

Utilities and Service Systems

Chapter 3.17

SUMMARY OF FINDINGS

The proposed Project will result in *Less Than Significant Impacts* to Utilities and Service Systems. A detailed review of potential impacts is provided in the following analysis.

INTRODUCTION

California Environmental Quality Act (CEQA) Requirements

This section of the Draft Environmental Impact Report (DEIR) addresses potential impacts to Utilities and Service Systems. As required in Section 15126, all phases of the proposed Project will be considered as part of the potential environmental impact.

As noted in Section 15126.2 (a), “[a]n EIR shall identify and focus on the significant environmental effects of the proposed project. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected. For example, an EIR on a subdivision astride an active fault line should identify as a significant effect the seismic hazard to future occupants of the subdivision. The subdivision would have the effect of attracting people to the location and exposing them to the hazards found there. Similarly, the EIR should evaluate any potentially significant impacts of locating development in other areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas) as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas.”¹

The environmental setting provides a description of the Utilities and Service Systems setting in the County. The regulatory setting provides a description of applicable Federal, State and Local regulatory policies that were developed in part from information contained in the Tulare County 2030 General Plan, Tulare County General Plan Background Report, and/or County 2030 General Plan EIR incorporated by reference and summarized below. Additional documents

¹ CEQA Guidelines, Section 15126.2 (a)

Draft Environmental Impact Report
Papich Construction Asphalt Batch Plant Project

utilized are noted as appropriate. A description of the potential impacts of the proposed Project is provided and includes the identification of feasible mitigation measures (if necessary and feasible) to avoid or lessen the impacts.

Thresholds of Significance

- Increase wastewater beyond existing treatment capacity per the RWQCB
- Result in the need for waste water infrastructure that would cause impacts
- Result in the need for waste water infrastructure that would cause impacts
- Result in the need for water supplies or entitlements
- Result in the determination by the wastewater provider that it has adequate capacity
- Served by a landfill with sufficient permitted capacity to Project's needs
- Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs

ENVIRONMENTAL SETTING

“Tulare County and special districts provide many important services to County residents and businesses in unincorporated communities and hamlets such as water, wastewater, storm drainage, solid waste removal, utilities, communications, fire protection, law enforcement, and a number of other community facilities and services (schools, community centers, etc.).”²

“Water districts supply water to communities and hamlets throughout the County. Most communities and some hamlets have wastewater treatment systems; however, several communities including Three Rivers, Plainview, Alpaugh, and Ducor rely on individual septic systems. Storm drainage facilities are generally constructed and maintained in conjunction with transportation improvements or new subdivisions in communities. Solid waste collection in the County is divided into service areas, as determined by the Board of Supervisors, with one license for each area. Southern California Edison provides electric service to the south and central areas of Tulare County while PG&E provides electric service in the north. The [Southern California] Gas Company is the primary provider of natural gas throughout the County.”³

The existing Papich Construction Asphalt Batch Plant is currently served by two wells: an agricultural well to provide water for operational dust control and a residential well to serve the office building. The Asphalt Batch Plant also utilizes a 16,000 gallon diesel fuel above-ground tank to fuel on-site equipment, water trucks, etc. and has an on-site septic system.

REGULATORY SETTING

Federal Agencies & Regulations

Resource Conservation and Recovery Act (RCRA)⁴

² Tulare County General Plan 2030 Update, page 14-3

³ Ibid.

⁴ U.S. Environmental Protection Agency. Wastes – Laws & Regulations. <http://www.epa.gov/epawaste/laws-regs/rcrahistory.htm>. Accessed December, 2014.

Draft Environmental Impact Report
Papich Construction Asphalt Batch Plant Project

Congress passed RCRA on October 21, 1976 to address the increasing problems the nation faced from our growing volume of municipal and industrial waste. RCRA, which amended the Solid Waste Disposal Act of 1965, set national goals for:

- Protecting human health and the environment from the potential hazards of waste disposal.
- Conserving energy and natural resources.
- Reducing the amount of waste generated.
- Ensuring that wastes are managed in an environmentally-sound manner.

