203	0.0000	9.2333
Strip Mall	12.5	2.5374	0.1500	0.0000	6.2863
Total		**16.8239**	**0.9943**	**0.0000**	**41.6805**

8.2 Waste by Land Use

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Low Rise	0.92	0.1868	0.0110	0.0000	0.4627
General Light Industry	3.52	0.7145	0.0422	0.0000	1.7702
General Office Building	47.12	9.5649	0.5653	0.0000	23.6967
Mobile Home Park	0.46	0.0934	5.5200e-003	0.0000	0.2313
Single Family Housing	18.36	3.7269	0.2203	0.0000	9.2333
Strip Mall	12.5	2.5374	0.1500	0.0000	6.2863
Total		**16.8239**	**0.9943**	**0.0000**	**41.6805**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

Attachment "B"

Biological Resources Technical Memorandum

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RESOURCE MANAGEMENT AGENCY

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Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

TECHNICAL MEMORANDUM
BIOLOGICAL SPECIES EVALUATION

DATE: November 6, 2019

TO: Hector Guerra, Chief Environmental Planner

FROM: Jessica Willis, Planner IV

SUBJECT: Biological Species Evaluation for Lemon Cove Community Plan (GPA 17-007, PZC 17-007, PZC 19-016, PZC 19-017)

PROJECT DESCRIPTION

The objective in preparing of the Lemon Cove Community Plan is to develop a plan which can accurately reflect the needs and priorities of the unincorporated community of Lemon Cove and assist in fostering future economic development opportunities and grants. Lemon Cove, an unincorporated community, has localized land use needs and issues that should be addressed in a more specific manner particular to its community, geographic features, location of major roadways, such as State Route 198, population characteristics, availability of water, and other issues unique to the community's area. Therefore, the Lemon Cove Community Plan 2019 has been prepared with an emphasis on these considerations with particular focus on land use and circulation.

PROJECT LOCATION

Project site is located in the northern portion of Tulare County, approximately four (4) miles southeast of the City of Woodlake and eleven (11) miles northeast of the City Visalia. The community is generally bounded by Avenue 319 in the south, Goodale Lane in the north, Road 236 in the west, and Road 248 in the east (see Figure 1).

United States Geological Survey 7.5-minute Quadrangle(s): Woodlake and Rocky Hill

Public Land Survey System: Section(s) 02, 03, 10, 11, Township 18 South, Range 27 East, Mount Diablo Base and Meridian

Latitude/Longitude: 36° 22' 53" N / 119° 01' 33" W (at SR 198, approximately 650 feet south of Avenue 328)

SPECIAL STATUS SPECIES EVALUATION

The most recent California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB), RareFind 5 and Biogeographic Information and Observation System (BIOS) mapping applications were accessed on November 5, 2019.[1]

[1] CDFW. https://www.wildlife.ca.gov/Data/CNDDB/Maps-and-Data#43018407-rarefind-5

9-Quad CNDDB Results

The Project is located within the Woodlake and Rocky Hill Quadrangles. To identify special status species within the 9-quadrangle Project area, twelve (12) quads were reviewed (Stokes Mountain, Auckland, Shadequarter Mountain, Ivanhoe, Woodlake, Kaweah, Exeter, Rocky Hill, Chickencoop Canyon, Cairns Corner, Lindsay, and Frazier Valley). Based on the information in the CNDDB and BIOS, there are forty-nine (49) special status species and six (6) natural plant communities of special concern within the 9-quadrangle Project area.

Project Quad Results

Based on the information in the CNDDB and BIOS, within the Woodlake and Rocky Hill quadrangles there are nineteen (19) special status species and two (2) natural plant communities of special concern within the general Project vicinity.

Project Area Results

Two (2) special status animal species (*Bombus crotchii*, Crotch bumble bee and *Rana boylii*, foothill yellow-legged frog) have been recorded within the Project study area (i.e., the existing Lemon Cove Urban Development Boundary (UDB) and the proposed expanded UDB)(see Figure 2). The Crotch bumble bee is presumed extant (still in existence or surviving) while the foothill yellow-legged frog is considered extirpated (a species that has been locally eliminated but is not extinct) within the Project study area. The one (1) special status plant species (*Pseudobahia peirsonii*, San Joaquin adobe sunburst) identified in Figure 2 is located outside of the Project study area.

The following special status plant and animal species and natural plant communities have not been recorded within the Project study area, but have been recorded within 2.5 miles of the Project study area (see Figure 3).

- *Brodiaea insignis* (Kaweah brodiaea)
- *Diplacus pictus* (calico monkeyflower)
- *Delphinium recurvatum* (recurved larkspur)
- *Eryngium spinosepalum* (spiny-sepaled button-celery)
- *Pseudobahia peirsonii* (San Joaquin adobe sunburst)
- *Agelaius tricolor* (tri-colored blackbird)
- *Ardea herodias* (great blue heron)
- *Branchinecta lynchi* (vernal pool fairy shrimp)
- *Emys marmorata* (western pond turtle)
- *Eumops perotis californicus* (western mastiff bat)
- *Gymnogyps californianus* (California condor)
- *Haliaeetus leucocephalus* (bald eagle)
- *Spea hammondii* (western spadefoot)
- Northern Claypan Vernal Pool
- Sycamore Alluvial Woodland

Although only one (1) special status species (Crotch bumble bee) has been recorded and is considered extant in the Project study area, there is a possibility that migratory birds and raptors may be present or that currently undeveloped areas within the UDB could provide habitat or foraging areas. Therefore, future development projects within the UDB subject to subsequent CEQA analysis will be required to implement applicable mitigation measure(s) to reduce potential impacts on special status species to less than significant.

Measures for Special Status Plant Species

BIO-1: ***(Pre-construction Survey)*** A qualified biologist/botanist shall conduct pre-construction surveys for special status plant species in accordance with the California Department of Fish and Wildlife (CDFW) *Protocols for Surveying and Evaluating Impacts to Special Status Native Plan Populations and Natural Communities* (2009). This protocol includes identification of reference populations to facilitate the likelihood of field investigation occurring during the appropriate floristic period. Surveys should be timed to coincide with flowering periods for species that could occur (March-May). In the absence of protocol-level surveys being performed, additional surveys may be necessary.

- If special status plant species are not idenfitied during pre-construction surveys, no further action is required.
- If special status plant species are detected during pre-construction surveys, the biologist/botanist will supervise establishment of a minimum 50-foot no disturbance buffer from the outer edge of the plant population. If buffers cannot be maintained, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be contacted immediately to identify the appropriate minimization actions to be taken as appropriate for the species identified and to determine permitting needs.

Measures for Special Status Animal Species

BIO-2: ***(Pre-construction Survey)*** A qualified biologist will conduct pre-construction surveys during the appropriate periods for special status animal species in accordance with CDFW guidance and recommendations. In the absence of protocol-level surveys being performed, additional surveys may be necessary.

- If special status animal species are not idenfitied during pre-construction surveys, no further action is required.
- If special status animal species are detected during pre-construction surveys, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be contacted immediately to identify the appropriate avoidance and minimization actions to be taken as applicable for the species identified and to determine permitting needs.

Measures for Special Status Species Identified in Pre-construction Surveys

BIO-3: ***(Employee Education Program***) Prior to the start of construction, the applicant shall retain a qualified biologist/botanist to conduct a tailgate meeting to train all construction staff that will be involved with the project on the special status species

that occur, or may occur, on the project site. This training will include a description of the species and its habitat needs; a report of the occurrence of the species in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of the measures being taken to reduce impacts to the species during project construction and implementation.

Measures for Nesting Raptors and Migratory Birds

BIO-4: ***(Avoidance)*** In order to avoid impacts to nesting raptors and migratory birds, individual Projects within the Project will be constructed, where possible, outside the nesting season (between September 1st and January 31st).

BIO-5: ***(Pre-construction Survey)*** If Project activities must occur during the nesting season (February 1-August 31), the proponent is responsible for ensuring that implementation does not violate the Migratory Bird Treaty Act or relevant Fish and Game Code. A qualified biologist shalll conduct pre-construction surveys for active raptor and migratory bird nests within 10 days of the onset of these activities. The survey will include the proposed work area(s) and surrounding lands within 500 feet for all nesting raptors and migratory birds; with the exception of Swainson's hawk. The Swainson's hawk survey will utilize the Swainson's Hawk Technical Advisory Committee *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (2000) methodology which will extend to ½-mile outside of work area boundaries. If no nesting pairs are found within the survey area, no further mitigation is required.

BIO-6: ***(Pre-construction Survey)*** A qualified biologist will conduct pre-construction surveys in accordance with the Swainson's Hawk Technical Advisory Committee *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (2000) which employs the following:

Survey Period	Survey Dates	Survey Time	Number of Surveys Needed
I	January – March 20	All day	1
II	March 20 – April 5	Sunrise – 1000; 1600 to Sunset	3
III	April 5 – April 20	Sunrise – 1200; 1630 – Sunset	3
IV	April 21 – June 10	Monitoring sites only	Initiating surveys is not recommended
V	June 10 – July 30	Sunrise – 1200; 1600 – Sunset	3

If project activities must occur during the nesting season (February 1-August 31), the project proponent and/or their contractor is responsible for ensuring that implementation does not violate the Migratory Bird Treaty Act or relevant Fish and Game Code, and a qualified biologist will conduct pre-onstruction surveys for active raptor and migratory bird nests within 10 days of the onset of these activities. The survey will include the proposed work area(s) and surrounding lands within

500 feet for all nesting raptors and migratory birds save Swainson's hawk; the Swainson's hawk survey will extend to ½ mile outside of work area boundaries. If no nesting pairs are found within the survey area, no further mitigation is required.

BIO-7: ***(Buffers)*** Should any active nests be discovered near proposed work areas, a qualified biologist will determine appropriate construction setback distances and a behavioral baseline of all identified nests based on applicable CDFW guidelines and/or the biology of the affected species. Within these buffers, the biologist will continue monitoring to detect behavioral changes. If adverse behavioral changes occur, the activity causing the changes will cease and CDFW will be consulted to determine if avoidance and minimization measures need to be modified to adequately protect the impacted birds. Construction-free buffers will be identified on the ground with flagging, fencing, or by other easily visible means, and will be maintained until the biologist has determined that the young have fledged (i.e, when a bird's feathers and wing muscles are sufficiently developed for flight). Unless a variance is approved by CDFW, the buffer shall not be less than 250 feet around active nests of non-listed bird species and not less than 500 feet around active nests of non-listed raptor species until the birds have fledged. Unless a variance is approved by CDFW, a ½ mile distance shall be used for SWHA, until the birds have "fledged".

Measures for Roosting Bats

BIO-8: ***(Temporal Avoidance)*** To avoid potential impacts to maternity bat roosts, removal of buildings and trees should occur outside of the period between April 1 and September 30, the time frame within which colony-nesting bats generally assemble, give birth, nurse their young, and ultimately disperse.

BIO-9: ***(Pre-construction Survey)*** If removal of buildings or trees is to occur between April 1 and September 30 (general maternity bat roost season), then within 30 days prior to these activities, a qualified biologist will survey affected buildings and trees for the presence of bats. The biologist will look for individuals, guano, and staining, and will listen for bat vocalizations. If necessary, the biologist will wait for nighttime emergence of bats from roost sites. If no bats are observed to be roosting or breeding, then no further action would be required, and construction could proceed.

BIO-10: ***(Minimization)*** If a non-breeding bat colony is detected during pre-construction surveys, a minimum 50-foot no-disturbance buffer area will be established around the colony and the Fresno Field Office of the CDFW shall be notified immediately by phone and in writing to determine the best course of action. If avoidance (including a reduced buffer area) is not feasible, a Bat Eviction Plan shall be prepared by a qualified biologist and approved by the CDFW prior to start of construction. The individuals will be humanely evicted via partial dismantlement of trees or structures prior to full removal under the direction of a qualified biologist to ensure that no harm or "take" of any bats occurs as a result of construction activities.

BIO-11: ***(Avoidance of Maternity Roosts)*** If a maternity colony is detected during pre-construction surveys, a disturbance-free buffer will be established around the colony and remain in place until a qualified biologist deems that the nursery is no longer active. The disturbance-free buffer will range from a minimum of 50 feet as determined appropriate by the qualified biologist in consultation with the CDFW.

WATERS OF THE STATE AND U.S.

In addition to the CDFW BIOS mapping application, the most recent United States Geological Survey (USGS) National Water Information System (NWIS) and United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) mapping applications were accessed on November 5, 2019. [2,3] Based on the information in the CDFW BIOS map (see Figure 2), the USGS NWIS map (see Figure 4), and USFWS NWI map (see Figure 5), the following waterways and wetlands are located within the Project study area or in close proximity.

- Foothill Ditch: The ditch (classified as riverine) is located along the northwestern boundary of the Project study area, adjacent and parallel to the proposed expanded UDB (crossing SR 216 at SR 198); the ditch is also approximately 1,500 feet west of the existing UDB.
- Kaweah River: The river (classified as riverine and freshwater forested/shrub wetland) is approximately 1,800 feet west of the Project study area at its nearest point (northwest of Wutchumna Hill).
- Saint John's River: The river (classified as riverine, with an area classified as freshwater emergent wetland) is approximately 3,800 feet north of the southern region of the Project study area.
- Lemoncove Ditch: This ditch (classified as freshwater pond bounded with freshwater emergent wetland) is located approximately 700 feet east of the Project study area (on the north side of Avenue 328 and approximately 1,500 feet east of SR 198).
- Other Waterways: A waterway (classified as riverine and branching off the Lemoncove Ditch wetland) is located approximately 300 feet east of the proposed UDB (near Avenue 330 and Road 248). A waterway branching off Foothill Ditch (classified as riverine) transects the southwestern most portion of the Project study area in two locatation.
- Other Water Bodies: A freshwater pond is located approximately 300 feet east of the Project study area (approximately 1,500 feet east of SR 198 and 500 feet north of Avenue 324); and various small bodies are located to the south and west of the study area.

There are no development projects proposed with this Project. Future projects will be evaluated on a project-by-project bases as they are identified. Best management practices, including compliance with all applicable Regional Water Quality Control Board requirements, which includes a storm water pollution prevention plan (SWPPP), will be required during construction activities. A grading and drainage plan will be submitted and approved by the Tulare County Resource Management Agency (RMA) Engineering Branch. However, to ensure that potential jurisdictional waters are not adversely impacted by future development within the Project study area (the proposed expanded UDB), the following mitigation measure will be required for projects located adjacent to the waterways and water bodies identified in the BIOS, NWIS and

[2] USGS. https://maps.waterdata.usgs.gov/mapper/index.html
[3] USFWS. https://www.fws.gov/wetlands/data/mapper.HTML

NWI mapping applications. Therefore, the Project will not result in significant impact to any riparian habitats or other protected wetlands.

BIO-12: ***(Consultation)*** Prior to the start of ground disturbance activities, the applicant shall consult with the Fresno Field Office of the CDFW and/or the Sacramento Field Office of the USFWS to determine if a Wetland Delineation and a Lake or Streambed Alteration Agreement will be required.

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Figure 1. Project Location

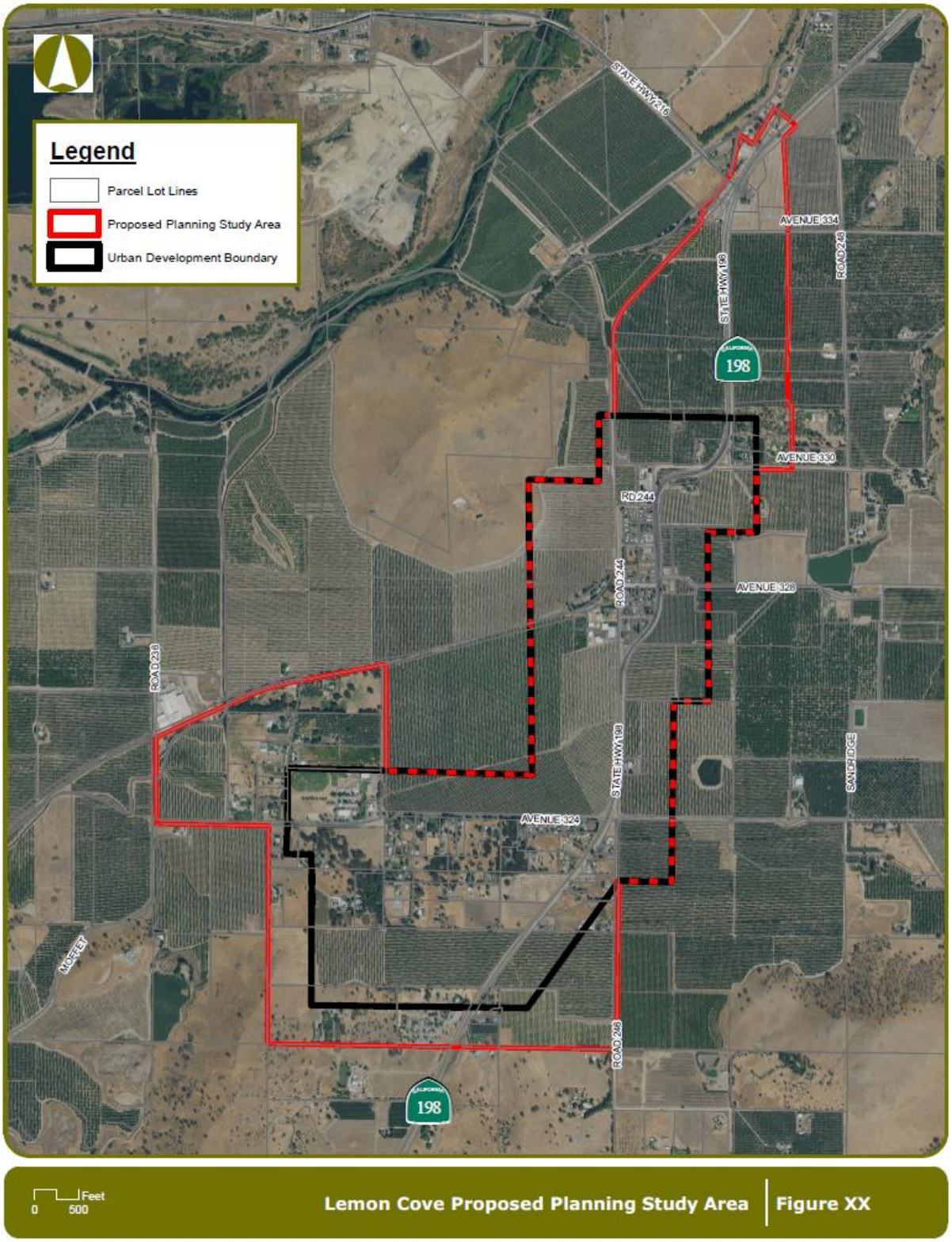

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Figure 2. CNDDB Map Showing Special Status Species and State Waters (Withing Immediate Vicinity of Project Study Area)

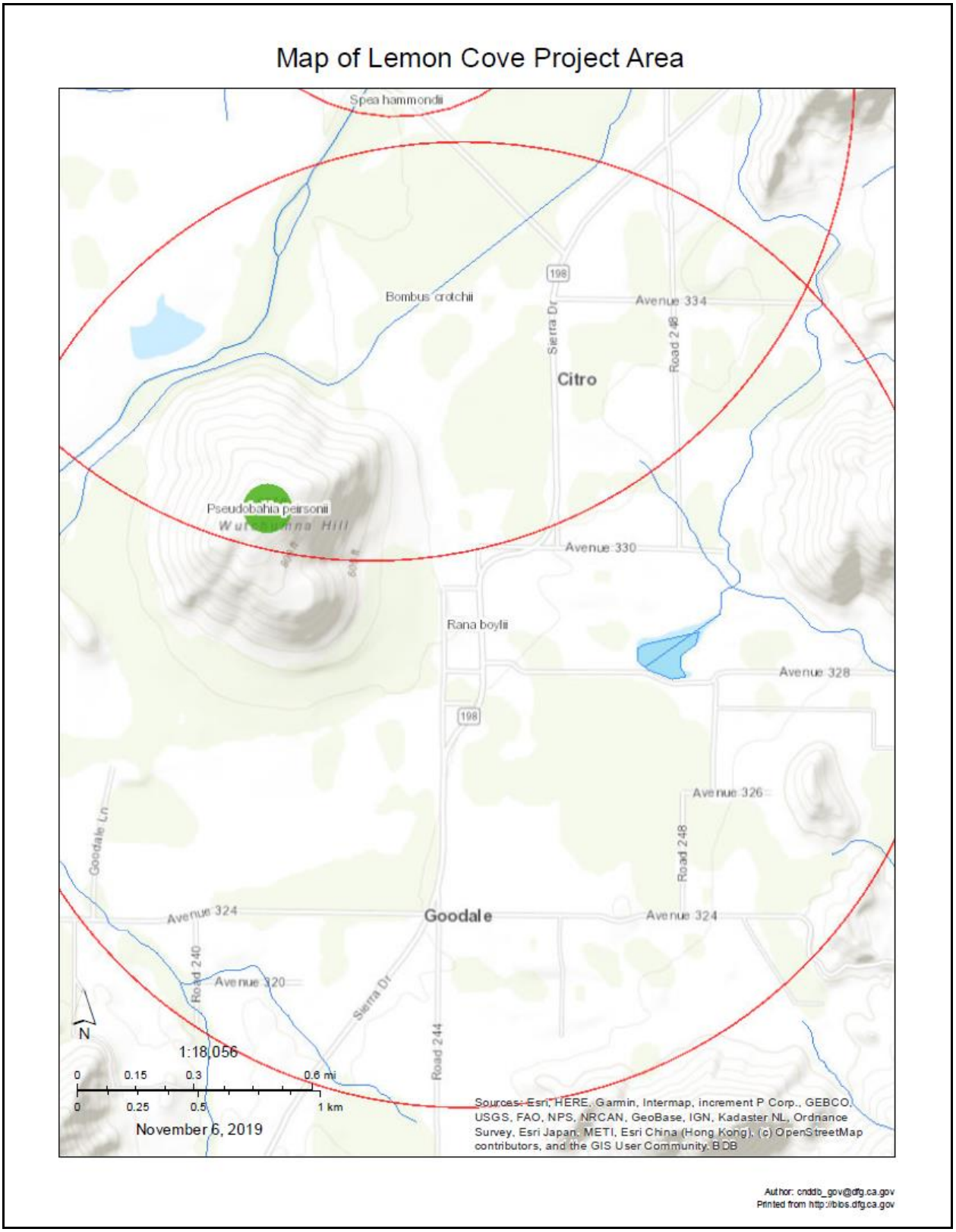

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Figure 3. CNDDB Map Showing Special Status Species (Within Approximately 3 Miles of Project Study Area)

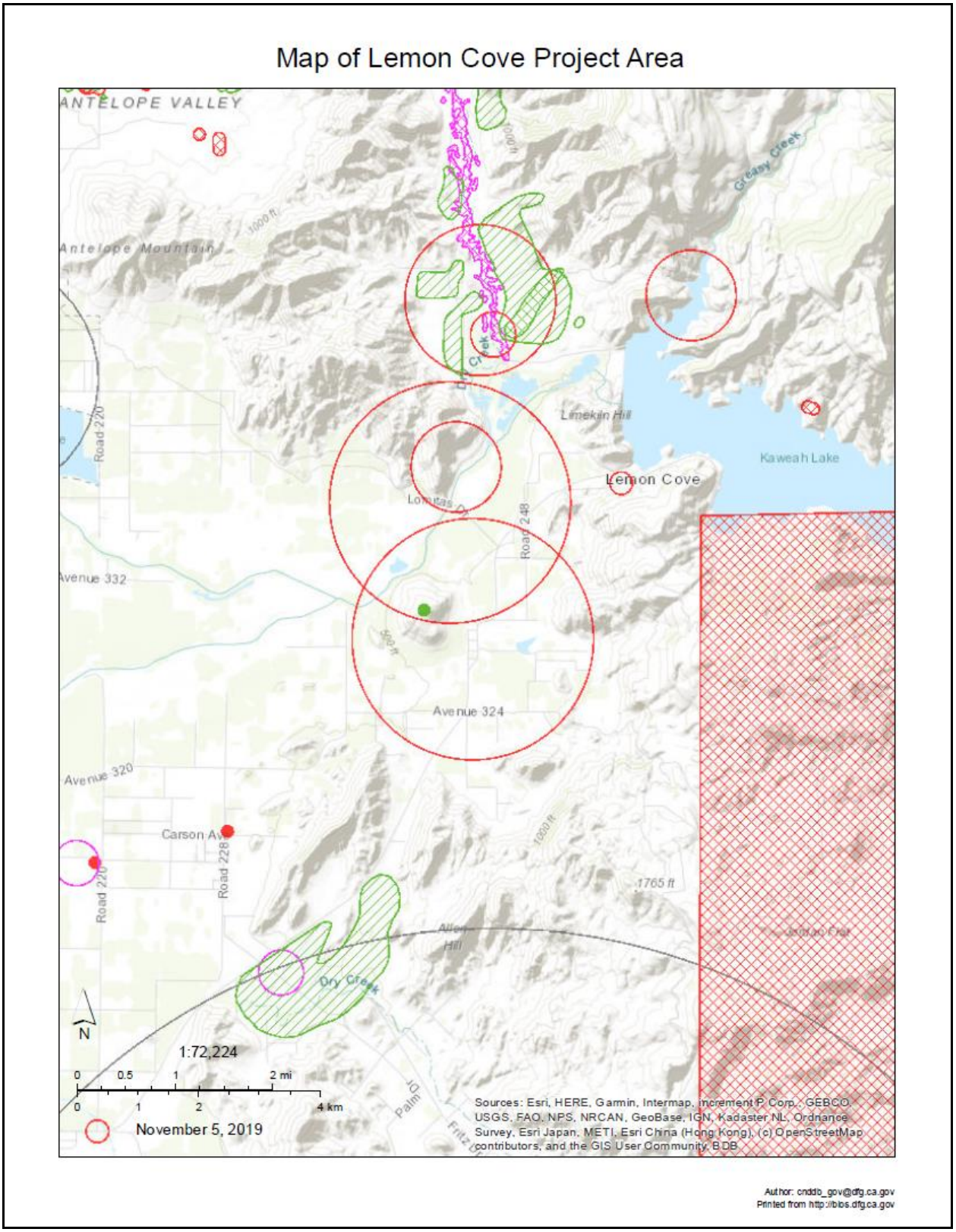

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Figure 4. USGS NWIS Map Showing Federal Jurisdictional Waters

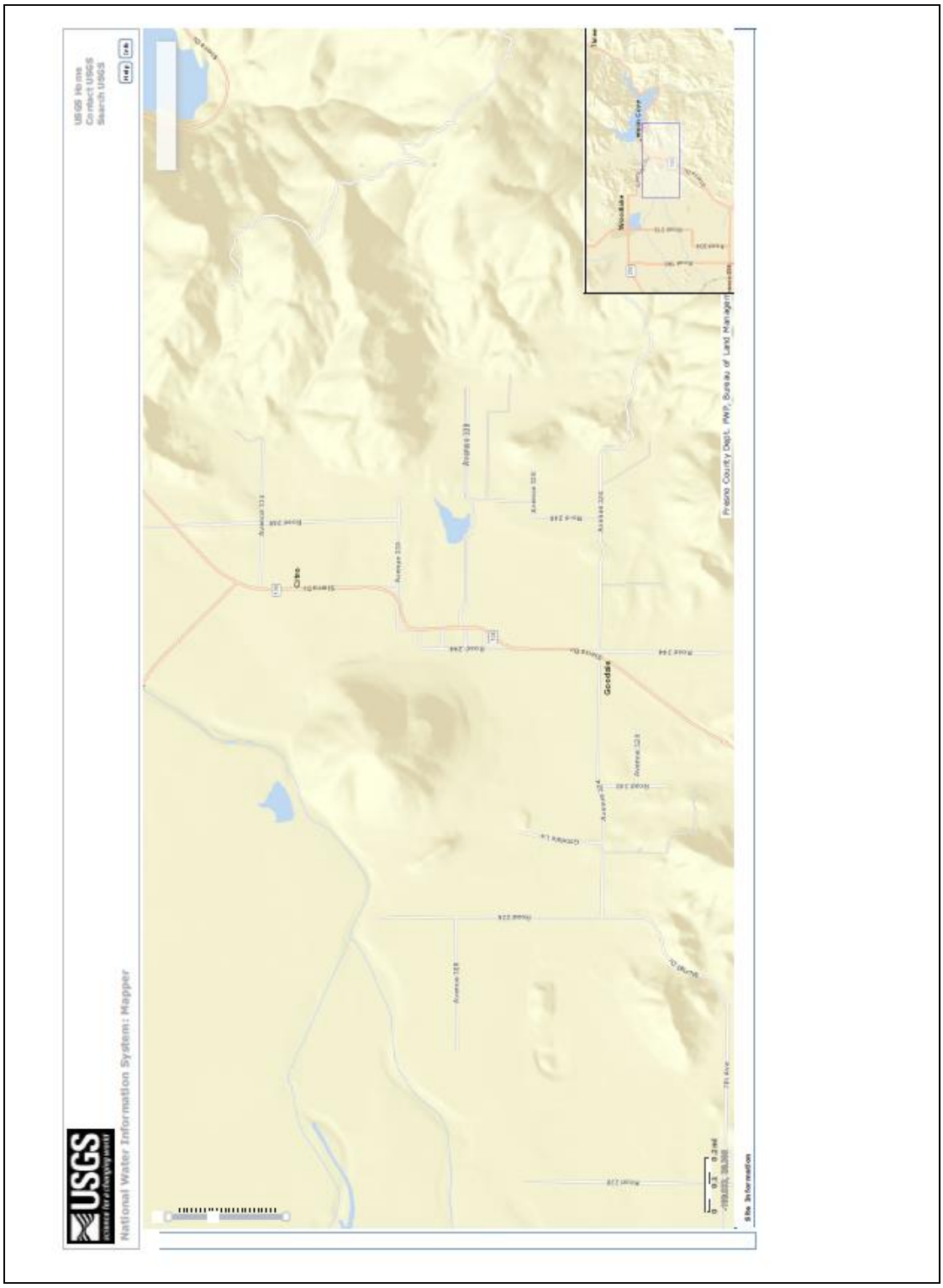

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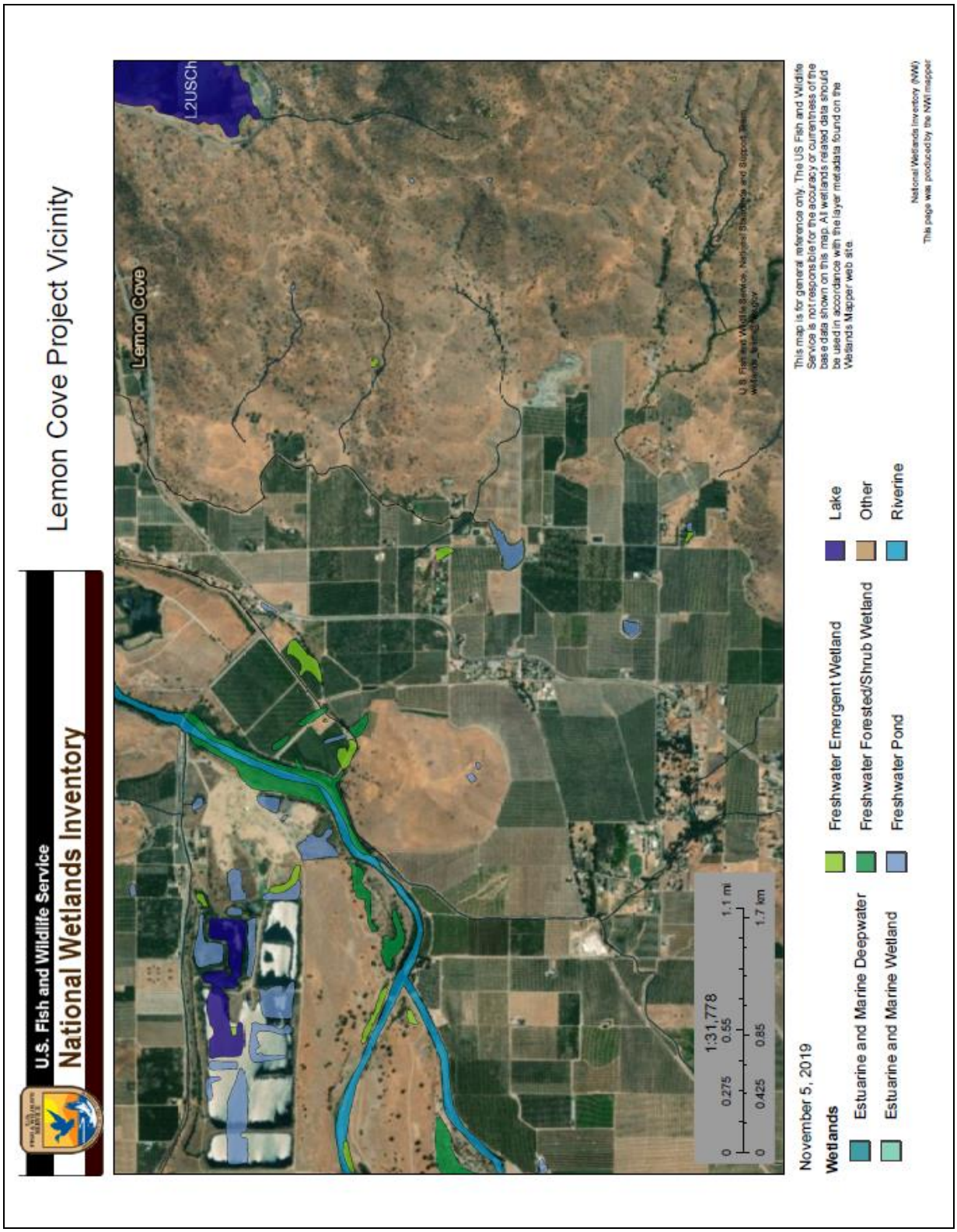
Figure 5. USFWS NWI Map Showing Federal Jurisdictional Waters



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Attachment "C"

Cultural and Tribal Cultural Resources

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CHRIS SEARCH RESULTS

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California
Historical
Resources
Information
System

Fresno
Kern
Kings
Madera
Tulare

Southern San Joaquin Valley Information Center
California State University, Bakersfield
Mail Stop: 72 DOB
9001 Stockdale Highway
Bakersfield, California 93311-1022
(661) 654-2289
E-mail: ssjvic@csub.edu
Website: www.csub.edu/ssjvic

To: Hector Guerra
Tulare County Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277

Record Search 19-291

Tulare County
Resource Management Agency
AUG 12 2019

Date: August 6, 2019

Re: Lemon Cove Community Plan

County: Tulare

Map(s): Rocky Hill & Woodlake 7.5'

CULTURAL RESOURCES RECORDS SEARCH

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

The following are the results of a search of the cultural resource files at the Southern San Joaquin Valley Information Center. These files include known and recorded cultural resources sites, inventory and excavation reports filed with this office, and resources listed on the National Register of Historic Places, Historic Property Directory, California State Historical Landmarks, California Register of Historical Resources, California Inventory of Historic Resources, and California Points of Historical Interest. Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area.

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

According to the information in our files, there have been three previous cultural resource studies conducted within the project area, TU-00985, 01498, and 01675. There have been five additional studies within the one-half mile radius, TU-00049, 00108, 00135, 00378, and 00550.

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

There are three recorded cultural resources within the project area, P-54-004007, 004034, and 004615. There are eight known resources within the one-half mile radius, P-54-000027, 000316, 000319, 005027, 005098, 005099, 005299, and one unrecorded prehistoric rock art site. These resources consist of prehistoric era pictographs and lithic scatters, as well as historic era trash scatters, transmission lines, a hotel, a railroad, and a ditch.

Resource P-54-004007 is the Pogue Hotel, located at 32792 Sierra Drive. This resource has been given a National Register status code of 1D, indicating it is a contributor to a district or multiple resource property listed in the National Register of Historic Places by the Keeper. It is also listed in the California Register of Historical Resources. There are no other recorded cultural resources within the project area that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

COMMENTS AND RECOMMENDATIONS

We understand this project consists of a Community Plan for the community of Lemon Cove. Further, we understand no immediate ground disturbance will take place as a result of this plan. Therefore, no further cultural resource investigation is recommended at this time. However, prior to any future ground disturbance project activities, we recommend a new record search be conducted so our office can then make project specific recommendations for further cultural resources study, if needed. A list of qualified consultants can be found at www.chrisinfo.org.

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

By:

Celeste M. Thomson, Coordinator **Date:** August 6, 2019

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

SACRED LANDS FILE SEARCH RESULTS

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NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone: (916) 373-3710
Email: nahc@nahc.ca.gov
Website: http://www.nahc.ca.gov

August 14, 2019

Jessica Willis
Tulare County Resource Management Agency

VIA Email to: jwillis@co.tulare.ca.us

RE: Native American Consultation, Pursuant to Senate Bill 18 (SB18), Government Codes §65352.3 and §65352.4, as well as Assembly Bill 52 (AB52), Public Resources Codes §21080.1, §21080.3.1 and §21080.3.2, Lemon Cove Community Plan Project, Tulare County

Dear Ms. Willis:

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced counties or projects.

Government Codes §65352.3 and §65352.4 require local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places when creating or amending General Plans, Specific Plans and Community Plans.

Public Resources Codes §21080.3.1 and §21080.3.2 requires public agencies to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to tribal cultural resources as defined, for California Environmental Quality Act (CEQA) projects.

The law does not preclude local governments and agencies from initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction. The NAHC believes that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

Best practice for the AB52 process and in accordance with Public Resources Code §21080.3.1(d), is to do the following:

> Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The NAHC also recommends, but does not require that lead agencies include in their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential affect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:

    - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE, such as known archaeological sites;

    - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;

    - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the APE; and

    - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

    - Any report that may contain site forms, site significance, and suggested mitigation measures.

      All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.

3. The result of the Sacred Lands File (SFL) check conducted through the NAHC was negative.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS is not exhaustive, and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event, that they do, having the information beforehand well help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: steven.quinn@nahc.ca.gov.

Sincerely,

Steven Quinn
Associate Governmental Program Analyst

Attachment

Native American Heritage Commission
Native American Contacts List
8/14/2019

Kern Valley Indian Community
Julie Turner, Secretary
P.O. Box 1010
Lake Isabella ,CA 93240
(661) 340-0032 Cell

Kawaiisu
Tubatulabal

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas ,CA 93906
kwood8934@aol.com
(831) 443-9702

Foothill Yokuts
Mono
Wuksache

Kern Valley Indian Community
Robert Robinson, Chairperson
P.O. Box 1010
Lake Isabella ,CA 93240
bbutterbredt@gmail.com
(760) 378-2915 Cell

Tubatulabal
Kawaiisu

Santa Rosa Rancheria Tachi Yokut Tribe
Rueben Barrios Sr., Chairperson
P.O. Box 8
Lemoore ,CA 93245
(559) 924-1278
(559) 924-3583 Fax

Tache
Tachi
Yokut

Tubatulabals of Kern Valley
Robert L. Gomez, Jr., Tribal Chairperson
P.O. Box 226
Lake Isabella ,CA 93240
(760) 379-4590
(760) 379-4592 Fax

Tubatulabal

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville ,CA 93258
neil.peyron@tulerivertribe-nsn.gov
(559) 781-4271
(559) 781-4610 Fax

Yokuts

This list is current as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code,Section 5097.94 of the Public Resources Code, or Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans Tribes for the proposed:
Lemon Cove Community Plan Project.

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TRIBAL CONSULTATION

Consultation Notice – Lemon Cove Community Plan															
TRIBE CONTACTED	REQUEST TYPE		DOCUMENTS SUBMITTED					DELIVERY METHOD / DATE			CONSULTATION PERIOD		CONSULTATION / ACTIONS		
	AB 52	SB 18	Maps	Project Description	SLF Search Results	CHRIS Results	Other	E-mail	FedEx	Certified US Mail	Return Receipt Date	Date Period Ends	Date	TYPE	Summary
SACRED LAND FILE (SLF) REQUEST															
Native American Heritage Commission	X	X	X	X			Request Form	7/23/19						8/14/19 Email	Response to SLF request including response letter and tribal listing
CONSULTATION REQUEST LETTERS															
Kern Valley Indian Council Robert Robinson, Co-Chairperson PO Box 1010 Lake Isabella, CA 93240	X	X	X	X			Cover Letter and Project Notification Form			8/29/19 7013060000 0216980650	9/24/19	10/24/19 (AB 52) 12/23/19 (SB 18)			Mail returned, unclaimed and unable to forward. Called (760) 378-2915 and sent email to bbutterbredt@gmail.com on 9/24/19. Waiting for response. No response as of 11/6/19.
Kern Valley Indian Council Julie Turner, Secretary P. Box 1010 Lake Isabella, CA 93240	X	X	X	X			Cover Letter and Project Notification Form			8/29/19 7013060000 0216980667	9/24/19	10/24/19 (AB 52) 12/23/19 (SB 18)		9/24/19	Mail returned, unclaimed and unable to forward. Called (661) 340-0032 and sent email to meindiangirl@sbcglobal.net on 9/24/19. Waiting for response. Turner replied email 9/24/19 and stated that they do not have any comments on this project since it's outside of their traditional territory.
Santa Rosa Rancheria Tachi Yokut Tribe Bianca Arias, Administrative Assistant P. O. Box 8 Lemoore, CA 93245	X	X	X	X			Cover Letter and Project Notification Form			8/29/19 7013060000 0216980629	8/30/19	9/29/19 (AB52) 11/28/19 (SB 18)			No response as of 11/6/19.
Santa Rosa Rancheria Tachi Yokut Tribe Cultural Department Greg Cuara, Cultural Specialist P. O. Box 8 Lemoore, CA 93245	X	X	X	X			Cover Letter and Project Notification Form			8/29/19 7013060000 0216980643	8/30/19	9/29/19 (AB52) 11/28/19 (SB 18)			No response as of 11/6/19.
Santa Rosa Rancheria Tachi Yokut Tribe Cultural Department Shana Powers, Director P. O. Box 8 Lemoore, CA 93245	X	X	X	X			Cover Letter and Project Notification Form			8/29/19 7013060000 0216980636	8/30/19	9/29/19 (AB52) 11/28/19 (SB 18)			No response as of 11/6/19.
Tubatulabals of Kern Valley Robert L. Gomez, Jr., Chairperson P. O. Box 226 Lake Isabella, CA 93240	X	X	X	X			Cover Letter and Project Notification Form			8/29/19 7013060000 0216980674	9/10/19	10/10/19 (AB 52) 12/9/19 (SB 18)			No response as of 11/6/19.
Tule River Indian Tribe Neil Peyron, Chairperson P. O. Box 589 Porterville, CA 93258	X	X	X	X			Cover Letter and Project Notification Form			8/29/19 7013060000 0216980698	9/3/19	10/3/19 (AB 52) 12/2/19 (SB 18)			No response as of 11/6/19.
Tule River Indian Tribe Department of Environmental Protection Felix Chrisman, Tribal Archaeologist P. O. Box 589 Porterville, CA 93258	X	X	X	X			Cover Letter and Project Notification Form			8/29/19 7013060000 0216980681	9/3/19	10/3/19 (AB 52) 12/2/19 (SB 18)			No response as of 11/6/19.

Consultation Notice – Lemon Cove Community Plan															
TRIBE CONTACTED	REQUEST TYPE		DOCUMENTS SUBMITTED					DELIVERY METHOD / DATE			CONSULTATION PERIOD		CONSULTATION / ACTIONS		
	AB 52	SB 18	Maps	Project Description	SLF Search Results	CHRIS Results	Other	E-mail	FedEx	Certified US Mail	Return Receipt Date	Date Period Ends	Date	TYPE	Summary
Tule River Indian Tribe Environmental Department Kerri Vera, Director P. O. Box 589 Porterville, CA 93258	X	X	X	X			Cover Letter and Project Notification Form			8/29/19 7013060000 0216980704	9/3/19	10/3/19 (AB 52) 12/2/19 (SB 18)			No response as of 11/6/19.
Wuksache Indian Tribe/Eshom Valley Band Kenneth Woodrow, Chairperson 1179 Rock Haven Ct. Salinas, CA 93906	X	X	X	X			Cover Letter and Project Notification Form			8/29/19 7013060000 0216980711	8/31/19	9/30/19 (AB52) 11/29/19 (SB 18)			No response as of 11/6/19.

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TRIBAL CONSULTION REQUEST LETTERS

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RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

August 28, 2019

Santa Rosa Rancheria Tachi Yokut Tribe
Bianca Arias
P.O. Box 8
Lemoore, CA 93245

RE: Project Notification Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Lemon Cove Community Plan

Dear Ms. Arias,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the CEQA review of the Lemon Cove Community Plan (Project) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

- Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine; and
- Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historical Resources including historic or prehistoric ruins and any burial ground, archaeological, or historic site.

In accordance with CEQA (Pub. Resources Code, § 21000 et seq.), the County of Tulare Resource Management Agency (RMA) will be preparing a Mitigated Negative Declaration (MND) to evaluate the potential environmental effects associated with the Project.

Sacred Lands File Search

The County requested a Sacred Lands File (SLF) search through the Native American Heritage Commission (NAHC) on July 23, 2019, for the Project. The SLF search returned on August 14, 2019, with negative results; however, the NAHC recommended consultation with your Tribe. Results of the SLF search will be made available upon the release of the MND for public review. However, results may be made available to your Tribal Representatives if a written request for consultation is submitted to the County within thirty (30) days of receipt of this letter.

California Historical Resources Information System

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If the County does not receive a response to this notification, it will be presumed that your Tribe has declined the opportunity to consult on this project pursuant to AB 52 and SB 18.

Thank you for your consideration on this matter and please do not hesitate to contact me by phone or e-mail should you have any questions or need additional information. If you need immediate assistance and I am unavailable, please contact, Hector Guerra, Chief of Environmental Planning, by phone at (559) 624-7121, or by email at hguerra@co.tulare.ca.us.

Sincerely,

Jessica R Willis

Jessica Willis
Planner IV
(559) 624-7121
JWillis@co.tulare.ca.us

Attachment: Tribal Consultation Notice

RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

August 28, 2019

Santa Rosa Rancheria Tachi Yokut Tribe
Shana Powers, Director
P.O. Box 8
Lemoore, CA 93245

RE: Project Notification Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Lemon Cove Community Plan

Dear Ms. Powers,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the CEQA review of the Lemon Cove Community Plan (Project) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

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In accordance with CEQA (Pub. Resources Code, § 21000 et seq.), the County of Tulare Resource Management Agency (RMA) will be preparing a Mitigated Negative Declaration (MND) to evaluate the potential environmental effects associated with the Project.

Sacred Lands File Search

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Jessica R. Willis

Jessica Willis
Planner IV
(559) 624-7121
JWillis@co.tulare.ca.us

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RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

August 28, 2019

Santa Rosa Rancheria Tachi Yokut Tribe
Cultural Department
Greg Cuara, Cultural Specialist
P.O. Box 8
Lemoore, CA 93245

RE: Project Notification Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Lemon Cove Community Plan

Dear Mr. Cuara,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the CEQA review of the Lemon Cove Community Plan (Project) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

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Sincerely,

Jessica R. Willis

Jessica Willis
Planner IV
(559) 624-7121
JWillis@co.tulare.ca.us

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RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
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Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

August 28, 2019

Kern Valley Indian Community
Robert Robinson, Chairperson
P.O. Box 1010
Lake Isabella, CA 93240

RE: Project Notification Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Lemon Cove Community Plan

Dear Chairperson Robinson,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the CEQA review of the Lemon Cove Community Plan (Project) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

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Sincerely,

Jessica R Willis

Jessica Willis
Planner IV
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JWillis@co.tulare.ca.us

Attachment: Tribal Consultation Notice

RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

August 28, 2019

Kern Valley Indian Community
Julie Turner, Secretary
P.O. Box 1010
Lake Isabella, CA 93240

RE: Project Notification Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Lemon Cove Community Plan

Dear Ms. Turner,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the CEQA review of the Lemon Cove Community Plan (Project) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

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RESOURCE MANAGEMENT AGENCY

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VISALIA, CA 93277
PHONE (559) 624-7000
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Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

August 28, 2019

Tubatulabals of Kern Valley
Robert L Gomez, Jr., Tribal Chairperson
P.O. Box 226
Lake Isabella, CA 93240

RE: Project Notification Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Lemon Cove Community Plan

Dear Chairperson Gomez,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the CEQA review of the Lemon Cove Community Plan (Project) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

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Jessica Willis
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RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

August 28, 2019

Tule River Indian Tribe
Department of Environmental Protection
Felix Christman, Archaeological Monitor
P.O. Box 589
Porterville, CA 93258

RE: Project Notification Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Lemon Cove Community Plan

Dear Mr. Christman,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the CEQA review of the Lemon Cove Community Plan (Project) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

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Jessica Willis
Planner IV
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RESOURCE MANAGEMENT AGENCY

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Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

August 28, 2019

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville, CA 93258

RE: Project Notification Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Lemon Cove Community Plan

Dear Chairperson Peyron,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the CEQA review of the Lemon Cove Community Plan (Project) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

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RESOURCE MANAGEMENT AGENCY

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Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

August 28, 2019

Tule River Indian Tribe
Environmental Department
Kerri Vera, Director
P.O. Box 589
Porterville, CA 93258

RE: Project Notification Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Lemon Cove Community Plan

Dear Ms. Vera,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the CEQA review of the Lemon Cove Community Plan (Project) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

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If your Tribe desires to consult with the County on the review of this project, please respond in writing within thirty (30) days of receipt of this letter. Written correspondence can be mailed to the address provided above or e-mailed to the addresses provided below.

If the County does not receive a response to this notification, it will be presumed that your Tribe has declined the opportunity to consult on this project pursuant to AB 52 and SB 18.

Thank you for your consideration on this matter and please do not hesitate to contact me by phone or e-mail should you have any questions or need additional information. If you need immediate assistance and I am unavailable, please contact, Hector Guerra, Chief of Environmental Planning, by phone at (559) 624-7121, or by email at hguerra@co.tulare.ca.us.

Sincerely,

Jessica R. Willis

Jessica Willis
Planner IV
(559) 624-7121
JWillis@co.tulare.ca.us

Attachment: Tribal Consultation Notice

RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

August 28, 2019

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas, CA 93906

RE: Project Notification Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Lemon Cove Community Plan

Dear Chairperson Woodrow,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the CEQA review of the Lemon Cove Community Plan (Project) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

- Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine; and
- Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historical Resources including historic or prehistoric ruins and any burial ground, archaeological, or historic site.

In accordance with CEQA (Pub. Resources Code, § 21000 et seq.), the County of Tulare Resource Management Agency (RMA) will be preparing a Mitigated Negative Declaration (MND) to evaluate the potential environmental effects associated with the Project.

Sacred Lands File Search

The County requested a Sacred Lands File (SLF) search through the Native American Heritage Commission (NAHC) on July 23, 2019, for the Project. The SLF search returned on August 14, 2019, with negative results; however, the NAHC recommended consultation with your Tribe. Results of the SLF search will be made available upon the release of the MND for public review. However, results may be made available to your Tribal Representatives if a written request for consultation is submitted to the County within thirty (30) days of receipt of this letter.

California Historical Resources Information System

A California Historical Resources Information System (CHRIS) search for the project area was requested through the Southern San Joaquin Valley Information Center (SSJVIC) on July 23, 2019. The CHRIS search dated August 6, 2019, indicated that there are three (3) recorded resources within the project area (site), and there are eight (8) known resources within the ½ mile radius. These resources consist of prehistoric era pictographs and lithic scatters, as well as historic era trash scatters, transmission lines, a hotel, a railroad, and a ditch. As such, the County is requesting consultation with your Tribe to determine whether a Cultural Resources Study will be required. The results of the CHRIS search may be made available to your Tribal Representatives if a written request for consultation is received. Should the County not receive a response to this request within thirty (30) days of receipt of this letter, it will be presumed that there are no cultural resources of concern and a Cultural Resources Study will not be required.

If your Tribe desires to consult with the County on the review of this project, please respond in writing within thirty (30) days of receipt of this letter. Written correspondence can be mailed to the address provided above or e-mailed to the addresses provided below.

If the County does not receive a response to this notification, it will be presumed that your Tribe has declined the opportunity to consult on this project pursuant to AB 52 and SB 18.

Thank you for your consideration on this matter and please do not hesitate to contact me by phone or e-mail should you have any questions or need additional information. If you need immediate assistance and I am unavailable, please contact, Hector Guerra, Chief of Environmental Planning, by phone at (559) 624-7121, or by email at hguerra@co.tulare.ca.us.

Sincerely,

Jessica R. Willis

Jessica Willis
Planner IV
(559) 624-7121
JWillis@co.tulare.ca.us

Attachment: Tribal Consultation Notice

AB 52 PROJECT NOTIFICATION AND TRIBAL CONSULTATION REQUEST

Project Title: Lemon Cove Community Plan

Project Location: East and West of State Route 198, North of Avenue 330 to South of Avenue 324

USGS 7.5 Minute Quadrangle(s): Woodlake & Rocky Hill

PLSS: Sections 2, 3, 10, 11, Township 18 South, Range 27 East, MDB&M.

Project Description: On April 4, 2017, the Tulare County Board of Supervisors (BOS) approved the Planning Branch proposal to update the Lemon Cove Community Plan (GPI 17-001). The existing Lemon Cove Urban Development Boundary (UDB) and proposed Study Area Boundary are delineated in Attachment 1. The existing UDB may be proposed for expansion to include the full extent of the proposed study area, but the final recommendations pertaining to the areas proposed for expansion are unknown at this time. However, it is anticipated that the northern boundary (or a portion thereof) may be extended north to State Route 216, and the southern boundary (or a portion thereof) may be extended southwest to Road 228.
The Initial Study/Mitigated Negative Declaration being prepared for the Lemon Cove Community Plan Update will identify the proposed UDB boundaries and will assess the potential project impacts from the proposed UDB, land use, and zoning changes within the project Study Area Boundary.

Future estimated growth is based on a projected annual population growth rate of 1.3% as identified in the Tulare County General Plan 2030 Update. Additional growth beyond the 1.3% annual growth rate will require further growth analysis pursuant to CEQA. The Lemon Cove Community Plan Update components will become consistent with the General Plan 2030 Update, and will include the following primary goals and objectives.

1) Land Use and Environmental Planning - Promote development within planning areas next to the Regional State Route 198 and State Route 216 Corridors in order to implement the following General Plan goals:
   a) Ensure that the text and mapping of the Community Plan Designations and Zoning Reclassifications address various development matters such as encouraging Agricultural Adaptive Reuse activities, recognizing Non-Conforming Use activities, and facilitating Ministerial Permit approvals;
   b) Encourage infill development within Urban Development Boundaries, thereby discouraging leapfrog development within Tulare County;
   c) Reduce development pressure on agriculturally-designated lands within the Valley Floor, thereby encouraging agricultural production to flourish;
   d) Reduce vehicle miles travelled throughout the County, thereby positively affecting air quality and greenhouse gas reduction; and
   e) Help to improve the circulation, transit and railroad transportation system within this community, including, but not limited to, laying the groundwork for the construction of key projects such as Safe Routes to Schools, Complete Streets, and Bike Lanes/Pedestrian Paths.

2) Improvements for a "disadvantaged community" - It is expected that the community planning areas will be improved for the following reasons:
   a) With faster project processing resulting from an updated community plan, increased employment opportunities are more likely to be provided by the private sector as proposed project developments can be approved as expeditiously as possible;
   b) Increased housing grant awards are more likely to occur based on updated community plans that are consistent with the policies of the recently adopted (December 2015) General Plan Update and Housing Element; and
   c) With updated community plans, enhanced infrastructure grant awards are more likely, thereby providing access to funding to install or upgrade road, water, wastewater, and storm water facilities.

3) Strengthening Relationship with TCAG - An important benefit of this expedited community plan process will be the opportunity for RMA to strengthen the County's relationship with the Tulare County Association of Governments (TCAG), in that this and other community plans will help to facilitate the funding and implementation of several key transportation programs such as Safe Routes to Schools, Complete Streets, and Bike/Pedestrian Projects.

   By pursuing these transportation programs through a heightened collaborative process, the likelihood of getting actual projects in the ground will be realized faster than historically achieved. In doing so, these communities and others can become safer and healthier by providing a more efficient transportation network.

Request for Consultation: Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the California Environmental Quality Act (CEQA) review of the Lemon Cove Community Plan in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places and tribal cultural resources.

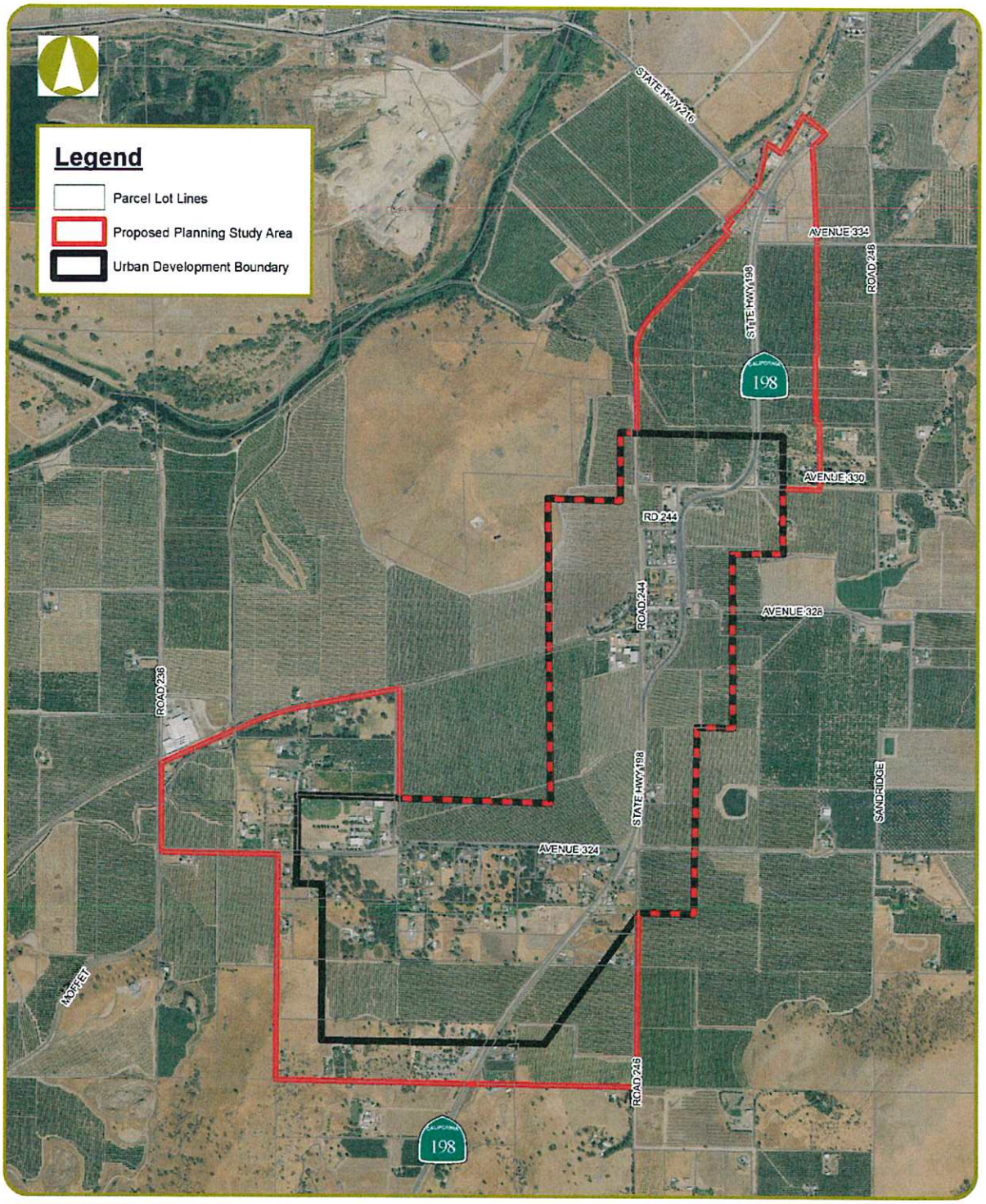
Ifyour Tribe desires to consult with the County on the review of this project, please respond in writing within thirty (30) days of receipt of this notification. Written correspondence can be mailed to the following addresses:

US Post: Tulare County Resource Management Agency
Environmental Planning Division
Attn: Jessica Willis / Hector Guerra
5961 S. Mooney Blvd.
Visalia, CA 93277-9394

E-mail: JWillis@co.tulare.ca.us and HGuerra@co.tulare.ca.us

If you need further assistance or have any questions, please feel free to contact Jessica Willis by phone at (559) 624-7122, or Hector Guerra at (559) 624-7121.

If the County does not receive a response to this notification, it will be presumed that your Tribe has declined the opportunity to consult on this project pursuant to AB 52 and SB 18.



Lemon Cove Proposed Planning Study Area | Figure XX

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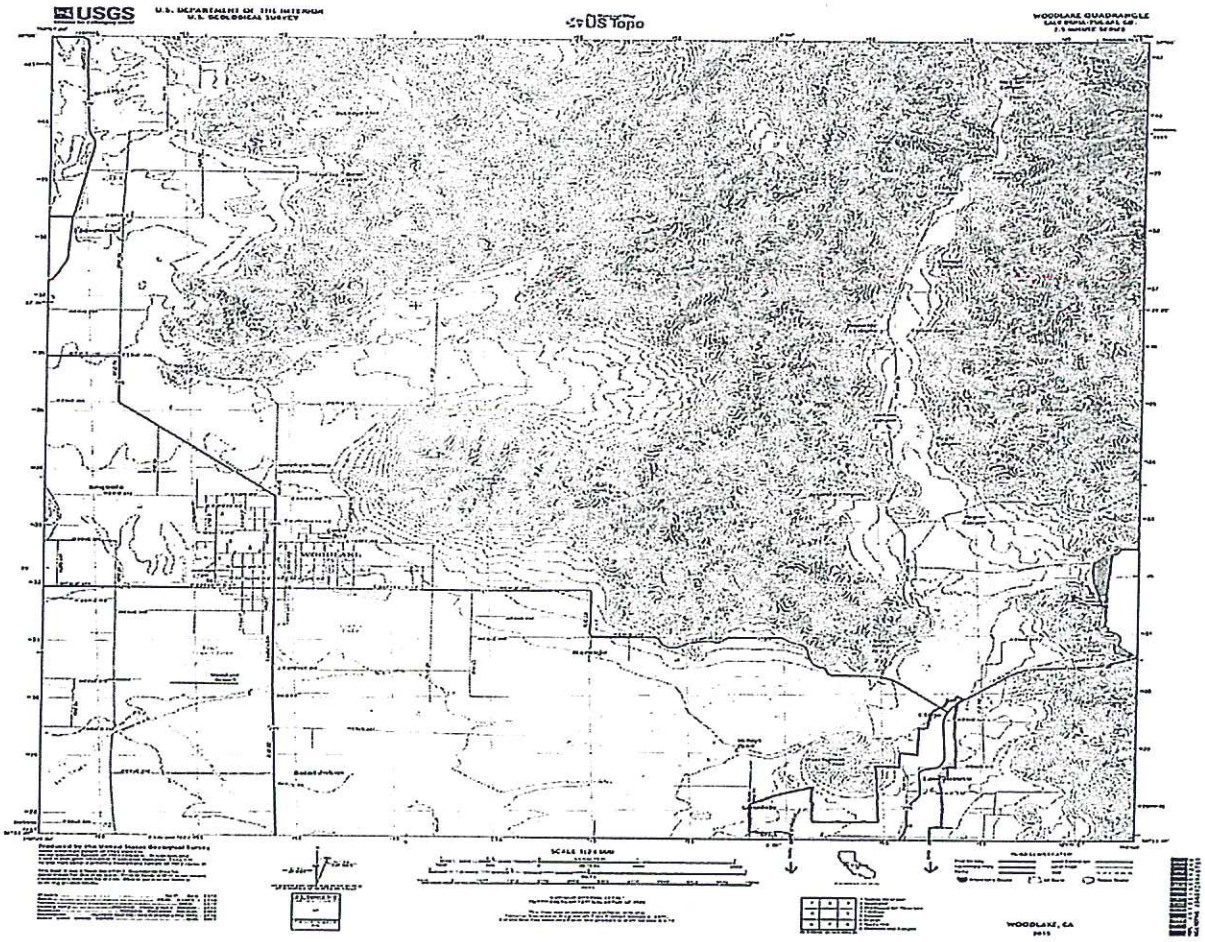
USGS
U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY
US Topo
WOODLAKE QUADRANGLE
SCALE 1:24 000
WOODLAKE, CA
— Approximate Proposed Planning Study Area

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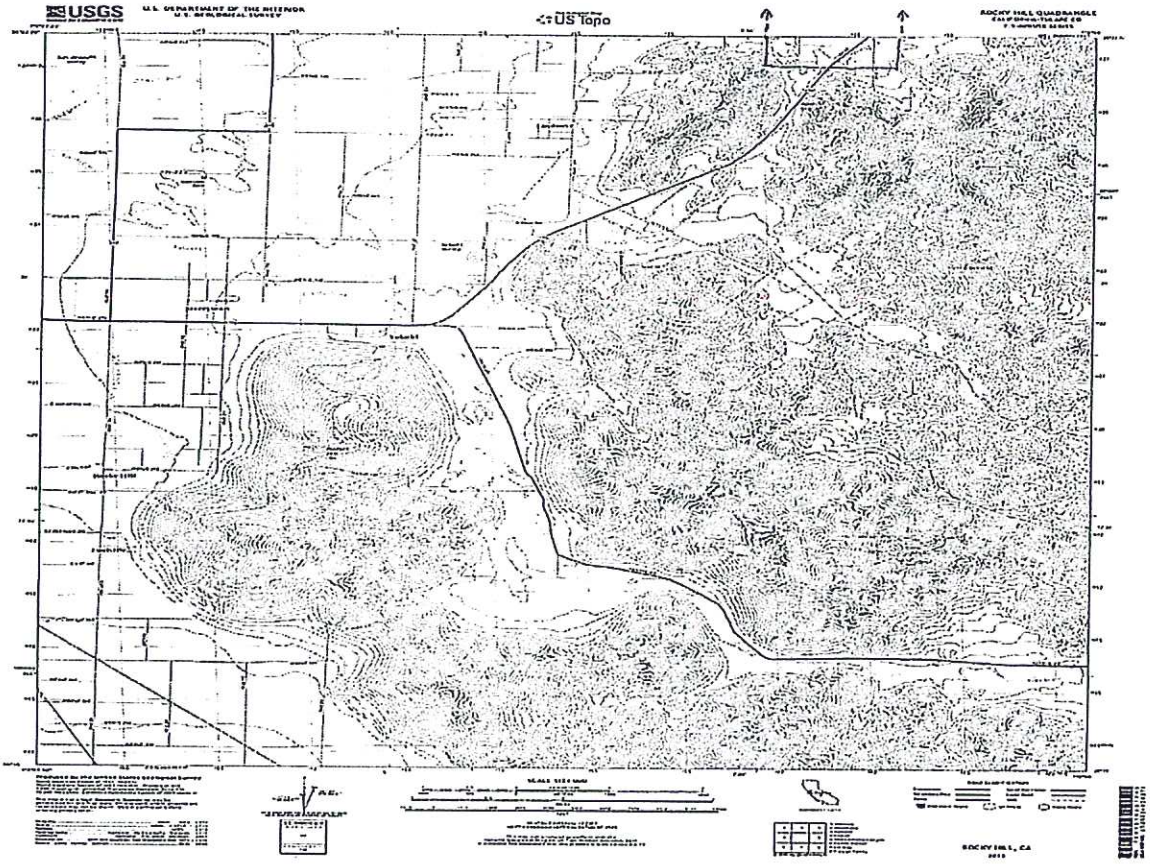
USGS
US Topo

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From: Cheng Chi
To: bbutterbredt@gmail.com
CC: Jessica Willis
Date: 9/24/2019 11:00 AM
Subject: Project Notification Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Lemon Cove Community Plan

Good morning Mr. Robinson.

I called your cell phone earlier but could not reach you. Please allow me to send this email to you and check if this is still a valid email that you use regularly.
Almost a month ago I sent a consultation request notification to you for the Lemon Cove project through certified mail.
The small package was returned to us with the label showing "Unclaimed" and "Unable to Forward."

Please verify if your address is still:

Kern Valley Indian Council
P.O. Box 1010
Lake Isabella, CA 93240

Please respond to this email so I know this is still a valid email to reach. I will then send the materials to you through email.
Thank you.

Sincerely,

Tim

Cheng (Tim) Chi
Planner II
County Of Tulare
Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277
(559) 624-7086
cchi@co.tulare.ca.us

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From: Cheng Chi
To: bbutterbredt@gmail.com
CC: Jessica Willis
Date: 9/24/2019 4:31 PM
Subject: Re: Address verification KVIC_Project Notification Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Lemon Cove Community Plan
Attachments: Lemon Cove AB52 and SB18.pdf

Thank you for your reply Mr. Robinson.

Allow me to send you the materials that were sent to you regarding the Lemon Cove project last time in the attachment.

Best Regards,

Cheng (Tim) Chi
Planner II
County Of Tulare
Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277
(559) 624-7086
cchi@co.tulare.ca.us

>>> Robert Robinson <bbutterbredt@gmail.com> 9/24/2019 2:13 PM >>>

This address is correct.
Robert Robinson, Chairman,THPO
Sent from my iPhone

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From: Cheng Chi
To: meindiangirl@sbcglobal.net
CC: Jessica Willis
Date: 9/24/2019 10:56 AM
Subject: Project Notification Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Lemon Cove Community Plan

Good morning Ms. Turner.

I called your cell phone earlier but could not reach you. Please allow me to send this email to you and check if this is still a valid email that you use regularly.
Almost a month ago I sent a consultation request notification to you for the Lemon Cove project through certified mail.
The small package was returned to us with the label showing "Unclaimed" and "Unable to Forward."

Please respond to this email so I know this is still a valid email to reach. I will then send the materials to you through email.
Thank you.

Sincerely,

Tim

Cheng (Tim) Chi
Planner II
County Of Tulare
Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277
(559) 624-7086
cchi@co.tulare.ca.us

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From: Cheng Chi
To: meindiangirl@outlook.com
CC: Jessica Willis
Date: 9/24/2019 1:43 PM
Subject: Re: Project Notification Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Lemon Cove Community Plan

Thank you for your reply Ms. Turner.

Please also allow me to check with you if you like us to send mails to you with a different mailing address in the future.
If so, please provide me with the address you would like us to use in the future. NAHC list still shows the mailing address for you below. If you want us to send mails to you through a different mailing address in the future (we can change that on our end solely), please also notify NAHC to have it updated. Thank you.

Kern Valley Indian Council

P.O. Box 1010
Lake Isabella, CA 93240

Sincerely,

Cheng (Tim) Chi
Planner II
County Of Tulare
Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277
(559) 624-7086
cchi@co.tulare.ca.us

>>> AT&T response <meindiangirl@sbcglobal.net> 9/24/2019 11:15 AM >>>

Hello
I do not get the mail at the P.O. Box Robert Robinson is in charge if that. And I don't have any comment about on this project. Out of our area of traditional territory.
Julie Turner

On Tue Sep 24 2019 11:03:00 GMT-0700 (PDT), Cheng Chi <CChi@co.tulare.ca.us> wrote:

Please verify if your address is still:

Kern Valley Indian Council
P.O. Box 1010
Lake Isabella, CA 93240

Thank you.

Sincerely,

Tim

Cheng (Tim) Chi
Planner II
County Of Tulare
Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277
(559) 624-7086
cchi@co.tulare.ca.us

>>> Cheng Chi 9/24/2019 10:56 AM >>>
Good morning Ms. Turner.

I called your cell phone earlier but could not reach you. Please allow me to send this email to you and check if this is still a valid email that you use regularly.
Almost a month ago I sent a consultation request notification to you for the Lemon Cove project through certified mail.
The small package was returned to us with the label showing "Unclaimed" and "Unable to Forward."

Please respond to this email so I know this is still a valid email to

reach. I will then send the materials to you through email.
Thank you.

Sincerely,

Tim

Cheng (Tim) Chi
Planner Ⅱ
County Of Tulare
Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277
(559) 624-7086
cchi@co.tulare.ca.us

Attachment "D"

Wildfire Maps

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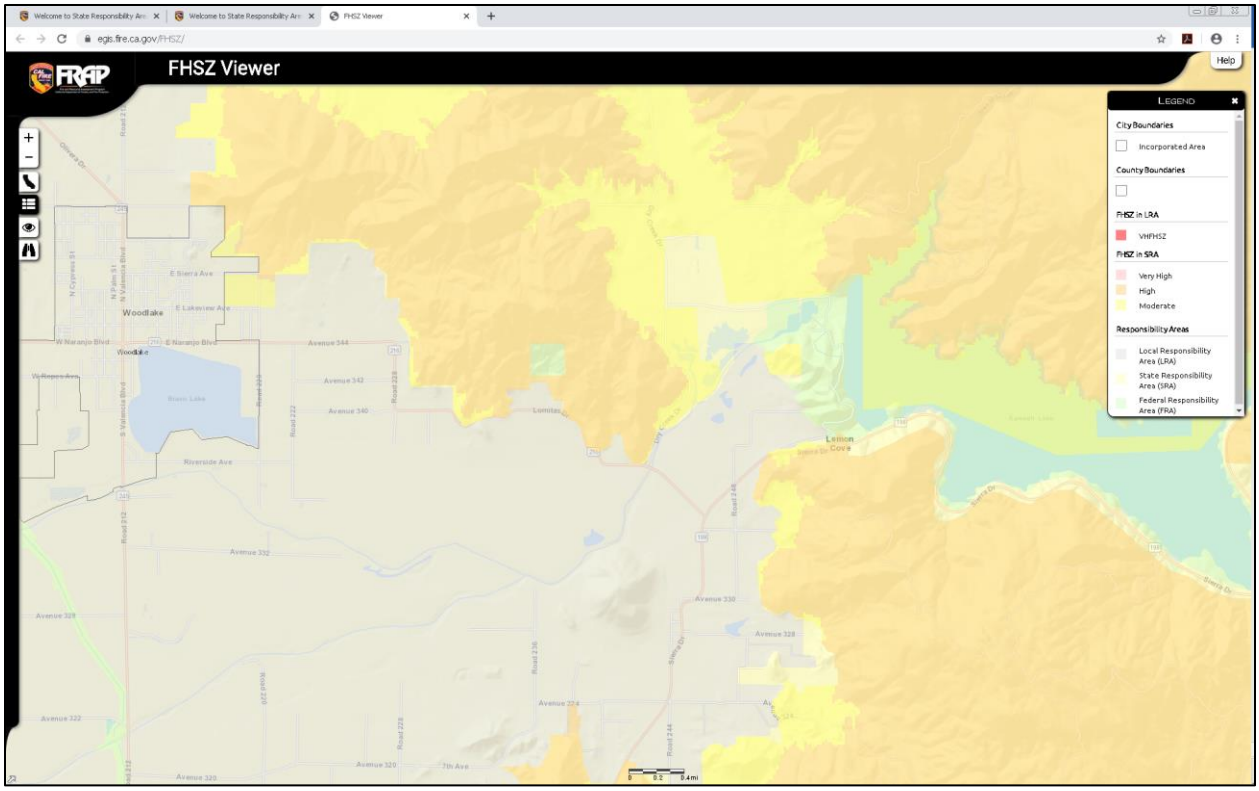
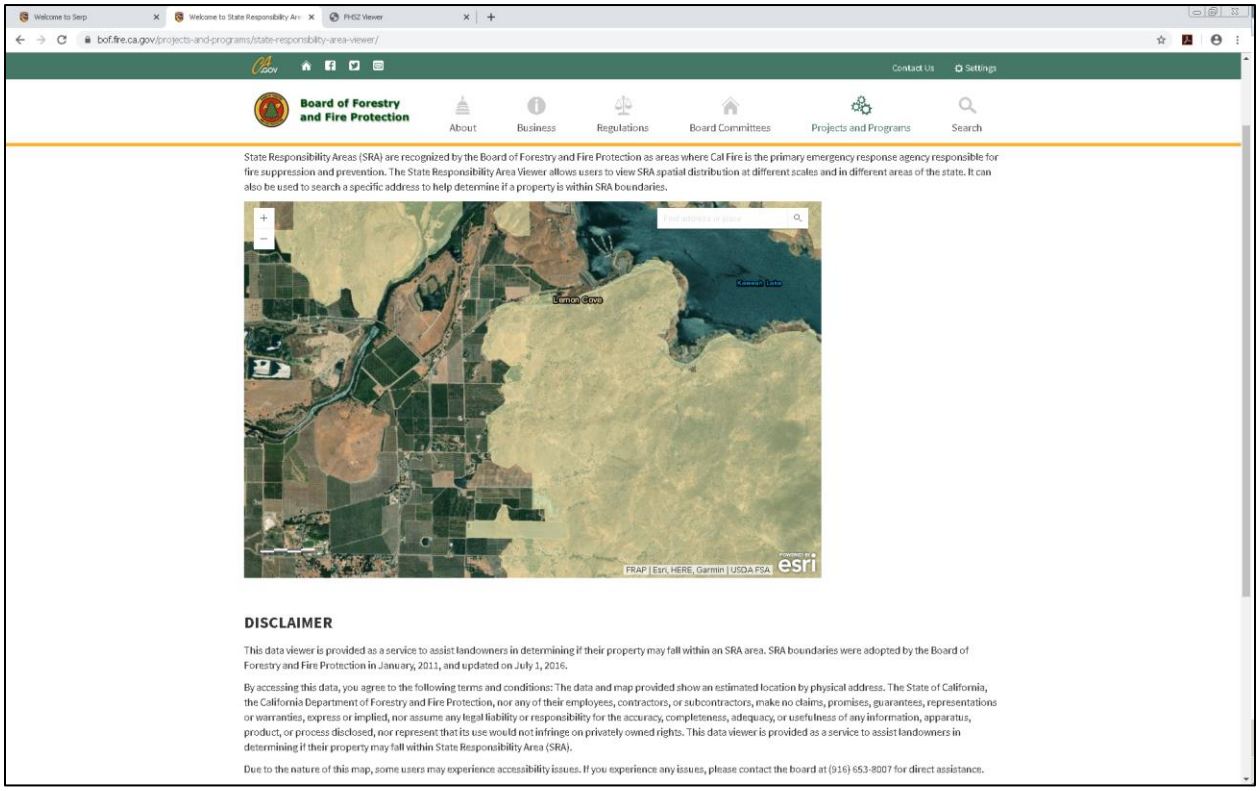


Source: CalFire Fire Hazards Severity Zones (FHSZ) Viewer, https://egis.fire.ca.gov/FHSZ/.



Source: CalFire State Responsibility Areas (SRA) Viewer. https://bof.fire.ca.gov/projects-and-programs/state-responsibility-area-viewer/

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Attachment "E"

Mitigation Monitoring and Reporting Program

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Mitigation Monitoring and Reporting Program								
Mitigation Measure/Condition of Approval		**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Monitoring**	**Method to Verify Compliance**	**Verification of Compliance**		
						Initials	**Date**	**Remarks**
BIOLOGICAL RESOURCES								
Measures for Special Status Plant Species								
4-1	Pre-construction Survey – See Attached Tech Memo							
Measures for Special Status Animal Species								
4-2	Pre-construction Survey – See Attached Tech Memo							
Measures for Special Status Plant and Animal Species Identified in Pre-construction Surveys								
4-3	Employee Education Program – See Attached Tech Memo							
Measures for Nesting Raptors and Migratory Birds								
4-4	Avoidance – See Attached Tech Memo							
4-5	Pre-construction Survey – See Attached Tech Memo							
4-6	Pre-construction Survey – See Attached Tech Memo							
4-7	Buffers – See Attached Tech Memo							
Measures for Roosting Bats								
4-8	Temporal Avoidance – See Attached Tech Memo							
4-9	Pre-construction Survey – See Attached Tech Memo							
4-10	Minimization – See Attached Tech Memo							
4-11	Avoidance of Maternity Roosts – See Attached Tech Memo							
Measures for Wetlands								
4-12	Pre-construction Survey – See Attached Tech Memo							
CULTURAL RESOURCES								
5-1	If, in the course of construction or operation within the Project area, any archaeological, historical, or paleontological resources are uncovered,							

Mitigation Monitoring and Reporting Program								
Mitigation Measure/Condition of Approval		**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Monitoring**	**Method to Verify Compliance**	**Verification of Compliance**		
						Initials	**Date**	**Remarks**
	discovered, or otherwise detected or observed, activities within fifty (50) feet of the find shall be ceased. A qualified archaeologist/paleontologist shall be contacted and advise the County of the site's significance. If the findings are deemed significant by the Tulare County Resources Management Agency, appropriate mitigation measures shall be required prior to any resumption of work in the affected area of the proposed Project. Where feasible, mitigation achieving preservation in place will be implemented. Preservation in place may be accomplished by, but is not limited to: planning construction to avoid archaeological/paleontological sites or covering archaeological/paleontological sites with a layer of chemically stable soil prior to building on the site. If significant resources are encountered, the feasibility of various methods of achieving preservation in place shall be considered, and an appropriate method of achieving preservation in place shall be selected and implemented, if feasible. If preservation in place is not feasible, other mitigation shall be implemented to minimize impacts to the site, such as data recovery efforts that will adequately recover scientifically consequential information from and about the site. Mitigation shall be consistent with CEQA Guidelines section 15126.4(b)(3).							
5-2	If cultural/archeological/paleontological resources are encountered during project-specific construction or land modification							

Mitigation Monitoring and Reporting Program								
Mitigation Measure/Condition of Approval		**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Monitoring**	**Method to Verify Compliance**	**Verification of Compliance**		
						Initials	**Date**	**Remarks**
	activities, work shall stop and the County shall be notified at once to assess the nature, extent, and potential significance of any cultural resources. If such resources are determined to be significant, appropriate actions shall be determined. Depending upon the nature of the find, mitigation could involve avoidance, documentation, or other appropriate actions to be determined by a qualified archaeologist. For example, activities within 50 feet of the find shall be ceased.							
5-3	Consistent with Section 7050.5 of the California Health and Safety Code and (CEQA Guidelines) Section 15064.5, if human remains of Native American origin are discovered during Project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken: 1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: a. The Tulare County Coroner / Sheriff must be contacted to determine that no investigation of the cause of death is required; and							

Mitigation Monitoring and Reporting Program								
Mitigation Measure/Condition of Approval		**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Monitoring**	**Method to Verify Compliance**	**Verification of Compliance**		
						Initials	**Date**	**Remarks**
	b. If the coroner determines the remains to be Native American: i. The coroner shall contact the Native American Heritage Commission within 24 hours. ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. iii. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or 2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance. a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.							

Mitigation Monitoring and Reporting Program								
Mitigation Measure/Condition of Approval		**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Monitoring**	**Method to Verify Compliance**	**Verification of Compliance**		
						Initials	**Date**	**Remarks**
	b. The descendant fails to make a recommendation; or c. The landowner or his authorized representative rejects the recommendation of the descendent.							
TRIBAL CULTURAL RESOURCES								
18-1	See 5-1							
18-2	See 5-2							
18-1	See 5-3							

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Exhibit B: Mitigated Monitoring Reporting Program (MMRP)

Mitigation Monitoring and Reporting Program								
Mitigation Measure/Condition of Approval		**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Monitoring**	**Method to Verify Compliance**	**Verification of Compliance**		
						Initials	**Date**	**Remarks**
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4-1	Pre-construction Survey – See Attached Tech Memo							
Measures for Special Status Animal Species								
4-2	Pre-construction Survey – See Attached Tech Memo							
Measures for Special Status Plant and Animal Species Identified in Pre-construction Surveys								
4-3	Employee Education Program – See Attached Tech Memo							
Measures for Nesting Raptors and Migratory Birds								
4-4	Avoidance – See Attached Tech Memo							
4-5	Pre-construction Survey – See Attached Tech Memo							
4-6	Pre-construction Survey – See Attached Tech Memo							
4-7	Buffers – See Attached Tech Memo							
Measures for Roosting Bats								
4-8	Temporal Avoidance – See Attached Tech Memo							
4-9	Pre-construction Survey – See Attached Tech Memo							
4-10	Minimization – See Attached Tech Memo							
4-11	Avoidance of Maternity Roosts – See Attached Tech Memo							
Measures for Wetlands								
4-12	Pre-construction Survey – See Attached Tech Memo							
CULTURAL RESOURCES								
5-1	If, in the course of construction or operation within the Project area, any archaeological, historical, or paleontological resources are uncovered,							

Mitigation Monitoring and Reporting Program								
Mitigation Measure/Condition of Approval		**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Monitoring**	**Method to Verify Compliance**	**Verification of Compliance**		
						Initials	**Date**	**Remarks**
	discovered, or otherwise detected or observed, activities within fifty (50) feet of the find shall be ceased. A qualified archaeologist/paleontologist shall be contacted and advise the County of the site's significance. If the findings are deemed significant by the Tulare County Resources Management Agency, appropriate mitigation measures shall be required prior to any resumption of work in the affected area of the proposed Project. Where feasible, mitigation achieving preservation in place will be implemented. Preservation in place may be accomplished by, but is not limited to: planning construction to avoid archaeological/paleontological sites or covering archaeological/paleontological sites with a layer of chemically stable soil prior to building on the site. If significant resources are encountered, the feasibility of various methods of achieving preservation in place shall be considered, and an appropriate method of achieving preservation in place shall be selected and implemented, if feasible. If preservation in place is not feasible, other mitigation shall be implemented to minimize impacts to the site, such as data recovery efforts that will adequately recover scientifically consequential information from and about the site. Mitigation shall be consistent with CEQA Guidelines section 15126.4(b)(3).							
5-2	If cultural/archeological/paleontological resources are encountered during project-specific construction or land modification							

Mitigation Monitoring and Reporting Program								
Mitigation Measure/Condition of Approval		**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Monitoring**	**Method to Verify Compliance**	**Verification of Compliance**		
						Initials	**Date**	**Remarks**
	activities, work shall stop and the County shall be notified at once to assess the nature, extent, and potential significance of any cultural resources. If such resources are determined to be significant, appropriate actions shall be determined. Depending upon the nature of the find, mitigation could involve avoidance, documentation, or other appropriate actions to be determined by a qualified archaeologist. For example, activities within 50 feet of the find shall be ceased.							
5-3	Consistent with Section 7050.5 of the California Health and Safety Code and (CEQA Guidelines) Section 15064.5, if human remains of Native American origin are discovered during Project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken: 1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: a. The Tulare County Coroner / Sheriff must be contacted to determine that no investigation of the cause of death is required; and							

Mitigation Monitoring and Reporting Program								
Mitigation Measure/Condition of Approval		**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Monitoring**	**Method to Verify Compliance**	**Verification of Compliance**		
						Initials	**Date**	**Remarks**
	b. If the coroner determines the remains to be Native American: i. The coroner shall contact the Native American Heritage Commission within 24 hours. ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. iii. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or 2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance. a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.							

Mitigation Monitoring and Reporting Program								
Mitigation Measure/Condition of Approval		**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Monitoring**	**Method to Verify Compliance**	**Verification of Compliance**		
						Initials	**Date**	**Remarks**
	b. The descendant fails to make a recommendation; or c. The landowner or his authorized representative rejects the recommendation of the descendent.							
TRIBAL CULTURAL RESOURCES								
18-1	See 5-1							
18-2	See 5-2							
18-1	See 5-3							

Exhibit C: Errata

RESOURCE MANAGEMENT AGENCY

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VISALIA, CA 93277
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Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR
MICHAEL WASHAM, ASSOCIATE DIRECTOR

INTRAOFFICE MEMORANDUM

DATE: December 4, 2019

TO: Hector Guerra, Chief Environmental Planner

FROM: Jessica Willis, Planner IV

SUBJECT: **Errata in the Mitigated Negative Declaration for the Lemon Cove Community Plan 2019 Project (GPA 17-007, PZC 17-007, PZC 19-016, and PZC 19-017)**

The Mitigated Negative Declaration (MND) for the Lemon Community Plan 2019 project includes the following errata:

1) **Cover Page:** The amendment to Section 18.9 of the Zoning Ordinance should read "PZC 19-016 (Section 18.9 Zoning Ordinance – Mixed Use".

2) The following citations were taken from a version of the Community Plan that had not yet been approved for publishing. Text amendments are presented in ~~strikeout~~ and <u>underline</u> and have been amended in the Final MND to reflect the Draft Lemon Cove Community Plan 2019 document that was posted for public review on the County's website on November 8, 2019.

   a. **Page 66**: "The Lemon Cove Community Planning Area is within the Sequoia Union School District with one (1) school located within its boundaries. Sequoia Union ~~Elementary~~ School <u>District</u> is located at ~~the~~ 23958 Avenue 324, Lemon Cove, California."

   b. **Page 67**: [T]he Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP) to assess the natural, technological, and human-caused risks…

   c. **Page 69**: "Domestic water and sewer service in Lemon Cove is provided by the Lemon Cove Sanitary Sewer District <u>(see Figure 17 [in the Community Plan]</u>, formed in December 1950. Table 1<u>9</u> [in the Community Plan, **Table 10-1** in the MND] shows the number of existing water and sewer connections, the capacity of each system, and the number of additional connections the systems can accommodate for new development (Housing Element, May 2012 and Municipal Service Review, May 2006). Maps of the sewer and water systems are currently unavailable."

d. **Page 70**: "The Lemon Cove Sanitary District is a member of the East Kaweah Groundwater Sustainable Agency (GSA). Under SGMA, East Kaweah GSA is responsible for submitting a Groundwater Sustainable Plan (GSP) to the Department of Water Resources (DWR) by January 31, 2020. A memorandum of Understanding (MOU) is in place between the East Kaweah GSA, Mid Kaweah GSA, and Greater Kaweah GSA to coordinate throughout the SPP development phase to meet the sustainability requirements for the entire Kaweah Sub-basin.–"[98]

e. **Page 70**: "[T]he County and East Kaweah Groundwater Sustainability Agency work collaboratively under the Tulare County General Plan to assist the Lemon Cove Sanitary District in establishing conservation measures and credits in order to sustainably grow water and sewer infrastructure consistent with the Projected Growth Rates considered in the General Plan of Tulare County"[99]

f. **Page 70**: "Storm drainage systems should be designed so they have adequate capacity to accommodate runoff that enters the system for the design frequency, and should also be designed considering future development.

g. **Page 71**: "The [Lemon Cove Sanitary] District owns and operat~~ions~~es a Wastewater Treatment Facility (WWTF) located approximately 0.7 miles north of the community…

h. **Page 80**: "The Lemon Cove Community Planning Area is within the Sequoia Union School District with one (1) school located within its boundaries. Sequoia Union School District is located at 23958 Avenue 324, Lemon Cove, California. It offers pre-Kindergarten through 8th grade education and had a 2018-2019 enrollment of 358 students (see Table 20 [in the Community Plan])."[129] "Students in high school are bused to Exeter Union High School (Exeter Unified School District) located in Exeter, California approximately ten (10) miles from Lemon Cove. The College of the Sequoias provides community college instruction for Lemon Cove residents at its Visalia and Tulare campuses."~~129~~[130]

i. **Page 80**: "The nearest ~~[~~County-operated~~]~~ park is Cutler Park located southwest of Ivanhoe at 15520 Ivanhoe Dr. in Visalia, California."[130] Cutler Park is located approximately 11 miles from Lemon Cove.~~131~~[132]

j. **Page 89**: "Domestic water and sewer service in Lemon Cove is provided by the Lemon Cove Sanitary Sewer District (see Figure 17 [in the Community Plan]), formed in December 1950. Table 19 [Table 10-1 at Item 10 a) Hydrology and Water Supply in this MND] shows the number of existing water and sewer connections, the capacity of each system, and the number of additional connections the systems can accommodate for new development (Housing Element, May 2012 and Municipal Service Review, May 2006). Maps of the sewer and water systems are currently unavailable."[145]

k. **Page 89**: "According to the Municipal Service Review 2006 (MSR), the Lemon Cove Sanitary District operates a water supply and distribution system under the jurisdiction of the State Water Resource Control Board (SWRCB) Division of Drinking Water~~Tulare County Environmental Health Services Division, which is responsible~~ for the administration and enforcement of the Safe Drinking Water Act involving those systems in Tulare County with less than 200 connections. The District's water supply and distribution system, which includes a 30,000 gallon storage tank, booster pump, and a 4,000 gallon pressure tank, supports approximately 50 active connections. (see Table 19 [Table 10-1 of the MND])~~"~~

l. **Page 89**: Assuming 50 equivalent dwelling units (EDUs), in order to meet Tulare County Improvement Standards the Lemon Cove Sanitary District water system would need to be capable of delivering a combined flow rate (from all source and storage facilities) of 780 gallons per minute (GPM) (500 GPM fire flow, and 280 GPM domestic demand) for a period of two hours while maintaining a minimum pressure of 25 pounds per square inch (PSI) to each lot served; The water system storage volume of 34,000 gallons would be capable of delivering a source flow of approximately 280 GPM for a period of two hours, indicating that the pumping efficiency of the District's only well would need to be 500 GPM in order to meet the requirements of the Tulare County Improvement Standards. Prior to granting any sphere of influence (SOI) expansions, it is recommended that the Local Agency Formation Commission (LAFCO) verify that there is adequate water system capacity to meet any anticipated increased demands. ~~It is also recommended that the District work to develop a backup water supply. The District would need to expand its water supply and distribution system to support any significant development projects proposed within its SOI.~~"

m. **Page 89**: "The Lemon Cove Sanitary District (see Figure 17 [in the Community Plan]) is also responsible for providing sanitary sewer service to residents within its Boundary.

n. **Page 90**: Using a demand of 310 GPD per connection, it is estimated that the District's sanitary sewer treatment and disposal capabilities would allow for approximately 25 additional connections (equivalent dwelling units) to the system (see Table 19 [Table 10-1 of this MND]).

3) The following footnotes were updated for consistency in formatting and to provide further clarification as to the sources cited in the MND. The information in bold font identifies the page and footnote numbers presented in the MND that was released for public review, while the information in regular type font reflects the footnotes as they are presented in the Final MND.

The footnotes referencing the Draft Lemon Cove Community Plan 2019 in the MND released on November 8, 2019, were based on a version of the document that had not been approved for publishing. These references have been updated to reflect the Draft

Lemon Cove Community Plan 2019 document that was posted for public review on the County's website on November 8, 2019.

a. **Page 1, Footnote 1**: Draft Lemon Cove Community Plan 2019. Page 17.

b. **Page 10, Footnote 3**: Draft Lemon Cove Community Plan 2019. Pages 22 and 154.

c. **Page 11, Footnote 6**: Draft Lemon Cove Community Plan 2019. Page 24.

d. **Page 11, Footnote 7**: Ibid. 17.

e. **Page 12, Footnote 8**: Op. Cit. 24.

f. **Page 13, Footnote 9**: Op.Cit. Table 37, Page 159.

g. **Page 38, Footnote 42**: Draft Lemon Cove Community Plan 2019. Page 86.

h. **Page 39, Footnote 43**: Ibid. 24.

i. **Page 51, Footnote 59**: Draft Lemon Cove Community Plan 2019. Pages 47-49.

j. **Page 53, Footnote 67**: Draft Lemon Cove Community Plan 2019. Pages 47-49.

k. **Page 53, Footnote 69**: This footnote was inadvertently not removed from the template and has been deleted.

l. **Page 53, Footnote 70**: Draft Lemon Cove Community Plan 2019. Page 74.

m. **Page 53, Footnote 72**: Op. Cit. 75.

n. **Page 58, Footnote 80**: San Joaquin Valley Air Pollution Control District. Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. Page 4.

o. **Page 58, Footnote 81**: Ibid. 7-8.

p. **Page 66, Footnote 90**: Draft Lemon Cove Community Plan 2019. Page 78.

q. **Page 67, Footnote 93**: Draft Lemon Cove Community Plan 2019. Page 89.

r. **Page 68, Footnote 95**: Draft Lemon Cove Community Plan 2019. Page 76.

s. **Page 69, Footnote 96**: Ibid. 71.

t. **Page 70, Footnote 97**: Op. Cit. 74.

u. **Page 70, Footnote 98**: Op. Cit. 75.

v. **Page 70, Footnote 99**: Op. Cit. 131.

w. **Page 70, Footnote 100**: Op. Cit. 75.

x. **Page 70, Footnote 101**: Op. Cit. 53.

y. **Page 71, Footnote 102**: Op. Cit. 53-54.

z. **Page 71, Footnote 103**: Op. Cit. 74.

aa. **Page 73, Footnote 105**: Draft Lemon Cove Community Plan 2019. Page 17.

bb. **Page 73, Footnote 106**: Ibid. 22 and 154.

cc. **Page 73, Footnote 107**: Op. Cit. 24.

dd. **Page 75, Footnote 115**: Draft Lemon Cove Community Plan 2019. Page 24.

ee. **Page 76, Footnote 117**: Op. Cit. 56.

ff. **Page 76, Footnote 118**: Op. Cit. 57.

gg. **Page 80, Footnote 127**: Draft Lemon Cove Community Plan 2019. Page 76.

hh. **Page 80, Footnote 128**: Ibid.

ii. **Page 80, Footnote 129**: Op. Cit. 78.

jj. **Page 80, Footnote (new)**: Op. Cit.

kk. **Page 80, Footnote 130**: Op. Cit. 79.

ll. **Page 81, Footnote 132**: Draft Lemon Cove Community Plan 2019. Page 79.

mm. **Page 81, Footnote 133**: Ibid.

nn. **Page 83, Footnote 134**: Op. Cit. 171.

oo. **Page 83, Footnote 135**: Op. Cit. 166.

pp. **Page 84, Footnote 137**: Op. Cit. 165.

qq. **Page 84, Footnote 139**: Draft Lemon Cove Community Plan 2019. Page 104.

rr. **Page 84, Footnote 140**: Ibid. 166.

ss. **Page 87, Footnote 143**: Draft Lemon Cove Community Plan 2019. Page 24.

tt. **Page 89, Footnote (new)**: Ibid. 71.

uu. **Page 89, Footnote 144**: Op. Cit. 71-72

vv. **Page 90, Footnote 145**: Op. Cit. 74.

