

ALTERNATIVES

Chapter 5

INTRODUCTION

CEQA Guidelines §15126.6 require that a reasonable range of Alternatives to the proposed project be discussed in the EIR. Specific requirements include the following:

CEQA Guidelines §15126.6(a): Alternatives to the proposed Project. An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

CEQA Guidelines §15126.6(b): Purpose. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

CEQA Guidelines §15126.6(c): Selection of a range of reasonable alternatives. The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

CEQA Guidelines §15126.6(d): Evaluation of alternatives. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be

caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.

CEQA Guidelines §15126.6(e): “No project” alternative.

- (1) The specific alternative of “no project” shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The no project alternative analysis is not the baseline for determining whether the proposed project's environmental impacts may be significant, unless it is identical to the existing environmental setting analysis which does establish that baseline (see Section 15125).
- (2) The “no project” analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the “no project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.
- (3) A discussion of the “no project” alternative will usually proceed along one of two lines:
 - (A) When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy or operation into the future. Typically this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan.
 - (B) If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the “no project” alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this “no project” consequence should be discussed. In certain instances, the no project alternative means “no build” wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project's non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment.

Draft Environmental Impact Report
Papich Construction Asphalt Batch Plant Project

- (C) After defining the no project alternative using one of these approaches, the lead agency should proceed to analyze the impacts of the no project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

CEQA Guidelines §15126.6(f): (f) Rule of reason. The range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making.

- (1) Feasibility. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives.
- (2) Alternative locations.
 - (A) Key question. The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.
 - (B) None feasible. If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR. For example, in some cases there may be no feasible alternative locations for a geothermal plant or mining project which must be in close proximity to natural resources at a given location.
 - (C) Limited new analysis required. Where a previous document has sufficiently analyzed a range of reasonable alternative locations and environmental impacts for projects with the same basic purpose, the lead agency should review the previous document. The EIR may rely on the previous document to help it assess the feasibility of potential project alternatives to the extent the circumstances remain substantially the same as they relate to the alternative.
- (3) An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.

“15021. Duty to minimize environmental damage and balance competing public objectives

- (a) CEQA establishes a duty for public agencies to avoid or minimize environmental damage

where feasible.

- (1) In regulating public or private activities, agencies are required to give major consideration to preventing environmental damage.
 - (2) A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment.
- (b) In deciding whether changes in a project are feasible, an agency may consider specific economic, environmental, legal, social, and technological factors.
- (c) The duty to prevent or minimize environmental damage is implemented through the findings required by Section 15091.
- (d) CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian. An agency shall prepare a statement of overriding considerations as described in Section 15093 to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment.”¹

FACTORS CONSIDERED IN ANALYSIS OF ALTERNATIVES

In this Alternatives analysis the following criteria will be used:

Evaluation Criteria 1: Project Specific Elements

Pages 2-2 thru 2-6 contain details of the Project Specific Elements which are summarized as follows:

- Establishment of a permanent asphalt plant operation.
- Increase in allowed production from 3,700 tons/day to 8,000 tons/day.
- Construction of new 20,000 sq. ft. office/warehouse building.

Evaluation Criteria 2: Project Objectives

Pages 2-6 thru 2-7 contain details of the Project Specific Elements which are summarized as follows:

- Development of a facility that promotes economic development.
- Compatibility with surrounding land uses.
- Ability to provide adequate screening of the site.
- Development of a facility that is near major highways and away from sensitive land uses.
- Continue use of recycled materials.

¹ 2013 CEQA Guidelines, Section 15021

- Conduct an efficient business operation that is economically, technologically and environmentally feasible.
- Minimize costs by using the current asphalt batch plant site for the proposed Project.

Evaluation Criteria 3: Minimize Costs

Although there may be a diversity of theoretical alternatives, there are only a few alternatives that could potentially be implemented due to costs involved in the alternative. Considerable increases in costs can result in infeasibility of a project alternative. As the Project site area is currently in use as an asphalt batch plant, land costs would be minimized through expanded services on the existing site. Operational costs would also be minimized with expansion of service levels on the Project site. Services on another site would significantly increase costs as grading, plumbing, electrical, and other typical construction/operational costs would be required to rather than expanding on the existing site.

Evaluation Criteria 4: Operational Efficiency

As the proposed Project involves an expansion of an existing business, operational efficiency is a major concern in the long-term viability of the business. Operational efficiency affects both operational costs and operational effectiveness through the maximization of equipment use.

