

COUNTY OF TULARE
RESOURCE MANAGEMENT AGENCY



5961 South Mooney Boulevard
Visalia, CA 93277

Goshen Community Plan

Draft Environmental Impact Report
(SCH# 2014021057)

February 2018

Prepared by

County of Tulare Resource Management Agency
Planning Branch
Environmental Planning Division

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First Carbon Solutions, Air Quality Analysis Report, Goshen Community Plan, September 16, 2014. (Chapter 3.3 – page 1)

Tulare County Resource Management Agency, Air Quality and Greenhouse Gas Analysis Technical Report, February 14, 2018. (Chapter 3.3 and Chapter 3.7)

Appendix B: Biological Resources Assessment

Live Oak Associates, INC., Goshen Community Plan Update Biological Evaluation Tulare, County, California, August, 20, 2014. (Chapter 3.4)

Appendix C: Cultural Record Searches

Sierra Valley Cultural Planning, Cultural resources Assessment, Proposed Planning Study Area for the Goshen Community Plan Update, Tulare County, California, August 2014. (Chapter 3.5)

Appendix D: Greenhouse Gas Analysis Report

First Carbon Solutions, Greenhouse Gas Analysis Report, Goshen Community Plan Update, September 16, 2014. (Chapter 3.7)

Appendix E: Noise Study Report and Noise Element

VRPA Technologies, Noise Impact Assessment, Goshen Community Plan Update.
(Chapter 3.12)

Appendix F: Traffic Impact Assessment and Circulation Element

Tulare County Resource Management Agency, Draft Goshen Transportation and
Community Plan, 2013. (Chapter 3.16)

VRPA Technologies, Traffic Impact Assessment and Circulation Element, September
2014. (Chapter 3.16)

VRPA Technologies, Traffic Impact Study Report, February 2018. (Chapter 3.16)

Appendix G: Goshen Water Usage

Provost & Pritchard Consulting Group, Goshen Water Usage memorandum, December 1,
2014. (Chapter 3.9)

Appendix H: Adoption of Complete Streets Policy Plan

Omni Means Engineering Solution, Tulare County Complete Streets, Goshen Final,
September 2014. (Chapter 3.16)

Appendix I: CEQA Notices (Notice of Preparation)

Notice of Preparation

Agency Comment Letters

Executive Summary

This Draft Environmental Impact Report (DEIR or EIR) will conclude that the proposed Goshen Community Plan Update (Project) will result in a ***Significant and Unavoidable Cumulative Impact*** only to the Noise resource. A Statement of Overriding Considerations has been prepared to address this significant and unavoidable impact.

The EIR has been prepared consistent with the California Environmental Quality Act (CEQA). Its intent is to inform the public and the Tulare County Planning Commission of the potential environmental impacts the proposed Project would have on resources as specified in the CEQA Guidelines. This EIR, in its entirety, addresses and discloses potential environmental effects associated with construction and operation of the proposed Project, including direct, indirect, and cumulative impacts in the following resource areas:

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

Although the Mandatory Findings of Significance is not a resource per se, it is required as it essentially provides a summary conclusion of the Project's potential on Long Term Impacts, Cumulative Impacts, and Impacts to Species, Impacts to Historical Resources, and Impacts on Human Beings. It is at this discussion where the EIR concludes that no significant adverse environmental impacts from the Project will occur.

The California Environmental Quality Act (CEQA) requires that local government agencies, prior to taking action on projects over which they have discretionary approval authority, consider the environmental consequences of such projects. An Environmental Impact Report (EIR) is a public disclosure document designed to provide local and state governmental agency decision makers with an objective analysis of potential environmental consequences to support informed decision-making. This EIR (**State of California Clearinghouse #2014021057**) has been prepared by Tulare County in accordance with CEQA Guidelines §15120 through §15131 and §15161 regulating EIRs to evaluate the environmental consequences of the a comprehensive update of the Goshen Community Plan, General Plan Amendment, and Zone Ordinance Amendment, to discuss alternatives to the proposed Project, and to propose mitigation measures that will offset, minimize or avoid identified significant environmental impacts. This document focuses on issues determined to be potentially significant as discussed in the Initial Study and the public scoping process completed for this project, as well as comments received on the Notice of

Preparation (NOP) circulated by Tulare County in February-March 2014.