To achieve these goals, RCRA established three distinct, yet interrelated, programs:

- The solid waste program, under RCRA Subtitle D, encourages states to develop comprehensive plans to manage nonhazardous industrial solid waste and municipal solid waste, sets criteria for municipal solid waste landfills and other solid waste disposal facilities, and prohibits the open dumping of solid waste.
- The hazardous waste program, under RCRA Subtitle C, establishes a system for controlling hazardous waste from the time it is generated until its ultimate disposal — in effect, from “cradle to grave.”
- The underground storage tank (UST) program, under RCRA Subtitle I, regulates underground storage tanks containing hazardous substances and petroleum products.

RCRA banned all open dumping of waste, encouraged source reduction and recycling, and promoted the safe disposal of municipal waste. RCRA also mandated strict controls over the treatment, storage, and disposal of hazardous waste.

State Agencies & Regulations

California Global Warming Solutions Act of 2006 (AB 32)

With the passage of AB 32, the State Board Air Resources Board was required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels in 1990 to be achieved by 2020. To achieve this requirement, a scoping plan was adopted in 2008 that includes high recycling and zero waste as a way to reduce greenhouse gas emissions from landfills. “As virgin raw materials are replaced with recyclables, a large reduction in energy consumption should be realized. Implementing programs with a systems approach that focus on consumer demand, manufacturing, and movement of products will result in the reduction of greenhouse gas emissions and other co-benefits.”⁵

Local Policy & Regulations

Tulare County General Plan Policies

The General Plan has a number of policies that apply to projects within Tulare County. General Plan policies that relate to the proposed Project are listed below.

⁵ California Air Resources Board Climate Change Scoping Plan. December, 2008. Page 62.
http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf. Accessed September, 2014.

PFS-2.3 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-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-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-4.7 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-5.3 Solid Waste Reduction - The County shall promote the maximum feasible use of solid waste reduction, recycling, and composting of waste, strive to reduce commercial and industrial waste on an annual basis, and pursue financing mechanisms for solid waste reduction programs.

PFS-5.4 County Usage of Recycled Materials and Products - The County shall encourage all industries and government agencies in the County to use recycled materials and products where economically feasible.

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.

IMPACT EVALUATION

Would the project:

a) **Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

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

The existing facility utilizes an on-site septic tank and leach field for disposal of wastewater generated by employees. The proposed Project will not discharge liquid waste to a wastewater treatment facility. ***Less Than Significant Impacts*** related to this Checklist Item will occur.

Cumulative Impact Analysis: ***Less than Significant 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.

The proposed Project will generate a minimal amount of new wastewater to be processed on-site by a septic tank and leach field. ***Less Than Significant Cumulative Impacts*** related to this Checklist Item will occur.

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

Less Than Significant Cumulative Impacts will occur.

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

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

There is an existing septic system and water well on the site. The proposed Project will include the addition of a new septic tank and leach field which will be reviewed by the Tulare County Health and Human Services Agency, Health Services Division, to accommodate wastewater generated by the larger office building. ***Less Than Significant Impacts*** related to this Checklist Item will occur.

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

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. The proposed Project does not require new or expansion of water or wastewater treatment facilities. ***Less Than Significant Cumulative Impacts*** will occur.

Mitigation Measure(s): ***None Required.***

Conclusion: ***Less Than Significant Impacts***

As noted earlier, ***Less Than Significant Project-specific or Cumulative Impacts*** related to this Checklist Item will occur.

- c) **Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

Project Impact Analysis: *Less Than Significant Impact*

The proposed Project will not result in a new or an expansion of a local public storm water drainage facility. Storm water on the proposed Project site will be directed to an existing on-site drainage detention basin. This detention basin is sufficient to collect the appropriate amount of stormwater which might collect on the site. As such, no off-site detention basins will be required. *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 Tulare County. This cumulative analysis is based on the requirements of Central Valley Regional Water Quality Control Board.