Evaluation Criteria 5: Lessen Significant Impacts

Each alternative should be analyzed to assess the potential to reduce significant impacts. (On a cumulative basis, alternative sites generally require the construction of duplicate buildings. The creation of additional buildings requires the use of additional resources, which on a cumulative basis would increase impacts to environment in general.

Evaluation Criteria 6: Physical Feasibility (Land Size and Configuration Constraints)

Physical feasibility is required because if site for a particular alternative is too small or if the components of the proposed Project cannot be configured on the site, then the alternative would not be feasible and should be eliminated from review.

ALTERNATIVES ANALYSIS

Based on the CEQA Guidelines mentioned herein, this Alternatives analysis contains the following:

1. No-Project
2. Alternate Site
3. Reduced (50%) Project

Alternative 1: No-Project

This section discusses the mandatory “No-Project” alternative. Unlike some instances where no-Project means no activities will occur on a given site, current operations (up to 3,700 tons/day of asphalt production) at the Applicant’s site are permitted activities (the existing facility supplies asphalt materials for a limited time only for the Road 80 and Highway 99 projects). Under the no-Project alternative, currently permitted operations would continue subject to existing permit conditions.

Description. Under the No-Project alternative, the activities and improvements discussed in

Chapter 2 of this Draft EIR would not be implemented. The Applicant is currently operating an asphalt batch plant at the site under a County-issued Temporary Use Permit (PSP 13-005 issued February 19, 2013) and is permitted to produce and distribute up to 3,700 tons/day of asphalt. The Temporary Use Permit restricts the existing operation to supply asphalt materials only for the Road 80 and Highway 99 projects (to be completed by mid-2015) with no provision for additional retail sales. The existing operations would continue as allowed under their Temporary Use Permit but would cease to operate after the completion of the Road 80 and Highway 99 projects. The No-Project Alternative would not provide the following:

- Special Use Permit
- Establishment of a permanent operation
- Increase in production from 3,700 tons/day to 8,000 tons/day
- Ability to provide retail sales

Environmental Considerations. Continuation of the existing permitted (temporary) operation would likely continue until mid-2015 at which time the plant would cease to operate and current land use designations (agriculture) would remain. However, demand for asphaltic concrete would continue. Environmental impacts could occur as a result of an alternate location and/or an increase in capacity from another asphalt provider in order to meet demand. However, for this analysis, it is determined that the No-Project Alternative would eventually mean that the asphalt plant would not exist on the site and agricultural operations would resume. With the exception of water use (historic agricultural uses on the site generally have used more water than the proposed project – see Appendix F of this document), all environmental impacts under the No-Project Alternative would be less than the Proposed Project. The No-Project Alternative by definition would not meet the objectives of the proposed Project that were discussed earlier in this chapter.

Alternative 2: Alternate Site

The environmental considerations associated with an alternative site would be highly dependent on several variables, including physical site conditions, surrounding land use, site access, and suitability of the local roadway network. Physical site conditions include land, air, water, minerals, flora, fauna, noise, or objectives of historic or aesthetic significance, and would affect the nature and degree of direct impacts, needed environmental control systems, mitigation, and permitting requirements. Surrounding land use and the presence of sensitive receptors would influence neighborhood compatibility issues such as air pollutant emissions and health risk, odor, noise, and traffic. Site access and ability of the local roadway network to accommodate increased truck traffic without excessive and costly off site mitigation would be an important project feasibility issue.

The constraint on alternative site selection is the lessening or elimination of significant project impacts. The economic viability of the proposed project is dependent on ability to efficiently transport asphalt in and around Tulare County and surrounding areas. To maintain ease of handling and transportation efficiencies that has been incorporated into the proposed site location, any potentially feasible alternative site needs to be located near major roadways/highways and in a location that is easily accessible to all parts of Tulare County and

Draft Environmental Impact Report
Papich Construction Asphalt Batch Plant Project

beyond, in addition to other criteria outlined herein.

Description. The Applicant explored several alternate sites within Tulare County. The criteria for selection included whether or not the alternate site would substantially reduce environmental impacts, availability of land, adequately sized parcels, efficiency of access, and acceptable land use designations/zoning. Table 5-1 provides an overview of the alternate sites that were considered.