PROJECT DESCRIPTION

On December 10, 2013, the Tulare County Board of Supervisors (BOS) approved the Planning Branch proposal to update the Goshen Community Plan. The project Study Area Boundary will assess the potential project impacts from the proposed land use changes, for the areas north of Riggin Drive and Ave 320 to the North, Road 60 to the East, Avenue 304 to the South, and into the City of Visalia to the East (See Figure 2-2). The project EIR 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 Goshen Community Plan Update components are 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 State Route 99 Corridor in order to implement the following General Plan goals:

- b) 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;
- c) Encourage infill development within Urban Development Boundaries, thereby discouraging leapfrog development within Tulare County;
- d) Reduce development pressure on agriculturally-designated lands within the Valley Floor, thereby encouraging agricultural production to flourish;
- e) Reduce vehicle miles travelled throughout the County, thereby positively affecting air quality and greenhouse gas reduction; and
- f) 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 (August 2013) 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.

PROJECT LOCATION

Tulare County is located in central California in the heart of the San Joaquin Valley (**see Figure ES-1**). The County is composed of eight incorporated cities and numerous unincorporated communities. Most of the unincorporated communities and all of the cities are located on the Valley floor. The foothills and Sequoia and Kings Canyon National Parks form the eastern half of the County.

A rural unincorporated community of 3,739 persons¹ in Tulare County, Goshen is located approximately 31 miles south of Fresno on State Highway 99 on the western edge of Tulare County. It is located 1½ miles north of the Visalia Municipal Airport and portions of the community are situated within the approach and departure area of the airport. It lies one tenth of a mile north-west of the city limits of Visalia, 6 ½ miles from the downtown shopping area of Visalia, and immediately west of the Visalia industrial park area. Visalia is the County seat of Tulare County.

The community of Goshen is square in shape, and bisected in a northwest-southeasterly direction by SR 99 and the Union Pacific Railroad, which divides the community into approximately three similar sized areas. Goshen is an agricultural services community and is surrounded by agricultural production lands to the north, south, and west, and scattered residential, light industrial, agricultural, and vacant land to the east.

The central segment, between SR 99 and the railroad property, was built during various periods of growth over many years, as necessary to accommodate the needs of residents and the business community. Resulting in a collection of small neighborhoods with a wide variety of structures, construction methods, and materials. Most of the residential blocks in this area consist of scattered vacant lots, deteriorating housing, and storage structures. Over a long period of time, the streets serving the houses were paved with a variety of materials and construction methods.

¹ 2010 U.S. Census, see <http://www.census.gov/2010census/popmap/ipmtext.php?fl=06:0657512>