The proposed Project will retain storm water on site. As no offsite storm water impacts will occur, *Less Than Significant Cumulative* impacts related to this Checklist Item will occur.

Mitigation Measure(s): *None Required.*

Conclusion: *Less Than Significant Impact*

As noted earlier, *Less Than Significant Project-specific or Cumulative Impacts* related to this Checklist Item will occur.

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

Project Impact Analysis *Less Than Significant Impact*

Water supply for the proposed Project will come from an existing, on-site ground water well. No new or expansion of water or wastewater treatment facilities is anticipated. *Less Than Significant Project-specific Impacts* related to this Checklist Item will occur. Also, see Item 3. 9 b) which indicates that no new or expansion of water facilities is anticipated.

Cumulative Impact Analysis: *Less Than Significant 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.

As noted in Section 3.9 Item b), the proposed Project will result in a *Less than Significant Impact* related to this Checklist Item.

Mitigation Measure(s): *None Required.*

Conclusion: *Less Than Significant Impact*

- e) **Result in a determination by the wastewater treatment provide near term, 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?**

Project Impact Analysis: *No Impact*

The proposed Project site currently utilizes an existing septic system. This septic system is adequate to treat the waste water needs of the proposed use. In addition, as noted in item b, above, the proposed Project will include the addition of a new septic tank and leach field which will be reviewed by the Tulare County Health and Human Services Agency, Health Services Division, to accommodate wastewater generated by the larger office building. Therefore, *No Project-specific Impacts* 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 requirements of Tulare County Environmental Health Services Department.

No connections to a wastewater treatment provider are proposed. *No Cumulative Impacts* related to this Checklist Item will occur.

Mitigation Measure(s): *None Required.*

Conclusion: *No Impact*

As noted earlier, *No Project-specific or Cumulative Impacts* related to this Checklist Item will occur.

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

Project Impact Analysis: *Less Than Significant Impact*

The proposed Project does not include activities that will result in solid waste generation beyond typical office use waste. As such, the proposed Project will have *No Project-specific Impacts* related to this Checklist item.

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, and/or Tulare County 2030 General Plan EIR.

As noted earlier, Project level solid waste generation will be limited to typical office waste which will not result in a substantial increase in the amount of waste sent to landfills. Therefore, the proposed Project will result in *Less Than Significant Impacts*.

Mitigation Measure(s): *None Required.*

Conclusion: *Less Than Significant Impact*

As noted earlier, *Less Than Significant Project-specific or Cumulative Impacts* related to this Checklist Item will occur.

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

Project Impact Analysis: *No Impact*

The proposed Project does not include the creation or expansion of a solid waste facility. Therefore, *No Project-specific Impacts* related to this Checklist Item will occur.

Cumulative Impact Analysis: *No Impact*

The geographic area of this cumulative analysis is Tulare County and the state of California. This cumulative analysis is based on the Federal, State, and Local requirements, including requirements of Cal Recycle, California Air Resources Board, and Tulare County Environmental Health and Human Services Agency (Environmental Health Division).

The proposed Project does not include the creation or expansion of a solid waste facility. Therefore, *No Cumulative Impacts* related to this Checklist Item will occur.

Mitigation Measure(s): *None Required.*

Conclusion: *No Impact*

As noted earlier, *No Project-specific or Cumulative Impacts* related to this Checklist Item will occur.

REFERENCES

California Air Resources Board Climate Change Scoping Plan. December, 2008. Page 62.
http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf. Accessed September, 2014.

CEQA Guidelines, Section 15126.2 (a)

Tulare County General Plan 2030 Update, page 14-3

U.S. Environmental Protection Agency. Wastes – Laws & Regulations.
<http://www.epa.gov/epawaste/laws-regs/rcrahistory.htm>. Accessed December, 2014.