Attachment No. 2 – Planning Commission Resolution Recommending the Board of Supervisors Adopt the 2019 Lemon Cove Community Plan (GPA 17-007)

Exhibit "A" - 2019 Lemon Cove Community Plan

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENTS TO THE	)	
LAND USE, TRANSPORTATION AND	)	
CIRCULATION, OPEN SPACE (ERME)	)	
AND PLANNING FRAMEWORK ELEMENTS	)	RESOLUTION NO.____
OF THE TULARE COUNTY GENERAL PLAN	)	
2019 LEMON COVE COMMUNITY PLAN	)	
(GPA 17-007).	)	

Resolution of the Tulare County Planning Commission recommending the adoption of the proposed amendments to the Land Use, Transportation and Circulation, Environmental Resources Management (Open Space), and Planning Framework Elements of the Tulare County General Plan for the Lemon Cove Community by the Board of Supervisors.

WHEREAS, the Tulare County Board of Supervisors, by Resolution No. 2017-0222, on April 4, 2017 initiated the action to amend the Tulare County General Plan pursuant to title 7, Chapter 3, Articles 5 and 6 of the Government Code of the State of California; and

WHEREAS, the Planning Commission has been given notice of the proposed amendment to the General Plan as provided in Section 65854 of the Government Code of the State of California; and

WHEREAS, staff has made such investigation of fact bearing upon the proposed amendments to assure action consistent with the procedures and purposes set forth in the California Government Code, the State General Plan Guidelines, and other elements of the Tulare County General Plan; and

WHEREAS, a public notice was printed in the Foothills Sun-Gazette on Wednesday, November 27, 2019, at least ten days prior to the public hearing before the Planning Commission on December 11, 2019; and

WHEREAS, the Chairman of the Planning Commission Opened the Public Hearing and thereby an opportunity for public testimony was provided at a regular meeting of the Planning Commission on December 11, 2019; and

WHEREAS, the Chairman of the Planning Commission reminded the audience after the Staff presentation of the 2019 Lemon Cove Community Plan (see attached exhibits for existing and proposed land use and circulation plans hereby incorporated by reference), that the public hearing was still open, and for anyone with comments to approach the Commission; and

WHEREAS, at that meeting of the Planning Commission public testimony was received by _____, in favor of the Project, and recorded in regards to the Lemon Cove Community Plan. No one spoke in opposition to the Project.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that it has reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) for compliance with the California Environmental Quality Act (CEQA), and the State CEQA Guidelines for the Implementation of CEQA, prior to taking action on the proposed amendments to the Land Use, Open Space, Planning Framework, and Transportation & Circulation Elements of the Tulare County General Plan for the 2019 Lemon Cove Community Plan.

B. This Planning Commission, after considering all the evidence presented, hereby determines the following findings to be relevant in evaluating the proposed General Plan Amendment:

1. The amendment of the Land Use Element to incorporate the land use designations contained in the 2019 Lemon Cove Community Plan is recommended to the Board of Supervisors for approval.

2. The amendment of the Transportation and Circulation Element to incorporate circulation plan designations contained in the 2019 Lemon Cove Community Plan is recommended to the Board of Supervisors for approval.

3. Changes to the Planning Framework Element and Open Space Element to update the Urban Development Boundary are proposed, as set forth in the 2019 Lemon Cove Community Plan adopted in GPA 17-007 and affirmed in the General Plan 2030 for the Planning Framework Element, adopted by the Tulare County Board of Supervisors in August 2012.

4. Amendments to the Zoning Ordinance to implement the 2019 Lemon Cove Community Plan will reflect and remain consistent with the Land Use Plan for the community.

5. State law requires that the County General Plan shall be internally consistent. The proposed amendments are consistent with the Land Use, Planning Framework, Environmental Resources Management Element (Open Space Element), and Transportation and Circulation Elements of the Tulare County General Plan.

6. The Environmental Assessment Officer approved the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) prepared for the project.

7. This Planning Commission hereby finds, based on substantial evidence, that the analysis presented in the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) for GPA 17-007 has been completed in compliance with the California Environmental Quality Act and the

State CEQA Guidelines for the Implementation of the California Environmental Quality Act of 1970.

8. RMA Staff conducted public outreach as part of a new community plan.

AND, BE IT FURTHER RESOLVED as follows:

A. This Planning Commission hereby recommends that the Tulare County Board of Supervisors certify the IS/MND and MMRP and adopt the 2019 Lemon Cove Community Plan (GPA 17-007 by Resolution No. _____.

B. The Planning Commission hereby recommends that the Tulare County Board of Supervisors adopt General Plan Amendment No. GPA 17-007 the 2019 Lemon Cove Community Plan and amendments to the Land Use, Transportation and Circulation, Open Space and Planning Framework Elements of the Tulare County General Plan.

The foregoing Resolution No. ____ was adopted upon motion by Commissioner _____, seconded by Commissioner _____, at a regular meeting of the Planning Commission on December 11, 2019, by the following roll call vote for the 2019 Lemon Cove Community Plan.

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY PLANNING COMMISSION

_____
Michael Washam, Secretary

Exhibit:

A – 2019 Lemon Cove Community Plan

Exhibit "A" 2019 Lemon Cove Community Plan

DRAFT LEMON COVE COMMUNITY PLAN 2019

Tulare County Resource Management Agency
Economic Development and Planning Branch

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Lemon Cove Community Plan 2019

Adopted: ----

Tulare County Board of Supervisors
Resolution No. ----

Tulare County Planning Commission
Recommendations:
Resolutions No.

Lemon Cove Community Plan: GPA GPA 17-007
Section 18.9 Zoning Ordinance (Mixed Use): PZC 19-016
Section 16 Zoning Ordinance (By Right) PZC 19-017
Zoning District Map: PZC 17-007

Tulare County Resource Management Agency
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Tulare County Board of Supervisors

Kuyler Crocker – District 1 (Chairman)
Pete Vander Poel – District 2 (Vice Chair)
Amy Shuklian – District 3
Eddie Valero – District 4
Dennis Townsend – District 5

Tulare County Planning Commission

John F. Elliott – District 1
(Vacant) – District 2
Bill Whitlatch – District 3 (Vice Chair)
Maria McElroy – District 4
Steve Pearson – District 5
Wayne O. Millies – At Large (Chair)
Ed Dias – At Large
Gil Aguilar – District 2

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County Administrative Office

Jason T. Britt, CAO

Tulare County Resource Management Agency

Reed Schenke, Director
Michael Washam, Associate Director
Aaron R. Bock, Assistant Director
Dave Bryant, Chief Planner, Special Projects
Chuck Przybylski, Planner IV
Susan Simon, Planner III
Jose Saenz, Planner II
Johnson Vang, Engineer I
Roxana Mendez, Engineer Technician I
Juan Carmona, Property Specialist II
Doreen Alvez, Administrative Aide

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Executive Summary

Introduction

Lemon Cove is a census-designated place located in the northern portion of Tulare County, approximately four miles southeast of Woodlake and eleven miles northeast of Visalia. It is generally bounded by Avenue 319 in the south, Goodale Lane in the north, Road 236 in the west, and Road 248 in the east and encompasses 0.8 square miles of land. Lemon Cove is an agriculturally oriented service community surrounded by lands in agricultural production, vacant lands, and scattered residential homes. State Route (SR) 198 and SR 216 provide primary access to the cities of Visalia and Woodlake, respectively. Cities and communities surrounding Lemon Cove include Visalia to the southwest; Woodlake to the northwest; and the community of Three Rivers to the northeast. The Tulare County/Fresno County Line is located approximately 10.5 miles north of Lemon Cove.

As with any community plan, the contents of this document are not intended to be absolute. Planning is a continuous process and, to be effective, requires periodic re-evaluation and revision to reflect changing needs and priorities. This Plan, therefore, should be reviewed on a periodic basis with the assistance and participation of local citizens, groups, and agencies. By doing so, it is envisioned that the Lemon Cove Community Plan will continue to provide meaningful and necessary guidance toward the development of the community in the foreseeable future.

California Government Code Section 65300 et seq. requires that each local agency, city or county, prepare and adopt comprehensive long-term general plans for the physical development of lands within its jurisdiction. A general plan must function as "a statement of development policies" and must include a diagram and text setting forth goals, policies, standards, and plan proposals. The plan must include the following elements: land use, circulation, housing, conservation, noise, safety, and open space. State law also provides that a local agency may include one or more several optional elements depending on the needs and characteristics of the jurisdiction.

In Tulare County, the General Plan has historically been developed on a countywide basis or by large geographic sub-areas (such as rural valley, foothill, and mountain), with development policies, emphasizing countywide and area-wide issues and concerns. In establishing land use planning policies on an area-wide basis, it has been recognized that several unincorporated communities, including Lemon Cove, have localized land use needs and issues that should be addressed in a more specific manner particular to its community, geographic features, location of major roadways (such as State Route (SR) 198, population characteristics, availability of water, and other issues unique to the community's area. Therefore, the Lemon Cove Community Plan 2019 has been prepared with an emphasis on these considerations with particular focus on land use and circulation.

Location

Lemon Cove **(see Figure 1)** is located in the northern portion of Tulare County, approximately four (4) miles southeast of Woodlake and eleven (11) miles northeast of Visalia. It is generally bounded by

Avenue 319 in the south, Goodale Lane in the north, Road 236 in the west, and Road 248 in the east and encompasses approximately 0.8 square miles of land. Lemon Cove is an agriculturally oriented service community surrounded by lands in agricultural production, vacant lands, and scattered residential homes. State Route (SR) 198 and State Route (SR) 216 provide primary access to the cities of Visalia and Woodlake **(see Figure 2)** to the northwest, and the community of Three Rivers to the northeast. The Tulare County/Fresno County Line is located approximately 10.5 miles north of Lemon Cove.

Lemon Cove is located in Sections 02, 03, 10, and 11, Township 18 South, Range 27 East MDB&M, and can be found within the Woodlake and Rocky Hill Quads United States Geological Survey 7.5 minute topographic quadrangle. Lemon Cove is located at an elevation of 502 feet above sea level. The coordinates of Lemon Cove are Latitude: 36º 22' 53"N and Longitude: 119º 1' 33".

Figure 1 Vicinity Map

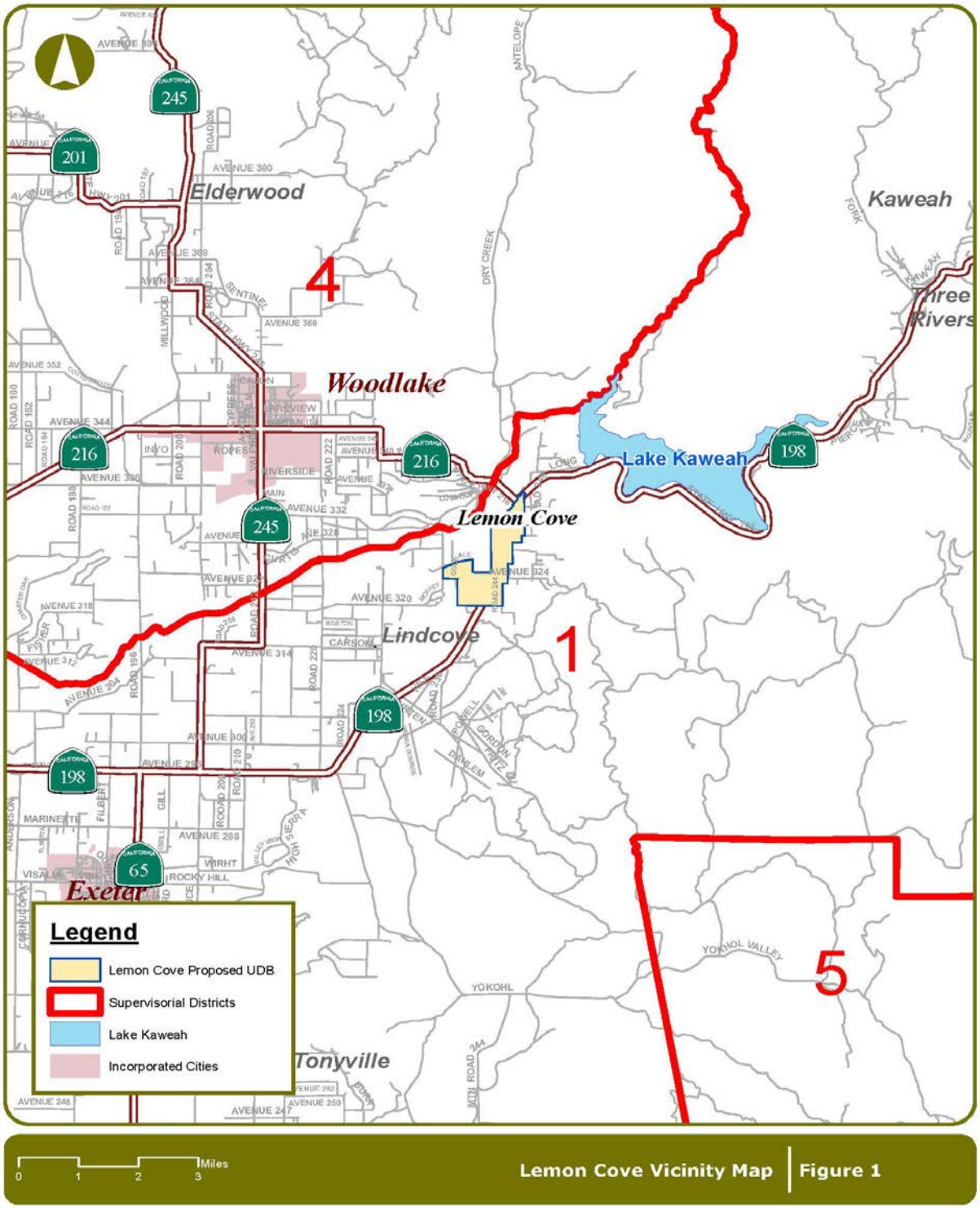
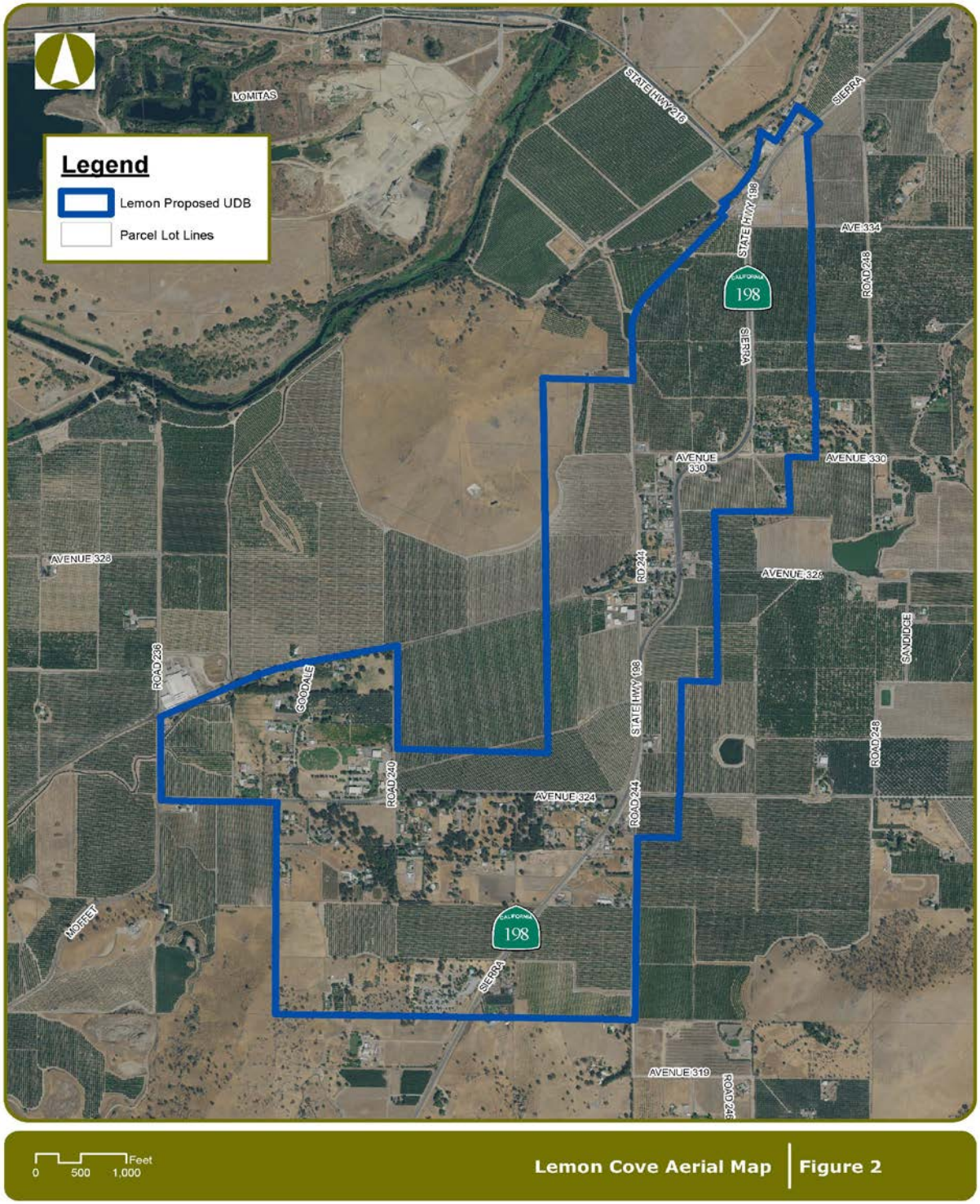


Figure 2 Aerial Map



Historical Perspective

Lemon Cove, is nestled in the foothills between Woodlake and Three Rivers. Its original name was Lime Kiln (due to the lime deposits discovered in the vicinity in 1859). Lime Kiln Hill, an anchor point for the present-day Terminus Dam at Lake Kaweah, was the boundary between the Wutchumna and Potwisha Indians who lived along the Kaweah River.

The history of the community of Lemon Cove begins with James William Center (J.W.C.) Pogue (1839-1907). The Pogues came to California in 1857 and settled near Venice Hill (between Woodlake and Lemon Cove) in Tulare County in 1862. After the flood of 1868, they moved to Dry Creek (north of Lemon Cove), where Pogue planted orange and lemon trees. In 1894, J.W.C. Pogue changed the name of the town to Lemon Cove.

Lemon Cove Background Report

Community Profile

Existing Urban Development Boundary

The existing Lemon Cove Urban Development Boundary (UDB) area **(see Figure 3)** consists of approximately 404.1-acres (including rights-of-way). The UDB includes areas within the Lemon Cove Sanitary District boundary in order to provide service area consistency between these two boundaries. Lemon Cove is a small, unincorporated agricultural service community.

Severely Disadvantaged Community

Public Resources Code 75005 (g) states that a "[d]isadvantaged community" means a community with a median household income less than 80% of the statewide average. "Severely disadvantaged community" means a community with a median household income less than 60% of the statewide average."

In 2017, Lemon Cove's median household income was $21,250*, whereas the State of California's median household income was $67,169. Lemon Cove's median household income was 31.6% of the State of California's median household income, and therefore it is considered a disadvantaged community.

*The California Department of Public Health requested that Self-Help Enterprises (SHE) perform an income survey of the Lemon Cove District in Lemon Cove, California. The purpose of this survey is to establish a median household income (MHI) level for grant and loan funding programs and sources.

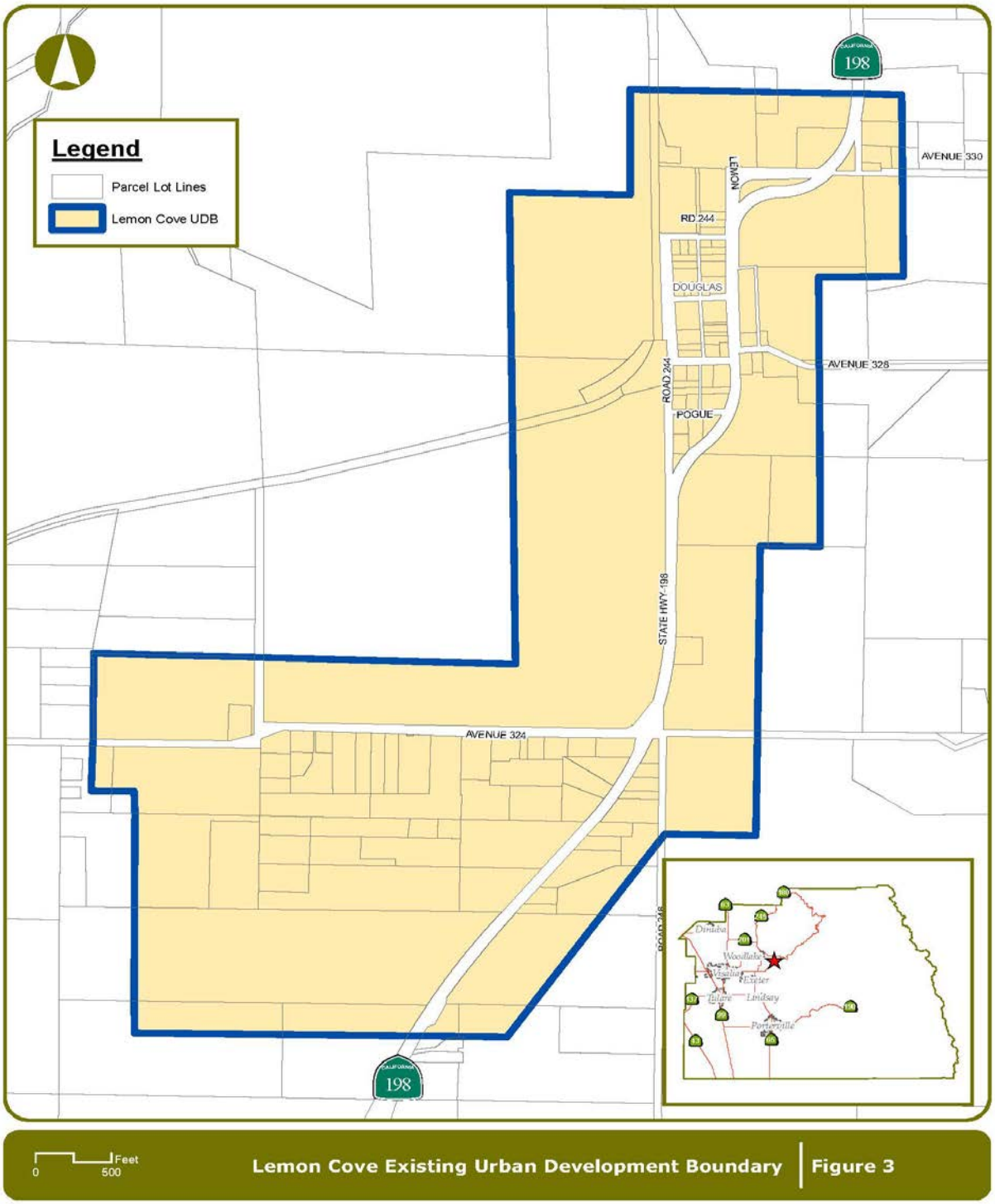
Climate

The southern San Joaquin Valley climate is influenced to a great extent by the Coast Ranges to the west which prevent the cool, moisture-laden maritime air from reaching the valley. It is generally characterized as a Mediterranean climate (one of three similar zones in the world). The area in general has a climate that tends to be clear, sunny, warm and dry. The mean temperatures range from a low of 34° F. (l.l° C) in January to a high of 100° F. (37.7° C) in July. Because of the Coast Ranges, the average rainfall for the area is very low, ranging from three to nine inches per year, with 90% of the yearly precipitation between November and April. There are periods in winter when the valley floor is covered with dense wet ground fogs with winds typically light and from the north.

Topography

The Lemon Cove community rests entirely within alluvial deposits from the Sierra Nevada foothills and mountains. Lemon Cove's elevation is 502 feet above sea level.

Figure 3 Lemon Cove Urban Development Boundary



Lemon Cove Land Use

The existing Land Use for the community of Lemon Cove is designated Mixed-Use (MU). At this time, the community of Lemon Cove does not have a community plan; therefore, the Tulare County General Plan Update 2030 provides the framework for development. The Goals and Policies Report reinforce, amend and expand policies with respect to development in the unincorporated area. The General Plan 2030 Update provides guidance to development within the community:

> **Planning Framework Policy PF 2.6 Land Use Consistency:** Until such time as a Community Plan is adopted for those communities without existing Community Plans, the land use designation shall be Mixed Use, which promotes the integration of a compatible mix of residential types and densities, commercial uses, public facilities, and services with employment opportunities.
>
> **Mixed Use Land Use Designation:** The Mixed Use designation established areas appropriate for the planning integration of some combination of retail office, single family and multi-family residential, hotel, recreation, limited industrial, public facilities or other compatible use.

One of the most important purposes of the Lemon Cove Community Plan is to establish land use patterns and development policies and standards for the community for the planning period, through the year 2030. The general intent of the land use plan for Lemon Cove is to identify the most appropriate types and distribution of land uses for the community, based on environmental, circulation, infrastructure, services, opportunities and constraints, urban development boundary suitability analysis and other economic capacities and concerns discussed in the chapters of this Plan.

The County of Tulare, through existing policies, has encouraged both incorporated and unincorporated communities to establish urban development and land use patterns, which are compact and contiguous. This policy position has reduced so-called "leap frog" development throughout the County, helping preserve agricultural lands, and minimize land use conflicts between urban and agricultural areas.

Existing Land Use Plan Acreage

Table 1 shows that a majority of the land in the Lemon Cove Community Plan area is designated Mixed Use (404.89-acres). In total, there is about 374.07 acres of designated lands in the Lemon Cove Community Planning Area **(see Figure 4)** 30.82 acres within the Planning Area is dedicated to unclassified rights-of-way.

Table 1 Existing Land Use Plan Lemon Cove

Designation	Total Acreage
Mixed Use	374.07
Unclassified (Rights-of-Way)	30.82
Total	**404.89**

Source: Tulare County GIS

Existing Zoning Districts Acreage

The existing zoning designations within the Lemon Cove Community are shown in **Figure 5**. As demonstrated in **Table 2**, agricultural zones comprise 66.64%, residential zones comprise 21.01%, commercial zones, and rights-of-way 7.61% in the existing Lemon Cove Urban Development Boundary.

Table 2 Existing Zoning Districts

Zoning Designations	Existing Acres	Percent
A-1	246.31	60.83%
AE-20	23.55	5.81%
C-2-SC	2.93	0.72%
O	6.62	1.63%
PD-F-M	9.54	2.35%
R-3	2.24	0.55%
R-A	7.04	1.73%
R-A-M	71.23	17.59%
R-A-M-43	4.61	1.13%
Rights of Way	30.82	7.61%
Total	**404.89**	**100.0%**

Source: Tulare County GIS

Figure 4 Land Use Map

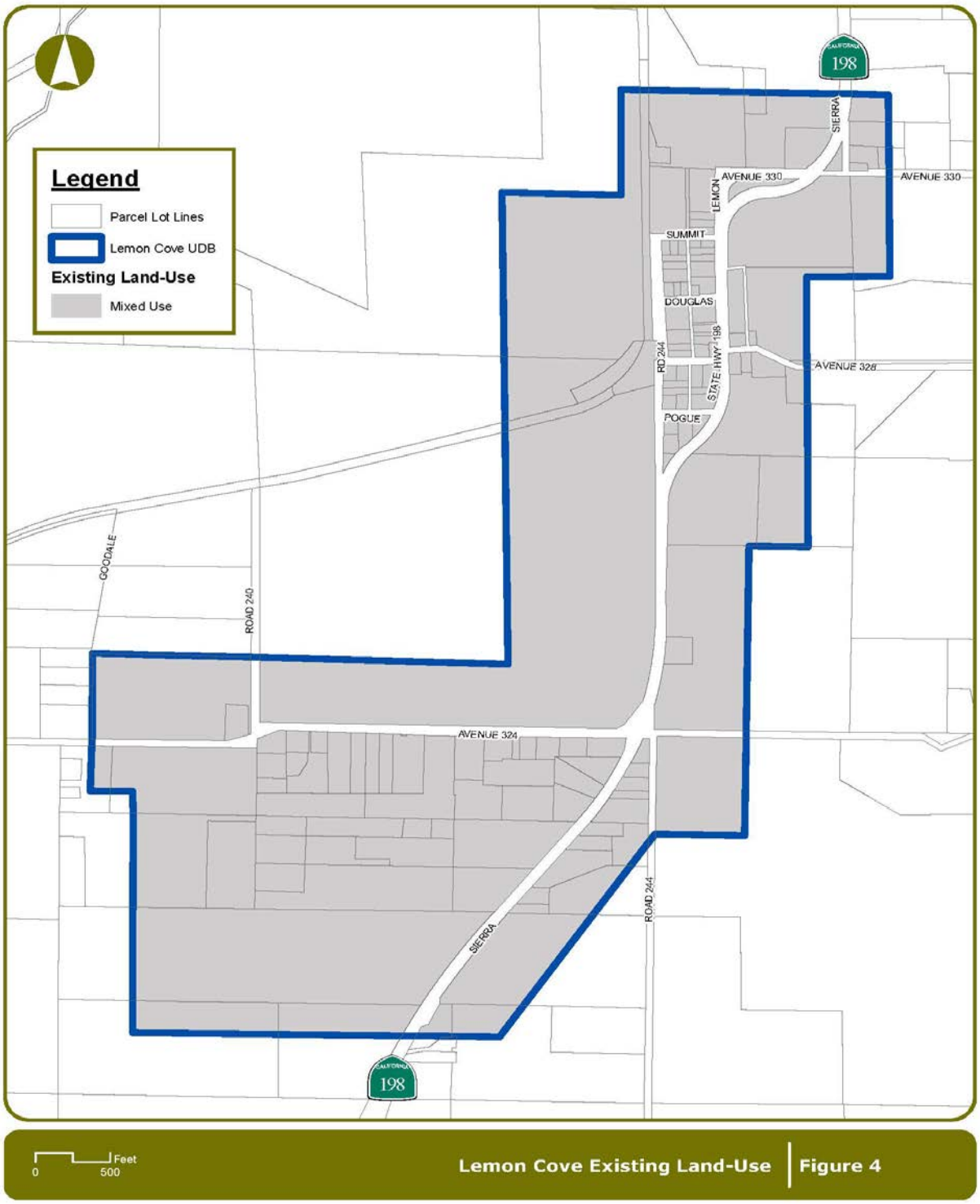
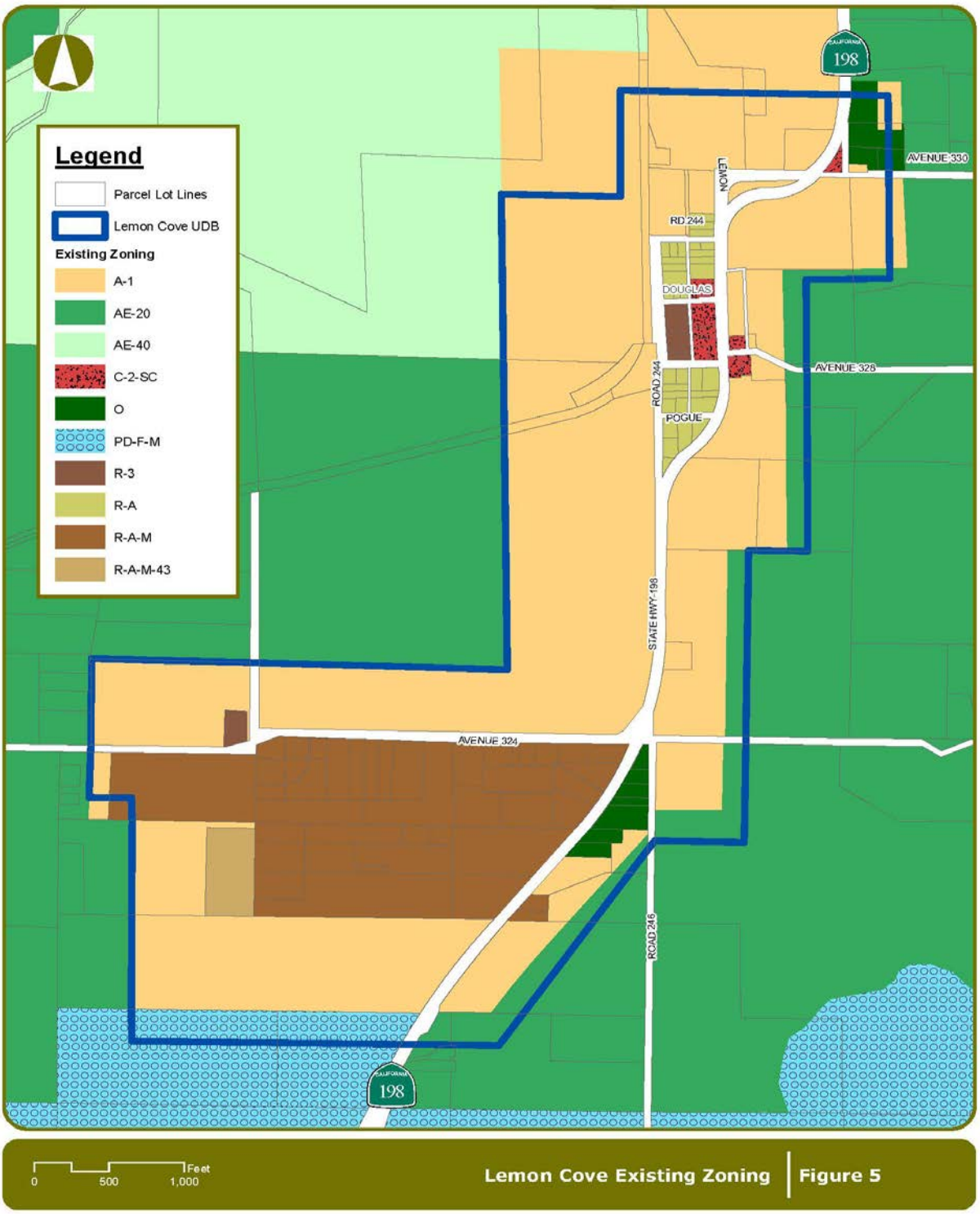


Figure 5 Existing Zoning Districts Map



Demographics

Introduction

An important part of planning is having information that describes the characteristics of a Community's population. Collectively, these characteristics are known as "demographics" which is data typically consisting of the age, gender (i.e., male or female), income, race, employment, and other characteristics of a community. This data, and historical trends of this data, allows a reasonable way to project what may occur in the future and thereby provides a guide to which issues need to be addressed in the Community Plan. For example, knowing the age and percentage of a population allows proper planning for school needs for school-age children; knowing how many people may eventually live in a Community allows for proper planning to meet housing needs and the amount of land needed to provide housing for a growing population. If a population can be estimated, it is possible to project how much water and/or sewer service may be needed for a Community. The following information provides a summary of some of the more important demographic data needed to craft a plan that can realistically address the needs of a smaller community such as Lemon Cove.

Recent Population Growth

In 2010, Lemon Cove's population was 308. The population decreased to 232 by 2017. The male population decreased from 159 in 2010 to 116 in 2017. The female population decreased from 149 in 2010 to 116 in 2017 **(see Table 3)**.

Table 3 Population (2010 & 2017)

Geography	2010			2017		
	Total Population (2010)	Male (2010)	Female (2010)	Total Population (2017)	Male (2017)	Female (2017)
California	37,253,956	18,517,830	18,736,126	38,982,847	19,366,579	19,616,268
Tulare County	442,179	221,442	220,737	458,809	229,488	229,321
Lemon Cove CDP	308	159	149	232	116	116

Source: American Community Survey

Projected Population

"The San Joaquin Valley faces major challenges, one concern is how to handle future growth. Population in the Valley is expected to nearly triple by 2050, from 3.6 million to 9.4 million people, the equivalent of adding 11 new towns the size of Fresno to the area. Tulare County is expected to grow to over 1,000,000 residents by 2050, well over doubling its current population."[1]

Table 4 Projected Annual Growth Rate

	Historic Growth Rates 1990-2007	Projected Growth Rates 2007-2030
County Total	1.9%	2.4%
Incorporated	2.8%	2.9%
Unincorporated	0.46%	1.3%

[1] Tulare County Regional Blueprint, page 7

Growth Rate

As noted in the 2010 General Plan Background Report, the unincorporated areas of Tulare County have a 1.3% projected annual growth rate from 2007 to 2030. This 1.3% annual growth rate can be applied to Lemon Cove **(see Table 4)**.

Median Age

The median age in Lemon Cove increased from 39.2 in 2010 to 56.2 in 2017. Lemon Cove's median age is lower than the median age of Tulare County and of the State of California **(see Table 5)**.

Table 5 Median Age (2010 & 2017)

Geography	2010 Median age (years)	2017 Median age (years)
California	35.2	36.1
Tulare County	29.6	30.6
Lemon Cove CDP	39.2	56.2

Source: California Department of Finance

The median age for persons under 18 for Lemon Cove was 19.8% in comparison to Tulare County (31.4%) and the State of California (23.4%). Median age for persons 65 years and older was 41.8% of Lemon Cove's population. Comparatively, persons 65 years and older in Tulare County was 10.7% and in the State of California was 13.2% **(see Table 6).**

Table 6 (2013-2017) Age Percentage

Geography	Persons Under 5 years	Persons Under 18 years	Persons Age 21+	Persons Age 62+	Persons Age 65+
California	6.5%	23.4%	72.4%	16.4%	13.2%
Tulare County	8.6%	31.4%	63.9%	13.2%	10.7%
Lemon Cove CDP	3.0%	19.8%	78.9%	44.0%	41.8%

Ethnicity and Race

In 2010 **(see Table 7)**, 68.2% of the Lemon Cove's population was white, 0.0% was African American, 1.0% was Native American, 1.0% was Asian, and 3.9% was two races or more. Approximately 24.7% was Hispanic (of any race).

Table 7 Race and Ethnicity (2010)							
	Total Population	**White**	**Hispanic or Latino (of any race)**	**Black or African American**	**American Indian and Alaska Native**	**Asian**	**Total Population of Two or More Races**
California	37,253,956	21,453,934	14,013,719	2,299,072	362,801	4,861,007	1,815,384
Tulare County	442,179	265,618	268,065	7,196	6,993	15,176	18,424
Lemon Cove CDP	308	210	76	0	3	3	12

Source: California Department of Finance

In 2017 **(see Table 8)**, 100.0% of the Lemon Cove's population was white, 0.0% was African American, 0.0% was Native American, 0.0% was Asian, and 0.0% was two races or more. Approximately 0.0% was Hispanic (of any race).

Table 8 Race & Ethnicity (2017)							
	Total Population	**White**	**Hispanic or Latino (of any race)**	**Black or African American**	**American Indian and Alaska Native**	**Asian**	**Total Population of Two or More Races**
California	38,982,847	14,777,594	15,105,860	2,161,459	117,813	5,427,928	1,140,164
Tulare County	458,809	135,372	291,867	5,973	3,029	14,622	6,709
Lemon Cove CDP	232	232	0	0	0	0	0

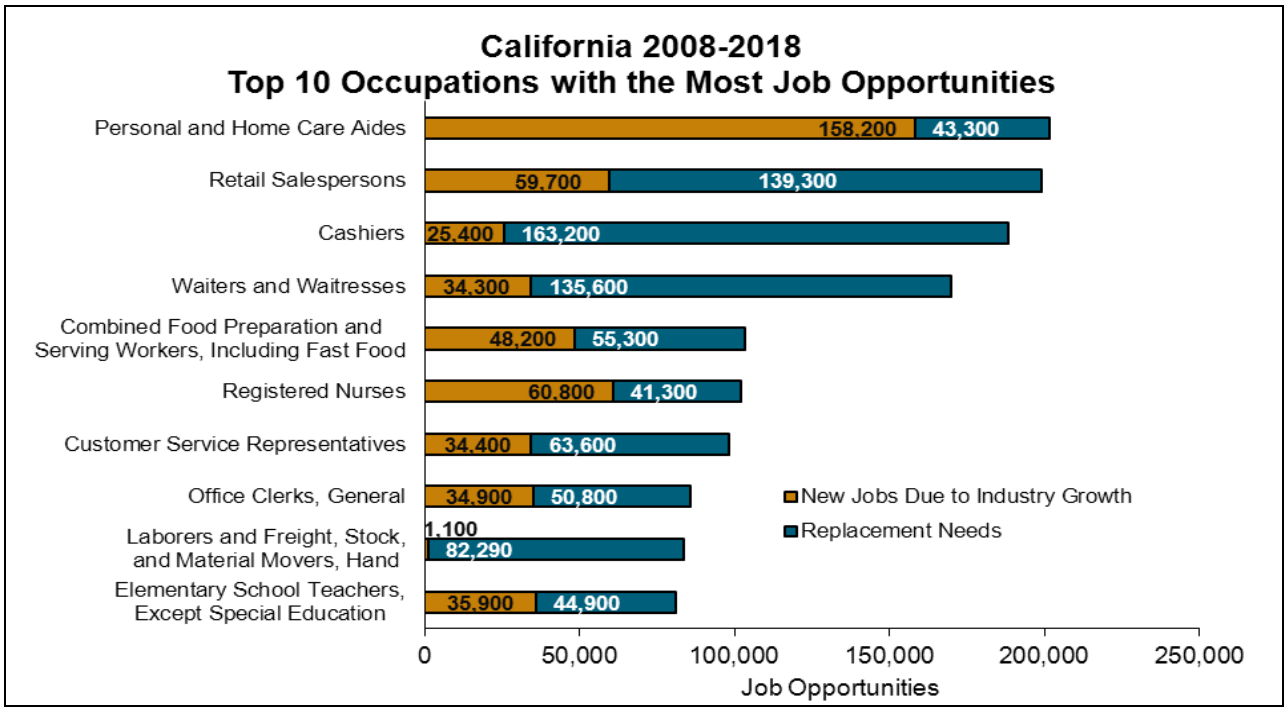
In the decade between 2010 and 2017, the proportion of the White population increased from 68.2% to 100.0%. The African American population percentage stayed the same at 0.0 %. The Native American decreased from 1.0% to 0.0%. The Asian population percentage decreased from 3.9% to 0.0%. The two or more race demographic decreased from 3.9% to 0.0%. The Hispanic (of any race) decreased from 24.7% to 0.0%.

Economic Conditions

Employment Projections California

"By the end of the 2008-2018 projection period, total nonfarm employment in California is projected to grow to nearly 16.5 million jobs. This exceeds peak job level of just over 15.2 million jobs reached before the Great Recession by over 1.2 million jobs. From June 2007 to June 2009, 1.1 million jobs were lost (not seasonally adjusted). Over the 2008-to-2018 projections period, nonfarm employment is expected to rebound by 1,511,100 jobs as the economy recovers from these recessionary job losses. More than 50 percent of all projected nonfarm job growth is in education services (private), health care, and social assistance, and professional and business services. The largest number of new jobs is expected in education services, health care, and social assistance, with a gain of more than 421,000 jobs.

Factors fueling the economic recovery in California include the state's population growth and a rise in foreign imports and exports… The state's population increased by more than 3.3 million from 2000 to 2010 and the California Department of Finance projects the population will increase by another 4.3 million from 2010 to 2020. A steady increase in foreign imports and exports has strengthened the wholesale, retail, and transportation industry sectors."[2]



Source: California Employment Development Dept., California Labor and Market and Economic Analysis,

[2] California Labor and Market and Economic Analysis, 2012, page 27

Tulare County's Local Economy

"Similar to the broader Central Valley area, Tulare County's economy has been largely based on agriculture, food processing, and manufacturing, while professional services jobs have been limited. Tulare is the second most productive agricultural county in a State that itself is by far the most productive in the nation. Overall, agribusinesses produced $6 billion in commodities in 2016 with the County considered one of the largest milk producers in the United States."[3]

Tulare County is also a major distribution hub because of its central location in the State, 200 miles north of Los Angeles and 225 miles south of San Francisco. The County's employment base has been significantly impacted by the recent downturn with unemployment increasing to 18.3 percent in January 2010, significantly above the historic range of between 8.5 and 18.2 since 1990. In 2008, the median household income was approximately $44,000.

"The county's major employers are Tulare County government, Porterville Development Center, Kaweah Delta Healthcare, and Ruiz Food Products. The top 20 employers combine for about 19,300 jobs, or 11 percent of the overall county employment. The major distributors include Jo-Ann Fabrics, VF Distribution, Wal-Mart, and Best Buy Electronics that combine for nearly 3.5 million square feet of distribution space. The county's overall industrial market includes about 23 million square feet of building space."[4]

Unemployment in Tulare County

According to the 2030 Update of the Tulare County General Plan, Tulare County's economy has historically been driven by agriculture and has had one of the largest agricultural outputs of any county in the US. Nearly 20% of the employment in Lemon Cove is agriculturally related according to the Tulare County Housing Element. Tulare County unemployment rate has remained consistently higher than the State average, which can be largely attributed to the seasonal nature of agricultural production.

According to the California Department of Finance, the 2013-2017 American Community Survey **(see Table 9)** indicated that the unemployment rate in Lemon Cove had an unemployment rate of 13.6% while Tulare County's unemployment rate was 10.0%. The State of California's unemployment rate was 7.7%.

Table 9 American Cmmunity Survey (Unemployment 2013-2017)

Geography	Population	Total Civilian Labor Force	Unemployment
California	38,982,847	19,485,061	7.7%
Tulare County	458,809	193,225	10.0%
Lemon Cove CDP	232	116	13.6%

Source: California Department of Finance

[3] 2017 Tulare County annual Crop and Livestock Report
[4] https://tularecountyeconomicdevelopment.org/economicdevelopment/index.cfm/agriculture/

Income

Mean and Median **(see Table 10)** income in Lemon Cove is very low compared to Tulare County and the State of California. Lemon Cove's median household income was $51,797, compared to $44,871 for Tulare County and $67,169 for the State of California. Lemon Cove's mean family income was $56,588, compared to $65,927 for Tulare County and $106,970 for the State of California. Lemon Cove's per capita income was also low at $21,216 compared to $18,927 for Tulare County and $33,128 for the State of California.

Table 10 American Community Survey (Income)

Geography	Median household income (dollars)	Mean household income (dollars)	Median family income (dollars)	Mean family income (dollars)	Per capita income (dollars)
California	$67,169	$96,104	$76,975	$106,970	$33,128
Tulare County	$44,871	$62,325	$47,280	$65,927	$18,927
Lemon Cove CDP	$51,797	$51,797	$53,056	$56,588	$21,216

Source: California Department of Finance

Housing Characteristics

Housing Units

Between 2010 and 2017 **(see Table 11)**, the number of housing units in Lemon Cove decreased from 153 to 115, which represents an decrease of 24.8%. This decrease was larger than the percent increase in Tulare County of 3.54% and the State of California at 24.8%.

Table 11 Housing Units (2010 & 2017)

Geography	2010 Total housing units	2017 Total housing units	Percent
California	13,680,081	13,996,299	2.31%
Tulare County	141,696	146,712	3.54%
Lemon Cove CDP	153	115	24.8%

Tenure

As the community grows, it will be important to provide new housing and commercial opportunities, allow expansion of the size of existing housing (for example, increase a unit by an additional bedroom), and allow various housing types (such as mobilehomes). According to the California Department of Finance, the 2013-2017 American Community Survey data indicated that 82.8% of the housing units in Lemon Cove were owner-occupied; this is higher than the 56.5% of owner-occupied housing units in Tulare County, and the 54.1% of owner-occupied housing units in the State of California **(see Table 12**).

Table 12 Housing Tenure (2017)							
	Occupied Housing Units	Owner-occupied	%	Renter-occupied	%	Average household size of owner-occupied unit	Average household size of renter-occupied unit
California	12,807,387	6,929,007	54.1%	5,878,380	45.9	2.99	2.91
Tulare County	134,153	75,761	56.5%	58,392	43.5	3.24	3.50
Lemon Cove CDP	93	77	82.8%	16	17.2%	2.73	1.38

Source: 2013-2017 American Community Survey 5-Year

Housing Conditions

According to the 2015 Lemon Cove Community Housing Condition Survey, approximately 14.3% of Lemon Cove's housing units in 1978 were deteriorated and 7.44 were dilapidated. According to the 2015 Tulare County Housing Element **(see Table 13)**, approximately 22% of the housing units were sound. Approximately 74% were deteriorated and 3% were dilapidated.

Table 13 Housing Conditions Survey (2015)											
Survey Area	Sound		Deteriorated						Dilapidated		Total Units
			Minor		Moderate		Substantial				
	Units	%	Units	%	Units	%	Units	%	Units	%	
Lemon Cove	8	22%	12	33%	12	33%	3	8%	1	3%	36

Source: Tulare County 2015 Housing Condition Survey, Tulare County 2015 Housing Element

The percentage of substandard housing in Lemon Cove increased between 1992 and 2015. The percentage was 23% in 1992, 48% in 2003, 51% in 2009, and 75% in 2015 **(see Table 14)**.

Table 14 Percentages of Substandard Housing Units in Tulare County Unincorporated Community 1992-2015				
	1992 Survey Results	2003 Survey Results	2009 Survey Results	2015 Survey Results
Lemon Cove	23%	48%	51%	75%

Source: 1992, 2003, 2009, 2015 Tulare County Housing Survey of Unincorporated Communities, 2015 Housing Element

Age of Structures

According to the US Census, the 2013-2017 Community Survey **(see Table 15)** noted that 32.2% of the housing structures were built between 1970 and 1979. Approximately 18.3% of housing structures were built between 1960 and 1969 and 17.4% of the housing structures were built between 1990 and 1999. The total number of housing units in Lemon Cove is 115.

Table 15 2013-2017 American Community Survey: Age of Structures in Lemon Cove

Age of Structures	Number	Percentage
Built 2014 or later	3	2.6%
Built 2010 to 2013	0	0.0%
Built 2000 to 2009	9	7.8%
Built 1990 to 1999	20	17.4%
Built 1980 to 1989	6	5.2%
Built 1970 to 1979	37	32.2%
Built 1960 to 1969	21	18.3%
Built 1950 to 1959	5	4.3%
Built 1940 to 1949	0	0.0%
Built 1939 or earlier	14	12.2%
Total:	115	-

Source: US Census

Household Size (Overcrowding)

In 2017 the average owner occupied household size in Lemon Cove was 2.73 persons per household **(see Table 16)** and the average renter household size was 1.38%. By definition, the most common measure of overcrowding is persons per room in a dwelling unit.[5] More than one person for each room of a dwelling unit is considered overcrowding. It is important to note that the measure is based on all rooms of a dwelling unit, not just the number of bedrooms. It is not uncommon for persons to share a bedroom, for example siblings or adults.

Table 16 Average Household Size

Geography	Average Household size (Owner Occupied)	Average Household size (Renter Occupied)
California	3.00	2.91
Tulare County	3.27	3.46
Lemon Cove	2.73	1.38

2013-2017 American Community Survey 5-Year Estimates

Vacancy Rate

Vacancy rate is important as it provides an indicator of unoccupied housing units. Vacancies may occur as people move away from a housing unit and it remains vacant until the next person/family moves in. Vacancy allows persons to decide whether to choose owning or renting housing based on their need and income. In 2010, the vacancy rate **(see Table 17)** in Lemon Cove was 21.6%, which was higher than Tulare County at 8.0%, and the State of California at 8.1%. In 2017, the vacancy rate

[5] U.S. Department of Housing and Urban Development, "Measuring Overcrowding in Housing" 2007. Page 2 See: http://www.huduser.org/publications/pdf/Measuring_Overcrowding_in_Hsg.pdf

in Lemon Cove was 19.1%, which is higher than Tulare County at 7.9% and the State of California at 7.9%.

According to the US Census, the State of California's rental vacancy rate decreased from 6.3% to 3.6%, Tulare County's rental rate decreased from 5.8% to 3.4%, and the rental vacancy rate in Lemon Cove decreased from 6.0 to 0.0 between the years 2010 and 2017.

Table 17 Vacancy Rate (2010 & 2017)

Geography	2010			2017		
	Vacancy rate	Homeowner vacancy rate	Rental vacancy rate	Vacancy rate	Homeowner vacancy rate	Rental vacancy rate
California	8.1%	2.1%	6.3%	7.9%	1.2%	3.6%
Tulare County	8.0%	2.4%	5.8%	7.9%	1.5%	3.4%
Lemon Cove CDP	21.6%	0.0%	6.0%	19.1%	18.2%	0.0%

Source: California Department of Finance

Regional Housing Needs Assessment (RHNA)

State Housing Element Law assigns the responsibility for preparing the Regional Housing Needs Assessment (RHNA) for the Tulare County region to the Tulare County Association of Governments (TCAG). The RHNA is updated prior to each housing element cycle. The current RHNA, adopted on June 30, 2014, is for the fifth housing element cycle and covers a 9.75-year projection period (January 1, 2014 – September 30, 2023).

The growth projections applied in the Tulare County Housing Element Update are based upon growth projections developed by the State of California. A "Regional Housing Needs Assessment Plan" provides a general measure of each local jurisdiction's responsibility in the provision of housing to meet those needs. The TCAG was responsible for allocating the State's projections to each local jurisdiction within Tulare County including the County unincorporated area, which is reflected in the Housing Element.

"The Sustainable Communities and Climate Protection Act of 2008 (SB 375) was passed to support the State's climate action goals to reduce greenhouse gas (GHG) emissions through coordinated transportation and land use planning. The bill mandates each of California's Metropolitan Planning Organizations (MPO) to prepare a *sustainable communities strategy* as part of its regional transportation plan (RTP). The SCS contains land use, housing and transportation strategies that, if implemented, would allow the region to meet its GHG reduction targets."[6]

"In the past, the RHNA was undertaken independently from the RTP. SB 375 requires that the RHNA and RTP/SCS processes be undertaken together to better integrate housing, land use, and transportation planning. The law recognizes the importance of planning for housing and land use in

[6] *TCAG, Final Regional Housing Needs Plan for Tulare County 2014-2023, Page 5,* http://www.tularecog.org/wp-content/uploads/2015/07/Final-Regional-Housing-Needs-Plan-for-Tulare-County-2014-2023.pdf

creating sustainable communities where residents of all income levels have access to jobs, services, and housing using transit, or by walking and bicycling."[7]

"In addition to the RHNA requirements, SB 375 requires that TCAG address the region's housing needs in the SCS of the RTP, to include sections on state housing goals (Government Code Section 65080(b)(2)(B)(vi)); identify areas within the region sufficient to house all the population of the region (including all economic segments of the population) over the course of the planning period for the RTP (out to 2040 for the 2040 RTP/SCS); and identify areas within the region sufficient to meet the regional housing needs."[8]

The RHNA housing results are summarized in **Figure 6**. The Tulare County RHNA Plan recommends that the County provide land use and zoning for approximately 7,081 units per year in the unincorporated portions of the County. The County administratively agreed to a housing share of 7,081 units (726 units per year over the 9.75-year RHNA planning period). The RTP allocates 30% of population to the County. The RHNA bases the housing needs assessment on this percentage.

[7] *Ibid.*
[8] *Op. Cit.*

Figure 6 RHNA 2014-2023

Tulare County Region January 1, 2014 to September 30, 2023								
Jurisdiction	1/1/2014 Housing Unit Control Totals	2023 Housing Unit Control Totals	Estimated 9/30/2023 Housing Units		2024 Housing Unit Control Totals	Housing Units 9/30/2023 (Based on Allocation of 26,910 units)		
			Housing Units	Percent of Total		Total Housing Units	Percent of Total	Net New Housing Units 1/1/2014-9/30/2023
	A	B	C	D	E	F	G	H
Dinuba	6,223	7,106	7,186	4.05%	7,212	7,188	4.05%	965
Exeter	3,803	4,305	4,426	2.50%	4,365	4,428	2.50%	625
Farmersville	2,878	3,253	3,343	1.89%	3,298	3,344	1.89%	466
Lindsay	3,384	3,858	3,972	2.24%	3,914	3,974	2.24%	590
Porterville	17,764	20,331	20,952	11.82%	20,639	20,960	11.82%	3,196
Tulare	20,022	22,908	23,606	13.32%	23,255	23,616	13.32%	3,594
Visalia	47,380	55,411	57,379	32.37%	56,386	57,401	32.37%	10,021
Woodlake	2,187	2,486	2,558	1.44%	2,521	2,559	1.44%	372
Unincorporated County	46,774	52,477	53,834	30.37%	53,151	53,855	30.37%	7,081
Total	**150,415**	**172,134**	**177,255**	**100.00%**	**174,741**	177,325	100.00%	26,910

Sources
Columns A, B, and E: TCAG 2040 Demographic Forecast (2013)
Column C: Estimated using trendline growth between Columns B and E
Column D: Column C divided by countywide total from Column C (177,225)
Column F: Proportionally scaled up from Column D to 9/30/2023 countywide total (177,325)
Column G: Column F divided by countywide total from Column F (177,325)
Column H: Column A subtracted from Column F

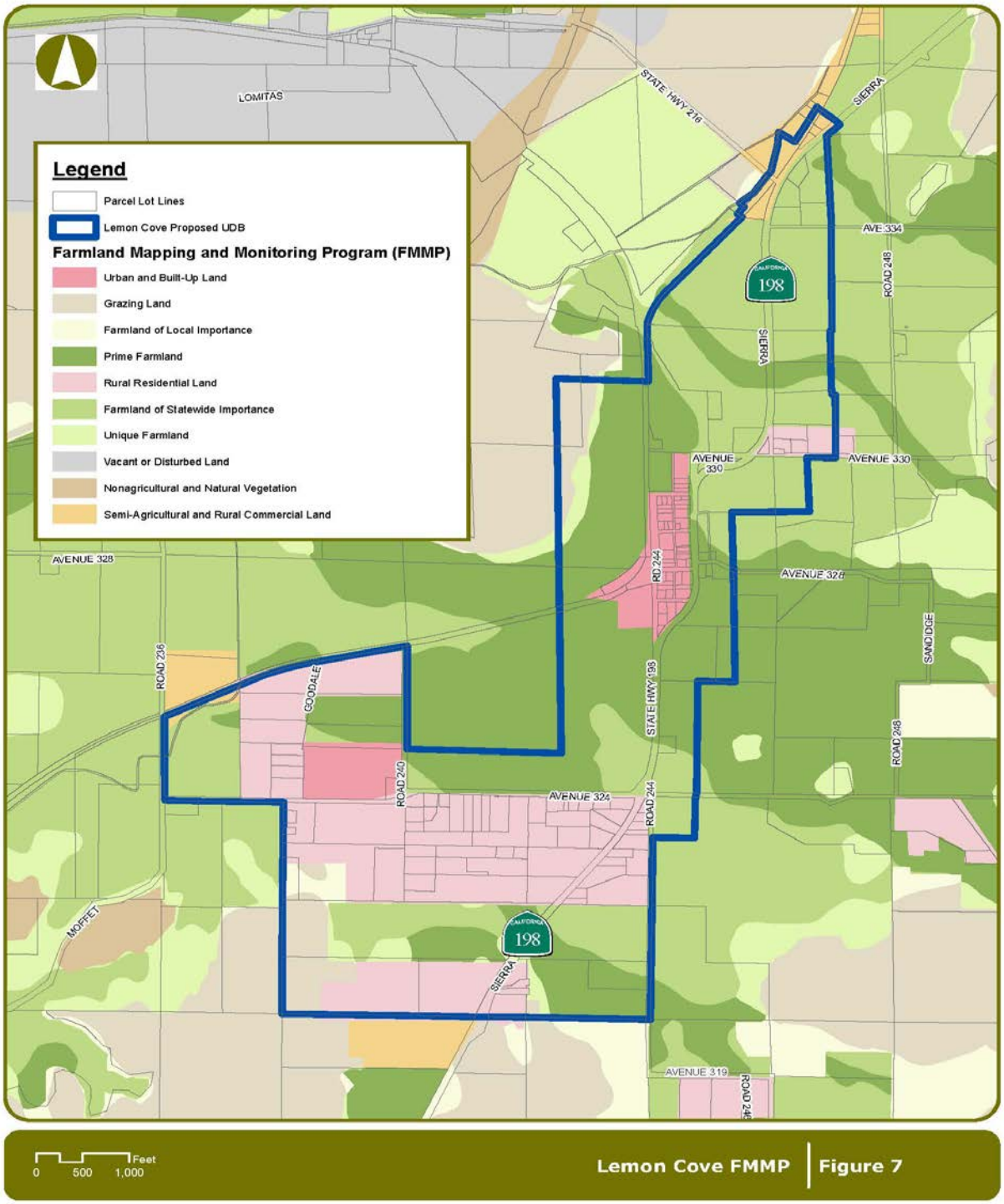
Natural and Cultural Resources

Agriculture

The California Department of Conservation, Division of Land Resource Protection, maintains the Farmland Mapping and Monitoring Program (FMMP), which monitors the conversion of the state's farmland to and from agricultural use. The program monitors a wide variety of farmland types: Prime Farmland is farmland with the best combination of physical and chemical features to sustain long-term agricultural production; Farmland of Statewide Importance is Prime Farmland but has minor shortcomings, such as greater slopes or less ability to store soil moisture; and Unique Farmland has lesser quality soils used for the production of the state's leading agricultural crops.

The area within the existing 404.1-acre UDB is designated in the 2018 FMMP maps **(see Figure 7)**. Of these, approximately 134.54 acres are designated Urban and Built-up Land, approximately 269.56 acres are designated Prime Farmland. Approximately 5.50 acres are designated Vacant or Disturbed Land.

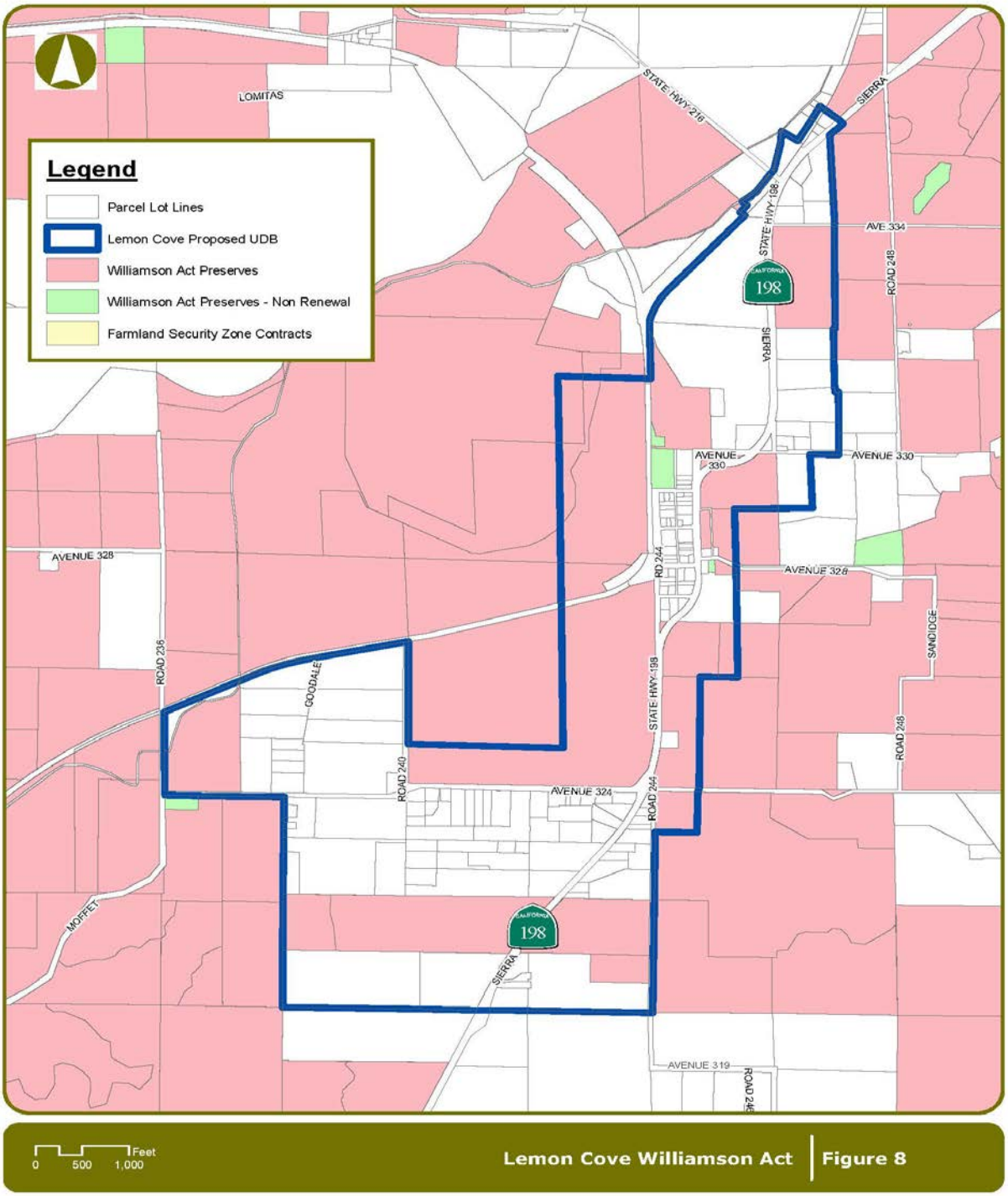
Figure 7 FMMP Map



Williamson Act Contracted land in Lemon Cove

Nine parcels are subject to the Williamson Act contracts **(see Figure 8)** within the planning area (proposed UDB). Agricultural preserve contracts are designed to keep productive farmland in agricultural use and prevent premature conversion to urban use. When a landowner enters into a contract, they receive a lower property tax rate. Within the Lemon Cove Urban Development Boundary, there are currently approximately 86.54-acres of land under contract. Property owners must agree to keep their land in agricultural use for a 10-year period unless nonrenewal status is filed. If filing for nonrenewal, the property taxes will gradually increase back to normal rates over the course of the 9-year phase-out period. Contracts can be canceled before the 9-year period ends, if an approved alternative use satisfies the five findings of the Department of Conservation or if the project is found to be in the interest of the public. However, the property owner must pay a penalty equal to 12.5 percent of the unrestricted value of the property if approved.

Figure 8 Williamson Act Map



Air Quality

The Lemon Cove Plan Area is within the San Joaquin Valley Air Basin (SJVAB) and under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAB is classified non-attainment/severe for the State 0_3 1-hour standard, non-attainment for the State 0_3 8-hour standard, non-attainment for the State PM_{10} standard, non-attainment for the federal and State $PM_{2.5}$ standards, and attainment and/or unclassified for the remaining federal and State air quality standards. According to the Tulare County General Plan, the San Joaquin Valley has some of the worst air quality in the nation. The CO and NO_x emissions are typically generated by motor vehicles (mobile sources). The ROG emissions are generated by mobile sources and agriculture. Although emissions have been shown to be decreasing in recent years, the SJVAB continues to exceed state and federal air quality emission standards.

Executive Order S-3-05, issued by Governor Schwarzenegger in 2005, established targets for greenhouse gas (GHG) emissions for the State. The Global Warming Solutions Act of 2006 (or Assembly Bill (AB) 32) directed the California Air Resources Board (CARB) to develop and adopt statewide GHG emission limits in order to reduce emission levels to those experienced in 1990, by the year 2020. In order to achieve those targets, CARB adopted the Climate Change Scoping Plan in December 2008.

The Sustainable Communities and Climate Protection Act of 2008, also known as Senate Bill (SB) 375, builds upon AB 32 by requiring CARB to develop regional GHG emissions reduction targets for passenger vehicles. Then each Metropolitan Planning Organization (MPO) must prepare a Sustainable Communities Strategy (SCS) to demonstrate how the region will meet its targets. The SCS will be incorporated into the Regional Transportation Plan (RTP).

The SJVAPCD provides a list of potential air quality mitigation measures that are applicable to General Plan updates and community plans:

- Adopt air quality element/general plan air quality policies/specific plan policies.
- Adopt Local Air Quality Mitigation Fee Program.
- Fund TCM program: transit, bicycle, pedestrian, traffic flow improvements, transportation system management, rideshare, telecommuting, video-conferencing, etc.
- Adopt air quality enhancing design guidelines/standards.
- Designate pedestrian/transit oriented development areas on general plan/specific plan/planned development land use maps.
- Adopt ordinance limiting wood burning appliances/fireplace installations.
- Fugitive dust regulation enforcement coordinated with SJVUAPCD.
- Energy efficiency incentive programs.
- Local alternative fuels programs.
- Coordinate location of land uses to separate odor generators and sensitive receptors.

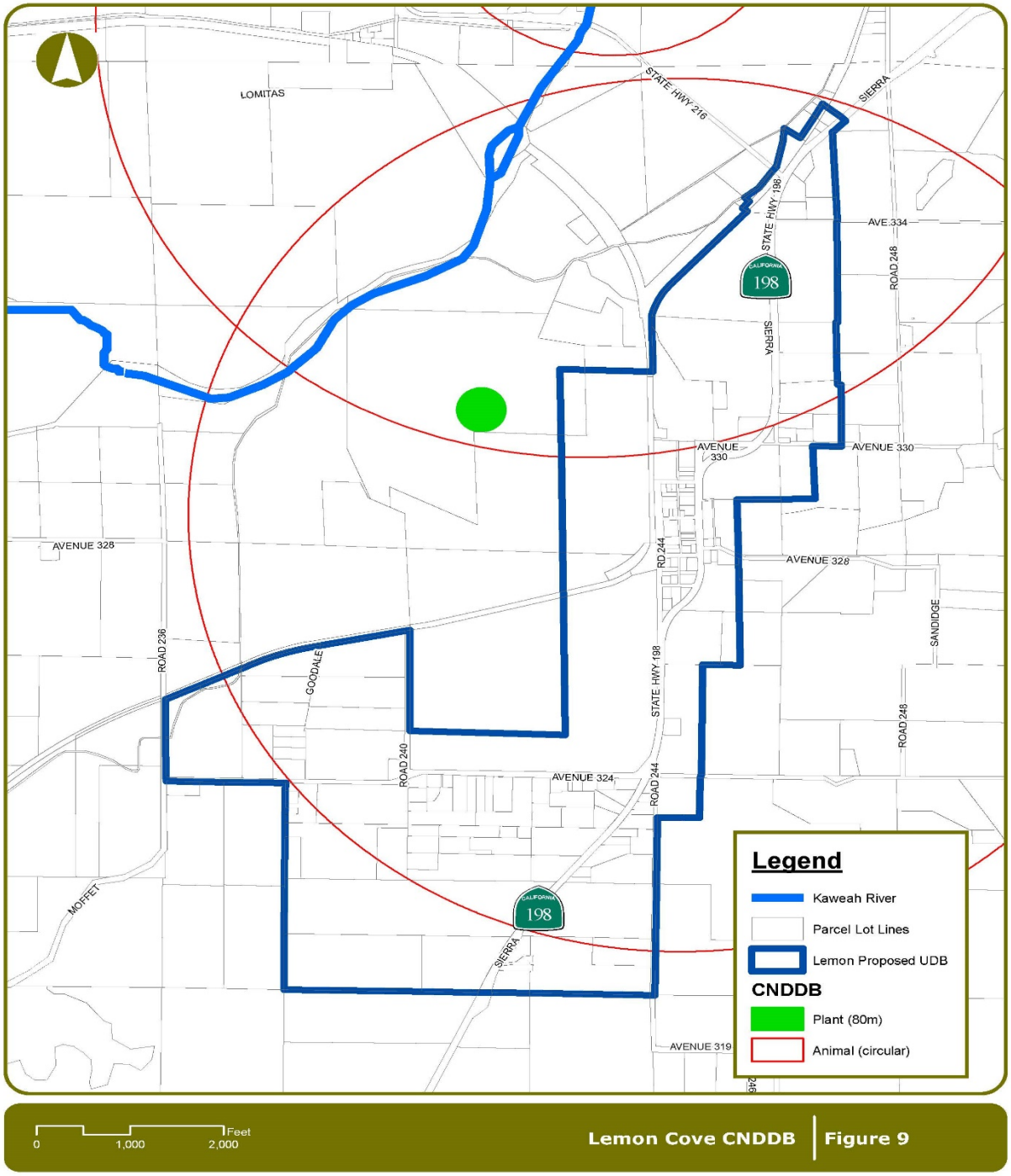
Air quality is directly related to land use; it is also related to the configuration of land, vegetation, climate, wind direction and velocity, and production of man-made impurities which change the natural qualities of the air. Because Lemon Cove is located near the southern end of the Valley with prevailing winds from the northwest, it is in a vulnerable position for the accumulation of adversely modified air, particularly when a temperature inversion occurs which holds down surface air along with its pollutants.

Local air pollution sources within the general vicinity of Lemon Cove and within the community itself include SR 198 and SR 216, and agricultural activities. Dust and odors are continuous concerns of residents within the area.

Biological Resources

Lemon Cove is situated within a matrix of agricultural lands, industrial complexes, and residential/commercial development. A California Natural Diversity Database (CNDDB) search conducted on July 24, 2019 **(see Figure 9)** indicates there are special status species within Lemon Cove, which is located within the Woodlake and Rocky Hill Quads United States Geological Survey 7.5 minute topographic quadrangle. Those Quadrants Species List consists of 17 animal species, 13 plant species, and two (2) Community Terrestrial: San Joaquin kit fox (Vulpes macrotis mulica, federal endangered and state endangered); vernal pool tadpole shrimp (Lepidurus packardi, federal threatened); California tiger salamander (Ambystoma Californiense, federal and state threatened); Moody's gnaphosid spider (Talanites moodyae), spotted bat (Euderma maculatum), foothill yellow-legged frog (Rana boylii, state candidate threatened), western spadefoot (spea hammondii), golden eagle (Aquila chrysaetos), great egret (Ardea alba), great blue heron (Ardea Herodias), tricolored blackbird (Agelaius tricolor, state threatened), burrowing owl (Athene cunicularia), California linderiella (Linderiella occidentalis), Crotch bumble bee (Bombus crotchii), western mastiff bat (Eumops perotis californicus), pallid bat (Antrozous pallidus), San Joaquin Valley Orcutt grass (Orcuttia Inaequalis Hoover, federal threatened and state endangered), spiny-sepaled button-celery (Eryngium spinosepalum), Winter's sunflower (Helianthus winteri,), San Joaquin adobe sunburst (Pseudobahia peirsonii**.** federal threatened and state endangered), Sierra Nevada monkeyflower (Erythranthe sierrae), Greene's tuctoria (Tuctoria greenei, federal endangered and state rare), recurved larkspur (Delphinium recurvatum), Kaweah brodiaea (Brodiaea insignis, state endangered), striped adobe-lily (Fritillaria striata, state threatened), calico monkeyflower (Diplacus pictus), golden goodmania (goodmania luteola), Sycamore Alluvial Woodland (Sycamore Alluvial Woodland (Sycamore Alluvial Woodland), and Northern Claypan Vernial Pool).

Figure 9 Lemon Cove CNDDB Map



Cultural Resources

"Tulare County lies within a culturally rich province of the San Joaquin Valley. Studies of the prehistory of the area show inhabitants of the San Joaquin Valley maintained fairly dense populations situated along the banks of major waterways, wetlands, and streams. Tulare County was inhabited by aboriginal California Native American groups consisting of the Southern Valley Yokuts, Foothill Yokuts, Monache, and Tubatulabal. Of the main groups inhabiting the Tulare County area, the Southern Valley Yokuts occupied the largest territory."[9]

"California's coast was initially explored by Spanish (and a few Russian) military expeditions during the late 1500s. However, European settlement did not occur until the arrival into southern California of land-based expeditions originating from Spanish Mexico starting in the 1760s. Early settlement in the Tulare County area focused on ranching. In 1872, the Southern Pacific Railroad entered Tulare County, connecting the San Joaquin Valley with markets in the north and east. About the same time, valley settlers constructed a series of water conveyance systems (canals, dams, and ditches) across the valley. With ample water supplies and the assurance of rail transport for commodities such as grain, row crops, and fruit, a number of farming colonies soon appeared throughout the region."[10]

"The colonies grew to become cities such as Tulare, Visalia, Porterville, and Hanford. Visalia, the County seat, became the service, processing, and distribution center for the growing number of farms, dairies, and cattle ranches. By 1900, Tulare County boasted a population of about 18,000. New transportation links such as SR 99 (completed during the 1950s), affordable housing, light industry, and agricultural commerce brought steady growth to the valley. The California Department of Finance estimated the 2007 Tulare County population to be 430,167."[11]

On August 6, 2019, the Southern San Joaquin Valley Information Center, Bakersfield (SSJVIC) conducted a cultural resources records search at the request of RMA Planning Branch staff. According to the information provided by the SSJVIC, there have been three (3) previous cultural resource study conducted within the project area and five (5) additional studies conducted within the one-half mile radius. However, until the specific location of a development proposal occurs, the locations and nature of the resources will remain confidential and will only be shared with an applicant and remain confidential until otherwise determined by the courts.

There are three (3) recorded cultural resources within the area. There are eight (8) known resources within the one-half mile radius and one unrecorded prehistoric rock art site. These resources consist of prehistoric era pictographs and lithic scatters, as well as historic era trash scatters, transmission lines, a hotel, a railroad, and a ditch.

The Pogue Hotel located at 32792 Sierra Drive has been given a National Register status code of 1D, indicating it is a contributor to a district or multiple resource property listed in the National Register of Historic Places by the Keeper. It is also listed in the California Register of Historical Resources. There are no other recorded cultural resources within the area that are listed in the National Register

[9] Tulare County 2030 General Plan. Page 8-5.
[10] Ibid. Page 8-5.
[11] Ibid. Page 8-6.

of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

Native American Consultation

The Native American Heritage Commission (NAHC) was contacted on July 23, 2019 with a request that they conduct a sacred lands files (SLF) search. The NAHC provided the results of its SLF search dated August 14, 2019 indicating "negative results" (that is, no sacred lands are known to be located in the Lemon Cove Planning area). The following Native American tribes were contacted on August 28, 2019 in order to solicit their interest regarding tribal consultation: Kern Valley Indian Council; Kern Valley Indian Community, Santa Rosa Racheria Tachi Yokut Tribe, Torres-Martinez Desert Cahuilla Indians; Tubatulabals of Kern County; Tule River Indian Tribe; and Wuksache Indian Tribe. No responses have been received to date.

Geology & Seismic Hazards

The southern San Joaquin Valley is a broad arid plain, essentially level underlain by about 28,000 feet of marine and continental strata with the sediments derived from areas now occupied by mountain ranges. "Seismicity varies greatly between the two major geologic provinces represented in Tulare County. The Central Valley is an area of relatively low tectonic activity bordered by mountain ranges on either side. The Sierra Nevada Mountains, partially located within Tulare County, are the result of movement of tectonic plates which resulted in the creation of the mountain range. The Coast Range on the west side of the Central Valley is also a result of these forces, and the continued uplifting of Pacific and North American tectonic plates continues to elevate these ranges. The remaining seismic hazards in Tulare County generally result from movement along faults associated with the creation of these ranges."[12]

"Ground shaking is the primary seismic hazard in Tulare County because of the county's seismic setting and its record of historical activity. Thus, emphasis focuses on the analysis of expected levels of ground shaking, which is directly related to the magnitude of a quake and the distance from a quake's epicenter. Magnitude is a measure of the amount of energy released in an earthquake, with higher magnitudes causing increased ground shaking over longer periods of time, thereby affecting a larger area. Ground shaking intensity, which is often a more useful measure of earthquake effects than magnitude, is a qualitative measure of the effects felt by population. The valley portion of Tulare County is located on alluvial deposits, which tend to experience greater ground shaking intensities than areas located on hard rock. Therefore, structures located in the valley will tend to suffer greater damage from ground shaking than those located in the foothill and mountain areas. However, existing alluvium valleys and weathered or decomposed zones are scattered throughout the mountainous portions of the county which could also experience stronger intensities than the surrounding solid rock areas. The geologic characteristics of an area can therefore be a greater hazard than its distance to the epicenter of the quake."[13]

[12] General Plan Background Report, page 8-5
[13] General Plan Background Report, page 8-7

"There are three (3) faults within the region that have been, and will be, principal sources of potential seismic activity within Tulare County. These faults are described below:

- **San Andreas Fault.** The San Andreas Fault is located approximately 40 miles west of the Tulare County boundary. This fault has a long history of activity, and is thus the primary focus in determining seismic activity within the county. Seismic activity along the fault varies along its span from the Gulf of California to Cape Mendocino. Just west to Tulare County lies the "Central California Active Area," where many earthquakes have originated.
  Owens Valley Fault Group. The Owens Valley Fault Group is a complex system containing both active and potentially active faults, located on the eastern base of the Sierra Nevada Mountains. The Group is located within Tulare and Inyo Counties and has historically been the source of seismic activity within Tulare County.
- **Clovis Fault.** The Clovis Fault is considered to be active within the Quaternary Period (within the past two million years), although there is no historic evidence of its activity, and is therefore classified as "potentially active." This fault lies approximately six miles south of the Madera County boundary in Fresno County. Activity along this fault could potentially generate more seismic activity in Tulare County than the San Andreas or Owens Valley fault systems. In particular, a strong earthquake on the Fault could affect northern Tulare County. However, because of the lack of historic activity along the Clovis Fault, inadequate evidence exists for assessing maximum earthquake impacts."[14]

The Tulare County General Plan states there are no known active faults in Tulare County, with the San Andreas Fault being the nearest major fault line. Tulare County rarely feels the effects of earthquakes along this fault line.

Soils Characteristics

According to the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), and the Soil Survey of Tulare County, the following soil types are located in Lemon Cove **(see Figure 10)**. The following descriptions are provided for the above soil types:

San Joaquin loam, 0 to 2 percent slopes, is moderately deep to a hardpan, well drained and nearly level. This soil is suitable for orchards, vineyards, and cultivated crops but is somewhat limited by the presence of hardpan which restricts root growth. This problem can be alleviated by ripping and shattering the hardpan. The soil is poorly suited to urban uses because of a high clay content, very slow permeability and a cemented hardpan. Septic tank filter fields are severely limited for these reasons.

San Joaquin loam, 0 to 9 percent slopes, is moderately deep to hardpan, well drained and gently rolling. The soil is suited to cultivated crops and orchards. The main limitations are hardpan and a moderate erosion risk on steeper slopes. The soil is also suited for rangeland with erosion a slight limitation. The soil is unsuitable for building sites, roads and septic tank filter fields due to high clay content, very slow permeability and the cemented hardpan. This problem can be overcome by the importation of more suitable soils.

[14] General Plan Background Report, pages 8-6 and 8-7

Blasingame Sandy Loam, 15 to 30 percent slopes, consists of moderately deep, well drained soils located on uneven side slopes in the lower foothills. Surface and subsurface loams and clay loams have of approximately 30 inches, below which exists strongly weathered quartz diorite. Surface run-off is medium and erosion hazard is moderate. Permeability is moderately slow. Limitations for septic tank absorption fields are severe due to shallow depth to rock and slow percolation.

Blasingame Sandy Loam, 30 to 50 percent slopes, consists of rolling to steeply sloping soil is found on uneven side slopes. Permeability of the Blasingame soil is moderately slow and the available water capacity is low or moderate.

Blasingame-rock Outcrop Complex, 9 to 50 percent slopes, consists of rolling to steeply sloping soil is found on uneven side slopes. Permeability of the Blasingame soil is moderately slow and the available water capacity is low or moderate. Surface runoff is medium or rapid and the erosion hazard is moderate or high. Effective rooting depth is 20 to 40 inches. Rock outcrop consists of exposures of hard quartz diorite. These areas are impermeable and vegetative growth is limited to features in the rock structure. Surface runoff is rapid with no erosion hazard. The soil is suitable for rangeland while the potential for urban development is poor because of steep slope, depth of soil and rock outcrops. However, some small isolated areas with gentle slopes are suitable for home sites

Cibo-rock Outcrop Complex 15 to 50 percent slopes, consist of moderately deep, well drained soils that formed in material weathered from basic igneous rocks. Cibo soils are on foothills and mountainous uplands have slopes of 2 to 75 percent. Rock outcrop is impermeable, so run-off is very rapid with no erosion hazard.

Clear Lake Clay, Drained 2 to 5 percent slopes, consists of very deep, poorly drained soil located on alluvial fans and basins and swales of drainage ways. Surface and subsurface materials are dark gray and gray clay to a depth of 66 inches. Permeability is slow. Limitations for septic tank absorption fields are severe due to slow percolation.

Greenfield Sandy Loam, consists of deep, well drained soils that formed in moderately coarse and coarse textured alluvium derived from granitic and mixed rock sources. Greenfield sandy loam is used for the production of a wide variety of irrigated field, forage and fruit crops. Vegetation on uncultivated areas consists of annual grass, forbs, some shrubs and scattered oak trees.

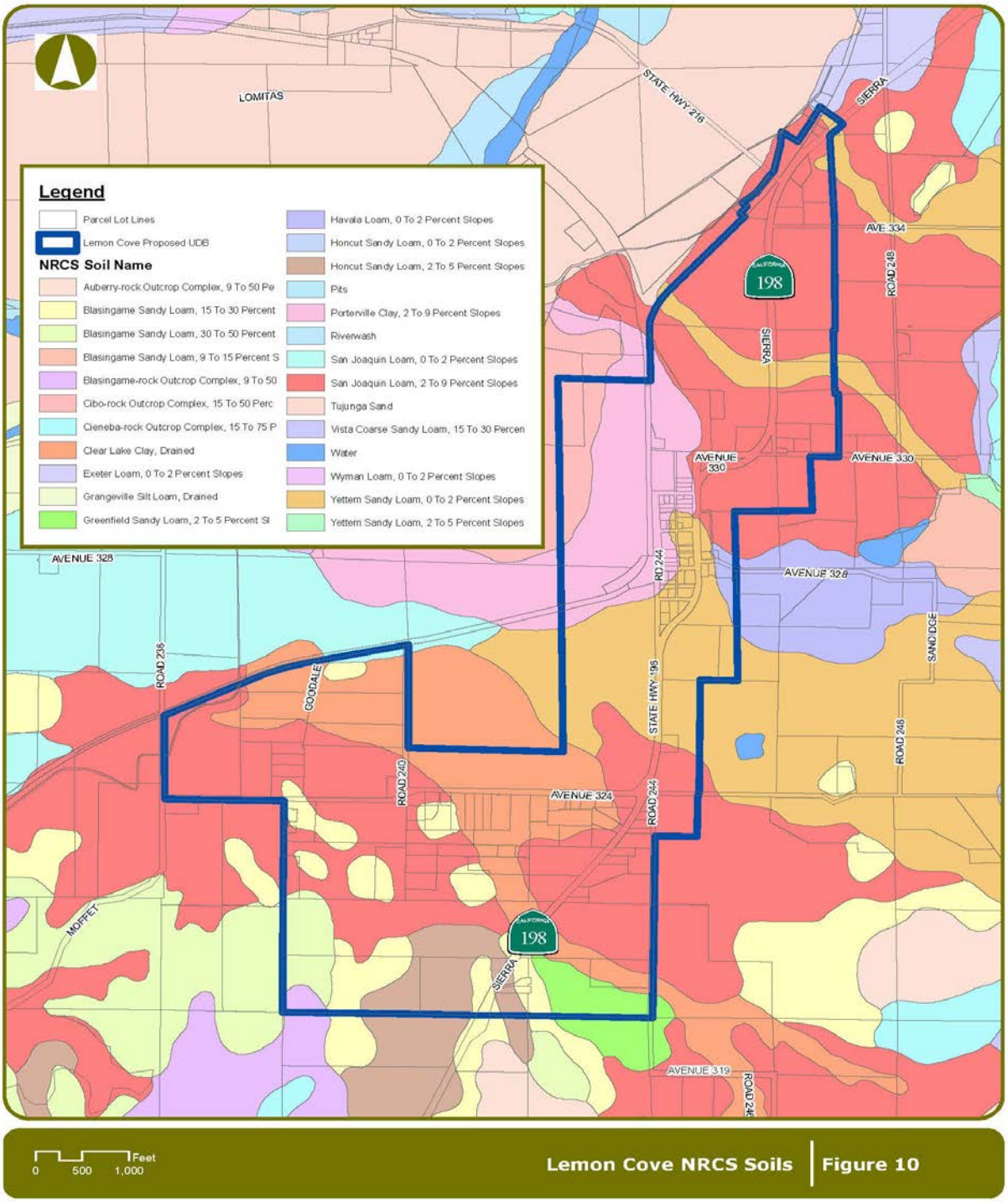
Havala Loam, 0 to 5 percent slopes, consists of deep, well drained soils that formed from mixed alluvium. Havala soils are on old stream terraces and alluvial fans in mountain valleys. Use mainly for range, orchard, cultivated fields, and hay crops. Native vegetation is annual grasses, forbs, scattered live oak, blue oak, and white oak.

Honcut Sandy Loam, 2 to 5 percent slopes, consists of very deep, well drained soils that formed in moderately coarse textured alluvium from basic igneous and granitic rocks. Honcut soils are on floodplains and moderately sloping alluvial fans. Honcut soils are highly productive under irrigation. Crops includes alfalfa, small grains, forage crops, apricots, peaches, grapes, prunes, apples, oranges, pears and berries. Vegetation consists of open parklike areas of annual grasses, herbs and scattered oaks.

Porterville Clay, 2 to 89 percent slopes, deep well drained soils that formed in fine textured alluvial material from basic and metabasic igneous rock. Porterville soils are on fans and foothills, used mostly for range pasture. Vegetation is annual grasses, burclove, herbs and widely spaced shrubs. Most cultivated areas are irrigated and planted to oranges, lemons, olive, figs, and some grapes.

Yettem Sandy Loam, 0 to 2 percent slopes, consists of very deep, well drained soils that formed in alluvium from granitic sources. Yettem soils are on alluvial fans and flood plains. Vegetation is cropland and annual pasture. Crops are oranges, plums, olives, walnuts and grapes. The native vegetation is annual grasses and forbs.

Figure 10 NRCS Soils Map



Greenhouse Gases

"Executive Order S-3-05 was signed by Governor Schwarzenegger on June 1, 2005. This executive order established [GHG] emission reduction targets for California. Specifically, the executive order established the following targets:

- By 2010, reduce GHG emissions to 2000 levels.
- By 2020, reduce GHG emissions to 1990 levels.
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

The executive order additionally ordered that the Secretary of the California Environmental Protection Agency (Cal EPA) would coordinate oversight of the efforts among state agencies made to meet the targets and report to the Governor and the State Legislature biannually on progress made toward meeting the GHG emission targets. Cal EPA was also directed to report biannually on the impacts to California of global warming, including impacts to water supply, public health, and agriculture, the coastline, and forestry, and prepare and report on mitigation and adaptation plans to combat these impacts.

In response to the EO [executive order], the Secretary of Cal EPA created the Climate Action Team (CAT), composed of representatives from the Air Resources Board; Business, Transportation, & Housing; Department of Food and Agriculture; Energy Commission; California Integrated Waste Management Board (CIWMB); Resources Agency; and the Public Utilities Commission (PUC). The CAT prepared a recommended list of strategies for the state to pursue to reduce climate change emission in the state…"[15]

In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill 32; California Health and Safety Code Division 25.5, Sections 38500, et seq.), which requires the CARB to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020.

The Sustainable Communities and Climate Protection Act of 2008, also known as Senate Bill (SB) 375, builds upon AB 32 by requiring CARB to develop regional GHG emissions reduction targets for passenger vehicles. Then each Metropolitan Planning Organization (MPO) must prepare a Sustainable Communities Strategy (SCS) to demonstrate how the region will meet its targets. The SCS will be incorporated into the Regional Transportation Plan (RTP).

The Air District adopted the *Climate Change Action Plan* (CCAP) in August 2008. "The CCAP directed the District Air Pollution Control Officer to develop guidance to assist Lead Agencies, project proponents, permit applicants, and interested parties in assessing and reducing the impacts of project specific greenhouse gas (GHG) emissions on global climate change.

[15] *Tulare County General Plan 2030 Update RDEIR, pages 3.4-4 to 3.4-5*

On December 17, 2009, the San Joaquin Valley Air Pollution Control District (SJVAPCD) adopted the guidance: Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA, and the policy: District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency. The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards (BPS), to assess significance of project specific greenhouse gas emissions on global climate change during the environmental review process, as required by CEQA.

"The Tulare County Climate Action Plan (CAP) (last updated in 2016), serves as a guiding document for County of Tulare ("County") actions to reduce greenhouse gas emissions and adapt to the potential effects of climate change. The CAP is an implementation measure of the 2030 General Plan Update. The General Plan provides the supporting framework for development in the County to produce fewer greenhouse gas emissions during Plan buildout. The CAP builds on the General Plan's framework with more specific actions that will be applied to achieve emission reduction targets consistent with California legislation."[16]

Federal Emergency Management Agency (FEMA)

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, Community Panel Number: 06107C0695F, adopted December 18, 2012, **(see Figure 11)** shows Lemon Cove within Flood Zones portions of the Lemon Cove footprint is within a Flood Zone (Flood Zone A) and subject to 100-year flood hazard. FEMA requires development in Flood Zones A to be constructed so that a building's ground floor elevation is above the flood contour line existing in the flood area. Structures located in Flood Zone A are recommended to be elevated one foot above natural ground. Elevation certificates are not required unless the property owner wishes to use them for insurance rating purposes; for example, a preferred risk policy.

FEMA determines areas subject to flood hazards and designates these areas by relative risk of flooding on a map for each community, known as the Flood Insurance Rate Map (FIRM). These areas are designated as Zone A, AE (1% Base Flood Elevation (BFE), and X 2% on the FIRM. A 100-year flood is considered for purposes of land use planning and protection of property and human safety. The boundaries of the 100-year floodplain are delineated by FEMA on the basis of hydrology, topography, and modeling of flow during predicted rainstorms. Within Lemon Cove are areas of localized ponding and puddling that occur during heavy rainfall events. Additional projects will be required in the future to further expand storm water drainage capacity. The elevation of building pads should eliminate the potential for loss of property should flooding occur.

Flood Zone A:

One percent annual change of flooding, no base flood elevation determined

AE (unshaded)

The base floodplain where base flood elevations are provided. AE Zones are now used on new format FIRMs instead of A1-A30 Zones.

[16] *Tulare County Climate Action Plan, page 1*

Flood Zone AE (shaded)
The floodway is the channel of a stream plus any adjacent floodplain area that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood height.

Flood Zone X (unshaded)
Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level. Zone C may have ponding and local drainage problems that don't warrant a detailed study or designation as base floodplain. Zone X is the area determined to be outside the 500-year flood and protected by levee, from 100- year flood.

"Flooding is a natural occurrence in the Central Valley because it is a natural drainage basin for thousands of watershed acres of Sierra Nevada and Coast Range foothills and mountains. Two kinds of flooding can occur in the Central Valley: general rainfall floods occurring in the late fall and winter in the foothills and on the valley floor; and snowmelt floods occurring in the late spring and early summer. Most floods are produced by extended periods of precipitation during the winter months. Floods can also occur when large amounts of water (due to snowmelt) enter storage reservoirs, causing an increase in the amount of water that is released."[17] "Flood events in the Tulare Lake region are caused by rainfall, snowmelt, and the resultant rising of normally dry lakes. Although significant progress has been made to contain floodwaters in the region, improvements to the flood control system are still needed to lessen the flood risk to life and property."[18]

"Official floodplain maps are maintained by the Federal Emergency Management Agency (FEMA). "Floodplain" or "flood-prone area" means any land area susceptible to being inundated by water from any source. "Base Flood" is the flood having a one percent chance of being equaled or exceeded in any given year. "One-hundred-year flood" or "100 year flood" has the same meaning as "base flood." "Special flood hazard area" is the land in the floodplain subject to a one percent or greater chance of flooding in any given year. "Floodway" means the channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. The floodway is delineated on the Flood Boundary Floodway Map, on maps adopted by the State Reclamation Board when acting within its jurisdiction, and on the County Zoning Map (signified by the F-1 Primary Flood Plain Zone). The F-2 Secondary Flood Plain Combining Zone is intended for application to those areas of the County, which lie within the fringe area or setback of the flood plain and are subject to less severe inundation during flooding conditions than occur in the F-1 Zone.