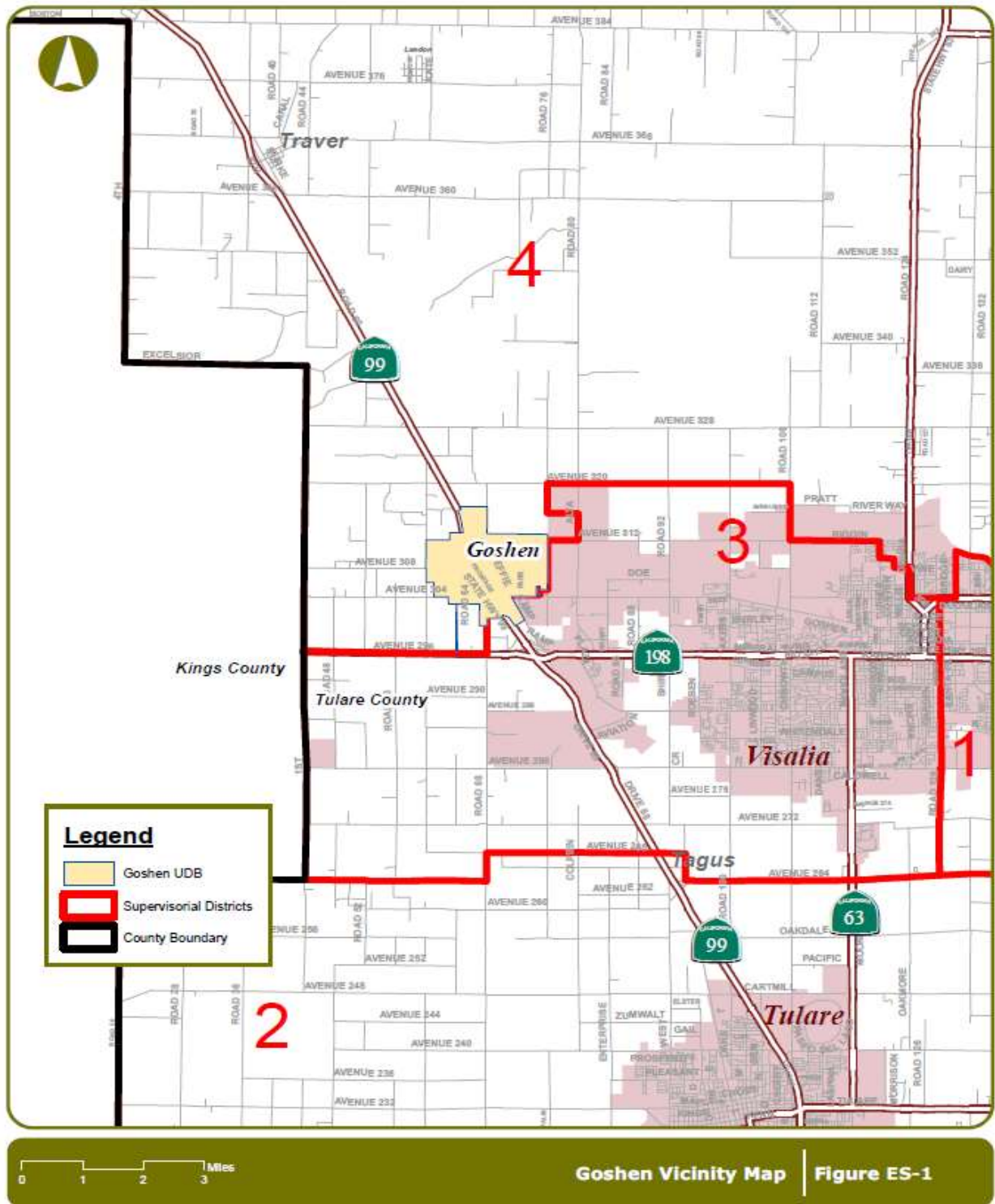
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Alleys between the residential streets are present in this section of Goshen as was typical in suburban neighborhoods constructed prior to 1950 as they were typically used for rear yard access and sewer collection pipelines.

The residential developments east of the railroad were constructed more recently and used modern building techniques and codes. Most of the streets with the Goshen community have been constructed according urban standards, including curbs, gutters and sidewalks. This newer segment of Goshen has experienced the most growth, including recent housing developments and roadways constructed consistent with County building standards and codes. And new housing developments, a medical clinic, and a local community park were constructed at Avenue 312 and Road 72 to serve the needs of Goshen's current and future residents. The recent growth in this segment may serve as a catalyst for Goshen's future, as it is anticipated to attract further development.