**Table 5-1
Alternate Sites Considered**

Site	Substantially reduce environmental impacts?	Available Land?	Adequate size?	Efficient Access?	Correct land use / zoning?	Determination
West Goshen	No	No	No	Yes	N/A	No available parcels were found that were of adequate size to accommodate the proposed project. In addition, locating the proposed project in this area would not substantially reduce environmental impacts.
Sierra Pacific Rock Plant (Orosi)	Yes	Yes	No	Yes	Yes	Constructing the proposed project at an existing rock plant owned by the applicant would theoretically reduce environmental impacts. However, the site does not provide enough space to accommodate the proposed project.
City of Dinuba Business Park	No	Yes	Yes	Yes	No	No parcels were available with the correct zoning. In addition, the plant would be located within City limits and closer to urban development. The site would not result in reduced environmental impacts.
Kaweah River Rock (Woodlake)	Some reduced, some increased	Yes	Yes	Yes	Yes	Locating the proposed project here would result in increased truck travel and increased impacts in an environmentally sensitive area of the County.
Old Mill (Dinuba)	No	Yes	Yes	Yes	Yes	Locating the proposed project in this area would not substantially reduce environmental impacts.

Environmental Considerations. Development of an alternate site could theoretically meet most of the Project objectives presented earlier in this chapter. However, construction and operation of an alternate site would not be as cost effective or operationally efficient and thus is not consistent with the Project objectives. In addition, construction and operation at an alternate site would result in environmental impacts that are likely equal to or greater than the proposed project. The majority of project impacts are likely to occur at an alternate site.

This alternative site would require environmental review once the Applicant has prepared sufficient project description information. The time requirements for these activities would reduce the ability of the Applicant to accommodate projected asphalt demand in a timely manner compared to the proposed Project. This alternative would be the most complex, costly, and time-consuming alternative to implement. Various engineering and technical studies would then be completed to define the project and its required control systems. Environmental review and obtaining local and state entitlements would follow prior to construction activities.

Alternative 3: Reduced (50%) Project

Alternative 3 would reduce the size of the proposed Project by reducing the permitted tonnage from a proposed 8,000 TPD to 4,000 TPD. A 50 percent reduction in tonnage is a reasonable amount to illustrate what impact such an alternative would have on the significant effects of the proposed Project. It is also of similar size to the existing permitted capacity (3,700 TPD).

Description. Under Alternative 3, the proposed project would be permitted as a permanent establishment with a 4,000 TPD maximum capacity. Operations would essentially be the same as the proposed project except that output would be reduced.

Environmental Considerations. Most of the environmental issues associated with Alternative 3 would be similar to those of the proposed Project. Alternative 3, however, does involve reduced tonnages. Issues sensitive to changes in tonnages relate to air quality, noise and traffic and are discussed below.

Air Quality: According to the Air Quality Impact Analysis and Greenhouse Gas Study (See Appendix C of this document) prepared for the project, the proposed Project at 8,000 TPD will have annual air pollutant emission rates which are less than the applicable San Joaquin Valley Air Pollution Control District (SJVAPCD) thresholds of significance, resulting in a less than significant impact. Even though the proposed project is below existing thresholds of significance, a reduced project would result in a further reduction of air and greenhouse gas emissions. Alternative 3 would have lower annual emission rates than the proposed project as follows: CO would be reduced by approximately 31%, NOx by 32%, VOC by 36%, Sox by 37%, PM10 by 42% and PM2.5 by 41%. Air pollutant emission rates associated with this Alternative are thus lower than the proposed project.

Noise: According to the Noise Study (Appendix G – Table 9 of this document), the difference between 3,700 TPD and 8,000 TPD in traffic noise levels ranges between an increase of 0.1 and 3.1 dBA CNEL. The largest increase of 3.1 is at the Road 68 site entrance. Substantial increases are defined by Tulare County as an increase of 5.0 or greater in this area. Even with 8,000 TPD, there is a less than significant impact. However, Alternative 3 would result in a reduced impact as compared to the proposed project. According to the Noise Study, onsite operational activities

associated with the proposed project would not result in an increase in ambient noise levels at the nearest sensitive receptor (residence approximately 1,000 feet north of the site) and would largely be masked by existing traffic noise emanating from area roadways. Alternative 3 would result in a reduced noise impact as compared to the proposed project.

Traffic: 4Creeks Engineering prepared a Traffic Impact Study for the proposed project (See Appendix H of this document). According to the TIS, Trip Generation associated with 3,700 TPD is 191 daily vehicles (including heavy duty trucks and employees). The proposed project at 8,000 TPD could produce 464 daily vehicles (including heavy duty trucks and employees). The TIS concluded that there are no significant and unavoidable traffic impacts associated with the proposed project, however, Alternative 3 would result in approximately 59% less vehicle trips per day. Thus Alternative 3 lessens the traffic impact.