FEMA determines areas subject to flood hazards and designates these areas by relative risk of flooding on a map for each community, known as the Flood Insurance Rate Map (FIRM). These areas are designated as Zone A, AO, A1-A30, AE, A99, or AH on the FIRM. A 100-year flood is considered for purposes of land use planning and protection of property and human safety. The boundaries of the 100-year floodplain are delineated by FEMA on the basis of hydrology, topography, and modeling

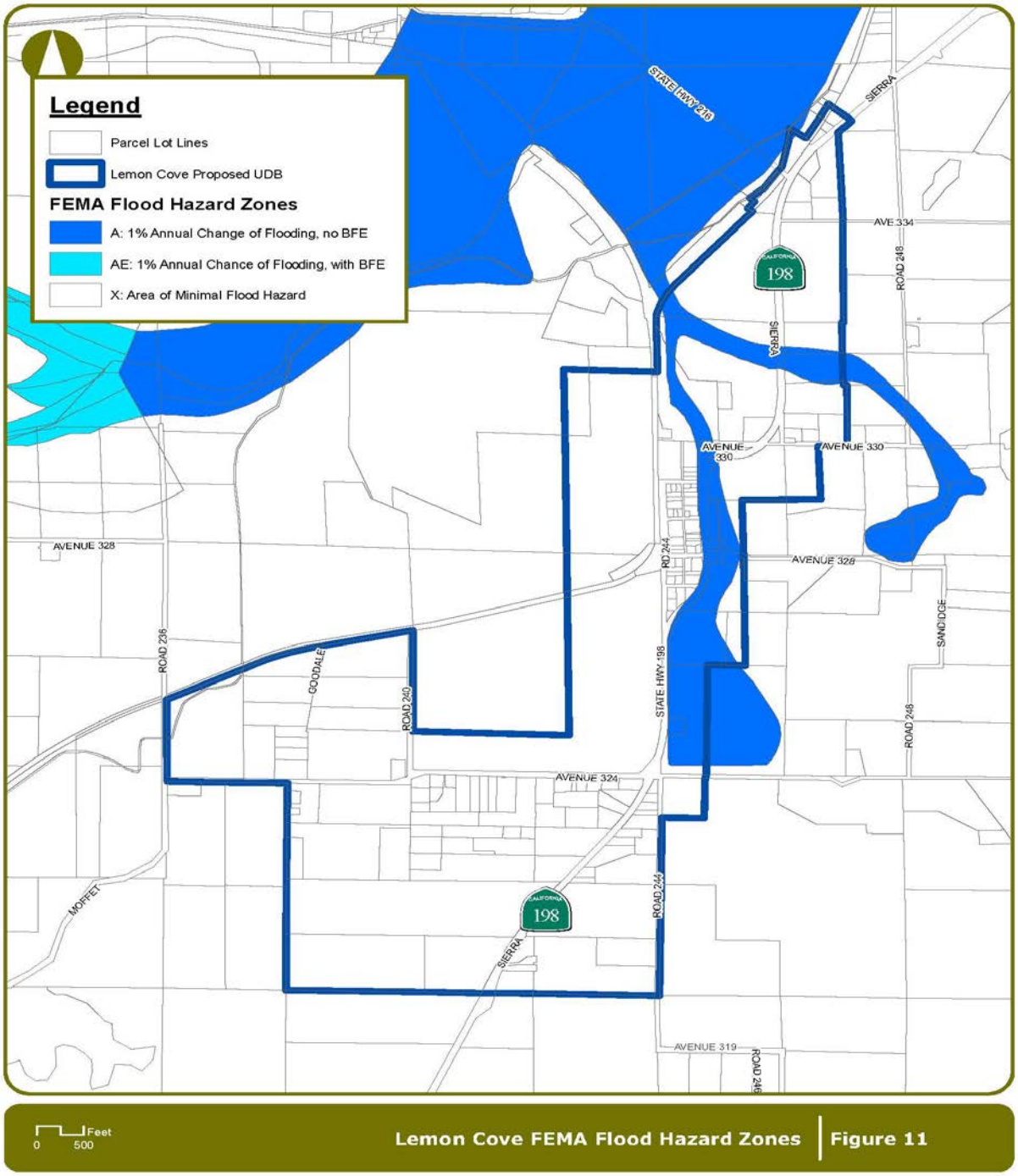
[17] General Plan Background Report, page 8-13
[18] California Water Plan Update 2009, Tulare Lake, page TL-28 to TL-29

of flow during predicted rainstorms."[19] Although some areas of Tulare County have experienced major flooding along its major rivers, the Lemon Cove Plan Area has not. There are portions of Lemon Cove, however, that are within and adjacent to the FEMA 100 year flood zones. According to the Tulare County General Plan Update, substantial flooding could occur in Tulare County if the two (2) major dams were to experience failure. The primary source of flood potential near the Lemon Cove community is the Kaweah River, located approximately one-half mile south of the Planning Area.

The County of Tulare has taken steps to be a part of the National Flood Insurance Program (NFIP), by actively adopting minimum regulatory standards as set forth by the Federal Emergency Management Agency (FEMA). The National Flood Insurance Program (NFIP) is administered by the (FEMA) to offer flood insurance to properties located in special flood hazard areas (SFHAs). Information about the NFIP, is available at the following website: www.fema.gov. As part of the county's participation in the NFIP, individuals are eligible to obtain flood insurance. Further flood information is available at the County of Tulare Resource Management Agency at the following website: https://tularecounty.ca.gov/rma/index.cfm/public-works/flood-information/. On June 16, 2009, Tulare County adopted the new Digital Flood Insurance Rate Maps (DFIRMs). Information is available to determine if a property is located in a SFHA by using the following FEMA Map Service Center link as follows: https://msc.fema.gov/portal.

[19] General Plan Background Report, page 8-14

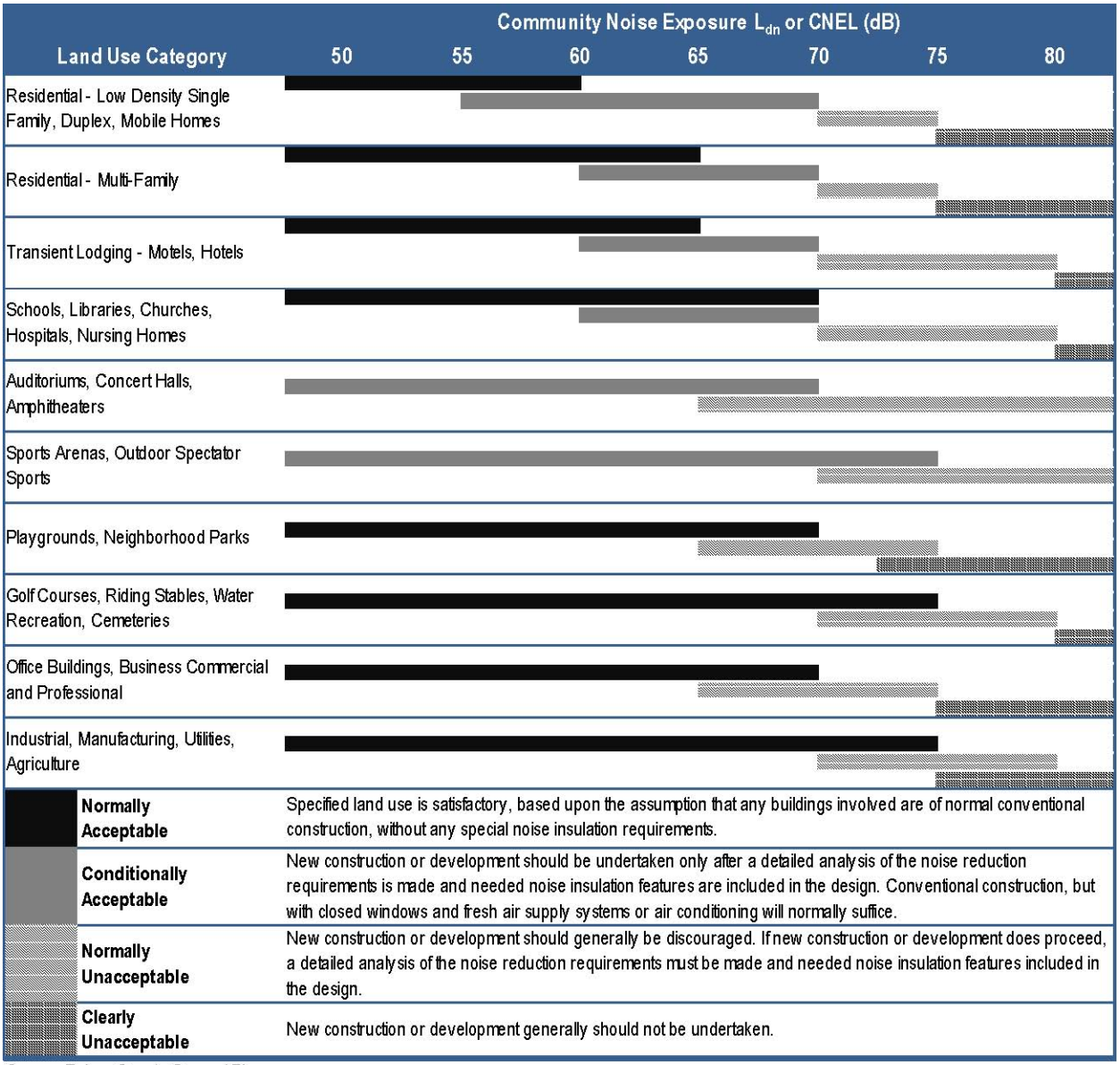
Figure 11 FEMA Flood Map



Noise

State of California General Plan Guidelines (California Governor's Office of Planning and Research, 2003) identifies guidelines for the Noise Elements of city and county General Plans, including a sound level/land-use compatibility chart that categorized, by land use, outdoor Ldn ranges in up to four categories (normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable). These guidelines provide the State's recommendations for city and county General Plan Noise Elements **(see Figure 12)**.

Figure 12 Community Noise Exposure



Source: Tulare County General Plan

The 2010 Recirculated Environmental Impact Report (RDEIR) prepared for the Tulare County General Plan Update included the following information regarding freeway noise: Baseline traffic noise contours for major roads in the County were developed using Sound32 (Caltrans' computer implementation of the FHWA Traffic Noise Prediction Model). Table 3.5-3 in the RDEIR summarized the daily traffic volumes, the predicted Ldn noise level at 100 feet from the roadway centerline is approximately 79 feet, and the distance from the roadway centerline to the 60-, 65-, and 70-dB-Ldn contours are 82 feet, 1,813 feet, and 3,907 feet respectively.

The Health and Safety Element of the Tulare County General Plan adopted two Countywide goals regarding noise in 2012. They are: 1) Protect the citizens of Tulare County from the harmful effects of exposure to excessive noise; and 2) Protect the economic base of Tulare County by preventing the encroachment of incompatible land uses near known noise-producing industries, airports and other sources. The Tulare County General Plan 2030 models noise contours for lands adjacent to freeways, airports, and local industries for the base year (1986) and provides projected contours for the year 2010. The noise contours were prepared in terms of either the community noise equivalent level (CNEL) or day-night average decibel level (Ldn), which is descriptive of the total noise exposure at a given location for an annual average day.

The Noise Element includes performance standards for new residential or other noise-sensitive land uses which are to be located near noise-impacted areas. The Element indicates that these uses will not be permitted unless effective design measures can be integrated into the development to mitigate the impact of noise. **Table 18** summarizes the daily traffic volumes SR 198 and SR 216.

Table 18 Noise Levels

Location	ADT	From Roadway Centerline			
		Distance (feet) to 70 Ldn Contour	Distance (feet) to 65 Ldn Contour	Distance (feet) to 60 Ldn Contour	Distance (feet) to 55 Ldn Contour
SR 198 from Spruce to SR 216	8,500	58	124	268	576
SR216 from Castlerock to SR 198	1,800	25	55	118	254

Source: 2010 General Plan Background Report

State Responsibility Area (SRA)

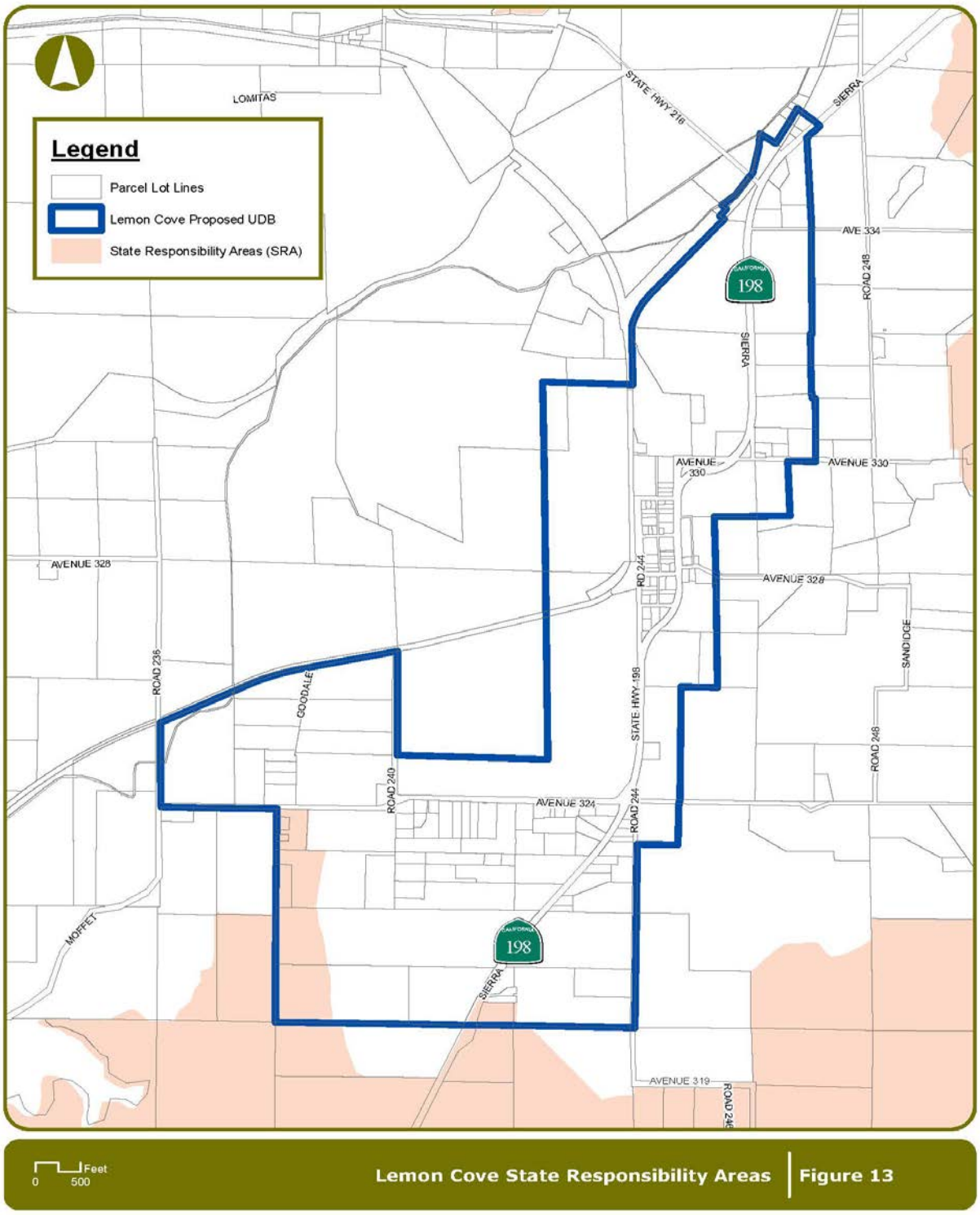
Wildland fire protection in California is the responsibility of either the State, local government, or the federal government. The State Responsibility Area (SRA) is the area of the state where the State of California is financially responsible for the prevention and suppression of wildfires. Local responsibility areas (LRA) include incorporated cities, cultivated agriculture lands, and portions of the desert. Local responsibility area fire protection is typically provided by city fire departments, fire protection districts, counties, and by CAL FIRE under contract to local government. Federal responsibility areas (FRA) include lands administered by the following Federal Agencies: The United States Department of Agriculture Forest Service, The United States Department of the Interior, National Park Service, Fish and Wildlife Service, Bureau of Indian Affairs, and Bureau of Land Management, State Responsibility Area (SRA), Fire Safe Regulations (Title 14- Natural Resources Division 1.5, Department of Forestry Chapter 7, Fire Protection Subchapter 2, SRA Fire Safe Regulations Articles 1-5). SRA regulations have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction, and development in SRA. These measures provide for emergency access; signing and building numbering; private water supply reserves for emergency fire use; and vegetation modification. These regulations do not apply to existing structures, roads, streets and private lanes or facilities. These regulations apply as appropriate to all construction within the SRA approved after January 1, 1991, **(see Figure 13).**

SL-2.3 Historic and Cultural Landscapes

The County shall use the County's scenic routes and highways to connect cultural landscapes, historic landmarks and communities, and points of interest including:

1. Historic travel routes and trails,
2. Historic settlements,
3. Historic places, events, sites, buildings and structures,
4. Prehistoric and archeological features, and
5. Majestic trees, streetscapes, and parks.

Figure 13 State Responsibility Areas



Foothill Growth Management Plan

"The FGMP concept will retain and strengthen community identity in Springville, Lemon Cove, and Three Rivers though Lemon Cove is not within the FGMP boundary, it is adjacent to the FGMP area and may benefit from the FGMP policies. It is readily apparent that development should and will occur as logical infilling within the Urban Development Boundaries (UDB) of these three communities."[20]

FGMP-1 To maintain the natural beauty of the foothills while allowing focused growth in identified growth areas.

FGMP 1.12 Legally Conforming Commercial Uses

The County shall designate existing, legally conforming commercial uses not located in the communities of Springville, Lemon Cove, and Three Rivers with an appropriate land use designation, providing the use is consistent with other policies in this FGMP.

FGMP 1.16 Applicable Development Standards

Unless it can be demonstrated that an alternative standard will result in attainment of a superior environment, when preparing Specific Plans, Master Development Plans, or Area Development Plans and standards therein for areas within the foothills, at a minimum, the development standards within the FGMP Section 3.12 shall apply.

FGMP-2 To strengthen and ensure the existing community values and identity in Springville, Three Rivers, Lemon Cove, and the Badger Development Corridor, as development proceeds:

FGMP 2.1 Community Commercial Development

The County shall encourage new commercial development to first consider the communities of Springville, Three Rivers, and Lemon Cove, which are suitable for commercial development. For Planned Community Areas within the foothills, commercial areas will be designated within the development corridors through the Master Development Plan.

FGMP-6 To prove local protection of scenic highways and routes within the foothills:

F**GMP-6.1 Preservation of Scenic Highways**

The County shall ensure that the visual qualities of State Highways 190 and 198 and County scenic routes are maintained and protected against obtrusive development improvements.

FGMP-6.2 Identification of Scenic Highways

The County shall continue to seek and identify County routes, which due to their scenic and rural characteristics, should receive a County "scenic routes" designation.

[20] Tulare County General Plan Update 2030, Part II-Chapter 3. Foothill Growth Management Plan, page 3-5

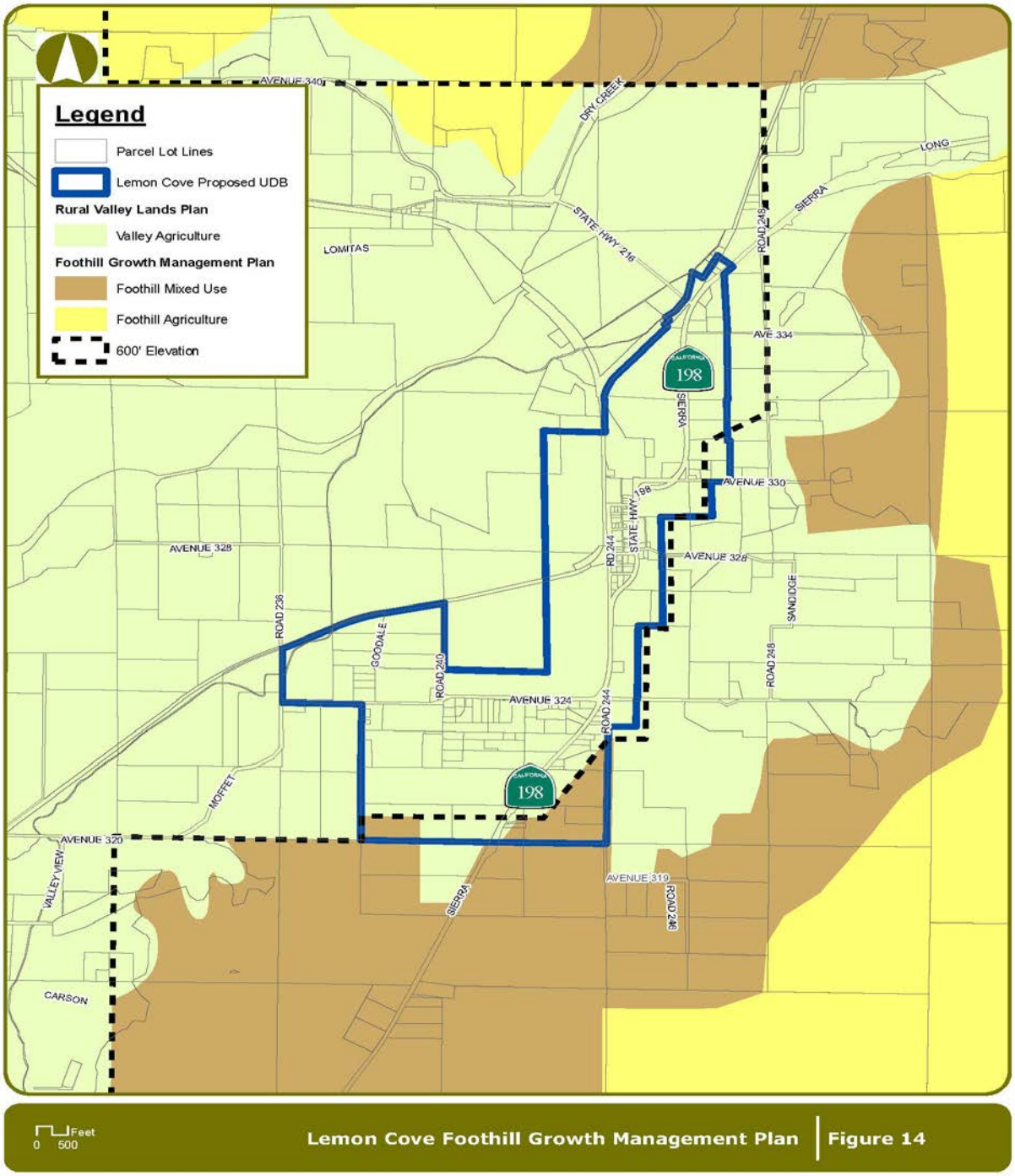
FGMP-6.3 Development along Scenic Highways
The County shall require that development along all scenic highways and routes meet the development standards of the FGMP.

FGMP-6.4 Development within Scenic Corridors
The County shall require that projects located within a scenic corridor be designed in a manner, which does not detract from the visual amenities of that thoroughfare. The County shall support through the use of its authority and police powers, the design of infrastructure that minimizes visual impacts to surrounding areas by locating roadways in areas that minimize the visual impact on rural and natural places whenever feasible.

FGMP-6.5 Cluster Development
The County shall encourage projects proposed on lands within a scenic corridor with a non-agricultural or non-open space land use designation, to use a cluster development concept. Appropriate land uses for the open space areas shall include, but will not be limited to, public or private open space, wildlife habitat or agriculture.

Accordingly, a developer proposing a project in the foothills will be required to provide the County with detailed information regarding the proposed project in context to the Third Level reference maps as well as a detail assessment of the project regarding the factors of the Second Level analysis. Utilizing the information, the County can determine compliance of the project. For example, FGMP policies preclude some land uses from locating in the PD-FM Zone. In addition, for example, it is the policy of the FGMP to strengthen the community identities of Springville, Lemon Cove, and Three Rivers; therefore, most retail commercial has been directed to these existing and new planned communities rather than areas outside these communities.

Figure 14 Foothill Growth Management Plan



Mineral Resource Zone MRZ Zone

"There is estimated to be a total of 932 million tons of aggregate resources in Tulare County. This figure includes 219 million tons of reserves available for mining and 200 million tons that are located in the hard rock quarries southeast of Porterville. Of that total, 19 million tons are located in Northern Tulare County, which is expected to be depleted by the year 2010 unless new resources are permitted for mining. Lemon Cove has been the most highly extracted area for PCC quality aggregate supplies."[21]

"Economically, the most important minerals that are extracted in Tulare County are sand, gravel, crushed rock and natural gas. Other minerals that could be mined commercially include tungsten, which has been mined to some extent, and relatively small amounts of chromite, copper, gold, lead, manganese, silver, zinc, barite, feldspar, limestone, and silica. Minerals that are present but do not exist in the quantities desired for commercial mining include antimony, asbestos, graphite, iron, molybdenum, nickel, radioactive minerals, phosphate, construction rock, and sulfur. The majority of these activities appear to occur in the Sierra Foothill Area."[22]

"The following MRZ categories are used by the State Geologist in classifying the State's lands. The geologic and economic data and the arguments upon which each unit MRZ assignment is based are presented in the mineral land classification report transmitted by the State Geologist to the SMGB…

A. *MRZ-1*—Areas where adequate geologic information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence. This zone is applied where well developed lines of reasoning, based on economic-geologic principles and adequate data, indicate that the likelihood for occurrence of significant mineral deposits is nil or slight.

B. *MRZ-2a*—Areas underlain by mineral deposits where geologic data show that significant measured or indicated resources are present. As shown on the diagram of the California Mineral Land Classification System, MRZ-2 is divided on the basis of both degree of knowledge and economic factors. Areas classified MRZ-2a contain discovered mineral deposits that are either measured or indicated reserves as determined by such evidence as drilling records, sample analysis, surface exposure, and mine information. Land included in the MRZ-2a category is of prime importance because it contains known economic mineral deposits. A typical MRZ-2a area would include an operating mine, or an area where extensive sampling indicates the presence of a significant mineral deposit.\

C. *MRZ-2b*—Areas underlain by mineral deposits where geologic information indicates that significant inferred resources are present. Areas classified MRZ-2b contain discovered deposits that are either inferred reserves or deposits that are presently sub-economic as determined by limited sample analysis, exposure, and past mining history. Further exploration work and/or changes in technology or economics could result in upgrading areas classified MRZ-2b to MRZ-2a. A typical MRZ-2b area would include sites where there are good geologic reasons to believe

[21] Tulare County General Plan Update 2030, Background Report, February 2010, page 10-18
[22] Ibid. 10-17

that an extension of an operating mine exists or where there is an exposure of mineralization of economic importance.

D. *MRZ-3a*—Areas containing known mineral deposits that may qualify as mineral resources. Further exploration work within these areas could result in the reclassification of specific localities into the MRZ-2a or MRZ-2b categories. MRZ-3a areas are considered to have a moderate potential for the discovery of economic mineral deposits. As shown on the diagram of the California Mineral Land Classification System, MRZ-3 is divided on the basis of knowledge of economic characteristics of the resources. An example of a MRZ-3a area would be where there is direct evidence of a surface exposure of a geologic unit, such as a limestone body, known to be or to contain a mineral resource elsewhere but has not been sampled or tested at the current location.

E. *MRZ-3b*—Areas containing inferred mineral deposits that may qualify as mineral resources. Land classified MRZ- 3b represents areas in geologic settings which appear to be favorable environments for the occurrence of specific mineral deposits. Further exploration work could result in the reclassification of all or part of these areas into the MRZ-3a category or specific localities into the MRZ-2a or MRZ-2b categories. MRZ-3b is applied to land where geologic evidence leads to the conclusion that it is plausible that economic mineral deposits are present. An example of a MRZ-3b area would be where there is indirect evidence such as a geophysical or geochemical anomaly along a permissible structure which indicates the possible presence of a mineral deposit or that an ore-forming process was operative.

F. *MRZ-4*—Areas where geologic information does not rule out either the presence or absence of mineral resources. The distinction between the MRZ-1 and MRZ-4 categories is important for land-use considerations. It must be emphasized that MRZ-4 classification does not imply that there is little likelihood for the presence of mineral resources, but rather there is a lack of knowledge regarding mineral occurrence. Further exploration work could well result in the reclassification of land in MRZ-4 areas to MRZ-3 or MRZ-2 categories."[23]

Local Policy & Regulations

Tulare County General Plan Policies

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. General Plan policies that relate to the proposed Project are listed below.

ERM-2.1 Conserve Mineral Deposits - The County will encourage the conservation of identified and/or potential mineral deposits, recognizing the need for identifying, permitting, and maintaining a 50-year supply of locally available PCC grade aggregate.

[23] California Surface Mining and Reclamation Policies and Procedures: Guidelines for classification and designation of mineral land, pages 4 to 6

ERM-2.2 Recognize Mineral Deposits - The County will recognize as a part of the General Plan those areas of identified and/or potential mineral deposits.

ERM-2.3 Future Resource Development - The County will provide for the conservation of identified and/or potential mineral deposits within Tulare County as areas for future resource development. Recognize that mineral deposits are significantly limited within Tulare County and that they play an important role in support of the economy of the County.

ERM-2.5 Resources Development - The County will promote the responsible development of identified and/or potential mineral deposits.

ERM-2.7 Minimize Adverse Impacts - The County will minimize the adverse effects on environmental features such as water quality and quantity, air quality, flood plains, geophysical characteristics, biotic, archaeological, and aesthetic factors.

ERM-2.8 Minimize Hazards and Nuisances - The County will minimize the hazards and nuisances to persons and properties in the area during extraction, processing, and reclamation operations.

ERM-2.9 Compatibility - The County will encourage the development of mineral deposits in a manner compatible with surrounding land uses.

ERM-2.10 Incompatible Development - Proposed incompatible land uses in the County shall not be on lands containing or adjacent to identified mineral deposits, or along key access roads, unless adequate mitigation measures are adopted or a statement of overriding considerations stating public benefits and overriding reasons for permitting the proposed use are adopted.

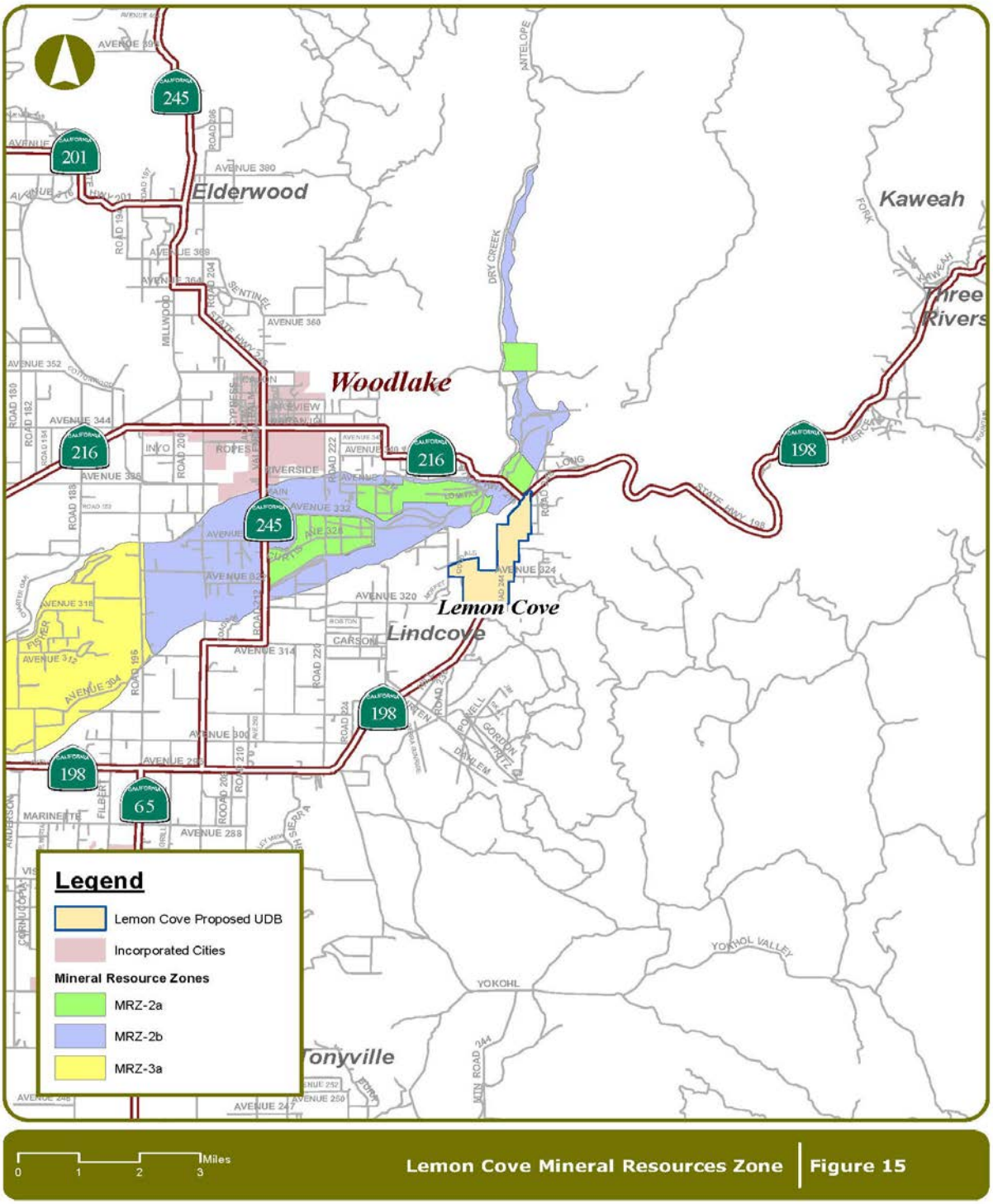
ERM-2.11 Conditions of Approval - The County shall establish procedures to ensure compliance with conditions of approval on all active and idle mines.

ERM-2.12 Approved Limits - Tulare County will establish procedures to ensure that vested interest mining operations remain within their approved area and/or production limits.

ERM-2.13 SMARA Requirements - All surface mines in the County, unless otherwise exempted, shall be subject to reclamation plans that meet SMARA requirements. Reclamation procedures shall restore the site for future beneficial use of the land consistent with the Tulare County General Plan, subsequent to the completion of surface mining activities. Mine reclamation costs shall be borne by the mine operator, and guaranteed by financial assurances set aside for restoration procedures.

ERM-3.1 Environmental Contamination - All mining operations in the County shall be required to take precautions to avoid contamination from wastes or incidents related to the storage and disposal of hazardous materials, or general operating activity at the site.

Figure 15 Mineral Resource Zone (MRZ)



County Scenic Routes

The primary concern of the County must be the preservation and enhancement of the "Scenic Corridor, which is that band of land of varying width outside the right-of-way within which it is necessary to maintain effective control of the scenic appearance of the landscape as viewed by the passing motorist. There are two **(see Figure 16)** County Scenic Routes (SR) running through Lemon Cove. The first County Scenic Route is SR 198 runs from the City of Visalia through Lemon Cove to the Sequoia National Park and the second SR 216 runs from Visalia, to Ivanhoe to Woodlake, to Lemon Cove. The following policies are applicable to County Scenic Routes in the Lemon Cove UDB:

SL-1.1 Natural Landscapes - During review of discretionary approvals, including parcel and subdivision maps, the County shall as appropriate require new development to not significantly impact or block views of Tulare County's natural landscapes. To this end, the County may require new development to:

1. Be sited to minimize obstruction of views from public lands and rights-of-ways,
2. Be designed to reduce visual prominence by keeping development below ridge lines, using regionally familiar architectural forms, materials, and colors that blend structures into the landscape,
3. Screen parking areas from view,
4. Include landscaping that screens the development,
5. Limit the impact of new roadways and grading on natural settings, and
6. Include signage that is compatible and in character with the location and building design.

SL-1.2 Working Landscapes - The County shall require that new non-agricultural structures and infrastructure located in or adjacent to croplands, orchards, vineyards, and open rangelands be sited so as to not obstruct important view sheds and to be designed to reflect unique relationships with the landscape by:

1. Referencing traditional agricultural building forms and materials,
2. Screening and breaking up parking and paving with landscaping, and
3. Minimizing light pollution and bright signage.

SL-2.1 Designated Scenic Routes and Highways - The County shall protect views of natural and working landscapes along the County's highways and roads by maintaining a designated system of County scenic routes and State scenic highways by:

1. Requiring development within existing eligible State scenic highway corridors to adhere to land use and design standards and guidelines required by the State Scenic Highway Program,
2. Supporting and encouraging citizen initiatives working for formal designation of eligible segments of SR 198 and SR 190 as State scenic highways,
3. Formalizing a system of County scenic routes throughout the County, and
4. Requiring development located within County scenic route corridors to adhere to local design guidelines and standards.

SL-2.2 Gateways to the Sequoias - The County shall ensure that the "gateway highways" (State Highway 190 and State Highway 198) to the Sequoias feature the County's unique history and scenery by:

1. Maintaining the rural character of roadway rights-of-ways, highway signage, and related roadway and structure design,
2. Protecting primary view sheds from development,
3. Prohibiting development of highway commercial projects that do not respond to their physical or cultural context, and
4. Featuring the community centers/main streets of the gateway communities of Three Rivers and Springville.

SL-2.3 Historic and Cultural Landscapes - The County shall use the County's scenic routes and highways to connect cultural landscapes, historic landmarks and communities, and points of interest including:

1. Historic travel routes and trails,
2. Historic settlements,
3. Historic places, events, sites, buildings and structures,
4. Prehistoric and archeological features, and
5. Majestic trees, streetscapes, and parks.

SL-2.4 New Billboards - Unless superseded by State law, the County shall prohibit billboards and other forms of off-site advertising along State scenic highways, County scenic routes, and within areas designated for agriculture and open space.

SL-2.5 Billboard Removal - The County shall seek to reduce the number of billboards along State scenic highways and County scenic routes.

SL-2.6 Billboard Placement - The County shall control the placement of billboards throughout the unincorporated County to preserve scenic qualities along major routes.

SL-3.3 Highway Commercial - The County shall require highway commercial uses to be located and designed to reduce their visual impact on the travel experience along State scenic highways and County scenic routes by:

1. Encouraging commercial development to locate in existing communities and hamlets,
2. Designing highway commercial areas as an extension of community street patterns and vernacular design traditions, allowing the individual personalities of each community to extend to the highway edge, and
3. Discouraging development of frontage roads consistent with commercial strips except when consistent with regional growth corridor and community plans.

SL-3.4 Planned Communities - If planned communities are allowed, the County shall require that they are designed to minimize visual impact on scenic working and natural landscapes by:

1. Avoiding development along ridgelines and other highly visible locations,
2. Siting development in a manner that reduces the visibility of new development,

3. Mitigating light pollution on night sky conditions,
4. Utilizing architectural and site planning concepts that appropriately reflect local climate and site conditions, and
5. Integrating cultural, architectural, and historic resources into their plans.

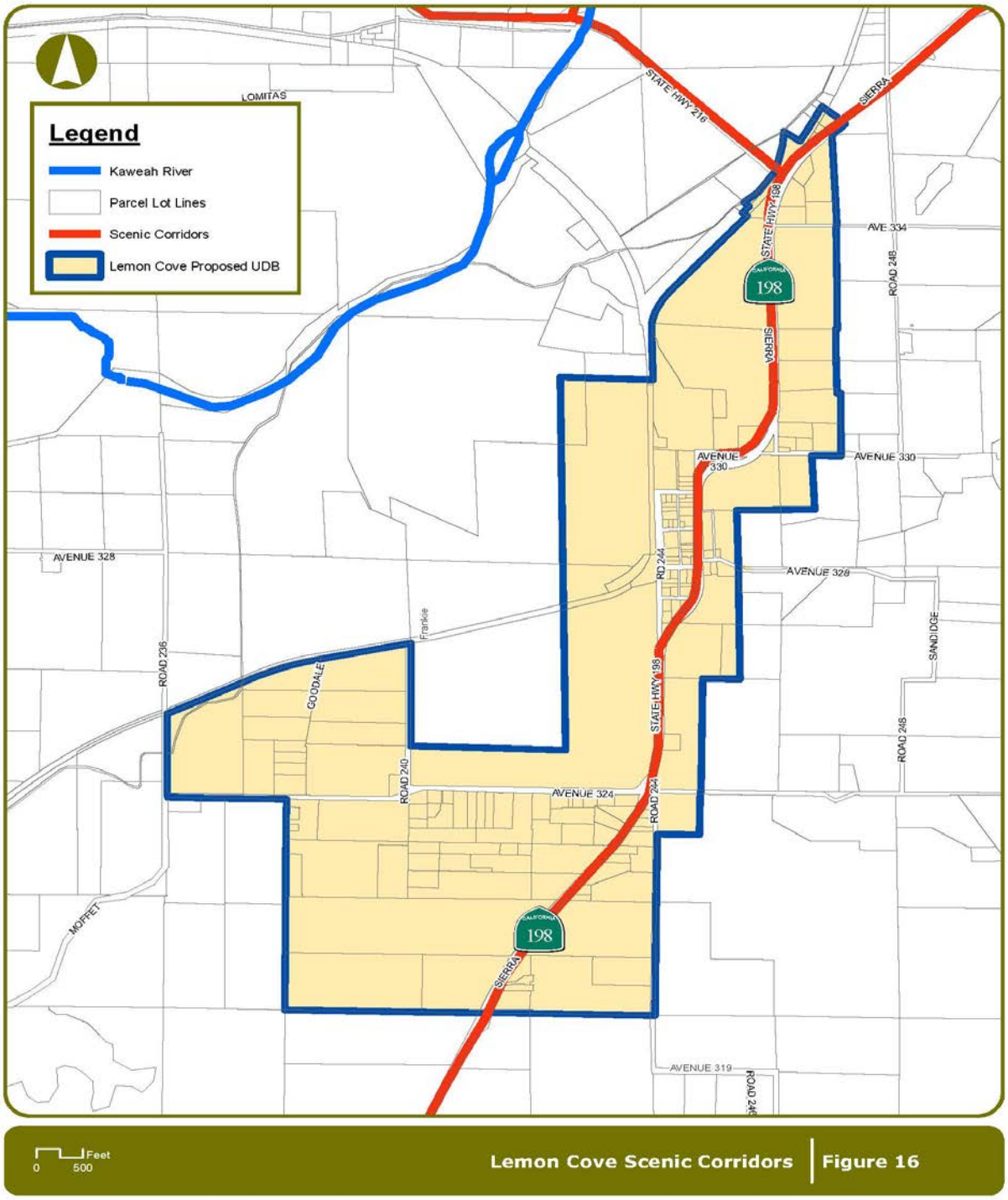
SL-4.1 Design of Highways - The County shall work with Caltrans and Tulare County Association of Governments (TCAG) to ensure that the design of SR 99 and other State Highways protects scenic resources and provides access to vistas of working and natural landscapes by:

1. Limiting the construction of sound walls that block views of the County's landscapes (incorporate setbacks to sensitive land uses to avoid noise impacts whenever feasible),
2. Using regionally-appropriate trees and landscaping and incorporating existing landmark trees,
3. Preserving historic and cultural places and vistas,
4. Avoiding excessive cut and fill for roadways along State scenic highways and County scenic routes, and along areas exposed to a large viewing area, and
5. Promote highway safety by identifying appropriate areas for traffic pull-outs and rest areas.

SL-4.2 Design of County Roads - The County's reinvestment in rural County roads outside urban areas should, in addition to meeting functional needs and safety needs, preserve the experience of traveling on the County's "country roads" by:

1. Maintaining narrow as possible rights-of-ways,
2. Limiting the amount of curbs, paved shoulders, and other "urban" edge improvements,
3. Preserving historic bridges and signage, and
4. Promote County road safety by identifying appropriate areas for traffic pull-out.

Figure 16 Lemon Cove Scenic Corridors



Infrastructure

"Infrastructure is defined as "the basic physical and organizational structures needed for the operation of a society or enterprise or the services and facilities." In regards to Lemon Cove, this Community Plan is intended to address deficiencies and the need for improvements to the drinking water system improvements, (wells, water distribution piping and storage tanks, curbs, gutters, streets, sidewalks, etc.)"[24][25]

Domestic Water

Domestic water and sewer service in Lemon Cove is provided by the Lemon Cove Sanitary District **(see Figure 17)**, formed in December 1950. **Table 19** shows the number of existing water and sewer connections, the capacity of each system, and the number of additional connections the systems can accommodate for new development (Housing Element, May 2012 and Municipal Service Review, May 2006). Maps of the sewer and water systems are currently unavailable.

Lemon Cove Zone of Benefit (ZOB) Water System

The Lemon Cove Water System, a joint project with the Lemon Cove Sanitary District (LCSD), was completed in 1992. However, no domestic water connections were allowed in the Zone of Benefit (ZOB) because of nitrate levels which exceeded the State's maximum standard. To remedy this adverse circumstance, the County retained a consulting hydrogeologist to conduct an investigation to resolve the potable water source issued. The consultant completed this investigation and a summary of his findings were presented to the Board of Supervisors on August 29, 1995. After consideration of these findings and upon the recommendation of this Department, the Board directed the Public Works Director to prepare a work plan, budget and financing plan for connecting the Fire Station well to the Lemon Cove System and for modifying the McKay's Point well so as to produce potable water. There is no operation and maintenance agreement in effect between the County and the LCSD. LCSD has been acting on their own-behalf to operating, maintaining and administering potable water to the community of Lemon Cove since its completion **(see Attachment 7)**.

Municipal Service Review

According to the Municipal Service Review 2006 (MSR), the Lemon Cove Sanitary District operates a water supply and distribution system under the jurisdiction of the State Water Resource Control Board (SWRCB) Division of Drinking Water for the administration and enforcement of the Safe Drinking Water Act involving those systems in Tulare County with less than 200 connections. The District's water supply and distribution system, which includes a 30,000 gallon storage tank, booster pump, and a 4,000 gallon pressure tank, supports approximately 50 active connections **(see Table 19)**.

[24] Tulare County Housing Element Action Program 9 Existing Infrastructure, April 2014.

[25] LAFCO Municipal Service Review Group Final Report (May 2006), page 5-1.

The water system has no permanently installed treatment at this time, and there is no backup water supply on the District's system. The District's water system is fully metered, which is indicative of the District's desire to promote water conservation, and continue to provide effective water service to its residents.

According to the District's 2004 Consumer Confidence Report, water samples taken in December 2004 contained nitrate levels of 55 mg/L, which exceeds the maximum contaminant level (MCL) of 45 mg/L. The Lemon Cove Sanitary District has been issued a compliance order (No. 04-95) to address the elevated nitrate levels.

Table 19 Existing Infrastructure

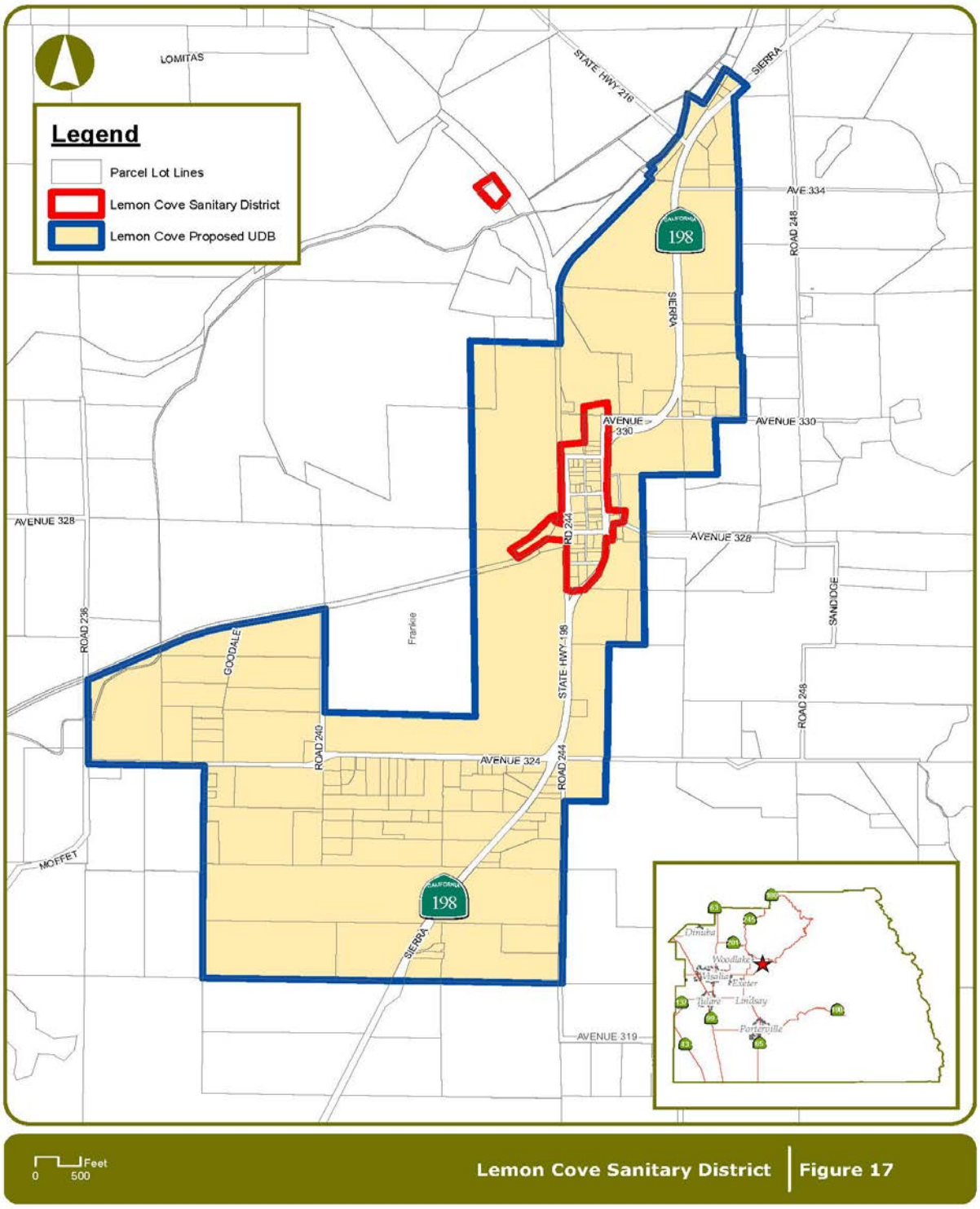
Drinking Water			Waste Water*		
No. of Existing Connections	**Capacity**	**Available**	**No. of Existing Connections**	**Capacity**	**Available**
50	50	0	50	75	25

Assuming 50 equivalent dwelling units (EDUs), in order to meet Tulare County Improvement Standards the Lemon Cove Sanitary District water system would need to be capable of delivering a combined flow rate (from all source and storage facilities) of 780 gallons per minute (GPM) (500 GPM fire flow, and 280 GPM domestic demand) for a period of two hours while maintaining a minimum pressure of 25 pounds per square inch (PSI) to each lot served; The water system storage volume of 34,000 gallons would be capable of delivering a source flow of approximately 280 GPM for a period of two hours, indicating that the pumping efficiency of the District's only well would need to be 500 GPM in order to meet the requirements of the Tulare County Improvement Standards. Prior to granting any sphere of influence (SOI) expansions, it is recommended that the Local Agency Formation Commission (LAFCO) verify that there is adequate water system capacity to meet any anticipated increased demands.

Future Water System

The LCSD obtained a $500,000 Planning grant (June 2017) from the State Water Resource Control Board (SWRCB) Division of Drinking Water due to the violation of the Nitrate maximum contaminant level (MCL). The Plan for the installation of two wells to be located north of Lemon Cove/SR 198. Once the preliminary engineering design report is (estimated completion is 11/1/2019) finalized the Lemon Cove Sanitary District will be required to apply for a Construction grant to drill and connect the two wells to their system.

Figure 17 Lemon Cove Sanitary District SOI



Sanitary Sewer

The Lemon Cove Sanitary District **(see Figure 17)** is also responsible for providing sanitary sewer service to residents within its Boundary. It is assumed that there are 50 connections to the District's sewer system, the same number of connections to their water system. The District owns and operates a Wastewater Treatment Facility (WWTF) located approximately 0.7 miles north of the community. The WWTF is operated under the provisions of Waste Discharge Requirements Order No. 94-348, issued by the Regional Water Quality Control Board (RWQCB).

Order No. 94-348 prescribes that the monthly average dry weather discharge flow shall not exceed 20,000 gallons per day (GPD). According to the Wastewater User Charge Survey Report FY 2004-05 (Cal EPA- State Water Resources Control Board, May 2005), the average dry weather flow at the WWTF is approximately 12,000 GPD. Using a demand of 310 GPD per connection, it is estimated that the District's sanitary sewer treatment and disposal capabilities would allow for approximately 25 additional connections (equivalent dwelling units) to the system **(see Table 19)**. The District would need to expand the capacity of its WWTF to support any significant development projects proposed within its SOI.

Future Expansion of the Lemon Cove Wastewater Treatment Plant

The Lemon Cove Sanitary District is in the process of improving the existing wastewater treatment plant (WDR) Order No. 94-348. The wastewater treatment site consists of an existing 90-foot (northwest-southeast) by 70-foot (northeast-southwest) by 10-foot deep wastewater pond. The single two-celled, bentonite-sealed pond is currently dry. An overflow ditch lies to the east of the pond and will not be included in the Project improvements. The wastewater treatment plant is bordered by citrus groves in all directions. The District service area totals approximately 22.2 acres and includes approximately 50 connections. The existing pond was evaluated and determined to be in poor condition, thus improved disposal alternatives are necessary to maintain the highest levels of service. It was determined that an alternate disposal system within the existing footprint of the WWTP facility was feasible The proposed upgrades to the existing WWTP includes:

- Installation of a 20,000 gallon (10-foot diameter X 35-foot long) septic tank,
- Installation of a 4.000 square foot leach field and associated leach lines, and
- Connection to the existing sewer collection system (with an 8-inch influent line).

Construction will occur as plans and funding are in place and is expected to take several months (expected to occur in 2020).

Storm Drainage

A storm drainage system is designed to drain excess rain and groundwater (from roads, sidewalks, etc.) to some point where it is discharged into a channel, ponding basin, or piped system. The system itself typically consists of pipes connecting inlets and is facilitated by curbs and gutters, manholes, and sumps. The operation of the system consists of runoff being collected in the inlets and transported by pipes to a discharge location. Manholes provide access to storm drain pipes for inspection and cleanout.

A sump is a shallow, artificial pond designed to infiltrate storm water through permeable soils into the groundwater aquifer. It does not typically discharge to a detention basin.

Storm drainage systems should be designed so they have adequate capacity to accommodate runoff that enters the system for the design frequency, and should also be designed considering future development. An inadequate roadway drainage system could result in the following:

- ✓ Water overflowing the curb and entering adjacent property leading to damage
- ✓ Accelerated roadway deterioration and public safety concerns may occur due to excessive water accumulation on roadways
- ✓ Over saturation of the roadway structural section due to immersion will lead to pavement deterioration

Lemon Cove does not currently have a storm drainage system.

Sustainable Groundwater Management Act SGMA

On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package, composed of AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley), collectively known as the Sustainable Groundwater Management Act (SGMA). The SGMA provides local governments and stakeholders the time needed to implement the complex law. Completion of plans in critically over drafted basins timeframe is January 31, 2020, and high- and medium-priority basins achieve sustainability 20-years after adoption of their plan (2040).

The Lemon Cove Sanitary District is a member of the Greater Kaweah Goundwater Sustainable Agency (GSA). Under SGMA, Greater Kaweah GSA is responsible for submitting a Groundwater Sustainable Plan (GSP) to the Department of Water Resources (DWR) by January 31, 2020. A memorandum of Understanding (MOU) is in place between the East Kaweah GSA, Mid Kaweah GSA, and Greater Kaweah GSA to coordinate throughout the SPP development phase to meet the sustainability requirements for the entire Kaweah Sub-basin.

Energy Natural Gas/Electricity

Southern California Edison (SCE) is the main provider of electrical power, which maintains an extensive network of high-voltage and low-voltage electrical lines, substations, natural gas mains, and related facilities. In addition to power produced by its plants, SCE purchases power from other producers for use within its service area.

Residents of Lemon Cove use propane as their source of fuel.

Solid Waste

Solid waste disposal services for the Community of Lemon Cove is provided by Mid Valley Disposal (Dba Waste Connections). Solid waste generated in Lemon Cove can be disposed of at the Visalia Landfill, located at 8614 Avenue 328, Visalia, California.

Public Services

Tulare County Sheriff

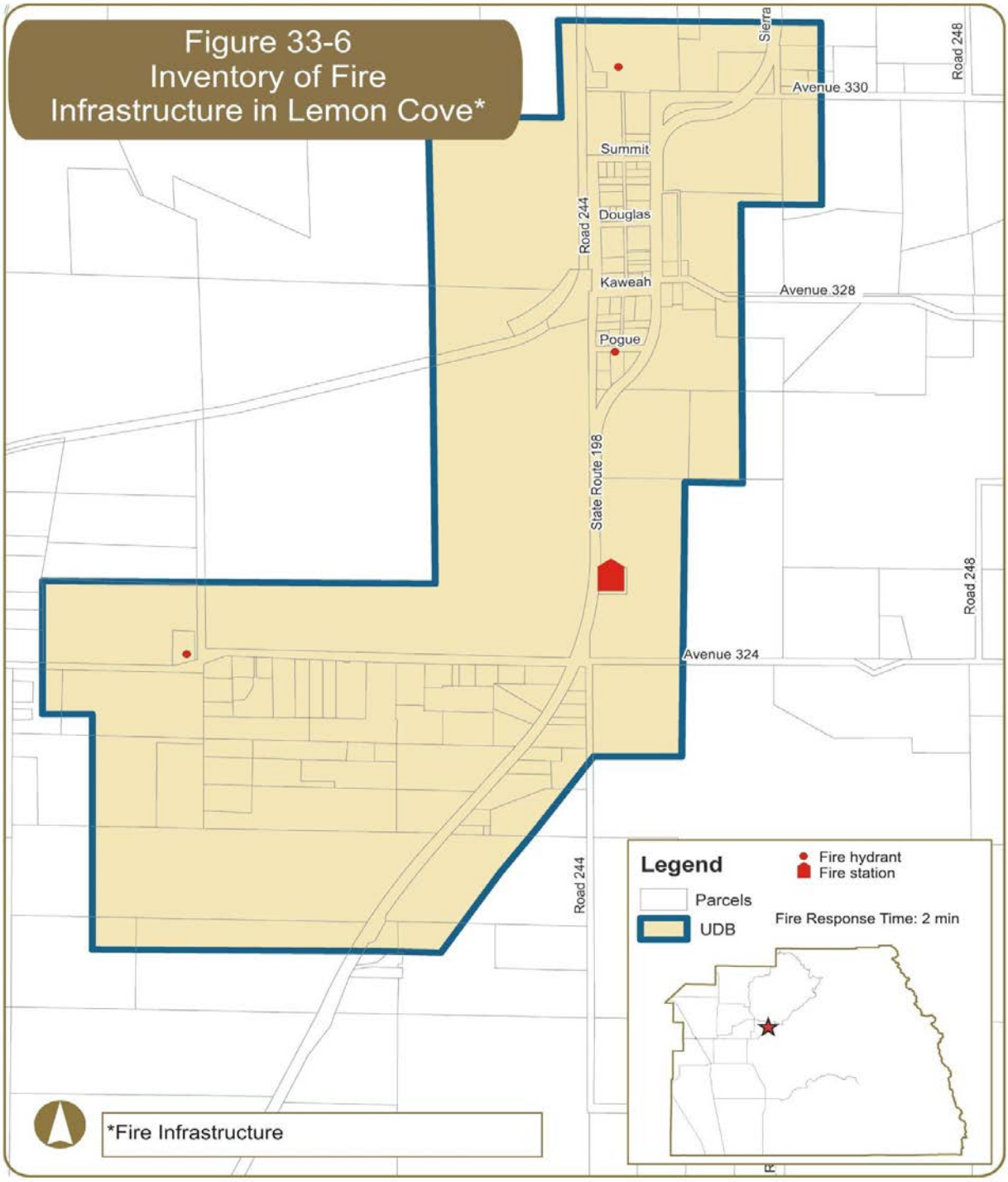
Police protection in the Lemon Cove Planning Area is provided by the Tulare County Sheriff's Department (patrol service only). The main Sheriff's Office is located at 2404 W. Burrel Avenue, in Visalia, which serves the unincorporated areas of Tulare County.

Tulare County Fire Department

Fire protection and emergency medical services are provided by the Tulare County Fire Department. The community of Lemon Cove is served by the Tulare County Fire Department Station # 13 located at 32490 State Route 198 in Lemon Cove, and includes one (1) Patrol 13, Engine 13, and Water Tender 13, which are assigned to this location.

Tulare County Fire Battalion Chief Kevin Riggi, stated two (2) fire hydrants located within the Lemon Cove boundaries. These fire hydrants are located within the County rights-of-way. **Figure 18** display Existing Fire Hydrants in Lemon Cove.

Figure 18 Inventory of Fire Infrastructure in Lemon Cove



Schools

The Lemon Cove Community Planning Area is within the Sequoia Union School District with one (1) school located within its boundaries. Sequoia Union School District is located at 23958 Avenue 324, Lemon Cove, California. It offers pre-Kindergarten through 8th grade education and had a 2018-2019 enrollment of 358 students **(see Table 20)**. According to records from the California Department of Education, school enrollment increased in the Sequoia Union Elementary School in 2018-2019[26]. Of these students, approximately 224 are White, 117 are Hispanic, 14 are two or More Races, 2 are Asian, and 1 is American Indian or Alaska Native.

Students in high school are bused to Exeter Union High School (Exeter Unified School District) located in Exeter, California approximately ten (10) miles from Lemon Cove. The College of the Sequoias provides community college instruction for Lemon Cove residents at its Visalia and Tulare campuses.

Table 20 Sequoia Union Elementary School - Student Enrollment 2000-2019

Year	Enrollment	Change
2000-2001	339	
2001-2001	330	-9
2002-2003	337	+7
2003-2004	308	-29
2004-2005	296	-12
2005-2006	347	+51
2006-2007	380	+33
2007-2008	366	-14
2008-2009	331	-35
2009-2010	349	+18
2010-2011	338	-11
2011-2012	334	-4
2012-2013	306	-28
2013-2014	313	+8
2014-2015	305	-7
2015-2016	310	+5
2016-2017	333	+23
2017-2018	333	~~0~~
2018-2019	358	+25

[26] California Department of Education, Data enrollment, https://dq.cde.ca.gov/dataquest/dqcensus/EnrEthGrd.aspx?cds=5472116&agglevel=district&year=2018-19

Libraries

"The Tulare County Public Library System is comprised of interdependent branches, grouped by services, geography and usage patterns to provide efficient and economical services to the residents of the county. At present, there are 14 regional libraries and one main branch."[27] The closest library is located in Woodlake, California **(see Table 21)**.

Table 21 Library Location & Hours

Branch	Address	Service Hours
Woodlake	Woodlake Branch 400 W. Whitney Woodlake, CA 93286	Tuesday to Friday: 9:00 am – 1:00 pm 2:00 pm – 5:00 pm

Library hours current as of December 5, 2019

Parks

Cutler Park is located at 15520 Ivanhoe Drive, Visalia, California, approximately 20 miles west of Lemon Cove. Bravo Lake Botanical Garden is located approximately 5 miles northwest (577 E. Naranjo Blvd.) in Woodlake, California.

Roads

Road Conditions

There are various roadways in Lemon Cove that are in need of repair. Over time, roadway pavement can become damaged or begin to fail due to fatigue, aging, or surface abrasion. The binding agent within road pavement becomes rigid and less flexible as time passes and the surface of the pavement may start losing aggregates. If timely maintenance does not occur, potholes will start to occur within the road.

If the road is still structurally sound, a bituminous surface treatment, such as a chip seal or surface dressing can prolong the life of the road at low cost. Such repairs are considered medium if the maintenance strategy consists of:

- ✓ Chip seal - surface treatment in which the pavement is sprayed with asphalt and then immediately covered with aggregate and rolled. Chip seals are used primarily to seal the surface of a pavement with cracks not associated with heavy loads

Some roadways require more extensive repairs such as resurfacing, grinding, remix and or reconstruction. These repairs are considered major if the maintenance strategy consists of:

- ✓ Grind and remix - process by which construction materials are recycled and/ reused to add structure to roadways.
- ✓ Overlay resurfacing operation - consists of grinding off selected areas of old asphalt, patching any potholes, placing a fabric (in some cases), placing and compacting hot mix asphalt pavement, and adjusting any street hardware.

[27] General Plan Background Report, page 7-96

- ✓ Asphalt reconstruction - consists of excavating the entire roadway, placing and compacting rock beneath the roadway, and placing and compacting hot mix asphalt.
- ✓ Cold mix reconstruction - similar to asphalt reconstruction except cold mix asphalt is used. It is commonly used as patching material and on lower volume service roads.

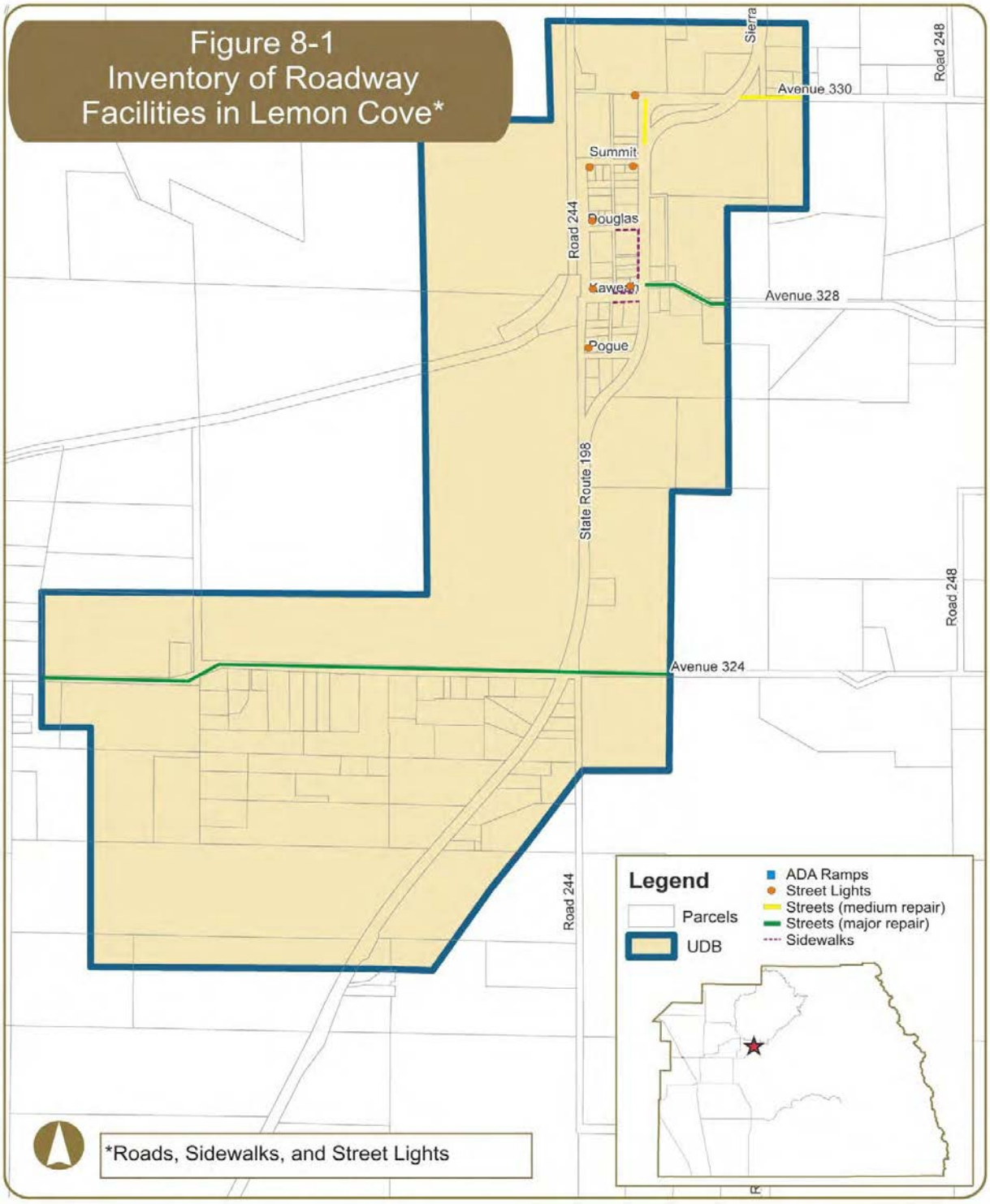
Table 22 lists the roadways in need of repair, the limits, and type of maintenance strategy proposed. **Figure 19** graphically displays this information on a map.

Table 22 Road Maintenance Strategies

No.	Roadway	Limits	Repair Code
1	Avenue 324	Road 236 to Road 248	GRX
2	Avenue 328	SR 198 to Road 248	GRX
3	Avenue 330	SR 198 to east end	CHIP
4	Lemon Road	SR 198 to Avenue 330	CHIP

OLAY = Overlay resurfacing operation GRX = Grind and remix ACST = asphalt reconstruction
CHIP = Chip Seal RCST = cold mix reconstruction

Figure 19 Inventory of Roadway Facilities in Lemon Cove



Sidewalks

Sidewalks are typically separated from a roadway by a curb and accommodate pedestrian travel. They improve mobility for those with disabilities and are also an important part of walking routes to schools. They provide the space for pedestrians to travel within the public right-of-way while being separated from vehicles and bicycles.

The 2010 California Building Code identifies a clear width minimum of 48 inches for sidewalks. This clear width minimum is the walkway width that is completely free of obstacles and not necessarily the sidewalk width. However, the 48 inch minimum does not provide sufficient passing space or space for two-way travel. Therefore, the guidelines state that for sidewalks less than 5 feet in width, passing lanes (wide enough for wheelchairs) shall be provided at 200-foot intervals. However, the clear width may be reduced to 3 feet if the enforcing agency determines that compliance with the 4-foot clear sidewalk width would create an unreasonable hardship due to right-of-way restrictions, natural barriers, or other existing conditions.

The County and VRPA Technologies surveyed existing sidewalks within the Community. **Table 23** identifies the location of existing sidewalks in Lemon Cove. **Figure 19** also displays this information graphically. The sidewalks represented in **Table 23** and **Figure 19** do not distinguish between ADA compliant sidewalks and noncompliant sidewalks. The majority of sidewalks represented below were constructed prior to current ADA guidelines and would be considered non-ADA compliant facilities. Such noncompliant facilities would require complete reconstruction to be considered ADA compliant.

Table 23 Location of Existing Sidewalks

No.	Roadway	Limits	Location
1	Avenue 328	SR 198 to 200' west	North side
2	Avenue 328	SR 198 to 200' west	South side
3	Douglas Drive	SR 198 to 200' west	South side
4	SR 198	Douglas Drive to Avenue 328	West side

ADA Curb Ramps

The Americans with Disabilities Act (ADA) of 1990 included design requirements for persons with disabilities in the public rights-of-way. Curb ramps are an important part of making sidewalks and street crossings accessible to people with disabilities (especially those who use wheelchairs). An ADA compliant curb ramp is a short ramp cutting through or built-up to a curb. It consists of the ramp itself, which is sloped to allow wheelchair access from the street to the sidewalk and flared sides that bring the curb to the level of the street.

Curb ramps are most typically found at intersections, but can also be located near on-street parking, transit stations and stops, and midblock crossings. Title II regulations require curb ramps at existing and new facilities.

The County of Tulare completed a survey of ADA compliant ramps within the communities in August 2012. According to the survey, there are no ADA compliant curb ramps located within Lemon Cove.

Street Lights

Street lights are typically located at the edge of roadways on top of utility poles. They are illuminated at night and improve the visibility and safety of the roadway and sidewalk by increasing motorist visibility and improving nighttime pedestrian security. They can also reduce nighttime pedestrian crashes by increasing the awareness of drivers relative to pedestrians.

Table 24 identifies the location of existing streetlights that are maintained by Tulare County, in Lemon Cove, as well as their specifications. **Figure 19** also displays this information graphically. The below table specifies the locations, the pole number, lumens, pole type, arm direction and utility provider. Pole numbers can be arbitrary and are used to match the pole specifications with its location. Lumens measure the amount of light emitted from the bulb (the more lumens the brighter the light). The pole type "W" represents a wood post for which the light is commonly shared with a Utility provider. Similarly, "M" represents metal and "C" represents concrete.

Table 24 Existing Street Lights

No	East-West Roadway	North-South Roadway	Location	Pole	Lumens	Pole Type	Arm Direction	Utility
1	Avenue 328	Road 244	NE Corner	1557370E	5800	W	W	SCE
2	Avenue 328	SR 198	NW Corner	1843145E	5800	W	S	SCE
3	Avenue 330	Lemon Road	NW Corner	1666526E	5800	W	S	SCE
4	Douglas Drive	Road 244	NE Corner	133650E	5800	W	S	SCE
5	Pogue Avenue	Road 244	NE Corner	2281867E	5800	W	W	SCE
6	Summit Drive	Road 244	SE Corner	600579E	5800	W	N	SCE
7	Summit Drive	Lemon Road/SR 198	SW Corner	2045421E	5800	W	E	SCE

(Source: Tulare County Public Works, March 2013)

Lemon Cove Community Plan 2019

The Need For A Community Plan

Relationship to the General Plan

Tulare County's General Plan provides a comprehensive statement of the objectives, themes and policies, which the community is seeking to achieve in the areas of land use, growth management, community design, transportation, open space, parks and public facilities, environmental conservation, health and safety, noise, and housing. This Community Plan, as an instrument, which promulgates and is an extension of the General Plan, incorporates, by definition, the stated general objectives, themes and policies. However, where more specific objectives and policies are stated, makes reference to such objectives and policies and provides further elaboration on the ways in which the Community Plan is responsive to this guidance. Relevant General Plan goals, policies, and programs that provide direction and input to this Community Plan are provided in this document. In addition, this plan has specific policies for the Community of Lemon Cove.

Planning Framework

San Joaquin Valley Regional Blueprint

"The San Joaquin Valley Blueprint is the result of an unprecedented effort of the eight Valley Regional Planning Agencies (RPA), that include the Fresno Council of Governments, the Kern Council of Governments, the Kings County Association of Governments, the Madera County Transportation Commission, the Merced County Association of Governments, the San Joaquin Council of Governments, the Stanislaus Council of Governments, and the Tulare County Association of Governments, to develop a long-term regional growth strategy for the future of the San Joaquin Valley. Following three years of visioning and outreach by the eight Valley RPAs, the Regional Policy Council (RPC), the decision-making body for the Valleywide process, adopted the Valley Blueprint in April 2009.

The Blueprint is a long-range vision for a more efficient, sustainable, and livable future for the Valley. The Valleywide Blueprint is made up of three (3) elements: a 2050 growth scenario diagram that identifies areas of existing development, new development, and future regional transit and highway improvements; a Valleywide average target density of 6.8 units per acre for new residential growth to the year 2050; and a set of 12 Smart Growth Principles. Importantly, the Blueprint recognizes and incorporates by reference the visioning and outreach efforts undertaken by the eight Valley Regional Planning Agencies."[28]

[28] San Joaquin Valley Blueprint Roadmap Guidance Framework, page i

Tulare County Regional Blueprint

"TCAG and its member agencies felt that it was important to prepare a Tulare County Regional Blueprint that clarified Tulare County's role in the Blueprint process. The Tulare County Regional Blueprint is a stand-alone policy document that is consistent with the San Joaquin Valley Regional Blueprint. This document represents Tulare County's local vision and goals as a participant in the San Joaquin Valley Regional Blueprint process."[29] Key elements of the preferred growth scenario outlined in the Tulare County Regional Blueprint include, 25% increase in overall density and focused growth in urban areas.

TCAG, Tulare County Regional Bicycle Transportation Plan, Regional Transportation Plan (RTP) and Sustainable Communities Strategy

In 2014, the TCAG updated a Regional Bicycle Plan that does not include any bicycle facilities through the Community of Lemon Cove. TCAG funded the grant for this Complete Streets Policy and in the RTP Action Element describes bicycle circulation patterns and pedestrian policies focusing on the Americans with Disabilities Planning Strategies and Transportation Demand Management to increase pedestrian activity. In addition, rail and goods movement is part of the Sustainable Communities Strategy in lieu of utilizing diesel powered freight trucks.

Senate Bill 244, Housing Element Implementation

Senate Bill (SB) 244, passed by the California Legislature and signed into law in 2011, requires California municipalities analyze the inequality and infrastructure deficits within disadvantaged unincorporated communities (DUCs), which lack basic community infrastructure like sidewalks, safe drinking water, and adequate waste processing. As a part of this process and the implementation of the Housing Element, the County continues to identify housing related infrastructure needs, such as; water, sewer, natural gas or streetlights, using community needs assessments, housing condition surveys, public comments at community meetings, redevelopment implementation plans and amendments, community plans and other relevant information from the Health & Human Services Agency (HHSA) Environmental Health Services, Regional Water Quality Control Board, public utility districts, community services districts and other agencies. The County of Tulare prepared a 2016 Disadvantage Unincorporated Communities Assessment (infrastructure needs assessment) of the County in conjunction with SB 244, and Action Program 9 as part of the 2015 Tulare County Housing Element Update.

Tulare County 2030 General Plan Implementation

This Community Plan is intended to implement the Tulare County 2030 General Plan. The General Plan Policies relevant to this Community Plan are outlined in General Plan Policies Section below. In addition to the General Plan Policies, this Community Plan outlines policies specific to Lemon Cove. Following are the ways in which this Community Plan implements the General Plan:

- Update Zoning Map to match the Community Plan Land Use Map.
- Addition of Design Standards to replace use permit standards.

[29] Tulare County Regional Blueprint, page 3

- Update Zoning text to outline allowed uses in this Community Plan.
- Introduction of a Mixed Use Overlay Zoning District.
- Provides a Market Analysis of the Lemon Cove Area.
- Provides an updated analysis of Lemon Cove's population and housing characteristics.
- Defines an economic development strategy.

Lemon Cove Community Plan Initiation

On April 4, 2017, the Tulare County Board of Supervisors (BOS) by Resolution No. 2017-0222, approved the Planning Branch proposal to update the Lemon Cove Community Plan. The project Initial Study / Mitigated Negative Declaration (IS / MND) is based on a projected annual population growth rate of 1.3%. Additional growth beyond the 1.3% annual growth rate will require further growth analysis pursuant to CEQA. The Lemon Cove Community Plan Update components described later in this section will become consistent with the General Plan 2030 Update, and will include the following primary goals and objectives.

1) Land Use and Environmental Planning - Promote development within planning areas next to the Regional SR 198 Corridor in order to implement the following General Plan goals:
   a) Ensure that the text and mapping of the Community Plan Designations and Zoning Reclassifications address various development matters such as encouraging Agricultural Adaptive Reuse activities, recognizing Non-Conforming Use activities, and facilitating Ministerial Permit approvals;
   b) Encourage infill development within Urban Development Boundaries, thereby discouraging leapfrog development within Tulare County;
   c) Reduce development pressure on agriculturally designated lands within the Valley Floor, thereby encouraging agricultural production to flourish;
   d) Reduce vehicle miles travelled throughout the County, thereby positively affecting air quality and greenhouse gas reduction; and
   e) Help to improve the circulation and transit transportation system within this community, including, but not limited to, laying the groundwork for the construction of key projects such as Safe Routes to Schools, Complete Streets, and Bike Lanes/Pedestrian Paths.

2) Improvements for a "disadvantaged community" - It is expected that the community planning areas will be improved for the following reasons:
   a) With faster project processing resulting from an updated community plan, increased employment opportunities are more likely to be provided by the private sector as proposed project developments can be approved as expeditiously as possible;
   b) Increased housing grant awards are more likely to occur based on updated community plans that are consistent with the policies of the General Plan 2030 Update (August 2012) and the recently adopted Housing Element 2015 Update (November 2015); and

c) With updated community plans, enhanced infrastructure grant awards are more likely, thereby providing access to funding to install or upgrade road, water, wastewater, and storm water facilities.

3) Strengthening Relationship with TCAG - An important benefit of this expedited community plan process will be the opportunity for RMA to strengthen the County's relationship with the Tulare County Association of Governments (TCAG) in that this and other community plans will help to facilitate the funding and implementation of several key transportation programs such as Safe Routes to Schools, Complete Streets, and Bike/Pedestrian Projects.

   By pursuing these transportation programs through a heightened collaborative process, the likelihood of getting actual projects in the ground will be realized faster than historically achieved. In doing so, these communities and others can become safer and healthier by providing a more efficient transportation network.

Community Outreach Process

The purpose of public workshops or community meetings is to engage in discussions with local residents and business owners regarding specific topics. Formal meetings were held at the local school, public utility district, and town council forums. Informal meetings were conducted with individual business owners or property owners associated to specific concerns or issues. Publicity for meetings times and locations generally consisted of newspaper releases, local newsletter informational items, handing out bi-lingual fliers at schools and posting fliers at various locations in the community. There have been over six (6) public meetings held in Lemon Cove regarding the 2019 Lemon Cove Community Plan.

<u>Lemon Cove Community Concerns</u>

1) Alleys within the community contain overgrown vegetation specifically that alley behind the post office, who is responsible to cleaned up the alleys.

2) Community members expressed concerns with regard to homeowners building their fences on County rights-of-way along the alleys.

UPDATE: Staff has investigated and the project is currently out to bid. The project will include removal of some trees along the property line which should alleviate most of the issues in the alley way.

3) Community members expressed concern regarding a missing street sign at SR198/Pogue Avenue.

UPDATE: The street sign for SR 198/Pogue Avenue has been reattached to the stop sign post as per County Engineering Staff.

4) Residents of the community were concerned about the Phasing for Complete Streets. The community felt Phase 3, being a residential area, should be improved before Phase 2.

UPDATE: Addressing the importance of Phase 3 (residential area) to the community, Phase 2 and Phase 3 would be combined into one Phase (Phase 2). In addition, the north alignment of Phase 2 would continue along State Route 198 instead of being along proposed Road 244.

5) Residents of the community would like the horizontal alignment of State Route 198 straightened through Lemon Cove including concerns regarding traffic speed and proposed a northbound left turn lane on SR 198 to Avenue 324.

UPDATE: The SR 198 2016 Transportation Concept Report indicates that the year 2040 Transportation Concept for SR 198 in Lemon Cove is a two-lane conventional facility with operational improvements 2C(I). The 2040 concept level LOS is C and D through the proposed Lemon Cove UDB, which meets the General Plan minimum LOS D standard. The 20-25 Year System Operations and Management Concept includes construction of shoulders, upgrade/install guardrails, CAPM, and highway advisory radio. The 20-25 Facility Concept includes operational improvements, construction of shoulders, upgrade/install guard rails, CAPM, and highway advisory radio.

6) Residents expressed interest in substantially maintaining the existing residential zoning between Road 244 and State Route 198.

UPDATE: Existing Residential zoning is maintained in the proposed zoning plan.

Tulare County Resource Management Agency Community Outreach

Lemon Cove Sanitary District meetings:

- August 6, 2019
- September 3, 2019
- October 1, 2019
- November 5, 2019
- December 3, 2019

Sequoia Union School District Board meeting

- September 12, 2019

Community Outreach Workshop (Sequoia Union School)

- November 7, 2019

County Staff, in conjunction with Sequoia Union School District, held a community input workshop for residents of Lemon Cove, which was held on November 7, 2019, at 6:00 p.m. Prior to the meeting, the Sequoia Union School staff handed out bi-lingual fliers (announcing the community meeting). County staff also posted fliers at the Lemon Cove Post Office, Lemon Cove Fire Station and several

business in Lemon Cove. The meeting was held in the cafeteria of the Sequoia Union School located at 23958 Avenue 324, Lemon Cove, California. Tulare County Resource Management Agency provided one translator at the meeting.

Sustainability

Climate Change/Adaptation/Resiliency/Sustainability

According to the Tulare County Multi-Jurisdiction Local Hazard Mitigation Plan (LHMP) adopted by the Board of Supervisors in March of 2018, climate change has occurred throughout the history of the planet. Due to variations in the earth's inclination to the sun, volcanic activity and other factors such as asteroids impacts the amount of solar radiation reaching the earth's surface. The temperature of the planet correlates to the amount of solar radiation arriving at the surface and with it the climate. In relatively recent history, the last glacial period, popularly known as the Ice Age, occurred from c. 110,000 to 12,000 years ago. This most recent glacial period is part of a larger pattern of glacial and interglacial periods known as the Quaternary glaciation (c. 2,588,000 years ago to present). From this point of view, scientists consider this "Ice Age" to be merely the latest glaciation event in a much larger ice age, one that dates back over two million years and is still ongoing. During this last glacial period, there were several changes between glacier advance and retreat. The Last Glacial Maximum, the maximum extent of glaciation within the last glacial period, was approximately 22,000 years ago. While the general pattern of global cooling and glacier advance was similar, local differences in the development of glacier advance and retreat make it difficult to compare the details from continent to continent. Generally, the pattern of temperature variation and glaciation has lagged atmospheric carbon dioxide (CO2) content.

Tulare County has prepared the Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP) to assess the natural, technological, and human-caused risks to County communities, to reduce the potential impact of the hazards by creating mitigation strategies. The 2017 MJLHMP represents the County's commitment to create a safer, more resilient community by taking actions to reduce risk and by committing resources to lessen the effects of hazards on the people and property of the County.

The plan complies with The Federal Disaster Mitigation Act (DMA 2000), Federal Register 44 CFR Parts 201 and 206, which modified the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) by adding a new section, 322-Mitigation Planning. This law, as of November 1, 2004, requires local governments to develop and submit hazard mitigation plans as a condition of receiving Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) and other mitigation project grants. The County; the Cities of Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, and Woodlake; the Tule River Tribe; and Special District staffs have coordinated preparation of the MJLHMP in cooperation with stakeholders, partner agencies and members of the public.

Tulare County Climate Action Plan (CAP)

Tulare County adopted a CAP on August 28, 2012. The CAP is an implementation measure of the 2030 General Plan Update. The policies, regulations, and programs considered in the CAP include those by federal, state, and local governments.

"The Tulare County Climate Action Plan (CAP) serves as a guiding document for County of Tulare ("County") actions to reduce greenhouse gas emissions and adapt to the potential effects of climate change. The CAP is an implementation measure of the 2030 General Plan Update. The General Plan provides the supporting framework for development in the County to produce fewer greenhouse gas emissions during Plan buildout. The CAP builds on the General Plan's framework with more specific actions that will be applied to achieve emission reduction targets consistent with California legislation."[30]

The CAP was updated on December 11, 2018. The 2018 CAP Update incorporates new baseline and future year inventories, and updates the County's strategy to address the 2030 Target set by SB 32.

Tulare County General Plan Policies (Sustainability)

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare. General Plan policies that relate to Sustainability include the following.

LU-1.1 Smart Growth and Healthy Communities

The County shall promote the principles of smart growth and healthy communities in UDBs and HDBs, including:

1. Creating walkable neighborhoods,
2. Providing a mix of residential densities,
3. Creating a strong sense of place,
4. Mixing land uses,
5. Directing growth toward existing communities,
6. Building compactly,
7. Discouraging sprawl,
8. Encouraging infill,
9. Preserving open space,
10. Creating a range of housing opportunities and choices,
11. Utilizing planned community zoning to provide for the orderly pre-planning and long term development of large tracks of land which may contain a variety of land uses, but are under unified ownership or development control, and
12. Encouraging connectivity between new and existing development.

LU-1.8 Encourage Infill Development

The County shall encourage and provide incentives for infill development to occur in communities and hamlets within or adjacent to existing development, in order to maximize the use of land within existing urban areas, minimize the conversion of existing agricultural land, and minimize environmental concerns associated with new development.

LU-7.15 Energy Conservation

The County shall encourage the use of solar power and energy conservation building techniques in all new development.

[30] Tulare County Climate Action Plan, page 1

LU-7.16 Water Conservation
The County shall encourage the inclusion of "extra-ordinary' water conservation and demand management measures for residential, commercial, and industrial indoor and outdoor water uses in all new urban development.

LU-7.17 Shared Parking Facilities
The County shall encourage, where feasible, the use of shared parking facilities. Such areas could include developments with different day/night uses.

AQ-3.3 Street Design
The County shall promote street design that provides an environment, which encourages transit use, biking, and pedestrian movements.

AQ-3.5 Alternative Energy Design
The County shall encourage all new development, including rehabilitation, renovation, and redevelopment, to incorporate energy conservation and green building practices to the maximum extent feasible. Such practices include, but are not limited to building orientation and shading, landscaping, and the use of active and passive solar heating and water systems.

AQ-3.6 Mixed Land Uses
The County shall encourage the clustering of land uses that generate high trip volumes, especially when such uses can be mixed with support services and where they can be served by public transportation.

TCAG Sustainable Communities Strategy (2014 Regional Transportation Plan)
AB 32 set emission targets for the State of California. SB 375 requires the California Air Resources Board to set greenhouse gas emission targets for different regions in California. Under SB 375 Metropolitan Planning Organizations like TCAG are required to create a Sustainable Communities Strategy. TCAG included this strategy in the 2014 Regional Transportation Plan. Highlights of the implementation strategies include:

- Encourage jurisdictions in Tulare County to consider bicycle lanes, public transit, transit-oriented and mixed-use development, pedestrian networks, transit and other complete streets development during updates of general plan or other local plans.
- Implement a Complete Streets Program whereby agencies will prepare plans to accommodate all transportation users, including pedestrians, bicyclists, transit riders, and motor vehicle operators and riders, and implement those plans as aggressively as feasible.
- Provide for continued coordination and evaluation of the planned circulation system among cities and the county.
- Fund the development of capital improvement programs for complete streets and active transportation-type plans, as funds are available.
- Evaluate intersections, bridges, interchanges, and rail grade crossings for needed safety improvements.

- Develop funding strategies for safety projects in cooperation with Caltrans and member agencies.
- Examine alternative funding sources for streets, roads, state highways, rail systems, transit, bicycle, pedestrian, and other transportation mode improvements.
- Utilize Cap and Trade funds available for transit, if available, for projects in Tulare County.
- Encourage local agencies to support implementation of bicycle support facilities such as bike racks, showers, and other facilities during the project review process.
- Utilize Cap and Trade funds available for bicycle and pedestrian projects, if available, for projects in Tulare County.
- Encourage mixed-use developments in urbanized areas.
- Encourage provision of an adequate supply of housing for the region's workforce and adequate sites to accommodate business expansion to minimize interregional trips and long-distance commuting.
- Support and participate in efforts and coalitions promoting use of Cap and Trade funding for projects that help reduce greenhouse gas emissions in Tulare County.
- Support investment in bicycle and pedestrian systems, giving attention to projects and networks that will allow residents to walk and bicycle to frequented destinations, including schools, parks, healthcare institutions and transit stops.
- Provide environmental justice communities opportunities for input into transportation plans, programs, and projects in a manner consistent with Title VI of the 1964 Civil Rights Act and Executive Order 12898 on Environmental Justice, including the prohibition of intentional discrimination and adverse disparate impact with regard to race, ethnicity or national origin.

These implementation strategies are compatible with the Tulare County General Plan policies.

Urban Development Boundary

Urban Development Boundaries (UDBs) are officially adopted and mapped County lines delineating the area expected for urban growth in cities and unincorporated communities over a 20-year period. Within UDB boundaries, the County and cities will coordinate plans, policies and standards related to building construction, subdivision development, land use and zoning regulations, street and highway construction, public utility systems, environmental studies, and other closely related matters affecting the orderly development of urban fringe areas. These boundaries provide an official definition of the interface between future urban and agricultural land uses.[31]

"For unincorporated communities, the UDB is a County adopted line dividing land to be developed from land to be protected for agricultural, natural, open space, or rural uses. It serves as the official planning area for communities over a 20-year period. Land within an unincorporated UDB is assumed appropriate for development and is not subject to the Rural Valley Lands Plan or Foothill Growth Management Plan (RVLP Policy 1-1)"[32]

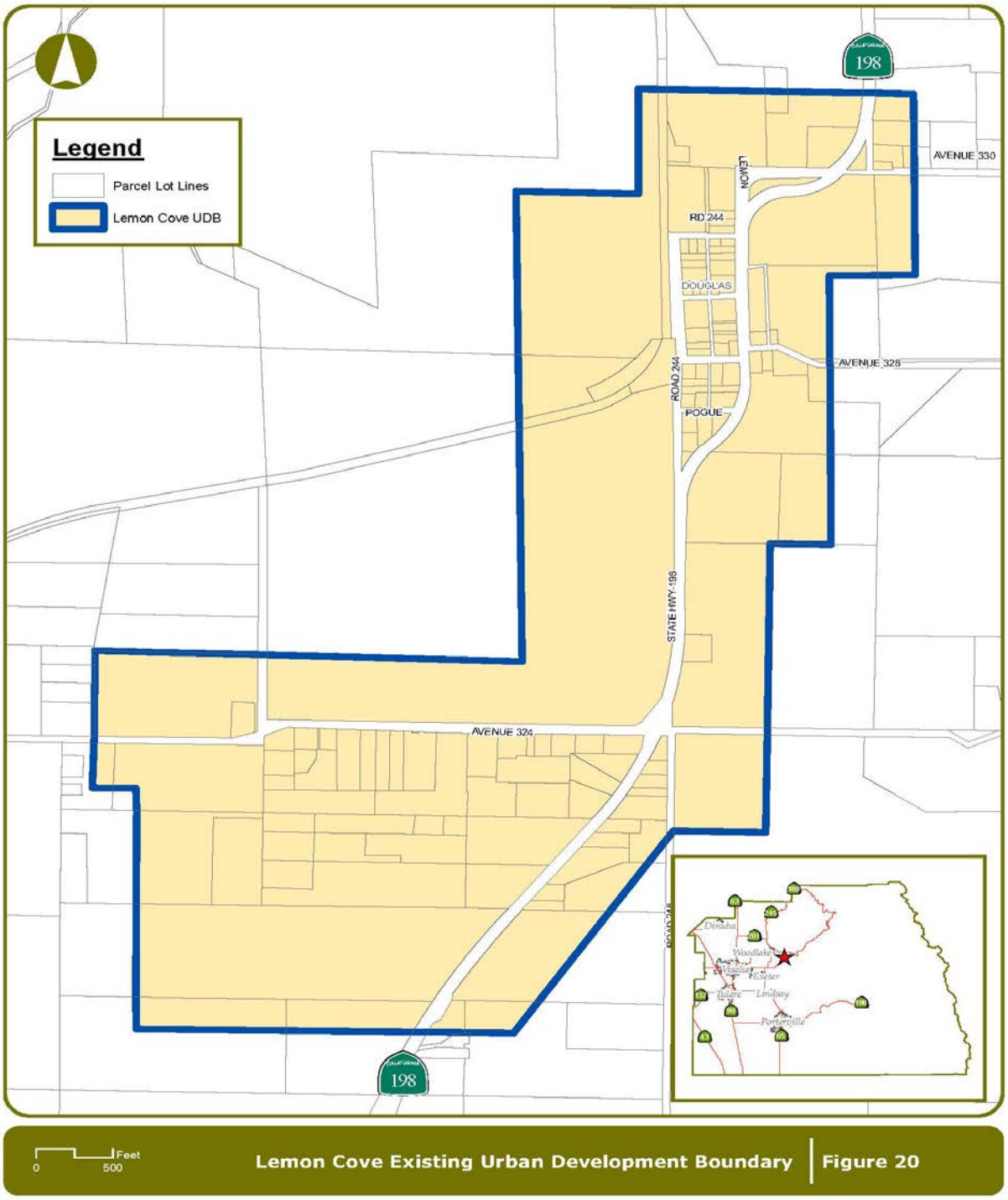
[31] TCGPU Part 1, Goals and Policies Report, Planning Framework, page 2-3
[32] TCGPU Part 1, Goals and Policies Report, Planning Framework, page 2-3

The purpose of this chapter is to review the adequacy of the Urban Development Boundary (UDB) and determine through analysis contained in this chapter whether modifications may be required. The proposed UDB will also function as the planning area boundary of the Lemon Cove Community Plan **(see Figure 20)**. The UDB line establishes a twenty-year growth boundary for the community of Lemon Cove. Over the years, services will be extended into this area, which will allow new growth to occur. Since the UDB line defines the area where growth will occur, it is logical that it also serves as the planning area boundary for this plan.

In addition to defining where future development of the community of Lemon Cove will occur, designating an urban boundary can provide local agencies and citizens with other benefits, including:

1. Encouraging coordination between land use planning and the provision of governmental services.
2. Identifying and resolving potential interagency conflicts regarding service areas.
3. Encouraging efficient, economical and effective delivery of public services.
4. Allowing property owners to identify the type and level of service their lands presently receive or may receive in the future.
5. Assisting in the County's efforts to preserve open space and productive agricultural land.

Figure 20 Existing Urban Development Boundary



Policy Framework

In determining a UDB and planning area for the Lemon Cove Community Plan, it is important to not only fulfill the requirements of State planning law, but also to the greatest degree possible, fulfill the local goals and policies that regulate land uses in the area. As discussed earlier, many County policies guide development in the Lemon Cove area. However, those, which have direct effect on the establishment of the community's urban boundary, include the following policies in the Tulare County General Plan Planning Framework Element:

PF-2.1 Urban Development Boundaries – Communities

The County shall limit urban development to the area within the designated UDB for each community. Each community's UDB is defined as shown on Figures 2.2-2 thru 2.2-22.

PF-2.2 Modification of Community UDB

1. The County may consider modification to a community UDB under any of, but not limited to, the following circumstances:
   a. The location of the UDB shall be evaluated during preparation or update of a community plan.
   b. All community UDBs should be reviewed on a five-year cycle to reflect changes in growth and development patterns.
   c. A request for expansion of the UDB boundary can be applied for, as part of, a General Plan Amendment to the Land Use Diagram.
   d. At the request of a special district or the community.
   e. A UDB should be considered for expansion at such time as land for infill becomes limited. This condition is considered satisfied when 80 percent of the non-Williamson Act land within the UDB is developed for urban uses.
   f. UDBs should not be expanded onto Prime Farmland if Farmland of Statewide Importance or of lesser quality is available and suitable for expansion.

2. Prior to approval of a UDB boundary expansion, the County shall ensure that infrastructure can be provided to serve the new areas added to the UDB and that sufficient water supplies are also available. This may require preparation of an infrastructure master plan that includes methods of financing of improvements and maintenance, as well as representation/documentation of availability and sufficiency of long-term water supplies.

3. Preservation of productive agricultural lands shall be the highest priority when considering modifications. Expansion of a UDB to include additional agricultural land shall only be allowed when other non-agricultural lands are not reasonably available to the community or are not suitable for expansion.

PF-2.3 UDB and Other Boundaries

The County shall provide notice and opportunity for special districts, school districts, and other service providers to comment when evaluating the expansion of a Community's UDB.