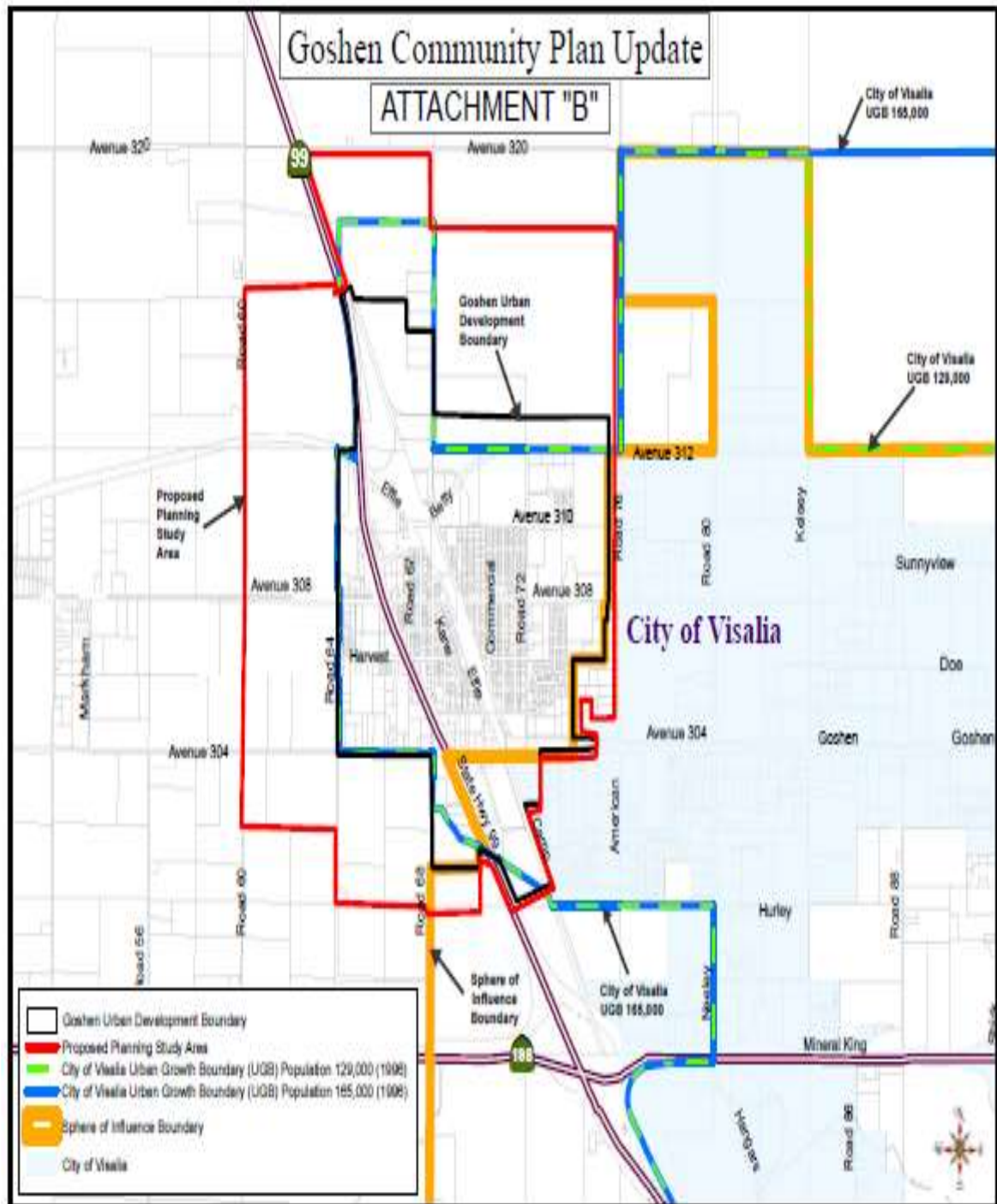
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Figure ES-1 - Vicinity Map