Economic Considerations: M. Green and Company, LLP prepared a Forecasted Financial Statement for the “Papich Construction Company, Inc. Goshen Asphalt Plant Project” for year ending December 31, 2015 (See Appendix I of this document). This Financial Statement analyzed the financial feasibility of the proposed project (8,000 TPD or 500,000 TPY) versus a Reduced (50%) Project of 4,000 TPD or 250,000 TPY. The result was a much narrower profit margin for the Reduced Project. Much of the efficiencies that would be gained by having a larger production would be lost on the Reduced Project. For instance, the existing equipment on site was built for a maximum capacity of 8,000 TPD and thus would be underutilized under a reduced project alternative. In addition, net income before property costs, debt service and income tax would be approximately 63% less for the Reduced Project than the proposed project.

Regarding the selection of a potential alternate site, it is estimated that moving to an alternate site would add moving costs of approximately \$200,000, set up costs of \$250,000, plus the cost of the new land (depends on market value).

POTENTIAL IMPACTS OF ALTERNATIVES

Table 5-2 is a generalized comparative assessment of potential impacts of the alternatives.

Table 5-2
Alternatives Potential Impact Analysis

Environmental Issues	No. 1 No Project	No. 2 Alternate Site	No. 3 Reduced (50%) Project
Aesthetics	Less	Similar	Similar
Agriculture and Forestry Resources	Less	Similar	Similar
Air Quality	Less	Similar	Less
Biological Resources	Similar	Similar	Similar
Cultural Resources	Similar	Similar	Similar
Geology and Soils	Less	Similar	Similar
Greenhouse Gas Emissions	Less	Similar	Less
Hazards and Hazardous Materials	Less	Similar	Similar
Hydrology and Water Quality	More	Similar	Similar
Land Use and Planning	Less	Similar	Similar
Mineral Resources	Less	Similar	Similar
Noise	Less	Similar	Less
Population and Housing	Less	Similar	Similar
Public Services	Less	Similar	Similar
Recreation	Less	Similar	Similar
Transportation and Traffic	Less	Similar	Less
Utilities and Service Systems	Less	Similar	Similar
Mandatory Findings of Significance	Less	Similar	Similar
Cumulative Impacts	Less	Similar	Less
Impact Reduction	Yes & No	Generally No, but depends on the site	Yes

ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Based on a review of the alternatives evaluated in this chapter, the No Project Alternative would result in the fewest impacts on the environment. However, the No Project Alternative would not meet the applicant's project objectives, as identified in this chapter.

Apart from the No Project Alternative, the Alternative #3 Reduced (50%) Project would be the Environmentally Superior alternative because it would result in less adverse physical impacts to the environment with regard to air, noise and traffic. However, the Reduced (50%) Project does not meet all of the applicant's project objectives, particularly with regard to the financial feasibility of this alternative.

ALTERNATIVES ANALYSIS

The proposed Alternatives were analyzed based on the ten evaluation criteria listed earlier. All the Alternatives considered would not meet all of the objectives of the proposed Project. In addition, each of the Alternatives has other individual deficiencies. See Table 5-3 below.

**Table 5-3
Alternatives Evaluation**

	No Project #1	Alternate Site # 2	Reduced (50%) Project # 3
1. Project Specific Elements	No	Some	Yes
2. Project Objectives	No	Some	Some
3. Minimize Costs	No	No	Yes
4. Operational Efficiency	No	No	No
5. Lessen Significant Impacts	Yes	Some	Some
6. Physical Feasibility	No	Some	Yes

SUMMARY AND DETERMINATION

Only Alternatives 1 and 3 could potentially result in fewer impacts than the proposed Project's impacts. These Alternatives; however, would not meet the objectives of the proposed Project, nor would they meet most of the criteria established herein. After this full, substantial, and deliberate analysis the proposed Project remains the preferred alternative.

REFERENCES

Air Quality Impact Analysis and Greenhouse Gas Study for a Hot Mix Asphalt Plant. Prepared by Alta Environmental, February 2015. See Appendix "C" of this DEIR

CEQA Guidelines §15126.6

Noise Impact Assessment for Papich Construction Asphalt Batch Plant Project. Ambient Air Quality and Noise Consulting. November 2014. See Appendix "F" of this document.

Traffic Impact Study, Papich Construction. 4Creeks, Inc. January 2015, Appendix "H" of this document.