PF-2.8 Inappropriate Land Use
Areas within UDBs are hereby set aside for those types of urban land uses, which benefit from urban services. Permanent uses, which do not benefit from such urban services, shall be discouraged within the UDBs. This is not intended to apply to agricultural or agricultural supported uses, including the cultivation of land or other uses accessory to the cultivation of land, provided that such accessory uses are time-limited through special use permit procedures.

Existing Land Use Plan

Table 25 shows that a majority of the land in the existing Lemon Cove Urban Development Boundary is designated Mixed-Use 374.07-acres. In total, there is approximately 404.89 acres of designated lands in the Lemon Cove Community Plan Area **(see Figure 21).** Approximately 30.82-acres within the Planning Area is dedicated to highway rights-of-way.

Table 25 Existing Land Use Plan

Designation	Total Acreage
Mixed Use	374.07
Unclassified (Rights-of-Way)	30.82
Total	**404.89**

Source: Tulare County GIS

Existing Zoning Districts

The existing zoning designations within the Lemon Cove Urban Development Boundary as shown in **Figure 22**, as demonstrated in **Table 26.**

Table 26 Existing Zoning Districts

Zoning Designations	Existing Acres
A-1	246.31
AE-20	23.55
C-2-SC	2.93
O	6.62
PD-F-M	9.54
R-3	2.24
R-A	7.04
R-A-M	71.23
R-A-M-43	4.61
Unclassified (Rights of Way)	30.82
Total	**404.89**

Source: Tulare County GIS

Figure 21 Existing Land Use Plan Map

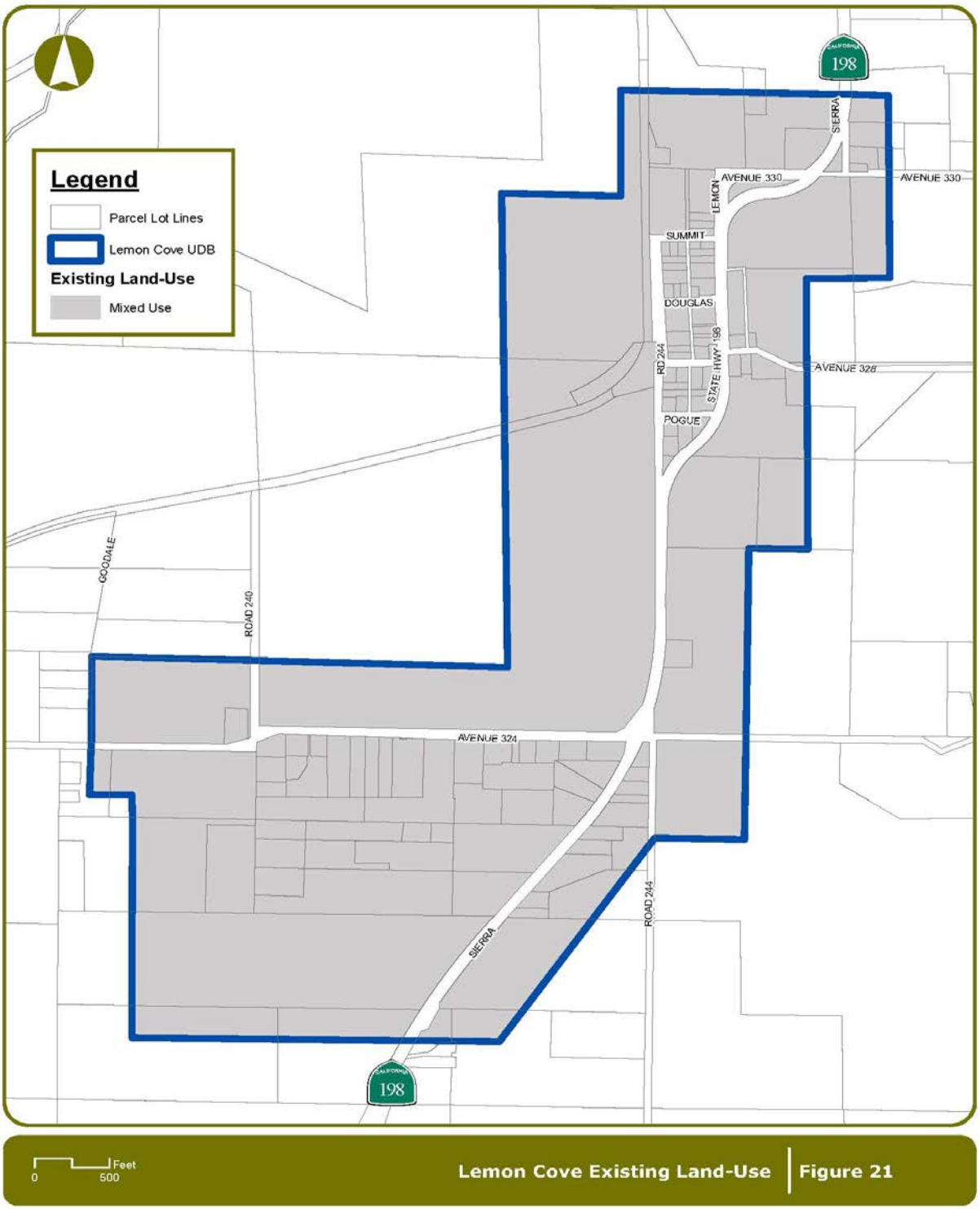
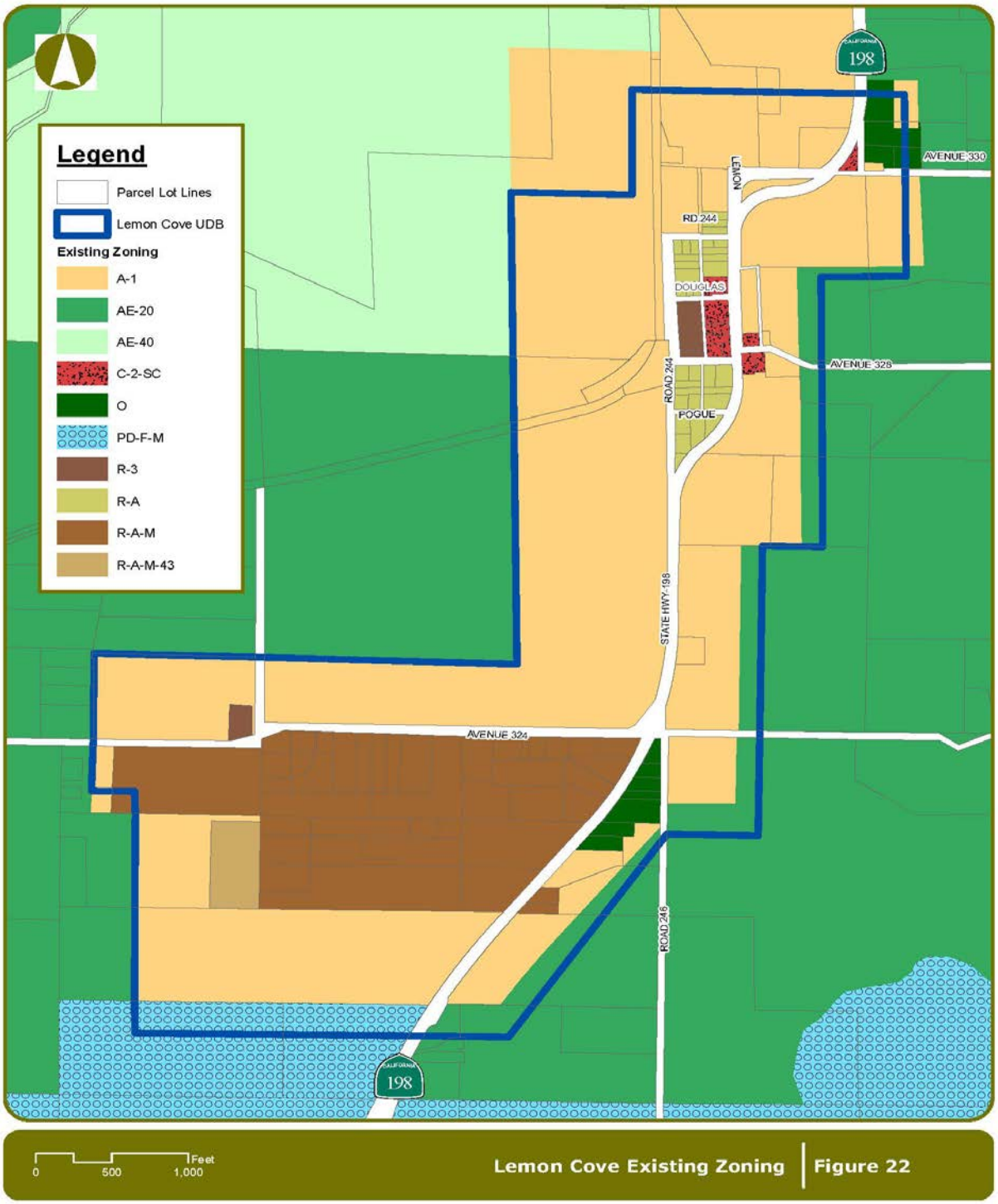


Figure 22 Existing Zoning Districts Map



General Plan Policies

The following adopted policies from the Tulare County General Plan are applicable to the Lemon Cove Community Plan. Policies throughout the General Plan use the terminology "shall" and "should." For the purposes of interpreting the policies in the General Plan, the term "shall" indicates a mandatory or required action or a duty to undertake an action unless the context indicates otherwise, in which case the term is synonymous with "should." The term "should" indicates a directive subject to discretion and requires at least review or consideration and, in that context, substantial compliance with the spirit or purpose of these General Plan policies. The term "may" indicates at the sole discretion of the County.

Land Use Policies

PF-1.3 Land Uses in UDBs/HDBs
The County shall encourage those types of urban land uses that benefit from urban services to develop within UDBs and HDBs. Permanent uses, which do not benefit from urban services, shall be discouraged within these areas. This shall not apply to agricultural or agricultural support uses, including the cultivation of land or other uses accessory to the cultivation of land provided that such accessory uses are time-limited through Special Use Permit procedures.

PF-2.6 Land Use Consistency
The County shall require all community plans, when updated, to use the same land use designations as used in this Countywide General Plan (See Chapter 4-Land Use). All community plans shall also utilize a similar format and content. The content may change due to the new requirements such as Global Climate Change and Livable Community Concepts, as described on the table provided (Table 2.1: Community Plan Content). The County may consider changes to this format for unique and special circumstances as determined appropriate. Until such time as a Community Plan is adopted for those communities without existing Community Plans, the land use designation shall be Mixed Use, which promotes the integration of a compatible mix of residential types and densities, commercial uses, public facilities, and services and employment opportunities.

PF-2.8 Inappropriate Land Use
Areas within UDBs are hereby set aside for those types of urban land uses, which benefit from urban services. Permanent uses, which do not benefit from such urban services, shall be discouraged within the UDBs. This is not intended to apply to agricultural or agricultural supported uses, including the cultivation of land or other uses accessory to the cultivation of land, provided that such accessory uses are time-limited through Special Use Permit procedures.

PF-4.7 Avoiding Isolating Unincorporated Areas
The County may oppose any annexation proposal that creates an island, peninsula, corridor, or irregular boundary. The County will also encourage the inclusion of unincorporated islands or peninsulas adjacent to proposed annexations.

Land Use Element

LU-1.1 Smart Growth and Healthy Communities

The County shall promote the principles of smart growth and healthy communities in UDBs and HDBs, including:

1. Creating walkable neighborhoods,
2. Providing a mix of residential densities,
3. Creating a strong sense of place,
4. Mixing land uses,
5. Directing growth toward existing communities,
6. Building compactly,
7. Discouraging sprawl,
8. Encouraging infill,
9. Preserving open space,
10. Creating a range of housing opportunities and choices,
11. Utilizing planned community zoning to provide for the orderly pre-planning and long term development of large tracks of land which may contain a variety of land uses, but are under unified ownership or development control, and
12. Encouraging connectivity between new and existing development

LU-1.2 Innovative Development

The County shall promote flexibility and innovation through the use of planned unit developments, development agreements, specific plans, Mixed Use projects, and other innovative development and planning techniques.

LU-1.3 Prevent Incompatible Uses

The County shall discourage the intrusion into existing urban areas of new incompatible land uses that produce significant noise, odors, or fumes.

LU-1.4 Compact Development

The County shall actively support the development of compact mixed use projects that reduce travel distances.

LU-1.5 Paper Subdivision Consolidations

The County shall encourage consolidation of paper parcels/subdivisions, especially those lots that are designated Valley Agriculture (VA), Foothill Agriculture (FA), or Resource Conservation (RC), are irregular in shape, inadequate in size for proper use, or lack infrastructure.

LU-1.6 Permitting Procedures and Regulations

The County shall continue to ensure that its permitting procedures and regulations are consistent and efficient.

LU-1.7 Development on Slopes

The County shall require a preliminary soils report for development projects in areas with shallow or unstable soils or slopes in excess of 15 percent. If the preliminary soil report indicates soil conditions could be unstable, a detailed geologic/hydrologic report by a registered geologist, civil engineer, or engineering geologist shall be required demonstrating the suitability of any proposed or additional development.

LU-1.8 Encourage Infill Development

The County shall encourage and provide incentives for infill development to occur in communities and hamlets within or adjacent to existing development in order to maximize the use of land within existing urban areas, minimize the conversion of existing agricultural land, and minimize environmental concerns associated with new development.

LU-1.10 Roadway Access
The County shall require access to public roadways for all new development.

LU-3.1 Residential Developments
The County shall encourage new major residential development to locate near existing infrastructure for employment centers, services, and recreation.

LU-3.1 Residential Developments
The County shall encourage new major residential development to locate near existing infrastructure for employment centers, services, and recreation.

LU-3.2 Cluster Development
The County shall encourage proposed residential development to be clustered onto portions of the site that are more suitable to accommodating the development, and shall require access either directly onto a public road or via a privately maintained road designed to meet County road standards.

LU-3.3 High-Density Residential Locations
The County shall encourage high-density residential development (greater than 14 dwelling units per gross acre) to locate along collector roadways and transit routes, and near public facilities (e.g., schools, parks), shopping, recreation, and entertainment.

LU-3.4 Mountain, Rural, and Low-Density Residential
The Mountain, Rural, and Low-Density Residential development located outside of a UDB shall be subject to the following requirements:

1. Able to meet the Rural Valley Lands Plan policies, Foothill Growth Management Plan policies, or Mountain Framework Plan policies and requirements.
2. Areas which qualify for minimum densities greater than 1 unit per 10 acres must meet the following characteristics (unless clustering is used):
   a. Average slopes must be below a 30 percent grade,
   b. Not identified as a moderate-to-high landslide hazard area, and
   c. Access to new development is provided via an existing publicly-maintained road or via a new road improved consistent with adopted County standards.

LU-3.6 Project Design
The County shall require residential project design to consider natural features, noise exposure of residents, visibility of structures, circulation, access, and the relationship of the project to surrounding uses. Residential densities and lot patterns will be determined by these and other factors. As a result, the maximum density specified by General Plan designations or zoning for a given parcel of land may not be attained.

LU-7.3 Friendly Streets
The County shall encourage new streets within UDBs to be designed and constructed to not only accommodate traffic, but also serve as comfortable pedestrian and cyclist environments. These should include, but not be limited to:

1. Street tree planting adjacent to curbs and between the street and sidewalk to provide a buffer between pedestrians and automobiles, where appropriate,
2. Minimize curb cuts along streets,
3. Sidewalks on both sides of streets, where feasible,
4. Bike lanes and walking paths, where feasible on collectors and arterials, and
5. Traffic calming devices such as roundabouts, bulb-outs at intersections,

traffic tables, and other comparable techniques.

LU-7.4 Streetscape Continuity
The County shall ensure that streetscape elements (e.g., street signs, trees, and furniture) maintain visual continuity and follow a common image for each community.

LU-7.5 Crime Prevention through Design
The County shall encourage design of open space areas, bicycle and pedestrian systems, and housing projects so that there is as much informal surveillance by people as possible to deter crime.

LU-7.15 Energy Conservation
The County shall encourage the use of solar power and energy conservation building techniques in all new development.

LU-7.16 Water Conservation
The County shall encourage the inclusion of "extra-ordinary' water conservation and demand management measures for residential, commercial, and industrial indoor and outdoor water uses in all new urban development.

LU-7.13 Preservation of Historical Buildings
The County shall encourage and support efforts by local preservation groups to identify and rehabilitate historically significant buildings.

LU-7.14 Contextual and Compatible Design
The County shall ensure that new development respects Tulare County's heritage by requiring that development respond to its context, be compatible with the traditions and character of each community, and develop in an orderly.

ED-2.11 Industrial Parks
As part of new or updated community plans, the County shall designate sites for industrial development to meet projected demand.

Housing Policy 3.24
When locating agricultural industry in rural areas, a determination should be made that there are transit opportunities and an adequate employment base living within a reasonable distance to the site.

AQ-3.2 Infill near Employment
The County shall identify opportunities for infill development projects near employment areas within all unincorporated communities and hamlets to reduce vehicle trips.

AQ-3.6 Mixed Land Uses
The County shall encourage the clustering of land uses that generate high trip volumes, especially when such uses can be mixed with support services and where they can be served by public transportation.

PFS-8.4 Library Facilities and Services
The County shall encourage expansion of library facilities and services as necessary to meet the needs (e.g., internet access, meeting rooms, etc.) of future population growth.

<u>Circulation Policies</u>

Q-3.3 Street Design
The County shall promote street design that provides an environment, which encourages transit use, biking, and pedestrian movements.

LU-7.3 Friendly Streets
The County shall encourage new streets within UDBs to be designed and constructed to not only accommodate traffic, but also serve as comfortable pedestrian and cyclist environments. These should include, but not be limited to:

1. Street tree planting adjacent to curbs and between the street and sidewalk to provide a buffer between pedestrians and automobiles, where appropriate,
2. Minimize curb cuts along streets,
3. Sidewalks on both sides of streets, where feasible,
4. Bike lanes and walking paths, where feasible on collectors and arterials, and
5. Traffic calming devices such as roundabouts, bulb-outs at intersections, traffic tables, and other comparable techniques.

LU-7.4 Streetscape Continuity
The County shall ensure that streetscape elements (e.g., street signs, trees, and furniture) maintain visual continuity and follow a common image for each community.

LU-1.10 Roadway Access
The County shall require access to public roadways for all new development.

SL-2 Designated Scenic Routes and Highways
The County shall protect views of natural and working landscapes along the County's highways and roads by maintaining a designated system of County scenic routes and State scenic highways by:

1. Requiring development within existing eligible State scenic highway corridors to adhere to land use and design standards and guidelines required by the State Scenic Highway Program,
2. Supporting and encouraging citizen initiatives working for formal designation of eligible segments of State Highway 198 and State Highway 190 as State scenic highways,
3. Formalizing a system of County Scenic Routes throughout the County, and
4. Requiring development located within County scenic route corridors to adhere to local design guidelines and standards.

SL-4.1 Design of Highways
The County shall work with Caltrans and Tulare County Association of Governments (TCAG) to ensure that the design of SR 198 and SR 216 and other State Highways protects scenic resources and provides access to vistas of working and natural landscapes by:

1. Limiting the construction of sound walls that block views of the County's landscapes (incorporate setbacks to sensitive land uses to avoid noise impacts whenever feasible),
2. Using regionally-appropriate trees and landscaping and incorporating existing landmark trees,
3. Preserving historic and cultural places and vistas,
4. Avoiding excessive cut and fill for roadways along State scenic highways and County scenic routes, and along areas exposed to a large viewing area, and
5. Promote highway safety by identifying appropriate areas for traffic pullouts and rest areas.

SL-4.2 Design of County Roads
The County's reinvestment in rural County roads outside urban areas should, in addition to meeting functional needs and safety needs, preserve the experience of traveling on the County's "country roads" by:

1. Maintaining narrow as possible rights-of-ways,
2. Limiting the amount of curbs, paved shoulders, and other "urban" edge improvements,
3. Preserving historic bridges and signage, and
4. Promote County road safety by identifying appropriate areas for traffic pullout.

TC-1.1 Provision of an Adequate Public Road Network

The County shall establish and maintain a public road network comprised of the major facilities illustrated on the Tulare County Road Systems to accommodate projected growth in traffic volume.

TC-1.2 County Improvement Standards

The County's public roadway system shall be built and maintained consistent with adopted County Improvement Standards, and the need and function of each roadway, within constraints of funding capacity.

TC-1.6 Intermodal Connectivity

The County shall ensure that, whenever possible, roadway, highway, and public transit systems will interconnect with other modes of transportation. Specifically, the County shall encourage the interaction of truck, rail, and air-freight/passenger movements.

TC-1.7 Intermodal Freight Villages

The County shall consider the appropriate placement of intermodal freight villages in locations within the Regional Growth Corridors.

TC-1.8 Promoting Operational Efficiency

The County shall give consideration to transportation programs that improve the operational efficiency of goods movement, especially those that enhance farm-to-market connectivity

TC-1.9 Highway Completion

The County shall support State and Federal capacity improvement programs for critical segments of the State Highway System. Priority shall be given to improvements to State Highways 65, 99, and 198, including widening and interchange projects in the County.

TC-1.10 Urban Interchanges

The County shall work with TCAG to upgrade State highway interchanges from rural to urban standards within UDBs.

TC-1.11 Regionally Significant Intersections

To enhance safety and efficiency, the County shall work to limit the frequency of intersections along regionally-significant corridors.

TC-1.12 Scenic Highways and Roads

The County shall work with appropriate agencies to support the designation of scenic highways and roads in the County.

TC-1.16 County Level of Service (LOS) Standards

The County shall strive to develop and manage its roadway system (both segments and intersections) to meet a LOS of "D" or better in accordance with the LOS definitions established by the Highway Capacity Manual.

TC-1.18 Balanced System
The County shall strive to meet transportation needs and maintain LOS standards through a balanced Multimodal Transportation Network that provides alternatives to the automobile.

TC-1.19 Balanced Funding
The County shall promote a balanced approach to the allocation of transportation funds to optimize the overall County transportation system.

TC-2.3 Amtrak Service
The County shall encourage Amtrak to add passenger service to the Union Pacific corridor in the County.

TC-4.1 Transportation Programs
The County shall support the continued coordination of transportation programs provided by social service agencies, particularly those serving elderly and/or handicapped.

TC-4.2 Determine Transit Needs
The County will continue to work with TCAG, cities, and communities in the County to evaluate and respond to public transportation needs.

TC-4.3 Support Tulare County Area Transit
The County shall request the support of TCAG for development of transit services outlined in the County's Transit Development Plan (TDP). Efforts to expand Tulare County Area Transit should be directed towards: Encouraging new and improving existing transportation services for the elderly and disabled; and providing intercommunity services between unincorporated communities and cities.

TC-4.4 Nodal Land Use Patterns that Support Public Transit
The County shall encourage land uses that generate higher ridership including; high density residential, employment centers, schools, personal services, administrative and professional offices, and social/recreational centers, to be clustered within a convenient walking distance of one another.

TC-4.7 Transit Ready Development
The County shall promote the reservation of transit stops in conjunction with development projects in likely or potential locations for future transit facilities.

TC-5.1 Bicycle/Pedestrian Trail System
The County shall coordinate with TCAG and other agencies to develop a Countywide integrated multi-purpose trail system that provides a linked network with access to recreational, cultural, and employment facilities, as well as offering a recreational experience apart from that available at neighborhood and community parks.

TC-5.2 Consider Non-Motorized Modes in Planning and Development
The County shall consider incorporating facilities for non-motorized users, such as bike routes, sidewalks, and trails when constructing or improving transportation facilities and when reviewing new development proposals. For developments with 50 or more dwelling units or non-residential projects with an equivalent travel demand, the feasibility of such facilities shall be evaluated.

TC-5.3 Provisions for Bicycle Use
The County shall work with TCAG to encourage local government agencies and businesses to consider including bicycle

access and provide safe bicycle parking facilities at office buildings, schools, shopping centers, and parks.

TC-5.4 Design Standards for Bicycle Routes
The County shall utilize the design standards adopted by Caltrans and as required by the Streets and Highway Code for the development, maintenance, and improvement of bicycle routes.

TC-5.5 Facilities
The County shall require the inclusion of bicycle support facilities, such as bike racks, for new major commercial or employment locations.

TC-5.7 Designated Bike Paths
The County shall support the creation and development of designated bike paths adjacent to or separate from commute corridors.

TC-5.8 Multi-Use Trails
The County shall encourage the development of multi-use corridors (such as hiking, equestrian, and mountain biking) in open space areas, along power line transmission corridors, utility easements, rivers, creeks, abandoned railways, and irrigation canals.

TC-5.9 Existing Facilities
The County shall support the maintenance of existing bicycle and pedestrian facilities.

Housing Policies

LU-3.5 Rural Residential Designations
The County shall not re-zone any new areas for residential development in the RVLP area, unless it can be shown that other objectives, such as buffers and the relationship of the development to surrounding uses, can be achieved.

Housing Guiding Principle 1.1
Endeavor to improve opportunities for affordable housing in a wide range of housing types in the communities throughout the unincorporated area of the County.

Housing Policy 1.11
Encourage the development of a broad range of housing types to provide an opportunity of choice in the local housing market.

Housing Policy 1.13
Encourage the utilization of modular units, prefabricated units, and manufactured homes.

Housing Policy 1.14
Pursue an equitable distribution of future regional housing needs allocations, thereby providing a greater likelihood of assuring a balance between housing development and the location of employment opportunities.

Housing Policy 1.15
Encourage housing counseling programs for low-income homebuyers and homeowners.

Housing Policy 1.16
Review community plans and zoning to ensure they provide for adequate affordable residential development.

Housing Guiding Principle 1.2
Promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, family status, disability, or any other arbitrary basis.

Housing Guiding Principle 1.3
Strive to meet the housing needs of migrant and non-migrant farmworkers and their families with a suitable, affordable and satisfactory living environment.

Housing Policy 1.31
Encourage the provision of farmworker housing opportunities in conformance with the Employee Housing Act.

Housing Guiding Principle 1.4
Enhance and support emergency shelters and transitional and supportive housing programs that assist the homeless and others in need.

Housing Policy 1.51
Encourage the construction of new housing units for "special needs" groups, including senior citizens, large families, single heads of households, households of persons with physical and/or mental disabilities, minorities, farmworkers, and the homeless in close proximity to transit, services, and jobs.

Housing Policy 1.52
Support and encourage the development and improvement of senior citizen group housing, convalescent homes and other continuous care facilities.

Housing Policy 1.55
Encourage development of rental housing for large families, as well as providing for other housing needs and types.

Housing Guiding Principle 1.6
Assess and amend County ordinances, standards, practices and procedures considered necessary to carry out the County's essential housing goal of the attainment of a suitable, affordable and satisfactory living environment for every present and future resident in unincorporated areas.

Housing Policy 2.14
Create and maintain a matrix of Infrastructure Development Priorities for Disadvantaged Unincorporated Communities in Tulare County through analysis and investigation of public infrastructure needs and deficits, pursuant to Action Program 9.

Housing Guiding Principle 2.2
Require proposed new housing developments located within the development boundaries of unincorporated communities to have the necessary infrastructure and capacity to support the development.

Housing Policy 2.21
Require all proposed housing within the development boundaries of unincorporated communities is either (1) served by community water and sewer, or (2) that physical conditions permit safe treatment of liquid waste by septic tank systems and the use of private wells.

Housing Guiding Principle 3.1
Encourage "smart growth" designed development that serves the unincorporated communities, the environment, and the economy of Tulare County.

Housing Policy 3.11
Support and coordinate with local economic development programs to encourage a "jobs to housing balance" throughout the unincorporated area.

Housing Policy 3.23
Prepare new and/or updated community plans that provide adequate sites for a variety

of types of housing within the development boundaries of the community.

Conservation Policies

AG-1.1 Primary Land Use
The County shall maintain agriculture as the primary land use in the valley region of the County, not only in recognition of the economic importance of agriculture, but also in terms of agriculture's real contribution to the conservation of open space and natural resources.

AG-1.4 Williamson Act in UDBs and HDBs
The County shall support non-renewal or cancellation processes that meet State law for lands within UDBs and HDBs.

AG-1.5 Substandard Williamson Act Parcels
The County may work to remove parcels that are less than 10 acres in Prime Farmland and less than 40 Acres in Non-Prime Farmland from Williamson Act Contracts (Williamson Act key term for Prime/Non-Prime).

AG-1.6 Conservation Easements
The County shall consider developing an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including "Important Farmlands"), as defined in this Element. This program may require payment of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for conservation of important agricultural land to non-agricultural use. If available, the ACEP shall be used for replacement lands determined to be of statewide significance (Prime or other Important Farmlands), or sensitive and necessary for the preservation of agricultural land, including land that may be a part of a community separator as part of a comprehensive program to establish community separators. The in-lieu fee or other conservation mechanism shall recognize the importance of land value and shall require equivalent mitigation.

AG-1.7 Preservation of Agricultural Lands
The County shall promote the preservation of its agricultural economic base and open space resources through the implementation of resource management programs such as the Williamson Act, Rural Valley Lands Plan, Foothill Growth Management Plan or similar types of strategies and the identification of growth boundaries for all urban areas located in the County.

AG-1.8 Agriculture within Urban Boundaries
The County shall not approve applications for preserves or regular Williamson Act contracts on lands located within a UDB and/or HDB unless it is demonstrated that the restriction of such land will not detrimentally affect the growth of the community involved for the succeeding 10 years, that the property in question has special public values for open space, conservation, other comparable uses, or that the contract is consistent with the publicly desirable future use and control of the land in question. If proposed within a UDB of an incorporated city, the County shall give written notice to the affected city pursuant to Government Code §51233.

AG-1.10 Extension of Infrastructure into Agricultural Areas

The County shall oppose extension of urban services, such as sewer lines, water lines, or other urban infrastructure, into areas designated for agriculture use unless necessary to resolve a public health situation. Where necessary to address a public health issue, services should be located in public rights-of-way in order to prevent interference with agricultural operations and to provide ease of access for operation and maintenance. Service capacity and length of lines should be designed to prevent the conversion of agricultural lands into urban/suburban uses.

AG-1.11 Agricultural Buffers

The County shall examine the feasibility of employing agricultural buffers between agricultural and non-agricultural uses, and along the edges of UDBs and HDBs. Considering factors include the type of operation and chemicals used for spraying, building orientation, planting of trees for screening, location of existing and future rights-of-way (roads, canals, power lines, etc.), and unique site conditions.

a. Distance: to be determined,
b. Stabilization of edge condition,
c. Types of operation,
d. Types of land uses (i.e. schools, etc.)
e. Building orientation,
f. Planting of trees for screening,
g. Location of existing and future rights-of-way,
h. Types of uses allowed inside the buffer-zone
i. Unique site conditions,
j. Responsibility for maintenance,
k. Scale of development,
l. Mechanism for exemptions.

AG-1.13 Agricultural Related Uses

The County shall allow agriculturally related uses, including value-added processing facilities by discretionary approvals in areas designated Valley or Foothill Agriculture, subject to the following criteria:

1. The use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics;
2. The use shall not be sited on productive agricultural lands if less productive land is available in the vicinity;
3. The operational or physical characteristics of the use shall not have a significant adverse impact on water resources or the use or management of surrounding agricultural properties within at least one-quarter (1/4) mile radius;
4. A probable workforce should be located nearby or be readily available; and
5. For proposed value-added agricultural processing facilities, the evaluation under criterion "1" above shall consider the service requirements of the use and the capability and capacity of cities and unincorporated communities to provide the required services.

AG-1.16 Schools in Agricultural Zones

The County shall discourage the location of new schools in areas designated for agriculture, unless the School District agrees to the construction and maintenance of all necessary infrastructure impacted by the project.

AG-2.6 Biotechnology and Biofuels
The County shall encourage the location of industrial, research oriented businesses specializing in biotechnologies, and biofuels that can enhance agricultural productivity, enhance food-processing activities in the County, provide for new agriculturally related products and markets, or otherwise enhance the agricultural sector in the County.

LU-7.12 Historic Buildings and Areas
The County shall encourage preservation of buildings and areas with special and recognized historic, architectural, or aesthetic value. New development should respect architecturally and historically significant buildings and areas. Landscaping, original roadways, sidewalks, and other public realm features of historic buildings or neighborhoods shall be restored or repaired wherever feasible.

LU-7.13 Preservation of Historical Buildings
The County shall encourage and support efforts by local preservation groups to identify and rehabilitate historically significant buildings.

LU-7.14 Contextual and Compatible Design
The County shall ensure that new development respects Tulare County's heritage by requiring that development respond to its context, be compatible with the traditions and character of each community, and develop in an orderly fashion, which is compatible with the scale of surrounding structures.

LU-7.15 Energy Conservation
The County shall encourage the use of solar power and energy conservation building techniques in all new development.

LU-7.16 Water Conservation
The County shall encourage the inclusion of "extra-ordinary' water conservation and demand management measures for residential, commercial, and industrial indoor and outdoor water uses in all new urban development

Housing Guiding Principle 4.1
Support and encourage County ordinances, standards, practices and procedures that promote residential energy conservation.

Housing Policy 4.13
Promote energy efficiency and water conservation.

Housing Policy 4.21
Promote energy conservation opportunities in new residential development.

Housing Policy 5.24
Encourage the development of suitable replacement housing when occupied housing units are demolished due to public action.

ERM-1.1 Protection of Rare and Endangered Species
The County shall ensure the protection of environmentally sensitive wildlife and plant life, including those species designated as rare, threatened, and/or endangered by State and/or Federal government, through compatible land use development.

ERM-1.2 Development in Environmentally Sensitive Areas
The County shall limit or modify proposed development within areas that contain sensitive habitat for special status species and direct development into less significant habitat areas. Development in natural habitats shall be controlled so as to minimize

erosion and maximize beneficial vegetative growth.

ERM-1.3 Encourage Cluster Development

When reviewing development proposals, the County shall encourage cluster development in areas with moderate to high potential for sensitive habitat.

ERM-1.4 Protect Riparian Areas

The County shall protect riparian areas through habitat preservation, designation as open space or recreational land uses, bank stabilization, and development controls.

ERM-1.5 Riparian Management Plans and Mining Reclamation Plans

The County shall require mining reclamation plans and other management plans to include measures that protect, maintain, and restore riparian resources and habitats.

ERM-1.6 Management of Wetlands

The County shall support the preservation and management of wetland and riparian plant communities for passive recreation, groundwater recharge, and wildlife habitats.

ERM-1.8 Open Space Buffers

The County shall require buffer areas between development projects and significant watercourses, riparian vegetation, wetlands, and other sensitive habitats and natural communities. These buffers should be sufficient to assure the continued existence of the waterways and riparian habitat in their natural state.

ERM-1.12 Management of Oak Woodland Communities

The County shall support the conservation and management of oak woodland communities and their habitats.

ERM-2.1 Conserve Mineral Deposits

The County will encourage the conservation of identified and/or potential mineral deposits, recognizing the need for identifying, permitting, and maintaining a 50-year supply of locally available PCC grade aggregate.

ERM-2.2 Recognize Mineral Deposits

The County will recognize as a part of the General Plan those areas of identified and/or potential mineral deposits.

ERM-3.2 Limited Mining in Urban Areas

Within the County UDBs and HDBs, new commercial mining operations should be limited due to environmental and compatibility concerns.

ERM-3.3 Small-Scale Oil and Gas Extraction

The County shall allow by Special Use Permit small-scale oil and gas extraction activities and facilities that can be demonstrated to not have a significant adverse effect on surrounding or adjacent land and are within an established oil and gas field outside of a UDB.

ERM-3.4 Oil and Gas Extraction

Facilities related to oil and gas extraction and processing in the County may be allowed in identified oil and gas fields subject to a special use permit. The extraction shall demonstrate that it will be compatible with surrounding land uses and land use designations.

ERM-4.1 Energy Conservation and Efficiency Measures

The County shall encourage the use of solar energy, solar hot water panels, and other energy conservation and efficiency features in new construction and renovation of existing structures in accordance with State law.

ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation

The County shall promote the planting and maintenance of shade trees along streets and within parking areas of new urban development to reduce radiation heating.

ERM-5.20 Allowable Uses on Timber Production Lands

The County shall allow uses (not related to forest production) on lands designated Resource Conservation in forestry production areas, provided it is demonstrated that:

1. They are compatible with forestry uses,
2. Will not interfere with forest practices,
3. Consider forest site productivity and minimize the loss of productive forest lands,
4. Will meet standards relating to the availability of fire protection, water supply, and waste disposal, and
5. Will not degrade the watershed and/or water quality due to increased erosion.

ERM-7.1 Soil Conservation

The County of Tulare shall establish the proper controls and ordinances for soil conservation.

WR-1.4 Conversion of Agricultural Water Resources

For new urban development, the County shall discourage the transfer of water used for agricultural purposes (within the prior ten years) for domestic consumption except in the following circumstances:

1. The water remaining for the agricultural operation is sufficient to maintain the land as an economically viable agricultural use,
2. The reduction in infiltration from agricultural activities as a source of groundwater recharge will not significantly impact the groundwater basin.

WR-1.5 Expand Use of Reclaimed Wastewater

To augment groundwater supplies and to conserve potable water for domestic purposes, the County shall seek opportunities to expand groundwater recharge efforts.

WR-1.6 Expand Use of Reclaimed Water

The County shall encourage the use of tertiary treated wastewater and household gray water for irrigation of agricultural lands, recreation and open space areas, and large landscaped areas as a means of reducing demand for groundwater resources.

WR-3.3 Adequate Water Availability

The County shall review new development proposals to ensure the intensity and timing of growth will be consistent with the availability of adequate water supplies. Projects must submit a Will-Serve letter as part of the application process, and provide evidence of adequate and sustainable water availability prior to approval of the tentative map or other urban development entitlement.

HS-9.2 Walkable Communities
The County shall require where feasible, the development of parks, open space, sidewalks and walking and biking paths that promote physical activity and discourage automobile dependency in all future communities.

PF-1.4 Available Infrastructure
The County shall encourage urban development to locate in existing UDBs and HDBs where infrastructure is available or may be established in conjunction with development. The County shall ensure that development does not occur unless adequate infrastructure is available, that sufficient water supplies are available or can be made available, and that there are adequate provisions for long term management and maintenance of infrastructure and identified water supplies.

Open-Space Policies

LU-2.3 Open Space Character
The County shall require that all new development requiring a County discretionary approval, including parcel and subdivision maps, be planned and designed to maintain the scenic open space character of open space resources including, but not limited to, agricultural areas, rangeland, riparian areas, etc., within the view corridors of highways. New development shall utilize natural landforms and vegetation in the least visually disruptive way possible and use design, construction and maintenance techniques that minimize the visibility of structures on hilltops, hillsides, ridgelines, steep slopes, and canyons.

SL-1.3 Watercourses
The County shall protect visual access to, and the character of, Tulare County's scenic rivers, lakes, and irrigation canals by:

1. Locating and designing new development to minimize visual impacts and obstruction of views of scenic watercourses from public lands and right-of-ways, and
2. Maintaining the rural and natural character of landscape viewed from trails and watercourses used for public recreation.

ERM-5.1 Parks as Community Focal Points
The County shall strengthen the role of County parks as community focal points by providing community center/recreation buildings to new and existing parks, where feasible.

ERM-5.2 Park Amenities
The County shall provide a broad range of active and passive recreational opportunities within community parks. When possible, this should include active sports fields and facilities, community center/recreation buildings, children's play areas, multi-use areas and trails, sitting areas, and other specialized uses as appropriate.

ERM-5.3 Park Dedication Requirements
The County shall require the dedication of land and/or payment of fees, in accordance with local authority and State law (for example, the Quimby Act), to ensure funding for the acquisition and development of public recreation facilities.

ERM-5.5 Collocated Facilities
The County shall encourage the development of parks near public facilities such as schools, community halls, libraries, museums, prehistoric sites, and open space areas and shall encourage joint-use agreements whenever possible.

ERM-5.6 Location and Size Criteria for Parks

Park types used in Tulare County are defined as follows:

- **Neighborhood Play Lots (Pocket Parks)**. The smallest park type, these are typically included as part of a new development to serve the neighborhood in which they are contained. Typical size is one acre or less. If a park of this type is not accessible to the general public, it cannot be counted towards the park dedication requirements of the County. Pocket Parks can be found in communities, hamlets, and other unincorporated areas.
- **Neighborhood Parks**. Neighborhood parks typically contain a tot lot and playground for 2-5 year olds and 5-12 year olds, respectively, one basketball court or two half-courts, baseball field(s), an open grassy area for informal sports activities (for example, soccer), and meandering concrete paths that contain low-level lighting for walking or jogging. In addition, neighborhood parks typically have picnic tables and a small group picnic shelter. These park types are typically in the range of 2 to 15 acres and serve an area within a ½ mile radius. Neighborhood parks can be found in communities, hamlets, and other unincorporated areas.
- **Community Parks**. Community parks are designed to serve the needs of the community as a whole. These facilities can contain the same facilities as the neighborhood park. In addition, these parks can contain sports facilities with night lighting, community centers, swimming pools, and facilities of special interest to the community. These parks are typically 15 to 40 acres in size and serve an area within a 2-mile radius. Community parks can be found in communities, planned community areas, and large hamlets.
- **Regional Parks**. Regional parks are facilities designed to address the needs of the County as a whole. These facilities may have an active recreation component (play area, group picnic area, etc.), but the majority of their area is maintained for passive recreation (such as hiking or horseback riding), and natural resource enjoyment. Regional parks are typically over 200 acres in size, but smaller facilities may be appropriate for specific sites of regional interest.

The following guidelines should be observed in creating and locating County parks:

1. The County shall strive to maintain an overall standard of five or more acres of County-owned improved parkland per 1,000 population in the unincorporated portions of the County,
2. Neighborhood play lots (pocket parks) are encouraged as part of new subdivision applications as a project amenity, but are not included in the calculation of dedication requirements for the project,
3. Neighborhood parks at three acres per 1,000 population, if adjoining an elementary school and six acres per 1,000 population if separate [ERME IV-C; Open Space; Policy 3; Pg. 101],
4. Community parks at one-acre per 1,000 population if adjoining a high school and two acres per 1,000 population if separate [ERME IV-C; Open Space; Policy 4; Pg. 101],
5. Regional parks at one-acre per 1,000 population,
6. Only public park facilities shall be counted toward Countywide parkland standards, and

7. A quarter mile walking radius is the goal for neighborhood parks.

ERM-5.12 Meet Changing Recreational Needs

The County shall promote the continued and expanded use of national and State forests, parks, and other recreational areas to meet the recreational needs of County residents.

ERM-5.13 Funding for Recreational Areas and Facilities

The County shall support the continued maintenance and improvement of existing recreational facilities and expansion of new recreational facilities opportunities for County, State, and Federal lands. The County shall strive to obtain adequate funding to improve and maintain existing parks, as well as construct new facilities.

ERM-5.15 Open Space Preservation

The County shall preserve natural open space resources through the concentration of development in existing communities, use of cluster development techniques, maintaining large lot sizes in agricultural areas, discouraging conversion of lands currently used for agricultural production, limiting development in areas constrained by natural hazards, and encouraging agricultural and ranching interests to maintain natural habitat in open space areas where the terrain or soil is not conducive to agricultural production.

HS-9.1 Healthy Communities

To the maximum extent feasible, the County shall strive through its land use decisions to promote community health and safety for all neighborhoods in the County by encouraging patterns of development that are safe and influence crime prevention, promote a high-quality physical environment, and encourage physical activity by means such as sidewalks, and walking and biking paths that discourage automobile dependency in existing communities.

Other

PF-2.7 Improvement Standards in Communities

The County shall require development within the designated UDBs to meet an urban standard for improvements. Typical improvements shall include curbs, gutters, sidewalks, and community sewer and water systems.

ERM-6.3 Alteration of Sites with Identified Cultural Resources

When planning any development or alteration of a site with identified cultural or archaeological resources, consideration should be given to ways of protecting the resources. Development should be permitted in these areas only after a site specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and mitigation measures proposed for any impacts the development may have on the resource.

WR-3.9 Establish Critical Water Supply Areas

The County shall designate Critical Water Supply Areas to include the specific areas used by a municipality or community for its water supply system, areas critical to groundwater recharge, and other areas possessing a vital role in the management of the water resources in the County.

PFS-6.1 Telecommunications Services

The County shall work with telecommunication providers to ensure that all residents and businesses have access to telecommunications services, including

broadband internet service. To maximize access to inexpensive telecommunications services, the County shall encourage marketplace competition from multiple service providers.

PFS-8.4 Library Facilities and Services
The County shall encourage expansion of library facilities and services as necessary to meet the needs (e.g., internet access, meeting rooms, etc.) of future population growth.

PFS-8.5 Government Facilities in Community Centers
The County shall actively support development and expansion of federal, State, County, districts, and other governmental offices and facilities where infrastructure exists within community core areas.

PFS-9.1 Expansion of Gas and Electricity Facilities
The County shall coordinate with gas and electricity service providers to plan the expansion of gas and electrical facilities to meet the future needs of County residents.

Noise Policies

HS-8.5 State Noise Standards
The County shall enforce the State Noise Insulation Standards (California Administrative Code, Title 24) and Chapter 35 of the Uniform Building Code (UBC). Title 24 requires that interior noise levels not exceed 45 dB Ldn (or CNEL) with the windows and doors closed within new developments of multi-family dwellings, condominiums, hotels, or motels. Where it is not possible to reduce exterior noise levels within an acceptable range, the County shall require the application of noise reduction technology to reduce interior noise levels to an acceptable level.

HS-8.6 Noise Level Criteria
The County shall ensure noise level criteria applied to land uses other than residential or other noise-sensitive uses are consistent with the recommendations of the California Office of Noise Control (CONC).

HS-8.7 Inside Noise
The County shall ensure that in instances where the windows and doors must remain closed to achieve the required inside acoustical isolation, mechanical ventilation or air conditioning is provided.

HS-8.8 Adjacent Uses
The County shall not permit development of new industrial, commercial, or other noise-generating land uses if resulting noise levels will exceed 60 dB Ldn (or CNEL) at the boundary of areas designated and zoned for residential or other noise-sensitive uses, unless it is determined to be necessary to promote the public health, safety and welfare of the County.

HS-8.9 County Equipment
The County shall strive to purchase equipment that complies with noise level performance standards set forth in the Health and Safety Element.

HS-8.10 Automobile Noise Enforcement
The County shall encourage the CHP, Sheriff's office, and local police departments to actively enforce existing sections of the California Vehicle Code relating to adequate vehicle mufflers, modified exhaust systems, and other amplified noise.

HS-8.11 Peak Noise Generators
The County shall limit noise generating activities, such as construction, to hours of normal business operation (7 a.m. to 7 p.m.).

No peak noise generating activities shall be allowed to occur outside of normal business hours without County approval.

HS-8.14 Sound Attenuation Features
The County shall require sound attenuation features such as walls, berming, heavy landscaping, between commercial, industrial, and residential uses to reduce noise and vibration impacts.

HS-8.15 Noise Buffering
The County shall require noise buffering or insulation in new development along major streets, and highways.

Safety Policies

HS-1.1 Maintain Emergency Public Services
The County shall ensure that during natural catastrophes and emergency situations, the County can continue to provide essential emergency services.

HS-1.9 Emergency Access
The County shall require, where feasible, road networks (public and private) to provide for safe and ready access for emergency equipment and provide alternate routes for evacuation.

HS-1.10 Emergency Services Near Assisted Living Housing
In approving new facilities, such as nursing homes, housing for the elderly and other housing for the mentally and physically infirm, to the extent possible, the County shall ensure that such facilities are located within reasonable distance of fire and law enforcement stations.

HS-5.2 Development in Floodplain Zones
The County shall regulate development in the 100-year floodplain zones as designated on maps prepared by FEMA in accordance with the following:

1. Critical facilities (those facilities which should be open and accessible during emergencies) shall not be permitted.
2. Passive recreational activities (those requiring non-intensive development, such as hiking, horseback riding, picnicking) are permissible.
3. New development and divisions of land, especially residential subdivisions, shall be developed to minimize flood risk to structures, infrastructure, and ensure safe access and evacuation during flood conditions.

HS-5.8 Road Location
The County shall plan and site new roads to minimize disturbances to banks and existing channels and avoid excessive cuts and accumulations of waste soil and vegetative debris near natural drainage ways.

HS-5.9 Floodplain Development Restrictions
The County shall ensure that riparian areas and drainage areas within 100-year floodplains are free from development that may adversely impact floodway capacity or characteristics of natural/riparian areas or natural groundwater recharge areas.

HS-5.10 Flood Control Design
The County shall evaluate flood control projects involving further channeling, straightening, or lining of waterways until alternative multipurpose modes of treatment, such as wider berms and landscaped levees, in combination with recreation amenities, are studied.

HS-5.11 Natural Design
The County shall encourage flood control designs that respect natural curves and vegetation of natural waterways while retaining dynamic flow and functional integrity.

HS-7.4 Upgrading for Streets and Highways
The County shall evaluate and upgrade vital streets and highways to an acceptable level for emergency services.

PFS-7.1 Fire Protection
The County shall strive to expand fire protection service in areas that experience growth in order to maintain adequate levels of service.

PFS-7.6 Provision of Station Facilities and Equipment
The County shall strive to provide sheriff and fire station facilities, equipment (engines and other apparatus), and staffing necessary to maintain the County's service goals. The County shall continue to cooperate with mutual aid providers to provide coverage throughout the County.

PFS-7.11 Locations of Fire and Sheriff Stations/Sub-stations
The County shall strive to locate fire and sheriff sub-stations in areas that ensure the minimum response times to service calls.

PFS-7.12 Design Features for Crime Prevention and Reduction
The County shall promote the use of building and site design features as means for crime prevention and reduction.

PFS-8.3 Location of School Sites
The County shall work with school districts and land developers to locate school sites consistent with current and future land uses. The County shall also encourage siting new schools near the residential areas that they serve and with access to safe pedestrian and bike routes to school.

General Plan Policies That Relate To Health

PF-2.7 Improvement Standards in Communities

The County shall require development within the designated UDBs to meet an urban standard for improvements. Typical improvements shall include curbs, gutters, sidewalks, and community sewer and water systems.

Land Use Element

LU-1.1 Smart Growth and Healthy Communities

The County shall promote the principles of smart growth and healthy communities in UDBs and HDBs, including:

1. Creating walkable neighborhoods,
2. Providing a mix of residential densities,
3. Creating a strong sense of place,
4. Mixing land uses,
5. Directing growth toward existing communities,
6. Building compactly,
7. Discouraging sprawl,
8. Encouraging infill,
9. Preserving open space,
10. Creating a range of housing opportunities and choices,
11. Utilizing planned community zoning to provide for the orderly pre-planning and long term development of large tracks of land which may contain a variety of land uses, but are under unified ownership or development control, and
12. Encouraging connectivity between new and existing development.

LU-1.2 Innovative Development

The County shall promote flexibility and innovation through the use of planned unit developments, development agreements, specific plans, Mixed Use projects, and other innovative development and planning techniques.

LU-1.3 Prevent Incompatible Uses

The County shall discourage the intrusion into existing urban areas of new incompatible land uses that produce significant noise, odors, or fumes.

LU-1.4 Compact Development

The County shall actively support the development of compact mixed-use projects that reduce travel distances.

LU- 1.5 Paper Subdivision Consolidations

The County shall encourage consolidation of paper parcels/subdivisions, especially those lots that are designated Valley Agriculture (VA), Foothill Agriculture (FA), or Resource Conservation (RC), are irregular in shape, inadequate in size for proper use, or lack infrastructure.

LU-1.6 Permitting Procedures and Regulations

The County shall continue to ensure that its permitting procedures and regulations are consistent and efficient.

LU-1.7 Development on Slopes

The County shall require a preliminary soils report for development projects in areas with

shallow or unstable soils or slopes in excess of 15 percent. If the preliminary soil report indicates soil conditions could be unstable, a detailed geologic/hydrologic report by a registered geologist, civil engineer, or engineering geologist shall be required demonstrating the suitability of any proposed or additional development.

LU-1.8 Encourage Infill Development
The County shall encourage and provide incentives for infill development to occur in communities and hamlets within or adjacent to existing development in order to maximize the use of land within existing urban areas, minimize the conversion of existing agricultural land, and minimize environmental concerns associated with new development.

LU-1.10 Roadway Access
The County shall require access to public roadways for all new development.

LU-3.1 Residential Developments
The County shall encourage new major residential development to locate near existing infrastructure for employment centers, services, and recreation.

LU-3.3 High-Density Residential Locations
The County shall encourage high-density residential development (greater than 14 dwelling units per gross acre) to locate along collector roadways and transit routes, and near public facilities (e.g., schools, parks), shopping, recreation, and entertainment.

LU-3.6 Project Design
The County shall require residential project design to consider natural features, noise exposure of residents, visibility of structures, circulation, access, and the relationship of the project to surrounding uses. Residential densities and lot patterns will be determined by these and other factors. As a result, the maximum density specified by General Plan designations or zoning for a given parcel of land may not be attained.

LU-7.3 Friendly Streets
The County shall encourage new streets within UDBs to be designed and constructed to not only accommodate traffic, but also serve as comfortable pedestrian and cyclist environments. These should include, but not be limited to:

1. Street tree planting adjacent to curbs and between the street and sidewalk to provide a buffer between pedestrians and automobiles, where appropriate,
2. Minimize curb cuts along streets,
3. Sidewalks on both sides of streets, where feasible,
4. Bike lanes and walking paths, where feasible on collectors and arterials, and
5. Traffic calming devices such as roundabouts, bulb-outs at intersections, traffic tables, and other comparable techniques.

LU-7.5 Crime Prevention through Design
The County shall encourage design of open space areas, bicycle and pedestrian systems, and housing projects so that there is as much informal surveillance by people as possible to deter crime.

LU-7.15 Energy Conservation
The County shall encourage the use of solar power and energy conservation building techniques in all new development.

LU-7.16 Water Conservation
The County shall encourage the inclusion of "extra-ordinary' water conservation and demand management measures for residential, commercial, and industrial indoor

and outdoor water uses in all new urban development.

Housing Element

Housing Policy 1.51
Encourage the construction of new housing units for "special needs" groups, including senior citizens, large families, single heads of households, households of persons with physical and/or mental disabilities, minorities, farmworkers, and the homeless in close proximity to transit, services, and jobs.

Housing Policy 3.12
Support locally initiated programs to provide neighborhood parks and recreational facilities for residential areas within unincorporated communities.

Housing Policy 3.13
Encourage subdivision and housing unit design, which provides for a reasonable level of safety and security.

Housing Policy 3.16
Actively seek federal, state, and private foundation grant funds for park and recreation facilities in unincorporated areas, including dual-use storm drainage ponding basins/recreation parks.

Housing Policy 4.21
Promote energy conservation opportunities in new residential development.

Housing Policy 4.22
Enforce provisions of the Subdivision Map Act regulating energy-efficient subdivision design.

Housing Policy 5.21
Administer and enforce the relevant portions of the Health and Safety Code.

Housing Policy 5.26
Prohibit concentrations of dwelling units near potentially incompatible agricultural uses as defined in the Animal Confinement Facilities Plan.

Environmental Resources Management Element

ERM-5.2 Park Amenities
The County shall provide a broad range of active and passive recreational opportunities within community parks. When possible, this should include active sports fields and facilities, community center/recreation buildings, children's play areas, multi-use areas and trails, sitting areas, and other specialized uses as appropriate.

Air Quality Element

AQ-1.3 Cumulative Air Quality Impacts
The County shall require development to be located, designed, and constructed in a manner that would minimize cumulative air quality impacts. Applicants shall be required to propose alternatives as part of the State CEQA process that reduce air emissions and enhance, rather than harm, the environment.

AQ-1.4 Air Quality Land Use Compatibility
The County shall evaluate the compatibility of industrial or other developments which are likely to cause undesirable air pollution with regard to proximity to sensitive land uses, and wind direction and circulation in an effort to alleviate effects upon sensitive receptors.

AQ-1.7 Support Statewide Climate Change Solutions
The County shall monitor and support the efforts of Cal/EPA, CARB, and the SJVAPCD, under AB 32 (Health and Safety

Code §38501 et seq.), to develop a recommended list of emission reduction strategies. As appropriate, the County will evaluate each new project under the updated General Plan to determine its consistency with the emission reduction strategies.

AQ-1.8 Greenhouse Gas Emissions Reduction Plan/Climate Action Plan

The County will develop a Greenhouse Gas Emissions Reduction Plan that identifies greenhouse gas emissions within the County as well as ways to reduce those emissions. The Plan will incorporate the requirements adopted by the California Air Resources Board specific to this issue. In addition, the County will work with the Tulare County Association of Governments and other applicable agencies to include the following key items in the regional planning efforts.

1. Inventory all known, or reasonably discoverable, sources of greenhouse gases in the County,
2. Inventory the greenhouse gas emissions in the most current year available, and those projected for year 2020, and
3. Set a target for the reduction of emissions attributable to the County's discretionary land use decisions and its own internal government operations.

AQ-2.2 Indirect Source Review

The County shall require major development projects, as defined by the SJVAPCD, to reasonably mitigate air quality impacts associated with the project. The County shall notify developers of the SJVAPCD Rule 9510 – Indirect Source Review requirements and work with SJVAPCD to determine mitigations, as feasible, that may include, but are not limited to the following:

1. Providing bicycle access and parking facilities,
2. Increasing density,
3. Encouraging mixed use developments,
4. Providing walkable and pedestrian-oriented neighborhoods,
5. Providing increased access to public transportation,
6. Providing preferential parking for high-occupancy vehicles, car pools, or alternative fuels vehicles, and
7. Establishing telecommuting programs or satellite work centers.

AQ-2.3 Transportation and Air Quality

When developing the regional transportation system, the County shall work with TCAG to comprehensively study methods of transportation which may contribute to a reduction in air pollution in Tulare County. Some possible alternatives that should be studied are:

1. Commuter trains (Light Rail, Amtrak, or High Speed Rail) connecting with Sacramento, Los Angeles, and San Francisco, with attractive services scheduled up and down the Valley,
2. Public transportation such as buses and light rail, to serve between communities of the Valley, publicly subsidized if feasible,
3. Intermodal public transit such as buses provided with bicycle racks, bicycle parking at bus stations, bus service to train stations and airports, and park and ride facilities, and
4. Community transportation systems supportive of alternative transportation modes, such as cycling or walking trails, with particular attention to high-density areas.

AQ-3.2 Infill near Employment

The County shall identify opportunities for infill development projects near employment areas within all unincorporated communities and hamlets to reduce vehicle trips.

AQ-3.3 Street Design
The County shall promote street design that provides an environment, which encourages transit use, biking, and pedestrian movements.

AQ-3.4 Landscape
The County shall encourage the use of ecologically based landscape design principles that can improve local air quality by absorbing CO_2, producing oxygen, providing shade that reduces energy required for cooling, and filtering particulates. These principles include, but are not limited to, the incorporation of parks, landscaped medians, and landscaping within development.

AQ-3.5 Alternative Energy Design
The County shall encourage all new development, including rehabilitation, renovation, and redevelopment, to incorporate energy conservation and green building practices to the maximum extent feasible. Such practices include, but are not limited to: building orientation and shading, landscaping, and the use of active and passive solar heating and water systems.

AQ-3.6 Mixed Land Uses
The County shall encourage the clustering of land uses that generate high trip volumes, especially when such uses can be mixed with support services and where they can be served by public transportation.

Health and Safety Element

HS-1.4 Building and Codes
Except as otherwise allowed by State law, the County shall ensure that all new buildings intended for human habitation are designed in compliance with the latest edition of the California Building Code, California Fire Code, and other adopted standards based on risk (e.g., seismic hazards, flooding), type of occupancy, and location (e.g., floodplain, fault).

HS-1.5 Hazard Awareness and Public Education
The County shall continue to promote awareness and education among residents regarding possible natural hazards, including soil conditions, earthquakes, flooding, fire hazards, and emergency procedures.

HS-1.6 Public Safety Programs
The County shall promote public safety programs, including neighborhood watch programs, child identification and fingerprinting, public awareness and prevention of fire hazards, and other public education efforts.

HS-1.7 Safe Housing and Structures
The County shall continue to seek grant funding for the rehabilitation of deteriorated and dilapidated structures and provide available information regarding housing programs and other public services.

HS-1.9 Emergency Access
The County shall require, where feasible, road networks (public and private) to provide for safe and ready access for emergency equipment and provide alternate routes for evacuation.

HS-1.10 Emergency Services near Assisted Living Housing
In approving new facilities, such as nursing homes, housing for the elderly and other housing for the mentally and physically infirm, to the extent possible, the County shall ensure that such facilities are located within reasonable distance of fire and law enforcement stations.

HS-4.3 Incompatible Land Uses
The County shall prevent incompatible land uses near properties that produce or store hazardous waste.

HS-4.4 Contamination Prevention
The County shall review new development proposals to protect soils, air quality, surface water, and groundwater from hazardous materials contamination.

HS-4.5 Increase Public Awareness
The County shall work to educate the public about household hazardous waste and the proper method of disposal.

HS-4.6 Pesticide Control
The County shall monitor studies of pesticide use and the effects of pesticide on residents and wildlife and require mitigation of the effects wherever feasible and appropriate.

HS-4.8 Hazardous Materials Studies
The County shall ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project.

HS-5.1 Development Compliance with Federal, State, and Local Regulations
The County shall ensure that all development within the designated floodway or floodplain zones conforms with FEMA regulations and the Tulare County Flood Damage Prevention Ordinance.

New development and divisions of land, especially residential subdivisions, shall be developed to minimize flood risk to structures, infrastructure, and ensure safe access and evacuation during flood conditions.

HS-5.2 Development in Floodplain Zones
The County shall regulate development in the 100-year floodplain zones as designated on maps prepared by FEMA in accordance with the following:

1. Critical facilities (those facilities which should be open and accessible during emergencies) shall not be permitted.
2. Passive recreational activities (those requiring non-intensive development, such as hiking, horseback riding, picnicking) are permissible.
3. New development and divisions of land, especially residential subdivisions, shall be developed to minimize flood risk to structures, infrastructure, and ensure safe access and evacuation during flood conditions.

HS-8.5 State Noise Standards
The County shall enforce the State Noise Insulation Standards (California Administrative Code, Title 24) and Chapter 35 of the Uniform Building Code (UBC). Title 24 requires that interior noise levels not exceed 45 dB Ldn (or CNEL) with the windows and doors closed within new developments of multi-family dwellings, condominiums, hotels, or motels. Where it is not possible to reduce exterior noise levels within an acceptable range the County shall require the application of noise reduction technology to reduce interior noise levels to an acceptable level.

HS-9.1 Healthy Communities
To the maximum extent feasible, the County shall strive through its land use decisions to promote community health and safety for all neighborhoods in the County by encouraging patterns of development that are safe and influence crime prevention, promote a high-quality physical environment and encourage physical activity by means such as sidewalks and walking and biking paths that discourage automobile dependency in existing communities.

HS-9.2 Walkable Communities
The County shall require where feasible, the development of parks, open space, sidewalks, and walking and biking paths that promote physical activity and discourage automobile dependency in all future communities.

Water Resource Element

WR-2.1 Protect Water Quality
All major land use and development plans shall be evaluated as to their potential to create surface and groundwater contamination hazards from point and non-point sources. The County shall confer with other appropriate agencies, as necessary, to assure adequate water quality review to prevent soil erosion; direct discharge of potentially harmful substances; ground leaching from storage of raw materials, petroleum products, or wastes; floating debris; and runoff from the site.

WR-2.2 National Pollutant Discharge Elimination System (NPDES) Enforcement
The County shall continue to support the State in monitoring and enforcing provisions to control non-point source water pollution contained in the U.S. EPA NPDES program as implemented by the Water Quality Control Board.

WR-2.3 Best Management Practices (BMPs)
The County shall continue to require the use of feasible BMPs and other mitigation measures designed to protect surface water and groundwater from the adverse effects of construction activities, agricultural operations requiring a County Permit, and urban runoff in coordination with the Water Quality Control Board.

Transportation and Circulation Element

TC-1.18 Balanced System
The County shall strive to meet transportation needs and maintain LOS standards through a balanced Multimodal Transportation Network that provides alternatives to the automobile.

TC-1.19 Balanced Funding
The County shall promote a balanced approach to the allocation of transportation funds to optimize the overall County transportation system.

TC-4.1 Transportation Programs
The County shall support the continued coordination of transportation programs provided by social service agencies, particularly those serving elderly and/or handicapped.

TC-4.2 Determine Transit Needs
The County will continue to work with TCAG, cities, and communities in the County to evaluate and respond to public transportation needs.

TC-4.3 Support Tulare County Area Transit

The County shall request the support of TCAG for development of transit services outlined in the County's Transit Development Plan (TDP). Efforts to expand Tulare County Area Transit should be directed towards:

1. Encouraging new and improving existing transportation services for the elderly and disabled, and
2. Providing intercommunity services between unincorporated communities and cities.

TC-4.4 Nodal Land Use Patterns that Support Public Transit

The County shall encourage land uses that generate higher ridership including; high density residential, employment centers, schools, personal services, administrative and professional offices, and social/recreational centers, to be clustered within a convenient walking distance of one another.

TC-5.1 Bicycle/Pedestrian Trail System

The County shall coordinate with TCAG and other agencies to develop a Countywide integrated multi-purpose trail system that provides a linked network with access to recreational, cultural, and employment facilities, as well as offering a recreational experience apart from that available at neighborhood and community parks.

TC-5.2 Consider Non-Motorized Modes in Planning and Development

The County shall consider incorporating facilities for non-motorized users, such as bike routes, sidewalks, and trails when constructing or improving transportation facilities and when reviewing new development proposals. For developments with 50 or more dwelling units or non-residential projects with an equivalent travel demand, the feasibility of such facilities shall be evaluated.

TC-5.3 Provisions for Bicycle Use

The County shall work with TCAG to encourage local government agencies and businesses to consider including bicycle access and provide safe bicycle parking facilities at office buildings, schools, shopping centers, and parks.

<u>Public Facilities and Services Element</u>

PFS-1.1 Existing Development

The County shall generally give priority for the maintenance and upgrading of County-owned and operated facilities and services to existing development in order to prevent the deterioration of existing levels-of-service.

PFS-1.3 Impact Mitigation

The County shall review development proposals for their impacts on infrastructure (for example, sewer, water, fire stations, libraries, streets, etc.). New development shall be required to pay its proportionate share of the costs of infrastructure improvements required to serve the project to the extent permitted by State law. The lack of available public or private services or adequate infrastructure to serve a project, which cannot be satisfactorily mitigated by the project, may be grounds for denial of a project or cause for the modification of size, density, and/or intensity of the project.

PFS-1.4 Standards of Approval

The County should not approve any development unless the following conditions are met:

1. The applicant can demonstrate all necessary infrastructure will be installed and adequately financed,

2. Infrastructure improvements are consistent with adopted County infrastructure plans and standards, and
3. Funding mechanisms are provided to maintain, operate, and upgrade the facilities throughout the life of the project.

PFS-1.5 Funding for Public Facilities
The County shall implement programs and/or procedures to ensure that funding mechanisms necessary to adequately cover the costs related to planning, capital improvements, maintenance, and operations of necessary public facilities and services are in place, whether provided by the County or another entity.

PFS-1.6 Funding Mechanisms
The County shall use a wide range of funding mechanisms, such as the following, to adequately fund capital improvements, maintenance, and on-going operations for publicly-owned and/or operated facilities:
1. Establishing appropriate development impact fees,
2. Establishing assessment districts, and
3. Pursuing grant funding.

PFS-1.7 Coordination with Service Providers
The County shall work with special districts, community service districts, public utility districts, mutual water companies, private water purveyors, sanitary districts, and sewer maintenance districts to provide adequate public facilities and to plan/coordinate, as appropriate, future utility corridors in an effort to minimize future land use conflicts.

PFS-1.8 Funding for Service Providers
The County shall encourage special districts, including community service districts and public utility districts to:
1. Institute impact fees and assessment districts to finance improvements,
2. Take on additional responsibilities for services and facilities within their jurisdictional boundaries up to the full extent allowed under State law, and
3. Investigate feasibility of consolidating services with other districts and annexing systems in proximity to promote economies of scale, such as annexation to city systems and regional wastewater treatment systems.

PFS-1.9 New Special Districts
When feasible, the County shall support the establishment of new special districts, including community service districts and public utility districts, to assume responsibility for public facilities and services.

PFS-1.10 Homeowner Associations
The County shall support the creation of homeowner associations, condominium associations, or other equivalent organizations to assume responsibility for specific public facilities and services.

PFS-1.11 Facility Sizing
The County shall ensure that publicly-owned and operated facilities are designed to meet the projected capacity needed in their service area to avoid the need for future replacement to achieve upsizing. For facilities subject to incremental sizing, the initial design shall include adequate land area and any other elements to easily expand in the future.

PFS-1.12 Security
The County shall seek to minimize vulnerability of public facilities to natural and man-made hazards and threats.

PFS-2.1 Water Supply
The County shall work with agencies providing water service to ensure that there is an adequate quantity and quality of water for all uses, including water for fire protection, by, at a minimum, requiring a demonstration by the agency providing water service of sufficient and reliable water supplies and water management measures for proposed urban development.

PFS-2.2 Adequate Systems
The County shall review new development proposals to ensure that the intensity and timing of growth will be consistent with the availability of adequate production and delivery systems. Projects must provide evidence of adequate system capacity prior to approval.

PFS-2. Well Testing
The County shall require new development that includes the use of water wells to be accompanied by evidence that the site can produce the required volume of water without impacting the ability of existing wells to meet their needs.

PFS-2.4 Water Connections
The County shall require all new development in UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, Area Plans, existing water district service areas, or zones of benefit, to connect to the community water system, where such system exists. The County may grant exceptions in extraordinary circumstances, but in these cases, the new development shall be required to connect to the water system when service becomes readily available.

PFS-2.5 New Systems or Individual Wells
Where connection to a community water system is not feasible per PFS-2.4: Water Connections, service by individual wells or new community systems may be allowed if the water source meets standards for quality and quantity.

PFS-3.1 Private Sewage Disposal Standards
The County shall maintain adequate standards for private sewage disposal systems (e.g., septic tanks) to protect water quality and public health.

PFS-3.2 Adequate Capacity
The County shall require development proposals to ensure the intensity and timing of growth is consistent with the availability of adequate wastewater treatment and disposal capacity.

PFS-3.3 New Development Requirements
The County shall require all new development, within UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, Area Plans, existing wastewater district service areas, or zones of benefit, to connect to the wastewater system, where such systems exist. The County may grant exceptions in extraordinary circumstances, but in these cases, the new development shall be required to connect to the wastewater system when service becomes readily available.

PFS-3.4 Alternative Rural Wastewater Systems
The County shall consider alternative rural wastewater systems for areas outside of community UDBs and HDBs that do not have current systems or system capacity. For individual users, such systems include elevated leach fields, sand filtration systems, evapotranspiration beds, osmosis units, and holding tanks. For larger generators or groups

of users, alternative systems, including communal septic tank/leach field systems, package treatment plants, lagoon systems, and land treatment, can be considered.

PFS-3.7 Financing
The County shall cooperate with special districts when applying for State and federal funding for major wastewater related expansions/upgrades when such plans promote the efficient solution to wastewater treatment needs for the area and County.

PFS-4.2 Site Improvements
The County shall ensure that new development in UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, and Area Plans includes adequate stormwater drainage systems. This includes adequate capture, transport, and detention/retention of stormwater.

PFS-4.3 Development Requirements
The County shall encourage project designs that minimize drainage concentrations and impervious coverage, avoid floodplain areas, and where feasible, provide a natural watercourse appearance.

PFS-4.4 Stormwater Retention Facilities
The County shall require on-site detention/retention facilities and velocity reducers when necessary to maintain existing (pre-development) storm flows and velocities in natural drainage systems. The County shall encourage the multi-purpose design of these facilities to aid in active groundwater recharge.

PFS-4.5 Detention/Retention Basins Design
The County shall require that stormwater detention/retention basins be visually unobtrusive and provide a secondary use, such as recreation, when feasible.

PFS-4.6 Agency Coordination
The County shall work with the Army Corps of Engineers and other appropriate agencies to develop stormwater detention/retention facilities and recharge facilities that enhance flood protection and improve groundwater recharge.

PFS-4.7 NPDES Enforcement
The County shall continue to monitor and enforce provisions to control non-point source water pollution contained in the U.S. Environmental Protection Agency National Pollution Discharge Elimination System (NPDES) program.

PFS-5.1 Land Use Compatibility with Solid Waste Facilities
The County shall ensure that solid waste facility sites (for example, landfills) are protected from the encroachment by sensitive and/or incompatible land uses.

PFS-5.8 Hazardous Waste Disposal Capabilities
The County shall require the proper disposal and recycling of hazardous materials in accordance with the County's Hazardous Waste Management Plan.

PFS-7.2 Fire Protection Standards
The County shall require all new development to be adequately served by water supplies, storage, and conveyance facilities supplying adequate volume, pressure, and capacity for fire protection.

PFS-7.5 Fire Staffing and Response Time Standards
The County shall strive to maintain fire department staffing and response time goals consistent with National Fire Protection Association (NFPA) standards.

Fire Staffing and Reponses Time Standards			
	Demographics	**Staffing/ Response Time**	**% of Calls**
Urban	>1,000 people/sq. mi.	15 FF/9 min.	90
Suburban	500-100 people/sq. mi.	10 FF/10 min.	80
Rural	<500 people/sq. mi.	6 FF/14 min.	80
Remote*	Travel Dist.>8 min.	4 FF/no specific response time	90

*Upon assembling the necessary resources at the emergency scene, the fire department should have the capacity to safely commence an initial attach within 2 minutes, 90% of the time.
FF: fire fighters

PFS-7.12 Design Features for Crime Prevention and Reduction

The County shall promote the use of building and site design features as means for crime prevention and reduction.

PFS-8.2 Joint Use Facilities and Programs

The County shall encourage the development of joint school facilities, recreation facilities, and educational and service programs between school districts and other public agencies.

PFS-8.3 Location of School Sites

The County shall work with school districts and land developers to locate school sites consistent with current and future land uses. The County shall also encourage siting new schools near the residential areas that they serve and with access to safe pedestrian and bike routes to school.

PFS-9.1 Expansion of Gas and Electricity Facilities

The County shall coordinate with gas and electricity service providers to plan the expansion of gas and electrical facilities to meet the future needs of County residents.

PFS-9.2 Appropriate Siting of Natural Gas and Electric Systems

The County shall coordinate with natural gas and electricity service providers to locate and design gas and electric systems that minimize impacts to existing and future residents.

PFS-9.3 Transmission Corridors

The County shall work with the Public Utilities Commission and power utilities so that transmission corridors meet the following minimum requirements:

1. Transmission corridors shall be located to avoid health impacts on residential lands and sensitive receptors, and
2. Transmission corridors shall not impact the economic use of adjacent properties.

Goals, Objectives, and Policies Specific to Lemon Cove

Goals, objectives and policies are the fundamental building blocks of the planning process. Goals describe the desirable results to which the plan is committed while objectives describe the intermediate steps or achievements which must be taken to reach the goals. Policies describe more specific actions or processes which must be undertaken in order to achieve objectives.

Taken as a whole, goals, objectives and policies provide the guidelines as to how the community is to grow in terms of type, quantity and quality of development. The goals, objectives and policies are an integral part of the plan itself and the final land use map and plan description must reflect the goals, objectives and policies of the community. The plan map then is a graphic portrayal of what goals, objectives and policies are intended to accomplish.

The goals, objectives and policies of this community plan are divided into four categories. The four areas are: Community Development, Housing, Economic Base, and Environmental Quality.

******** Draft Ground Water Management Act Policy ********

Goal: That the County and Greater Kaweah Groundwater Sustainability Agency work collaboratively under the Tulare County General Plan to assist the Lemon Cove Sanitary District in establishing conservation measures and credits in order to sustainably grow water and sewer infrastructure consistent with the Projected Growth Rates considered in the General Plan of Tulare County.

Objective: To not inhibit the 2019 Lemon Cove Community Plan, the projected growth rates due to the Groundwater Management Act. Instead, to use thoughtful localized conservation measures, funding and credits for storm water retention / groundwater reclamation that can be utilized by the Sequoia Union School District and Sanitary District in order meet the demands of the Greater Kaweah GSA and the Management Area.

Policy 1: The County as a member of the
Greater Kaweah GSA will use its role as a GSA member to assist the Lemon Cove Sanitary District, and Sequoia Union School District to enhance and establish conservation measures that reduce the demand requirements consistent with previous drought measures (2014-15) that are still the law of California, and under the precepts of SGMA.

Policy 2: The Lemon Cove Sanitary District, and Sequoia Union School District should work with the Greater Kaweah GSA to establish credits for storm water retention / ground water reclamation consistent with the County General Plan.

Policy 3: The Lemon Cove Sanitary District seek and be given credits consistent with the Greater Kaweah GSA's ultimate definitions of available reclamation credits for recycled waste water effluent land applications.

Policy 4: That the Sequoia Union School District be given credits for any ground water reclamation, they can supply through utilization of their existing storm water detention basins.

Community Development

GOAL I: Foster a cohesive community with easy access to necessary services and support facilities

Objective: Prevent premature urban-type development on agriculturally productive lands.

Policies:

1. Encourage in-filling of vacant land and compatible development on underdeveloped land as a priority before development of agriculturally productive lands.
2. The County shall carefully coordinate the extension of water and sewer services in the Plan Area with the Lemon Cove Sanitary District to promote orderly and efficient development patterns.

GOAL II: Avoid land use conflicts through planning separation of uses.

Objective: Promote concentrations of similar or compatible uses.

Policies:

1. Promote a concentration of industrial and commercial activities within selected areas to allow for cost efficient provision of necessary services and to protect residential neighborhoods.
2. The County shall discourage the intrusion into existing urban areas of new incompatible land uses that produce significant noise, odors, or fumes.
3. The County shall ensure that new development respects Tulare County's heritage by requiring that development respond to its context, be compatible with the traditions and character of each community, and develop in an orderly fashion which is compatible with the scale of surrounding structures.
4. The County shall discourage the intrusion into existing urban areas of new incompatible land uses that produce significant noise, odors, or fumes.
5. Land well suited for industrial development because of access, availability of infrastructure and proximity to similar land uses should be designated for industry and protected from the encroachment of incompatible uses.
6. Establish areas zoned exclusively for industry, commerce and residences consistent with the policies in this plan.
7. Phase-out existing nonconforming commercial and industrial concerns within planned residential areas through appropriate zoning amortization procedures.
8. Locate high-density residential uses in close proximity to planned shopping areas.
9. Require public, quasi-public and high density residential uses to locate where direct access to major streets is available.
10. The County shall ensure that solid waste facility sites (for example, landfills) are protected from the encroachment by sensitive and/or incompatible land uses.

11. The County shall cooperate with all affected school districts to provide the highest quality educational services and school facilities possible.
12. The County shall work with the Sequoia Union School District in facilitating the location and establishment of new school sites, or expansion of existing sites, as needed.
13. The County shall work with the Sequoia Union School District to provide safe routes to school.
14. The County of Tulare will solicit recommendations from all interested public agencies on matters regarding the Lemon Cove Community Plan.
15. The Lemon Cove Community Plan should be reviewed every five years to determine if amendments are appropriate.
16. When considering any land use proposal, capital expenditure or other matters of community importance, the County of Tulare will request input from the local service district and other affected agencies.

Objective: Provide for appropriate buffers between areas set aside for commercial activities and single family residential uses.

Policies:
1. Require adequate setbacks, side and rear yards, landscaping and screening between living and working areas.
2. Utilize roadways right of ways and other physical features to separate planned living and working areas.

Objective: Encourage land uses adjacent to State Route 198, which are consistent with noise impacts.

Policies:
1. Encourage commercial and/or industrial development to locate adjacent to SR 198 where access is appropriate for such development.
2. Require installation of walls, berms or heavy planting along SR 198 in conjunction with any new residential development.
3. Discourage new residential development on vacant lots within areas proposed for commercial and industrial development.
4. Encourage the eventual conversion of existing residential uses within areas proposed for commercial and industrial development to nonresidential uses; except living quarters used in conjunction with a business.
5. Phase-out existing non-conforming commercial and industrial uses within planned residential areas by zoning such areas residential, and by enforcement of local zoning regulations pertaining to illegal buildings and uses.
6. Tulare County shall designate and zone sufficient amounts of land to accommodate existing and projected industrial, commercial, residential, and public (e.g., parks and recreational) needs of the community.
7. Provide for appropriate buffers between areas set aside for commercial activities and single family residential uses.

GOAL III: Achieve development densities consistent with levels of available service.

Objective: Urbanization in the planning areas should be contiguous and compact.

Policies:

1. The County shall encourage high-density residential development (greater than 14 dwelling units per gross acre) to locate along collector roadways and transit routes, and near public facilities (e.g., schools, parks), shopping, recreation, and entertainment.
2. The County shall review development proposals for their impacts on infrastructure (sewer, water, fire stations, libraries, streets, etc). New development shall be required to pay its proportionate share of the costs of infrastructure improvements required to serve the project to the extent permitted by State law. The lack of available public or private services or adequate infrastructure to serve a project, which cannot be satisfactorily mitigated by the project, may be grounds for denial of a project or cause for the modification of size, density, and/or intensity of the project.
3. The extension of water and sewer facilities into the planning area shall be coordinated with the policies of this Plan and the goals and policies of the Tulare County General Plan. Development in the planning area shall pay their fair share for services.

Objective: Avoid over use of individual waste disposal systems in unsewered areas.

Policies:

1. Prohibit new residential development in excess of seven families per acre until such time as a central sewage collection system is constructed.
2. Prohibit commercial and industrial development with excessive wastewater discharge characteristics.

Objective: Encourage merger of existing vacant substandard lots within the townsite of Lemon Cove.

Policies:

1. Conduct a study of the Lemon Cove townsite area to determine the impact of a comprehensive vacant lot merger action and undertake such a merger, if feasible.

GOAL IV: Coordinate Community Development Decisions with the Lemon Cove Sanitary District Municipal Service.

Objective: Ensure that all development can be served by the Lemon Cove Sanitary District during the planning period.

Policies:

1. Coordinate zoning with availability of utilities and community services.
2. Promote commercial and industrial development with wastewater discharge characteristics which can be accommodated by the Lemon Cove Sanitary District.
3. Encourage industries with excessive effluent to pre-treat wastewater prior to disposal to the Lemon Cove Sanitary District wastewater system.
4. Encourage coordination between developers and the Lemon Cove Sanitary District throughout the application and development process to prevent time delays and to assure that the Lemon Cove Sanitary District can accommodate the needs of any proposed development.
5. Before the issuance of any land use permit, the Tulare County Resource Management Agency must receive confirmation from the Lemon Cove Sanitary District that water and sewer

service requirements can be accommodated.

6. Assist the Lemon cove Sanitary District in applications for grant funds to carry out their capital improvement program for providing, maintaining and improving their sewer and water systems to serve new and existing developments which implement the goals and objectives of this Plan and of the Tulare County General Plan.
7. Prohibit to the extent allowed by law all development from holding, diverting and/or disposing of storm water run-off at locations, or in such a manner, as to cause groundwater recharge contributable to raising the groundwater to an unsafe level in the vicinity of the Lemon Cove Sanitary District wastewater treatment facilities.
8. Investigate the necessity of preparing a drainage plan, within five years of adoption of the Community Plan, for diverting and disposing of storm water runoff and excess irrigation water at a location, or locations, where the retention or disposition of such water will not contribute to raising the groundwater level in the vicinity of the Lemon Cove Sanitary District wastewater treatment facilities.
9. Before the issuance of any land use permit, the Tulare County Resource Management Agency will require all project applications for new development or redevelopment to include storm water disposal plans in accordance with the recommendations of the Tulare County Resource Management Agency and Caltrans to prevent runoff flows into the State highway right-of-way.

Housing

GOAL I: Provide safer and adequate housing for all citizens within the community.

Objective: Reduce deficiencies in existing housing stock.

Policies:

1. Through the Housing Element process, the County shall strive to minimize or eliminate blight in Lemon Cove.
2. Apply the health, safety and welfare standards of Tulare County Ordinance Code, which may require demolition of vacant substandard housing units.
3. Encourage relocation of families from substandard housing units by expanding affordable housing opportunities within the community.
4. Inform potential rehabilitators of substandard housing that incentives such as reduced building permit fees are available.
5. The County will strive to ensure that there is an adequate amount of planned residential land to meet the housing needs of Lemon Cove.
6. The County will ensure that there are adequate sites and will work with the Lemon Cove Sanitary District and other agencies to ensure that there are adequate public facilities to support future housing needs in Lemon Cove.
7. The County will work diligently towards the rehabilitation of the housing stock in Lemon Cove.
8. The County will attempt to maintain a balance between owner and renter-occupied housing stock in Lemon Cove.
9. Sites for multi-family development shall be identified which do not overburden any one area of the community or

neighborhood. Large developments should be located on collector or arterial streets.

Objective: Encourage new housing construction within the community to meet the needs of low and moderate income residents.

Policies:
1. Enable the housing industry to proceed with construction in a timely and cost-efficient fashion by providing adequate amounts of residential zoning.
2. Assure that the housing industry is made aware of residential development potentials in Lemon Cove.
3. Coordinate residential zoning with availability of utilities and community services.
4. Provide adequate amounts of residential zoning to encourage the housing industry to proceed with construction of residential development in a timely and cost-efficient fashion.

Economic Base

GOAL V: Develop a strong and diversified economy.

Objective: Provide sufficient land for industrial and commercial development to meet the needs of the community and region and strengthen and maintain a viable community economy.

Policies:
1. Promote a concentration of industrial and commercial activities within selected areas to allow for cost efficient provision of necessary services and to protect residential neighborhoods.
2. Zone an area for a community shopping center in the northeastern portion of the community to meet local consumer needs.
3. Reserve areas with convenient State Route access for highway-oriented commercial development, thereby encouraging outside cash flow into the community.
4. New service commercial uses should be located away from existing or planned residential areas or mitigation measures should be incorporated into the design of the project that will eliminate any undesirable conditions.
5. The County shall encourage industrialization in Lemon Cove, especially industries that provide non-seasonal employment, and which require close freeway access.

Objective: Provide the services necessary to support new industrial and commercial development.

Policies:
1. Encourage the Lemon Cove Sanitary District to give priority to community service development in the areas reserved for commercial and industrial growth on the plan.
2. Place emphasis on development and upgrading of water supply facilities to meet fire protection standards in planned commercial and industrial areas.

Objective: Provide the necessary safe guards to attract quality industrial and commercial development to the community.

Policies:

1. Assure that commercial and industrial developments are designed so that traffic will not impact upon residential areas.
2. Develop standards for signs, landscaping, and fencing to improve the attractiveness of industrial and commercial areas.

Environmental Quality and Public Safety

GOAL VI: Preserve and enhance the quality of life for present and future generation of Lemon Cove citizens.

Objective: Upgrade the level of community health, sanitation and safety.

Policies:

1. Encourage capital improvements (curbs, gutters, streets paving, lighting, etc.) within existing developed areas, which will upgrade the community image and improve safety.
2. The County shall, within its authority, protect the public from danger to life and property caused by fire.
3. The County shall, within its authority, protect the public against crime against people and property.

Objective: Provide sufficient open space for community recreation needs.

Policies:

1. Encourage reservation of open space for recreational purposes in conjunction with future residential developments.
2. Facilitate innovation in housing and subdivision design so that private recreation and open space areas can be accommodated.
3. Assist in the development of a community park as feasible and appropriate in conjunction with a future site of the Sequoia Union School District.

Objective: Protect Agricultural Lands:

1. Land within the respective Urban Development Boundary of Lemon Cove, which is designated as residential reserve, commercial reserve, or industrial reserve shall be retained in agricultural use until such time as conversion to urban use (as defined in the Tulare County General Plan) is appropriate. When a rezoning occurs without a general plan amendment, the reserve designation shall be removed from the parcel.
2. The following criteria shall be used to determine when conversion to urban use is appropriate:
   a. The property is not subject to an agricultural preserve contract;
   b. Full urban services, schools, and infrastructure sufficient to serve urban development either are available or can be made available; and
   c. At least 30 % the property boundaries are contiguous to existing urban development.
3. Until productive agricultural lands are ready to be developed they shall be retained in parcels of sufficient size to allow agricultural uses.
4. Agricultural uses outside the UDB shall be protected from conflicting urban uses by aligning the UDB along streets, canals or other man-made or natural features in order to buffer the two uses to the extent possible.

5. The County (and developers) shall carefully coordinate the extension of public water and sewer services in the planning area with Lemon Cove Sanitary District, to promote logical and orderly development patterns.
6. New agricultural preserves and contracts shall not be approved for properties within Lemon Cove Sanitary District.
7. Commercial and residential uses will be required to connect to public services provided by the Lemon Cove Sanitary District.
8. Large lot agricultural zoning such as AE-10 shall be applied as a holding zone to properties, which do not meet the criteria set forth in policy Agriculture Policy 2 above.
9. Promote growth along SR 198 for industrial and commercial uses to preserve adjacent agricultural lands consistent with the Corridor Framework Policies in the Tulare County General Plan.

Objective: Prohibit to the extent allowed by law activities that will have a significant adverse effect on the environmental quality of Lemon Cove.

Policies:

1. Prohibit to the extent allowed by law new intensive animal raising operations within the "windshed" area of Lemon Cove.

General Plan Framework

Value Statements

1. The beauty of the County and the health and safety of its residents will be protected and enhanced.
2. The County will create and facilitate opportunities to improve the lives of all County residents.
3. The County will protect its agricultural economy while diversifying employment opportunities.
4. Every community will have the opportunity to prosper from economic growth.
5. Growth will pay its own way providing sustainable, high quality infrastructure and services.

Framework Concepts

- ***Concept 1: Agriculture***
  One of the most identified assets in Tulare County is the rich agricultural land on the valley floor and in the foothills. The General Plan identifies agriculture not only as an economic asset to the County but also as a cultural, scenic, and environmental element to be protected and to insure that the utilization of these resources may continue to economically succeed.

- ***Concept 2: Land Use***
  Tulare County has a number of unincorporated communities that will grow and develop and natural resource lands (agriculture, mineral extraction, and open space) that will be preserved and permitted to expand. It is anticipated that much of the projected population growth will require a range of housing choices, neighborhood support services, and employment producing uses that are centrally located in cities and unincorporated communities. The County will also utilize its goals and policies to guide the conversion of agricultural and natural resource lands to urban uses.

- ***Concept 3: Scenic Landscapes***
  The scenic landscapes in Tulare County will continue to be one of its most visible assets. The Tulare County General Plan emphasizes the enhancement and preservation of these resources as critical to the future of the County. The County will continue to assess the recreational, tourism, quality of life, and economic benefits that scenic landscapes provide and implement programs that preserve and use this resource to the fullest extent.

- ***Concept 4: Natural and Cultural Resources***
  As Tulare County develops its unincorporated communities, the County will ensure that development occurs in a manner that limits impacts to natural and cultural resources through the implementation of its Goals and Policies and through proper site planning and design techniques.

Guiding Principles

- ***Principle 1: Opportunities***
  Provide opportunities for small unincorporated communities to grow or improve quality of life and their economic viability.

- ***Principle 2: Reinvestment***
  Promote reinvestment in existing unincorporated communities in a way that enhances the quality of life and their economic viability in these locations.

- ***Principle 3: Protection of Resources***
  Protect the County's important agricultural resources and scenic natural lands from urban encroachment through the implementation of Goals and Policies of the General Plan.

- ***Principle 4: Limit Rural Residential Development***
  Strictly limit rural residential development potential in important agricultural areas outside of unincorporated communities, hamlets, and city UDBs, UDBs (i.e., avoid rural residential sprawl).

- ***Principle 5: Agricultural Facilities***
  Allow existing and outdated agricultural facilities in rural areas to be retrofitted and used for new agricultural related businesses (including non-agricultural uses) if they provide employment.

- ***Principle 6: Planning Coordination and Cooperation***
  Enhance planning coordination and cooperation with the agencies and organizations with land management responsibilities in and adjacent to Tulare County.

PRELIMINARY ASSESSMENT OF LAND NEEDS

Market Analysis

Renter Affordability

According to the US Census Bureau, the 2013-2017 American Community Survey **(see Table 27)** data indicated that in 2017 the cost of rent in Lemon Cove was lower than in Tulare County and the State of California, but that rent constituted a larger percentage of household income. The median rent was $590.00 in Lemon Cove, whereas the median rent was $877.00 in Tulare County and $1,358 in the State of California, respectively. In Lemon Cove, the percentage of households paying 35% or more of income on housing was 81.3% while the percentage of households paying 35% or more of income on housing was 47.2% in Tulare County and 46.4% in the State of California.

Table 27 American Survey: Renter Cost 2013-2017

Geography	Median Rent	Gross Rent as a % of Household Income					
		Less than 15.0 %	15.0% to 19.9%	20.0% to 24.9%	25.0% to 29.9%	30.0% to 34.9%	35.0% or more
California	$1,358	9.6%	10.9%	12.1%	11.5%	9.6%	46.4%
Tulare County	$877	10.6%	10.5%	12.1%	10.7%	8.7%	47.2%
Lemon Cove CDP	$590	0.0%	18.8%	0.0%	0.0%	0.0%	81.3%

Source: 2013-2017 American Community Survey 5-Year Estimates

Owner Affordability

According to the 2013-2017 American Community Survey data indicated that in 2017 the cost of a mortgage in Lemon Cove was lower than in Tulare County and the State of California. The mortgage constituted a smaller percentage of household income compared to Tulare County and the State of California. The median owner cost (with mortgage) was $1,396 in Lemon Cove, whereas the median owner cost was $1,345 in Tulare County and $2,206 in the State of California, respectively. In Lemon Cove, the percentage of households paying 35% or more of income on housing was 34.4%. The percentage of households paying 35% or more of income on housing was 31.7% in Tulare County and 30.7% in the State of California **(see Table 28).**

Table 28 American Community Survey: Owner Cost 2013-2017						
Geography	Median Owner Cost (with mortgage)	Mortgage as a % of Household Income				
		Less than 20.0%	20.0% to 24.9%	25.0% to 29.9%	30.0% to 34.9%	35.0% or more
California	$2,206	32.5%	19.6%	12.5%	9.0%	30.7%
Tulare County	$1,345	36.2%	14.5%	10.4%	7.1%	31.7%
Lemon Cove CDP	$1,396	26.6%	21.9%	3.1%	14.1%	34.4%

Source: 2013-2017 American Community Survey 5-Year Estimates

Existing Businesses

According to the US Business Directory, there were 90 businesses in the Lemon Cove area in 2018, (including apartment complexes) https://us-business.info/directory/lemon_cove-ca/ **(see Table 29).**

Table 29 Existing Businesses in Lemon Cove			
Caltrans Maintenance Yard	Bogan Trucking	C & J Commercial Property	Vulcan Materials Co.
US Army Corps of Engineers	Drycrik Journal	Lemon Cove Village Community Church	Main Squeeze Market
Kaweah Lemon Company	Kaweah Marina	Lemon Cove Granite Pit	US Post Office
Lemon Cove Village and RV Park	Lemon Cove Market and Gas Station	Plantation Bed & Breakfast	US Kaweah Heritage Visitor Center
Sequoia Union School	Prince Mart	Sierra Chief	
	Transportation Department	Tulare County Fire Department	

Market Feasibility

The community of Lemon Cove **(see Table 29)** has one (1) grocery store, Lemon Cove Market and Gas Station. Bogan Trucking, Plantation Bed and Breakfast, are also located in Lemon Cove.

Assessment of Land Needs

Population Growth Forecast

With the existing 404.1-acre Lemon Cove Urban Development Boundary, agricultural activities, such as orchards and pasture, currently constitute 66.7 percent of the Planning Area. The forecasted increase in population from 2017-2030 is 274 persons. **(see Table 30).**

Table 30 Lemon Cove Population Projections

Growth Rate	2017	2020	2030
0.013	**232**	**241**	**274**

Demand Forecast

Within the existing 404.1 acre UDB, approximately 134 acres are urbanized. By dividing the estimated 2017 population of 751 by 232 urbanized acres, a ratio of 3.24 persons per urbanized acres is calculated. The forecasted increase in population from 2017 to 2030 is 42 persons. Projecting this ratio into the future (42 persons divided by 3.24) suggests that an additional 13 acres will be needed by the year 2030. The existing Urban Development Boundary contains approximately 6.5 vacant acres (see Table 35). The additional projected need of 13 acres can easily be accommodated within the proposed UDB. Utilizing a conservative figure of 6 residential units per acre minimum lot size as allowed in the R-A zoning district of which 2.95 vacant acres currently exist within the proposed UDB, and multiplying those 2.95 acres by 6 units per acre would yield approximately 17.7 residential units that could be constructed within the UDB during the planning horizon period. Dividing the forecasted increase in population from 2017 to 2030 of 42 persons divided by an average 4 persons per household indicates that approximately 10.5 new residential units are required to meet the forecasted population demand. The housing growth forecasted on population growth in Table 32 of 21 additional units between 2017 and 2030 can be accommodated through vacant R-A zoning as mentioned above and through A-1 zoning which serves as a holding zone.

Population and Housing Units

The year 2017 baseline population was determined by projecting the 2017 American Community Survey (Survey) data population by an annual growth rate of 1.3% annually. The Survey indicated that in year 2017 the community had 115 dwelling units (including vacant dwellings) with a population of 232. At an annual growth rate of 1.3%, the projected housing units **(see Tables 31 and 32)** are 120 and 136 in years 2020 and 2030, respectively, and projected population is 241 and 274 in Years 2020 and 2030, respectively.

Table 32 Population Projection		
Year	**Population**	**Growth (%)**
2017	232	0.013
2018	235	0.013
2019	238	0.013
2020	241	0.013
2021	244	0.013
2022	247	0.013
2023	251	0.013
2024	254	0.013
2025	257	0.013
2026	261	0.013
2027	264	0.013
2028	267	0.013
2029	271	0.013
2030	274	0.013

Table 31 Housing Projection		
Year	**Housing**	**Growth (%)**
2017	115	0.013
2018	116	0.013
2019	118	0.013
2020	120	0.013
2021	121	0.013
2022	123	0.013
2023	124	0.013
2024	126	0.013
2025	128	0.013
2026	129	0.013
2027	131	0.013
2028	133	0.013
2029	134	0.013
2030	136	0.013

Opportunities & Constraints

Opportunities

Complete Streets

The Complete Streets Act of 2007 (Assembly Bill 1358) requires counties when updating General Plans, to identify how the jurisdiction will provide for the routine accommodation of all users of the roadway including motorists, pedestrians, bicyclists, individuals with disabilities, seniors, and users of public transportation.

Affordable Housing

The community of Lemon Cove has a median income of $29,898, which is considerably less than 60% of the State's median income of $ 67,169. Approximately 3.7% of the households in Lemon Cove spend 30% or more of their income on housing. As such, there is a high need for affordable housing.

Moreover, 56.3% of renters spent 35% or more of their income on rent. As 35.9% of the households include single parents with children and Lemon Cove's average household size of 3.36 for renters and 3.96 for owner-occupied units, it is very likely that many children in Lemon Cove share bedrooms.

Urban Development Boundary

Although State planning law does not define specific requirements for establishing planning area boundaries, it is generally agreed that the planning boundaries should include the territory within a community's probable ultimate physical boundaries and service area. Urban Development Boundaries provide a planning framework that promotes the viability of communities, hamlets, and cities while protecting the agricultural, open space, scenic, cultural, historic, and natural resource heritage of the County. In the past, the County used three key planning tools to guide urban development in all unincorporated areas of the County. The first was the Urban Boundaries Element; the second are the Area Plans; the third are the General Plans for identified incorporated cities and Community Plans for unincorporated communities. In 1974, Tulare County added an Urban Boundaries Element to its General Plan. The element required the designation of an urban boundary for every "viable" unincorporated community in the county. The Urban Boundaries Element also established Urban Improvement Areas (20-year planning boundaries) for certain communities. The 1974 Urban Boundaries Element designated both an Urban Area Boundary and an Urban Improvement Area for Lemon Cove.

In 1983, the Urban Boundaries Element was amended to create Urban Development Boundaries (UDBs, which are also to function as 20-year planning boundaries) and to Change the function of the Urban Area Boundary to simply a "comment line" around incorporated cities. Under the 1983 amendment, Urban Area Boundaries are no longer established around unincorporated communities - and Urban Improvement Areas are to be phased out over time (replaced with UDBs) as each community's boundaries are updated.

For unincorporated communities as per the Planning Framework Element of the General Plan, the UDB is a County adopted line dividing land to be developed from land to be protected for agricultural, natural, open space, or rural uses. It serves as the official planning area for communities over a 20-year period. Land within an unincorporated UDB is assumed appropriate for development and is not subject to the Rural Valley Lands Plan or Foothill Growth Management Plan.

Zoning Districts Map

The currently Zoning Map for Lemon Cove is very similar to the Land Use Map outlined in the General Plan. There are a couple of zoning changes that need to occur to allow the General Plan and Zoning Ordinance to be in conformity with each other.

Constraints

There are several constraints or restrictions which will impact the nature and location of future development within the community. In particular, these constraints pertain to existing problems of public health and safety, acceptable noise levels impacts of deteriorating housing and lack of a full range of community services. Following are constraints that were recognized in the preparation of this plan.

Noise Contours

Constraint: There are a variety of sources that produce noise in the Lemon Cove Plan Area and include traffic operations, and agricultural operations. Traffic noise is the most dominant source of ambient noise in the County, according to the Tulare County General Plan EIR **(see Table 33)**. SR 198 runs through the Lemon Cove Planning Area and would be the largest source of traffic noise in the area due to the high volumes of traffic. State Route 216 connects SR 198 in Lemon Cove.

Table 33 Noise Levels

Location	ADT	From Roadway Centerline			
		Distance (feet) to 70 Ldn Contour	Distance (feet) to 65 Ldn Contour	Distance (feet) to 60 Ldn Contour	Distance (feet) to 55 Ldn Contour
SR 198 from Spruce to SR 216	8,500	58	124	268	576
SR216 from Castlerock to SR 198	1,800	25	55	118	254

Source: 2010 General Plan Background Report

Solution: Mitigation measures identified in the Tulare County 2030 General Plan's Noise Element will allow the development of some land uses providing certain standards are met which reduce the impact of noise within the noise-impacted areas. Properties adjacent to SR 198 are areas designated as noise-impacted in the community.

Agricultural Lands

Constraints: The presence of approximately 86.54 acres of Williamson Act Lands (Agricultural Preserves) along the periphery of the Planning Area may deter the natural "grow out" pattern of urban related uses. Although a constraint, Agricultural Preserves prevent premature urban development of agricultural lands and encourage in filling of existing vacant parcels within the immediate core of the Plan Area.

Solutions: As the need arises for developable land, (and if justifiable), Agricultural Preserves can be canceled by a landowner with the approval of the Tulare County Board of Supervisors. Another option available to landowners is nonrenewal of their ten-year contracts. This option allows their land to revert to "regular" agricultural lands over a ten-year period and, subsequently allowing the landowner an opportunity to develop his land through the regular permitting process.

Limited Employment Opportunities

Constraints: Employment opportunities within the Lemon Cove Planning Area are rather limited due to the absence of year-round high employment-generating land uses (i.e., industry). The proximity of Visalia to the Planning Area will continue to contribute to limited employment opportunities within Lemon Cove. As the area develops commercial uses, some jobs will be created but not to the extent, industrial development could provide.

Infrastructure Needs

Domestic Water/Sewer

The Lemon Cove Sanitary District has receive a $500,000 Planning Grant from the State Water Resource Control board (SWRCB) Division of Drinking Water for the installation of two wells to be located north of Lemon Cove.

Lemon Cove Sanitary District is in the process of improving the existing Wastewater Treatment Plant (WWTP). The proposed upgrades to the existing WWTP includes:

- Installation of a 20,000 gallon (10-foot diameter X 35-foot long) septic tank,
- Installation of a 4.000 square foot leach field and associated leach lines, and
- Connection to the existing sewer collection system (with an 8-inch influent line).

Construction will occur as plans and funding are in place and is expected to take several months (expected to occur in 2020).

Tulare County Economic Development Strategy

Tulare County's current Economic Development Strategy focuses on tourism, the agricultural industry and pursuing grants.

Agriculture

Tulare County has a booth at the World Agricultural Exposition (Ag Expo) every year. The Economic Development Office uses the event to promote Tulare County tourism and business opportunities. Partnering with the County's Purchasing Department the Ag Expo provides an excellent method to market directly to the global agriculture related businesses attending the Ag Expo and sell surplus county equipment.

Grants

- State Water Resources Control Board – State Revolving Fund: $500,000 for Traver Community Wastewater System Improvements Planning Study and Design, once plans are near complete we will apply for construction funding between $8 and 10 million.
- State Water Resources Control Board: have applied and received $5 million in construction funding for Phase 1 of the Yettem Seville Water System.
- County Measure R funding $575k for sidewalks and ADA improvements in Goshen.
- ATP Active Transportation Program- Statewide competitive $2 million funding is anticipated for Safe Routes to School and ADA improvements in and around Goshen.
- Low Carbon Transit Program funding $147,474.00.
- Prop 84 – Goshen Neighborhood Improvement Program funding $2,153,900.00.
- Yettem & Seville Project Phase 1 funding $4,300,200.00

- Navigation Aids at Sequoia Field Airport funding $340,200.00
- Transit Operations & Maintenance Facility (TOMF) funding $10,800,000.00

Solar Projects

In Tulare County, there have been 13 Utility Scale Solar Projects that have a capacity of 198 MW. There are nine (9) projects in /Under Construction with a capacity of 260 MW. In terms of total solar projects (including Utility Scale, Solar on Dairies, Commercial Solar, and Residential Solar) there have been 1570 projects built that account for a capacity of 227.5 MW. The Corridor offers realistic potential to locate solar projects closer to the urban areas and outside of the direct line-of-sight viewshed of the Highway 99 Corridor. **Figure 23** provides a summary of solar development in Tulare County.

Figure 23 Solar Development in Tulare County

Utility Scale Solar Projects		
Phase of Construction	**No. of Permits**	**Total Capacity (MW)**
Under Review	0	0.0
Pre-construction/Under Construction	1	45.0
Constructed	21	413.0
Total	**22**	**458.0**
Solar Projects on Dairies		
Phase of Construction	**No. of Permits**	**Total Capacity (MW)**
Under Review	0	0.0
Pre-construction/Under Construction	6	3.6
Constructed	44	39.7
Total	**50**	**43.3**
Other Commercial Solar Projects		
Phase of Construction	**No. of Permits**	**Total Capacity (MW)**
Under Review	0	0.0
Pre-construction/Under Construction	36	8.9
Constructed	172	44.8
Total	**208**	**53.7**
Anaerobic Digesters		
Phase of Construction	**No. of Permits**	**Total Capacity (MW)**
Under Review	0	
Pre-construction/Under Construction	16	
Constructed	4	
Total	**20**	
Residential Solar Projects (based on 7 kw/sfd average)		
Phase of Construction	**No. of Permits**	**Total Capacity (MW)**
Under Review	13	0.09
Pre-construction/Under Construction	127	0.89
Constructed	2092	14.64
Total	**2232**	**15.6**
Solar Project Totals		
Phase of Construction	**No. of Permits**	**Total Capacity (MW)**
Under Review	13	0.09
Pre-construction/Under Construction	186	58.39
Constructed	86	512.14
Total	**2532**	**570.74**

Online Presence

Tulare County is currently developing and growing the Economic Development Website by offering content that is current, informative and useful for decision-makers in an effort to attract, retain and expand a diverse business community in all regions of the County. We are currently building an online industrial/commercial property inventory. We are reaching out to brokers in order to post their listings on our website. The Tulare County Economic Development Office maintains an active presence on Facebook and Twitter. In addition, the Tulare County Film Commission Website contains the latest videos of groundbreaking and ribbon cutting events. Content development will continue to grow over time.

Reducing Barriers to Economic Development

California Competes

"The California Competes Tax Credit is an income tax credit available to businesses that want to locate in California or stay and grow in California. Tax credit agreements will be negotiated by GO-Biz and approved by a newly created "California Competes Tax Credit Committee," consisting of the State Treasurer, the Director of the Department of Finance, the Director of GO-Biz, one appointee from the Senate, and one appointee from the Assembly."[33]

"The California Competes Tax Credit only applies to state income tax owed to the Franchise Tax Board. The credit is non-refundable, and in the case where the credit allowed exceeds tax owed, the excess may be carried over to reduce the tax in the following year, and the succeeding five years if necessary, until exhausted."[34]

"The value of the credit will be based on the following factors:

- The number of jobs the business will create or retain in this state.
- The compensation paid or proposed to be paid by the business to its employees, including wages and fringe benefits.
- The amount of investment in this state by the business.
- The extent of unemployment or poverty where the business is located.
- The incentives available to the business in this state, including incentives from the state, local government, and other entities.
- The incentives available to the business in other states.
- The duration of the business' proposed project and the duration the business commits to remain in this state.
- The overall economic impact in this state of the business.
- The strategic importance of the business to the state, region, or locality.
- The opportunity for future growth and expansion in this state by the business.
- The extent to which the anticipated benefit to the state exceeds the projected benefit to the business from the tax credit."[35]

[33] California Competes Tax Credit FAQ
[34] California Competes Tax Credit FAQ
[35] California Competes Tax Credit FAQ

"The tentative amount of credits that GO-Biz can allocate is as follows:

- $30 million in fiscal year 2013/14.
- $150 million in fiscal year 2014/15.
- $200 million in each fiscal year 2015/16 through 2017-18."[36]

"…25 percent of the total credits available each year is expressly reserved for small businesses (gross receipts of less than $2 million during the previous taxable year)."[37]

Tulare County Strategy

In rural areas, elimination of all barriers to economic development is the foundation for growth. This Plan addresses the following four potential barriers to Economic Development.

- *Infrastructure:* The water system is at capacity and the wastewater system is near limiting capacity. In order for more development to occur, service levels for water and wastewater need to be expanded. Grant funding is needed to increase service levels."

- *Use Permits:* There are a number of uses that currently require Planning Commission approval. In many cases, these uses are beneficial for the community and do not necessarily need discretionary review. In order to reduce the cost of and length of time to obtain entitlements, use permit requirements are being reduced.

- *Education:* Tulare County has five satellite campuses for four-year universities: California State University-Fresno, University of California - Davis, Fresno Pacific University, Brandman University, and the University of Phoenix. Community Colleges in Tulare County include the College of the Sequoias, Porterville College, and San Joaquin Valley College. Workforce Development Partners include Proteus Inc., and CSET.

Table 34 Estimated Education Attainment of Lemon Cove Population

	Percent Less than 9th grade	Percent 9th to 12th grade, no diploma	Percent High School graduate (includes equivalency)	Percent bachelor's degree or higher
California	9.9%	8.0%	20.6%	20.1%
Tulare County	20.5%	11.4%	25.4%	9.4%
Lemon Cove CDP	0.0%	0.0%	43.7%	12.0%

Source: 2013-2017 American Community Survey, 5-year

[36] California Competes Tax Credit FAQ
[37] California Competes Tax Credit FAQ

Based on the 2013-2017 American Community Survey **(see Table 34)**, 43.7% of students graduate from High School. As part of the safe routes to schools, Tulare County will provide pedestrian facilities for children to walk or bike to school. This should make it easier for children to get to school.

Home Occupation Regulations

Encouraging small-scale entrepreneurship is one way to foster economic development. Although some home occupations are allowed by-right, these home occupations have regulations which limit the type and scope of allowed businesses. By reducing some of these regulations, we can eliminate a few barriers to small-scale entrepreneurship. The following are proposed changes to the Zoning Ordinance.

Eliminate:
Section 15.A.7.a.6 "No one other than residents of the dwelling shall be employed in the conduct of a home occupation."
Section 15.A.7.b.6 "No one other than residents of the dwelling shall be employed in the conduct of a home occupation."
Section 15.A.7.c.5 "A rural home occupation shall be limited in employment to residents of the property and not more than one (1) additional person."

Replace with:
"Employment in a rural occupation shall be limited to residents of the property and not more than three (3) additional non-resident persons."

Add:
Home occupations located within the Lemon Cove UDB will not require a use permit.

Health Care: Health care is important for economic development, as businesses need healthy employees. The nearest medical offices are located in Woodlake, Exeter, and Visalia.

Vacant Land*:* Staff has prepared a vacant parcel inventory which identifies vacant parcels of various sizes and various zoning districts **(see Table 35).**

Table 35 List of Vacant Parcels

APN #	Acres	Zone
113-250-066	1.77	A-1
113-250-067	0.80	A-1
113-250-067	0.51	AE-20
113-250-067	0.22	AE-20
113-110-005	0.23	C-2-SC
113-250-048	2.95	R-A-M

Development Suitability Analysis

The purpose of a development suitability analysis is to determine the areas of the community and surrounding vicinity, which could most appropriately accommodate new growth. It is a means of identifying areas free of development constraints and areas in which improvements must be made before urban only to determine the location of the Lemon Cove Urban Development Boundary, but development can be allowed. This development suitability analysis will be used not also to help establish land use patterns for the community's future growth.

To determine development suitability, factors that either encourage or constrain development were selected and mapped. Each factor was assigned a suitability rating to show the level of influence it will have on potential new development. Suitability ratings used in this study include:

Very High: *These areas are "infill lands", or are surrounded on three sides by existing urbanized land and are, or can be easily be, serviced with urban services.*

High: *These areas are lands free of development constraints and which are either adjacent to existing development and are, or can be, served with community sewer and water service. Wastewater service areas but which are near existing urban development.*

Moderate: *These lands are outside existing boundaries of local water and these lands also exhibit other qualities that make them suitable for future development.*

Low: *These lands should be precluded from intensive development until certain constraining conditions can be changed or corrected. Examples of such constraints include flooding and Williamson Act Lands.*

From the process of mapping of the various factors potentially influencing the develop ability of the community and surrounding environs, a composite analysis of the application of these factors to each segment of the planning area is possible. The patterns, which emerged from this composite analysis, have enabled the overall developed suitability of the planning area to be mapped, in conformance with the ratings described above. Lands within the Lemon Cove Sanitary District are considered very high. Remaining lands within the UDB outside the Sanitary District are considered moderate with the exception of the area sounding the Sanitary District, which is low due to Williamson Act constraints.

Proposed Planning Areas

Policy Plan

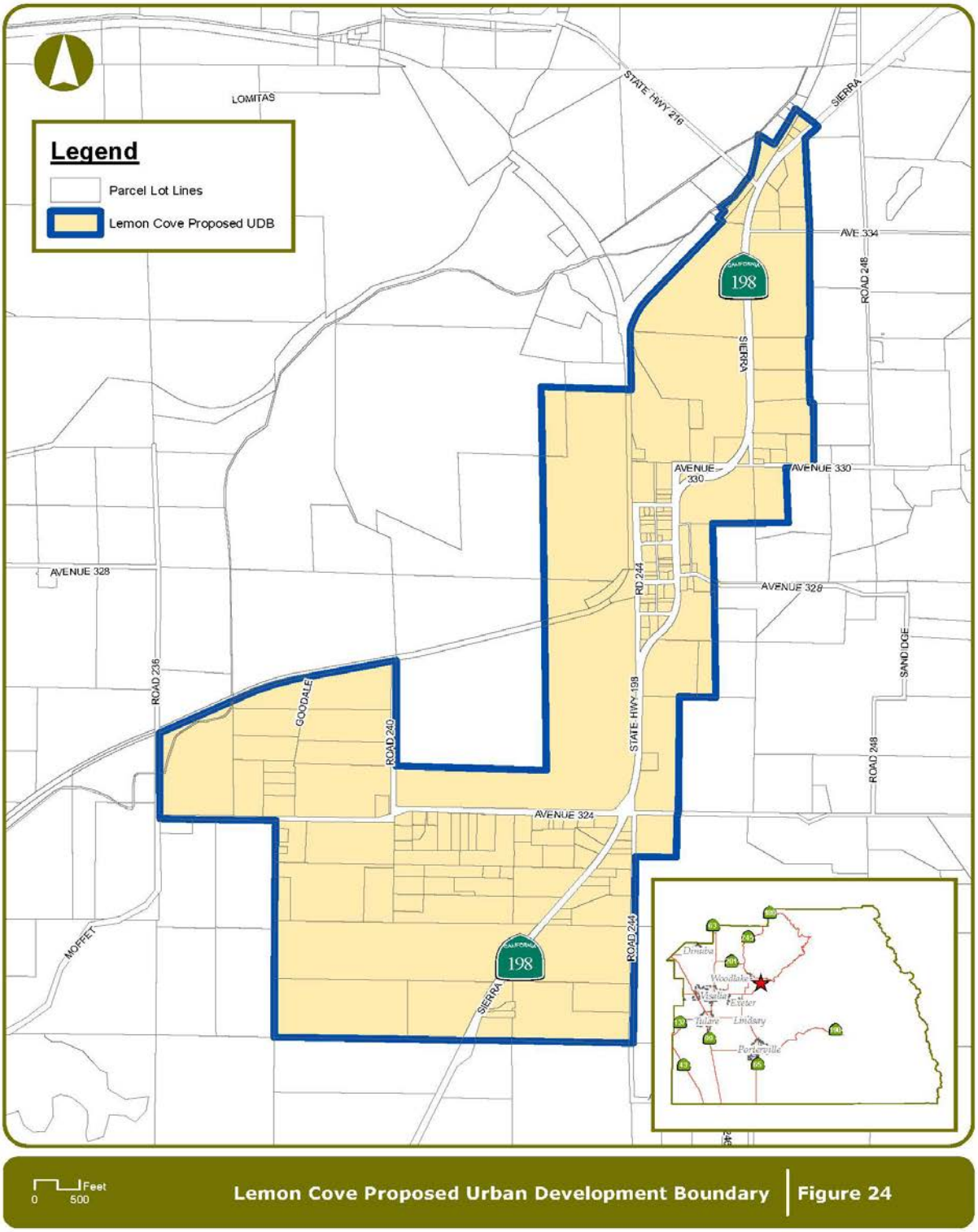
This chapter of the Lemon Cove Community Plan prescribes the policy framework, which will govern the development of the community over the term of the planning period (through the year 2030). It includes text which sets out explicit policy statements about the quality, character, and manner in which development in the community will take place.

The plan, although long range in scope, is to be used on a day to day basis to guide the decisions of County staff, the Planning Commission, and the Board of Supervisors as they affect community development. Further, it will provide residents and property owners in the community with direction and guidelines regarding the evolution and growth of their town and its resources. Importantly, this plan will aid other public agencies and entities, such as the school district and the water company, in their own long-range planning and capital expenditure programming. Each subsequent section of this chapter addresses a topical aspect of the community-planning environment. For each aspect, background discussion of relevant issues is included, policies are stated, and implementation programs and activities are outlined.

Proposed Urban Development Boundary

The Community Plan encompasses the Lemon Cove Sanitary District including the Lemon Cove Wastewater Treatment Plant. The Community Plan proposes approximately 263.7 acre expansion to the existing Urban Development Boundary (UDB) and amendments to land use and zoning designations. As such, the proposed Community Plan will expand the existing 404.1-acre UDB **(see Figure 24)** by approximately 39.5%, for a total UDB area of approximately 667.8 acres.

Figure 24 Proposed Urban Development Boundary



General Plan Consistency

Policy Relationship to the General Plan

The Lemon Cove Community Plan is a component in Part III of the Tulare County General Plan and, as such, has the same force and effect as any other adopted element of the general plan. Structurally, the Lemon Cove Community Plan is part of the Land Use and Circulation Element of the overall general plan. The principal emphasis of the community plan is on establishing local land use and circulation system patterns and prescribing associated standards and policies. In addition to the specific prescriptions of the community plan, the broader policies and standards of the overall Land Use and Circulation Element apply to Lemon Cove.

Also applicable to Lemon Cove, and governing all future development in the community, are the other elements (e.g. Planning Framework, Environmental Resources Management, Air Quality, Health and Safety, Transportation and Circulation, etc.) of the Tulare County General Plan. In instances where the policies and/or standards of the Lemon Cove Community Plan are more specific or more restrictive than those in other elements of the general plan, the community plan shall take precedence and prevail.

Land Use Plan

One of the most important purposes of the Lemon Cove Community Plan is to establish land use patterns and development policies and standards for the community for the planning period, through the year 2030. The general intent of the land use plan for Lemon Cove is to identify the most appropriate types and distribution of land uses for the community, based on environmental, circulation, infrastructure, services, opportunities and constraints, urban development boundary suitability analysis, and other economic capacities and concerns discussed in the previous chapters of the plan.

The County of Tulare, through existing policies, has encouraged both incorporated and unincorporated communities to establish urban development and land use patterns, which are compact and contiguous. This policy position has reduced so-called "leap frog" development County-wide, has helped preserve agricultural lands, and has minimized land use conflicts between urban and agricultural areas. The Lemon Cove Community Plan 2019 analysis supporting the establishment of an Urban Development Boundary (UDB) for Lemon Cove is described, and the UDB is delineated. This boundary is sensitive to and consistent with the Countywide policy of encouraging compact and contiguous urban growth, and at the same time enables the community to accommodate any foreseen demand for economic and population expansion. **Figure 24** depicts and prescribes the proposed land-use pattern development recommended for Lemon Cove.

Proposed Land Use Plan

The proposed Mixed Use designations **(see Figure 25)** increase to 627.94 acres and the Rights-of-way increases to 450.15 acres for a total of 673.10 acres (**see Table 36).**

Table 36 Proposed Land Use Plan	
Land Use	**Acres**
Mixed Use	628.71
Unclassified (Rights-of-Way)	44.38
Lemon Cove	673.09

Proposed Land Use Designations

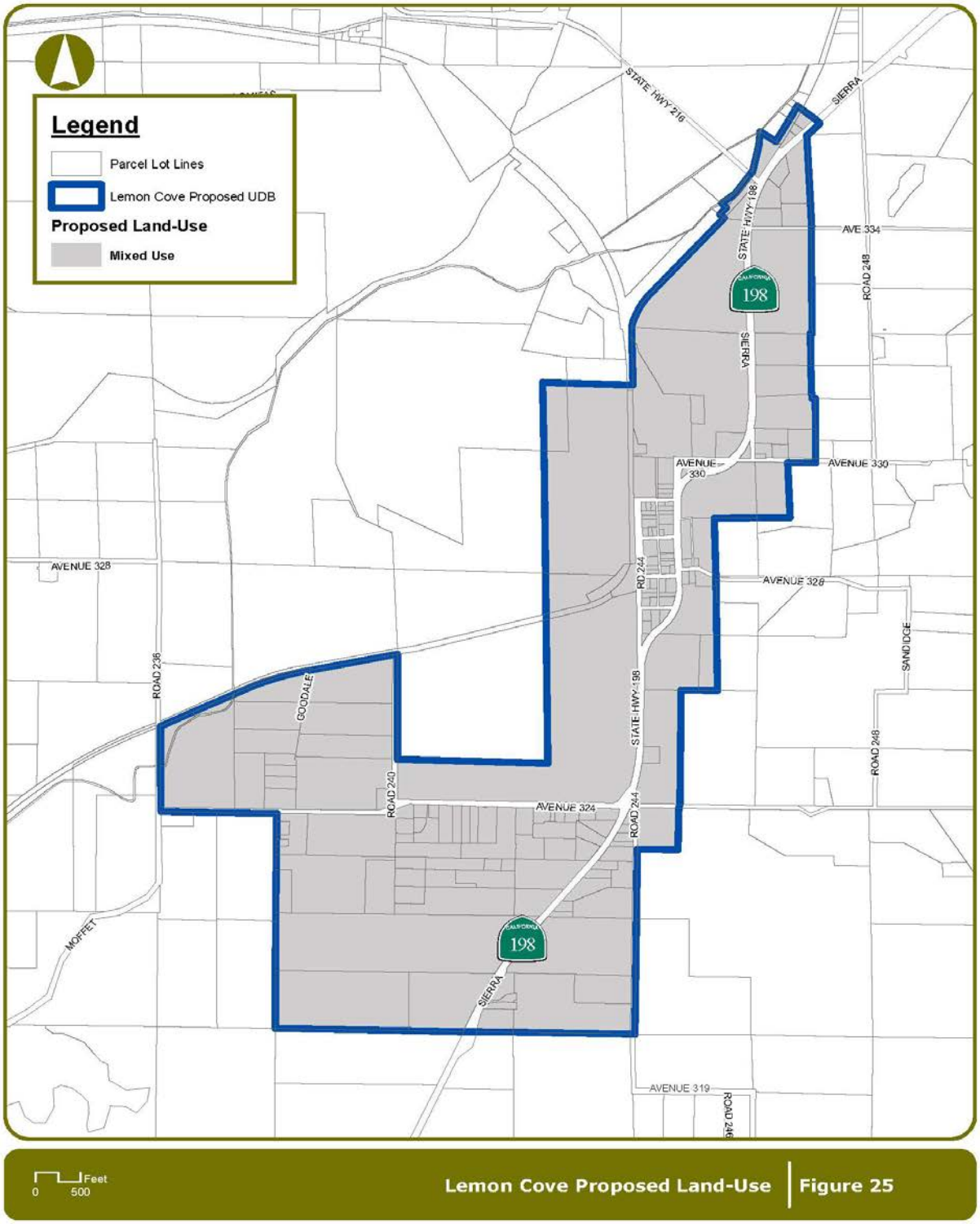
The following land use designations along with descriptions including density and intensity, are recommended for Lemon Cove to address land demand needs through the 2030 planning horizon year to include the Wastewater Treatment plan and surrounding areas consistent with the Sphere of Influence for the Lemon Cove Sanitary District.

Mixed Use (MU)

This designation establishes areas appropriate for the planned integration of some combination of retail, office, single and multi-family residential, hotel, recreation, limited industrial, public facilities or other compatible use. Mixed Use areas allow for higher density and intensity development, redevelopment, or a broad spectrum of compatible land uses ranging from a single use on one parcel to a cluster of uses. These areas are intended to provide flexibility in design and use for contiguous parcels having multiple owners, to protect and enhance the character of the area. The consideration of development proposals in Mixed Use areas should focus on compatibility between land uses, and the development potential of a given area compared to the existing and proposed mix of land uses and their development impacts. Density bonuses for residential units of 25 % to 35 % may be granted, according to the Density Bonus Ordinance or State law, to Mixed Use areas to encourage the development of affordable housing units, compact development in the implementation of development strategies that support the use of mass transit, reduction of air impacts, and implementation of measures that contribute to the reduction of global warming. Specific plans may be required to assist in the consideration of Mixed Use development proposals. This designation is found within UDBs, HDBs, PCAs, and MSCs and pursuant to regional growth corridor plans and policies.

Maximum Density: 1-30.0 Dwelling Units/Acre
Maximum Intensity: 0.5 FAR

Figure 25 Lemon Cove Proposed Land Use Plan



Proposed Zoning Districts

Proposed Zoning Districts

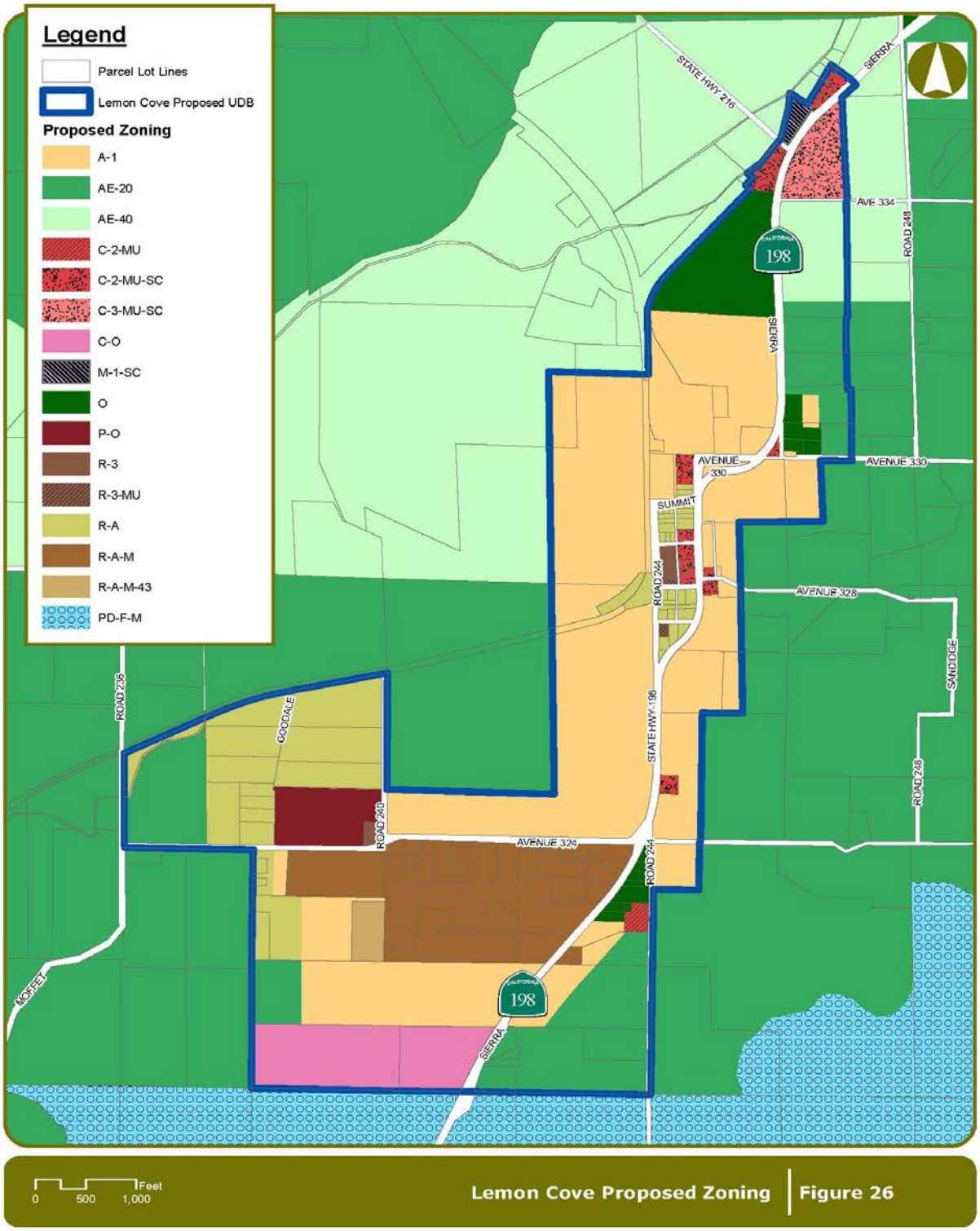
The proposed Zoning Districts Map **(see Figure 26)** for Lemon Cove is compatible to the Land Use Map outlined in the General Plan. Zoning changes need to occur in order to allow the General Plan and Zoning Ordinance to be in conformity with each other **(see Table 37)**.

Table 37 Proposed Zoning Districts

Zoning Districts	Acres
A-1	276.63
AE-20	83.01
AE-40	15.69
C-2-MU	1.52
C-2-MU-SC	9.21
C-3-MU-SC	10.19
C-O	34.60
M-1-SC	1.78
O	31.80
P-O	13.75
R-3	2.07
R-3-MU	0.48
R-A	71.57
R-A-M	71.79
R-A-M-43	4.61
Unclassified (Right-of-Way)	44.38
Total	673.09

Source: Tulare County GIS

Figure 26 Lemon Cove Proposed Zoning Districts Map



Proposed Zoning Districts

The **MU (Mixed Use) Overlay Combining** Zone allows a mix of uses that promotes flexibility in the types of entitlements that can be issued. All uses outlined in the C-3, C-2, C-1, R-1, R-2, and R-3 uses are allowed.

M (Special Mobilehome) Zone

Special Mobilehome provides for mobilehome use in communities and rural areas where, under certain conditions, a mixture of conventional housing and individual mobilehomes for residential use is desirable.

SC (Scenic Corridor) Zone

The purpose of the Scenic Corridor Combining Zone shall be to preserve and protect the scenic quality of the immediately visible land area adjacent to those scenic highways and scenic roads established by the Tulare County General Plan, and to prevent visual obstructions of the extended view from such scenic highways and roads. This zone is intended to be combined with other zones and may be applied only to those areas visible from and adjacent to those scenic highways and scenic roads established by the Tulare County General Plan. When this zone is applied to property in conjunction with another zone set forth in this Ordinance, a new zone is thereby created and the regulations set forth in this section shall be applicable in addition to those otherwise applicable in the underlying or base zone. In addition, where the provisions of the underlying or base zone conflict with the requirements of this section, the requirements of this section shall prevail over those in the underlying or base zone. The new combined zone shall be shown on the Zoning Map by the letters "SC" following the symbol of the underlying or base zone.

PD (Planned Development) Zone

In certain instances, the objectives of the General Plan and Zoning Ordinance are best achieved by the development of parcels of land in a coordinated and comprehensive fashion so as to take advantage of the superior environment which can result from large scale community planning and development . The purposes of the PD Zone are to:

1. Provide for design flexibility in single-family, multi-family, commercial, professional, industrial and mixed-use developments.
2. Stimulate a more desirable living and working environment than would be permitted by the strict application of zoning regulations on a conventional individual-use or lot-by-lot method.
3. Encourage innovative and creative approaches to land use and development.
4. Provide the means to reduce development costs through the promotion of improved and integrated design and land planning techniques.
5. Conserve natural features and open space, while facilitating aesthetic and compatible land use patterns.
6. Implement general and specific plans which require a planned development approach.
7. Provide an alternative means of achieving the purpose of Section 18.5 of this ordinance.

The PD Zone shall be established on the County Zoning Map in the same manner as other zones created and established under this ordinance. The PD Zone may not be established on the Zoning Map unless it is combined with another zone.

R-A (Rural Residential) Zone allows single family dwellings and farming uses.

R-A-M (Rural Residential – Special Mobilehome
(See uses listed under R-A Zone and Special Mobilehome Zone)

R-A-M-43 (Rural Residential – 1 acre minimum) Zone – Special Mobilehome
(See uses listed under the R-A Zone and Special Mobilehome Zone)

R-3 (Multiple-Family) Zone
The R-3 Zone allows any use permitted in the "R-2" Two-Family Zone. Multiple dwellings; provided, however, that if more than four (4) dwelling units are proposed to be constructed on one (1) lot, the construction of such units shall be subject to approval of a site plan pursuant to the procedure set forth in Paragraph 1 of Subsection G of Section 16.2 of this Ordinance.

O (Recreation) Zone
No building or land shall be used and no building shall be hereafter erected or structurally altered, except for the following uses:

1. Any use permitted in the R-3, Multiple Family Zone.
2. Growing and harvesting of field crops, fruit and nut trees, vines, vegetables, horticultural specialties and timber and the operation of plant nurseries and greenhouses for producing trees, vines and other horticultural stock. Raising of sheep, goats, horses, mules, bovine animals, and other similar domesticated Quadrupeds. Commercial uses as specified in the zoning ordinance.

C-2 -SC (General Commercial) Zone is intended for retail stores and businesses, which do not involve manufacturing and/or processing. (See uses listed under Scenic Corridor Zone)

The **M-1 (Light Manufacturing)** Zone is intended for establishments engaged in the manufacturing, assembling, packaging, treatment and processing of products other than those which may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise, or other similar causes. (See uses listed under Scenic Corridor Zone)

A-1 (Agricultural) Zone
The purpose of this zone is to insure that areas zoned A-1 develop in a manner consistent with the General Plan and the public health, safety and general welfare, and to prevent the introduction of incompatible commercial, manufacturing, subdivision, and other urban uses into predominantly agricultural areas of the County. A limitation on minimum parcel size of five (5) acres is included in order to preserve agricultural lands in increments large enough to support commercial agriculture and to discourage the generation of urban land uses in predominantly agricultural areas. The purpose of the zone is also to prepare for eventual adjustments in zoning based on precise planning and development proposals for such areas.

AE (Exclusive Agricultural) Zone
This zone is intended primarily for application to rural areas of the County which are generally characterized by extensive or intensive agricultural uses of land.

AE-20 (Exclusive Agricultural Zone 20-Acre Minimum) The AE-20 Zone is an exclusive zone for intensive and extensive agricultural uses and for those uses, which are a necessary and integral part of intensive and extensive agricultural operations.

AE-40 (Exclusive Agricultural Zone 40-Acre Minimum) The AE-40 Zone is an exclusive zone for intensive and extensive agricultural uses and for those uses, which are a necessary and integral part of intensive and extensive agricultural operations.

Mixed Use - Any combination of retail/commercial, service, office, residential, hotel, or other use in the same building or on the same site typically configured in one (1) of the following ways:

- **Vertical Mixed Use**. A single structure with the above floors used for residential or office use and a portion of the ground floor for retail/commercial or service uses.
- **Horizontal Mixed Use – Attached**. A single structure, which provides retail/commercial or service use in the portion fronting the public or private street with attached residential or office uses behind.
- **Horizontal Mixed Use – Detached**. Two (2) or more structures on one (1) site which provide retail/commercial or service uses in the structure(s) fronting the public or private street, and residential or office uses in separate structure(s) behind or to the side.

Mixed Use allows for a variety of development projects. By allowing the community of Lemon Cove to respond to market forces, more opportunities are created for economic development and job development.

Circulation Element

The purpose of this Circulation Element Update for the community of Lemon Cove is to provide for a safe, convenient and efficient transportation system. The Circulation Element has been designed to accommodate anticipated transportation needs based on the land use element. In compliance with state law, all city and county general plans must contain a circulation element that designates future road improvements and extensions, addresses non-motorized transportation alternatives, and identifies funding options. The intent of this Circulation Element is to:

- identify transportation needs and issues within Lemon Cove, as well as regional relationships that affect the transportation system;
- consider alternatives to the single-occupant vehicle as means of providing services and access to facilities; and
- establish policies that coordinate the Lemon Cove transportation and circulation system with General Plan and area plan land use maps and provide direction for future decision-making.

Regional Transportation Planning

Tulare County Association of Governments (TCAG) Regional Transportation Plan

The Regional Transportation Plan (RTP) is a multi-modal, long-range planning document prepared by the Tulare County Association of Governments (TCAG). The RTP includes programs and policies for congestion management, transit, bicycles and pedestrians, roadways, freight, and finances for Tulare County. The RTP is prepared every four years and contains a listing of projects considered to be financially feasible within a 25-year planning time frame. All federally funded transportation projects must be consistent with the RTP.

The RTP for Tulare has just been updated and was adopted in July 2014. The new RTP is the first to respond to state legislation (SB 375) that requires that the RTP show reductions in greenhouse gas emissions from passenger vehicles. Thus, there is a new emphasis in the RTP on promoting ridesharing (transit, van and carpools) and active transportation (walking and bicycling). To this end, the RTP now includes a Sustainable Communities Strategy (SCS), a blueprint for land use patterns and transportation facilities and services that will facilitate fewer vehicle trips and vehicle miles traveled.

San Joaquin Valley Air Quality Management Plan

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has prepared the Air Quality Management Plan (AQMP) and various other regulations to reduce air emissions. Both the plan and several regulations aim to reduce emissions from mobile sources – automobiles and trucks, as well as other modes of transportation.

Measure R ½ Percent Sales Tax for Transportation

Measure R is the half-percent sales tax measure for transportation improvements passed by the voters of Tulare County in 2006 and managed by the Tulare County Transportation Authority (TCTA). The Measure provides funding for transportation projects (highway, transit, and ridesharing) over the 20-year duration of the Measure. Measure R funds are used by the County in Lemon Cove to repair streets, and to improve the existing and planned transportation system.

Intelligent Transportation Systems (ITS) Planning

Visalia has undertaken an ITS Strategic Plan that also considers countywide goals and policies to use communication and information technologies to improve mobility and enhance safety within the region. Potential ITS components include Freeway Management; Transit Management; Incident Management; Electronic Fare Payment; Electronic Toll Collection; Emergency Management Services; and Regional Multimodal Traveler Information. Being part of the ITS plan will assist the County with application for federal or State funding for specific types of ITS projects.

Goods Movement

The ability of Tulare County to compete domestically and internationally on an economic basis requires an efficient and cost-effective method for distributing and receiving products. State Route 198 and SR 216, serves as an important link to Lemon Cove and other eastside and foothill communities for commercial and industrial goods movement.

Designated truck routes are intended to be used for long-distance truck movement. Truck movements for local deliveries within a community may use the most direct route to the particular delivery location, including local streets.

Existing Transportation Conditions

Existing Traffic Conditions

Infilling of lands within already developed areas, and increasing commuter traffic along SR 216/SR 198, most roads within the Planning area will carry increasing volumes of traffic. Thus, no major changes to the existing circulation pattern within the planning period is anticipated **(see Figure 28)**.

Existing Transportation Conditions

Street and Highway System

Functional classification is the process by which streets and highways are grouped into classes according to the type of service they provide. Streets and highways are classified according to their primary function and may be assigned into several basic classifications:

- State Highways (which may be freeways, expressways or conventional highways)
- Arterials and Collectors
- Local Streets

State Highways connect regional destinations and generally pass through several jurisdictions. Traffic carrying capacity is maintained through access control at two-mile or more intervals, with shorter intervals between access points permitted in large urban areas.

- State Route 198
- State Route 216

Arterials serve as the principal network for cross-town traffic flow. They connect areas of major traffic generation within the community area and connect with important county roads and state highways. They also provide for the distribution and collection of through traffic to and from collector and local streets. There are three designated "Arterials" streets within the Planning Area:

Collectors provide for traffic movement between arterial and local streets, traffic movement within and between neighborhoods and major activity centers, and limited direct access to abutting properties.

Local streets provide for direct access to abutting properties and for very localized traffic movements within residential, commercial and industrial areas.

- All streets in the Circulation network are classified as local streets.

In recent years, the concept of "Complete Streets" has evolved. Under this concept, while streets may still carry a primary functional classification, the design of streets aims to allow all modes and trip purposes to be safely accommodated to the extent feasible and as warranted by local needs and conditions.

Road Capacity and Level of Service (LOS)

LOS is categorized by two parameters, uninterrupted flow and interrupted flow. Uninterrupted flow facilities have no fixed elements, such as traffic signals, that cause interruptions in traffic flow. Interrupted flow facilities have fixed elements that cause an interruption in the flow of traffic such as stop signs and signalized intersections. The definitions and measurements used for determining level of service in interrupted and uninterrupted conditions are shown in **Tables 38 and 39.**

In Tulare County, General Plan Policy **TC – 1.16 County Level of Service (LOS) Standards** states; "The County shall strive to develop and manage its roadway system (both segments and intersections) to meet a LOS of "D" or better in accordance with the LOS definitions established by the Highway Capacity Manual."[38]

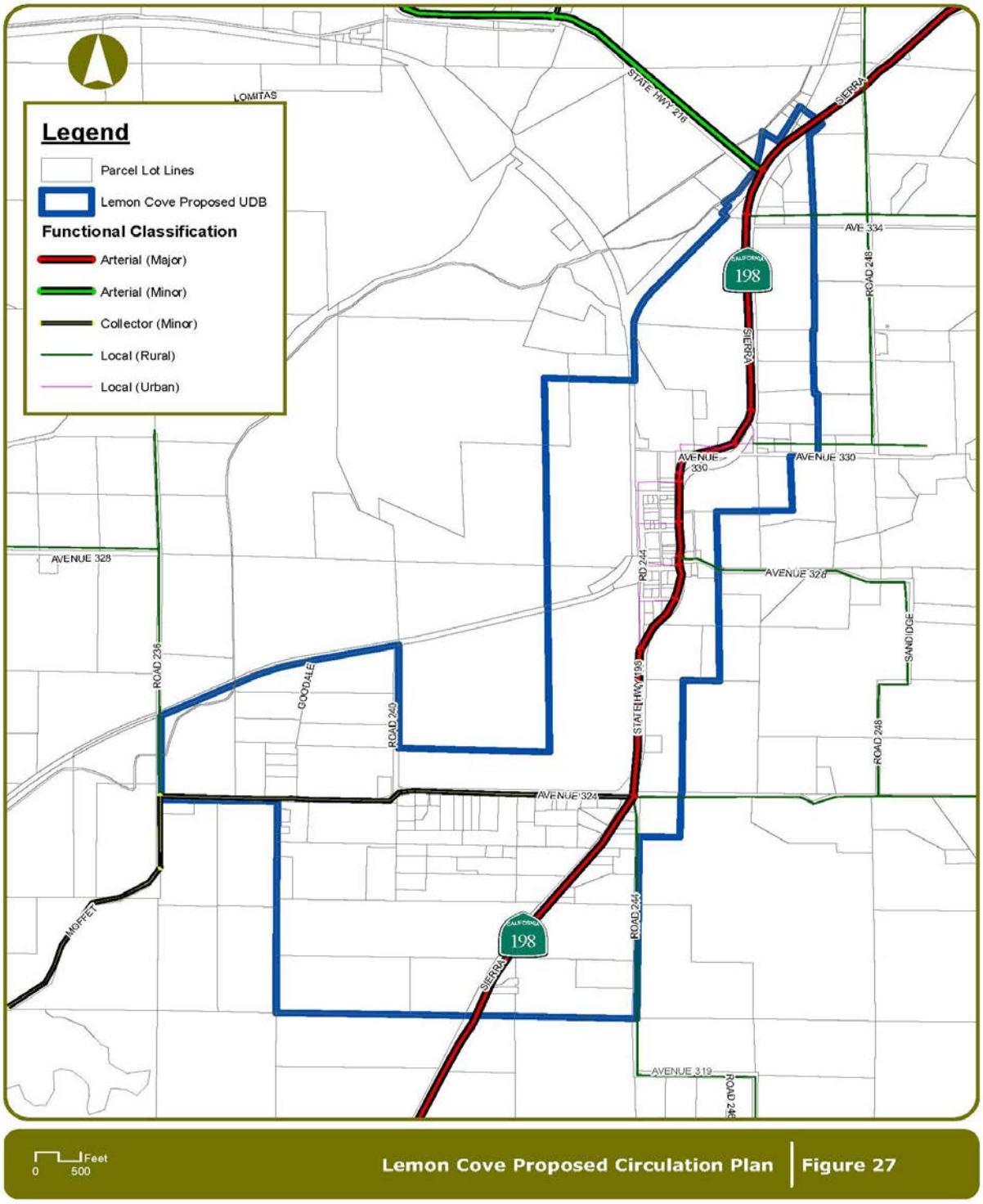
Table 38 Uninterrupted Traffic Flow Facilities

LEVEL OF SERVICE	DEFINITION
A	Describes free-flow operations. Free-Flow Speed (FFS) prevails on the freeway, and vehicles are almost completely unimpeded in their ability to maneuver within the traffic stream. The effects of incidents or point breakdowns are easily absorbed.
B	Represents reasonably free-flow operations, and FFS on the freeway is maintained. The ability to maneuver within the traffic stream is only slightly restricted, and the general level of physical and psychological comfort provided to drivers is still high. The effects of minor incidents and point breakdowns are still easily absorbed.
C	Provides for flow with speeds near the FFS of the freeway. Freedom to maneuver within the traffic stream is noticeably restricted, and lane changes require more care and vigilance on the part of the driver. Minor incidents may still be absorbed, but the local deterioration in service quality will be significant. Queues may be expected to form behind any significant blockages.
D	At this level speeds begin to decline with increasing flows, with density increasing more quickly. Freedom to maneuver within the traffic stream is seriously limited and drivers experience reduced physical and psychological comfort levels. Even minor incidents can be expected to create queuing, because the traffic stream has little space to absorb disruptions.
E	Describes operation at capacity. Operations on the freeway at this level are highly volatile because there are virtually no useable gaps within the traffic stream, leaving little room to maneuver within the traffic stream. Any disruption to the traffic stream, such as vehicles entering from a ramp or changing lanes, can establish a disruption wave that propagates throughout the upstream traffic flow. At capacity, the traffic stream has no ability to dissipate even the most minor disruption, and any incident can be expected to produce a serious breakdown and substantial queuing, the physical and psychological comfort afforded to drivers is poor.
F	Describes breakdown, or unstable flow. Such conditions exist within queues forming behind bottlenecks. Breakdowns occur for a number of reasons: • Traffic incidents can temporarily reduce the capacity of a short segment, so that the number of vehicles arriving at a point is greater than the number of vehicles that can move through it. • Points of recurring congestion, such as merge or weaving segments and lane drops, experience very high demand in which the number of vehicles arriving is greater than the number of vehicles that can be discharged. • In analyses using forecast volumes, the projected flow rate can exceed the estimated capacity of a given location.

[38] Tulare County General Plan 2030 Update, Part 1 – Goals and Policies Report. Page 13-7.

Table 39 Interrupted Traffic Flow Facilities	
LEVEL OF SERVICE	**DEFINITION**
A	Describes operations with a control delay of 10 s/veh or less and a volume-to- capacity ratio no greater than 1.0. This level is typically assigned when the volume-to- capacity ratio is low and either progression is exceptionally favorable or the cycle length is very short. If it is due to favorable progression, most vehicles arrive during the green indication and travel through the intersection without stopping.
B	Describes operations with a control delay between 10 and 20 s/veh and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to- capacity ratio is low and either progression is highly favorable or the cycle length is short. More vehicles stop than with LOS A, with reasonably unimpeded travel between intersections.
C	Describes operations with control delay between 20 and 35 s/veh and a volume-to- capacity ratio no greater than 1.0. This level is typically assigned when progression is favorable or the cycle length is moderate. Individual cycle failures (i.e.one or more queued vehicles are not able to depart as a result of the insufficient capacity during the cycle) may begin to appear at this level. The number of vehicles stopping is significant, although many vehicles still pass through the intersection without stopping. May be longer queues and operations between locations may be more restricted.
D	Describes operations with control delay between 35 and 55 s/veh and a volume-to- capacity ratio no greater than 1.0. Travel speeds are about 40 percent below free flow speeds. This level is typically assigned when the volume-to-capacity ratio is high and either progression is ineffective or the cycle length is long. Many vehicles stop and individual cycle failures are noticeable.
E	Describes operations with control delay between 55 and 80 s/veh and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to- capacity ratio is high, progression is unfavorable, and the cycle length is long. Individual cycle failures are frequent. Average travel speed is one-third of free flow speeds. The facility is generally at full capacity.
F	Describes operations with control delay exceeding 80 s/veh or a volume-to-capacity ratio greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is very high, progression is very poor, and the cycle length is long. Most cycles fail to clear the queue. Extremely slow speeds with average delay of 80 seconds or more. Frequent stop and go conditions.

Figure 27 Lemon Cove Circulation Plan



Bicycle Facilities

The 2014 Regional Transportation Plan (adopted June 30, 2014) prepared by the Tulare County Association of Governments (TCAG) provides for a regional bicycle network intended to provide a safe alternative mode of travel. The 2010 Tulare County Regional Bicycle Transportation Plan has a proposed Class II Bike Project.[39] In Tulare County, bicycle travel is not yet considered a major mode of transportation and bicycles are rarely seen outside of cities and towns. The current Bike Plan designates SR 198 as a proposed Class I bike facility. The Bike Plan provides for connections between the major urban areas and recreation facilities in the County and is expected to be satisfactory for the foreseeable future.

The Caltrans Highway Design Manual (HDM), which governs bicycle facility design in California, distinguishes three (3) different types of bicycle facilities.

Class I: Bike path providing completely separated rights-of-way designated for the exclusive use of bicycles and pedestrians. In Tulare County Class I facilities will primarily be implemented through TCAG. No Class I bicycle facilities are proposed for Lemon Cove.

Class II bikeways that provides designated lanes for the use of bicycles through the use of striping on the roadway and signage designations for the facility. Existing Class II bicycle facilities travels from Farmersville Boulevard through Lemon Cove to Sequoia National Park Boundary.

Class III: Bikeway that provides designation by signage. Roadways are shared between bicyclists and motorists. Class III facilities in Tulare County are envisioned to be implemented along the major circulation segments of roadway that connect the overall County roadway network. No proposed Class III facilities are proposed in Lemon Cove. Although not signed on many roads in Lemon Cove, bicyclists are allowed use on the side of the road or share the road on all County roadway facilities excluding freeways.

Pedestrian Facilities

Multiuse Trails

Multiuse trails are facilities that can be used by bicycles, pedestrians, equestrians, and other recreational users. There is currently no multiuse trails in the Lemon Cove Community.

Pedestrian Paths and Sidewalks

A review of facilities for pedestrian travel in Lemon Cove presents a broad array of conditions in which pedestrians are accommodated. Currently, limited continuous sidewalks are provided along major routes in the Community.

[39] TCAG Action Element, TCAG 2014 Regional Transportation Plan. Page 3-89.

Transit Facilities

Paratransit Services

Paratransit Services are transportation services such as carpooling, vanpooling, taxi service, and dial-a-ride programs. The County supports reliable and efficient paratransit service by encouraging development of service systems that satisfy the transit needs of the elderly and physically handicapped.

Park-and-Ride Lots

Park-and-Ride lots provide places for people to meet up and carpool to areas outside of the Community. A Park-and-Ride facility could also provide a compressed natural gas refueling station. As the Community's population grows and given the large number of commuters, a park-and-ride location would be best sited near the edges of the Community along SR 198.

AMTRAK

The Hanford AMTRAK station, located approximately 45 miles to the west in Kings County is the closest station to Lemon Cove. Amtrak's San Joaquin route links Hanford to Sacramento to the north and Bakersfield to the south. An Amtrak bus can be taken from Bakersfield to Los Angeles Union station where Amtrak's interstate routes can be accessed along with California's Pacific Surfliner route. In Sacramento, additional interstate routes can be accessed along with the capital corridor route linking Sacramento to the Bay Area.

Aviation

Woodlake Municipal Airport is located approximately five (5) miles west of Lemon Cove and not located within any airport safety zone. Visalia Municipal Airport is 25 miles southwest of Lemon Cove. Fresno Yosemite International Airport (FAT), 70 miles northwest of Lemon Cove, is the principal passenger airfreight airport in the Central San Joaquin Valley. Meadows Field, Bakersfield's is a principal commercial airport. Meadows Field is located approximately 85 miles south of Lemon Cove and offers direct flights to several destinations.

State Route 198

State Route 198 is a regionally significant corridor between Visalia through Lemon Cove and Three Rivers to Sequoia National Park

State Route 216

State Route 216 is a regionally significant corridor between Visalia and the smaller agricultural community of Ivanhoe and the City of Woodlake to State Route 198 in Lemon Cove.

Transit and Bus Stop

The Tulare County Transit Agency (TCaT) operates fixed-route services that link communities with each other and with the Visalia transit system. Lemon Cove **(see Figures 28 and 29)** is connected via TCaT Northeast County Route 30. Route 30 has three (3) eastbound and westbound buses serving Lemon Cove on weekdays and one (1) bus in each direction on Saturdays and Sundays. Stops are

currently located at the SR 216 and SR 198 in Lemon Cove. (see TCAT website at: http://www.tularecog.org/bustimes/. TCaT vehicles are wheelchair accessible and all full size buses include bike racks. As such, public transit is likely to remain a limited option due to fiscal constraints and the high cost of providing services to a community of less than one thousand residents. The low level of auto congestion in Lemon Cove, now and as forecasted into the future, suggests that driving will continue to be more convenient in rural communities than the use of transit for those with access to a private car.

Figure 28 Northeast County Route 30

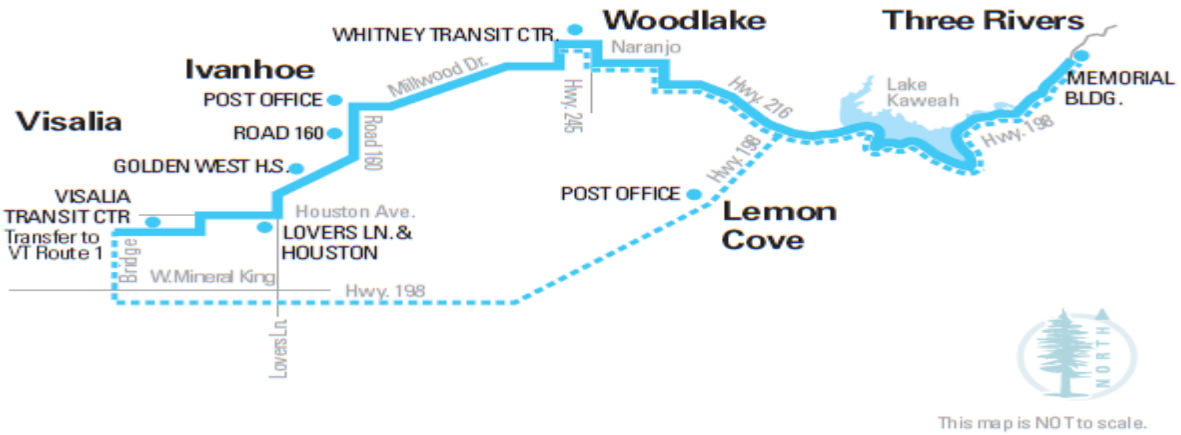


Figure 29 Northeast County Route 30 Schedule

EASTBOUND

	VISALIA Transit Center	VISALIA Lovers Lane & Houston	VISALIA Golden West H.S.	IVANHOE Road 160	IVANHOE Post Office	WOODLAKE N.Cypress & Hwy 216	WOODLAKE Whitney Transit Ctr.	LEMON COVE Hwy 198 & Hwy 216 EB	LEMON COVE Hwy 198 & Hwy 216 WB	THREE RIVERS Memorial Bldg.	VISALIA Transit Center
WEEKDAY	7:05	7:12	7:13	7:19	7:22	7:32	7:35	—	—	—	—
	7:40	7:47	7:48	7:54	7:57	8:07	8:10	—	—	—	—
	8:15	8:22	8:23	8:29	8:32	8:42	8:45	—	—	—	—
	8:50	8:57	8:58	9:04	9:07	9:17	9:20	9:30	10:10	9:50	—
	9:25	9:32	9:33	9:39	9:42	9:52	9:55	—	—	—	—
	10:55	11:02	11:03	11:09	11:12	11:22	11:25	—	—	—	—
	11:30	11:37	11:38	11:44	11:47	11:57	12:00	—	—	—	—
	12:40	12:47	12:48	12:54	12:57	1:07	1:10	—	—	—	—
	1:00	1:07	1:08	1:14	1:17	1:27	1:30	—	—	—	—
	1:50	1:57	1:58	2:04	2:07	2:17	2:20	—	—	—	—
	2:10	2:17	2:18	2:24	2:27	2:37	2:40	2:50	3:30	3:10	—
	3:35	3:42	3:43	3:49	3:52	4:02	4:05	—	—	—	—
	4:15	4:22	4:23	4:29	4:32	4:42	4:45	—	—	—	—
	4:45	4:52	4:53	4:59	5:02	5:12	5:20	—	—	—	—
	5:25	5:32	5:33	5:39	5:42	5:52	5:55	—	—	—	—
	6:00	6:07	6:08	6:14	6:17	6:27	6:30	—	—	—	—
	6:35	6:42	6:43	6:49	6:52	7:02	7:05	7:15	7:55	7:35	8:15
	7:10	7:17	7:18	7:24	7:27	7:37	7:40	—	—	—	—
WEEKEND	10:15	10:22	10:23	10:29	10:32	10:42	10:45	—	—	—	—
	12:20	12:27	12:28	12:34	12:37	12:47	12:50	—	—	—	—
	1:30	1:37	1:38	1:44	1:47	1:57	2:00	—	—	—	—
	2:40	2:47	2:48	2:54	2:57	3:07	3:10	—	—	—	—
	3:50	3:57	3:58	4:04	4:07	4:17	4:20	—	—	—	—
	5:00	5:07	5:08	5:14	5:17	5:27	5:30	5:40	6:20	6:00	—

Complete Streets

The Complete Streets Programs Goals, Policies, Objectives, and Standards are hereby incorporated by reference. Included in the plan were policies and implementation measures as provided below. These projects have been included on the TCAG Measure R list as Complete Streets **(see Figure 30)**.

Goals, Policies, and Standards

The intent of the Lemon Cove Community Circulation Element is to establish a comprehensive multi-modal transportation system that is efficient, environmentally and financially sound, and coordinated with the Land Use Element.

Goal 1: Design and implement a multi-modal transportation system that will serve projected future travel demand, minimize congestion, and address future growth in Lemon Cove.

Policies and Standards:

1. Utilize existing infrastructure and utilities to the maximum extent practical and provide for the logical, timely, and economically efficient extension of infrastructure and services.
2. Designate streets according to the following functional classifications:
   a) Freeways and Expressways carry regional traffic through the community with access only at interchanges with major streets.
   b) Arterials serve as the principal network for cross-town traffic flow. They connect areas of major traffic generation within the urban area and connect with important county roads and state highways. They also provide for the distribution and collection of through traffic to and from collector and local streets.
   c) Collectors provide for traffic movement between arterial and local streets, traffic movement within and between neighborhoods and major activity centers, and limited direct access to abutting properties.
   d) Local streets provide for direct access to abutting properties and for very localized traffic movements within residential, commercial and industrial areas.
   e) All facility-types above (except freeways) should be capable of accommodating transit and paratransit vehicles. Furthermore, all facility-types except freeway should include provisions for active modes of transportation (walking and cycling).
3. Develop and apply consistent standards for new streets (and existing streets where feasible without substantial ROW takes) based on the roadway classification.
4. Require applicants for new development projects to dedicate needed ROW and construct and/or upgrade to County standards the streets and roads that will serve their projects.
5. Plan new arterial and collector streets as needed to improve access and enhance the develop potential of land designated for commercial and industrial uses.
6. Improvement standards for local and minor streets shall include perpendicular curbs, gutters and adequate street lighting at intersections.

7. Access to arterials by driveways, local and minor streets, and alleys should be controlled as needed in order to ensure efficient traffic flow and safety along these streets.
8. Local streets should be designed to discourage high traffic volumes and through traffic.
9. Develop a Circulation Map showing the public street system. Designated streets and recommended rights-of-way should be indicated on this map.
10. Allow standards for new street development to be altered or refined where it can be demonstrated that projected traffic flows can be accommodated.
11. Plan for peak-hour Level of Service (LOS) "D" or better throughout the circulation network.
12. Make intersection improvements to the existing major street system selectively, favoring traffic engineering solutions rather than major structural improvements. This could include signalization, intersection channelization, use of directional signs, and diversion of traffic onto underutilized streets.
13. Use complete streets concepts in the design of new local streets where such techniques will improve safety and manage traffic flow.
14. Ensure the street network provides efficient routes for emergency vehicles, meeting necessary street widths, turn around radius, and other factors as determined by the County in consultation with fire and other emergency service providers.
15. Cooperate with local, regional, State and federal agencies to plan for, establish and maintain good connectivity to an efficient multimodal regional transportation system.

Goal 2: Provide designated routes and loading standards that reduce the noise and safety concerns associated with truck traffic.

Policies and Standards:

1. Designate truck routes for use by heavy commercial and industrial traffic. Initially, designated truck routes shall be:
   - State Route 198

2. Design interior street systems for commercial and industrial subdivisions to accommodate the movement of heavy trucks.
3. Restrict heavy duty truck through-traffic in residential areas and plan land uses so that trucks do not need to traverse these areas.
4. Design off-street loading facilities for all new commercial and industrial developments so that they do not face surrounding roadways or residential neighborhoods. Truck backing and maneuvering to access loading areas shall not be permitted on the public road system, except when specifically permitted by the County Engineer.

Goal 3: Provide safe and convenient pedestrian access between residential neighborhoods, parks, open space, and schools that service those neighborhoods.

Policies and Standards:

1. Provide a safe walking environment for pedestrians.

a) New development should include safe and pleasant designs which promote pedestrian access to arterials and collectors and consider the location of community services, such as schools, parks and neighborhood shopping activity centers in the accessibility of their design for all persons.
b) Require the installation of sidewalks as an integral part of all street construction where appropriate.
c) Require street lighting within the rights-of-way of all public streets.
d) Include pedestrian signal indicators as an integral part of the installation of traffic signals.

2. Maximize visibility and access for pedestrians and encourage the removal of barriers (walls, easements, and fences) for safe and convenient movement of pedestrians. Special emphasis should be placed on the needs of disabled persons considering ADA regulations.
3. Plan for pedestrian access consistent with road design standards while designing street and road projects. Provisions for pedestrian paths or sidewalks and timing of traffic signals to allow safe pedestrian street crossing shall be included.
4. Collaborate with the Sequoia Union School District in Lemon Cove to ensure that school children have adequate transportation routes available, such as a local pedestrian or bike paths, or local bus service.
5. Encourage safe pedestrian walkways within commercial, office, industrial, residential, and recreational developments that comply with the Americans with Disabilities Act (ADA) requirements.
6. Coordinate with TCaT and private bus operators to ensure that pedestrian facilities are provided along and/or near transit routes, whenever feasible. New land developments may be required to provide pedestrian facilities due to existing or future planned transit routes even if demand for a pedestrian facility is not otherwise warranted.
7. Review all existing roadways without pedestrian facilities when they are considered for improvements (whether maintenance or upgrade) to determine if new pedestrian facilities are warranted. New roadways should also be assessed for pedestrian facilities.

Goal 4: Ensure the provision of adequate off-street parking for all land uses.

Policies and Standards:

1. Require all new development to identify adequate on-street and off-street parking based on expected parking needs.
2. Encourage shared parking among nearby uses with complementary parking demand patterns.
3. Provide adequate loading areas within off-street parking areas for all commercial and manufacturing land uses.
4. Anticipate parking needs at proposed and expected activity centers, particularly commercial areas.

Goal 5: Provide a transportation system that is integrated with the region.

Policies and Standards:

1. Coordinate local transportation planning with the TCAG Congestion Management Plan to ensure eligibility for state and federal funding.

2. Incorporate the Regional Transportation Plan, short- and long-range plans, and the Tulare County Short- and Long-Range Transit Plans into the Community Plan Circulation Element, and encourage the active participation of Caltrans in the design of highway capital improvement projects.

Goal 6: Encourage the use of public transit services to reduce reliance on the automobile.

Policies and Standards:

1. Encourage transit alternatives to meet the basic transportation needs of the young, the elderly, the handicapped, and people without access to an automobile.
   a) Consider development of an integrated transit center within Lemon Cove where all transit services can connect with each other as well as with private ridesharing.
   b) Encourage and provide for ridesharing, park and ride, and other programs that can reduce emissions, save energy, and reduce monetary costs for firms and workers.
2. Planning and development of arterial and collector streets shall include design features which can be used as future public transit stops.
3. Support the expansion and improvement of transit systems and ride sharing programs to reduce the production of automobile emissions.
4. Support the use of alternate fuel vehicles and fueling stations for public transit vehicles, and County public agency vehicles.
5. Support TCaT and other transit operators' programs to foster transit usage.
6. Support all operator efforts to maximize revenue sources for short and long-range transit needs that utilize all funding mechanisms available including federal grants, state enabling legislation, and farebox revenue. This can be accomplished through TCAG and the Tulare County Transit Agency (TCaT) through the development of the Short and Long Range Transit Plans.
7. Support programs developed by transit agencies/operators to provide paratransit service.
8. Incorporate the potential for public transit service in the design of developments identified as major trip attractions (i.e. community centers and employment centers).
9. Explore potential development of a park-n-ride lot in Lemon Cove.
10. Support continued improvements to AMTRAK rail passenger service within Tulare County and throughout the San Joaquin Valley.

Goal 7: Provide efficient goods movement

Policies and Standards:

1. Encourage the efficient movement of goods and people by rail through a shift of a portion of the goods previously moved by trucks onto the rail freight system.
2. Implement Street and highway projects to provide convenient and economical goods movement, including access to rail terminals, in areas where large concentrations of truck traffic exist.
3. Identify street and highway improvement and maintenance projects that will improve goods movement and implement projects that are economically feasible.
4. Encourage use of rail for goods movement whenever feasible.

Goal 8: Provide safe and convenient facilities for non-motorized modes of transportation that enhance the future livability and character of Lemon Cove.

Policies and Standards:

1. Consider developing a Bikeway plan for Lemon Cove based on the following facility designations:
   a) Bike Path (Class I). A special pathway for the exclusive use of bicycles, which is separated from motor vehicle facilities by space or a physical barrier. It is identified by guide signing and pavement markings.
   b) Bike Lane (Class II). A lane on the paved area of a road for preferential use by bicycles. It is usually located along the right edge of the paved area or between the parking lane and the first motor vehicle lane. It is identified by a "Bike Lane" guide sign, special lane lines, and other pavement markings.
   c) Bike Route (Class III). A recommended route for bicycle travel along existing rights-of-way, which is signed but not striped.
   d) Bikeway. All facilities that explicitly provide for bicycle travel. The bikeway can be anything from a separate facility to a simple signed street.
2. Give priority to bikeways that will serve the highest concentration of cyclists and destination areas of highest demand, especially Sequoia Union School District.
3. Provide bikeways in proximity to major traffic generators such as commercial centers, schools, recreational areas, and major public facilities.
4. Develop a visually clear, simple, and consistent bicycle system with standard signs and markings, as designated by the State of California Traffic Control Devices Committee and the State Bikeway Committee.
5. Support the installation of bike parking racks at public and private places of assembly such as parks, schools, employment sites, churches, and retail commercial developments.
6. Provide non-motorized alternatives for commuter travel as well as recreational opportunities.
7. Provide separate rights-of-way for non-motorized facilities whenever economically and physically feasible.
8. Develop bikeways in compliance with the standards established in the Caltrans Highway Design Manual or other appropriate standards.

Goal 9: Design, construct, and operate the transportation system in a manner that maintains a High level of environmental quality.

Policies and Standards:

1. Control dust and mitigate other environmental impacts during all stages of roadway construction.
2. Protect residents from transportation generated noise hazards. Increased setbacks, walls, landscaped berms, other sound absorbing barriers, or a combination thereof shall be provided along four lane highways in order to protect adjacent noise-sensitive land uses from traffic generated noise impacts. Additionally, noise generators such as commercial, manufacturing, and/or industrial activities shall use these techniques to mitigate exterior noise levels to no more than 60 decibels.
3. Review and monitor proposals for expansion of pipelines for the transport of suitable products and materials, and require mitigation of environmental impacts.

4. Encourage the use of non-polluting vehicles for both public and private uses.
5. Include noise mitigation measures in the design of roadway projects in Lemon Cove.

Goal 10: Support the use of Transportation Demand Management (TDM) strategies to reduce dependence on the single-occupant vehicle, increase the ability of the existing transportation system to carry more people, and enhance mobility along congested corridors.

Policies and Standards:

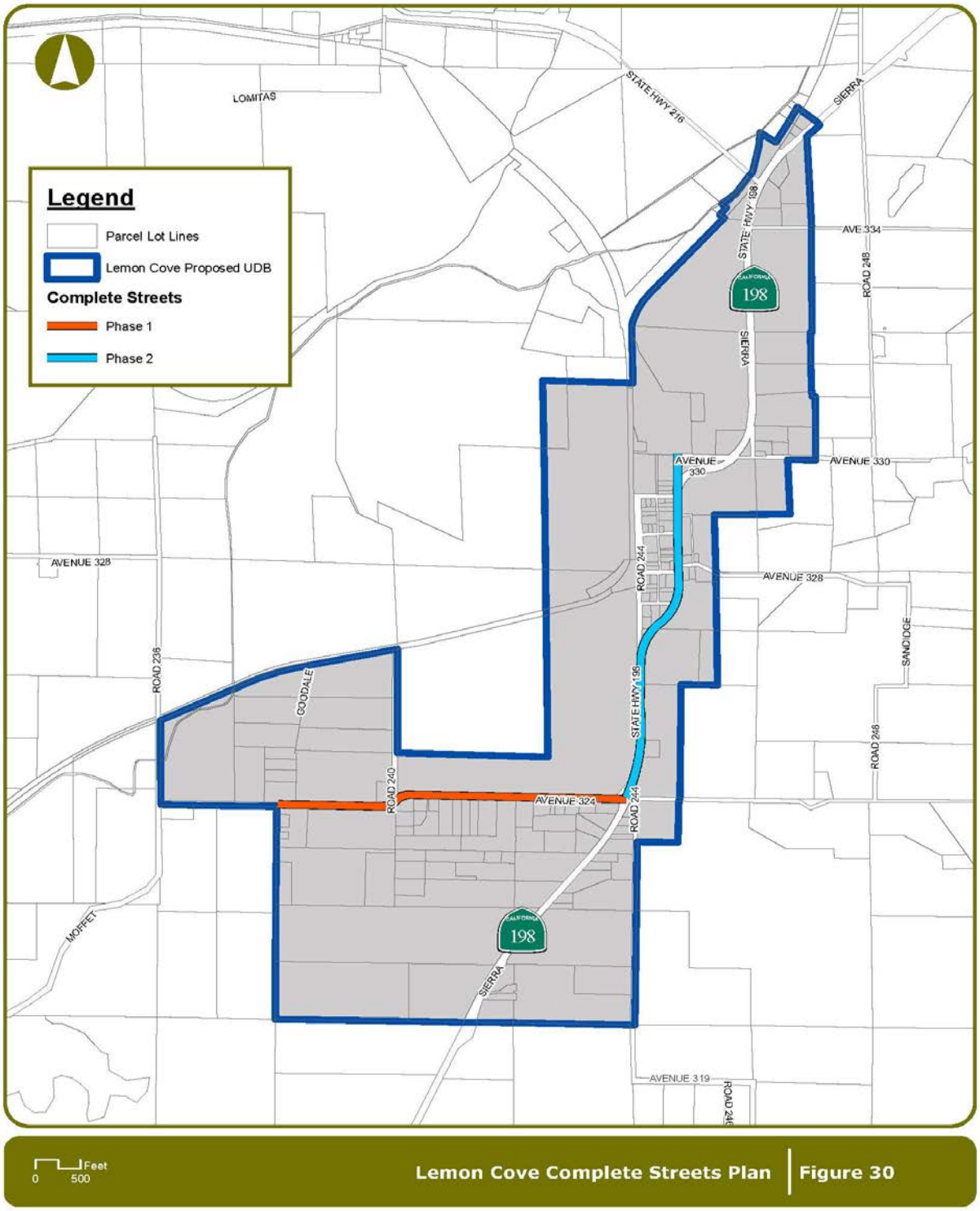
1. New development shall consider Transportation System Management and Transportation Demand Management as strategies for the mitigation of traffic and parking congestion. Public transit, traffic management, ride sharing and parking management are to be used to the greatest extent practical to implement transportation management strategies.
2. Coordinate with Caltrans, TCAG, transit agencies and other responsible agencies to identify the need for additional park-n-ride facilities along major commuter travel corridors.

Goal 11: Utilize Intelligent Transportation Systems (ITS) to improve the safety and performance of the surface transportation system using new technology in detection, communication, computing, and traffic control.

Policies and Standards:

1. Encourage the integration of Intelligent Transportation Systems (ITS) consistent with the principles and recommendations referenced in the TCAG Regional Transportation Plan.

Figure 30 Lemon Cove Complete Streets Plan



Implementation Strategy

The purpose of this chapter is to prescribe a proposed approach to implement the general plan recommendations contained in chapters I through IV of the Lemon Cove Community Plan. There are several components that comprise the Lemon Cove Community Plan implementation strategy:

1. Zoning Code Changes
2. Complete Streets
3. Infrastructure

Zoning District Changes

As part of this Implementation Program for the Community Plan for Lemon Cove, there are a variety of changes to existing zoning districts. These changes are described below.

Revise Chapter 16 of the Zoning Code

Zoning Code to limit the uses that require a Use Permit. As part of the Economic Development Strategy, use permit requirements are streamlined to allow for uses to be developed without discretionary review. That is, proposed uses will not have to undergo an approval process that involves a decision making action by the Tulare County Planning Commission or Board of Supervisors. Project design features and Administrative approval will serve as the mechanism to allow (regulate) land uses, activities, densities, and other conditions typically applied through the special use permit process. The Project Review Committee conducts Site Plan Reviews (SR) and provides for SR review as part of the Project Review Process.

Elimination of the SR Combining Zone

The SR combining zone requires site plan review for most uses in the combining zone. The primary purpose of the SR Combining Zone to ensure that proposed projects are designed to avoid conflicts with the existing rights-of-way, setbacks, and easements of public agencies and special districts. This alternative would eliminate the SR combining designation in the communities of Lemon Cove.

Mixed Use Overlay District

This alternative involves the creation of a Mixed Use Zoning Designation for the Community of Lemon Cove **(see Attachments A-2 and A-3)**. This community plan envisions a variety of uses that would be accessible from SR 198 and SR 216.

Zoning Districts Map

The current Zoning Map for Lemon Cove will be amended to be compatible with the Land Use Map outlined in the General Plan. There are a couple of zoning district changes that are proposed to allow the General Plan and Zoning Ordinance to be in conformity with each other in the Lemon Cove Proposed Zoning.

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Attachments

A-1 – Use Permit Requirement Changes (Zone Change Text)
A-2 – Mixed Use Overlay District (Zone Change Text)
A-3 – Development Standards (Mixed Use Zoning Districts)
A-4 General Plan Land Use and Zoning Consistency Matrix
A-5 – Description of Funding Sources
A-6 – Public Outreach
A-7 – Lemon Cove Sanitary District (water & sewer) Projects

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Attachment A-1: Use Permit Requirement Changes

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A-1 Use Permit Requirement Changes (Zone Change Text)

H. Permitted Uses

All of the following, all structures and accessory uses directly related thereto in this section are entitled without a Special Use Permit (Conditional Use Permit). The following is allowed only in the various zones indicated below and within a community plan that adopted development standards for such entitled use. The proposed use must adhere to the adopted development standards of the community. The proposed use must also qualify for an exemption under the California Environmental Quality Act as determined by the Permit Center. The Permit Center will review the project for General Plan Policy, Community Plan Policy and development standard consistency and determine which environmental document is appropriate. Projects where the Permit Center is unable to make an immediate determination will be required to go through the Project Review Committee (PRC).

Uses that have an environmental effect on adjacent properties or necessitate mitigation measures through the California Environmental Quality Act will be required to apply for a PRC and a traditional use permit and legislative process through the County. These uses may have environmental or land use issues that may not be compatible with adjacent uses. These impacts may include but are not limited to; hours of operation (night time), noise (i.e. power tools such as impact drivers, or loudspeaker, etc.) air quality (idle running vehicles), traffic (number of vehicles) and odor. The Permit Center process is to determine the whether the use is by right or must go through the traditional use permit process. The following uses and zones shall be considered:

Permitted Uses		
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Animal hospital, clinic, and veterinarian office wherein only small/domestic animals (i.e. dogs, cats, etc.) are treated. Structure < 10,000 sq. ft.	C-1, C-2, C-3, M-1, M-2	
Antique and art store. Structure < 10,000 sq. ft.	C-2, C-3, M-1, M-2, R-3	C-2, C-3, M-1
Antique store containing less than one thousand (1,000) square feet of floor area	C-1, C-2, C-3, M-1, R-2, R-3	C-1, C-2, C-3, M-1
Apartment Hotel Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, R-3	O
Apparel stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, R-3	C-1, C-2, C-3, M-1
Arcades, including video. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, R-3	C-2, C-3, M-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone

Assemblage of people for educational or entertainment purposes. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, M-2	
Assembly of electric appliances such as lighting fixtures, irons, fans, toasters and electric toys, refrigerators, washing machines, dryers, dishwashers and similar home appliances. Structure < 10,000 sq. ft.	C-2, C-3, M-1, M-2	M-1
Assembly of small electrical equipment such as home and television receivers. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, R-3	M-1
Assembly of typewriters, business machines, computers, and similar mechanical equipment. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, M-2, R-3	M-1
Automated car wash (coin operated only). Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, M-2, R-3, AP	C-2, C-3, M-1
Automobile parking lots, public parking areas or storage garages. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, M-2, R-3, AP	
Automobile supply stores.	O, CO, C-1, C-2, C-3, M-1, R-3	C-2, C-3, M-1
Automobile washing, including the use of mechanical conveyors, blowers and steam cleaning.	C-2, C-3, M-1, M-2	C-3, M-1
Bakery [employing not more than five (5) persons on premises].	O, CO, C-1, C-2, C-3, M-1, R-3	C-1, C-2, C-3, M-1
Bakery goods store.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Banks and financial institutions.	C-1, C-2, C-3, M-1, R-3	C-1, C-2, C-3, M-1
Barber shop or beauty parlor.	C-1, C-2, C-3, M-1, R-3	C-1, C-2, C-3, M-1
Bed and Breakfast Home with three or more guests rooms (Up to 5). Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, R-3, R-2	R-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Bicycle shops. Structure.	CO, C-1, C-2, C-3, M-1, R-3	C-2, C-3, M-1
Billiard or Pool hall Structure	C-2, C-3, M-1	C-2, C-3, M-1
Bird store or pet shop.	O, CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Blueprinting and Photostatting shop.	CO, C-1, C-2, C-3, M-1, AP	C-2, C-3, M-1
Boat sales and service. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1	C-3, M-1
Book binding. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, R-3	C-3, M-1

Book or stationary store. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, R-3	C-1, C-2, C-3, M-1
Business and professional schools and colleges. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Business, professional and trade schools and colleges. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-3, M-1
Catering Shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Ceramic shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Christmas tree sales lots as a temporary use.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Church. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Clothes cleaning and pressing establishment. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Clothing and costume rental. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Confectionery store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Conservatory of Music. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Contractor's Storage Yards.	CO, C-1, C-2, C-3, M-1, AP	
Dairy products store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Department store Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Digesters	M-1	
Drug store or pharmacy. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Dry goods or notions store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Electric appliance stores and repairs Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Expansion, Alteration or Replacement of non-conforming buildings and uses. Structure < 10,000 sq. ft.	CO, C-1, C-2, M-1, R-1, R-2, R-3, R-A	
Family Day Care Home, Large (Up to CA State maximum).	CO, C-1, C-2, R-1, R-2, R-3, RA	
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Family Day Care Home, small.	CO, C-1, C-2, R-1, R-2, R-3, RA	R-1, R-2 R-3, C-1, C-2, C-3, M-1
Feed and seed stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, AP	C-3, M-1
Fire Station.	CO, C-1, C-2, C-3, M-1, AP	
Firewood sales yard.	CO, C-1, C-2, C-3, M-1	C-3, M-1

Florist shop. Structure < 10,000 sq. ft.	CO, C-1, C-2, M-1, R-1, R-2, R-3, RA	C-1, C-2, C-3, M-1
Furniture store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Furniture warehouses for storing personal household goods, provided ground floor front is devoted to stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Gasoline filling station. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Gift, novelty or souvenir. Structure < 10,000 sq. ft.	CO, C-1, C-2, M-1, R-2, R-3, RA	C-2, C-3, M-1
Glass shop, retail, excluding major service activities. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-2, C-3, M-1
Grocery store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	
Grocery store, fruit store or supermarket. Structure < 10,000 sq. ft.	C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Gunsmith shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-3, M-1
Hobby and art supply store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Hospital, sanitarium and nursing home. Structure < 10,000 sq. ft.	C-1, C-2, C-3, M-1, PO	
Household and office equipment and machinery repair shops. Structure < 10,000 sq. ft.	C-2, C-3, M-1, PO	C-3, M-1
Household appliance stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Ice storage house of not more than 5-ton storage capacity.	CO, C-1, C-2, C-3, M-1, AP	
Incidental manufacturing, processing and treatment of products. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-2, C-3, M-1
Interior decorating store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Jail or correctional (public facilities only).	C-2, C-3, M-1, M-2	
Jewelry store, including clock and watch repair. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Laundries. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-3, M-1
Laundry, coin operated machines only. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Leather goods and luggage stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Linen supply services. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-3, M-1
Liquor store. Structure < 10,000 sq. ft. Not within 300' of residential/School Site.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Locksmiths. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1

Massage or physiotherapy establishment Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Meat market or delicatessen store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Medical and orthopedic appliance stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, PO	C-2, C-3, M-1
Medical laboratory. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, PO	C-2, C-3, M-1
Memorial building, theatre, auditorium. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, R-3	
Micro-brewery. Structure < 10,000 sq. ft. *Allowed in C-1 and C-2 in conjunction with a restaurant.	M-1, M-2, C-3,*C-2, *C-1	M-2
Mini-warehouses. Structure < 10,000 sq. ft.	C-2, C-3, M-1, AP	C-3, M-1
Mobilehome for use by caretaker or night watchman.	CO, C-1, C-2, C-3, M-1	O, C-2, C-3, M-1
Motorcycle sales and service. Structure < 10,000 sq. ft.	C-2, C-3	C-3, M-1
Musical instrument repair shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-3, M-1
Name plates. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, R-3	R-3, C-1,C-2, C-3, M-1
Nursery school. Structure < 10,000 sq. ft.	CO, C-1, C-2, M-1, R-1, R-2, RA, R-3, R-A	
Office, business or professional. Structure < 10,000 sq. ft.	CO, C-1, C-2, M-1, R-1, R-2, R-3, PO	C-1, C-2, C-3, M-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Opticians and optometrists shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, PO	C-2, C-3, M-1
Paint and wallpaper stores. Structure < 10,000 sq. ft.	C-1, C-2, C-3, M-1	C-2, C-3, M-1
Pet shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Photo processing pick-up and delivery outlets. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Photographic and blueprint processing and printing. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-3, M-1
Photographic developing and printing. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-3, M-1
Photographic supply stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Picture framing shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Plumbing fixtures for retail sales. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Plumbing shops. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-3, M-1

Police station.	O, CO, C-1, C-2, C-3, M-1, M-2	
Post Office.	CO, C-1, C-2, C-3, M-1, R-1, R-2, R-3, PO	O, C-1, C-2, C-3, M-1
Pressing establishments. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-3, M-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Printing, lithography, engraving. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Private club, fraternity, sorority and lodge. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	
Private greenhouses and horticultural collections. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, R-1, R-2, R-3, R-A	R-1, R-2 R-3, C-1, C-2, C-3, M-1
Public library.	CO, C-1, C-2, C-3, M-1, R-1, R-2, R-3, R-A	R-3, C-1, C-2, C-3, M-1
Public Park or playground.	O, MR, CO, C-1, C-2, C-3, M-1, M-2 R-1, R-2, R-3, R-A, AP	
Public utility structure.	CO, C-1, C-2, C-3, M-1, MR, RO, R-1, R-2, R-3, R-A, PO, O, AP	
Radio and television broadcasting studios. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-3, M-1
Radio and television repair shops. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-3, M-1
Radio, microwave and television towers (Over 75 feet or within 2 miles of an airport).	C-2, C-3, M-1, M-2	
Real Estate Offices. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, R-1, R-2, R-3, R-A	
Recreation center. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	
Repairing and altering of wearing apparel. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Resort Structure. < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Restaurant. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	
Restaurant, tea room or cafe. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, R-1, R-2, R-3, R-A	C-1, C-2, C-3, M-1
Retail office equipment sales. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Retail sales of sporting goods, boats, boat motors, boat trailers, trailer coaches and their repair, rental and storage. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1	

Retail stores and offices incidental to and located on the site of a hotel, motel, resort, restaurant or guest ranch. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1	
Rug and carpet cleaning and dyeing. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-3, M-1
Satellite antenna sales. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Satellite television antennas.	CO, C-1, C-2, C-3, M-1	
School, private.	CO, C-1, C-2, C-3, M-1, PO	
School, public.	CO, C-1, C-2, C-3, M-1, PO	
Scientific instrument stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Secondhand stores, pawn shops and thrift shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Shoe repair shop. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Shoe store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Sign painting shops. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-3, M-1
Small appliance sales and service. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Soda fountains. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Sporting goods store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Stamp and coin stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Storage of petroleum products for use on the premises.	CO, C-1, C-2, C-3, M-1	
Studios (except motion picture). Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Tinsmith Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-2, C-3, M-1
Tire sales (no retreading or recapping). Structure < 10,000 sq. ft.	C-2, C-3	C-2, C-3, M-1
Tobacco and cigar stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Tourist Court. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	
Toy store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Trailer and recreation vehicle sales, service and rentals. Structure < 10,000 sq. ft.	C-2, C-3, M-1, M-2, AP	C-3, M-1
Travel agencies. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Variety store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Video machine and tape sales/rental. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1

Warehouses except for the storage of fuel or flammable liquids and explosives. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-3, M-1
Watch and clock repair shop. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Wedding chapel. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1

Attachment A- 2: Mixed Use Overlay District (Zone Change Text)

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A-2 Mixed Use Overlay District (Zone Change Text)

The following regulations shall apply in the community of Lemon Cove, unless otherwise provided in this Ordinance.

PURPOSE **A.** The purpose of this zone is to allow for mixed uses. Allowing a mix of uses promotes flexibility in the types of entitlements that can be issued. Economic Development can be pursued with a wide variety of development potential. In addition, mixed use can allow for decreased vehicles miles traveled if residential uses are mixed with uses for employment.

APPLICATION **B.** This overlay zone only applies to the community of Lemon Cove.

USE **C.** No building or land shall be used and no building shall be hereafter erected or structurally altered, except for one or more of the following uses allowed in this overlay zone are outlined in the community plan for Lemon Cove.

Within the Mixed Use Zoning District, all uses outlined in the C-3, C-2, C-1, R-1, R-2 and R-3 uses are allowed. Uses and activities that are found by the Planning Director to be similar to and compatible with those specific zoning districts are also allowed. In addition, use and activities determined to be compatible by the Planning Commission and the Board of Supervisors with the above mentioned zoning districts are also allowed.

All conditional uses allowed in these zoning districts shall also be allowed by right with exception of the following combination of uses: All uses shall not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the

Uses/Combination of Uses reviewed by Planning Commission
Auto wrecking and Residential
Battery Manufacture and Residential or Commercial
Biomass Fuel Production and Residential
Flammable Liquids over 10,000 gallons
Hazardous Waste Facility
Planning Mills and Residential or Commercial
Sand blasting
Slaughterhouse and Residential
Solid Waste Recycling and Residential
Super service stations and Residential
Airport
Heliport

neighborhood, or to the general welfare of the county. All uses shall limit impacts related to smoke, fumes, dust, gas, noise, odor, vibrations and other hazards to be considered an allowed use without the need for a special use permit. All allowed uses are subject to the determination of appropriateness by the Director of Planning.

The Director of Planning has the option of deferring any land use application allowed in this district to the Planning Commission for review and decision.

DEVELOPMENT

1. Height: No building or structure hereafter erected or structurally altered shall exceed six (6) stories or seventy five (75) feet to uppermost part of roof.

2. Front Yard: 0 Feet

3. Side Yard: Where a lot abuts upon the side of a lot in any "R" Zone (R-A, R-O, R-1, R-2 and R-3), there shall be a side yard of not less than five (5) feet. Where a reversed corner lot rears upon a lot in any "R" Zone, the side yard on the street side of the reversed corner lot shall be not less than fifty (50) percent of the front yard required on the lots in the rear of such corner lot. In all other cases, a side yard for a commercial building shall not be required.

4. Rear Yard: Where a lot abuts upon the rear of a lot in any "R" Zone (R-A, R-O, R-1, R-2 and R-3), there shall be a rear yard of not less than fifteen (15) feet. In all other cases, a rear yard for a commercial building shall not be required.

5. Lot Area: The minimum lot area shall be ten thousand (10,000) square feet; provided, however, that where a lot has less area than herein required and was of record at the time this paragraph became effective, said lot may be occupied by not more than one (1) main building subject to the provisions of this Section.

6. Floor Area Ratio: The maximum Floor Area Ratio is 2. The Floor Area Ratio is the amount of square feet of all structure allowed on a parcel based on parcel size.

7. Distance between structures: The minimum distance between structures is 10 feet.

8. Parking: Off-street parking and loading shall be required in conformance with Section 15.

9. Fences, Walls, and Screening: Where the side or rear lot line of a site adjoins or is located across an alley from any "R" Zone (R-A, R-O, R-1, R-2, and R-3), there shall be a solid wall, fence or equivalent landscaping screening at least six (6) feet in height located along the common lot line, except in the required front or side yard. Open storage of materials and equipment shall be permitted only within an area surrounded and screened by a solid wall or fence or compact evergreen hedge (with solid gates where necessary), not less than six (6) feet

in height, provided that no materials shall be stored to a height greater than that of the wall, fence, or hedge. Fulfillment of the requirement of this paragraph shall not be required for buildings and uses which were established in accordance with all applicable buildings and zoning regulations and which were existing in a commercial or manufacturing zone on the effective date of this paragraph, until such time as a permit or other grant of approval for expansion, alteration or development of property is approved by Tulare County.

All other Development Standards are outlined in the Community Plan for Lemon Cove. Conformance to development standards is required for all development; however, the Planning Director, Planning Commission, or Board of Supervisors may provide exemptions to particular development standards when deemed appropriate.

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Attachment A- 3: Development Standards (Mixed Use Zoning Districts)

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A-3 Development Standards (Mixed Use Zoning District)

To promote Economic Development within the Lemon Cove Urban Development Boundary, a Mixed Use Overlay zoning district is being established to allow for flexibility in the allowed uses within Lemon Cove. In addition, the use permit restriction is updated to allow for ministerial approval [by the Planning Director]. Development standards are established to ensure high quality development within this mixed use overlay district. To promote Economic Development within the Lemon Cove Urban Development Boundary, a Mixed Use Overlay zoning district is being established to allow for flexibility in the allowed uses within Lemon Cove. In addition, the use permit restriction is updated to allow for ministerial approval [by the Planning Director]. Development standards are established to ensure high quality development within this mixed use overlay district.

ARCHITECTURE

A-1 Entries to buildings should be individualized and clearly identifiable.

A-2 Retail spaces should be accessed directly from the sidewalk, rather than through lobbies or other internal spaces.

A-3 Entrances to upper story uses should not be as prominent as the primary entrances to first story uses.

A-4 The height of first floor commercial should have a minimum ceiling height of 12 feet.

A-5 Architecturally distinguish the ground floor from the upper façade, to form a visual base for the building. Create an intimate scale for the pedestrian environment.

A-6 Each building should have a defined base, body, and cap segment.

A-7 Blank walls on ground floor facades adjacent to public sidewalks, public rights-of-ways and public spaces are prohibited.

A-8 Ground floor window openings should range between fifty (50) to eighty (80) percent of the ground floor façade adjacent to sidewalks and private and public plazas, patios, and courtyards. These window openings should consist of transparent "storefront" windows. Second story windows should not exceed fifty (50) percent of the total exterior wall surface.

A-9 Three-dimensional cornice lines, parapet walls, and/or overhanging eaves should be used to enhance the architectural character of the building.

A-10 Wall surfaces should not exceed 250 square feet without including some form of articulation. Acceptable forms of articulation include use of windows, varied reveal patterns, change in material, texture, color, or detail; and a change in wall plane location or direction.

A-11 Openings in the façade should be accentuated with paint, tile, shutters, awnings, planters, and/or other appropriate architectural features in order to create varied shadows and a rich visual texture.

A-12 Articulation and detailing of the exterior walls at the ground level, should be integrated with landscape features (trees, plants, walls, trellises, and unique land forms)

to ensure an appropriate transition from ground to wall plane.

A-13 An equal level of architectural detail and landscaping should be incorporated into all sides of freestanding buildings, because they are generally visible from all sides.

A-14 Architectural details should be fully integrated into the design of the building to avoid the appearance of afterthought elements or elements that are "tacked on" to a building.

A-15 Finish materials that give a feeling of permanence and quality should be used at ground level facades.

A-16 A consistent use of window style, size, trims, and accents should be used to ensure a consistent character along the building façade.

A-17 Exposed structural elements (beams, trusses, frames, rafters, etc.) are acceptable when appropriately designed to complement the over design of the façade.

A-18 Tilt-up buildings should incorporate decorative trim, recessed/projecting panels, recessed windows/doors, accent materials, and varied roof height to increase visual interest.

A-19 New buildings located at the corner of the block may be more massive in scale than adjacent buildings to better define the street intersection.

A-20 Corner buildings should have a strong relationship to the corner of the intersection by incorporating a unique architectural element or detail at the corner; such as a tower or primary building entrance.

A-21 Corner buildings should present equally important facades of similar appearance on both streets.

A-22 Articulate side and rear facades in a manner compatible with the design of the front façade. Avoid large blank wall surfaces on side and rear facades which are visible from public areas. In these locations, display windows, store entrances, and upper windows are encouraged. When this is not feasible, consider the use of ornament, murals, or landscaping along large blank walls.

A-23 Remove alterations whose design and/or materials are not consistent with the overall character of the building.

A-24 Where off-street parking or an alley is provided behind a building, a secondary entrance to both first floor and upper floor uses should be provided at the rear of the building.

A-25 Locate and design required vents and access doors to minimize their visibility from public spaces.

A-26 Use high quality detailing for new buildings and replacement elements. For example, new or replacement windows should have sash and frame thicknesses and window depths which are similar to those of original or historic windows. Such level of detailing provides an interplay between light and shadow which adds interest and visual depth to the façade.

A-27 Loading docks, storage areas, and service facilities should be located at the rear of the building and screened from the street as necessary.

A-28 Conceal all electrical boxes and conduits from view, and position light sources to prevent glare for pedestrians and vehicles.

ROOFS AND AWNINGS

RA-1 Awnings should be compatible with other awnings nearby, particularly those on the same building, when these awnings complement the architectural character of the building.

RA-2 Canopies and awnings should be compatible with the style and character of the structure on which they are located.

RA-3 Use matte canvas fabric for awnings; not vinyl, fiberglass, plastic, wood or other unsuitable materials. Glass and metal awnings may be appropriate for some buildings, but must be consistent with the architectural style of the building.

RA-4 Include architectural features such as awnings, canopies, and recessed entries that can protect pedestrians from inclement weather. Design these features as integral parts of the building.

RA-5 Awnings and canopies should not hang below the top of the first floor storefront window. In addition, awnings and canopies should be at least ten (10) feet above the sidewalk.

RA-6 Canopies and awnings should not project more than seven (7) feet from the surface of the building.

RA-7 Awnings and canopies that project into the public right-of-way should not impede pedestrian or vehicular movement.

RA-8 Roof forms, lines, masses, and materials should be continuous and consistent with the overall style, character, scale, and balance of the building.

RA-9 Roof overhangs and exposed structural elements should be designed to be consistent with the overall style and character of the building.

RA-10 Roof mounted HVAC equipment, ducts, vents, and other equipment should be screened from public view.

RA-11 Mansard roofs are prohibited.

RA-12 All flat roofs should have 90% of the roof area covered by solar panels. All sloped roofs should have 50% of the roof area covered by solar panels. Roofs should be painted or colored with a bright white (or similar color) with a reflective glossy finish.

SITE PLANNING

SP-1 Place entrances to storefronts and other ground floor uses so that they are accessible directly from the public sidewalk, not internal lobbies.

SP-2 On corner sites, a prominent streetscape presence should be established and visual interest should be created by either locating buildings near the intersection to enliven the streetscape or using landscaping to frame the intersection. Parking areas immediately adjacent to intersections are discouraged.

SP-3 Structures and site improvements should be located and designed to avoid conflict with adjacent uses.

SP-4 Gates to parking areas should be designed with materials and color that are compatible with the site.

SP-5 Multi-story buildings that overlook private or common area open space of adjacent residences should be designed to protect privacy of these spaces.

SP-6 Gates to parking areas should be located to prevent vehicle stacking or queuing on the street.

SP-7 Primary site and building entry points are strongly encouraged to generate visual interest with special design features such as decorative or textured paving, flowering accents, special lighting, monuments, walls, shrubs, water features, and the use of sizeable specimen trees.

SP-8 To the extent feasible and practicable, parcels should share access driveways to minimize curb cuts and traffic congestion.

SP-9 Cul-de-sacs are inappropriate except when a freeway or canal prevents connectivity.

SP-10 Block lengths should be short, averaging 200 to 300 feet. Maximum block length is be 500 feet.

LANDSCAPING

LA-1 Projects should provide, and maintain, landscaped buffers between commercial uses and low-density residential uses, between industrial and residential uses, and between commercial and industrial uses. Plant material will be placed in a manner to suggest natural growth as opposed to a rigid barrier.

LA-2 A predominance of deciduous tree species is encouraged to shade western, southern, and southwestern exposures.

LA-3 The parking lot should not be the dominant visual element of the site as viewed from the street. Locate or place parking lots at the side and rear of buildings or use parking lot screening to soften their appearance. Screen parking lots: Utilize a hedge (recommended height of 36 inches) with a rolling berm to screen parking at the street periphery
(Minimum shrub container size should be 5 gallons.)

LA-4 Project sites should be designed so that areas used for outdoor storage, and other potentially unsightly areas are screened from public view. All service yards and outdoor storage areas should be enclosed or screened from view.

LA-5 Loading areas, access and circulation driveways, trash, and storage areas, and rooftop equipment should be adequately screened from the street and adjacent properties, as deemed necessary. To the fullest extent possible, loading areas and vehicle access doors should not be visible from public streets.

LA-6 Loading driveways should not back onto streets or encroach into landscaped setback areas.

LA-7 Loading doors should be integrated into building elevations and given the same architectural treatment where feasible.

LA-8 Utility equipment such as electric and gas meters, electrical panels, and junction boxes should be screened from view or incorporated into the architecture of the building.

LA-9 Utility devices, such as transformers and backflow preventers, should not dominate the front landscape area.

LA-10 All utility lines from the service drop to the site should be located underground.

LA-11 When security fencing is required, it should be a combination of solid walls with pillars and offsets, or short solid wall segments and segments with metal fencing. Chain-link fencing is strongly discouraged when facing public view and should only be used as interior fencing.

LA-12 Retaining walls at retention basins should utilize a stepped or terraced motif as a visual tool to maintain appropriate human scale.

LA-13 Retention basins visible to public view and common open spaces should be contoured and landscaped in a creative manner to minimize a harsh utilitarian appearance. When feasible, it is recommended to beneficially use the run-off storm water as supplemental watering for the landscape plants.

LA-14 Parking lot run-off should be routed through turf or other landscaping.

LA-15 Parking lots located adjacent to the sidewalks or right-of-ways should be screened to a height of thirty six (36) inches above the grade with landscaping and/or low high quality fencing.

REFUSE AND STORAGE AREAS

R-1 Trash storage must be enclosed within or adjacent to the main structure or located within separate freestanding enclosures.

R-2 Trash enclosures should be unobtrusive and conveniently accessible for trash collection but should not impede circulation during loading operations.

R-3 Trash enclosures should be located away from residential uses to minimize nuisance to adjacent properties.

R-4 Trash and storage enclosures should be architecturally compatible with the project design. Landscaping should be incorporated into the design of trash enclosures to screen them and deter graffiti.

LIGHTING

LI-1 Provide lighting at building entrances and for security at ground level.

LI-2 Lights should be shielded and point down toward the ground.

LI-3 Parking lot should have uniformly spaced night lighting.

LI-4 Well-lit sidewalks and/or pedestrian walkways should be located to provide safe access from the parking lot to the street sidewalk.

LI-5 Exterior architectural lighting should fully compliment a building's design and character. Light fixtures should work in conjunction (size, scale, and color) with the building's wall, roof.

LI-6 Street lighting features should be "pedestrian scale" at twelve (12) to eighteen (18) feet in height above the curb.

WALLS AND FENCES

WF-1 Wall/fence design should complement the project's architecture. Landscaping should be used to soften the appearance of wall surfaces.

WF-2 Walls and fences within front and exterior side yards of commercial sites should be avoided.

WF-3 Unless walls are required for screening or security purposes they should be avoided.

WF-4 Security fencing should incorporate solid pilasters, or short solid wall segments and view fencing.

WF-5 Front yard fences should not abut the sidewalk. The fence should be set back from the sidewalk at least 2 to 3 feet to allow room for landscape materials to soften the fence and to ensure pedestrian comfort.

WF-6 Walls and fences should be designed in such a manner as to create an attractive appearance to the street and to complement the architecture of the industrial park.

WF-7 Gates should be provided in walls or fences where necessary to allow emergency access.

WF-8 High perimeter walls and walls topped with barbed wire, razor wire, or broken glass are strongly discouraged.

WF-9 Inordinately long walls or fences should be broken up by landscaping, pilasters, offsets in the alignment of the wall or fence, and/or changes in materials and colors.

WF-10 Chain link fences should not be visible from streets.

WF-11 Long expanses of fence or wall surfaces should be offset and architecturally designed to prevent monotony. Landscape pockets (12-feet wide by 3- feet deep) should be provided at 70-foot minimum intervals along the wall.

STREETSCAPE

ST-1 A consistent pavement material of varied texture and color should be applied to all crosswalks to clearly define pedestrian crossings, to slow down traffic.

ST-2 Sidewalks widths, excluding curbs, should be a minimum of five (5) feet.

ST-3 Curb and gutters should be constructed with all new development.

ST-4 A planting strip, or tree lawn, 3 to 5 feet wide should be located between the sidewalk and the curb of the street. Existing tree lawns should be preserved.

ST-5 New street trees should be planted on the curb edge of the sidewalk in front of all new development projects.

SIGNAGE

SI-1 Sign letter and materials should be professionally designed and fabricated.

SI-2 Each storefront with a ground floor entrance should be allowed two signs that should be attached to the building.

SI-3 All electrical conduits should be concealed from public view.

SI-4 For commercial uses, the primary wall sign should be in the space above a storefront and visibly oriented towards the street.

SI-5 For commercial uses, a secondary sign should be smaller than the primary sign and be oriented towards passing pedestrians. It should extend out perpendicular to the building façade and be mounted or hung from the wall beneath an awning or above a first floor window. The bottom of the wall-mounted sign should be located at least eight (8) feet above the sidewalk. The outer face of the sign should not extend more than four (4) feet from the edge of the building surface, and the maximum area of the sign should have no more than six (6) square feet.

SI-6 Signs should be designed to be compatible with building design in terms of relative scale, overall size, materials, and colors. No sign should dominate the façade. Signage elements should incorporate materials colors and shapes that appropriately reflect and compliment the building's architecture.

SI-7 Large signs that dominate a building façade or the streetscape should not be permitted.

SI-8 Signage should be constructed of high quality, low maintenance, and long lasting materials. Except for banners, flags, temporary signs, and window signs, all signs should be constructed of permanent materials and should be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame, or structure.

SI-9 No more than twenty (20) percent of window area should be obstructed by signs, posters, advertisements, painted signs, and/or merchandise, and the top one half of the window should be permanently clear and free of obstructions. Awning signage should be of a replaceable-type to accommodate tenant turnover.

SI-10 Wall, canopy, under-canopy, and marquee signs should not exceed three-fourths (3/4) square foot of aggregated display area per lineal foot of frontage.

SI-11 Awning sign should be mounted on the hanging border of the awning and should not protrude beyond the awning surface.

SI-12 Wall signs or advertisements should not project more than twelve (12) inches from the wall face to which they are mounted, should not project beyond building eaves, and should be mounted flat throughout their length and height.

SI-13 Signs for individual tenants within a multiple-tenant, such as offices located above the ground floor, should be grouped together and appropriately scaled to a pedestrian-oriented retail environment.

SI-14 Fin signs or under marquee sign are permitted provided that they are installed with a minimum of eight (8) feet clearance from the lowest point on the sign and support to the top of the walking surface below it.

SI-15 Awning signs and face-mounted signs are permitted provided that the sign should have no more than one line of text and that maximum text height is twelve (12) inches.

SI-16 No signs should be erected in any manner in which the sign, in whole or in part, would create a hazardous condition to pedestrian or automobile traffic alike.

SI-17 Additional business signs should be permitted on windows and on the vertical face of awning valances provided that the signs are permanent in nature and of high quality.

SI-18 The following signs are strictly prohibited:

- Roof signs, signs located above the roof or parapet lines.
- Permanent banner signs.
- Posters.
- Painted window advertisements.
- Billboards
- Large auto-oriented pole-mounted or "lollipop signs."
- Moving signs and flashing signs.

SI-19 Signs advertising an activity, business product, or service no longer conducted on the premises, and/or signs frames, structural members, or supporting poles remaining unused for a period of six (6) months should be removed from the site or building by the property owner.

SI-20 Address markers should be easily identifiable and readable from the street.

SI-21 Freestanding, ground-mounted and monument signs should be not less than one (1) foot behind a property line or designated right-of-way for vehicular and pedestrian traffic, but in no case should be more than ten (10) feet behind a sidewalk and ten (10) feet from any vehicular entrance or driveway. These signs should not interfere with the safety of vehicular traffic entering or exiting the premises.

SI-22 The maximum height of monument signs should be five (5) feet above the top of concrete curb.

SI-23 One freestanding or monument sign with a maximum of thirty-two (32) square feet of display area should be allowed on each street frontage of more than fifty (50) feet. Where two (2) or more freestanding or monument signs are allowed on a single street frontage, one freestanding or monument sign with a maximum of fifty (50) square feet of display area may be used in lieu of several signs on the same frontage.

SI-24 All gateway signs should have a consistent character and style.

SI-25 A hierarchy of gateways signs should be established to differentiate between major and minor gateway entrances.

SI-26 Major gateway signs should be designed as visually prominent towers, monuments, or street spanning arches.

SI-27 Minor gateway signs should be visible to automobile traffic, but also be low enough to be visible to pedestrian traffic.

SERVICE STATIONS AND CAR WASHES

SS-1 Service and carwash bays should not face residential properties or the public street. The visibility of service bays and carwash opening should be minimized.

SS-2 Gas pump canopies should be ancillary to the main building structure. The retail market/office building segment of the facility should be oriented along the street frontage, whenever possible.

SS-3 All structures on the site (including kiosks, carwash buildings, gas pump columns, etc.) should be architecturally consistent and related to an overall architectural theme.

SS-4 Canopy light fixtures should be recessed into the canopy.

SS-5 Outdoor equipment, such as vent risers and clean air separators, should be screened

either with an enclosure or if site configuration topography permits, away from street view, screened with landscaping or located at a grade differential.

SS-6 Site-specific architectural design contextual to surroundings is strongly encouraged. Designs based solely on corporate or franchise models are strongly discouraged.

AUTO REPAIR SERVICES

AR-1 Building design should be stylistically consistent, and compatible with surrounding buildings through use off similar scale, materials, colors, and/or detailing.

AR-2 Building materials should have the appearance of substance and permanency; lightweight metal or other temporary appearing structures are discouraged.

AR-3 Vehicle drop-off areas should be provided to prevent vehicle overflow to adjacent streets.

CONTRACTOR, BUILDING SUPPLY, OR LANDSCAPING YARDS

BS-1 The main office or building should be located along the street frontage to screen outdoor sales and minimize the visibility of storage of materials and vehicles.

BS-2 Customer parking should be provided close to the building and not interspersed in the yard.

BS-3 All outdoor contractor vehicle storage areas should be enclosed with a screen of sufficient height and constructed with durable and high-quality materials that are compatible with the building and site.

CONSUMER STORAGE FACILITIES

SF-1 The administrative office should be located in a building or building element that is human scale and located in proximity to the street.

SF-2 Parking for visitors should be located near the administrative office, outside of any gated portion of the facility.

SF-3 A storage facility should be consistent with its surrounding area in scale and appearance, through the use of building size transitions, architecture, and landscaping.

SF-4 Loading doors for individual storage units should not face outward toward streets.

SF-5 In order to break up the mass of larger buildings which containing storage units, provide horizontal and vertical articulation through the use of building offsets, windows, and variations in colors and materials.

SF-6 Any area intended for the storage of automobiles and recreational vehicles should be located towards the rear of the site or screened with an enclosure of adequate height.

SPECIAL CONDITIONS

SC-1 The project should emit no smoke or should reduce the amount of smoke from an existing use.

SC-2 The project should emit no fumes or should reduce the amount of fumes from an existing use.

SC-3 The project should implement dust control measures sufficient to minimize or prevent dust emissions. Measures should be consistent with, or more effective than, those required by the Valley Air District.

SC-4 The project should emit no odors or should reduce the amount of odors from an existing use.

SC-5 The project should not create noticeable vibrations.

Attachment A- 4 General Plan Land Use and Zoning Consistency Matrix

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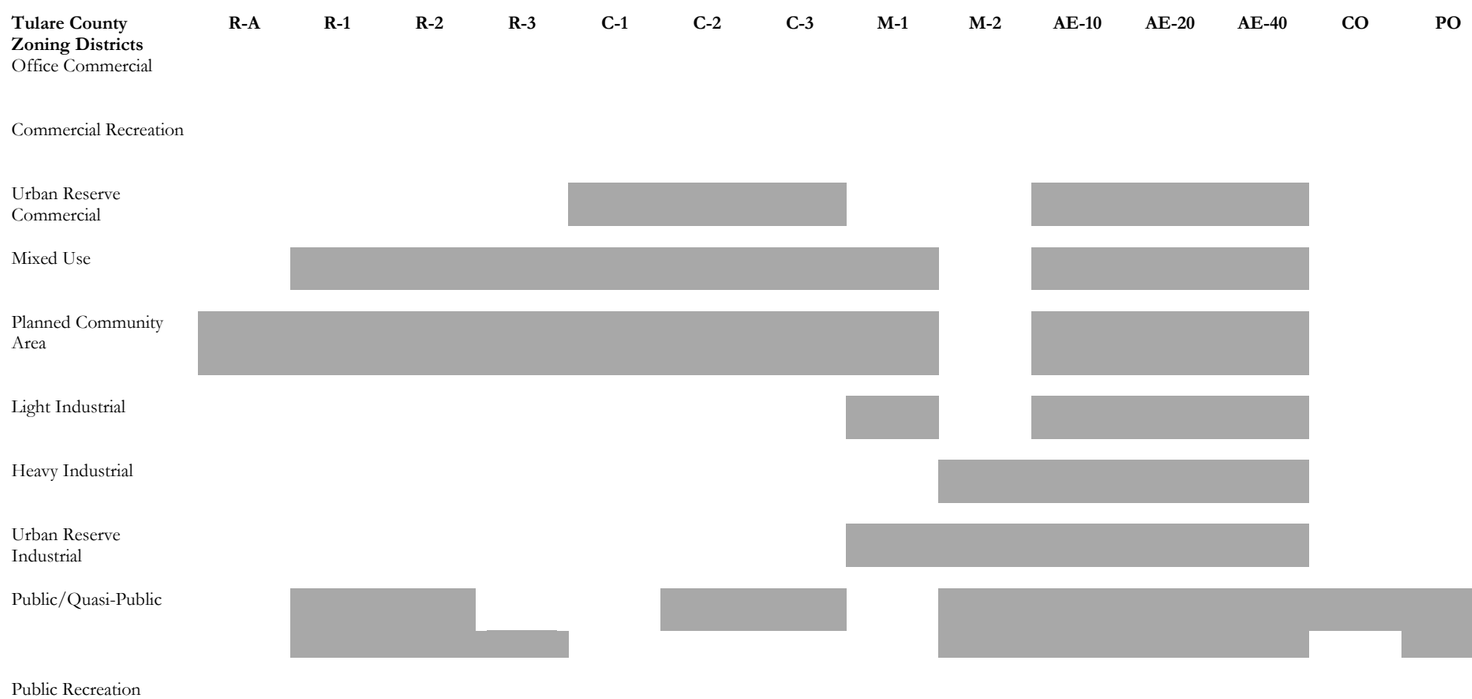
Attachment 4: General Plan Land Use and Zoning Consistency Matrix

Tulare County Zoning Districts / General Plan Land Use Designations	**R-A**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**M-1**	**M-2**	**AE-10**	**AE-20**	**AE-40**	**CO**	**PO**
Rural Residential	■	■								■	■	■		
Urban Reserve Residential	■	■	■	■						■	■	■		
Low Density Residential	■	■								■	■	■		
Low-Medium Density Residential	■	■								■	■	■		
Medium Density Residential		■	■							■	■	■		
Medium-High Density Residential			■	■						■	■	■		
High Density Residential				■						■	■	■		
Neighborhood Commercial					■					■	■	■		
General Commercial						■				■	■	■		
Community Commercial														
Highway Commercial														
Town Center														
Service Commercial							■			■	■	■		


Tulare County Zoning Districts
R-A
R-1
R-2
R-3
C-1
C-2
C-3
M-1
M-2
AE-10
AE-20
AE-40
CO
PO
Office Commercial
Commercial Recreation
Urban Reserve Commercial
Mixed Use
Planned Community Area
Light Industrial
Heavy Industrial
Urban Reserve Industrial
Public/Quasi-Public
Public Recreation

Attachment A- 5 Funding Sources

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CalTrans Active Transportation Program (ATP):
On September 26, 2013, Governor Brown signed legislation creating the Active Transportation Program (ATP) in the Department of Transportation (Senate Bill 99, Chapter 359 and Assembly Bill 101, Chapter 354). The ATP consolidates existing federal and state transportation programs, including the Transportation Alternatives Program (TAP), Bicycle Transportation Account (BTA), and State Safe Routes to School (SR2S), into a single program with a focus to make California a national leader in active transportation. The projects associated with the Completes Streets Program for the Community of Goshen will be suggested at the next available round of ATP funding.

Tulare County Measure R
On November 7, 2006, the voters of Tulare County approved Measure R, imposing a 1/2 cent sales tax for transportation within the incorporated and unincorporated area of Tulare County for the next 30 years. The transportation measure will generate slightly more than $652 million over 30 years to Tulare County's transportation needs.

Local Projects (35% of Measure R Funding)
The Measure R Expenditure Plan allocated 35% of revenues to local programs. Each city and the county will receive funding based on a formula using population, maintained miles, and vehicles miles traveled. The funding will help cities and the county to meet scheduled maintenance needs and to rehabilitate their aging transportation systems.

Regional Projects (50% of Measure R Funding)
The Regional Projects Program comprises 50% of Measure R and includes specific funding for: interchange improvements, regional bridges, regional signals, regional widening projects, and signal synchronization projects. These projects provide for the movement of goods, services, and people throughout Tulare County. Major highlights of this program include the funding of regional projects throughout the county.

Bike /Transit /Environmental Projects (14% of Measure R Funding)
The Goals of Measure R include air quality improvement efforts that will be addressed in the Measure R Expenditure Plan through the Transit/Bike/Environmental Program, which includes funding for transit, bike, and pedestrian environmental projects. The goal of this program is to expand or enhance public transit programs that address the transit dependent population, improve mobility through the construction of bike lanes, and have a demonstrated ability to get people out of their cars and improve air quality and the environment.

San Joaquin Valley Air Pollution Control District (SJAPCD) Bike Path Grants
The District has a grants program for the construction of bicycle infrastructure projects, including Class I (Bicycle Path Construction) or Class II (Bicycle Lane Striping) projects. These grants provide funding to assist with the development or expansion of a comprehensive bicycle-transportation network.

Strategic Growth Council Grants (SGC)
Affordable Housing - Sustainable Communities
The SGC will allocate 50% of its Cap and Trade funding toward disadvantaged communities and 50% for affordable housing. Projects will include: affordable housing that supports infill and compact development, transit capital and programs that support transit ridership, active transportation projects (infrastructure, and non-infrastructure), TOD projects, capital projects that implement complete streets, projects that reduce CHG emissions by reducing auto trips and VMT, acquisition of easements or other approaches to protect agricultural lands under threat of development, planning to support SCS (sustainable communities scope) implementation, including local plans, must be in draft or adopted SCS, subject to SGC guidelines.

Congestion Mitigation Air Quality (CMAQ) Tulare County Association of Governments (TCAG) Funds
The CMAQ funds are allocated through the TCAG. The CMAQ program funds transportation projects or programs that will contribute to improved air quality standards. Projects include: transportation activities, transportation control measures, public-private partnerships, alternative fuel programs, traffic flow improvements, transit, bicycle/pedestrian projects, rideshare activities, telecommuting, planning, experimental pilot projects, intermodal freight, and public outreach.

DOT: TIGER
TIGER is a multimodal, merit-based discretionary grant program that funds surface transportation capital projects, including transit and rail. Open to state, tribal, local agencies, and subdivisions.

California Deportment Block Grant (CDBG)
The CDBG Economic Development grant provides assistance to local businesses and low-income microenterprise owners to create or preserve jobs for low-income workers in rural communities. Funding includes planning and evaluation studies related to any activity eligible for these allocations, business lending, and public infrastructure.

Choice Neighborhoods
Choice Neighborhoods Planning Grants support the development of comprehensive neighborhood revitalization plans which focused on directing resources to address three core goals: Housing, People and Neighborhoods. To achieve these core goals, communities must develop and implement a comprehensive neighborhood revitalization strategy, or Transformation Plan. The Transformation Plan will become the guiding document for the revitalization of the public and/or assisted housing units while simultaneously directing the transformation of the surrounding neighborhood and positive outcomes for families. Choice Neighborhoods Implementation Grants support those communities that have undergone a comprehensive local planning process and are ready to implement their "Transformation Plan" to redevelop the neighborhood.

California Department of Water Resources Prop 50 (Contaminant Removal)
Funds are available to disadvantage communities for developing UV or Ozone systems to disinfect drinking water or to set up pilot/demonstration sites.

Drought Response Funding California State Water Resources Control Board (SWRCB)
The Governor and Legislature have directed Department of Water Resource to expedite the solicitation and award of $200 million (of the $472.5 million) in IRWM funding to support projects and programs that provide immediate regional drought preparedness, increase local water supply reliability and the delivery of safe drinking water, assist water suppliers and regions to implement conservation programs and measures that are not locally cost-effective, and/or reduce water quality conflicts or ecosystem conflicts created by the drought.

DWR: Water-Energy Grant Program
The 2014 Water-Energy grant supports the implementation of residential, commercial, and institutional water efficiency programs or projects that reduce Green House Gas emissions and also reduce water and energy use. Funding will go toward urban water management, groundwater management, and surface water diversion.

CDPH Clean Water SRF
The Safe Drinking Water State Revolving Fund (SDWSRF) provides funding to correct public water system deficiencies based upon a prioritized funding approach that addresses the systems' problems that pose public health risks, systems with needs for funding to comply with requirements of the Safe Drinking Water Act, and systems most in need on a per household affordability basis.

iBank (Infrastructure State Revolving Fund Program and Economic Development Bank)
iBank provides low cost, long term financing for local governments to fund a variety of public infrastructure projects. (Although this is not a grant, loan rates are largely determined by level of distress within a disadvantaged community).

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Attachment A- 6 Public Outreach

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AGENDA

LEMON COVE SANITARY DISTRICT-LEMON COVE WATER
Pensar Residence - 32811 Road 244

Regular Meeting – August 6, 2019 - **2:00 P.M.***
Please note slight change in time

1. Call to Order-Introductions

2. Old Business:
    A. Update on Water Planning Project
    B. Update on Wastewater Treatment Improvement Project

3. New Business:
    A. Presentation by R.M.A. Regarding General Plan Update
    B. Adoption of Resolution #19-01 and Compliance Certificate for County

4. Pay Bills

5. Move to Adjourn

Lemon Cove Community Plan
Lemon Cove Sanitary District meeting
August 6, 2019

Name	Address & Email Address	Phone No.
Seamus Guerin Self-Help Enterprises	seamusg@selfhelpenterprises.org	559 8021694
GEORGE BARNES	24403 POGUE AVE, LEMON COVE a49g80@aol.com	559 597 2129
Bill Pansar	P.O.B 44151 - pansar3@netzero.com	597-2504
Mike Langston	PO Box 44172 —	559 280 9083

Lemon Cove Sanitary District Board meeting

August 6, 2019

Aaron Bock, RMA
Dave Bryant, RMA
Hector Ramos, RMA
Susan Simon, RMA
Juan Carmona, RMA

Seamus Guerin, SHE

Bill Pensar, LCSD
Mike Lampman, LCSD
George Barnes, LCSD

Materials:
Agenda
Sign-up sheet
Presentation

Community Concerns:

The alley(s) contain overgrown vegetation specifically that alley behind the post office.

Who maintains the alleys in Lemon Cove area?

Homeowners are building their fences on County rights-of-way along the alley.

Caltrans increased the speed along State Route (SR) 99 through the community of Lemon Cove from 35 miles per hour (MPH) to 45 MPH

[Emailed Pedro Ramirez at Caltrans, waiting for his response].

Is the County paying the streetlights or is Edison

Bring campground into the UDB

Would like a park
[(P)]

Self-Help Enterprises

A Nonprofit Housing and Community Development Organization

February 20, 2015

Ms. Kerri Price
State Water Resources Control Board
Drinking Water Technical Support Unit
P.O. Box 997377 MS 7418
Sacramento, CA 95899-7377

Subject: Lemon Cove Sanitary District Median Household Income Survey Results
SRF Project # 5400616, AR #4206

Dear Kerri:

The California Department of Public Health requested that Self-Help Enterprises (SHE) perform an income survey of the Lemon Cove Sanitary District in Lemon Cove, California. The purpose of this survey is to establish a median household income (MHI) level for grant and loan funding programs and sources. This survey has been completed and the results are attached.

The MHI for Lemon Cove Sanitary District is **$21,250** with a response rate of **91 percent**.

Lemon Cove Sanitary District serves 33 households. The number of households in a range between 1 and 55 requires a sample size of 90 percent to meet State and Federal guidelines. 30 responses were received, yielding a sample size of 91 percent.

The survey was designed and conducted per State and Federal guidelines established for the California State Revolving Loan Fund. Currently, the California statewide MHI is determined to be $61,400[1]. Disadvantaged households are set at 80 percent of the statewide MHI (80% of $61,400 = $49,120). Severely disadvantaged households are set at 60 percent of the statewide MHI (60% of $61,400 = $36,840).

Please free feel to contact me if you have additional questions or need further assistance. I can be reached by phone: 559-802-1693, or e-mail: *jessis@selfhelpenterprises.org.*

Sincerely,

Jessi Snyder
Community Development Specialist

Enclosure: Income Survey Report, MHI Data

cc: Tricia Wathen, SWRCB, Division of Drinking Water
Bill Pensar, Secretary, Lemon Cove Sanitary District

[1] Dataset: 2008-2012 American Community Survey 5-year Estimates, Retrieved 12/18/14, www.factfinder2.census.gov

Survey Ascending Order	Survey No.	Household Income
1	LC-33	4500
2	LC-19	5000
3	LC-23	6200
4	LC-27	8400
5	LC-2	9600
6	LC-20	9600
7	LC-1	10000
8	LC-12	10000
9	LC-18	10140
10	LC-6	11760
11	LC-24	12648
12	LC-25	15000
13	LC-14	16800
14	LC-30	17500
15	LC-28	21000
16	LC-7	21500
17	LC-16	24000
18	LC-26	28000
19	LC-11	36000
20	LC-17	36400
21	LC-3	41398
22	LC-29	42000
23	LC-9	45000
24	LC-22	46648
25	LC-4	47000
26	LC-10	50000
27	LC-31	60000
28	LC-15	68000
29	LC-5	73700
30	LC-32	76999
31	LC-21	refused
32	LC-8	unresponsive
33	LC-13	vacant

*The 30 responses account for a **91 percent response rate.** The Median Household Income for this survey of the Lemon Cove Sanitary District is the mean of lines 15 and 16, Survey Numbers 28 and 27, for an MHI of $21,250.*

AGENDA

LEMON COVE SANITARY DISTRICT-LEMON COVE WATER
Pensar Residence - 32811 Road 244

Regular Meeting – September 3, 2019 - 2:30 P.M.

1. Call to Order & Introductions

2. Old Business:
   A. Update on Progress of Sewer & Water Projects
   B. Update on Chlorination & Proposed Lead/Copper Testing

3. New Business:
   A. Further information regarding County General Plan Update
   B. Information on Recent Funding Application

4. Comments from Public

5. Pay Bills

5. Move to Adjourn

Lemon Cove Community Plan
Lemon Cove Sanitary District meeting
September 3, 2019

Name	Address & Email Address	Phone No.
Mike Lanphar	PO Box 44172 Lemoncove	559 2809083
Juan Curmong	County of Tulare	
George Barnes	P.O. Box 44038. Lemon Cove	559 597 2129
Sylvia Barnes	gandsbar@aol.com	
Seamus Guerin	seamusg@selfhelpenterprises.org	559 8021694
Peggy Pensar	P.O. Box 44151 pensar3@netzero.com	(559) 597-2504

Lemon Cove Sanitary District Board meeting

September 3, 2019

Aaron Bock, RMA
Dave Bryant, RMA
Susan Simon, RMA
Juan Carmona, RMA

Seamus Guerin, SHE

Bill Pensar, LCSD
Mike Lampman, LCSD
George Barnes, LCSD
Sylivia Barnes, LCSD
Peggy Pensar, LCSD

Materials:
Agenda
Sign-up sheet
Arial Map
Lemon Cove Land Use map
Lemon Cove Proposed Zoning District map

Community Concerns:

1) Alleys within the community contain overgrown vegetation, specifically that alley behind the post office. Who is responsible to clean up the alleys?

2) Community members expressed concerns with regards to homeowners building their fences on County rights-of-way along the alleys.

UPDATE: Staff has investigated and the project is currently out to bid. The project will include removal of some trees along the property line which should alleviate most of the issues in the alley way.

3) Community members expressed concern regarding a missing street sign at SR198/Pogue Avenue.

UPDATE: The street sign for SR 198/Pogue Avenue has been reattached to the stop sign post as per County Engineering Staff.

AGENDA

LEMON COVE SANITARY DISTRICT – LEMON COVE WATER
Pensar Residence – 32811 Road 244

Regular Meeting – October 1st, 2019 – 2:30 P.M.

1. Call to Order & Introductions

2. Old Business:
   A. Further information regarding County General Plan Update
   B. Update on progress of Sewer & Water Projects
   C. Update on Chlorination & Lead/Copper & Bacteriological Testing

3. New Business:
   A. Discussion of Draft Negative Declaration for Sewer Project
   B. Plans for transfer of Water Billing & Computer to Barnes' Residence

4. Comments from Public

5. Pay Bills

6. Moton to Adjourn

Lemon Cove Community Plan
Lemon Cove Sanitary District meeting
October 1, 2019

Name	Address & Email Address	Phone No.
MIKE LAMPMAN	PO Box 44172 Lemon Cove	5592809083
SYLVIA BARNES	PO Box 44068 Lemon Cove	559 597 2129
Seamus Guerin	Seamusg@selfhelpenterprises.org	559 8021694
Bill Pensar	Box 44151 Lemon Cove	PENSAR360 597-2504 - NOT ZOOM
GEORGE BARNES	24403 Pogue Ave, L.C A 49 g80@aol.com	559 597 2129

Lemon Cove Sanitary District Board meeting

October 1, 2019

Dave Bryant, RMA
Aaron Bock, RMA
Susan Simon, RMA
Juan Carmona, RMA

Seamus Guerin, SHE

Bill Pensar, LCSD
Mike Lampman, LCSD
George Barnes, LCSD
Sylvia Barnes, LCSD

Materials:
Agenda
Sign-up sheet
Proposed Land Use Map
Proposed Zoning Districts Map

Community Concerns:

1) Community members expressed concern regarding a missing street sign at SR198/Pogue Avenue.

UPDATE: As per Johnny Wong, Chief Engineer, Road Maintenance, the street sign for SR 198/Pogue Avenue has been reattached to the stop sign post.

2) Community members expressed concern regarding the proposed zoning in the downtown area currently Zoned R-2 and R-3 changed to include the Mixed Use designation. Community members would like to keep that area residential character.

UPDATE: After discussion, Aaron Bock and Dave Bryant stated the Zoning within the downtown area would remain R-2 and R-3, no Mixed Use designation would be added.

3) Residents of the community would like the alignment of State Route 198 straightened through Lemon Cove.

UPDATE: Pending information from Caltrans regarding the alignment of SR 198

4) Residents expressed interest in maintaining the existing residential zoning between Road 244 and State Route 198.

UPDATE: Existing Residential zoning is maintained in the proposed zoning plan.

5) Residents expressed interest in maintaining the existing residential zoning between Road 244 and State Route 198.

UPDATE: Existing Residential zoning is substantially maintained in the proposed zoning plan.

AGENDA

LEMON COVE SANITARY DISTRICT-LEMON COVE WATER
Pensar Residence - 32811 Road 244

Regular Meeting – November 5, 2019
2:30 P.M.

1. Call to Order / Introductions

2. Progress report on General Plan Update for Lemon Cove by Tulare County R.M.A. Staff

3. Old Business:
   A. Update on New Well Project
   B. Sewer Improvement Project Update
      (1) Authorization for Self-Help Enterprises to conduct Median Household Income Study for the purpose of determining funding eligibility
      (2) Consideration of Resolution 19-02 to adopt Mitigated Negative Declaration for the LCSD Wastewater Treatment Plant Improvement Project
      (3) Direct Authorized Representative to sign & S.H.E. to submit Clean Water State Revolving Fund Construction funding application, and all necessary attachments

4. Public Comments / Announcements

5. Pay Bills

6. Move to Adjourn

Lemon Cove Community Plan
Lemon Cove Sanitary District meeting
November 5, 2019

Name	Address & Email Address	Phone No.
GEORGE BARNES	a49 g80@aol.com	559 597 2129.
Seamus Guerin	seamusg@selfhelpenterprises.org	559 802 1694
MIKE LANDMAN		559 2809083
SYLVIA BARNES	gandsbar@aol.com	559 597 2129
Travis Crawford	travis@candbplanning.com	559 530-8741
Peggy Pensar	pensar3@netzero.com	(559) 597-2504
John Kirkpatrick	jkirkpatrick@onemain.com	(559) 901-1965

Lemon Cove Sanitary District Board meeting

November 5, 2019

Dave Bryant, RMA
Susan Simon, RMA

Seamus Guerin, SHE

Bill Pensar, LCSD
Mike Lampman, LCSD
George Barnes, LCSD

John Kirkpatrick
Peggy Denson, LCSD
Travis Crawford
Sylvia Barnes, LCSD

LCSD meeting

Lemon Cove Wastewater Treatment Facility (WWTF) expansion
Travis Crawford, consultant, for the Lemon Cove Wastewater Treatment Facility. November 5, 2019 is the last day for comments for the Mitigated Negative Declaration (MND) for the WWTF. The Public Hearing was opened, no one spoke for or against the Project. Hearing was closed and the MND was adopted, a NOD was signed and would be file with the Clerk on November 6, 2019.

Lemon Cove Sanitary District is in the process of improving the existing Wastewater Treatment Plant (WWTP). The proposed upgrades to the existing WWTP includes:

- Installation of a 20,000 gallon (10-foot diameter X 35-foot long) septic tank,
- Installation of a 4.000 square foot leach field and associated leach lines, and
- Connection to the existing sewer collection system (with an 8-inch influent line).

Construction will occur as plans and funding are in place and is expected to take several months (expected to occur in 2020).

Lemon Cove proposed Water System
Currently the LCSD serves
The Lemon Cove Sanitary District has receive a $500,000 Planning Grant from the State Water Resource Control board (SWRCB) Division of Drinking Water for the installation of two wells to be located north of Lemon Cove.

- Testing continues on the new wells.
- Location of the tank will be placed at Toms due to slope of road to the top of hill.

Lemon Cove Community Plan 2019

Materials:
Agenda
Sign-up sheet
Proposed Zoning Districts Map
Proposed Zoning Changes Map
Circulation Map
Complete Streets Map

Concerns:
1) Residents of the community were concerned about the Phasing for Complete Streets. The community felt Phase 3, being a residential area, should be improved before Phase 2.

UPDATE: Addressing the importance of Phase 3 (residential area) to the community, Phase 2 and Phase 3 would be combined into one Phase (Phase 2). In addition, the north alignment of Phase 2 would continue along State Route 198 instead of being along proposed Road 244.

2) Residents of the community would like the horizontal alignment of State Route 198 straightened through Lemon Cove including concerns regarding traffic speed and proposed a northbound left turn lane on SR 198 to Avenue 324.

UPDATE: The SR 198 2016 Transportation Concept Report indicates that the year 2040 Transportation Concept for SR 198 in Lemon Cove is a two-lane conventional facility with operational improvements 2C(I). The 2040 concept level LOS is C and D through the proposed Lemon Cove UDB, which meets the General Plan minimum LOS D standard. The 20-25 Year System Operations and Management Concept includes construction of shoulders, upgrade/install guardrails, CAPM, and highway advisory radio. The 20-25 Facility Concept includes operational improvements, construction of shoulders, upgrade/install guardrails, CAPM, and highway advisory radio.

AGENDA

LEMON COVE SANITARY DISTRICT – LEMON COVE WATER

Regular Meeting – DECEMBER 3, 2019 – 2:30 P.M.
Pensar Residence – 32811 Road 244

1. Call to Order & Introductions
2. Old Business:
   A. Further information regarding County General Plan Update (Lemon Cove Community Plan)
   B. Update on progress of Sewer & Water Projects (IRWM Grant)
3. New Business:
   A. Approval of Website Hardship Exemption Resolution
   B. Report on Water Usage, Chlorination & Bacteriological Testing Results
4. Comments from Public
5. Pay Bills
6. Motion to Adjourn
7. Call to Order & Introductions
8. Old Business:
   A. Further information regarding County General Plan Update (Lemon Cove Community Plan)
   B. Update on progress of Sewer & Water Projects (IRWM Grant)
9. New Business:
   A. Approval of Website Hardship Exemption Resolution
   B. Report on Water Usage, Chlorination & Bacteriological Testing Results
10. Comments from Public
11. Pay Bills
12. Motion to Adjourn

Lemon Cove Community Plan
Lemon Cove Sanitary District meeting
December 3, 2019

Name	Address & Email Address	Phone No.
Bill Pensar	P.O.B 44151 - pensar3@netzero.com	597-2504
Peggy Pensar	P.O.Box 44151 - "	"
Sylvia Barnes	PoBox44062 - gandsbar@aol.com	597 2129
George Barnes	" "	"
Mike Lampman	Po Box 44172 Lemon Cove	559 2809083
Seamus Guerin	seamusg@selfhelpenterprises.org	559 802 1694

Lemon Cove Sanitary District Board meeting

December 3, 2019

Dave Bryant, RMA
Susan Simon, RMA

Seamus Guerin, SHE

Bill Pensar, LCSD
Peggy Pensar, LCSD
Mike Lampman, LCSD
George Barnes, LCSD
Sylvia Barnes, LCSD

Materials:
Agenda
Sign-up sheet
Proposed Land Use Map
Proposed Zoning Districts Map
Proposed Complete Streets Map
Two copies of the draft Lemon Cove Community Plan 2019

Community Concerns:

1) Community members expressed concern regarding the mixed-use (MU) overlay in connection with the M-1 Zoning District. Their concern with the (MU) overlay is that it is open to an M-1 use.

UPDATE: Staff has reviewed the Mixed-Use overlay in connection with the M-1 zone and has removed the M-1 zone from the Mixed-Use overlay for the community of Lemon Cove.

2) Residents of the community would like the horizontal alignment of State Route 198 straightened through Lemon Cove including concerns regarding traffic speed and proposed a northbound left turn lane on SR 198 to Avenue 324. Residents also expressed concerns regarding maintaining the scenic corridor along State Route 198, channelization/weaving/narrowing (4 lane E to 2 lane C) on State Route 198 west of Road 204 (Spruce), and sidewalk conditions on Lemon Road transitioning to SR 198.

UPDATE: The SR 198 2016 Transportation Concept Report indicates that the year 2040 Transportation Concept for SR 198 in Lemon Cove is a two-lane conventional facility with operational improvements 2C(I). The 2040 concept level LOS is C and D through the proposed Lemon Cove UDB, which meets the General Plan minimum LOS D standard. The 20-25 Year System Operations and Management Concept includes construction of shoulders, upgrade/install guardrails, CAPM, and highway advisory radio. The 20-25 Facility Concept includes operational improvements, construction of shoulders, upgrade/install guardrails, CAPM, and highway advisory radio.

Tulare County Association of Governments (TCAG) has recently put together a Sustainable Corridor Committee to study the beautification of highways within Tulare County, with one of the study areas being SR 198. Sidewalk conditions on Lemon Road transitioning to SR 198 would be addressed as Lemon Road is included as a proposed complete street in the Lemon Cove Community Plan.

Board of Trustees
September 12, 2019
Regular Meeting

A regular meeting of the Board of Trustees of the Sequoia Union Elementary School will be held on September 12, 2019 at 23958 Ave. 324, Lemon Cove, CA.

AGENDA

1. OPEN SESSION 6:00 p.m.
   Flag Salute

11. OPEN SESSION
    2.1 Comments From the Public
    Board Policy #9323 Allows Each Individual Speaker Three Minutes for Public Comments

111. REPORTS & DISCUSSION

3.1 Superintendent's Report

3.2 S.S.C. Update

3.3 S.E.T.A. Update

3.4 Local Control and Accountability Plan (LCAP)

3.5 Strategic Planning Update

3.6 Charter School Update

3.7 Action Plan for Students With Exceptional Needs

3.8 Parent's Guild

3.9 Ag Advisory Committee

3.10 SchoolWorks – Developer Fee Review

3.11 Tulare County Resource Management-Susan Simon/Power Point on Draft for Lemon Cove Community Emergency Plan

1V. ACTION SESSION

4.1a Approval of the August 8, 2019 Regular Meeting Minutes
4.1b A.D.A. Report
4.1c Cafeteria Report
4.1d Approval of Bills
4.1e Approve Payroll
4.1f Approve Budget Report
4.1g LCAP Approval

OTHER BUSINESS ITEMS

4.2a J200 Annual Financial Report –Unaudited Actuals
4.2b Appropriations Limit (GANN Calc)

V. PERSONNEL

5.1 Discussion on Possible Salary Increase for Classified Staff

V1. OTHER ACTION ITEMS

6.1 Update on Well Project and Approval of Claims – Nick Keller/Keller-Wegley Engineers
6.2 Interdistrict Agreements
6.3 Visalia Unified – Transportation Contract
6.4 Technology Support Services Agreement – Exeter Unified

CLOSED SESSION (Gov. Code Section 54954.5)

a. Conference with Labor Negotiator

Agency negotiator:	Mr. Jensen
Employee organization:	Classified Staff

ADJOURNMENT

Tulare County invites you to a Presentation
of the Lemon Cove Community Plan by the County of Tulare
Resource Management Agency (RMA)
***Thursday, November 7, 2019 at 6:00 p.m*. at the**
Sequoia Union School (cafeteria)
23958 Avenue 324
Lemon Cove, CA 93244

What improvements are needed in the community of Lemon Cove?
Tulare County RMA invites you to give us input to create a community plan the communities' infrastructure and planning.
We want your thoughts on Land Use/Zoning, Roads, Pedestrian, and Bike facilities, Sewer, Water, Water Quality & Quantity, Storm Water Drainage, Fire, and Access to Transportation, Housing, Schools, Libraries, Parks, Access to Healthy Foods and Shopping Opportunities, Access to Medical Facilities, Internet Access and more!
Please come join us
For more information call: Susan at 559-624-7126
Or (Spanish) Jose 559-624-7102

El condado de Tulare lo invita a la

Junta Comunitaria de Lemon Cove

Para una Presentación de la Planificación Comunitaria de la Agencia de Administración de Recursos del Condado de Tulare

Jueves, 7 de noviembre 2019 a las

6:00 p.m. **en**

Sequoia Union School (Cafetería)

23958 Avenue 324

Lemon Cove, CA 93244

¿Qué puede mejora la comunidad de Lemon Cove?

El condado de Tulare lo invita a darnos información para crear un plan comunitario para la infraestructura y planificación de las comunidad.

¡Queremos sus pensamientos sobre usos de terreno/zonificación, carreteras, peatones e instalaciones para bicicletas, el alcantarillado, el agua, la calidad y cantidad del agua, el drenaje pluvial de agua, el fuego, el acceso al transporte, las viviendas, las escuelas, las bibliotecas, los parques, el acceso a alimentos y tiendas, el acceso a servicios médicos, el acceso al Internet y mucho más!

Si quiere más información llame a: Susan 559-624-7126

(español) Jose 559-624-7102

Lemon Cove Community Plan Workshop
At Sequoia Union School District cafeteria
November 7, 2019

Name	Address & Email Address	Phone No.
Alejandro Gutierrez	24423 Ave 328 Lemon Cove CA akgut21@gmail.com	(559) 644-2565
Alicia Acevedo	aceve.alicia@gmail.com	(559) 302-8493
DAVID VASQUEZ	DVASQUEZ@CO.TULARE.CA.US	(559) 302-7737
Ian Hodge	24435 Avenue 328 Lemon Cove ian@hodgefam.net	559-909-1477
Tom Cairns	PO Box 44009, Lemon Cove tmcairns3@gmail	280-7858
GEORGE BARNES	24403 POGUE AVE, L.C a49g80@aol.com	(559) 597 2129
HAROLD WYATT	POGUE AVE LC haloyatt65@gmail.com	847-8013
Mike & Susan Abourezk	24438 Ave 328, L. Cove 93244	(559) 597-2160
Brian Caudle	24449 AVE 328 Lemon Cove Bcaudlell@gmail	408.597 6925
Bill & Peggy Pensar	32811 Rd. 244 Lemon Cove pensar3@netzero	(559) 597-2504
BRYAN RAY	23798 AVE 324, LEMON COVE FIRERIDE923@YAHOO.COM	559-359-3738

Plan Framework

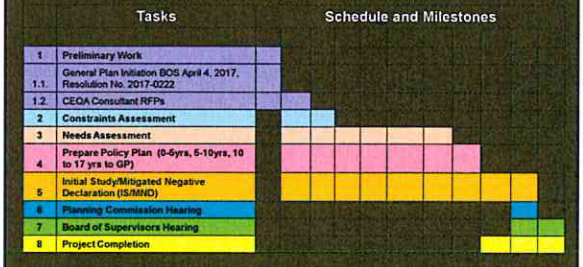
California State Law

Planning Principles

Tulare County General Plan Policies

Schedule

Lemon Cove Community Plan and Environmental Document



Analysis and Recommendations

One Major Purpose

1. Guide Future Decision Making

Two Primary Documents

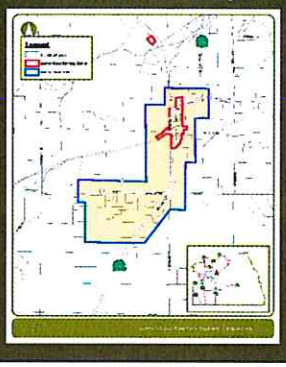
1. Lemon Cove Community Plan
2. Initial Study/Mitigated Negative Declaration (IS/MND)

Three Primary Components

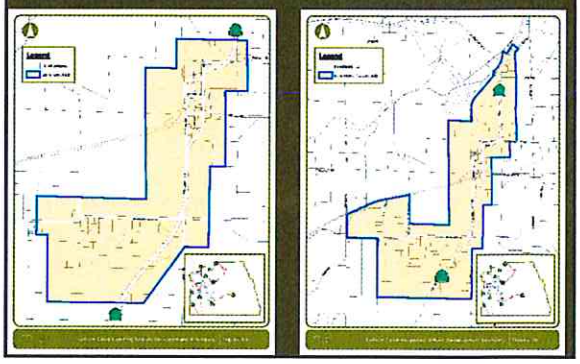
1. Urban Development Boundary
2. Land Use and Circulation
3. Policies to guide future decision making

Lemon Cove Existing Urban Development Boundary 404 Acres

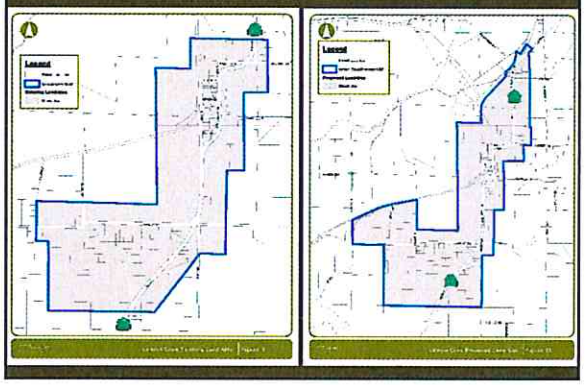
Lemon Cove Sanitary District



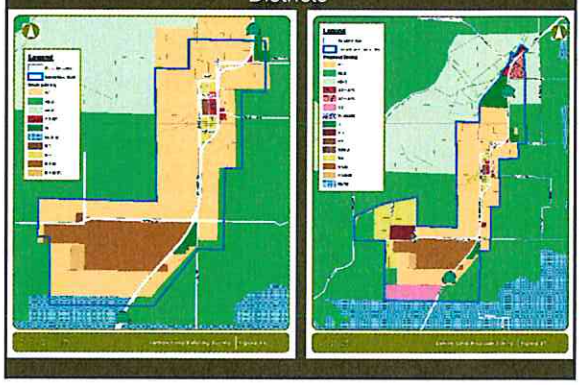
Lemon Cove Proposed Urban Development Boundary 673 Acres (Net UDB Increase 269 Acres)



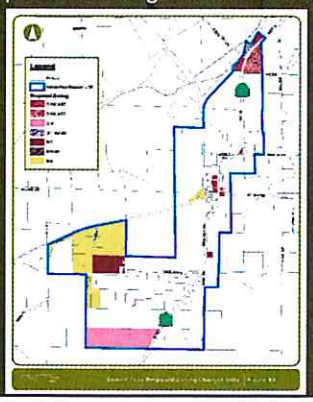
Lemon Cove Existing and Proposed Land Use



Lemon Cove Existing and Proposed Zoning Districts

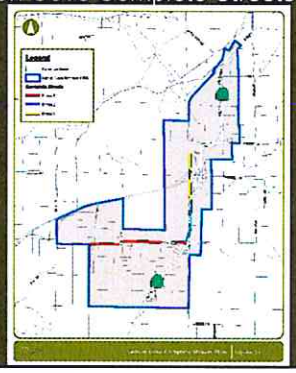


Proposed Zoning District Changes



Lemon Cove Transportation and Circulation Plan

Lemon Cove Complete Streets Plan



Tulare County General Plan Update Guiding Policies

PF-1 To provide a planning framework that promotes the viability of communities, hamlets, and cities while protecting the agricultural, open space, scenic, cultural, historic, and natural resource heritage of the County *[New Goal]*.

PF-2 To provide a realistic planning area around each unincorporated community that clearly delineates the boundaries of each community and provides a framework for economic development, the provision of public services, and an outstanding quality of life *[Urban Boundaries Element; Goal 3, Goal 1UB.C][Urban Boundaries Element Amendment (88-01); 1988, Modified)]*.

PF-2.4 **Community Plans** The County shall ensure that community plans are prepared, updated, and maintained for each of the communities.

PF-2.7 **Improvement Standards in Communities** The County shall require development within the designated UDBs to meet an urban standards for curbs, gutters, sidewalks, and community sewer and water systems.

HS-1 To protect County residents and visitors from injury and damage resulting from natural catastrophes, man-made events, and hazardous conditions *[New Goal based on Five County Seismic Safety Element (1974); Goals 1, 2, 3, 6, 9, 12 & 13. Pg. 11]*

Health and Safety for all Neighborhoods

HS-9 To support healthy lifestyles among residents of Tulare County through the built environment and land use decisions that play an important role in shaping the pattern of community development, in either promoting or discouraging good health for its citizens *[New Goal]*.

PFS-1 To establish and maintain acceptable levels of service, minimize costs, and provide criteria for determining the location, capacity, and timing of existing and future public facilities and services *[New Goal]*.

Adequate Quantity and Quality of Public Services

Achieving General Plan Goals

- Zoning Ordinance Section 16 Increasing uses by right
- Zoning Ordinance Section 18.9 Creating flexibility for uses through mixed use overlays

DEMOGRAPHIC AND ECONOMIC INFORMATION

- Population
- In 2010, Lemon Cove's population was 308.
- The population decreased to 232 by 2017.
- Median Age
- The median age in Lemon Cove went up from 39.6 in 2010 to 56.2 in 2017, Compared to 30.6 in Tulare County

- Economic Conditions (2017)
- Lemon Cove had an unemployment rate of 13.6%, compared to 10.0% for Tulare County, and 7.7% for California
- Lemon Cove's median household income was $51,979, compared to $44,871 for Tulare County and $67,169 for State of California
- 0.0 % of families in Lemon Cove live below the poverty line, compared to 23% for Tulare County and 11.1 % in California

- Housing Units (2010-2017)
- During the decade between 2010 and 2017, the number of housing units in Lemon Cove decreased from 153 to 115.
- American Community Survey indicated that 84.3% of the housing units in Lemon Cove were 1 unit detached.
- American Community Survey indicated that 82.8% of the housing units in Lemon Cove were owner occupied.
- In 2017, the vacancy rate in Lemon Cove was 19.1% (Tulare County 8%)
- In 2015, approximately 22% of the housing units were sound (Tulare County 46%)

NEXT STEPS

Planning Commission Public Hearing
December 11, 2019

Board of Supervisors Public Hearing TBD in January 2020 or February 2020

Thank You for Attending

Aaron R Bock, MCRP, JD, LEED AP
Assistant RMA Director
Economic Development & Planning
5961 South Mooney Blvd.
Visalia, CA 93277
(559) 624-7050

David Bryant, MPA
Chief Planner, Special Projects
5961 South Mooney Blvd.
Visalia, CA 93277
(559) 624-7130

Susan Simon
Planner III
5961 South Mooney Blvd
Visalia, CA 93277
(559) 624-7126

Tulare County Resource Management Agency Community Outreach Lemon Cove

November 7, 2019

Dave Bryant, RMA
Susan Simon, RMA
Juan Carmona, RMA
Arlin Benavides, RMA
David Vasquez, Tulare County Fire

Bill Pensar, LCSD
Peggy Pensar, LCSD
George Barnes, LCSD

Approximately 13 members of the community

Materials:
Agenda
Sign-up sheet
Powerpoint Presentation
Lemon Cove Land Use map
Lemon Cove Proposed Zoning District map
Hand out (link to County website for the review of the Draft Lemon Cove Community Plan and the Initial Study/Mitigated Negative Declaration)

Community Concerns:

1) Residents of the community are concern of the speeding along Avenue 324 from SR 198 to Sequoia Union School.

UPDATE:

2) Residents of the community would like the horizontal alignment of State Route 198 straightened through Lemon Cove including concerns regarding traffic speed and request a northbound left turn lane on SR 198 to Avenue 324.

UPDATE: The SR 198 2016 Transportation Concept Report indicates that the year 2040 Transportation Concept for SR 198 in Lemon Cove is a two-lane conventional facility with operational improvements 2C(I). The 2040 concept level LOS is C and D through the proposed Lemon Cove UDB, which meets the General Plan minimum LOS D standard. The 20-25 Year System Operations and Management Concept includes construction of shoulders, upgrade/install guardrails, CAPM, and highway advisory radio. The 20-25 Facility Concept includes operational improvements, construction of shoulders, upgrade/install guardrails, CAPM, and highway advisory radio.

Emergency Evacuation Plan

Dave Vasquez, Battalion Chief, Tulare County Fire discussed how to be prepared in case of an Emergency Evacuation.

There is currently no wildfire or flood threat within the Lemon Cove area. Lemon Cove is surrounded by agricultural trees that are green.

Discussion with the community about the importance of being prepared in case of an emergency:

- Have a Plan in place and discuss it will all members of the household.
- Where your family will meet up
- Putting important documents in a fire proof safe
- Generator
- Water
- Food
- Friend care
- Helping fire department
- Bringing the community together

Attachment A- 7 Lemon Cove Water System

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Date	Documents
April 1986	Contract between State of California Department of Water Resources and Tulare County (Zone of Benefit No. 3 – Lemon Cove)
May 31, 1988	Board of Supervisors Resolution No. 88-0695 Formation of Zone of Benefit No. 3 for the creation of County Service Area No. 1.
May 22, 1990	Board of Supervisors Resolution No. 90-0591: Agreement 15793 – Lemon Cove Sanitary District and Agreement 15794 – Keller-Wegley
May 22, 1990	Agreement 15793 with Lemon Cove Sanitary District
April 9, 1991	Agreement 15794 with Keller/Wegley
April 9, 1991	Board of Supervisors Resolution 91-0403: Agreement 15793-A Lemon Cove Sanitary District – amendment to include the design and construction of the water distribution system.
April 9, 1991	Amendment No. 1 to Agreement 15793
July 1, 1991	Amendment No. 2 to Agreement 15793 (-B), Amendment No 2 was inadvertently not presented to Board of Supervisors. (see lines 24 and 25 of Agreement No. 3)
July 23, 1991	Amendment No. 2 to Agreement 15793 (-B) enters into separate and independent contracts for the drilling of a test well.
November 19, 1991	Board of Supervisors Resolution No. 91-1311 to combine grants between County of Tulare and the Lemon Cove Sanitary District.
December 17, 1991	Board of Supervisors Resolution 91-1507: Agreement 15793 (-C) to provide for joint construction of the separate water distribution system.
December 17, 1991	Amendment No. 3 to Agreement 15793 (-C) to provide for joint construction between Tulare County and Lemon Cove Sanitary District
January 21, 2992	Board of Supervisors Resolution 92-0099 Declaring an Emergency Regarding Lemon Cove Safe Drinking Water Project.
January 21, 1992	Board of Supervisors Resolution 92-0100 for temporary removal of the production pump at the McKay's Point well site, testing, and well seal
April 30, 1992	Recorded Notice of Completion Between the County of Tulare and Schiedt, Haydon, and Hall Construction Co. completed on January 30, 1992 (Board of Supervisors Resolution No. 92-031559.
June 2, 1992	Board of Supervisors Resolution No. 92-0639 for the Notice of Completion between the County of Tulare and W.M. Lyles Co., Inc. (16389) for the construction of the water well.
June 2, 1992	Recorded Notice of Completion between the County of Tulare and W.M. Lyles Co., Inc. completed on January 30, 1992.
November 29, 1994	Board of Supervisors Resolution No. 94-1441: Agreement No. 17618 between County of Tulare, Lemon Cove Sanitation District, and Sequoia Union School District to provide a water connection for fire flow only to Sequoia Union School District.
April 27, 2012	Letter from the Lemon Cove Sanitary District to Supervisor Allen Ishida, Board of Supervisors white paper outlining relationship between County of Tulare and Lemon Cove Sanitary District.
	Summary list for the Lemon Cove Water Project

Grant

CONTRACT NO. E59222

STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES

CONTRACT BETWEEN THE STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
AND
Tulare County Service Area #1
(Zone of Benefit No. 3 - Lemon Cove)

A Public Agency

FOR GRANT UNDER THE
CALIFORNIA SAFE DRINKING WATER BOND LAW OF 1984

E59/04-86

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4.	Grant Amount	1
5.	Supplier's Cost	2
6.	Requirements for Disbursement	2
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8.	Operation and Maintenance of Project	2
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EXHIBIT A

GRANT CONTRACT STANDARD CONDITIONS

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A-2.	Term of Contract	A2
A-3.	Basic Conditions Precedent	A2
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	(a) Separate Accounting of Disbursements and Interest; Records	A5
	(b) Disposition of Money Disbursed	A5
	(c) Remittance of Unexpended Funds	A5
A-10.	Reports on Expenditure and Project	A5
A-11.	Inspections of Project by State and State Department of Health Services	A6
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A-13.	Nondiscrimination Clause	A6
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A-20.	Contracting Officer of the State	A7
A-21.	Waiver of Rights	A7
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A-23.	Inspection of Books, Records, and Reports	A8
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EXHIBIT B

GRANT CONTRACT PERFORMANCE REQUIREMENTS

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B-1. Performance and Assurances	B1
B-2. Default Provision	B1

STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES

CONTRACT BETWEEN STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES AND
Tulare County Service Area #1
(Zone of Benefit No. 3 - Lemon Cove)

UNDER THE CALIFORNIA SAFE DRINKING WATER BOND LAW OF 1984

THIS CONTRACT, entered into by and between the State of California, acting by and through its Department of Water Resources, herein referred to as the "State" and the Tulare County Service Area #1 (Zone of Benefit No. 3 - Lemon Cove) a public agency in the County of Tulare, State of California, duly organized, existing, and acting pursuant to the laws thereof, herein referred to as the "Supplier", which parties do hereby agree as follows:

CONTRACT SPECIAL PROVISIONS

SECTION 1. PURPOSE OF THE GRANT

This grant is made by the State to the Supplier to assist in financing construction of a project which will enable the Supplier to meet safe drinking water standards established pursuant to Chapter 7 (commencing with Section 4010) of Part 1 of Division 5 of the Health and Safety Code. Grant funds may be used only for such Eligible Project as defined in the final plans and specifications, approved by the State Department of Health Services, and any revisions thereof, and Article A-1 of the Grant Contract Standard Conditions.

SECTION 2. INCORPORATION OF STANDARD CONDITIONS, GRANT CONTRACT PERFORMANCE REQUIREMENTS, AND PLANS AND SPECIFICATIONS

This Contract incorporates Exhibit A, "Grant Contract Standard Conditions" (hereinafter referred to as "Standard Conditions"); Exhibit B, "Grant Contract Performance Requirements", and any attachments thereto. Upon their completion, the final plans and specifications approved by the State Department of Health Services and referred to in Section 1 also shall be attached and are incorporated herein and made a part of this Contract.

SECTION 3. ESTIMATE OF PROJECT COST

The reasonable cost of the Project is estimated to be $394,680.

SECTION 4. GRANT AMOUNT

Subject to the availability of funds, the State will grant to the Supplier in accordance with the terms of this Contract an amount not to exceed $394,680.

SECTION 5. SUPPLIER'S COST

The Supplier agrees to fund the difference between the estimate of the project cost (Section 3) and the sum of the grant amount (Section 4). Such Supplier's cost in the amount of Ø shall be expended prior to the expenditures of State grant funds. All remaining funds after the completion of the Project shall first be applied to reduce the grant funds authorized in Section 4.

SECTION 6. REQUIREMENTS FOR DISBURSEMENT

Supplier shall by December 31, 1988 meet all conditions precedent to the disbursement of money under this Contract, including Basic Conditions Precedent under Article A-3 of the Standard Conditions. Failure by Supplier to comply with this date may, at the option of the State, result in termination of the contract under Article A-6 of the Standard Conditions.

SECTION 7. WATER CONSERVATION

For a period of 30 years, which is a reasonable life expectancy of the project, Supplier shall undertake all reasonable efforts to conserve water in a cost effective manner.

SECTION 8. OPERATION AND MAINTENANCE OF PROJECT

For a period of 30 years, which is a reasonable life expectancy of the Project, in consideration of the grant made by the State, the Supplier agrees to commence and to continue operation of the Project upon completion and shall cause the Project to be operated in an efficient and economical manner in accordance with applicable provisions of the law; shall provide for the making of all repairs, renewals, and replacements necessary to the efficient operation of the same; and shall cause the same to be maintained in as good and efficient condition as upon its construction, ordinary and reasonable wear and depreciation excepted.

SECTION 9. OTHER ASSISTANCE

Supplier certifies that he has applied for and made reasonable efforts to secure Federal assistance for the Project and has secured the approval of the State and the State Department of Health Services to make application for Federal assistance in order to maximize and to utilize best the amounts of such assistance available.

Supplier further agrees that if Federal funds become available for this Project within three years of Project completion, Supplier will remit to the State all or a portion of the Federal funds received up to the amount of the grant, provided remittance is not contrary to the terms upon which the Federal funds were received.

SECTION 10. NOTICES

Notices required to be given in writing by the Supplier under this Contract shall be sent to:

State of California
Department of Water Resources
Attention: Program Manager
Safe Drinking Water Bond Law of 1984
P.O. Box 942836
Sacramento, CA 94236-0001

Notices required to be given in writing by the State under this Contract shall be sent to:

Chairman, Board of Supervisors
Tulare County Service Area #1
Administration Building
County Civic Center
Visalia, CA 93291

A change of address for delivery of notice may be made by either party by written notice of such change of address to the other party.

All such notices shall be enclosed in a properly addressed, postage prepaid envelope and deposited in a United States Post Office for delivery by registered or certified mail.

IN WITNESS WHEREOF, the parties hereto have executed this Contract on _____ _____.

Approved as to Legal Form
and Sufficiency:

By _____
Chief Counsel
Department of Water Resources

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES

By _____
Controller
P. O. Box 942836
Sacramento, CA 94236-0001

Tulare County Service Area #1
(Zone of Benefit No. 3 - Lemon Cove)
SUPPLIER

By _____
Signature LeROY SWINEY
CHAIRMAN, BOARD OF SUPERVISORS
Title

Address

EXHIBIT A

STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES

GRANT CONTRACT STANDARD CONDITIONS

ARTICLE A-1. DEFINITIONS

Whenever in this Contract the following terms are used, their meaning shall be as follows unless the context clearly requires otherwise:

State Department of Health Services--The State Department of Health Services or the local health agency which has jurisdiction to issue the necessary water permit under the provisions of Chapter 7 (commencing with Section 4010) of Part 1 of Division 5 of the Health and Safety Code.

Contract--The Contract to which these Grant Contract Standard Conditions are appended.

Days--Calendar days unless otherwise expressly indicated.

Month--Calendar months unless otherwise expressly indicated.

Year--Calendar year unless otherwise expressly indicated.

Project--All work and facilities, not including construction equipment, for the construction, improvement, or rehabilitation of the domestic water system, including water supply, treatment works, storage facilities, and all or part of a water distribution system proposed by the Supplier pursuant to the plans and specifications which describe the plan of the Project approved by the State Department of Health Services and all addenda and changes to the foregoing documents approved by the State Department of Health Services.

System--All facilities under control of the Supplier for the provision of piped water to the public for human consumption which may include any collection, treatment, storage, or distribution facilities.

Eligible Project--A project for the construction, improvement, or rehabilitation of a domestic water system determined to be eligible under the California Safe Drinking Water Bond Law of 1984.

Eligible Project Costs--Reasonable costs associated with an eligible project including the engineering, legal, and administrative fees associated with the Project, and also including those reasonable costs incurred by the applicant to prepare the application and to establish eligibility prior to or after the effective date of this Contract. Eligible Project Costs do not include:

(1) Operation and maintenance costs.
(2) Cost of providing water for industrial use.
(3) Costs for purchase of equipment.
(4) Payment of principal or interest of existing indebtedness or any interest payment unless:
    (A) The debt is incurred after issuance of a letter of commitment of funds by the State; and
    (B) The State agrees in writing to the eligibility of the costs for reimbursement before the debt is incurred; and
    (C) The purposes for which the debt is incurred are otherwise Eligible Project Costs.

Treatment Works--Any devices or systems used in the treatment of water supplies, including necessary lands, which render such supplier pure, wholesome, and potable for domestic purposes.

Grant Commitment--The maximum sum of money which the State agrees to provide to the Supplier under this Contract that will not have to be repaid.

ARTICLE A-2. TERM OF CONTRACT

Subject to the provisions for requirements for disbursment, this Contract shall become effective on the date of its execution and shall remain in effect for the period provided in Section 8.

ARTICLE A-3. BASIC CONDITIONS PRECEDENT

The State shall have no obligation to disburse money under the Contract unless and until:

(a) The Supplier provides a copy of a resolution passed by its governing board or other enabling authority if applicable, authorizing acceptance of this Contract and designating an authorized representative to execute the Contract and to sign the request for disbursement.

(b) The Supplier shall demonstrate to the State's satisfaction that the proposed Project has the support of a majority of the affected community by having a widely publicized public meeting, or by any other suitable, lawful method of determining community support, at which public comments and questions are received and answered.

(c) The Supplier demonstrates the availability of sufficient funds to complete the Project.

(d) The Supplier demonstrates to the State's satisfaction that the Supplier has sufficient water available at all times and a right to use the water required to operate the Project throughout the repayment period of the loan.

(e) Within one year from the date of execution of the grant contract, the Supplier will provide a summary of bids. Total Eligible Project Costs, as evidenced by the enumeration of legal and administrative fees and by bids for construction, must be within twenty percent (20%) of the estimated costs as submitted in the grant application and authorized by the Legislature.

(f) The Supplier shall submit Forecasts of Eligible Project Costs on a form provided by the State. The Supplier shall submit to the State in writing any substantial changes in the forecast.

(g) The Supplier shall submit a budget of Eligible Project Costs on a form provided by the Department of Health Services. The Supplier shall submit to the State in writing any substantial changes in the budget. The Supplier shall obtain written approval of changes from Department of Health Services and the State before changes are made.

ARTICLE A-4. PERMITS AND APPROVALS

The Supplier shall obtain the approvals and permits required by any other State, Federal, or local agency necessary to commence design, construction, or operation of the Project.

ARTICLE A-5. GRANT DISBURSEMENTS

(a) Cost Statements

After the Basic Conditions Precedent in Articles A-3 and A-4 are met, the State will disburse the whole or portions of the grant commitment to the Supplier following receipt from the Supplier of a statement or statements of incurred Eligible Project Costs on forms provided by the State. Requests for grant funds shall be filed monthly or for such longer period as the State and Supplier may mutually agree, and the Supplier shall provide the following information:

(1) A statement of the incurred Eligible Project Costs of work performed in constructing the Project under a construction contract or construction contracts during the period identified in the particular statement.

(2) A statement of the cost of any interests in land that has been necessarily acquired for the Project during the period identified in the particular statement for the construction, operation, or maintenance of the Project.

(3) A statement of other incurred Eligible Project Costs which have been incurred for the Project during the period identified in the particular statement, including, but not limited to, legal, engineering, and administrative fees associated with construction and reasonable Project costs of the Supplier to prepare the application and to establish eligibility.

After the State gives notice to the Supplier that the State has determined that the Project has been completed or terminated, the Supplier shall furnish a final statement of incurred Eligible Project Costs.

(b) Disbursements

Following review by the State of each statement of costs, the State will disburse to the Supplier the amount approved, subject to the availability of funds. Any and all money disbursed to the Supplier under this Contract and any and all interest earned by the Supplier on such money shall be used solely to pay Eligible Project Costs.

(c) Withholding of Grant Disbursements by Supplier

The Supplier shall withhold not less than five percent (5.0%) from any disbursement or combination of disbursements until the acceptable completion of the Project or any component contract which has been let under a competitive bidding procedure.

ARTICLE A-6. WITHHOLDING OF GRANT DISBURSEMENTS BY STATE

(a) Conditions for Withholding

If the State determines that the Project is not being constructed substantially in accordance with the provisions of this Contract or, if the State determines that the Supplier has failed in any other respect to substantially comply with the provisions of this Contract, and if the Supplier does not remedy any such failure to the State's satisfaction, the State may withhold from the Supplier all or any portion of the grant commitment, and take any other legal action it deems necessary to protect its interests.

(b) Withholding Entire Grant Commitment

If the State notifies the Supplier that it has decided to withhold all of the grant commitment from the Supplier pursuant to Subdivision (a) of this Article, this Contract shall terminate upon receipt of such notice by the Supplier and shall no longer be binding on either party hereto.

ARTICLE A-7. TIMING AND MANNER OF PROJECT CONSTRUCTION

(a) Project Completion Date

The Supplier shall cause the construction of the Project to be completed not later than December 31, 1989, provided that said date for completion may be extended upon written approval of the State, but in no case later than three years from the exectuion of the contract.

(b) Construction Pursuant to Project Plans and Specifications

The Project shall be constructed in accordance with the final plans and specifications that are approved by the State Department of Health Services, and with any revisions thereof approved by the State Department of Health Services.

(c) Determination of Project Completion

For the purposes of this Contract, construction of the Project shall be considered to be completed or to be terminated when so determined by the State.

(d) Competitive Bidding

Any contract let for the construction of the Project, or any part thereof, which is in excess of $10,000 or which is in excess of any smaller amount for which bids are required under the enabling authority of the Supplier, shall be let by competitive bid procedures which assure award of the Contract to the lowest responsible bidder, except as may be otherwise authorized in writing by the State. Requests for approval of competitive bidding for award of a contract to other than the low bidder, or for a Supplier to proceed on the basis of force account or day labor, or for any other procedure which deviates from the principle of competitive bidding shall be submitted in writing to the State before the procedure is implemented. State's approval of the procedure will be based on compliance with applicable laws and policies. The State expressly reserves the right to approve or disapprove of such requests.

(e) Sign Referring to Safe Drinking Water Bond Law Financing

During construction of the Project, the Supplier shall cause a sign to be installed at prominent location which shall include a statement that the Project is financed under the California Safe Drinking Water Bond Law of 1984 Program administered by the State of California, Department of Water Resources, and the State Department of Health Services.

(f) Audit Requirement

Pursuant to Government Code Section 10532, the contracting parties shall be subject to the examination and audit of the State Auditor General for a period of three years after final payment under this Contract with respect to all matters connected with the performance of this Contract, including, but not limited to, the cost of administering this Contract.

ARTICLE A-8. PERFORMANCE AND ASSURANCES

The Supplier shall meet the provisions set forth in Exhibit B, "Grant Contract Performance Requirements", to adequately ensure the proper construction, operation and maintenance of the Project.

ARTICLE A-9. ACCOUNTING AND DEPOSIT OF GRANT DISBURSEMENTS

(a) Separate Accounting of Grant Disbursements and Interest; Records

The Supplier shall account for the money disbursed pursuant to this Contract separately from all other Supplier's funds. The Supplier shall keep complete and accurate records of all receipts, disbursements, and interest earned on expenditures of such money. Records are subject to inspection by the State at any and all times.

(b) Disposition of Money Disbursed

All money disbursed pursuant to this Contract shall be deposited, administered, and accounted for pursuant to the provisions of law applicable to the Supplier.

(c) Remittance of Unexpended Funds

The Supplier, within a period of thirty (30) days from the final disbursement from the State to the Supplier of grant funds, shall remit to the State any unexpended funds that were disbursed to the Supplier under this Contract and were not needed to pay Eligible Project Costs incurred.

ARTICLE A-10. REPORTS ON EXPENDITURE AND PROJECT

During the planning and construction phases, the Supplier agrees to include an annual summary of the information required by Article A-5 and A-9(a).

ARTICLE A-11. INSPECTIONS OF PROJECT BY STATE AND STATE DEPARTMENT OF HEALTH SERVICES

The State and State Department of Health Services shall have the right to inspect the work being performed at the facilities being constructed at any and all times during the construction of the Project and to inspect the Project and the operation and maintenance thereof at any and all times after its completion. Supplier shall notify the State and the State Department of Health Services of the final inspection of the Project or any component by the Supplier at least ten (10) days prior to the date set for the inspection.

ARTICLE A-12. PROHIBITION AGAINST DISPOSAL OF PROJECT WITHOUT STATE PERMISSION

The Supplier shall not sell, abandon, lease, transfer, exchange, mortgage, hypothecate, or encumber in any manner whatsoever all or any portion of the Project or of any real or other property necessarily connected or used in conjunction therewith, without prior permission of the State.

ARTICLE A-13. NONDISCRIMINATION CLAUSE

During the performance of this contract, the Supplier, its contractor and subcontractors shall not deny the contract's benefits to any person on the basis of religion, color, ethnic group identification, sex, age, physical or mental disability, nor shall they discriminate unlawfully against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical handicap, mental disability, medical condition, marital status, age or sex. Supplier shall insure that the evaluation and treatment of employees and applicants for employment are free of such discrimination.

Supplier, its contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.), the regulations promulgated thereunder (California Administrative Code, Title 2, Section 7285.0 et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the government Code (Government Code, Sections 11135-11139.5) and the regulations or standards adopted by the awarding State agency to implement such article.

Supplier, its contractor and subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

Supplier shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the contract.

ARTICLE A-14. WORKERS COMPENSATION CLAUSE

Supplier affirms that it is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and Supplier affirms that it will comply with such provisions before commencing the performance of the work under this contract and will make its contractors and subcontractors aware of this provision.

ARTICLE A-15. SUCCESSORS AND ASSIGNS

This Contract and all of its provisions shall apply to and bind the successors and assigns of the parties hereto. No assignment or transfer of this Contract or any part hereof, rights hereunder, or interest herein by the Supplier shall be valid unless and until it is approved by the State and made subject to such reasonable terms and conditions as the State may impose.

ARTICLE A-16. STATE TO BE HELD HARMLESS

The Supplier agrees to indemnify the State of California, Department of Water Resources and the State Department of Health Services, and their officers, agents, and employees against and to hold the same free and harmless from any and all claims, demands, damages, losses, costs, expenses, or liability due or incident to, either in whole or in part and whether directly or indirectly, the design, construction, operation, repair, maintenance, existence, or failure of the Project, or of any of its works or facilities.

ARTICLE A-17. REMEDIES NOT EXCLUSIVE

The use by either party of any remedy specified herein for the enforcement of this Contract is not exclusive and shall not deprive the party using such remedy of, or limit the application of, any other remedy provided by law.

ARTICLE A-18. AMENDMENTS

This Contract may be amended at any time by mutual agreement of the parties, except insofar as any proposed amendments are in any way contrary to applicable law. Requests for amendments must be in writing, stating what the amendment request is and the reason for the request.

ARTICLE A-19. OPINIONS AND DETERMINATIONS

Where the terms of this Contract provide for action to be based upon the opinion, judgment, approval, review, or determination of either party hereto, such terms are not intended to be and shall never be construed as permitting such opinion, judgment, approval, review, or determination to be arbitrary, capricious, or unreasonable.

ARTICLE A-20. CONTRACTING OFFICER OF THE STATE

The contracting officer of the State shall be the Director of Water Resources of the State of California and his successors, or their duly authorized representatives. The contracting officer shall be responsible for all discretionary acts, opinions, judgments, approvals, reviews, and determinations required of the State under the terms of this Contract.

ARTICLE A-21. WAIVER OF RIGHTS

It is the intention of the parties hereto that from time to time either party may waive any of its rights under this Contract unless contrary to law. Any waiver by either party hereto of rights arising in connection with this Contract shall not be deemed to be a waiver with respect to any other rights or matters.

ARTICLE A-21. NOTICES

All notices that are required either expressly or by implications to be given by one party to the other under this Contract shall be signed for the State by its contracting officer and for the Supplier by such officers, as from time to time, it may authorize in writing to so act. All such notices shall be deemed to have been given if delivered personally or if enclosed in a properly addressed postage-prepaid envelope and deposited in a United States Post Office for delivery by registered or certified mail.

ARTICLE A-22. INSPECTION OF BOOKS, RECORDS, AND REPORTS

During regular office hours, each of the parties hereto and their duly authorized representatives shall have the right to inspect and to make copies of any books, records, or reports of the other party pertaining to this Contract or matters related hereto. Each of the parties hereto shall maintain and shall make available at all times for such inspection accurate records of all of its cost, disbursements, and receipts with respect to its activities under this Contract.

ARTICLE A-23. SUIT ON CONTRACT

Each of the parties hereto may sue and be sued with respect to this Contract.

EXHIBIT B

GRANT CONTRACT PERFORMANCE REQUIREMENTS

ARTICLE B-1. PERFORMANCE AND ASSURANCES

Supplier agrees to faithfully and expeditiously perform or cause to be performed all Project work as described in the final plans and specifications as submitted or as later amended and approved by the State Department of Health Services under this Contract, to apply State funds received only to Eligible Project Costs, and to operate and maintain the Project in accordance with applicable provisions of the law. In the event the State finds it necessary to enforce this provision or any right of power under this Contract in the manner provided by law, Supplier agrees to pay all costs incurred by the State including, but not limited to, reasonable attorney's fees, legal expenses, and costs.

ARTICLE B-2. DEFAULT PROVISION

Failure of Supplier to comply with the Contract Standard Conditions and Contract Performance Requirements, may at the option of the State be considered a material breach of the contract. In the event the Supplier is found by the State to be in breach of the contract, the State has the authority to take any action which it deems necessary to protect its interests.

BEFORE THE BOARD OF SUPERVISORS

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF THE FORMATION)
OF ZONE OF BENEFIT NO. 3 WITHIN) RESOLUTION NO. 88 0695
COUNTY SERVICE AREA NO. 1)

WHEREAS, there exists within the County of Tulare, County Service Area No. 1 established pursuant to California Government Code section 25210.1 et seq. (all statutory references are to the California Government Code unless otherwise indicated) and Tulare County Board of Supervisors Resolution Nos. 84-1005 and 84-1084; and

WHEREAS, the purpose for the creation of County Service Area No. 1 was to provide such extended services as defined by sections 25210.4 and 25210.4(a), including but not limited to water service; and

WHEREAS, within the County Service Area No. 1 there exists a particular area commonly known as the Lemon Cove area, the legal boundaries of which are set out in exhibit "A" attached hereto; and

WHEREAS, conditions exist in this area which call for the provision of water service by a governmental agency; and

WHEREAS, section 25210.8 provides for the establishment of a zone of benefit within a county service area for the provision of particular services to benefit the property within such a zone;

NOW, THEREFORE, be it resolved as follows:

1. That pursuant to section 25210.8, a zone of benefit is hereby established within County Service Area No. 1, the boundaries of which zone of benefit are set out in exhibit "A" attached hereto.

2. That the name of such zone of benefit is the Zone of Benefit No. 3 of Tulare County Service Area No. 1.

3. That the purpose of Zone of Benefit No. 3 is the provision of certain extended services for the benefit of the land within such zone.

4. That this Board has determined that the extended service to be provided is water service, including the acquisition, construction, operation, replacement, maintenance, and repair of water supply and distribution systems including land, easement, and rights-of-way and water rights as authorized by section 25210.4(a)(1).

The foregoing resolution was adopted upon motion of Supervisor Gould, seconded by Supervisor Mangine, at a regular meeting on this 31 day of May, 1988, by the following vote:

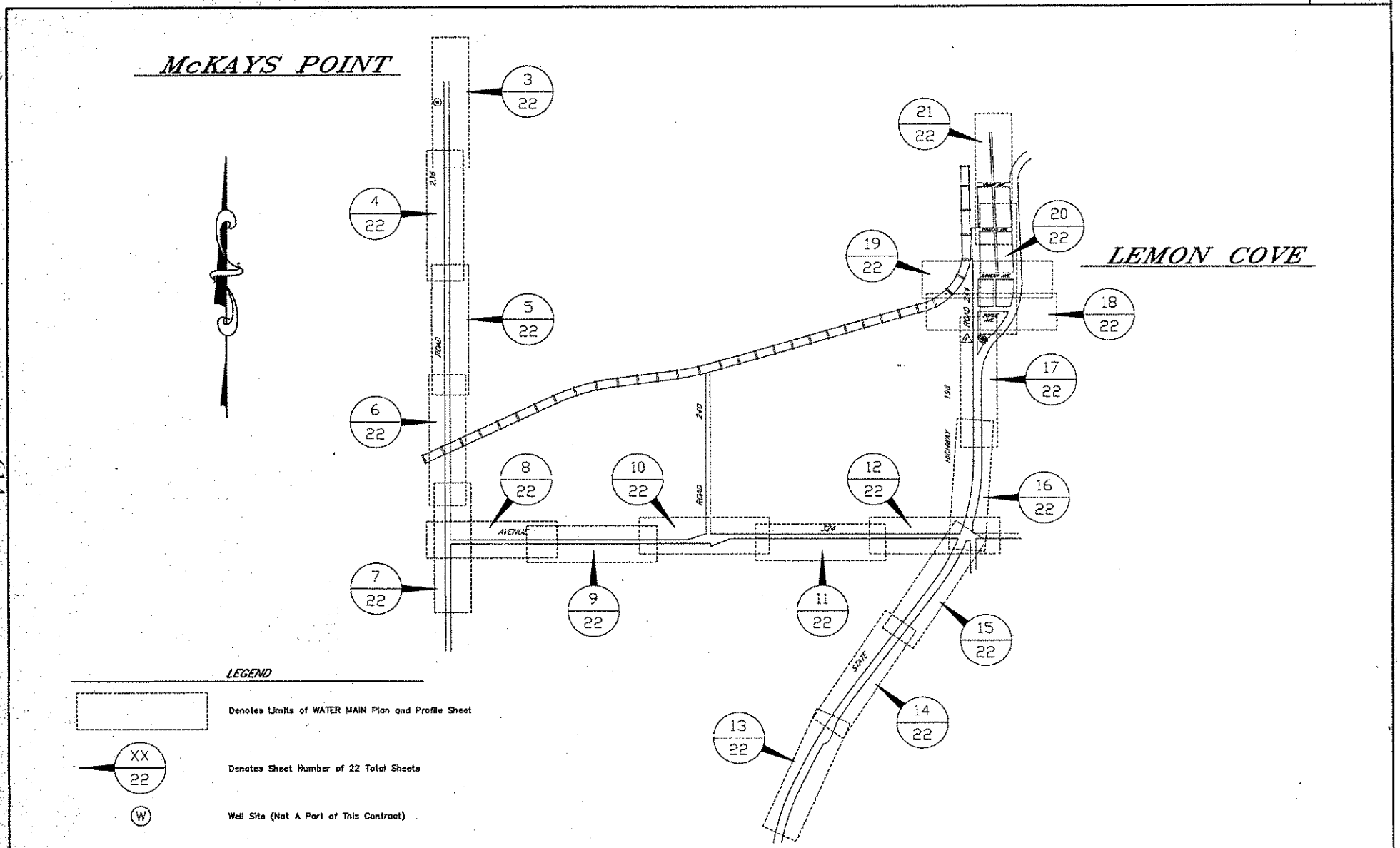
AYES: Supervisors Gould, Conway, Mangine, Swiney and Reed

NOES: None

ABSENT: None

ATTEST: John C. McClure II
County Executive/Clerk
Board of Supervisors

BY: Michelle Baldwin
Deputy



REVISION	DATE	DESCRIPTION	APPROVED
1	12/10/92	As-Built	S.E.

LEMON COVE SANITARY DISTRICT

TULARE COUNTY CSA #1 – LEMON COVE ZOB

PIPELINE LOCATION MAP

SCALE: 1" = 400'

DRAWN BY: M. MEEKS

APPROVED BY: D. R. KELLER

C.E. NO. 24199 DATE: 05/31/91

DENNIS R. KELLER
JAMES H. WEGLEY
CONSULTING ENGINEERS
209 SOUTH LOCUST STREET
VISALIA, CALIFORNIA 93291 209-732-7958

SHEET 2 OF 22

BEFORE THE BOARD OF SUPERVISORS

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF)
Lemon Cove Sanitary District)
)

RESOLUTION NO. 90-0591

AGREEMENT NO.
15793 - Lemon Cove Sanitary District
15794 - Keller-Wegley

UPON MOTION OF SUPERVISOR Gould, SECONDED BY SUPERVISOR Conway, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD May 22, 1990, BY THE FOLLOWING VOTE:

AYES: Supervisors Gould, Conway, Mangine, Swiney, and Reed

NOES: None
ABSTAIN: None
ABSENT: None

BOARD OF SUPERVISORS * TULARE COUNTY, CAL. *

ATTEST: RONALD S. HOLDEN
COUNTY EXECUTIVE/CLERK
BOARD OF SUPERVISORS

BY: Linda Magana
Deputy Clerk

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Approved a Joint Powers Agreement with the Lemon Cove Sanitary District (LCSD) for the Lemon Cove Zone of Benefit and an Engineering agreement with Keller-Wegley, Consulting Civil Engineers, for professional engineering services for the Lemon Cove Safe Drinking Water Grant project

AGREEMENT

THIS AGREEMENT is made this 22nd day of May, 1990, by and between the County of Tulare, a political subdivision of the State of California, hereinafter referred to as the "County", and the Lemon Cove Sanitary District, hereinafter referred to as the "District".

W I T N E S S E T H:

WHEREAS, both the District and the County are concerned about the contamination of domestic water due to high nitrate levels and subsequent water quality problems in the Lemon Cove area and agree that it is in their mutual best interest to undertake both cooperative and separate efforts to correct the problem; and

WHEREAS, on March 10, 1988, the California Department of Water Resources sent a Letter of Commitment to the District for a $400,000 conditional grant under the California Safe Drinking Water bond Law of 1984 to construct a water distribution and supply system within the District's boundaries; and

WHEREAS, on June 13, 1988, the California Department of Water Resources sent a Letter of Commitment to the County for a $394,680 conditional grant under the California Safe Drinking Water Bond Law of 1986 to construct a water distribution and supply system in the Lemon Cove area; and

WHEREAS, both California Department of Water Resources grants were conditioned upon the County and District exploring and, if possible, undertaking a cooperative effort to locate and utilize a common potable water source; and

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Tulare County Agreement No. 15793

Y COUNSEL
ARE COUNTY

WHEREAS, the $394,680 California Department of Water Resources grant to the County under the California Safe Drinking Water bond Law of 1986 is conditioned upon the formation of a County Service Area to assume responsibility for administration of a contract with the State concerning the County's water system; and

WHEREAS, the County had already established the Tulare County Services Area No. 1 under which the County had the authority to establish a Zone of Benefit wherein the additional municipal service of a domestic water system could be provided; and

WHEREAS, the Lemon Cove Zone of Benefit which includes the community of Lemon Cove but excludes the District was formed for the purpose of providing a domestic water system and assessing the residents thereof; and

WHEREAS, the County and District have agreed in concept to participate in a cooperative effort to locate and, if possible, construct a common water supply system if each would undertake separate and concurrent efforts to provide water distribution systems utilizing such a common water source to residents within their respective jurisdictions in the Lemon Cove area;

NOW, THEREFORE, in consideration of their mutual promises as hereinafter set forth, the County and the District agree as follows:

I. PROJECT DESCRIPTION

A. It is contemplated that the Project addressed by this Agreement shall consist of a joint or common water source supply system (consisting of as many as two wells) located, constructed and operated cooperatively by both parties and two

separate water distribution systems, one of which will be constructed and operated by the County within the Lemon Cove Zone of Benefit within County Service Area No. 1 (hereinafter referred to as the Zone of Benefit) depicted in Exhibits A and B attached hereto and incorporated herein by reference and one of which will be constructed and operated by the District within its area of jurisdiction (hereinafter referred to as the "District's Area") depicted in Exhibit C attached hereto and incorporated herein by reference. Each separate water distribution system will include the pipeline facilities necessary to connect that system to the common water supply system, except that a common waterline at shared cost will be used instead of two parallel waterline lines.

B. The parties further contemplate that the described Project shall be accomplished for the amounts of the grants described above and that neither party shall be expected or required to contribute any amounts to this Project in excess of the grant amounts awarded to that particular party. If at any time during this Agreement, either party or both mutually decide that further participation is infeasible because of the cost of the project, this Agreement may be terminated upon thirty days written notice to the other party. During the thirty day notice period, the neither party shall be expected to continue performance of its obligations under this Agreement except, in the case of a unilateral, as opposed to a mutual decision, of financial infeasibility, the parties shall negotiate in good faith during the thirty day notice period for an alternative solution to termination.

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C. The parties agree to proceed with the described Project in three Phases. The activities in each of the three Phases shall be as follows:

Phase I. The parties shall jointly contract with an engineer to provide engineering design and testing services necessary for the location (including the drilling of test wells) and the testing of an adequate source or sources of potable water and the final design of the common water source supply system. Upon location of an adequate source or sources of potable water, the engineer, shall submit the final design, plans and specifications for the common water source supply system to the parties for approval. Each party shall approve or reject such final design, plans and specifications within five (5) working days of receipt. Upon mutually approving the final design, plans and specifications, the parties shall submit the approved common water source supply system design, plans and specifications to the State for approval as required under the grant agreements.

Phase II. The parties shall request bids, as necessary, and jointly contract with an engineer and appropriate contractors for the construction of the common water supply system, including up to two wells with pumps in accordance with the final grantor approved common water source supply system design, plans and specifications.

Phase III. Each party shall request bids, as necessary, and contract separately with an engineer or engineers and appropriate contractors for the design and construction of

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COUNSEL
COUNTY

that party's water distribution system. Each party will be responsible for submitting the final design, plans and specifications to the State for approval as required under that party's grant agreement. However, each party agrees to provide the other party with copies of the draft design, plans and specifications for its system to the other party for comment. The commenting party must comment within five (5) working days of receipt or the commenting party will be deemed to have waived the opportunity to comment. The decision to incorporate any suggested changes received through comments from the other party will be up to the sole discretion of the party constructing the system. To the extent possible, Phase III shall be undertaken simultaneously with Phase II.

II. GENERAL OBLIGATIONS

A. The County, by mutual consent, is designated as the lead agency for Phases I and II of this Agreement. As Lead Agency, the County shall coordinate meetings, joint authorizations and negotiations, and other administrative activities.

B. (1) The parties shall contribute funds for the payment of costs incurred during Phases I and II of this Agreement in accordance with Exhibit D attached hereto and incorporated herein by reference as if set out is full.

(2) Upon receipt of invoices for costs/payments incurred during Phases I and II, the County shall submit such invoices to the District for review and approval in accordance with the grant agreements. The District shall review, approve and return to the County or review, disapproval and notify the County of the reasons for disapproval, as appropriate, such invoices within five (5) working days of receipt. County shall follow the

same time schedule for its review or invoices. Upon receipt of approved invoices, County shall submit the same forthwith to the State under the grant agreements. Upon receipt of State payment, the grant funds will be deposited into a joint party account in the County Treasury and drawn on by warrant demands signed by both the County's and the District's authorized signatories.

(3) If either party, rejects an invoice for a service or charge for which it is response under the grant agreements, it shall cooperate with the County staff and the engineer or contractor to resolve the reasons for rejection.

C. During Phases I and II, both parties shall participate and be represented in meetings to determine the proper course of the Project and to be informed by the engineer as to the status of the Project. Upon request, each party shall advise the other party of the status of the Project in Phase III.

D. The parties shall jointly authorize investigations, including sampling and laboratory testing, of existing developed water sources in various locations within reasonable geographic distance of the jurisdictional areas of parties.

E. All results of any exploratory drilling, sampling and testing of waters contained within intercepted aquifers shall be provided to both parties as such become available.

F. The parties shall jointly negotiate or otherwise obtain easements or rights to property for the purposes of test drilling and (if proven feasible) obtain easements or title to property as the location for permanent wells. Such joint authorization shall include authorization of appraisals, negotiations,

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COUNSEL
COUNTY

purchase and/or, if necessary, eminent domain proceedings to obtain the needed rights to the well site or sites.

H. At the conclusion of Phase I of this Agreement, each party shall have the option to proceed by deciding independently of the other's decision whether or not to proceed. Such decision shall be made within forty-five (45) days of the submittal of the report detailing the results of the Phase I activities. If no decision is submitted to the other party within the forty-five (45) day period, the non-responding party's decision shall be deemed a decision to proceed.

III. ADDITIONAL OBLIGATIONS UPON DECISION TO PROCEED

If both parties agree to proceed beyond the Phase I portion of the Project, each shall undertake the following, additional obligations:

A. Negotiate in good faith and enter into a joint powers agreement with the other party for the operation and maintenance of the common water source supply system. Included in such obligation is the obligation of each party to reasonably assess or charge its water users or otherwise provide for its proportionate cost of operating and maintaining the common water source supple system, including establishing a fund for depreciation and future capital improvement needs.

B. Perform, or cause to be performed, all the necessary engineering work and shall obtain all necessary permits for its distribution system.

C. Provide the necessary funds from State grants, if and when awarded by the State, to construct its distribution

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system and to connect its distribution system with the common water source supply system and the other party's distribution of the System.

D. Provide the other party with a duplicate notice to proceed when the same issued to its contractor constructing its distribution system.

E. Upon completion of its distribution system, provide the other party with a copy of the "as-built" drawings and give a copy of the Notice of Completion to the other party.

F. Upon completion of construction of its distribution system, each party shall own its distribution system.

G. Perform all steps necessary to operate and maintain its portion of the completed Project and to provide related necessary services.

H. Neither party shall not sell, abandon, lease, transfer, exchange, mortgage, hypothecate, or encumber in any manner whatsoever all or any of its portion of the project or any real or other property necessarily connected or used in conjunction wherewith, without prior permission of the State and notice to the other party.

I. In addition to first receiving State permission and giving notice pursuant to paragraph "C", above, upon the eventuality that all or part of the Zone of Benefit is annexed by the District, the improvements within the annexed area shall become the property of the District at no cost to the District. The County will assign and transfer to the District all remaining warranties pertaining to its distribution system, or the parts annexed thereof, upon annexation. Upon such occurrence, that

portion of the County distribution system shall become part of the District's distribution system and the District shall assume full responsibility under this Agreement and the grant Agreements for such portion.

J. Each party shall be responsible for billing and collecting service fees from the water users of its portion of its system; for the operation, repair and maintenance of its distribution system; and for replacement of its distribution system, as required.

K. Each party shall operate, repair, and maintain its distribution system pursuant to California Department of Health Services and Regional Water Quality Control Board regulations and provide for replacement of its distribution system in whole or in part.

L. In addition to first receiving State permission pursuant to paragraph "G." above, the County shall not be relieved of any of its obligations under this Agreement as to its distribution system or the portion it retains thereof, until one of the following occurs: the entire Zone of Benefit is annexed to the District, the County Service Area No. 1 is dissolved, the thirty (30) year term of the grant expires or the Agreement is terminated in accordance with Section VIII of this Agreement.

M. The District shall not be relieved of any of its obligations under this Agreement until the thirty (30) year Term of the grant expires or the Agreement is terminated in accordance with Section VIII of this Agreement.

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N. It is contemplated at this time that the District distribution system will service seventy-six hook-ups and that the County distribution system will service eighty-two hook-ups. If either party reaches a service level of one hundred hook-ups for its distribution system, it will notify the other party in writing and allow no more hook-ups until the parties have negotiated in good faith concerning the burdens which may be put on the common water source supply system by exceeding the one hundred (100) hook-up threshold in either distribution system.

IV. PROJECT SUBJECT TO RECEIVING STATE GRANT FUNDS

This Agreement, and the obligations of the parties created herein, are contingent upon the District and the County receiving the $400,000 and $394,680 grants, respectively, from the California Department of Water Resources under the California Safe Drinking Water Bond Law of 1986 which grants were conditionally offered to the District and the County by the State on March 10, 1988 and June 13, 1988, respectively. The District and the County shall notify each other in writing within 10 days of receipt of the executed grant Agreements from the State. Upon written notification from the State that the District and/or the County shall not receive the $400,000 and/or $394,680, respectively, from California Department of Water Resources grant under the California Safe Drinking Water Bond Law of 1986, this Agreement shall be automatically terminated. Likewise, the obligations of the parties to provide for water distribution and supply service to their respectively areas under this Agreement are contingent upon the County and the District receiving sufficient grant funds from the State and, if applicable, contributions from other

non-County and non-District funding sources to construct the project.

V. TIME OF PERFORMANCE

This Agreement shall remain in force and effect for a period of thirty (30) years unless terminated in accordance with the provisions of this Agreement. Neither party shall ~~not~~ be relieved of any of its obligations under this Agreement until the thirty (30) year Term of the grant expires or unless otherwise provided under Sections I.B, III.H, III.I, III.L, IV or any other provision of this Agreement.

VI. AMENDMENTS TO AGREEMENT

This Agreement may be modified or amended only by mutual consent of both parties in writing.

VII. TERMINATION

A. Except as otherwise provided in Sections I.B, III.H, III.I, III.L, IV, or V of this Agreement, termination of this Agreement may occur only by mutual written consent of both parties.

VIII. INDEMNIFICATION AND INSURANCE

A. Each party shall indemnify, defend, and hold harmless the other party and its officers, agents, and employees from and against any liability, claims, costs, damages, or loses, for injury including death, to any person or damage to any property arising out of the activities of the indemnifying party, its officers, agents or employees under this Agreement.

B. Each party agrees, during the term of this Agreement, to maintain its expense all necessary insurance for its employees and agents, including but not limited to, worker's

compensation, disability, and unemployment insurance, and to provide the other party certification upon request.

C. Each parties shall either be self insured or carry a policy of liability insurance, issued by a company duly and legally licenses to transact business in the State of California, covering personal injuries, including wrongful death, and claims for property damage that arise from the party's activities pursuant to this Agreement. Said insurance shall be in the following amounts:

> Comprehensive general liability insurance in a combined single limit of not less than $500,000 on account of any one occurrence.

Said insurance policy shall be issued at the expense of the party and maintained by it during the entire term of this Agreement. Said insurance policy shall name the other party and its officers, employees, and agents as additional insureds. Said insurance shall further provide for at least thirty (30) days advance written notice to the other party prior to cancellation, material change or nonrenewal of said insurance. Evidence or certification of self-insurance or policy of liability insurance shall be provided to the other party upon request.

IX. BREACH OF AGREEMENT

A. In the event the either party fails to comply with any of the terms of this Agreement, the affected party may, at its option, deem the defaulting party's failure a material breach and utilize any remedy that it deems appropriate. Should the effected party deem a breach material, the effected party shall immediately

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be relieved of its obligations under this Agreement. Termination of this Agreement due to breach shall not limit the rights of the effected party in seeking any other legal relief including the recovery of damages.

X. RECORDS

Each party agrees to maintain all books, records, documents and other evidence pertaining to the Project, any disputes surrounding the Project, and any other related circumstances in accordance with the grant agreements and generally accepted accounting principles and practices. Each party shall allow the other party's agents or representatives and any State agents or representatives access to such records for inspection, audit and copying during normal business hours. Each party shall provide proper facilities for such access and inspection.

XI. NOTICE

Any notices to be given hereunder shall be written and shall be served either by personal delivery or by first class mail, postage prepaid and addressed as follows:

COUNTY: Carolyn Diltz or Hector Guerra,
Community Development Specialist
Tulare County Courthouse
Civic Center Room 111
Visalia, CA 93291-4593
Phone: 733-6284

DISTRICT: William F. Pensar, Secretary
Lemon Cove Sanitary District
P. O. Box 74
Lemon Cove, CA 93244
Phone: 597-2504

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XII. INTEGRATION

This Agreement represents the complete and entire understanding between the parties as to those matters contained herein. No prior oral or written understanding, except as expressly provided herein, shall be of any force or effect with respect to those matters covered herein. This Agreement may only be modified or amended in writing signed by both parties except as otherwise specifically provided herein. Both parties acknowledge that the headings used herein are for reference only and that the

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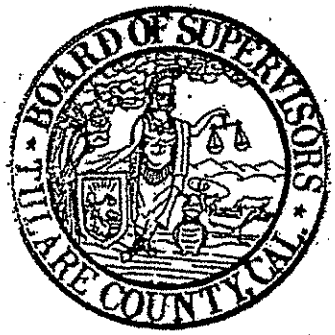
terms of the Agreement are set out in the text under such headings.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in three counterparts, each of which shall be deemed an original in the year and day first written above.



COUNTY OF TULARE FOR APPROVAL

Chair, Board of Supervisors
(or the Vice-Chair acting at the Chair)
"County"

ATTEST: RONALD S. HOLDEN
County Executive/Clerk of the Board of Supervisors of the County of Tulare

By _____
Deputy Clerk

LEMON COVE SANITARY DISTRICT

Chairman
"District"

ATTEST: Secretary for the Board of Directors of the Lemon Cove Sanitary District

By _____
Bill Pensar, District Secretary

EXHIBIT A
LEMON COVE ZONE OF BENEFIT, COUNTY OF TULARE

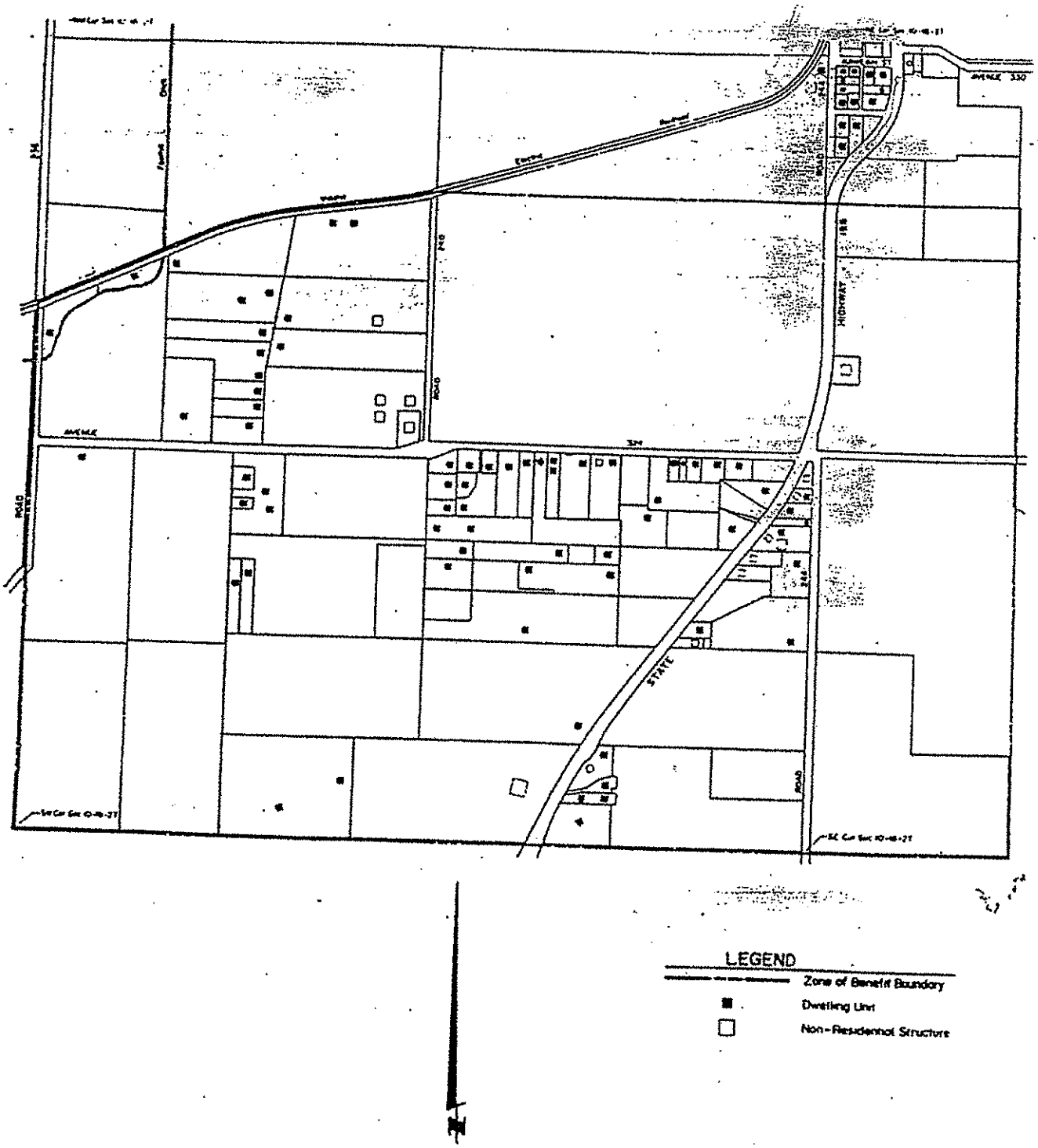


EXHIBIT B

BOUNDARY DESCRIPTION
LEMON COVE ZONE OF BENEFIT
COUNTY SERVICE AREA NO. 1
TULARE COUNTY

Beginning at the Southeast corner of Section 10, Township 18 South, Range 27 East, Mount Diablo Base and Meridian; thence North 89°25' West, 2640 feet along the South line of said Section 10 to the South quarter corner of said Section 10; thence North 89°44' West, 2636.04 feet along the South line of said Section 10 to the Southwest corner of said Section 10; thence North 0°05' East, 2640.00 feet along the West line of said Section 10 to the West quarter corner of said Section 10; thence North 0°05' East, 815.10 feet along the West line of said Section 10 to the centerline of the Visalia Electric Railroad; thence North 65°40' East, 978.27 feet along the centerline of the Visalia Electric Railroad to the beginning of a curve in said Railroad centerline, concave to the Southeast having a radius of 5729.65 feet; thence Northeasterly 210.00 feet along the centerline of said Railroad curve through a central angle of 2°06' to the beginning of a compound curve in said Railroad centerline, concave to the Southeast having a radius of 2864.93 feet; thence Northeasterly 658.33 feet along the centerline of said Railroad curve through a central angle of 13°10'12" to the beginning of a compound curve in said Railroad centerline, concave to the Southeast having a radius of 5729.65 feet; thence Northeasterly 210.00 feet along the centerline of said Railroad curve through a central angle of 2°06'; thence North 83°02' East, 252.17 feet along the centerline of the Visalia Electric Railroad to the beginning of a curve in said Railroad centerline, concave to the northwest having a radius of 5729.65 feet; thence Northeasterly 150.00 feet along the centerline of said Railroad curve through a central angle of 1°30' to the beginning of a compound curve in said Railroad centerline, concave to the Northwest having a radius of 3819.83 feet; thence Northeasterly 113.82 feet along the centerline of said Railroad curve through a central angle of 1°42'26" to the West line of the Northeast quarter of said Section 10; thence South 89°44' East, 2640.0 feet along a line parallel with the South line of the Northeast quarter of said Section 10 to the East line of the Northeast quarter of said Section 10; thence South 89°25' East, 1320.0 feet along a line parallel with the South line of the Northwest

quarter of Section 11, Township 18 South, Range 27 East, Mount Diablo Base and Meridian to the East line of the West half of the Northwest quarter of said Section 11; thence South along the East line of the West half of the Northwest quarter of said Section 11 to the South line of the Northwest quarter of said Section 11; thence South, 2654.52 feet along the East line of the West half of the Southwest quarter of said Section 11 to the South line of the Southwest quarter of said Section 11; thence North 89°25' West, 1296.24 feet along the South line of the Southwest quarter of said Section 11 to the Southeast quarter of said Section 10 and the point of beginning.

LEMON COVE SANITARY DISTRICT BOUNDARY

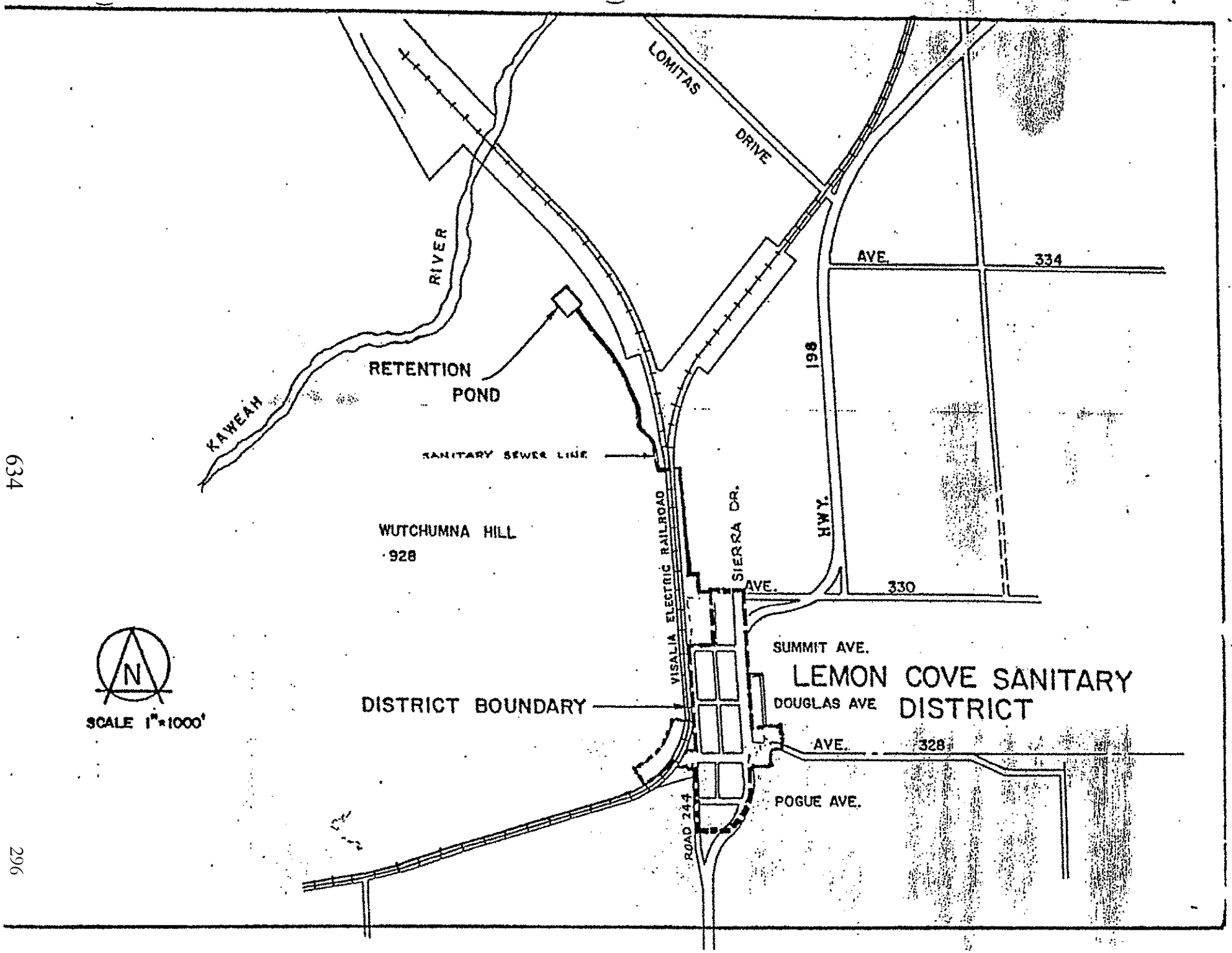


EXHIBIT D

LEMON COVE SAFE DRINKING WATER GRANT IMPROVEMENT PROJECT

	LCSD		TCZOB	FINAL COST
Test Well Drilling	27,500		27,500	55,000
Well Drlg., Casing, Test Pumping (2)	52,500		52,500	105,000
Existing Water System Purchase	2,000			2,000
Well Site Purchase (2)	15,000		15,000	30,000
Storage	55,000		42,500	97,500
Pipelines & Valves	50,000			50,000
Water Services	12,800		19,680	32,480
Storage Site & Trans. Line Easement	5,000			5,000
Highway bore	8,000		6,500	14,500
Repaving	1,500		625	2,125
Hydropneumatic Tank & Booster Sym.	25,000			25,000
8" Gate Valves			1,875	1,875
8 X 8 Cross			300	300
8" Class 150 Pipeline	30,000		105,400	135,400
Subtotal	295,550		283,130	578,680
Contingencies 5%	14,778	5%	14,157	28,935
Engineering 12%	35,466	10%	28,313	63,779
Inspection 10%	29,555	8%	22,650	52,205
Legal/Admin. 3%	8,867	2%	5,663	14,530
Total Project Cost	384,216		353,913	738,129

AGREEMENT FOR ENGINEERING SERVICES

THIS AGREEMENT, made this 9th day of April, 1991, by and between the County of Tulare (County) and the Lemon Cove Sanitary District (District), hereinafter referred to collectively as the "Participants" and Dennis R. Keller - James H. Wegley, Consulting Engineers, hereinafter referred to as the "Engineer":

W I T N E S S E T H:

WHEREAS, the Participants desires to construct a community water system Project for the Lemon Cove Zone of Benefit in County Service Area No. 1 and Lemon Cove Sanitary District; and

WHEREAS, the Participants have applied for and received commitments for grants under the State of California Safe Drinking Water Bond Program, State Contract Numbers E59222 and E59221; and

WHEREAS, under such agreement, the Participants intend to consider, approve, construct and operate community water distribution systems, for the Lemon Cove Zone of Benefit, County Service Area No. 1, and Lemon Cove Sanitary District, hereinafter referred to as the "Project", within their jurisdictions; and

WHEREAS, the Participants desire to contract for specialized engineering services under Government Code Section 31000 to that end; and

WHEREAS, the Engineer is qualified and desires to provide such services;

NOW, THEREFORE, IT IS HEREBY AGREED as follows:

1. The Project will be located within the Lemon Cove Zone of Benefit in County Service Area No. 1 and Lemon Cove Sanitary District boundaries in the County of Tulare, State of California, and will be connected to the Water Source Supply System designed by the Engineer under Tulare County Agreement No. 15794. The Participants intend to construct the Project,

TULARE COUNTY AGREEMENT NO. 16288

consisting of water distribution systems with appropriate valving including the following:

A) a water storage tank;

B) water service laterals; and

C) water metering facilities.

The Project shall be paid for through financial assistance from the State of California, Department of Water Resources hereinafter referred to as the "Grantor". Neither the Grantor's nor any of its departments, agencies, or employees are or will be a party to this Agreement or any subagreement.

2. The Engineer agrees to perform the various professional engineering and consulting services required by each Participant as to that Participant's water distribution system necessary for the consideration, planning, design and construction of said Project in accordance with the provisions of this Agreement. It is anticipated that the Engineer will respond separately and answer to each Participant, except as hereinafter expressly provided, as to that Participant's separate water distribution system and/or portion of the Project.

SECTION A - GENERAL PROVISIONS:

1. General

(a) This Agreement represents the entire and integrated Agreement between the Participants and the Engineer for the Project and supersedes all prior negotiations, representations or agreements, either written or oral, except for these provisions of Public Agency Construction Grant No. E59222 (Tulare County Agreement No. 15194) and No. E59221 for the Lemon Cove Sanitary District and Tulare County Agreement No. 15794 (Engineer Agreement for services on the Water Source Supply System which may apply to or effect the activities under this Agreement). In the event any provision of this Agreement or any subsequent addendum shall be held to be invalid

and unenforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by any party of any provision, term, condition or covenant shall not be construed by any other party as a waiver of a subsequent breach of the same by the other party. The General Provisions of this Agreement supersede any conflicting Special Provisions.

(b) The Engineer shall cooperate and work closely with the Grantor's representatives, however, Participants shall have final approval on all matters.

(c) The Engineer shall attend conferences and public hearings with the Participants, representatives of the Grantor or other interested parties as requested by Participants and provide assistance in connection with such undertakings as may be reasonably necessary in connection with this Project.

2. Responsibilities of the Engineer

(a) The Engineer shall be responsible for the professional quality, technical accuracy, timely completion, and the coordination of all design drawings, specifications, reports, and other services furnished by the Engineer or its subcontractors under this Agreement. Engineer shall comply with, and require its subcontractors to comply with, all applicable State laws and regulations on the environment and pollution control. The Engineer shall keep the Participants informed of the performance of the Engineer's duties under this Agreement. The Engineer shall, promptly and without additional compensation, correct or revise any errors, omissions, or other deficiencies in the design drawings, specifications, reports, and other services, and require the same of its subcontractors.

The Engineer asserts that it is skilled in the professional calling necessary to the services and duties proposed to be performed and that it will perform such services and duties in conformance to and consistent with

generally accepted professional engineering standards in the greater San Joaquin Valley Area. If hazardous materials or certain types of hazardous materials exist at a site where there is no reason to believe they could or should be present, Engineer and Participants agree that the discovery of unanticipated hazardous materials constitutes a changed condition mandating a renegotiation of the Scope of Work. Engineer agrees to notify Participants as soon as possible should unanticipated hazardous materials or suspected hazardous materials be encountered.

(b) The Engineer shall perform the professional services necessary to accomplish the work specified in this Agreement in accordance with this Agreement and the applicable Grantor requirements in effect on the date of execution of Public Agency Construction Contract No. E59222 (Tulare County Agreement No. 15194) and No. E59221 (Lemon Cove Sanitary District) for this Project, and incorporated herein by reference as if set out in full. The Engineer shall not be liable for and does not warrantee the means, methods, techniques, sequences, or procedures of construction selected by contractors or the safety precautions and programs incident to the work of Contractors and will not be responsible for Contractor's failure to carry out work in accordance with the Contract documents. However, the Engineer shall notify the Participants in a timely manner, and follow-up with written documentation to the Participants, or any noncorrected substandard work, of Contractor's nonconformance to Contract Documents or apparent public safety hazard created by Contractor revealed by Engineer's inspection of the construction site under this Agreement.

(c) The Participants' or Grantor's review or approval of design drawings, specifications, reports, and other services furnished hereunder shall not in any way relieve the Engineer of responsibility for the technical adequacy of the work. Neither the Participants' or Grantor's review,

approval or acceptance of, nor payment for any of the services shall be construed as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

(d) Engineer shall hold harmless, defend and indemnify the Participants, their officers, agents and employees and the Grantor's, their officers, agents and employees from and against any liability, claims, actions, costs, damages or losses for injury, including death, to any person or damage to any property arising out of the activities of the Engineer, its officers, agents, employees or subcontractors under this Agreement. This obligation will continue beyond the term of this Agreement as to any act or omission which occurred during this Agreement.

Such indemnification obligations shall not be limited in any way by any limitation or the amount or type of damages, compensation or benefit payable by or for either party under worker's or workmen's compensation, disability benefits or other employee entitlements.

The Engineer shall not be liable for such damages due to the errors, omissions or other deficiencies to the extent attributable to the Participants or Participants-furnished data.

(e) The Engineer shall not be responsible for any time delays in the Project caused by circumstances beyond the Engineer's control. The Engineer shall notify the Participants in writing within five (5) working days upon such circumstances becoming known to the Engineer.

(f) The Engineer shall designate, in writing, a person authorized to act as the Engineer's representative under this Agreement to receive and respond to contacts and requests by the Grantor and each Participant's and/or the Participant's representative, including notice under Paragraph 22 of Section A hereto, as to each Participant's water distribution system.

(g) The Engineer shall be responsible, and to fulfill that responsibility shall include the necessary provisions in any subcontracts, to ensure that the Engineer and any and all of Engineer's subcontractors comply with the provisions and requirements of Federal and State law. Such agreements shall reference this Agreement and any other pertinent funding agency or Grantor's agreements as applicable, so that no action or activity or omission of such subcontractors shall result in a loss of funding to the Participants from the Grantor. Such responsibility shall include the duty to require 1) adequate insurance, including workers compensation, disability, and unemployment insurance, of all such subcontractors and 2) compliance with all applicable employment discrimination laws by all such subcontractors.

(h) The Engineer's obligations under this clause are in addition to the Engineer's other expressed or implied assurances under this Agreement or State law and in no way diminish any other rights that the Participants may have against the Engineer for faulty materials, equipment, or work.

3. Responsibilities of the Participants

(a) The Participants shall each designate in writing a person authorized to act as that Participant's representative. Each Participant or its representative shall receive and examine documents submitted by the Engineer, interpret and define the Participant's policies and standards and render decisions and authorizations promptly in writing.

(b) The Participants shall provide to the Engineer full and free access to enter upon all property required for the performance of the Engineer's services under this Agreement.

4. Changes

(a) The Participants' representatives may, at any time, [with prior approval of Grantor if required], by written order make changes within the general scope of this Agreement in the services or work to be performed. If such changes cause an increase in the Engineer's cost or time required to perform any services under this Agreement, then such changes shall be considered substantial and may only be made by modification or amendment to this Agreement signed by both the Participants and the Engineer. The Engineer must assert that any change order is substantial within five (5) working days from the date it receives the notification of change or waive the right to request additional compensation for the services required by such change order.

(b) No services for which the Engineer will charge additional compensation shall be furnished without the prior written authorization of the Participants.

5. Termination of Agreement

(a) This Agreement may be terminated in writing by either party in the event of substantial failure by the other party to fulfill its obligations under this Agreement through no fault of the terminating party, provided that no such termination may be effected unless the other party is

given (1) not less than ten (10) calendar days written notice (served personally or certified mail, return receipt requested) of intent to terminate and (2) an opportunity for consultation with the terminating party before termination.

(b) This Agreement may be terminated without cause in writing by the Participants for its convenience, provided that the Engineer is given (1) not less than ten (10) calendar days written notice (served personally or by certified mail, return receipt requested) of intent to terminate, and (2) an opportunity for consultation with the Participants prior to termination.

(c) If termination for default is effected by the Participants, Participants may make an equitable adjustment in the price provided for this Agreement, but (1) no amount shall be allowed for anticipated profit on unperformed services or other work, and (2) any payment due to the Engineer at the time of termination may be adjusted to cover any additional costs to the Participants because of the Engineer's default. If termination for default is effected by the Engineer, or if termination for convenience is effected by the Participants, the Engineer shall be entitled reasonable compensation for services or other work performed. The reasonable compensation shall provide for payment to the Engineer for services rendered and expenses incurred prior to the termination, in addition to termination settlement costs reasonably incurred by the Engineer relating to commitments which had become firm prior to the termination, not to exceed the maximum amount established for such services as otherwise provided by this Agreement and the Attachments hereto.

(d) Upon receipt of a notice of termination action under paragraphs (a) or (b) above, the Engineer shall (1) promptly discontinue all

documentation requested by the Participants' representative. Such invoice or bill shall be in the form required by the Tulare County Auditor.

(c) Fifteen Thousand Three Hundred Thirteen ($ 15,313) for Engineering Services provided during the Design Phase Section B, clause Nos. 1 through 11, is due and billable monthly by the Engineer and shall be based upon actual time and expenses provided at the rates set out in Exhibit "A" hereto and incorporated herein as if set out in full. Payment shall be due upon approval of the Engineer's invoice or bill for such amount by the Participants Representative and County Auditor and upon receipt by the Participants of sufficient funds from the Grantor to pay such invoice or bill or, in any case, no longer than sixty (60) days after approval of Engineer's invoice or bill by the Participants Representative and the County Auditor.

(d) Payments for Engineering Services during the Construction Phase (Section B-12 through B-22 of this Agreement) are due and billable monthly based upon actual time and expenses provided at the rates set out in Exhibit "A" hereto and incorporated herein as if set out in full. Payment shall be due upon approval of the Engineer's invoice or bill for such amount by the Participants Representative and County Auditor and upon receipt by the Participants of sufficient funds from the Grantor to pay such invoice or bill or, in any case, no longer than sixty (60) days after approval of Engineer's invoice or bill by the Participants Representative and the County Auditor.

(e) The balance of the total compensation due the Engineer under this Agreement shall be due and billable upon completion to the satisfaction of the Participants of all services, including miscellaneous services under Section C, to be provided under this Agreement and upon issuance of the certification of completion of the Project by the Participants. Such

balance shall consist of the total compensation to the Engineer of Forty Thousand Nine Hundred Sixty Three ($40,963) less the payments made under paragraphs (c) and (d) of this clause. Payment shall be due upon approval of the Engineer's invoice or bill for such amount by the Participants Representative and County Auditor and upon receipt by the Participants of sufficient funds from the Grantor to pay such invoice or bill or, in any case, no longer than ninety (90) days after approval of Engineer's invoice or bill by the Participants Representative and the County Auditor.

(f) No payment request made under this clause shall exceed the value of the work and services performed by the Engineer under this Agreement according to the rates set forth in this Agreement and the Exhibits hereto. The Engineer shall prepare summaries of work performed and shall supplement them with such supporting data as the Participants representative may require.

(g) Upon satisfactory completion of the work performed under this Agreement, as a condition before final payment under paragraph (e) of this clause or as a termination settlement under this Agreement, the Engineer shall execute and deliver to the Participants a release of all claims against the Participants arising under, or by virtue of this Agreement except claims which are specifically exempted by the Engineer to be set forth therein. Unless otherwise provided in this Agreement, by State law or otherwise expressly agreed to by the parties to this Agreement, final payment under this Agreement or settlement upon termination of this Agreement shall not constitute a waiver of the Participants' claims against the Engineer under this Agreement.

7. Project Design

(a) Unless otherwise provided by the Participants and the Grantor, the Engineer shall specify materials, equipment, and processes which are readily available through competitive procurement and consistent with Participants and the Grantor's regulations.

(b) Where the Construction contracts awarded for this Project exceed $100,000 and where applicable due to the requirements of the Grantor, the Engineer shall insure compliance on behalf of the Participants with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act (42 UC 1857(h)), Section 508 of the Clean Water Act (33 USC 1368), Executive Order 11738, and EPA regulations (40 CFR Part 15) which prohibit the awarding of nonexempt Federal contracts, grants, or loans to facilities included on EPA's List of Violating Facilities. The Engineer will report violations to the Participants.

8. Audit and Access to Records

(a) The Engineer shall maintain books, records, documents, and other evidence directly pertinent to performance of work under this Agreement in accordance with generally accepted accounting principles and practices consistently applied and any Grantor's and state regulations in effect on the date of execution of this Agreement. In addition, the Engineer shall comply with and require its contractors and subcontractors to comply with Section 1776 of the California Labor Code, which section relates to payroll records. The Engineer shall also maintain the financial information and data used by the Engineer in the preparation of support of any cost submission required under Grantor's regulations in effect on the date of execution of this Agreement and any negotiated Agreement amendment or amendment thereof and a copy of the cost summary submitted to the Participants. The Engineer shall provide, and require its contractors and subcontractors to provide to the Grantor, the Participants and/or any of their

duly authorized representatives access to Engineer's and any of its contractor's or subcontractor's, books, records, documents, and other evidence for inspection, audit, and copying during normal business hours. The Engineer will provide and require its contractors and subcontractors to provide proper facilities for such access and inspection.

(b) The Engineer agrees to make paragraphs (a) through (f) of this provision applicable to all agreements it awards in excess of $10,000, at any tier, and to make paragraphs (a) through (f) of this provision applicable to all amendments thereto directly related to Project performance.

(c) Audits conducted under this provision shall be in accordance with generally accepted auditing standards and established procedures and guidelines of the reviewing or auditing agency(ies) and the General Accounting Office.

(d) The Engineer agrees to disclose all information and reports resulting from access to records under paragraphs (a) and (b) of this provision to any of the Grantor's, the Participants and/or any of their duly authorized representatives.

(e) Records under paragraphs (a) and (b) above shall be maintained and made available by the Engineer during performance of services under this Agreement and for three (3) years from the date of final Grantor assistance payment to the Participants for the Project. In addition, those records which relate to any controversy arising under this Agreement, litigation, the settlement of claims arising out of such performance or to costs or items to which an audit exception has been taken shall be maintained and made available by the Engineer, and the Engineer shall require its contractors and subcontractors to maintain and make available, until three (3) years after the date of resolution of such appeal, litigation, claim or exception.

(f) This right of access provision applies to financial records pertaining to all agreements (except formally advertised, competitively awarded, fixed price agreements) and all Agreement amendments regardless of the type of Agreement. In addition, this right of access applies to all records pertaining to all agreements and Agreement amendments:

1. to the extent the records pertain directly to Agreement performance; or

2. if there is any indication that fraud, gross abuse or corrupt practices may be involved; or

3. if the Agreement is terminated for default or for convenience.

9. Subcontracts

(a) Any subcontractors and outside associates or consultants required by the Engineer in connection with services under this Agreement will be limited to such individuals or firms as are specifically identified and agreed to in writing by the Participants during negotiations or as the Participants specifically agree to during the performance of this Agreement. The Participants must give prior written approval for any substitutions, additions or deletions to such subcontractors, associates, or consultants.

(b) The Engineer may not subcontract services in excess of thirty (30) percent of the contract price to subcontractors or consultants without the Participants' prior written approval. Copies of all such subcontracts shall be provided to the Participants by filing with the Clerk of its Board of Supervisors of the County and Secretary of the Lemon Cove Sanitary District.

10. Insurance

The Engineer shall, during the term of this Agreement, maintain

at the Engineer's expense all necessary insurance for its employees and agents, including but not limited to, workers' compensation, disability, and unemployment insurance, and to provide Participants with certification upon request. The Engineer shall require its subcontractors during the terms of any subcontracts, to maintain at the subcontractors expense all necessary insurance for its employees and agents, including but not limited to, workers' compensation, disability, and unemployment insurance, and to provide the Participants with certification upon request.

The Engineer shall maintain and shall file with the Clerk of the Board of Supervisors of the County and Secretary of the Lemon Cove Sanitary District, policies of liability insurance, issued by a company duly and legally licensed to transact business in the State of California, covering personal injuries, including wrongful death, and claims for property damage that arise from Engineer's activities pursuant to this Agreement. Said insurance shall be in the following amounts:

> Comprehensive general liability and automotive liability insurance in a combined single limit of not less than $500,000 on account of any one occurrence.

Said insurance policies shall be issued at the expense of the Engineer and maintained by it during the entire term of this Agreement. Said insurance policies shall name the Participants and officers, employees, and agents of the Participants, and, to the extent required by the grant and loan agreements between the Grantor and the Participants, the Grantor and its officers, employees and agents as additional insureds. Said insurance shall further provide for at least thirty (30) days advance written notice to the Participants prior to cancellation, material change or nonrenewal of said insurance.

The Engineer shall require its subcontractors, during the term of the subcontracts, to maintain and file with the Clerk of the Board of Supervisors of the County and Secretary of the Lemon Cove Sanitary District policies of liability insurance, issued by a company duly and legally licensed to transact business in the State of California, covering personal injuries, including wrongful death, and claims for property damage that arise from subcontractors activities pursuant to this Agreement. Said insurance shall be in the following amounts:

Comprehensive general liability and automotive liability insurance in a combined single limit of not less than $500,000 on account of any one occurrence.

Said insurance policies shall be issued at the expense of the subcontractor and maintained by it during the entire term of the subcontract. Said insurance policy shall name the Participants and officers, employees, and agents of the Participants, and, to the extent required by the loan and grant agreements between the Grantor and the Participants, the Grantor, its employees, officers and agents as additional insureds. Said insurance shall further provide for at least thirty (30) days advance written notice to the Engineer and the Participants prior to cancellation, material change or nonrenewal of said insurance.

11. Equal Employment Opportunity

The Engineer shall comply, and shall require its subcontractors to comply, with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375, and as supplemented in Department of Labor regulations 41 CFR Part 60; Title VII of the Federal Civil Rights Act, 42 U.S.C. sections 2000e - 2003-17; the California Fair Employment and Housing Act, California Government Code section 12900 et

seq.; the Unruh Civil Rights Act, California Civil Code section 51, et seq.; and all provisions of the grant and loan agreements between the Grantor and the Participants prohibiting discrimination in employment.

12. Small, Minority, and Women's Businesses

The Engineer agrees to take affirmative steps, and require its subcontractors to take affirmative steps to assure that small, minority, and women's businesses are utilized when possible as sources of supplies, equipment, construction and services. Such affirmative steps shall include:

(a) Including qualified small, minority and women's businesses on solicitation lists.

(b) Assuring that small, minority and women's businesses are solicited whenever they are potential sources.

(c) When economically feasible, dividing total requirements into smaller tasks or quantities so as to permit maximum small, minority and women's businesses participation.

(d) Where the requirement permits, establishing delivery schedules which will encourage participation by small, minority and women's businesses.

(e) Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

13. Data and Materials

Upon completion of this Agreement, the engineer shall deliver or otherwise make available to the Participants within ten (10) days copies of all data, design drawings, "drawings of record", specifications, reports, estimates, summaries and such other information and materials as may have

been accumulated by the Engineer in performing this Agreement, whether completed or in process. Such materials already provided to the Participants do not have to be duplicated. These materials will become the property of the Participants and the Participants may make any use of these materials that it wishes without restriction, except that any changes made in such materials by other than the Engineer shall relieve Engineer of liability under this contract only to the extent such liability is caused by such changes under this contract or with respect to construction or operations based on the changes to such materials.

14. Gratuities

(a) If the Participants find after a notice and hearing that the Engineer or any of the Engineer's agents, representatives, or subcontractors offered or gave gratuities (in the form of entertainment, gifts, or otherwise), to any official, employee, or agent of the Participants, the State, or the Grantor in an attempt to secure this Agreement or favorable treatment in awarding, amending or making any determinations related to the performance of this Agreement, the Participants may, by written notice to the Engineer, terminate this Agreement. The Participants may also pursue other rights and remedies that the law or this Agreement provides. However, the existence of the facts on which the Participants bases such findings shall be in issue and may be reviewed in proceedings under the Remedies clause of this Agreement.

(b) In the event this Agreement is terminated as provided in paragraph (a), the Participants may pursue the same remedies against the Engineer as it could pursue in the event of a breach of the Agreement by the Engineer. As a penalty, in addition to any other damages to which it may be entitled by law, the Participants may pursue exemplary damages in an amount (as determined by the Participants) which shall be not less than

three times nor more than ten times, the costs the Engineer incurs in providing any such gratuities to any such officer or employee.

15. Covenant Against Contingent Fees

The Engineer assures that no person or selling agency has been employed or retained by either Engineer or its subcontractors to solicit or secure this Agreement upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the Engineer for the purpose of securing business. For breach or violation of this assurance the Participants shall have the right to annul this Agreement without liability or, at its discretion, to deduct from the contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or continent fees.

16. Cost of Pricing Data

The Engineer assures on behalf of itself and its subcontractors that cost and pricing data submitted for evaluation with respect to negotiation of prices for this and other negotiated agreements, lower tier subagreements, or amendments are based on current, accurate, and complete data supported by their books and records. If the Participants or the Grantor determines that any price (including profit) negotiated in connection with this Agreement, any lower tier subagreement, or any amendment thereunder was increased by any significant sums because the data provided was incomplete, inaccurate, or not current at the time of submission, then such price or cost or profit shall be reduced accordingly; and this Agreement shall be modified in writing to reflect such action. Failure to agree on a reduction shall be subject to the Remedies clause of this Agreement.

17. Remedies

Unless otherwise provided in this Agreement, all claims, counterclaims, disputes, and other matters in question between the Participants and the Engineer arising out of or relating to this Agreement or the breach of it shall be decided in a court of competent jurisdiction within the County of Tulare.

18. Assurance against Debarment

The Engineer assures that neither it nor any of its subcontractors are suspended or debarred by the state or Grantor to this Project.

19. Funding

This project is funded through grant agreements previously identified between the Participants and the Grantor. The Engineer agrees to complete its services under this Agreement in accordance with the requirements and limitation imposed on the Participants by the Grantor. The Engineer shall be compensated only to the extent and only for its services allowable under the terms of the Participants' agreements with the Grantor or to the maximum amount allowed under the other provisions of this Agreement. In the event that the Participants is required to refund or pay any money to the Grantor because of any failure of the Engineer or its Contractors or subcontractors to comply with any applicable Federal or State law, executive order, rule or regulation, the Engineer shall reimburse the Participants for the amount that the Participants is required to refund or repay to the Grantor. Such reimbursement shall not exceed the total compensation allowed under the terms of this Agreement.

20. Independent Contractor

In performing the services called for pursuant to this Agreement, the Engineer, its officers, agents, employees, contractors and subcontractors are independent contractors and not employees or officers of the Participants. As independent contractors, even when acting as an agent or representative of the Participants as may be specifically provided herein, the Engineer, its officers, agents, employees, contractors and subcontractors shall not be entitled to any of the benefits or rights accruing to any employee or officer of one of the Participants . In the event that the activities of the Engineer or its subcontractors under this Agreement are found by any state or federal agency to be those of an employee rather than an independent contractor, Engineer agrees to indemnify Participants and hold Participants harmless for costs, including but not limited to penalties and interest, which Participants or any one of the Participants may be assessed by such state or federal agency for failing to withhold from the compensation paid to Engineer under this Agreement any amount which may have been required to be withheld by law.

22. Notice

Any reports required to be made under this Agreement shall be personally served or mailed, postage prepaid, and any notice which is given under this Agreement shall be personally served or mailed, postage prepaid, by certified mail, return receipt and addressed as follows:

ENGINEER:
Dennis Keller, Principal
Keller & Wegley,
Consulting Civil Engineers
P.O. Box 509
Visalia, CA 93279

COUNTY:
James H. Brown
Community Development Manager
Courthouse Room 103
County Civic Center
Visalia, CA 93291-4593

DISTRICT:
William F. Pensar, Secretary
Lemon Cove Sanitary District
P.O. Box 74
Lemon Cove, CA 93244

23. Services in Case of Litigation

In addition to the compensation set forth in Section A, Paragraph No. 6 of this Agreement, if the services or documents provided under this Agreement by the Engineer are contested in a court of law or administrative review processing, the Engineer agrees to testify on behalf of the Participants as to factual matters at no cost and to testify or consult with the Participants as an expert at an hourly rate of $ 85 , by quarter hour increments. Travel time and court or proceeding stand-by time at the place of hearing shall be billed at an hourly rate of $ 75 , by quarter hour increments.

SECTION B - ENGINEERING SERVICES

Engineering Services during the Design Phase

1. The Engineer may proceed with its obligations under this Agreement immediately upon receiving written authorization by Participants representative to proceed. The Engineer shall furnish Engineering Services described in Section B-1 through B-8 described herein by twelve o'clock in the afternoon ("Noon") of May 25, 1991. Any supporting documentation or revisions regarding the Engineer's services under this Agreement necessary to obtain the approval of the Grantor and all State regulatory agencies will be provided promptly.

2. The Engineer shall perform the "Pre-Construction Services" and "Property Related Services" set out in Exhibit "B", attached hereto and incorporated herein by reference as if set out in full. The design drawings prepared shall be in sufficient detail to show the character and extent of the Project and to permit the actual location of the proposed improvements on the Project site. It is also understood that if subsurface explorations such as borings, or soil tests are required to determine

amounts of rock excavation or foundation conditions, the Engineer will furnish coordination of said exploration without additional charge, but the costs incident to such explorations, no matter whether they are performed by Engineer or by others, shall be considered services provided by the Engineer under this Agreement and shall be paid for by the Participants as indicated in Section C.

3. The Engineer shall, if necessary and upon consultation with and concurrence of the Participants or delegated State agency as appropriate, revise design criteria, design standards, and other appropriate preliminary design information in order to complete the final design for the Project in accordance with the performance standards and accepted engineering practices.

4. The Engineer shall assist the Participants in obtaining necessary permits and approvals from appropriate State and other local regulatory agencies. Any fees required for such permits and approvals shall be borne by the Participants.

5. The Contract Documents furnished by the Engineer under Section B, clause No. 2 shall utilize those construction contract documents approved by the Grantor.

6. Prior to the advertisement for bids, the Engineer shall provide for each construction contract to be awarded by the Participants, ten (10) copies of detailed design drawings, specifications, and contract documents for use by the Participants and appropriate State and local agencies from whom approval of the Project must be obtained. Additional copies of the above specified documents shall be provided to the Participants by the Engineer at production cost. Originals of such items as documents, survey notes, and tracings, prepared by the Engineer are and shall remain the

property of the Engineer, but this shall in no way infringe upon the Participants' rights to such items under Section A Paragraphs 5 and 13.

7. The Engineer shall establish baselines for locating the work together with a suitable number of bench marks adjacent to the work and show their location in the construction Contract Documents. This information and the Contract Documents will provide the contractor sufficient reference from which to execute the contract work.

8. The Engineer shall prepare and furnish to the Participants three (3) copies of maps or drawings showing the approximate location of needed construction easements, permanent easements, rights-of-way and land to be acquired. Such maps or drawings shall be furnished promptly to enable the Participants to initiate property and easement acquisitions.

9. The Engineer shall attend the bid opening and tabulate the bid proposals, analyze the responsiveness of the bidders and make recommendations for awarding contract(s) for construction to the lowest responsible, responsive bidder.

10. Upon award of each construction contract, the Engineer shall furnish to the Participants, for each contract, seven (7) sets of the design drawings, specifications and contract documents for execution by the Participants and contractor. Additional copies of such contract documents shall be provided to the Participants by the Engineer at production cost.

11. Services to be provided and compensated under the Design Phase shall include those miscellaneous Engineering Services designated for the Design Phase in Section C to this Agreement.

Engineering Services During the Construction Phase

12. The Engineer shall perform the "Construction Phase Services" set out in Exhibit "C" attached hereto and incorporated herein by reference as if set out in full. Performance of the services requested during this phase will be initiated by the Engineer promptly after receipt of the Participants Representative's written authorization to proceed.

13. The Engineer shall review and approve, for conformance with the design concept, all shop drawings and other submittals required by the Contract Documents to be furnished by contractors.

14. The Engineer shall interpret the intent of the design drawings and specifications to protect the Participants against defects and deficiencies in construction on the part of the contractors.

15. The Engineer shall provide general engineering review of the work of the contractors as construction progresses to ascertain that the contractors are conforming with the design concept.

16. The Engineer's undertaking hereunder shall not relieve the contractor of its obligation to perform the work in conformity with the Contract Documents and in a workmanlike manner, shall not make the Engineer an insurer of the contractor's performance, and shall not impose upon the Engineer any obligations to see that the work is performed in a safe manner. However, the Engineer shall immediately notify the Participants in writing if Engineer becomes aware of any failure of performance by the contractor.

17. The Engineer shall review each contractor's applications for progress and final payments and submit sufficient copies of same to the Participants with the Engineer's recommendation for approval or disapproval.

18. The Engineer shall prepare necessary contract change orders for approval of the Participants and others as required.

19. The Engineer shall make an inspection prior to issuing the certificate of substantial completion of all construction and submit a written report to the Participants, the Grantor and others as required.

20. Prior to submission of recommendation for final payment on each construction contract, the Engineer shall submit a certificate of substantial completion of work done under that contract to the Participants, Grantor and others as required.

21. The Engineer shall provide the Participants with one set of reproduction drawings of record and two sets of prints. Such drawings of record will be based upon the resident project inspector's construction data and the construction records provided by the contractor during construction and review by the resident inspector.

22. The services to be provided and compensated under this Construction Phase shall include those miscellaneous Engineering Services designated for the Construction Phase in Section C to this Agreement.

23. The Engineer shall provide an operations and maintenance manual for each constructed water distribution system facility. Draft operations and maintenance manuals shall be submitted to the Participants for review and approval at fifty percent (50%) of construction completion. Said operations and maintenance manual shall be furnished by the Engineer at a cost not to exceed One Thousand Five Hundred ($ 1,500) which amount shall be part of the total compensation set out in Section A, clause 6 (a).

Engineering During Operation Phase

24. The Engineer will be available to furnish engineering services and consultations necessary to correct unforeseen project operation difficulties for a period of one year after the date of statement of substantial completion of the facility. The service will include instruction of the Participants in initial project operation and maintenance, but will not include supervision of normal operation of the system. Such consultation and advice shall be furnished by the Engineer based upon actual time and expenses provided at the rates set in Exhibit "A" hereto and incorporated herein as set out in full. The Engineer will assist the Participants in performing a review of the project during the 11th month after the date of the certificate of substantial completion. The compensation for services, if required, will be in addition to the total compensation set out in Section A, Paragraph 6(a). Any services required by this paragraph shall not be provided except upon prior written approval by the Participants.

SECTION C - MISCELLANEOUS ENGINEERING SERVICES

The following miscellaneous Engineering Services shall be provided by the Engineer. Such miscellaneous Engineering Services are designated below as Design Phase (D) or Construction Phase (C) services, thereby establishing when such services will be performed and under which Phase such services shall be compensated. Any services addressed by this Section shall not be provided except upon prior written approval by the Participants and shall only be compensated to the extent such services are included in the compensation amounts identified in Paragraph 6 of Section A and are determined to be grant/loan eligible prior to the Participants providing written consent.

Phase Designations

C 1. Provide Resident Project Inspection. The Engineer shall, prior to the preconstruction conference, submit a resume of the resident inspector's qualifications, anticipated duties and responsibilities for approval by the Participants. Resident inspection includes checking lines and grades, keeping records of full measurements and the contractor's activities, passing information between the Engineer and contractor, reviewing of contractor's request for progress payments, inspecting of completed work for compliance with Contract Documents and keeping of a daily diary. Performance of this service will not be a guarantee of the contractor's performance, but it endeavors to protect the Participants against defects and deficiencies in the Project and very compliance with the Construction Contract Documents.

D 2. Prepare site surveys as may be required.

D,C 3. Conduct field tests, well tests, water sampling, borings, and specialized geological, soils, hydraulic, or other studies recommended by the Engineer.

D 4. Prepare detailed descriptions of sites, maps, drawings, or estimates related thereto; assist in negotiating for land and easement rights.

C 5. Provide construction staking service.

C 6. Provide final operations and maintenance manuals upon completion of construction.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the day and year first above written.

COUNTY OF TULARE

By: _____
CHAIRMAN, Board of Supervisors
"County"

ATTEST: LOUIS J. FERNANDEZ
Acting County Executive/Clerk of the Board
of Supervisors of the County of Tulare

By: _____
Deputy Clerk

LEMON COVE SANITARY DISTRICT

By: _____
President, Lemon Cove Sanitary District
Board of Directors
"District"

ATTEST: Secretary for the
Board of Directors of the
Lemon Cove Sanitary District

By: _____
William F. Pensar, District Secretary

DENNIS R. KELLER - JAMES H. WEGLEY,
CONSULTING ENGINEERS

By: _____
Dennis Keller, Principal
"Engineer"

Approved as to Form,
County Counsel

By: _____
Deputy

EXHIBIT "A"

COMPENSATION

Compensation includes cost for payroll of personnel, equipment, material and subcontractors, plus overhead and profit. Compensation for the above described services shall be a follows:

Pre-Construction Phase - Engineering Design, Surveys, Coordination, Improvement Plans, Bid Documents and Specifications, Easement Preparation and Review of Water Use Ordinance	$ 15,313
Construction Phase - Project Management. Field Testing and Laboratory Sampling, Construction and Site Inspection	$ 25,650
TOTAL	$ 40,963

EXHIBIT "A"

SCHEDULE OF FEES
FOR
PROFESSIONAL SERVICES

Classification	Hourly Rate
Partner	$ 75.00
Senior Civil Engineer	58.00
Junior Civil Engineer	42.00
Engineering Technician	41.00
Draftsman-Inspector	41.00
Draftsman	34.00
Secretary	29.00

Word Processor and Computer Time - $12.00/Hr.
Mileage - $0.35/Mile

SURVEYING:

Classification	Rate
Crew Supervision	$ 50.00
4-man Survey Crew	140.00
3-man Survey Crew	105.00
2-man Survey Crew	75.00

EXHIBIT "B"

Pre-Construction Services

1. Meet and confer with Participants staff, County Counsel, Public Works Department staff, State Department of Water Resources staff, and if necessary any other public agency staff as required during design phase.

2. Obtain aerial photo map base sheets along proposed construction alignment within existing road rights-of-way.

3. Perform topographic survey of project alignments and plot field survey data on construction improvement plan base sheets.

4. Perform all necessary engineering work in connection with the above described project improvements.

5. Prepare detailed contract construction drawings.

6. Prepare specifications and contract documents, including bid forms and notice to bidders.

7. Upon completion of plans and specifications, prepare detailed statement of probable improvement costs.

8. Furnish the Participants with ten (10) copies of plans and specifications for each design phase. Furnish at cost, additional copies of the plans and specifications as required for bidding and construction purposes. Distribute plans and specifications for bidding.

9. Assist the Participants in obtaining bids, evaluating bids, and making the contract awards.

PROPERTY RELATED SERVICES

1. Perform research and analysis of the individual construction sites and along planned construction alignment to determine information necessary to prepare property deed and provide the Participants with assistance in determining the specific needs for additional easement acquisitions if necessary.

2. Prepare detailed descriptions of required easements for the pipeline portion of the project if necessary.

3. Prepare mapping in such detail as required to assist the Participants in acquisition of the required easements.

EXHIBIT "C"

CONSTRUCTION PHASE SERVICES

1. Assist Participants in issuing notice to proceed with construction.

2. Provide observation of construction. The engineer shall make visits to the site at intervals appropriate to the various stages of construction, as engineer deems necessary in order to observe as an experienced and qualified design professional, the progress and quality of the various aspects of contractor's work. Based on information obtained during such visits and on such observations, engineer shall endeavor to determine in general if such work is proceeding in accordance with the contract documents, and engineer shall keep Participants informed of the progress of the work.

3. Perform such field tests as are required to determine compliance with Engineer's design and contract documents, including site compaction tests.

4. Communicate test results to Participants and contractor and review the replacement or correction of any work which is necessary due to failing tests.

5. Provide field construction bench marks and sufficient baselines for the contractor to establish the alignment and grade of required work.

6. Assist the Participants in preparing and checking the following items:

   A. Contractor's payroll records.
   B. Contractor's compliance with prevailing wage regulations.
   C. Monthly pay estimates.
   D. Final summary of project costs.

7. Issue certificate of completion to the Participants upon completion of the contract.

8. Provide reproducible "Drawings of Record" of the completed project.

9. Provide ongoing communication, assistance and support regarding the progress of construction and response to any questions which may arise during the course of the work.

10. Provide assistance in responding to requests for change orders or clarification of contract documents, and preparation and processing of any change orders which may be deemed necessary during the course of the project.

11. Review and monitor contractor's schedule, including documentation of unseasonal weather or other factors beyond the contractor's control, which might warrant adjustments to the contract period.

12. Assist Participants as required in providing reports to the State of California Safe Drinking Water Bond Program.

ACORD. CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY) 11-08-90

PRODUCER

MORGAN, KLEPPE & NASH INSURANCE
P.O. BOX 1390
VISALIA, CA 93279

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

COMPANY LETTER A USF&G INSURANCE COMPANY

COMPANY LETTER B WEST AMERICAN INSURANCE COMPANY

COMPANY LETTER C

COMPANY LETTER D

COMPANY LETTER E

INSURED

DENNIS R. KELLER & JAMES H. WEGLEY
CONSULTING ENGINEERS
P.O. BOX 509
VISALIA, CA 93279

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
	GENERAL LIABILITY					
X	COMMERCIAL GENERAL LIABILITY				GENERAL AGGREGATE	$1,000,000.
	CLAIMS MADE X OCCUR.	IMP 11069628900	08-17-90	08-17-91	PRODUCTS-COMP/OP AGG.	$1,000,000.
	OWNER'S & CONTRACTOR'S PROT.				PERSONAL & ADV. INJURY	$1,000,000.
					EACH OCCURRENCE	$1,000,000.
					FIRE DAMAGE (Any one fire)	$ 50,000.
					MED. EXPENSE (Any one person)	$ 5,000.
	AUTOMOBILE LIABILITY					
	ANY AUTO				COMBINED SINGLE LIMIT	$ 500,000.
	ALL OWNED AUTOS					
X	SCHEDULED AUTOS	BAW 5026 44 35	02-26-90	02-26-91	BODILY INJURY (Per person)	$
X	HIRED AUTOS					
X	NON-OWNED AUTOS				BODILY INJURY (Per accident)	$
	GARAGE LIABILITY					
					PROPERTY DAMAGE	$
	EXCESS LIABILITY				EACH OCCURRENCE	$
	UMBRELLA FORM				AGGREGATE	$
	OTHER THAN UMBRELLA FORM					
	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY				STATUTORY LIMITS	
					EACH ACCIDENT	$
					DISEASE—POLICY LIMIT	$
					DISEASE—EACH EMPLOYEE	$
	OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

CERTIFICATE HOLDER

COUNTY OF TULARE
PLANNING & DEVELOPMENT DEPARTMENT
ATTN: KATHY MURCH
COUNTY CIVIC CENTER
VISALIA, CA 93291

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE MORGAN, KLEPPE & NASH INSURANCE

BEFORE THE BOARD OF SUPERVISORS

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT TO AGREEMENT WITH LEMON COVE SANITARY DISTRICT	))))	RESOLUTION NO. 91-0403 AGREEMENT NO. 15793-A

UPON MOTION OF SUPERVISOR HARNESS , SECONDED BY SUPERVISOR BUCKLEY, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD APRIL 9, 1991, BY THE FOLLOWING VOTE:

AYES: Supervisors Gould, Conway, Mangine, Harness, and Buckley

NOES: None
ABSTAIN: None
ABSENT: None

BOARD OF SUPERVISORS TULARE COUNTY, CAL.

ATTEST: LOUIS J. FERNANDEZ
ACTING COUNTY EXECUTIVE/CLERK
BOARD OF SUPERVISORS

BY: Linda Magani

* * *

Approved an amendment to Agreement No. 15793 with the Lemon Cove Sanitary District to include the design and construction of the water distribution system

Plng/Dev
Fn 7314

4/11/91
lm

AMENDMENT NO. 1 TO
TULARE COUNTY AGREEMENT NO. 15793

THIS AMENDMENT NO. 1 to Tulare County Agreement No. 15793 is made and entered into this 9th day of April, 1991, by and between the COUNTY OF TULARE, hereinafter referred to as the "County", and the LEMON COVE SANITARY DISTRICT, hereinafter referred to as the "District".

WITNESSETH:

WHEREAS, the County and District entered into Tulare County Agreement No. 15793 providing for joint participation in a cooperative effort to locate and, if possible, construct a Common Water Source Supply System as part of their concurrent efforts to provide community water systems utilizing a common water source to the residents in their respective jurisdictions in the Lemon Cove area with funds obligated by the State of California, Department of Water Resources Safe Drinking Water Grant Program; and

WHEREAS, the County and the District had originally anticipated under Tulare County Agreement No. 15793 contracting separately for engineering services to design and manage construction of each party's water distribution system portion of the whole Project but now, due to time constraints and efficiency considerations, desire to jointly contract for such engineering services; and

WHEREAS, the State of California, Department of Water Resources has encouraged the County and the District to undertake design and construction of their community water systems as a joint effort to minimize costs and enhance the parties' ability to complete their portions of the Project by the October 14, 1991 project completion deadline; and

WHEREAS, the County and the District desire to jointly contract, to the extent

Y COUNSEL
IRE COUNTY
.. CALIFORNIA

possible, with Keller & Wegley, Consulting Engineers, hereinafter referred to as the "Engineer", to provide the engineering services needed to design and construct their separate water distribution systems as they jointly contracted with the Engineer to provide the engineering services needed to design and construct the Common Water Source Supply System; and

WHEREAS, the Engineer to qualified to and willing to provide such engineering services under such a joint contract; and

WHEREAS, Tulare County Agreement No. 15793 may be amended upon written mutual consent of both parties;

NOW, THEREFORE BE IT AGREED as follows:

1. Section I.C, Phase III, of Tulare County Agreement No. 15793 is amended to read as follows:

"Phase III. The parties shall jointly contract with an Engineer to provide professional engineering services for the design and construction of their separate water distribution systems. The Engineer shall submit the final designs, plans and specifications for the separate water distribution systems to both parties. Each party shall comment on the final designs, plans and specifications of the other party's water distribution system within forty-eight (48) hours of receipt unless additional time is allowed by the other party's representative or project manager. The decision to incorporate any suggested changes from the commenting party will be up to the sole discretion of the party constructing the water distribution system. At the end of the comment period, each party will be responsible for submitting the final designs, plans and specifications for that party's water distribution system to the Grantor for approval as required under that party's grant agreement. If changes have been

made to the designs, plans and specifications as submitted to both parties by the Engineer prior to submission to the Grantor, the submitting party will provide to the other party a copy of the final designs, plans and specifications as submitted to the Grantor. To the extent possible, Phase III shall be undertaken simultaneously with Phase II."

2. Section I.C of Tulare County Agreement No. 15793 is amended to add "Phase IV" as follows:

"Phase IV. Each party shall be responsible for the administration of the construction of its water distribution system and shall contract separately with an appropriate contractor for the construction of its water distribution system. However, to facilitate efficiency in the use of the Engineer's time and services, to the extent possible, the parties shall coordinate and concurrently advertise for, receive and consider the bids for the construction of their separate water distribution systems. If the same contractor or contractors are awarded the construction contracts for both water distribution systems, it is understood and agreed that the County's water distribution system, due to Grantor time constraints, shall have construction priority. Except as otherwise expressly provided or agreed to in writing, each party will work directly with the Engineer and the party's construction contractors for the construction of that party's water distribution system. However, each party shall provide the other with copies of invoices and payment warrants to the extent requested by the other's representatives and shall otherwise mutually cooperate in the administration of the Project's budgets and progress."

3. Section II, and the subsections thereto, of Tulare County Agreement No. 15793 is amended to add "Phase III" wherever reference to "Phases I and II" is made.

4. All other provisions, terms and conditions of Tulare County Agreement No. 15793 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

COUNTY OF TULARE

By _____
Chairman, Board of Supervisors
"County"

ATTEST: LOUIS J. FERNANDEZ, Acting County Executive/Clerk of the Board of Supervisors of the County of Tulare

By _____
Deputy

LEMON COVE SANITARY DISTRICT

By _____
Chairman, Board of Directors
"District"

ATTEST: Secretary for the Board of Directors of the Lemon Cove Sanitary District

By _____
Bill Pensar, District Secretary

Approved as to form:
County Counsel

By _____
Deputy

LGRTS\C152200\JJR1.AGR

Y COUNSEL
RE COUNTY
. CALIFORNIA

AMENDMENT NO. 2 TO
TULARE COUNTY AGREEMENT NO. 15793

THIS AMENDMENT NO. 2 to Tulare County Agreement No. 15793 is made this 23rd day of July, 1991, by and between the County of Tulare, a political subdivision of the State of California, hereinafter referred to as the "County", and the Lemon Cove Sanitary District, hereinafter referred to as the "District".

WITNESSETH:

WHEREAS, District and County have entered into Tulare County Agreement No. 15793 and Amendment No. 1 (Tulare County Agreement No. 15793-A) thereto (which agreements are hereinafter referred to collectively as the "Agreement") providing, among other things, for a cooperative effort to locate and, if possible, construct a common water source supply system (consisting of as many as two wells) located, constructed and operated by both parties and two separate water distribution systems, one of which is to be constructed and operated by the County within the Lemon Cove Zone of Benefit within County Service Area No. 1 and one of which will be constructed and operated by the District within its area of jurisdiction; and

WHEREAS, the Agreement expressly provides that the source of funding for said cooperative efforts is to be provided by the State of California Department of Water Resources through conditional grants to both parties under the California Safe Drinking Water Bond Law of 1986 and that neither party is expected or required to contribute any amounts to the cooperative Project in excess of the grant amounts awarded to the respective party; and

WHEREAS, the parties have been successful in locating one source of potable water which is located within the Lemon Cove Zone of Benefit within County Service

Area No. 1 and have been unable to locate a second source of potable water within the boundaries and jurisdiction of the District due to difficulties in drilling test holes through hard rock at the test well site (hereinafter referred to as the "Cairns Site"); and

WHEREAS, in order for the District to continue the drilling of a test well at the Cairns Site and/or to explore for another adequate potable water source, the parties must adjust the use of grant funds as previously anticipated and budgeted under the Agreement for drilling test holes; and

WHEREAS, the conditions of the District's grant allow the District additional time for completion of its water system and it wishes to use some of that time to explore further for another adequate potable water source; and

WHEREAS, the District desires to pursue those steps necessary to continue the drilling of a test hole at the Cairns Site and/or explore for another adequate potable water source independent of County assistance and subject to the conditions that any costs incurred by the District in continuing the drilling of the test well at the Cairns Site and/or in the exploration for another adequate potable water source be paid solely out of the District's grant allocation and/or other District sources of revenue, whatever they may be, and that the District will enter into separate engineering and well drilling contracts for the purposes of continuing drilling of the test well at the Cairns Site and/or exploring for another adequate potable water source; and

WHEREAS, the Agreement provides that it may be modified or amended but only by mutual consent of both parties in writing;

NOW, THEREFORE, in consideration of their mutual promises as hereinafter

NTY COUNSEL

set forth, the parties hereto consent to amend the Agreement by this Amendment No. 2 as follows:

1. Section I.C. Phase I of the Agreement is amended to read as follows:

"Phase I.

"(A) The parties shall jointly contract with an engineer to provide engineering design and testing services necessary for the location (including the drilling of test wells) and the testing of an adequate source or sources of potable water and the final design of the common water source supply system. Upon the location of an adequate source or sources of potable water, the engineer, shall submit the final design, plans and specifications for the common water source supply system to the parties for approval. Each party shall approve or reject such final design, plans and specification with in five (5) working days of receipt. Upon mutually approving the final design, plans and specifications, the parties shall submit the approved common water source supply system design, plans specifications to the State for approval as required under the grant agreements.

"(B) Notwithstanding the foregoing the District is hereby authorized to undertake an independent effort to locate an adequate potable water source within the District's boundaries. For such purpose, the District shall separately and independently contract with an engineer for necessary engineering services and with contractors for the drilling of any test wells. Any such separate and independent contracts shall not include the County as a party, the County shall not act as lead agency for such separate and independent contracts and the District will indemnify and hold County harmless for any costs and claims associated with

said separate independent contracts for the drilling of test wells. District may pay for any such separate and independent contracts out of District's grant funds as previously described or from any other funds available to the District. The District shall not seek contribution of grant funds available to the County for such purpose.

"(C) If, as part of its independent effort, the District locates an adequate potable water source, such water source shall be included in the final design of the common water source supply system. Although such location of the adequate potable water source by the District will be through an independent effort or undertaking by the District the cost of which will be borne by the District, the inclusion of such a water source in the final design and construction of the common water source supply system will be a cooperative effort by the County and District, the cost of which will be borne as otherwise provided for such cooperative effort under this Agreement."

2. Section I.C. Phase II of the Agreement is amended to read as follows:

"Phase II. The parties shall request bids, as necessary, and jointly contract with an engineer and appropriate contractors for the construction of the common water supply system, including up to two wells with pumps in accordance with the final grantor approved common water source supply system design, plans and specifications, except as provided in Phase I(B) hereinabove with respect to any separate and independent contracts for test wells by the District."

3. Paragraph A of Section II is amended to read as follows:

"A. Except as provided in Section I.C Phase I(B) above wherein the District through its independent effort enters into separate and independent

contracts for the drilling of a test well, the County, by mutual consent, is designated as the lead agency for Phases I, II, and III of this Agreement. As Lead Agency, the County shall coordinate meetings, joint authorizations and negotiations, and other administrative activities."

4. Paragraph B.(4) is hereby added to Section II to read as follows:

"B. (4) The provisions of Paragraphs B.(1) through B.(3) shall not apply to any separate and independent contracts entered into by District as part of its independent effort in the drilling of a test well as described in the second paragraph of Section I.C Phase I(B). While the District may use its available grant funds for its independent effort in the drilling of a test well, none of the grant funds available to the County shall be used for such activities of the District. The District shall be solely responsible for the receipt, approval, submission to the State where appropriate, resolution of all disputes, and payment of all costs and invoices associated with any separate and independent contracts it enters into as part of its independent effort in the drilling of a test well as described in the second paragraph of Section I.C Phase I(B)."

7. Except as provided in this Amendment No. 2 to Tulare County Agreement No. 15793, Tulare County Agreement No. 15793 and Amendment No. 1 (Tulare County Agreement No. 15793-A) thereto, and all covenants, conditions and terms therein, shall remain in full force and effect and, as amended herein, represents

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the complete and entire understanding between the parties as to those matter contained therein and herein.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 2 to Tulare County Agreement No. 15793 in the year and day first written above.

COUNTY OF TULARE

By _____
Chairman, Board of Supervisors
"County"

ATTEST: LOUIS J. FERNANDEZ
County Executive/Clerk of the Board
of Supervisors of the County of Tulare

By _____
Deputy

LEMON COVE SANITARY DISTRICT

By _____
Chairman, Board of Directors
"District"

ATTEST: Secretary for the
Board of Directors of the
Lemon Cove Sanitary District

By _____
Bill Pensar, District Secretary

Approved as to form:
County Counsel

By _____
Deputy

lgrts\lemoncov\ljr2.agr

BEFORE THE BOARD OF SUPERVISORS

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF FY 1991/92 BUDGET FOR LEMON COVE SAFE DRINKING WATER PROJECT	))))	RESOLUTION NO. 91-1311

UPON MOTION OF SUPERVISOR HARNESS , SECONDED BY SUPERVISOR MAGOON, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD NOVEMBER 19, 1991, BY THE FOLLOWING VOTE:

AYES: Supervisors Gould, Magoon, Mangine, and Harness

NOES: None
ABSTAIN: None
ABSENT: None

ATTEST: LOUIS J. FERNANDEZ
COUNTY EXECUTIVE/CLERK
BOARD OF SUPERVISORS

BY: Linda Magavi
Deputy Clerk

* * * * * * * * * * *

Approved a revised FY 1991/92 budget for the Lemon Cove Safe Drinking Water Project and directed the Auditor to amend the revenue and expenditure accounts (Attachment I) to combine grants with the Lemon Cove Sanitary District as attached hereto and incorporated in by reference

Plng/Dev
Auditor
CEO
FN 7314

11/20/91
lm

Tulare County Planning and Development Dept.
Community Development Division
Report of Lemon Cove Board Agenda

RECOMMENDATIONS:
ITEM A(2), Expenditure Account

Budget #	Acct. Title	Type	Dt.	Cr.
Original:				
C15-C15-2200-1011	Salaries	Exp.	$3,650.00	
C15-C15-2200-1021	Retirement	Exp.	$430.00	
C15-C15-2200-1022	Social Security	Exp.	$350.00	
C15-C15-2200-1023	Health Insurance	Exp.	$220.00	
C15-C15-2200-1024	Life Insurance	Exp.	$10.00	
C15-C15-2200-1025	Workers' Comp. Ins.	Exp.	$5.00	
C15-C15-2200-1026	Unemployment Ins.	Exp.	$15.00	
C15-C15-2200-2150	Prof. Services	Exp.	$105,000.00	
C15-C15-2200-2153	Services From Others	Exp.	$2,000.00	
C15-C15-2200-2170	Publications	Exp.	$400.00	
C15-C15-2200-3530	Interfund Exp.	Exp.	$3,000.00	
C15-C15-2200-5642	Construction	Exp.	$270,920.00	
C15-C15-2200-8508	Approp. Fpr. Con.	Exp.	$14,000.00	
C15-C15-2200-5400	State Other	Rev.		$400,000.00
Totals			$400,000.00	$400,000.00
Additions:				
C15-C15-2200-1011	Salaries	Exp.	$390.00	
C15-C15-2200-1021	Retirement	Exp.	$45.00	
C15-C15-2200-1022	Social Security	Exp.	$40.00	
C15-C15-2200-1023	Health Insurance	Exp.	$25.00	
C15-C15-2200-2150	Prof. Services	Exp.	$72,528.00	
C15-C15-2200-2170	Publications	Exp.	$100.00	
C15-C15-2200-3530	Interfund Exp.	Exp.	$800.00	
C15-C15-2200-5642	Construction	Exp.	$326,072.00	
C15-C15-2200-5400	State Other	Rev.		$400,000.00
Totals			$400,000.00	$400,000.00
Combined:				
C15-C15-2200-1011	Salaries	Exp.	$4,040.00	
C15-C15-2200-1021	Retirement	Exp.	$475.00	
C15-C15-2200-1022	Social Security	Exp.	$390.00	
C15-C15-2200-1023	Health Insurance	Exp.	$245.00	
C15-C15-2200-1024	Life Insurance	Exp.	$10.00	
C15-C15-2200-1025	Worker's Comp Ins.	Exp.	$5.00	
C15-C15-2200-1026	Unemployment Ins.	Exp.	$15.00	
C15-C15-2200-2150	Prof. Services	Exp.	$177,528.00	
C15-C15-2200-2153	Services from Other	Exp.	$2,000.00	
C15-C15-2200-2170	Publications	Exp.	$500.00	
C15-C15-2200-3530	Interfund Exp.	Exp.	$3,800.00	
C15-C15-2200-5642	Construction	Exp.	$596,992.00	
C15-C15-2200-8508	Approp. Fpr Con.	Exp.	$14,000.00	
C15-C15-2200-5400	State Other	Rev.		$800,000.00
			$800,000.00	$800,000.00

Attachment I

C

#20

BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Ratification of Amendment No. 3 to Tulare County Agreement No. 15793.	RESOLUTION NO. 91-1507

Whereas, the Lemon Cove Sanitary District hereinafter referred to as the "District", and the County of Tulare, a political subdivision of the State of California, hereinafter referred to as the "County", have entered into Tulare County Agreement No. 15793 and Amendment No. 1 (Tulare County Agreement No. 15793-A) and Amendment No. 2 (Tulare County Agreement No. 15793-B) thereto,which Agreements are hereinafter referred to collectively as the "Agreement," and

Whereas said Agreement provides for, among other things, a cooperative effort to locate and, construct a common water source supply system (consisting of as many as two wells) located, constructed and operated by both parties, and for the construction of two seperate water distribution systems, one of which is to be constructed and operated by the County within the Lemon Cove Zone of Benefit within County Service Area No. 1, and one of which is to be constructed and operated by the District within its area of jurisdiction; and

Whereas, the County and the District have determined that it would be to the benefit of both parties to amend their existing JPA to provide for the joint construction and construction administration of their seperate water distribution systems; and

Whereas, the written documentation for such Amendment was inadvertently not presented to the Board of Supervisors on or before July

1, 1991 for execution due to the need to obtain certain approvals by the State Department of Water Resources and Health Services; and

Whereas, the County Department of Planning and Development staff entered into an oral agreement with the District to amend the existing JPA to provide for the joint construction of the seperate water distribution system so the project could proceed expeditiously; and

Whereas, the Board of Supervisors had the authority to, had intended to, and would have entered into Agreement No. 3 to Tulare County Agreement No. 15793 as of July 1, 1991, but for the delay in receiving the needed documentation; and

Whereas, the Board of Supervisors desire upon execution of Amendment No. 3 to Tulare County Agreement No. 15793 to ratify such Amendment effective as of July 1, 1991;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Supervisors hereby ratifies the oral agreements entered into on its behalf by the Department of Planning and Development staff amending Tulare County Agreement No. 15793 as those agreements are set out in Amendment No. 3 to Tulare County Agreement No. 15793 attached hereto.

2. That the Board of Supervisors hereby ratifies, effective as of July 1, 1991, and approves said Amendment No. 3 to Tulare County Agreement No. 15793.

3. That the Board of Supervisors authorizes the Chairman to sign said Amendment on its behalf effective July 1, 1991.

The foregoing resolution was adopted upon motion of Supervisor Harness, seconded by Supervisor Magoon, at a regular meeting on the 17th day of December, 1991, by the following vote:

AYES: Supervisors Gould, Magoon, Mangine & Harness

NOES: None

ABSTAIN: None

ABSENT: None

ATTEST: LOU J. FERNANDEZ
County Executive/Clerk of the Board
of Supervisors of the County of Tulare

By Janice McFarlin
DEPUTY

ng/Dev
7314
/26/91

#29

AMENDMENT NO. 3 TO

TULARE COUNTY AGREEMENT NO. 15793

THIS AMENDMENT NO. 3 to Tulare County Agreement No. 15793 is made and entered into this 17th day of Dec, 1991, by and between the County of Tulare, a political subdivision of the State of California, hereinafter referred to as the "County", and the Lemon Cove Sanitary District, hereinafter referred to as the "District".

WITNESSETH:

WHEREAS, District and County have entered into Tulare County Agreement No. 15793 and Amendment No. 1 (Tulare County Agreement No. 15793-A) and Amendment No. 2 (Tulare County Agreement No. 15793-B) thereto (which Agreements are hereinafter referred to collectively as the "Agreement") providing, among other things, for a cooperative effort to locate and, if possible construct a common water source supply system (consisting of as many as two wells) located, constructed and operated by both parties and two separate water distribution systems, one of which is to be constructed and operated by the County within the Lemon Cove Zone of Benefit within County Service Area No. 1 and one of which will be constructed and operated by the District within its area of jurisdiction; and

WHEREAS, the Agreement expressly provides that the source of funding for said cooperative efforts is to be provided by the State of California Department of Water Resources through conditional grants to both parties under the California Safe Drinking Water Bond Law of 198~~6~~9 BP and that neither party is expected or required to contribute any amount to the cooperative Project in excess of the grant amounts awarded to the respective party; and

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TULARE COUNTY AGREEMENT NO. 15793-C

COUNTY COUNSEL
TULARE COUNTY

WHEREAS, the State of California, Department of Water Resources has encouraged the County and the District to undertake design and construction of their community water systems as a joint effort to minimize costs and to enhance the County's ability to encumber its portion of the Project grants by the October 14, 1991 County project grant completion deadline; and

WHEREAS, the conditions of the District's grant allow the District additional time for completion of its water system and, if it wishes, to use some of that time to explore further for another adequate potable water source; and

WHEREAS, the Agreement provides that it may be modified or amended by the mutual consent of both parties in writing;

NOW, THEREFORE, in consideration of their mutual promises as hereinafter set forth, the parties hereto consent to amend the Agreement by this Amendment No. 3 as follows:

1. Section I.B of the Agreement is amended to read as follows:

"B. The parties further contemplate that the described Project shall be accomplished for the amounts of the grants described above and that neither party shall be expected or required to contribute any amounts to this Project not eligible for or in excess of the grant amounts awarded to that particular party except as specifically provided herein. If at any time during this Agreement, either party or both mutually decide that further participation is infeasible because of the cost of the project, this Agreement may be terminated upon thirty days written notice to the other party. During the thirty day notice period, neither party shall be expected to continue performance of its obligations under this Agreement except, in the case of a unilateral, as opposed to a mutual decision, of financial infeasibility, the parties shall

shall negotiate in good faith during the thirty day notice period for an alternative solution to termination."

2. Section I.C Phase IV of the Agreement is amended to read as follows:

"Phase IV. The parties shall jointly contract with an appropriate contractor for the construction of the water distribution systems in accordance with the final grantor approved design, plans and specifications. The County's water distribution system, due to grantor time restraints, shall have construction priority."

3. Section II.A. of the Agreement is amended to read as follows:

"A. Except as provided in Section 1.C Phase 1.(B) wherein the District through its independent effort enters into separate and independent contracts for the drilling of a test well, the County, by mutual consent, is designated as the lead agency for Phases I, II, III and IV of this Project. As Lead Agency, the County shall coordinate meetings, joint authorizations and negotiations, construction management, and other administrative activities. Although not otherwise involved with the District's activities under Section 1.C Phase 1.(B), the County shall, upon receipt of all necessary invoices and receipts for grant eligible activities in connection therewith from the District, submit such invoices and receipts to the grantors in accordance with the rest of the terms and provisions of the Agreement."

4. Section II.B, and the paragraphs thereto, of the Agreement is hereby amended to add a reference to Phase IV wherever reference to Phases I, II and III collectively is made.

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5. Section II.B.(4) as added by Amendment No. 2 (Tulare County Agreement No. 15793-B) to the Agreement is hereby rescinded and replaced by the following Section II.B.(4):

"(4) The parties agree to pool all grant funds for the Project and to pay the grant eligible costs and expenses therefrom in accordance with the amounts set out in Exhibit "D". Any increase in available grant funds due to any grant amendment shall be spent in accordance with the grant amendment terms. In order to best utilize the grant funds available, the parties agree that all grant eligible costs and expenses incurred and invoiced on or before October 14, 1991 shall be submitted to the grantor as charges against the County's grant until that grant is exhausted or the grant deadline for submitting charges is reached. After October 14, 1991, all grant eligible costs and expenses shall be submitted to the grantor as charges against the District's grant until that grant is exhausted or the grant deadline for submitting charges is reached."

6. Section II.B.(5) is hereby added to read as follows:

"(5) Each party may suggest improvements or additions to the Project not covered by the grant agreements or eligible for grant reimbursement. If at any time during the Agreement, the party unilaterally decides to undertake any grant ineligible improvements or additions to the Project, that party shall be responsible for all activities, including but not limited to all administration and construction, necessary or desired for such grant ineligible improvements or additions and shall pay for all the expenses or costs and expenses incurred therefore. Nothing in this provision shall prevent the parties from jointly undertaking any improvements or additions to the Project not contemplated or eligible under the

NTY COUNSEL
ULARE COUNTY

grant agreements pursuant to a written agreement between the parties expressly agreeing to and delineating such undertaking."

7. Section II.C is hereby amended to read as follows:

"C. During all phases of the Project both parties shall participate and be represented in meetings to determine the proper course of the Project and to be informed by the engineer as to the status of the Project."

8. Except as provided in this Agreement No. 3 to the Tulare County Agreement No. 15793, Tulare County Agreement No. 15793 and Amendment No. 1 (Tulare County Agreement No. 15793-A) and Amendment No. 2 (Tulare County Agreement No. 15793-B) thereto, and all covenants, conditions and terms therein, shall remain in full force and effect and, as amended herein, represents the complete

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and entire understanding between the parties as to those matter contained therein and herein.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 3 to Tulare County Agreement No. 15793 in the year and day first written above.

COUNTY OF TULARE

By _____
Chairman, Board of Supervisors

"County"

ATTEST: LOUIS J. FERNANDEZ
County Executive/Clerk of the Board
of Supervisors of the County of Tulare

By _____
Deputy

LEMON COVE SANITARY DISTRICT

By _____
Chairman, Board of Directors

"District"

ATTEST: Secretary for the
Board of Directors of the
Lemon Cove Sanitary District

By _____
Bill Pensar, District Secretary

Approved as to form:
County Counsel

By _____
Deputy

H:\Land\Julia\wp\LGRTS\Lemoncov\JJR3.Agr

BEFORE THE BOARD OF SUPERVISORS

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF DECLARING AN EMERGENCY REGARDING LEMON COVE SAFE DRINKING WATER PROJECT)	RESOLUTION NO. 92-0099

UPON MOTION OF SUPERVISOR MAGOON, SECONDED BY SUPERVISOR GOULD, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JANUARY 21, 1992, BY THE FOLLOWING VOTE:

AYES: Supervisors Gould, Magoon, Mangine and Harness

NOES: None
ABSTAIN: None
ABSENT: None

BOARD OF SUPERVISORS TULARE COUNTY, CAL.

ATTEST: LOUIS J. FERNANDEZ
COUNTY EXECUTIVE/CLERK
BOARD OF SUPERVISORS

BY: Janice McFarlin
Deputy Clerk

* * * * * * * * * *

Declared an emergency for the Lemon Cove Safe Drinking Water Project providing for the temporary removal of the production pump at the McKay's Point Well Site and testing of the well seal

Plng/Dev
FN 7890

1/23/92
jm

BEFORE THE BOARD OF SUPERVISORS

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF LEMON COVE SAFE DRINKING WATER PROJECT	))))	RESOLUTION NO. 92-0100

UPON MOTION OF SUPERVISOR GOULD, SECONDED BY SUPERVISOR MAGOON, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JANUARY 21, 1992, BY THE FOLLOWING VOTE:

AYES: Supervisors Gould, Magoon, Mangine and Harness

NOES: None
ABSTAIN: None
ABSENT: None

BOARD OF SUPERVISORS TULARE COUNTY, CAL.

ATTEST: LOUIS J. FERNANDEZ
COUNTY EXECUTIVE/CLERK
BOARD OF SUPERVISORS

BY: Janice McFarlin
Deputy Clerk

* * * * * * * * * * *

Approved change order to the Lemon Cove Safe Drinking Water Project providing for the temporary removal of the production pump at the McKay's Point Well Site and testing of the well seal

Plng/Dev
FN 7890

1/23/92
jm

RECORDING REQUESTED BY AND MAIL TO:

NAME CLERK BOARD OF SUPERVISORS

ADDRESS

CITY & STATE

92-031559

Recorded
Official Records
County of
Tulare
Nadine Svoboda
Recorder
8:01am 30-Apr-92

Total .00

DH 2

PLEASE RECORD AND RETURN
TO CLERK OF THE BOARD

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN that the project entitled Lemon Cove Zone of Benefit and the Lemon Cove Sanitary District, Lemon Cove Safe Drinking Water Project, Tulare County Agreement No. 16390, dated August 23, 1991, pursuant to a contract between the County of Tulare and Schiedt, Haydon & Hall Construction Co., was completed on January 30, 1992, and that the County of Tulare and the Lemon Cove Sanitary District are the owners of said installation.
Dated this 27th day of April, 1992.

COUNTY OF TULARE
Planning and Development Department

By:
Date: 4/27/92

STATE OF CALIFORNIA)
COUNTY OF TULARE)

George Finney, being first duly sworn, deposes and says: that he is authorized to execute the foregoing Notice of Completion for the County of Tulare, that he has read the foregoing notice, knows the contents thereof, and that the facts stated herein are true; that he makes this affidavit on behalf of and pursuant to authorization of the Board of Supervisors of the County of Tulare.

Planning & Development Department

Subscribed and sworn to before me

this 27 day of April 1992.

Notary Public in and for the County of Tulare, State of California.

OFFICIAL SEAL
GEORGIA SOUZA
NOTARY PUBLIC-CALIFORNIA
PRINCIPAL OFFICE IN
TULARE COUNTY
My Commission Exp. May 16, 1995

BEFORE THE BOARD OF SUPERVISORS

COUNTY OF TULARE, STATE OF CALIFORNIA

* * *

IN THE MATTER OF NOTICE OF COMPLETION FOR: LEMON COVE SAFE DRINKING WATER WELL SITE AND APPURTANENCES TULARE COUNTY AGREEMENT NO. 16389	)	RESOLUTION NO. 92-0639

Upon motion of Supervisor Gould, seconded by Supervisor Johnson, the following resolution was made, passed and adopted:

WHEREAS, George E. Finney, Director, Tulare County Planning & Development Department

has certified to this Board of Supervisors that the work has been completed in accordance with plans and specifications and is ready for acceptance.

NOW, THEREFORE, IT IS ORDERED that the Project for the Lemon Cove Safe Drinking Water Well Site and Appurtenances

being completed by W.M. Lyles Construction Company be, and the same is hereby accepted.

That the Clerk of this Board of Supervisors is hereby authorized to record a Notice of Completion of said work in the office of the Tulare County Recorder.

The foregoing resolution was adopted at a regular meeting of the Board of Supervisors held June 2, 1992, by the following vote:

AYES: Supervisors Gould, Magoon, Johnson, Harness & Maples
NOES: None
ABSTAIN: None
ABSENT: None

92-041046 92-041046 92-041046

:RDING REQUESTED BY AND MAIL TO:

CLERK BOARD OF SUPERVISORS

ESS

92-041046 Total .00

Recorded
Official Records
County of
Tulare
Nadine Svoboda
Recorder
11:13am 5-Jun-92 BT 3

PLEASE RECORD AND RETURN
TO CLERK OF THE BOARD

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN that the project entitled Lemon Cove Zone of Benefit and the Lemon Cove Sanitary District, Lemon Cove Safe Drinking Water Project, Tulare County Agreement No. 16389, dated September 5, 1991, pursuant to a contract between the County of Tulare and W. M. Lyles Co., Inc., was completed on January 30, 1992, and that the County of Tulare and the Lemon Cove Sanitary District are the owners of said installation.
Dated this 2 day of June 1992.

COUNTY OF TULARE
~~Planning and Development~~ Department

BY:
Date: 5/26/92

STATE OF CALIFORNIA)
(
COUNTY OF TULARE)

George E. Finney, being first duly sworn, deposes and says: that he is authorized to execute the foregoing Notice of Completion for the County of Tulare, that he has read the foregoing notice, knows the contents thereof, and that the facts stated herein are true; that he makes this affidavit on behalf of and pursuant to authorization of ~~the Board~~ of Supervisors of the County of Tulare.

Planning & Development ~~Department~~

Subscribed and sworn to before me

this 2 day of June 1992.

Notary Public in and for the County
of Tulare, State of California.

Please see attached Resolution.

OFFICIAL SEAL
GEORGIA ROJAS

Dinkler

BEFORE THE BOARD OF SUPERVISORS

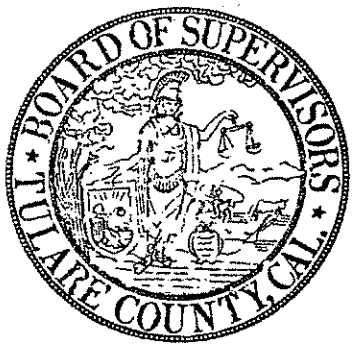
COUNTY OF TULARE, STATE OF CALIFORNIA

* * *

IN THE MATTER OF JOINT POWERS AGREEMENT WITH LEMON COVE SANITATION DISTRICT AND SEQUOIA UNION SCHOOL DISTRICT	))))))	*RESOLUTION NO. 94-1441* *AGREEMENT NO. 17618*

UPON MOTION OF SUPERVISOR HARNESS, SECONDED BY SUPERVISOR MAZE, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD NOVEMBER 29, 1994, BY THE FOLLOWING VOTE:

AYES: Supervisors Richmond, Maze, Harness and Maples
NOES: None
ABSTAIN: None
ABSENT: Supervisor Sanders



ATTEST: THOMAS F. CAMPANELLA
ADMINISTRATIVE OFFICER/CLERK
BOARD OF SUPERVISORS

BY: Janice McFarlin
Deputy Clerk

* * * * * * * * * *

Approved the joint powers agreement between Tulare County with Lemon Cove Sanitation District and Sequoia Union School District to provide a water connection for fire flow only and authorized the Chairman to sign the agreement upon receipt.

Pub Wks
Auditor
FN 10022

11/30/94
jm

Lemon Cove Sanitary District
Lemon Cove Water
P. O. Box 0374
Lemon Cove, CA 93244-0374

April 27, 2012

Supervisor Allen Ishida
Board of Supervisors Office
2800 West Burrel Avenue
Visalia, CA 93291

Dear Supervisor Ishida:

Please find enclosed the requested white paper outlining the unfortunate relationship between the County of Tulare and the Lemon Cove Sanitary District. There is, of course, considerable more information and numerous humorous anecdotes we could offer, but we endeavored to restrict it to one page. It is our belief and experience that multipage documents rarely get read in detail. It is our desire, before extraordinary measures need to be taken, to afford the County one last opportunity to honestly uphold the terms they set forth and to address what we feel are legitimate claims and concerns. We owe it to the residents of our District to hold the County accountable.

I appreciate your assistance in this matter. If you have further questions , please do not hesitate to phone. I can be reached at my home at 559-597-2504.

Sincerely,

William Pensar, Secretary
Lemon Cove Sanitary District

cc:
Jessi Snyder, Paul Boyer, S.H.E.
Linda Ng, Jeremy Callihan, DWR
District Counsel
Charles Hemans, TCEHD
Denise Akins, SOAC
Laurel Firestone, CWC

LEMON COVE SANITARY DISTRICT AND COUNTY SERVICE AREA #1

In 1983, the Lemon Cove Sanitary District, applied for and received a 1984 Safe Drinking Water Grant of $400,000 (Contract #E59221). The purpose was to address the problem of high nitrates. The County, at the same time and without the Sanitary District's knowledge, applied for and received $394,000 (Contract #E59222), to address the same problem in an area adjacent to and south and west of the District. These applications were independent acts and initially the District neither knew of, nor encouraged the County's action. Later at the State's urging, the parties were cajoled into combining systems. The County assumed Lead Agency status. Agreement#15793 was drafted, signed and recorded between the District and the Board of Supervisors in May of 1990, before the combined project commenced. Page 7 of that agreement's Section III. reads,

"ADDITIONAL OBLIGATIONS UPON DECISION TO PROCEED If both parties agree to proceed beyond the Phase I portion of the Project, each shall undertake the following, additional obligations: A. Negotiate in good faith and enter into a joint powers agreement with the other party for the operation and maintenance of the common water source supply system. Included in such obligation is the obligation of each party to reasonably assess or charge its water users or otherwise provide for its proportionate cost of operating and maintaining the common water source supply system, including establishing a fund for depreciation and future capital improvement needs."

We were promised, and this document indicates an intent on thepart of the County to share responsibility for what turned out to be a one-well system with over three miles of pipe and nitrates that exceeded the mandated level (and continued to climb to almost 100 ppm. in the of fall of 1999). The design of this system was predicated on the county's involvement and it was never contemplated to be a system serving a small compact district 2 pipe-miles away from its sole water source. These unintended aspects have created unique maintenance issues for the Lemon Cove Sanitary District.

The County, having installed 31 meters in their County Service Area #1, which lies between the well and the LCSD, decided not to allow connections in its area, and has been less than reluctant to participate in system operation. While the reasons for the County's behavior have never been officially stated, the belief is widely held that if anyone was connected in the CSA #1, it would place the County under a compliance order similar to that under which the LCSD currently labors. Never the less, the County took almost $400,000 from the State of California, has activated not one of its meters, and has ignored the Sanitary District's repeated requests that it honor its obligations and shoulder its agreed-upon share of the maintenance and operation of the project. The county has NOT participated in the O&M of the system and written requests have been ignored. After considerable expenditure of time,talent and treasure by the District, and years of exposure to contaminated water, we continue to seek resolution from our silent, passive partner and still stand ready to negotiate in good faith.

Table 1

Lemon Cove Water Project

Summary of Tulare County Board of Supervisor Action

Document Name	Document Type	Date	Summary	Resolution	Contract $	Have doc?
SDWBL		6/18/85	Approve appl. for SDWBL	85-0892		n
SDW Contract E59222	Agreement #15194	9/20/88	Appv'l of grant w/DWR			y
Budget		11/8/88	Est. Budg. for LC	88-0695		n
ZOB		2/28/89	Rename zone of benefit	89-0021		n
Budget		1/2/90	Estimated budget	90-0024		n
Tulare Co. & LCSD - JPA	Agreement #15793	5/22/90	JPA Agreement	90-0591		y
K/W Engineering-JPA	Agreement #15793	5/22/90				
Keller/Wegley Engineers	Agreement #15794	5/22/90	Well & Appurtanences			
DWR	Agreement #15194B	11/20/90	Ammend cont/ext. date	90-1434		n
Direction		3/5/91	Direction to Staff	91-0248A		y
Plans & specs		3/26/91	Approved test wells & specs & authorized bids	91-0351		y
JPA-amend A	Agreement #15793A	4/9/91	Engineer to construct &	91-0403		y
Keller/Wegley Engineers	Agreement #16185	4/9/91	Water Distribution System	91-0397		y
Montgomery Easement	Agreement #16186	4/9/91	Test/Production Wells &	91-0397		y
1st Mckay'sPt easement	Agreement #16200	4/23/91	Rescend agreement 4/9/91	91-0457		y
		4/30/91	Authorized planning & dev. to neg. w/ well drillers	91-0499		y
Layne Environ.Services	Agreement #16264	6/11/91	Drill Test Wells-McKay's	91-0692		y
Cairns Easement	Agreement #	6/18/91	Drill test well-easements	91-0716		y
Neg. Dec.		7/2/91	Adopt neg. dec.	91-0784		y
		7/9/91	Approval of plans & specs	91-0812		y
JPA - amend B	Agreement #15793B	7/23/91	District to contract to drill well alone			y
Amend Bid Documents	Bid Document	8/13/91	Change completion dates	91-0953		n
Scheidt,Hayden & Hall	Bid Award	8/15/91	Water Distribution System	91-0954	$351,373.00	y
Addendum to Bid Doc.			WEll & Appurt. Bid doc.	91-0933		n
W.M. Lyles	Bid Award	8/15/91	Well & Appurtanences	91-0954	$210,974.00	y
Scheidt/Hayden/Hall Cont	Agreement #16390	8/15/91	Distribution System Const			
W.M.Lyles Contract	Agreement #16389	9/5/91	Well & Appurtancences Con			
?		9/10/91	?	91-1044		n
Interim finance & amend budget		9/10/91	$150,000 interim finance 120 days at 5.75%interest	91-1046		y
Keller/Wegley Engineers	Agreement #16185A	9/10/91	Increase contract$10,000	91-1048	$10,000.00	y
McKay's Easement	Agreement #16201	9/11/91	Easement - Secondary Well			y
W.M.Lyles NTP	Notice to Proceed	9/12/91	Begin Construction			
Scheidt,Hayden,&Hall NTP	Notice to Proceed	9/13/91	Begin construction			
McKay's Easement	Recorded	9/26/91	Easement - Secondary Well			
		11/19/91	Approved FY 1991/92 Budget	91-1311		y
CDBG	Hearing	12/10/91	Set hearing for CDBG	91-1403		n
DWR		12/10/91	Ammend SDW contract & inc. grant to $400,000	91-1413		n
JPA._ amend C	Agreement #15793C	12/17/91	Authorize Co. to Admin.	91-1507		y
CDBG		12/17/91	Approve cdbg prgm in LC for water hookups	91-1428		n
Gen funds		1/7/92	Extension of repayment deadline to gen fund	92-0025		y
Emergency prod well		1/21/92	Declared emergency	92-0098		y
Prod. well		1/21/92	App'd change order for removal of pump	92-0099		y
Well seal		1/21/92	App;d change order for testing of well seal	92-0100		y
Self_Help	Agreement #16546	2/18/92	CCDBG			y
Final Change Orders	Approval	3/24/92	Final Change orders	92-0034		y
Scheidt, Hayden & Hall	Notice o Completion	3/24/92	NOC for Distrib. System	92-0335	$363,171.87	y
Scheidt, Hayden & Hall	Notice o Completion	4/30/92	Recorded	92-031559		y
W.M.Lyles NOC	Notice o Completion	6/2/92	NOC for Well&Appurtanence	92-0639	$219,714.00	y
W.M. Lyles NOC	Notice o Completion	6/5/92	Recorded	92-041046		y
Interim financing		6/30/92	Extension of repayment of $50,000 inter. financing	92-0769		y
Budget		12/15/92	Establishing a FY 92/93 closeout budget	92-1390		y

Utilities/LEMON-W

LEMONCO
09/15/2005

Modified 5/28/2002 4:36 PM Transferred from Dsgn to Utilities

Also Utilities/Water/Lemoncove Water/LEMONCO.xls — Modified 10/14/1994 10:26 AM

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Appendices

Appendix A: Planning Commission Resolutions
Appendix B: Board of Supervisors Resolution

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Appendix A: Planning Commission Resolutions

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Appendix B: Board of Supervisors Resolution

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Attachment No. 3 – Planning Commission Resolution Recommending the Board of Supervisors Adopt - Section 18.9 Mixed-Use (PZC 19-016)

Exhibit "A" – Section 18.9 Mixed-Use Zone Full Ordinance
Exhibit "B" – Summary Ordinance Section 18.9 Mixed-Use Zone

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AN AMENDMENT TO SECTION 18.9 OF ORDINANCE NO. 352 TO ESTABLISH A MIXED-USE COMBINING ZONE WITHIN THE LEMON COVE URBAN DEVELOPMENT BOUNDARY, AS PROPOSED IN CHANGE OF ZONE NO. PZC 19-016.	)	RESOLUTION NO. ____

Resolution of the Tulare County Planning Commission recommending that the Board of Supervisors amend Section 18.9: "MU" Mixed-Use Combining Zone of Ordinance No. 352, the Zoning Ordinance, as set forth in attached Exhibit A, to establish a Mixed-Use Overlay Combining Zoning District within the Lemon Cove Urban Development Boundary, consistent with the 2019 Lemon Cove Community Plan

WHEREAS, the proposed Zoning Ordinance Amendment was initiated by the Tulare County Board of Supervisors as part of the General Plan Initiation (GPI 17-001) request for the Lemon Cove Community Plan on April 4, 2017 by Resolution No. 2017-0222; and

WHEREAS, a petition has been filed pursuant to the regulations contained in Section 17 of the Ordinance No. 352; and

WHEREAS, the Planning Commission has given notice of the Ordinance amendment as provided in Section 18 of County Ordinance No. 352 and Section 65854 of the Government Code of the State of California; and

WHEREAS, on Wednesday, November 27, 2019, a Notice of Public Hearing by the Tulare County Planning Commission was duly published in the Foothills Sun-Gazette, a newspaper of general circulation in Tulare County, and

WHEREAS, staff has performed necessary investigations, prepared a written report (made a part hereof), and recommended approval of this Zoning Ordinance Amendment; and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on December 11, 2019; and

WHEREAS, at that meeting of the Planning Commission public testimony was received by _____, in favor of the Project, and recorded in regards to the 2019 Lemon Cove Community Plan. No one spoke in opposition to the Project.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that it has reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration (IS/MND) and proposed amendment to Section 18.9 "MU" Mixed-Use Combining Zone to establish a Mixed-Use Combining Zoning District within the Lemon Cove Urban Development Boundary, together with all comments received during the public review process, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, prior to taking action on the zone change.

B. This Planning Commission hereby determines the following findings were relevant in evaluating this application:

1. The Tulare County Board of Supervisors, by Resolution No. 2017-0222, initiated action to amend the Tulare County General Plan for the Lemon Cove community pursuant to Title 7, Chapter 3, Articles 5 and 6 of the Government Code of the State of California.

2. The purpose of this proposal is to obtain the appropriate zoning consistent with the 2019 Lemon Cove Community Plan to promote sustainability through mixed land uses while providing economic development and prosperity in the community of Lemon Cove.

3. The purpose of this Mixed-Use Combining Zoning District is to provide design flexibility, streamline the approval process, promote economic development, and reduce vehicles miles traveled by locating residential uses within proximity of employment areas.

4. Section 18.9 has currently established additional Mixed-Use Combining Zoning Districts uses in 34 Communities, Hamlets, and Legacy Boundaries in Tulare County. The community of Lemon Cove will be added.

5. Within the Mixed-Use Overlay Zoning District, all uses outlined in the C-1, C-2, C-3, R-1, R-2, and R-3 uses are allowed. Uses and activities that are found by the Planning Director to be similar to, and compatible with, those specific zoning districts are also allowed. Uses and activities determined to be compatible by the Planning Commission and the Board of Supervisors with the above-mentioned zoning districts are also allowed.

6. All conditional uses allowed in the C-1, C-2, C-3, R-1, R-2, and R-3 zoning districts shall also be allowed by right with the exception of the following uses and combination of uses: Auto wrecking and Residential, Battery Manufacture and Residential or Commercial, Biomass Fuel Production and Residential, Flammable Liquids over 10,000 gallons, Hazardous Waste Facility, Planing Mills and Residential or

Commercial, Sand blasting, Slaughterhouse and Residential, Solid Waste Recycling and Residential, Super service stations and Residential, Airport, and Heliport.

7. All uses shall be non-detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the community, or to the general welfare of the county. All uses shall limit impacts related to smoke, fumes, dust, gas, noise, odor, vibrations and other hazards. All allowed uses are subject to the determination of appropriateness by the Director of Planning.

8. The Director of Planning has the option of deferring any land use application allowed in this district to the Planning Commission for review and decision.

C. This Planning Commission, after considering all of the evidence presented, hereby finds the proposed Zoning Ordinance amendment to be consistent with the purpose of Ordinance No. 352 and further finds the petition is in conformance with the adopted General Plan for the County of Tulare.

AND, BE IT FURTHER RESOLVED as follows:

D. This Planning Commission hereby recommends that the Board of Supervisors find that the Mixed-Use Combining Zoning District will not have a significant effect on the environment, and that the Initial Study/Mitigated Negative Declaration, and Mitigation Monitoring & Reporting Program prepared for the Mixed-Use Combining Zoning District reflects the independent judgment of the County and has been completed in compliance with the California Environmental Quality Act and the State, CEQA Guidelines for the Implementation of the California Environmental Quality Act.

E. This Planning Commission hereby recommends that the Tulare County Board of Supervisors approve the Change of Zone, No. PZC 19-016, an amendment to Ordinance 352, Section 18.9: “MU” Mixed-Use Combining Zone to establish a Mixed Use Combining Zone District in the Lemon Cove UDB, consistent with the 2019 Lemon Cove Community Plan.

The foregoing resolution was adopted upon motion of Commissioner _____, seconded by Commissioner _____, at a regular meeting of the Planning Commission on December 11, 2019, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY PLANNING COMMISSION

_____
Michael Washam, Secretary

Exhibit:
A – Section 18.9: "MU" Mixed-Use Combining Zone

Exhibit “A” Section 18.9 - Mixed Use Full Zone Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 352, THE ZONING ORDINANCE OF TULARE COUNTY, PERTAINING TO ESTABLISH SECTION 18.9 OF ORDINANCE NO. 352, THE ZONING ORDINANCE, A MIXED-USE OVERLAY COMBINING ZONE FOR LEMON COVE, UNLESS OTHERWISE PROVIDED IN THIS ORDINANCE PZC 19-016.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE DO ORDAIN AS FOLLOWS:

Section 1. SECTION 1. Section 18.9 is hereby added to Tulare County Ordinance No. 352, as amended from time to time, to read as follows:

The following regulations shall apply in the communities of Lemon Cove, Ivanhoe, Plainview, Woodville, Poplar/Cotton Center, Three Rivers, Goshen, Ducor, Terra Bella, Traver, Strathmore, Pixley, Tipton, Earlimart, Alpaugh, East Orosi, London, Richgrove, Sultana, El Monte Mobile Village, Hypericum, Jovista, Matheny Tract, Tooleville, Allensworth, Delft Colony, East Tulare Villa, Lindcove, Monson, Seville, Teviston, Tonyville, Waukena, West Goshen, and Yettem unless otherwise provided in this Ordinance unless otherwise provided in this Ordinance.

PURPOSE A. The purpose of this zone is to allow for mixed uses. Allowing a mix of uses promotes flexibility in the types of entitlements that can be issued. Economic Development can be pursued with a wide variety of development potential. In addition, mixed use can allow for decreased vehicles miles traveled if residential uses are mixed with uses for employment.

APPLICATION B. This overlay zone only applies to the communities of Lemon Cove, Ivanhoe, Plainview, Woodville, Poplar/Cotton Center, Three Rivers, Goshen, Ducor, Terra Bella, Traver, Strathmore, Pixley, Tipton, Earlimart, Alpaugh, East Orosi, London, Richgrove, Sultana, El Monte Mobile Village, Hypericum, Jovista, Matheny Tract, Tooleville, Allensworth, Delft Colony, East Tulare Villa, Lindcove, Monson, Seville, Teviston, Tonyville, Waukena, West Goshen, and Yettem.

USE C. No building or land shall be used and no building shall be hereafter erected or structurally altered, except for one or more of the following uses allowed in this this overlay zone are outlined in the community plan for Lemon Cove, Ivanhoe, Plainview, Woodville, Poplar/Cotton Center, Three Rivers, Goshen, Ducor, Terra Bella, Traver, Strathmore, Pixley, Tipton, Earlimart, Alpaugh, East Orosi, London, Richgrove, Sultana, El Monte Mobile Village, Hypericum, Jovista,

Matheny Tract, Tooleville, Allensworth, Delft Colony, East Tulare Villa, Lindcove, Monson, Seville, Teviston, Tonyville, Waukena, West Goshen, and Yettem, unless otherwise provided in this Ordinance.

Within the Mixed Use Zoning District, all uses outlined in the M-1 (Except Lemon Cove and Three Rivers), C-3 (Except Three Rivers), C-2, C-1 and R-1, R-2, R-3 uses are allowed. Uses and activities that are found by the Planning Director to be similar to and compatible with those specific zoning districts are also allowed. In addition, use and activities determined to be compatible by the Planning Commission and the Board of Supervisors with the above mentioned zoning districts are also allowed.

Uses/Combination of Uses reviewed by Planning Commission
Autowrecking and Residential
Battery Manufacture and Residential or Commercial
Biomass Fuel Production and Residential
Flammable Liquids over 10,000 gallons
Hazardous Waste Facility
Planing Mills and Residential or Commercial
Sand blasting
Slaughterhouse and Residential
Solid Waste Recycling and Residential
Super service stations and Residential
Airport
Heliport

All conditional uses allowed in these zoning districts shall also be allowed by right with exception of the following combination of uses:

All uses shall not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood, or to the general welfare of the county. All uses shall limit impacts related to smoke, fumes, dust, gas, noise, odor, vibrations and other hazards to be considered an allowed use without the need for a special use permit. All allowed uses are subject to the determination of appropriateness by the Director of Planning.

The Director of Planning has the option of deferring any land use application allowed in this district to the Planning Commission for review and decision.

DEVELOPMENT STANDARDS D. 1. Height: No building or structure hereafter erected or structurally altered shall exceed six (6) stories or seventy five (75) feet to uppermost part of roof.

2. Front Yard: 0 Feet

3. Side Yard: Where a lot abuts upon the side of a lot in any "R" Zone (R-A, R-O, R-1, R-2 and R-3), there shall be a side yard of not less than five (5) feet. Where a reversed corner lot rears upon a lot in any "R" Zone, the side yard on the street side of the reversed corner lot shall be not less than fifty (50) percent of the front yard required on the lots in the rear of such corner lot. In all other cases, a side yard for a commercial building shall not be required.

4. Rear Yard: Where a lot abuts upon the rear of a lot in any "R" Zone (R-A, R-O, R-1, R-2 and R-3), there shall be a rear yard of not less than fifteen (15) feet. In all other cases, a rear yard for a commercial building shall not be required.

5. Lot Area: The minimum lot area shall be ten thousand (10,000) square feet; provided, however, that where a lot has less area than herein required and was of record at the time this paragraph became effective, said lot may be occupied by not more than one (1) main building subject to the provisions of this Section.

6. Floor Area Ratio: The maximum Floor Area Ratio is 2. The Floor Area Ratio is the amount of square feet of all structure allowed on a parcel based on parcel size.

7. Distance between structures: The minimum distance between structures is 10 feet.

8. Parking: Off-street parking and loading shall be required in conformance with Section 15.

9. Fences, Walls, and Screening: Where the side or rear lot line of a site adjoins or is located across an alley from any “R” Zone (R-A, R-O, R-1, R-2, and R-3), there shall be a solid wall, fence or equivalent landscaping screening at least six (6) feet in height located along the common lot line, except in the required front or side yard. Open storage of materials and equipment shall be permitted only within an area surrounded and screened by a solid wall or fence or compact evergreen hedge (with solid gates where necessary), not less than six (6) feet in height, provided that no materials shall be stored to a height greater than that of the wall, fence, or hedge. Fulfillment of the requirement of this paragraph shall not be required for buildings and uses which were established in accordance with all applicable buildings and zoning regulations and which were existing in a commercial or manufacturing zone on the effective date of this paragraph, until such time as a permit or other grant of approval for expansion, alteration or development of property is approved by Tulare County.

E. All other Development Standards are outlined in the Community Plan(s) for Lemon Cove, Ivanhoe, Plainview, Woodville, Poplar/Cotton Center, Three Rivers, Goshen, Ducor, Terra Bella, Traver, Strathmore, Pixley, Tipton, Earlimart, Alpaugh, East Orosi, London, Richgrove, Sultana, El Monte Mobile Village, Hypericum, Jovista, Matheny Tract Tooleville, Allensworth, Delft Colony, East Tulare Villa, Lindcove, Monson, Seville, Teviston, Tonyville, Waukena, West Goshen, and Yettem, unless otherwise provided in this Ordinance. Conformance to development standards is required for all development; however, the Planning Director, Planning Commission, or Board of Supervisors may provide exemptions to particular development standards when deemed appropriate

Section 2. This Ordinance shall take effect thirty (30) days from the date of the passage hereof, or if published more than 15 days after the date of passage, then 30 days after publication, whichever is later, and, shall be published once in the _____, a newspaper printed and published in the County of Tulare, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the ___ day of _____, 2020, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

AYES:

_____

_____

_____

_____

_____

NOES:

_____

_____

_____

ABSENT:

_____

_____

_____

Chairman, Board of Supervisors

ATTEST: JASON T. BRITT
County Administrative Officer/Clerk
Board of Supervisors

By: _____
Deputy

Exhibit "B" Summary Ordinance Section 18.9 Mixed-Use Zone

ORDINANCE NO. _____

PURSUANT TO GOVERNMENT CODE SECTION 25124(b) (1), THE FOLLOWING IS A SUMMARY OF AN ORDINANCE AMENDING TULARE COUNTY ORDINANCE NO. 352, THE ZONING ORDINANCE OF TULARE COUNTY, PERTAINING TO ESTABLISH SECTION 18.9 OF ORDINANCE NO. 352, THE ZONING ORDINANCE, A MIXED-USE OVERLAY COMBINING ZONE, AND PARAGRAPH B OF SECTION 3 FOR LEMON COVE (PZC 19-016).

SUMMARY OF PROPOSED ORDINANCE

The proposed ordinance will establish and amend Section 18.9 a Mixed-Use Overlay Combining Zone and amend Paragraph B of Section 3 for Lemon Cove (PZC 19-016) to Tulare County Ordinance No. 352, commonly known as the Tulare County Zoning Ordinance. The purpose of this zone is to allow for mixed uses. Allowing a mix of uses promotes flexibility in the types of entitlements that can be issued. Economic Development can be pursued with a wide variety of development potential. In addition, mixed use can allow for decreased vehicles miles traveled if residential uses are mixed with uses for employment. This overlay zone only applies to the communities of Lemon Cove, Ivanhoe, Plainview, Woodville, Poplar/Cotton Center, Three Rivers, Goshen, Ducor, Terra Bella, Traver, Strathmore, Pixley, Tipton, Earlimart, Alpaugh, East Orosi, London, Richgrove, Sultana, El Monte Mobile Village, Hypericum, Jovista, Matheny Tract, Tooleville, Allensworth, Delft Colony, East Tulare Villa, Lindcove, Monson, Seville, Teviston, Tonyville, Waukena, West Goshen, and Yettem (as previously adopted).

The ordinance herein summarized will be considered by the Tulare County Board of Supervisors on _____ __ , 2020 at a regular meeting of said Board. At least five (5) days prior to _____ __, 2020 a certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk of the Board of Supervisors and shall be available for public inspection at that location.

COUNTY OF TULARE

By _____
Chairman, Board of Supervisors

ATTEST: JASON T. BRITT,
County Administrative Officer/
Clerk, Board of Supervisors of
Tulare County

By _____
Deputy Clerk

Attachment No. 4 – Planning Commission Resolution Recommending the Board of Supervisors Adopt Section 16 By-Right Uses (PZC 19-017)

Exhibit "A" - Section 16 - Variances and Special Uses Full Ordinance
Exhibit "B" Summary Ordinance Section 16 By-Right Uses

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AN AMENDMENT TO	)	
SECTION 16.H OF ORDINANCE NO. 352 TO	)	
ESTABLISH ADDITIONAL BY- RIGHT USES	)	RESOLUTION NO. ____
WITHIN THE LEMON COVE URBAN	)	
DEVELOPMENT BOUNDARY AS PROPOSED	)	
IN CHANGE OF ZONE NO. PZC 19-017	)	

Resolution of the Tulare County Planning Commission recommending that the Board of Supervisors amend Section 16.H of Ordinance No. 352, the Zoning Ordinance, as set forth in attached Exhibit A, to establish additional by-right uses within the Lemon Cove Urban Development Boundary, consistent with the 2019 Lemon Cove Community Plan.

WHEREAS, the Zoning Ordinance Amendment was initiated by the Tulare County Board of Supervisors as part of the General Plan Initiation (GPI 17-001) request for the Lemon Cove Community Plan Update on April 4, 2017 by Resolution No. 2017-0222; and

WHEREAS, a petition has been filed pursuant to the regulations contained in Section 17 of the Tulare County Zoning Ordinance No. 352; and

WHEREAS, the Planning Commission has been given notice of the Zoning Ordinance Amendment as provided in Section 18 of Ordinance No. 352 and Section 65854 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended modifications and approval of the Zoning Ordinance Amendment; and

WHEREAS, on Wednesday, November 27, 2019, a Notice of Public Hearing by the Tulare County Planning Commission was duly published in the Foothills Sun-Gazette, a newspaper of general circulation in Tulare County; and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on December 11, 2019; and

WHEREAS, at that meeting of the Planning Commission public testimony was received by _____, in favor of the Project, and recorded in regards to the 2019 Lemon Cove Community Plan. No one spoke in opposition to the Project.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that it has reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration (IS/MND) and proposed amendment to Section 16.H of Ordinance No. 352, the Zoning Ordinance, to establish additional by-

right uses within the Lemon Cove Urban Development Boundary, together with all comments received during the public review process, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, prior to taking action on the zone change.

B. This Planning Commission hereby determines the following findings were relevant in evaluating this application:

1. The Tulare County Board of Supervisors, by Resolution No. 2017-0222, initiated action to amend the Tulare County General Plan for the Lemon Cove community pursuant to Title 7, Chapter 3, Articles 5 and 6 of the Government Code of the State of California.

2. The purpose of this proposal is to obtain the appropriate zoning consistent with the 2019 Lemon Cove Community Plan and to promote sustainability through additional by-right uses while providing economic development and prosperity in the Community of Lemon Cove.

3. The purpose of the additional by-right uses is to provide design flexibility, streamline the approval process, promote economic development, and reduce vehicles miles traveled by locating residential uses within proximity of employment areas.

4. Section 16.H has currently established additional by-right uses in 34 Communities, Hamlets, and Legacy Boundaries in Tulare County. The Community of Lemon Cove will be added.

5. The proposed use must also qualify for an exemption under the California Environmental Quality Act as determined by the Permit Center which will review the project for General Plan Policy, Community Plan Policy and development standard consistency and determine which environmental document is appropriate. Projects where the Permit Center is unable to make an immediate determination will be required to go through the Project Review Committee (PRC).

6. Uses that have an environmental effect on adjacent properties or necessitate mitigation measures through the California Environmental Quality Act will be required to apply for a PRC and a traditional use permit and legislative process through the County.

7. Projects with a square footage of 80,000 or more will also require a traditional use permit.

8. All uses shall be non-detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the community, or to the general welfare of the county. All uses shall limit impacts related to smoke, fumes, dust, gas, noise, odor, vibrations and other hazards. All allowed uses are subject to the determination of appropriateness by the Director of Planning.

C. This Planning Commission, after considering all of the evidence presented, hereby finds the proposed Zoning Ordinance amendment to be consistent with the purpose of Ordinance No. 352 and further finds the petition is in conformance with the adopted General Plan for the County of Tulare.

AND, BE IT FURTHER RESOLVED as follows:

D. This Planning Commission hereby recommends that the Board of Supervisors find that the amendment to Section 16.H of the Zoning Ordinance will not have a significant effect on the environment, and that the Initial Study/Mitigated Negative Declaration prepared for the amendment to Section 16.H of the Zoning Ordinance reflects the independent judgment of the County and has been completed in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act.

E. This Planning Commission hereby recommends that the Tulare County Board of Supervisors approve Change of Zone No. PZC 19-017, an amendment to Section 16.H of Tulare County Zoning Ordinance No. 352 to allow additional by-right uses within the Lemon Cove UDB, consistent with the 2019 Lemon Cove Community Plan.

The foregoing resolution was adopted upon motion of Commissioner _____, seconded by Commissioner _____, at a regular meeting of the Planning Commission on December 11, 2019, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

TULARE COUNTY PLANNING COMMISSION

_____
Michael Washam, Secretary

Exhibit:
A – Section 16.H: Additional By-Right Uses

Exhibit "A" Section 16 - Variances and Special Uses Zoning Full Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 352, THE ZONING ORDINANCE OF TULARE COUNTY, PERTAINING TO SECTION 16 TO ALLOW ADDITIONAL "BY-RIGHT USES" IN LEMON COVE unless otherwise provided in this Ordinance Lemon Cove (PZC 19-017).

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE DO ORDAIN AS FOLLOWS:

Section 1. Section 16 is hereby amended to Tulare County Ordinance No. 352, as amended from time to time, to read as follows:

The following regulations shall apply in the communities of Lemon Cove, Ivanhoe, Plainview, Woodville, Poplar/Cotton Center, Goshen, Ducor, Terra Bella, Traver, Strathmore, Pixley, Tipton, Earlimart, Alpaugh, East Orosi, London, Richgrove, Sultana, El Monte Mobile Village, Hypericum, Jovista, Matheny Tract, Tooleville, Allensworth, Delft Colony, East Tulare Villa, Lindcove, Monson, Seville, Teviston, Tonyville, Waukena, West Goshen, and Yettem, unless otherwise provided in this Ordinance unless otherwise provided in this Ordinance. All of the following, and all structures and accessory uses directly related thereto in this section are entitled without a Special Use Permit (Conditional Use Permit). The following is allowed only in the various zones indicated below and within a community plan that adopted development standards for such entitled use. The proposed use must adhere to the adopted development standards of the community. The proposed use must also qualify for an exemption under the California Environmental Quality Act as determined by the Permit Center. The Permit Center will review the project for General Plan Policy, Community Plan Policy and development standard consistency and determine which environmental document is appropriate. Projects where the Permit Center is unable to make an immediate determination will be required to go through the Project Review Committee (PRC).

Uses that have an environmental effect on adjacent properties or necessitate mitigation measures through the California Environmental Quality Act will be required to apply for a PRC and a traditional use permit and legislative process through the County. Projects with a square footage of 80,000 or more will also require traditional use permit. Uses may have environmental or land use issues that may not be compatible with adjacent uses. These impacts may include but are not

limited to; hours of operation (night time), noise (i.e. power tools such as impact drivers, or loudspeaker, etc.) air quality (idle running vehicles) traffic, (number of vehicles) and odor. The Permit Center process is to determine the whether the use is by right or must go through the traditional use permit process.

The following uses and zones shall be considered:

Animal hospital, clinic, and veterinarian office wherein only small/domestic animals (i.e. dogs, cats, etc.) are treated. C-1, C-2, C-3, M-1, M-2.

Antique and art store. C-2, C-3, M-1, M-2, R-3.

Antique store. C-1, C-2, C-3, M-1, R-2, R-3.

Apartment Hotel O, CO, C-1, C-2, C-3, M-1, R-3.

Apparel stores. CO, C-1, C-2, C-3, M-1, R-3.

Arcades, including video. O, CO, C-1, C-2, C-3, M-1, R-3.

Assemblage of people for educational or entertainment purposes. O, CO, C-1, C-2, C-3, M-1, M-2.

Assembly of electric appliances such as lighting fixtures, irons, fans, toasters and electric toys, refrigerators, washing machines, dryers, dishwashers and similar home appliances. C-2, C-3, M-1, M-2.

Assembly of small electrical equipment such as home and television receivers. O, CO, C-1, C-2, C-3, M-1, R-3.

Assembly of typewriters, business machines, computers, and similar mechanical equipment. O, CO, C-1, C-2, C-3, M-1, M-2, R-3.

Automated car wash (coin operated only). O, CO, C-1, C-2, C-3, M-1, M-2, R-3, AP.

Automobile parking lots, public parking areas or storage garages. O, CO, C-1, C-2, C-3, M-1, M-2, R-3, AP.

Automobile supply stores. O, CO, C-1, C-2, C-3, M-1, R-3.

Automobile washing, including the use of mechanical conveyors, blowers and steam cleaning. C-2, C-3, M-1, M-2.

Bakery [employing not more than five (5) persons on premises]. O, CO, C-1, C-2, C-3, M-1, R-3.

Bakery goods store. CO, C-1, C-2, C-3, M-1.

Banks and financial institutions. C-1, C-2, C-3, M-1, R-3.

Barber shop or beauty parlor. C-1, C-2, C-3, M-1, R-3.

Bed and Breakfast Home with three or more guests rooms (Up to 5). CO, C-1, C-2, C-3, M-1, R-3, R-2).

Bicycle shops. Structure. CO, C-1, C-2, C-3, M-1, R-3.

Billiard or Pool hall Structure. C-2, C-3, M-1.

Bird store or pet shop. O, CO, C-1, C-2, C-3, M-1.

Blueprinting and Photostatting shop. CO, C-1, C-2, C-3, M-1, AP.

Boat sales and service. O, CO, C-1, C-2, C-3, M-1.

Book binding. O, CO, C-1, C-2, C-3, M-1, R-3.

Book or stationary store. O, CO, C-1, C-2, C-3, M-1, R-3.

Business and professional schools and colleges. CO, C-1, C-2, C-3, M-1.

Business, professional and trade schools and colleges. CO, C-1, C-2, C-3, M-1.

Catering Shops. CO, C-1, C-2, C-3, M-1.

Ceramic shops. CO, C-1, C-2, C-3, M-1.

Christmas tree sales lots as a temporary use. CO, C-1, C-2, C-3, M-1.

Church. CO, C-1, C-2, C-3, M-1.

Clothes cleaning and pressing establishment. CO, C-1, C-2, C-3, M-1.

Clothing and costume rental. CO, C-1, C-2, C-3, M-1.

Confectionery store. CO, C-1, C-2, C-3, M-1.

Conservatory of Music. CO, C-1, C-2, C-3, M-1.

Contractor's Storage Yards. CO, C-1, C-2, C-3, M-1, AP.

Dairy products store. CO, C-1, C-2, C-3, M-1.

Digesters. M-1

Department store. CO, C-1, C-2, C-3, M-1.

Drug store or pharmacy. CO, C-1, C-2, C-3, M-1.

Dry goods or notions store. CO, C-1, C-2, C-3, M-1.

Electric appliance stores and repairs. CO, C-1, C-2, C-3, M-1.

Expansion, Alteration or Replacement of non-conforming buildings and uses. CO, C-1, C-2, M-1, R-1, R-2, R-3, R-A.

Family Day Care Home, Large (Up to Ca State maximum). CO, C-1, C-2, R-1, R-2, R-3, RA.

Family Day Care Home, small. CO, C-1, C-2, R-1, R-2, R-3, RA.

Feed and seed stores. CO, C-1, C-2, C-3, M-1, AP.

Fire Station. CO, C-1, C-2, C-3, M-1, AP.

Firewood sales yard. CO, C-1, C-2, C-3, M-1.

Florist shop. CO, C-1, C-2, M-1, R-1, R-2, R-3, RA.

Furniture store. CO, C-1, C-2, C-3, M-1.

Furniture warehouses for storing personal household goods, provided ground floor front is devoted to stores. CO, C-1, C-2, C-3, M-1.

Gasoline filling station. CO, C-1, C-2, C-3, M-1.

Gift, novelty or souvenir. CO, C-1, C-2, M-1, R-2, R-3, RA.

Glass shop, retail, excluding major service activities. C-2, C-3, M-1.

Grocery store. CO, C-1, C-2, C-3, M-1.

Grocery store, fruit store or supermarket. C-1, C-2, C-3, M-1.

Gunsmith shops. CO, C-1, C-2, C-3, M-1.

Healthcare Facilities. All Zones

Hobby and art supply store. CO, C-1, C-2, C-3, M-1.

Hospital, sanitarium and nursing home. C-1, C-2, C-3, M-1, PO.

Household and office equipment and machinery repair shops. C-2, C-3, M-1, PO.

Household appliance stores. CO, C-1, C-2, C-3, M-1.

Ice storage house of not more than 5-ton storage capacity. CO, C-1, C-2, C-3, M-1, AP.

Incidental manufacturing, processing and treatment of products. C-2, C-3, M-1.

Interior decorating store. CO, C-1, C-2, C-3, M-1.

Jail or correctional (public facilities only). C-2, C-3, M-1, M-2.

Jewelry store, including clock and watch repair. CO, C-1, C-2, C-3, M-1.

Laundries. C-2, C-3, M-1.

Laundry, coin operated machines only. CO, C-1, C-2, C-3, M-1.

Leather goods and luggage stores. CO, C-1, C-2, C-3, M-1.

Linen supply services. C-2, C-3, M-1.

Liquor store. Not within 300' of residential/School Site. CO, C-1, C-2, C-3, M-1.

Locksmiths. CO, C-1, C-2, C-3, M-1.

Massage or physiotherapy establishment. CO, C-1, C-2, C-3, M-1.

Meat market or delicatessen store. CO, C-1, C-2, C-3, M-1.

Medical and orthopedic appliance stores. CO, C-1, C-2, C-3, M-1, PO.

Medical laboratory. CO, C-1, C-2, C-3, M-1, PO.

Memorial building, theatre, auditorium. CO, C-1, C-2, C-3, M-1, R-3.

Micro-brewery. *Allowed in C-1 and C-2 in conjunction with a restaurant. M-1, M-2, C-3,*C-2,*C-1

Mini-warehouses. C-2, C-3, M-1, AP.

Mobile home for use by caretaker or night watchman. CO, C-1, C-2, C-3, M-1.

Motorcycle sales and service. C-2, C-3.

Musical instrument repair shops. CO, C-1, C-2, C-3, M-1.

Name plates. CO, C-1, C-2, C-3, M-1, R-3.

Nursery school. CO, C-1, C-2, M-1, R-1, R-2, RA, R3, R-A.

Office, business or professional. CO, C-1, C-2, M-1, R-1, R-2, R-3, PO.

Opticians and optometrists shops. CO, C-1, C-2, C-3, M-1, PO.

Paint and wallpaper stores. C-1, C-2, C-3, M-1.

Pet shops. CO, C-1, C-2, C-3, M-1.

Photo processing pick-up and delivery outlets. CO, C-1, C-2, C-3, M-1.

Photographic and blueprint processing and printing. CO, C-1, C-2, C-3, M-1.

Photographic developing and printing. CO, C-1, C-2, C-3, M-1.

Photographic supply stores. CO, C-1, C-2, C-3, M-1.

Picture framing shops. CO, C-1, C-2, C-3, M-1.

Plumbing fixtures for retail sales. CO, C-1, C-2, C-3, M-1.

Plumbing shops. C-2, C-3, M-1.

Police station. O, CO, C-1, C-2, C-3, M-1, M-2.

Post Office. CO, C-1, C-2, C-3, M-1, R-1, R-2, R-3, PO.

Pressing establishments. C-2, C-3, M-1.

Printing, lithography, engraving. CO, C-1, C-2, C-3, M-1.

Private club, fraternity, sorority and lodge. CO, C-1, C-2, C-3, M-1.

Private greenhouses and horticultural collections. CO, C-1, C-2, C-3, M-1, R-1, R-2, R-3,

R-A.

Public library. CO, C-1, C-2, C-3, M-1, R-1, R-2, R-3, R-A.

Public Park or playground. O, MR, CO, C-1, C-2, C-3, M-1, M-2 R-1, R-2, R-3, R-A, AP.

Public utility structure. CO, C-1, C-2, C-3, M-1, MR, RO, R-1, R-2, R-3, R-A, PO, O, AP.

Radio and television broadcasting studios. C-2, C-3, M-1.

Radio and television repair shops. C-2, C-3, M-1.

Radio, microwave and television towers (Over 75 feet or within 2 miles of an airport) C-2, C-3, M-1, M-2.

Real Estate Offices. CO, C-1, C-2, C-3, M-1, R-1, R-2, R-3, R-A

Recreation center. CO, C-1, C-2, C-3, M-1.

Repairing and altering of wearing apparel. CO, C-1, C-2, C-3, M-1.

Resort. CO, C-1, C-2, C-3, M-1.

Restaurant. CO, C-1, C-2, C-3, M-1.

Restaurant, tea room or cafe. CO, C-1, C-2, C-3, M-1, R-1, R-2, R-3, R-A.

Retail office equipment sales. CO, C-1, C-2, C-3, M-1.

Retail sales of sporting goods, boats, boat motors, boat trailers, trailer coaches and their repair, rental and storage. O, CO, C-1, C-2, C-3, M-1.

Retail stores and offices incidental to and located on the site of a hotel, motel, resort, restaurant or guest ranch. O, CO, C-1, C-2, C-3, M-1.

Rug and carpet cleaning and dyeing. CO, C-1, C-2, C-3, M-1.

Satellite antenna sales. CO, C-1, C-2, C-3, M-1.

Satellite television antennas. CO, C-1, C-2, C-3, M-1.

School, private. CO, C-1, C-2, C-3, M-1, PO.

School, public. CO, C-1, C-2, C-3, M-1, PO.

Scientific instrument stores. CO, C-1, C-2, C-3, M-1.

Secondhand stores, pawn shops and thrift shops. CO, C-1, C-2, C-3, M-1.

Shoe repair shop. CO, C-1, C-2, C-3, M-1.

Shoe store. CO, C-1, C-2, C-3, M-1.

Sign painting shops. C-2, C-3, M-1.

Small appliance sales and service. CO, C-1, C-2, C-3, M-1.

Soda fountains. CO, C-1, C-2, C-3, M-1.

Sporting goods store. CO, C-1, C-2, C-3, M-1.

Stamp and coin stores. CO, C-1, C-2, C-3, M-1.

Storage of petroleum products for use on the premises. CO, C-1, C-2, C-3, M-1.

Studios (except motion picture). CO, C-1, C-2, C-3, M-1.

Tinsmith. C-2, C-3, M-1.

Tire sales (no retreading or recapping). C-2, C-3.

Tobacco and cigar stores. CO, C-1, C-2, C-3, M-1

Tourist Court. CO, C-1, C-2, C-3, M-1.

Toy store. CO, C-1, C-2, C-3, M-1.

Trailer and recreation vehicle sales, service and rentals. C-2, C-3, M-1, M-2, AP.

Travel agencies. CO, C-1, C-2, C-3, M-1.

Variety store. CO, C-1, C-2, C-3, M-1.

Video machine and tape sales/rental. CO, C-1, C-2, C-3, M-1.

Warehouses except for the storage of fuel or flammable liquids and explosives. CO, C-1, C-2, C-3, M-1.

Watch and clock repair shop. CO, C-1, C-2, C-3, M-1.

Wedding chapel. CO, C-1, C-2, C-3, M-1.

Section 2. This Ordinance shall take effect thirty (30) days from the date of the passage hereof, or if published more than 15 days after the date of passage, then 30 days after publication, whichever is later, and, shall be published once in the Sun-Gazette, a newspaper printed and published in the County of Tulare, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the __ day of _____, 2020, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

AYES:

_____

_____

_____

_____

_____

NOES:

_____

_____

_____

ABSENT:

_____

_____

_____

Chairman, Board of Supervisors

ATTEST: JASON T. BRITT
County Administrative Officer/Clerk
Board of Supervisors

By: _____
Deputy Clerk

Exhibit "B" Summary Ordinance Section 16 By-Right Uses

ORDINANCE NO. _____

PURSUANT TO GOVERNMENT CODE SECTION 25124(b) (1), THE FOLLOWING IS A SUMMARY OF AN ORDINANCE AMENDING TULARE COUNTY ORDINANCE NO. 352, THE ZONING ORDINANCE OF TULARE COUNTY, PERTAINING TO PERTAINING TO SECTION 16 TO ALLOW ADDITIONAL"BY-RIGHT" USES IN LEMON COVE (PZC 19-017) UDB.

SUMMARY OF PROPOSED ORDINANCE

The proposed ordinance will amend Section 16 to allow additional "by-right" uses for the community Lemon Cove. The proposed regulations shall apply in the communities of Lemon Cove, Ivanhoe, Plainview, Woodville, Poplar/Cotton Center, Three Rivers, Goshen, Allensworth, Delft Colony, East Tulare Villa, Lindcove, Monson, Seville, Teviston, Tonyville, Waukena, West Goshen, and Yettem, and El Monte Mobile Village, Hypericum, Jovista, Matheny Tract, Tooleville, Traver, Strathmore, Tipton, Pixley, Terra Bella, Earlimart, and Ducor (as previously adopted), and unless otherwise provided in this Ordinance. The list of structures and accessory uses directly related thereto in this section will be expanded and entitled without a Special Use Permit (Conditional Use Permit). The expanded list of uses will be allowed only in the various zones and within the Community Plan UDB of Lemon Cove, with adopted development standards for such entitled use. The proposed use must adhere to the adopted development standards of the community. The proposed use must also qualify for an exemption under the California Environmental Quality Act as determined by the Permit Center. The Permit Center will review the project for General Plan Policy, Community Plan Policy and development standard consistency and determine which environmental document is appropriate. Projects where the Permit Center is unable to make an immediate determination will be required to go through the Project Review Committee (PRC).

The ordinance herein summarized will be considered by the Tulare County Board of Supervisors on _____ __, 2020, at a regular meeting of said Board. At least five (5) days prior to _____ __, 2020, a certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk of the Board of Supervisors and shall be available for public inspection at that location.

COUNTY OF TULARE

By _____
Chairman, Board of Supervisors

ATTEST: JASON T. BRITT,
County Administrative Officer/
Clerk of the Board of Supervisor of
Tulare County

By _____
Deputy Clerk

Attachment No. 5 – Planning Commission Resolution Recommending the Board of Supervisors Adopt Lemon Cove Zoning District Ordinance (PZC 17-007).

Exhibit "A" – Rezoning District Map

Exhibit "B" – List of Affected Properties/Map

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AN AMENDMENT TO THE	)	
ZONING DISTRICT ORDINANCE MAPS OF	)	
ORDINANCE NO. 352 TO IMPLEMENT THE	)	RESOLUTION NO. ____
REZONING PLAN WITHIN THE LEMON COVE	)	
URBAN DEVELOPMENT BOUNDARY, AS PROPOSED	)	
IN CHANGE OF ZONE NO. PZC 17-007	)	

Resolution of the Tulare County Planning Commission recommending that the Board of Supervisors amend the Zoning District Ordinance Maps of Ordinance No. 352, the Zoning Ordinance, as set forth in attached Exhibit A, to rezone properties within the Lemon Cove Urban Development Boundary, consistent with the 2019 Lemon Cove Community Plan.

WHEREAS, the proposed Zoning Ordinance Amendment was initiated by the Tulare County Board of Supervisors as part of the General Plan Initiation (GPI 17-001) request for the Lemon Cove Community Plan on April 4, 2017 by Resolution No. 2017-0222; and

WHEREAS, a petition has been filed pursuant to the regulations contained in Section 17 of the Tulare County Zoning Ordinance No. 352; and

WHEREAS, the Planning Commission has given notice of the Ordinance amendment as provided in Section 18 of Ordinance No. 352 and Section 65854 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report (made a part hereof), and recommended approval of this Ordinance amendment; and

WHEREAS, on Wednesday, November 27, 2019, a Notice of Public Hearing by the Tulare County Planning Commission was duly published in the Foothills Sun-Gazette, a newspaper of general circulation in Tulare County; and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on December 11, 2019; and

WHEREAS, at that meeting of the Planning Commission public testimony was received by _____, in favor of the Project, and recorded in regards to the Lemon Cove Community Plan. No one spoke in opposition to the Project.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that it has reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration (IS/MND) and proposed amendment to the Zoning District Ordinance Maps of Ordinance No. 352, the Zoning Ordinance, to

implement the rezoning plan within the Lemon Cove Urban Development Boundary, together with all comments received during the public review process, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, prior to taking action on the zone change.

B. This Planning Commission hereby determines the following findings were relevant in evaluating this application:

1. The Tulare County Board of Supervisors, by Resolution No. 2013-0860, initiated action to amend the Tulare County General Plan for the Lemon Cove community pursuant to title 7, Chapter 3, Articles 5 and 6 of the Government Code of the State of California.

2. The purpose of this proposal is to obtain the appropriate Zoning District Ordinance Maps consistent with the 2019 Lemon Cove Community Plan.

3. The change in zone district designations identified in the attached Exhibit A (Rezoning Plan) is consistent with General Plan policy.

4. The Director of Planning has the option of deferring any land use application allowed in this district to the Planning Commission for review and decision.

C. This Planning Commission, after considering all of the evidence presented, hereby finds the proposed Zoning Ordinance amendment to be consistent with the purpose of Ordinance No. 352 and further finds the petition is in conformance with the adopted General Plan for the County of Tulare.

AND, BE IT FURTHER RESOLVED as follows:

D. This Planning Commission hereby recommends that the Board of Supervisors find that the amendment to Zoning District Ordinance Maps will not have a significant effect on the environment, and that the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring & Reporting Program prepared for the amendment to the Zoning Ordinance reflects the independent judgment of the County and has been completed in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act.

E. This Planning Commission hereby recommends that the Tulare County Board of Supervisors approve Change of Zone No. PZC 17-007, an amendment to Zoning District Ordinance Maps within the Lemon Cove UDB, consistent with the 2019 Lemon Cove Community Plan.

The foregoing resolution was adopted upon motion of Commissioner _____, seconded by Commissioner _____, at a regular meeting of the Planning Commission on December 11, 2019, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

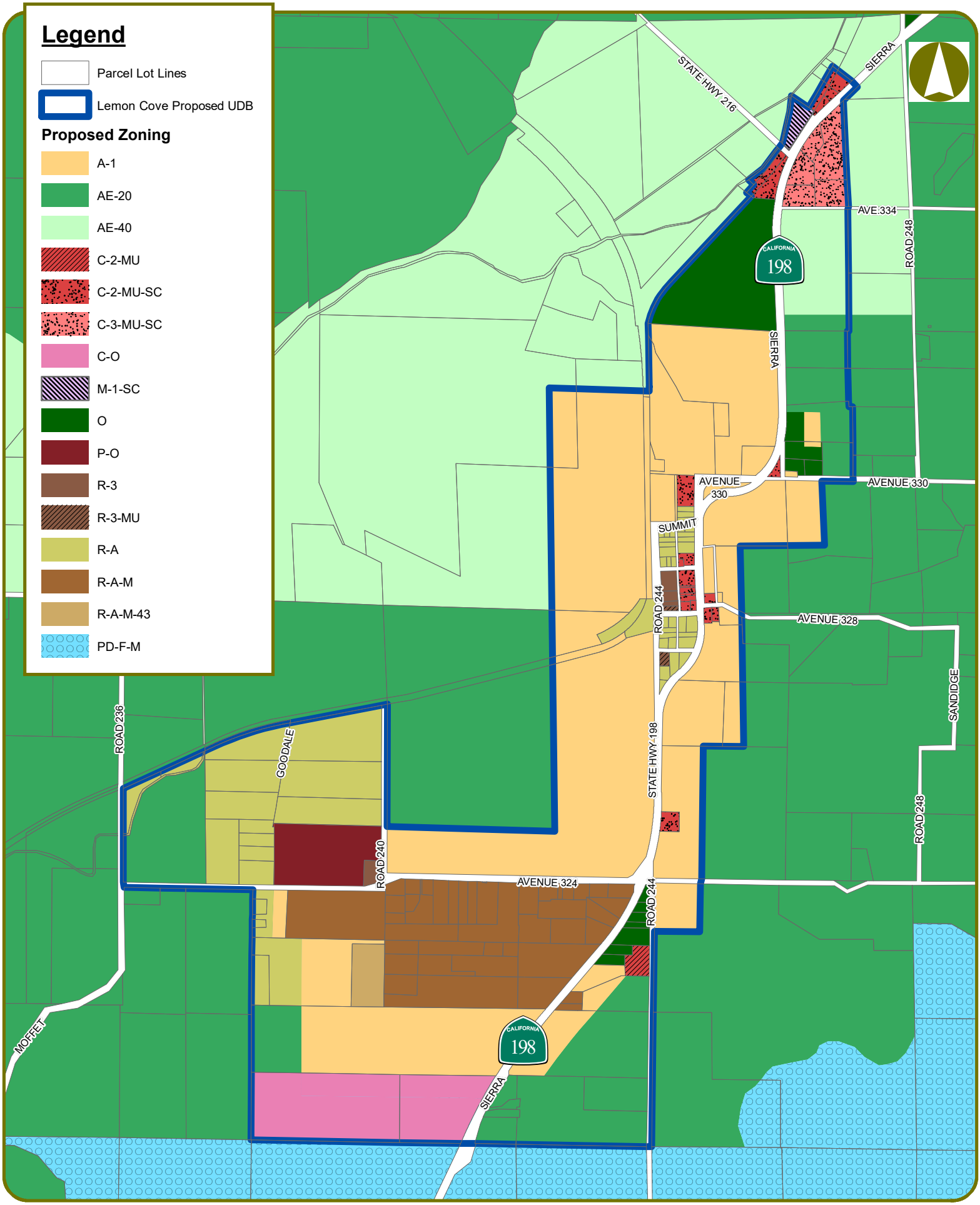
ABSENT:

TULARE COUNTY PLANNING COMMISSION

_____
Michael Washam, Secretary

Exhibit:
A – Zoning District Ordinance Maps (Rezoning Plan)

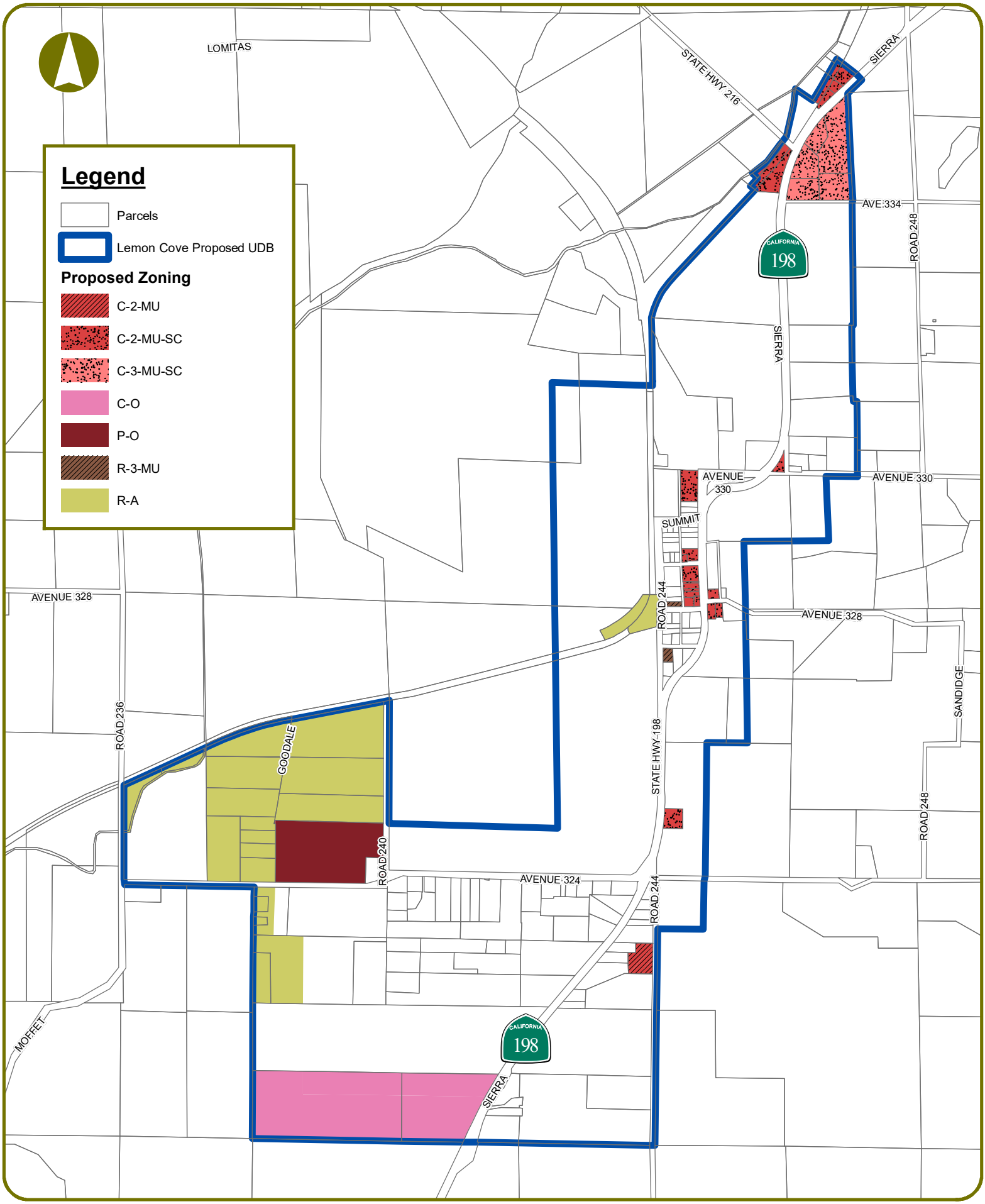
Exhibit "A" Rezoning Districts Map



0 500 1,000 Feet

Lemon Cove Proposed Zoning

Exhibit “B” - List of Affected Properties/Rezoning Map



0 500 1,000 Feet

Lemon Cove Proposed Zoning Changes Only

Parcel ID	APN	Description	Existing Zoning	Proposed Land-Use	Proposed Zoning	Acres
7	113-110-004	Service Shops	C-2-SC	Mixed Use	C-2-MU-SC	0.24
8	113-110-005	SF (vac lot)	C-2-SC	Mixed Use	C-2-MU-SC	0.23
9	113-110-006	Rehab Facilities	C-2-SC	Mixed Use	C-2-MU-SC	0.29
17	113-110-019	Retail Store	C-2-SC	Mixed Use	C-2-MU-SC	0.13
18	113-110-022	Comercial (no detail)	C-2-SC	Mixed Use	C-2-MU-SC	0.10
19	113-110-023	Restaurants; FastFood	C-2-SC	Mixed Use	C-2-MU-SC	0.20
23	113-110-029	Retail Store	C-2-SC	Mixed Use	C-2-MU-SC	0.56
24	113-110-030	Retail Store	C-2-SC	Mixed Use	C-2-MU-SC	0.05
26	113-110-034	SF DU on lot	C-2-SC	Mixed Use	C-2-MU-SC	0.20
27	113-110-035	SF DU on lot	R-3	Mixed Use	R-3-MU	0.17
31	113-110-039	SF DU on lot	C-2-SC	Mixed Use	C-2-MU-SC	0.20
32	113-120-002	Church	A-1	Mixed Use	C-2-MU-SC	1.21
41	113-120-011	Small Store	C-2-SC	Mixed Use	C-2-MU-SC	0.38
50	113-120-026	Misc	C-2-SC	Mixed Use	C-2-MU-SC	0.09
65	113-140-008	multu-family	C-2-SC	Mixed Use	C-2-MU-SC	0.27
89	113-160-002	estate home	AE-40	Mixed Use	C-2-MU-SC	0.40
90	113-160-003	Small Store	O	Mixed Use	C-2-MU-SC	1.21
91	113-160-012	Small Store	AE-40	Mixed Use	C-2-MU-SC	0.58
92	113-160-016	Misc	AE-20	Mixed Use	R-A	0.51
93	113-160-019	SF (vac lot)	AE-40	Mixed Use	C-2-MU-SC	0.24
94	113-160-020	Small Store	AE-40	Mixed Use	C-2-MU-SC	0.27
95	113-160-023	Comercial (no detail)	AE-40	Mixed Use	C-2-MU-SC	0.46
96	113-160-025	Comercial (no detail)	AE-40	Mixed Use	C-2-MU-SC	0.27
97	113-160-026	Comercial (no detail)	O	Mixed Use	C-2-MU-SC	0.80
99	113-160-030	Comercial (no detail)	O	Mixed Use	C-3-MU-SC	1.51
100	113-160-031	Small Store	O	Mixed Use	C-3-MU-SC	1.53
101	113-160-032	Comercial (no detail)	O	Mixed Use	C-3-MU-SC	1.01
102	113-160-033	Comercial (no detail)	O	Mixed Use	C-3-MU-SC	4.15
103	113-160-034	Comercial (no detail)	O	Mixed Use	C-3-MU-SC	1.98
115	113-210-027	Gov Owner	A-1	Mixed Use	C-2-MU-SC	0.83
120	113-210-032	estate home	R-A	Mixed Use	R-3-MU	0.31
121	113-220-006	estate home	AE-20	Mixed Use	R-A	9.95
123	113-220-011	estate home	AE-20	Mixed Use	R-A	1.90
124	113-220-012	estate home	AE-20	Mixed Use	R-A	1.13
125	113-220-013	mobil home on lot	AE-20	Mixed Use	R-A	1.02
126	113-220-016	estate home	AE-20	Mixed Use	R-A	4.88
128	113-220-018	SF DU on lot	AE-20	Mixed Use	R-A	1.65
129	113-220-019	estate home	AE-20	Mixed Use	R-A	0.87
130	113-220-023	Schools	A-1	Mixed Use	P-O	13.74
131	113-220-023	Schools	A-1	Mixed Use	P-O	0.01
133	113-220-027	Dry Pasture	AE-20	Mixed Use	R-A	4.60
134	113-220-028	estate home	AE-20	Mixed Use	R-A	5.46
135	113-220-031	SF DU on lot	A-1	Mixed Use	R-A	1.40
136	113-220-033	mobil home on lot	AE-20	Mixed Use	R-A	8.40
137	113-220-034	estate home	AE-20	Mixed Use	R-A	6.41
139	113-220-039	Field Crops; Row Crops	A-1	Mixed Use	R-A	1.38
141	113-220-041	estate home	AE-20	Mixed Use	R-A	4.42
142	113-220-042	estate home	AE-20	Mixed Use	R-A	1.05
176	113-250-006	estate home	AE-20	Mixed Use	R-A	5.61
205	113-250-057	mobil home on lot	AE-20	Mixed Use	R-A	0.49
206	113-250-062	mobil home on lot	AE-20	Mixed Use	R-A	0.24
209	113-250-063	SF DU on lot	AE-20	Mixed Use	R-A	1.48
211	113-250-067	SF (vac lot)	A-1	Mixed Use	C-2-MU	0.80
212	113-250-067	SF (vac lot)	AE-20	Mixed Use	C-2-MU	0.51
213	113-250-067	SF (vac lot)	AE-20	Mixed Use	C-2-MU	0.22
219	113-250-073	estate home	AE-20	Mixed Use	R-A	1.97
222	113-250-076	Mobil Home Park	PD-F-M	Mixed Use	C-O	7.38
223	113-250-076	Mobil Home Park	PD-F-M	Mixed Use	C-O	4.52
224	113-250-077	estate home	PD-F-M	Mixed Use	C-O	17.68
225	113-250-077	estate home	PD-F-M	Mixed Use	C-O	5.02

Attachment No. 6 – Staff Report

TULARE COUNTY RESOURCE MANAGEMENT AGENCY
-Planning and Project Processing Division-
Staff Report

LEMON COVE COMMUNITY PLAN 2019
Lemon Cove Community Plan GPA 17-007
Mixed Use Overlay PZC 19-016
Use Permit/By Right Modifications PZC 19-017
Rezoning of Properties PZC 17-007
Initial Study/Mitigated Negative Declaration
Mitigation Monitoring Reporting Plan

I. GENERAL:

1. Background:

On April 4, 2017, the BOS approved the GPI 17-001 (Resolution 2017-0222) to create the Lemon Cove Community Plan. This recommendation for the proposed Lemon Cove Community Plan will become consistent with the recent approval of the General Plan 2030 Update (2012).

It is noted through recent studies (i.e. the Tulare Basin Study and Housing Element Implementation, Action Program 9), and background reports, including Municipal Service Review (MSR) for the Community Plans that the Communities of Tulare County lack infrastructure. Updating these Community Plans offers an opportunity to integrate the goals of SB 244 for connecting land use and infrastructure in Disadvantaged Communities. The effect of the changes in the Community Plans are that these communities can become safer and healthier by linking "mixed uses" (creating a greater jobs to housing balance and limiting Vehicle Miles Traveled) and updating land uses with updated zoning districts and loosening regulations to include more uses "by right"; and thereby providing the necessary tools for increasing sustainable and economically driven development. By pursuing some of the infrastructure plans and programs, including "Complete Streets," through a heightened collaborative process, the likelihood of getting actual projects in-the-ground will be realized faster than historically achieved.

The following specific goals and objectives of the General Plan Initiations will be achieved by the proposed new Community Plan.

(A) Land Use and Environmental Planning - Promote development within planning areas next to Highway Corridors in order to implement General Plan Goals.

(B) Improvements for a "disadvantaged community." It is expected that the community planning areas will be improved through grant funding related to these Community Plans.

(C) Strengthening Relationship with TCAG - An important benefit of this expedited community plan process will be the opportunity for RMA to strengthen the County's relationship with the Tulare County Association of Governments (TCAG), in that these Community Plans will help to facilitate the funding and implementation of several key transportation programs included in Active Transportation Funding programs through Caltrans and TCAG, such as Safe Routes to Schools, Complete Streets, and Bike/Pedestrian Projects.

2. Requested Action:

The Recommended Actions by the Planning Commission to the Board of Supervisors for the approval of the Lemon Cove Community Plan GPA 17-007:

i) Certify and adopt the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program for the 2019 Lemon Cove Community Plan;
ii) Adopt General Plan Amendment No. GPA 17-007 to the Lemon Community Plan;
iii) Amend Section 18.9 of Ordinance No. 352, the Zoning Ordinance, and establish Mixed-Use Overlay Combining Zone No. PZC 19-016;
iv) Amend Section 16 of Ordinance No. 352, to allow additional "by-right" uses within the UDB of Lemon Cove No. PZC 19-017; and
v) Amend the Zoning Map for rezoning No. PZC 17-007 of properties in the proposed Lemon Cove UDB.

3. Location:

The proposed Project site, or proposed amendment area, covers approximately 404.89 acres in area and encompasses the existing Lemon Cove Community Urban Development Boundary (UDB).

4. Community Information:

Lemon Cove is a rural unincorporated community of 232 persons located approximately eleven (11) miles northeast of Visalia. The community is an agriculturally oriented service community surrounded by lands in agricultural. It is an area where agricultural enterprises are located, and is a bedroom community where many of the area's farm workers reside. The 2019 Lemon Cove Community Plan will expand the existing 404.89-acre UDB by approximately 66.2%, for a total UDB area of approximately 670 acres.

Public Resources Code 75005(g) states that a "[d]isadvantaged community" means a community with a median household income less than 80% of the statewide average. "Severely disadvantaged community" means a community with a median household income less than 60% of the statewide average." In 2016, Lemon Cove's median household income was $21,250* whereas the State of California's median household

income was $67,169. Therefore, based upon Lemon Cove's median household income of $21,250 (which is about 31.6% of the State of California's median household income), it is considered a severely disadvantaged community.

*The California Department of Public Health requested that Self-Help Enterprises (SHE) perform an income survey of the Lemon Cove District in Lemon Cove, California. The purpose of this survey is to establish a median household income (MHI) level for grant and loan funding programs and sources.

II. COMPATIBILITY WITH EXISTING PLANS:

The proposed Community Plan for Lemon Cove is newly established with this proposed amendment. This community plan is also a part of the implementation of the San Joaquin Valley Regional Blueprint, Tulare County Regional Blueprint, and the Tulare County 2030 General Plan.

San Joaquin Valley Regional Blueprint

"The San Joaquin Valley Blueprint is the result of an unprecedented effort of the eight Valley Regional Planning Agencies (RPA), that include the Fresno Council of Governments, the Kern Council of Governments, the Kings County Association of Governments, the Madera County Transportation Commission, the Merced County Association of Governments, the San Joaquin Council of Governments, the Stanislaus Council of Governments, and the Tulare County Association of Governments, to develop a long-term regional growth strategy for the future of the San Joaquin Valley. Following three years of visioning and outreach by the eight Valley RPAs, the Regional Policy Council (RPC), the decision-making body for the Valleywide process, adopted the Valley Blueprint in April 2009.

The Blueprint is a long-range vision for a more efficient, sustainable, and livable future for the Valley. The Valleywide Blueprint is made up three elements: a 2050 growth scenario diagram that identifies areas of existing development, new development, and future regional transit and highway improvements; a Valleywide average target density of 6.8 units per acre for new residential growth to the year 2050; and a set of 12 Smart Growth Principles. Importantly, the Blueprint recognizes and incorporates by reference the visioning and outreach efforts undertaken by the eight Valley Regional Planning Agencies."[1]

Tulare County Regional Blueprint

"TCAG and its member agencies felt that it was important to prepare a Tulare County Regional Blueprint that clarified Tulare County's role in the Blueprint process. The Tulare County Regional Blueprint is stand-alone policy document that is consistent with the San Joaquin Valley Regional Blueprint. This document represents Tulare County's local vision and goals as a participant in the San Joaquin Valley Regional Blueprint process."[2] Key elements of the preferred growth scenario

[1] San Joaquin Valley Blueprint Roadmap Guidance Framework, page i
[2] Tulare County Regional Blueprint, page 3

outlined in the Tulare County Regional Blueprint include a 25% increase in overall density and focused growth in urban areas.

General Plan Consistency:

The County's General Plan Amendment Policy provides that *the Board shall, among other considerations give consideration as to the public need or necessity of the amendment and whether the proposed amendment would further the goals, objectives, policies of the general plan and not obstruct their attainment* (Policies and Procedures 391).

The proposed Project is consistent with, and implements, the following applicable Tulare County General Plan Policies:

Planning Framework:

PF 2.4, Community Plans:
The County shall ensure that community plans are prepared, updated, and maintained for each of the communities. These plans shall include the entire area within the community's UDB and shall address the community's short and long-term ability to provide necessary urban services.

PF-2.6, Land Use Consistency:
The County shall require all community plans, when updated, to use the same land use designations as used in this Countywide General Plan (See Chapter 4-Land Use). All community plans shall also utilize a similar format and content. The content may change due to the new requirements such as Global Climate Change and Livable Community Concepts, as described on the table provided (Table 2.1: Community Plan Content). Changes to this format may be considered for unique and special circumstances as determined appropriate by the County. Until such time as a Community Plan is adopted for those communities without existing Community Plans, the land use designation shall be Mixed Use, which promotes the integration of a compatible mix of residential types and densities, commercial uses, public facilities, and services and employment opportunities.

PF-2.9, Zoning in Communities:
The County shall maintain zoning that is consistent with the adopted Community Plan Land Use Diagram in accordance with California Code § 65103.

LU-1.2, Innovative Development:
The County shall promote flexibility and innovation through the use of planned unit developments, development agreements, specific plans, Mixed Use projects, and other innovative development and planning techniques.

LU-7.3, Friendly Streets:
The County shall encourage new streets within UDBs to be designed and constructed to not only accommodate traffic, but also serve as comfortable pedestrian and cyclist environments.

TC-1.16, County Level of Service (LOS) Standards:
The County shall strive to develop and manage its roadway system (both segments and intersections) to meet a LOS of "D" or better in accordance with the LOS definitions established by the Highway Capacity Manual.

TC-5.2 , Consider Non-Motorized Modes in Planning and Development:
The County shall consider incorporating facilities for non-motorized users, such as bike routes, sidewalks, and trails when constructing or improving transportation facilities and when reviewing new development proposals. For developments with 50 or more dwelling units or non-residential projects with an equivalent travel demand, the feasibility of such facilities shall be evaluated.

Existing Zoning and Land Use

The Community Plan will provide for residential, commercial, industrial, public and other general plan land use designations for a balanced and coordinated growth of the area and to guide property owners, businesses and public agencies in determining appropriate types of zoning and development for affected properties.

It is a requirement of state law that zoning be consistent with the adopted 2030 County General Plan. It should be recognized that rezoning actions for changes of zone are being done concurrently with the adoption of proposed land use designations in the Lemon Cove Community Plan. The County updated its General Plan Land Use Element in 2012. The General Plan 2030 Update provides a mechanism for a community plan to be consistent with the Update until the community plans themselves can be created. The land use goals and policies contained in the community plan will supplement the GP 2030 Update.

Existing legal uses which do not conform to new zoning classifications will be allowed to continue to exist and operate as "legally-established nonconforming uses"; however, should such uses be destroyed by fire or cease to operate for a period of time, under the terms of the Tulare County Zoning Ordinance they could be required to obtain a special use permit to rebuild or resume operations.

Circulation Element

The circulation plan contained in the Community Plan will supplement the Circulation Element of the General Plan and is consistent with the policies, designations and definitions contained in the Circulation Element. If significant changes are incorporated into the Circulation Element, it is possible that amendments to the circulation plan of the Community Plan could become necessary.

III. ENVIRONMENTAL IMPACTS CHECKLIST/DISCUSSION: (see attached documents)

IV. ENVIRONMENTAL DETERMINATION:

The Environmental Assessment Officer has approved an Initial Study/Mitigated Negative Declaration (IS/MND) and a Mitigation Monitoring Reporting Program (MMRP) for public review for the project, indicating that the proposed project could not have a significant effect on the environment. The notice for the project was published and the proposed Mitigated Negative Declaration was circulated through the State Clearinghouse for a 30-day review period. A Notice of Public Hearing and Completion of Environmental Documents was published before the scheduled public hearing. The environmental analysis of the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Reporting Program are the appropriate environmental documents for the project. The review determined that all potential impacts from the proposed project are considered to be less than significant with mitigation.

V. SUBSEQUENT ACTION:

Action by the Planning Commission is to recommend approval of the Lemon Cove Community Plan and include recommendations of certification and adoption of the IS/MND, adoption of the General Plan Amendment, the Rezoning and Zoning Ordinance Updates. The Planning Commission recommends that the Board of Supervisors waive the first reading of the Zoning Ordinance Update and hold a public hearing on the 2019 Lemon Cove Community Plan, General Plan Amendment, and Zoning Ordinance Updates and render a final decision.

VI. CORRESPONDENCE:

Community workshops are well documented in the Community Plan. Many meetings were conducted with the Lemon Cove Community and staff has received feedback from the community in order to move forward to the Board of Supervisors.

Public outreach efforts were held in formal formats. Formal community meetings were held at the local Sequoia Union School and the Lemon Cove Sanitary District. Publicity for meetings times and locations generally consisted of newspaper releases, local newsletter informational items, handing out bilingual fliers at school and posting fliers at various locations in the community. There have been over seven (7) public meetings held in Lemon Cove regarding the 2019 Lemon Cove Community Plan.

Lemon Cove Sanitary District meetings:
August 6, 2019
September 3, 2019
October 1, 2019
November 5, 2019
December 3, 2019

Sequoia Union School District Board meeting:
September 12, 2019

Community Outreach Workshop (Sequoia Union School):
November 7, 2019

Attachment No. 7 - General Plan Initiation

A.B.

BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF GENERAL PLAN INITIATION NO. GPI 17-001 TO PREPARE A GENERAL PLAN AMENDMENT FOR UNINCORPORATED COMMUNITY PLANS, HAMLET PLANS AND LEGACY PLANS	)))))	**Resolution No. 2017-0222**

UPON MOTION OF SUPERVISOR ENNIS, SECONDED BY SUPERVISOR SHUKLIAN, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD APRIL 4, 2017, BY THE FOLLOWING VOTE:

AYES: SUPERVISOR CROCKER, VANDER POEL, SHUKLIAN, WORTHLEY AND ENNIS
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST: MICHAEL C. SPATA
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: Denise A. Ybarra
Deputy Clerk

* * * * * * * * * * * * * * * * * * * *

That the Board of Supervisors:

1. Approved General Plan Initiation No. GPA 17-001 to prepare a General Plan Amendment for Unincorporated Community Plans, Hamlet Plans and Legacy Plans.

RMA

DAY
4/7/17

Attachment No. 8 - Public Hearing Notice

November 27, 2019

NOTICE OF PUBLIC HEARING ON THE PROPOSED INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING REPORTING PROGRAM FOR ONE AMENDMENT TO THE GENERAL PLAN GPA 17-007 FOR THE 2019 LEMON COVE COMMUNITY PLAN, ZONING ORDINANCE AMENDMENTS PZC 19-016, PZC 19-017, AND PZC 17-007

NOTICE IS HEREBY GIVEN that the Tulare County Planning Commission will hold a public hearing on Wednesday, December 11, 2019 at 9:00 A.M., or as soon thereafter as the matter can be heard, in the Chambers of the Board of Supervisors, Administration Building, County Civic Center, 2800 West Burrel, Visalia, California.

PROJECT DESCRIPTION: The hearing will pertain to General Plan Amendment, GPA 17-007 for the 2019 Lemon Cove Community Plan, and Change of Zone PZC 19-016 Mixed-Use Combining Zone (Section 18.9), PZC 19-017 By-Right Uses (Section 16), and PZC 17-007 Zoning District Ordinance Map (Rezoning Plan), and proposed Initial Study/Mitigated Negative Declaration and Mitigated Monitoring Reporting Program (State Clearinghouse (SCH) #2019119031), which has been approved for public review by the Tulare County Environmental Assessment Officer pursuant to the State of California Public Resource Code. Copies are available for review and comment at the Resource Management Agency, Permit Center, 5961 South Mooney Blvd., Visalia, California 93277-9394. (559) 624-7000, (Monday – Thursday: 9:00 am to 4:30 pm) and (Friday: 9:00 am to 11:00 am) or the Woodlake Branch Library (located at 400 W. Whitney Ave., Woodlake, CA 93286) or at the Visalia (Main Branch) Library (located at 200 W. Oak Ave., Visalia, CA 93291 or found on the

Tulare County Web Site: https://tularecounty.ca.gov/rma/index.cfm/planning-building/environmental-planning/mitigated-negative-declarations/lemon-cove-community-plan-2019/

LOCATION: The community of Lemon Cove is located along State Route 198, approximately four (4) miles southeast of the City of Woodlake and eleven (11) miles northeast of the City of Visalia.

PUBLIC HEARING: Planning Commission on Wednesday, December 11, 2019 at 9:00 a.m. All meetings are held at the Board of Chambers, 2800 West Burrel Avenue, Visalia, California 93291

Comments and recommendations on the adequacy of the environmental document may be filed at the aforementioned address during the public review period established for this project.

All interested parties are invited to attend and be heard. For further information regarding this project, please contact **Dave Bryant, (559) 624-7130**, Chief Planner, Special Projects or for environmental questions please contact Hector Guerra, Chief Environmental Planner at (559) 624-7121 or (para Espanola llama Jose Saenz (559) 624-7102).

If you challenge the decision on any of the foregoing matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Tulare County Resource Management Agency, Economic Development and Planning Branch, within the review period described herein.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in meetings call (559) 624-7000 48-hours in advance of the meeting.

REED SCHENKE, ENVIRONMENTAL ASSESSMENT OFFICER
HECTOR GUERRA, CHIEF ENVIRONMENTAL PLANNER

Attachment No. 9 - Correspondence

Dave Bryant - Rezoning

From: "Hal Wyatt" <halwyatt65@gmail.com>
To: <dpbryant@co.tulare.ca.us>
Date: 11/12/2019 8:25 AM
Subject: Rezoning

Thank you very much for giving us an update on the plans for Lemon Cove. I really like the idea of rerouting Hwy 198 it will make Lemon Cove much safer. Traffic thru Lemon Cove is not only heavy but most of the time speeding making it very dangerous.

The main concern I have along with many citizens is the zone change that is being requested from residual to business. Wanting a coffee job is one thing but I feel real truth is that they want to establish a Bed And Breakfast. They have about 6 Silver stream vocational trailers on their property that would be used. We can't handle the parking along that street now and it would also increase traffic flow throughout town for folks trying to locate the business. Also the business would be within a block of a large citrus operation that might have some concerns. We all agreed that business along 198 is the best place not in the middle of town.

Again thank you very much for the meeting. I would hope that you would forward this note on to the other folks that are involved in making this decision.

I live at 24439 Pogue Lemon Cove and my phone is 559-847-8013

Dave Bryant - Support for Lemon Cove Businesses

From: Bryan Ray <fireride923@yahoo.com>
To: "dpbryant@co.tulare.ca.us" <dpbryant@co.tulare.ca.us>
Date: 11/15/2019 4:04 PM
Subject: Support for Lemon Cove Businesses

David,

I would like to express our support to the property owner that is seeking to open a coffee shop business in Lemon Cove. At the community planning outreach meeting there was a lot of opposition to the prospect of opening a coffee shop business in that Area of Lemon Cove proper. In my opinion the community would benefit from additional traffic and revenue generated by local businesses. If a local coffee shop were to open there could be the potential for commuters to stop at a local establishment instead of stopping at a chain coffee shop in Visalia. This would keep local dollars in the community instead of money leaving the county to large corporations out of the area. For Example, Three Rivers residents that commute to work in Visalia may likely support a local establishment on their drive into town instead of going to Starbucks for their daily caffeine needs.I would like to extend this logic toward supporting any potential business in the Lemon Cove Area.

As far as the residential demand from a market perspective in the Lemon Cove proper area is very limited. Most buyers seeking a residential property in the area would be looking for a dwelling on acreage, not a property with a small lot. Highest and best use, although without very much demand would be commerical or retail to serve the commuters and tourists to the Sequoia National Park and Three Rivers Areas.

Please give this your consideration in updating the community plan for Lemon Cove.

Sincerely,

Bryan Ray
Resident of Lemon Cove Area

fireride923@yahoo.com
559-359-3738

Mr. Dave Bryant, MPA
Chief Planner, Special Projects
Tulare County Resource Management Agency
5961 So. Mooney Boulevard
Visalia, CA 93277

December 4, 2019

Dear Mr. Bryant,

Thank you and your staff for your outreach to the residents of Lemon Cove. This is my response to the Draft Community Plan, which Ms. Simon was so kind to put together for us. I have also read the extensive MND prepared for the proposed Community Plan. It was interesting that the preparer did not deem it necessary to check the "Land Use/Planning" box! I do appreciate all the hard work that has been put into this effort. It would seem that your team may have put the cart before the horse, however, in that they appear to have reached quite a few conclusions about our community *before* your extensive outreach. Many of the assumptions made in the Draft could have been corrected earlier, had the process occurred the other way around, and your staff's task would have been much easier. Outreach first may assist you in your upcoming project in Springville.

The creation of an MU-Zone seems to have been a large source of confusion. If MU means one thing in one community, and something altogether different in another, RMA will have problems. As to the issue of rezoning the entire UDB with a blanket MU-Zone, the imposition of this blanket zoning flies in the face of 70+ years of zoning laws and attempts and efforts to enforce them. If the issue is the existence of non-conforming uses, those could be dealt with by designating an appropriate re-zone over them if you have not had complaints from adjacent properties, or by giving neighbors a notification to take into consideration their input. Overlaying potential blight on residential properties for the benefit of out-of-town entrepreneurs and realtors who see an M-1 zoning as an "investment" and don't care if something not permitted in R-3 or C-2 zones are compatible with its neighbors, could diminish the value of existing properties. Vacant land which could be used for C- or R- uses, especially much needed housing, would improve the community. There is also the question of whether or not the County will provide additional sewer and water needs that M-1 entitlements may require. Given the County's solution to the loss of the fire hydrant at the Lemon Cove Village, and its failure to honor its commitments to the District regarding its failed Z.O.B. of 23 years ago, that does not seem likely. M-1 uses would also present additional demands on fire fighters and emergency responders. After reading the permitted uses afforded the *existing* zoning in Lemon Cove, it is hard to understand why the planners feel the need to expand it to include M-1 zoning. The ten pages of Development Standards certainly do not appear that they will *streamline* planning or be easily enforceable. The imposition of MU-Overlay does seem to remove the "complication" of local input, however. The concept of mixed-use which does make sense in Lemon Cove is outlined in the Proposed Zoning Districts section of the Draft. It is the C-O Zone which allows the combining of residences and businesses and is very appropriate in a community located in the Gateway to the Sequoias.

The most frequent request I've heard in all the discussions of your Plan is, "What can they do about the way people drive through town?" Any sway your department has with the people at CALTRANS to ameliorate this situation would certainly improve the quality of life here. I've been told that since it is a State highway, crosswalks are rarely permitted, but signage indicating a lower mileage on the way in and out of town and a cross-striping of pavement indicating a pedestrian walkway would give residents a legal and safer way to cross the highway. It would remind motorists that people live here. It would also benefit visitors to the Women's Club/Museum, residents who want to make use of the County's Transit system, and east-bound travelers on their way to the lake or park who want to shop at the market. People could even make use of the ADA ramps.

I realize that there is a format for these Plans that requires the inclusion of the voluminous reams of pages of data, but that data seems far from reality for someone who resides in the affected area. The concept of the 1.3% growth predicted in the coming 10 or 11 years takes a back seat to whether or not folks have a planning institution (by which, I mean yours) that supports their expectations for reasonableness and an understanding of the issues that promote a safe and agreeable community. I have made a list of errata (*understanding that they may still be in the process of being corrected)* because I realize from visiting your website that the Plan will serve as a reference to the public and should more accurately depict our town today.

Thanking you for your consideration,

Peggy Pensar
(559) 597-2504 pensar3@netzero.com

ERRATA

FGMP - Given the restraints of the FGMP, how can Lemon Cove and the "corridor" (Hwy.198) identified as a scenic, maintained and worthy-of-protection route, NOT be considered a part of the FGMP?

Mineral Resource Zone – Although cited as being the "most highly extracted area for PCC quality aggregate supplies", why is Lemon Cove Granite not included on (Fig.15) of MRZ?

Scenic Landscape(SL 2.4- SL 2.6) – The county has NOT enforced billboard removal. (SL-2.5) In recent history, off-site billboards have remained for more than a year, and exist to this day.

Infrastructure - Domestic Water – Lemon Cove Water has been under the jurisdiction of the State since July of 2014. Maps of the sewer and water systems on a CD have been placed on file at R.M.A. The CCR is prepared and distributed annually and available on the Water Boards website. The most recent is attached to this email. The Lemon Cove Sanitary District (No sewer in the title) acquired a public water company through the CPUC process when it was slated to be taken over by the County, hence, it maintains the Lemon Cove Water Co. name.

Storm Drainage – There are two historic (believed to have been installed by the County prior to the upgrading of the collection system) concrete storm drains in Lemon Cove. The Post Office has its own run-off retention facility adjacent to its parking lot.

Fire Infrastructure Inventory – The number of fire hydrants connected to the Lemon Cove Water system is 5 and the locations in figure 18 are wrong. There is a "blow-off" at the Keller-Wegley well-site on Road 236, a hydrant in front of the multi-purpose room at Sequoia Union School, one at the Veteran's Memorial Building, one on the alley on the south side of Kaweah Street, and a second "blow-off" in the alley behind the Lemon Cove Community Church. There is also the hydrant at the Lemon Cove Village that was made inactive by the County due to a leak in the their portion of the system.

Libraries – Lemon cove once ENJOYED the services of the Tulare County Library Bookmobile. It was widely used and its days in Lemon Cove were much anticipated and appreciated. The closest County libraries are in Woodlake, Exeter and Three Rivers. The library at Sequoia Union School was funded in part to provide for the non-school community, but if those provisions still exist, it is not widely advertised and it is doubtful that current staff there are aware of it.

Parks – The nearest parks are in Woodlake and Exeter. Woodlake has the Bravo Lake Botanical Garden, which is the closest. Park-like opportunities for youngsters and youth exist at Sequoia Union School and at the Lemon Cove Community Church.

ADA Ramps – This Plan used data acquired in a survey in August, 2012. In the years since the 2012 survey, at least four ADA ramps have been installed. Now, if residents could only cross the highway to get to the Lemon Cove Women's Club (and Museum) or the County Transit stop!

G.S.A.Information (P.132)– As of April of 2016, Lemon Cove Sanitary District has been affiliated with the Greater Kaweah GSA. In 2016, it passed a Resolution authorizing the imposition of drought related restrictions when necessary. Affiliation of Sequoia Union School is unknown.

Existing Business – This list (In table form) was pretty outdated:

NO: Antique shop, Sports Depot, Court Right LK V LG Mutual Water Co.,
Simental Feed, or RedBarn Bar-B-Q.

Dry Creek is actually **Drycrik Journal**
Foothill Fruit is now **Main Squeeze Market**
Lemon Cove Sequoia Campground is now **Lemon Cove Village and RV Park**
First Presbyterian Church is now **Lemon Cove Community Church**
CEMEX is now **Vulcan Materials Co.**
Shell is now **Prince Mart**
Lemon Cove Market now includes a gas station
Transit Department is actually a **CALTRANS Maintenance Yard**

Table 35-Estimated Educational Attainment – Indication of **0%** having less than a 9th or 12th grade education does **not** create a limitation, as stated, however less than half of the parents possessing a high school equivalency or higher may.

2018 Consumer Confidence Report

Water System Name: **Lemon Cove Sanitary District** Report Date: April 25, 2019

We test the drinking water quality for many constituents as required by state and federal regulations. This report shows the results of our monitoring for the period of January 1 to December 31, 2018 and may include earlier monitoring data.

Este informe contiene información muy importante sobre su agua para beber. Favor de comunicarse Lemon Cove Sanitary District a (559) 597-2504 para asistirlo en español.

这份报告含有关于您的饮用水的重要讯息。请用以下地址和电话联系 Lemon Cove Sanitary District 以获得中文的帮助 (559) 597-2504

Ang pag-uulat na ito ay naglalaman ng mahalagang impormasyon tungkol sa inyong inuming tubig. Mangyaring makipag-ugnayan sa Lemon Cove Sanitary District o tumawag sa (559) 597-2504] para matulungan sa wikang Tagalog.

Báo cáo này chứa thông tin quan trọng về nước uống của bạn. Xin vui lòng liên hệ Lemon Cove Sanitary District tại (559) 597-2504 để được hỗ trợ giúp bằng tiếng Việt.

Tsab ntawv no muaj cov ntsiab lus tseem ceeb txog koj cov dej haus. Thov hu rau Lemon Cove Sanitary District ntawm (559) 597-2504 rau kev pab hauv lus Askiv.

Type of water source(s) in use: Groundwater

Name & general location of source(s): Well 01 at McKay's Point

Drinking Water Source Assessment information: The activities to which the LCSD is most vulnerable include agricultural activity and drainage. A Drinking Water Source Assessment was completed in November 2018 and can be requested from the Division of Drinking Water, Tulare District at 265 W Bullard Ave, Suite 101, Fresno CA 93704

Time and place of regularly scheduled board meetings for public participation: First Tuesday of each month at Pensar residence

For more information, contact: Bill Pensar Phone: (559) 597-2504

TERMS USED IN THIS REPORT

Maximum Contaminant Level (MCL): The highest level of a contaminant that is allowed in drinking water. Primary MCLs are set as close to the PHGs (or MCLGs) as is economically and technologically feasible. Secondary MCLs are set to protect the odor, taste, and appearance of drinking water.

Maximum Contaminant Level Goal (MCLG): The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs are set by the U.S. Environmental Protection Agency (U.S. EPA).

Public Health Goal (PHG): The level of a contaminant in drinking water below which there is no known or expected risk to health. PHGs are set by the California Environmental Protection Agency.

Maximum Residual Disinfectant Level (MRDL): The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

Maximum Residual Disinfectant Level Goal (MRDLG): The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

Primary Drinking Water Standards (PDWS): MCLs and MRDLs for contaminants that affect health along with their monitoring and reporting requirements, and water treatment requirements.

Secondary Drinking Water Standards (SDWS): MCLs for contaminants that affect taste, odor, or appearance of the drinking water. Contaminants with SDWSs do not affect the health at the MCL levels.

Treatment Technique (TT): A required process intended to reduce the level of a contaminant in drinking water.

Regulatory Action Level (AL): The concentration of a contaminant which, if exceeded, triggers treatment or other requirements that a water system must follow.

Variances and Exemptions: Permissions from the State Water Resources Control Board (State Board) to exceed an MCL or not comply with a treatment technique under certain conditions.

Level 1 Assessment: A Level 1 assessment is a study of the water system to identify potential problems and determine (if possible) why total coliform bacteria have been found in our water system.

Level 2 Assessment: A Level 2 assessment is a very detailed study of the water system to identify potential problems and determine (if possible) why an *E. coli* MCL violation has occurred and/or why total coliform bacteria have been found in our water system on multiple occasions.

ND: not detectable at testing limit
ppm: parts per million or milligrams per liter (mg/L)
ppb: parts per billion or micrograms per liter (µg/L)
ppt: parts per trillion or nanograms per liter (ng/L)
ppq: parts per quadrillion or picogram per liter (pg/L)
pCi/L: picocuries per liter (a measure of radiation)

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.

Contaminants that may be present in source water include:

- *Microbial contaminants*, such as viruses and bacteria, that may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- *Inorganic contaminants*, such as salts and metals, that can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.
- *Pesticides and herbicides*, that may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.
- *Organic chemical contaminants*, including synthetic and volatile organic chemicals, that are byproducts of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, agricultural application, and septic systems.
- *Radioactive contaminants*, that can be naturally-occurring or be the result of oil and gas production and mining activities.

In order to ensure that tap water is safe to drink, the U.S. EPA and the State Board prescribe regulations that limit the amount of certain contaminants in water provided by public water systems. The U.S. Food and Drug Administration regulations and California law also establish limits for contaminants in bottled water that provide the same protection for public health.

Tables 1, 2, 3, 4, 5, and 6 list all of the drinking water contaminants that were detected during the most recent sampling for the constituent. The presence of these contaminants in the water does not necessarily indicate that the water poses a health risk. The State Board allows us to monitor for certain contaminants less than once per year because the concentrations of these contaminants do not change frequently. Some of the data, though representative of the water quality, are more than one year old. Any violation of an AL, MCL, MRDL, or TT is asterisked. Additional information regarding the violation is provided later in this report.

TABLE 1 – SAMPLING RESULTS SHOWING THE DETECTION OF COLIFORM BACTERIA

Microbiological Contaminants (complete if bacteria detected)	**Highest No. of Detections**	**No. of Months in Violation**	**MCL**	**MCLG**	**Typical Source of Bacteria**
Total Coliform Bacteria (state Total Coliform Rule)	0	0	1 positive monthly sample	0	Naturally present in the environment
Fecal Coliform or *E. coli* (state Total Coliform Rule)	0	0	A routine sample and a repeat sample are total coliform positive, and one of these is also fecal coliform or *E. coli* positive		Human and animal fecal waste
E. coli (federal Revised Total Coliform Rule)	0	0	(a)	0	Human and animal fecal waste

(a) Routine and repeat samples are total coliform-positive and either is *E. coli*-positive or system fails to take repeat samples following *E. coli*-positive routine sample or system fails to analyze total coliform-positive repeat sample for *E. coli*.

TABLE 2 – SAMPLING RESULTS SHOWING THE DETECTION OF LEAD AND COPPER

Lead and Copper (complete if lead or copper detected in the last sample set)	**Sample Date**	**No. of Samples Collected**	**90th Percentile Level Detected**	**No. Sites Exceeding AL**	**AL**	**PHG**	**No. of Schools Requesting Lead Sampling**	**Typical Source of Contaminant**
Lead (ppb)	7/14/16	5	3.05	None	15	0.2	0	Internal corrosion of household water plumbing systems; discharges from industrial manufacturers; erosion of natural deposits
Copper (ppm)	7/14/16	5	.049	None	1.3	0.3	Not applicable	Internal corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives

TABLE 3 – SAMPLING RESULTS FOR SODIUM AND HARDNESS						
Chemical or Constituent (and reporting units)	**Sample Date**	**Level Detected**	**Range of Detections**	**MCL**	**PHG (MCLG)**	**Typical Source of Contaminant**
Sodium (ppm)	1/20/2016	36	N/A	None	None	Salt present in the water and is generally naturally occurring
Hardness (ppm)	1/20/2016	332	N/A	None	None	Sum of polyvalent cations present in the water, generally magnesium and calcium, and are usually naturally occurring

TABLE 4 – DETECTION OF CONTAMINANTS WITH A PRIMARY DRINKING WATER STANDARD						
Chemical or Constituent (and reporting units)	**Sample Date**	**Level Detected**	**Range of Detections**	**MCL [MRDL]**	**PHG (MCLG) [MRDLG]**	**Typical Source of Contaminant**
Nitrate (as N)	1/22/18 4/18/18 7/19/18 10/10/18	15.7 ppm	14.9-16.4 ppm	10ppm	10ppm	Runoff and leaching from fertilizer use; leaching from septic tanks and sewage; erosion of natural deposits
Perchlorate (ppb)	1/20/16	2 ppb	N/A	6 ppb	1 ppb	Perchlorate is an inorganic chemical used in solid rocket propellant, fireworks, explosives, flares, matches, and a variety of industries. It usually gets into drinking water as a result of environmental contamination from aerospace or other industrial operations that use, store, or dispose of perchlorate and its salts.
Gross Alpha (pCi/L)	1/16/14	4.71	N/A	15	0	Erosion of natural deposits
Barium (ppm)	2/15/16	96 ppb	N/A	1000 ppb	2000 ppb	Discharge of oil drilling wastes and from metal refineries; erosion of natural deposits
Uranium (pCi/L)	11/21/14	5.67 pCi	N/A	20	0.43	Erosion of natural deposits
Total Chromium (ppb)	2/15/16	2 ppb	N/A	50 ppb	(100)	Discharge from steel and pulp mills and chrome plating; erosion of natural deposits

TABLE 5 – DETECTION OF CONTAMINANTS WITH A SECONDARY DRINKING WATER STANDARD						
Chemical or Constituent (and reporting units)	**Sample Date**	**Level Detected**	**Range of Detections**	**SMCL**	**PHG (MCLG)**	**Typical Source of Contaminant**
Sulfate (ppm)	2/15/16	119	N/A	500	N/A	Runoff/leaching from natural deposits; industrial wastes
Chloride (ppm)	2/15/16	24	N/A	500		Runoff/leaching from natural deposits; seawater influence
Total Dissolved Solids (TDS) (ppm)	2/15/16	540	N/A	1000		Runoff/leaching from natural deposits
Zinc (ppm)	2/15/16	0.1	N/A	5.0	N/A	Runoff/leaching from natural deposits; industrial wastes
Iron (ppb)	2/15/16	250	N/A	300	N/A	Leaching from natural deposits; industrial wastes
Specific Conductance (ug/cm)	2/15/16	818	N/A	1600	N/A	Substances that form ions when in water; seawater influence

TABLE 6 – DETECTION OF UNREGULATED CONTAMINANTS					
Chemical or Constituent (and reporting units)	**Sample Date**	**Level Detected**	**Range of Detections**	**Notification Level**	**Health Effects Language**
N/A					

Additional General Information on Drinking Water

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the U.S. EPA's Safe Drinking Water Hotline (1-800-426-4791).

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. U.S. EPA/Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants are available from the Safe Drinking Water Hotline (1-800-426-4791).

Lead-Specific Language: If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. **Lemon Cove Sanitary District** is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. [***OPTIONAL:*** If you do so, you may wish to collect the flushed water and reuse it for another beneficial purpose, such as watering plants.] If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline (1-800-426-4791) or at http://www.epa.gov/lead.

Summary Information for Violation of a MCL, MRDL, AL, TT, or Monitoring and Reporting Requirement

VIOLATION OF A MCL, MRDL, AL, TT, OR MONITORING AND REPORTING REQUIREMENT				
Violation	**Explanation**	**Duration**	**Actions Taken to Correct the Violation**	**Health Effects Language**
Nitrate (as N)	Runoff and leaching from fertilizer use; leaching from septic tanks and sewage; erosion of natural deposits	**34 years** (24 years under District ownership)	LCSD has applied for funding to correct this problem. District has drilled new wells that meet drinking water quality standards, but these wells have not yet been connected to the water system. Funding is being sought to complete this work.	Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.