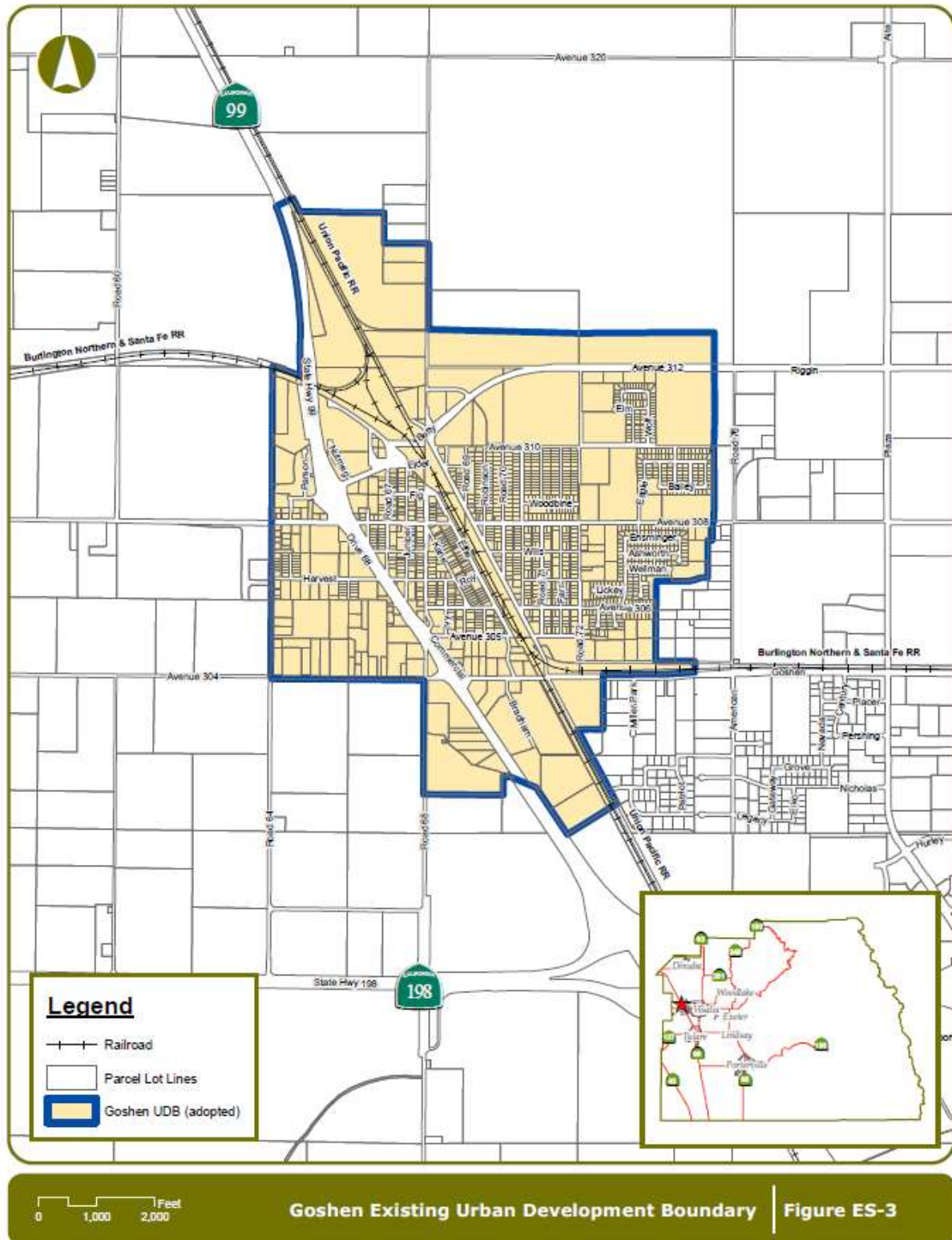
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Figure ES-2 - Goshen Community Plan Study Area



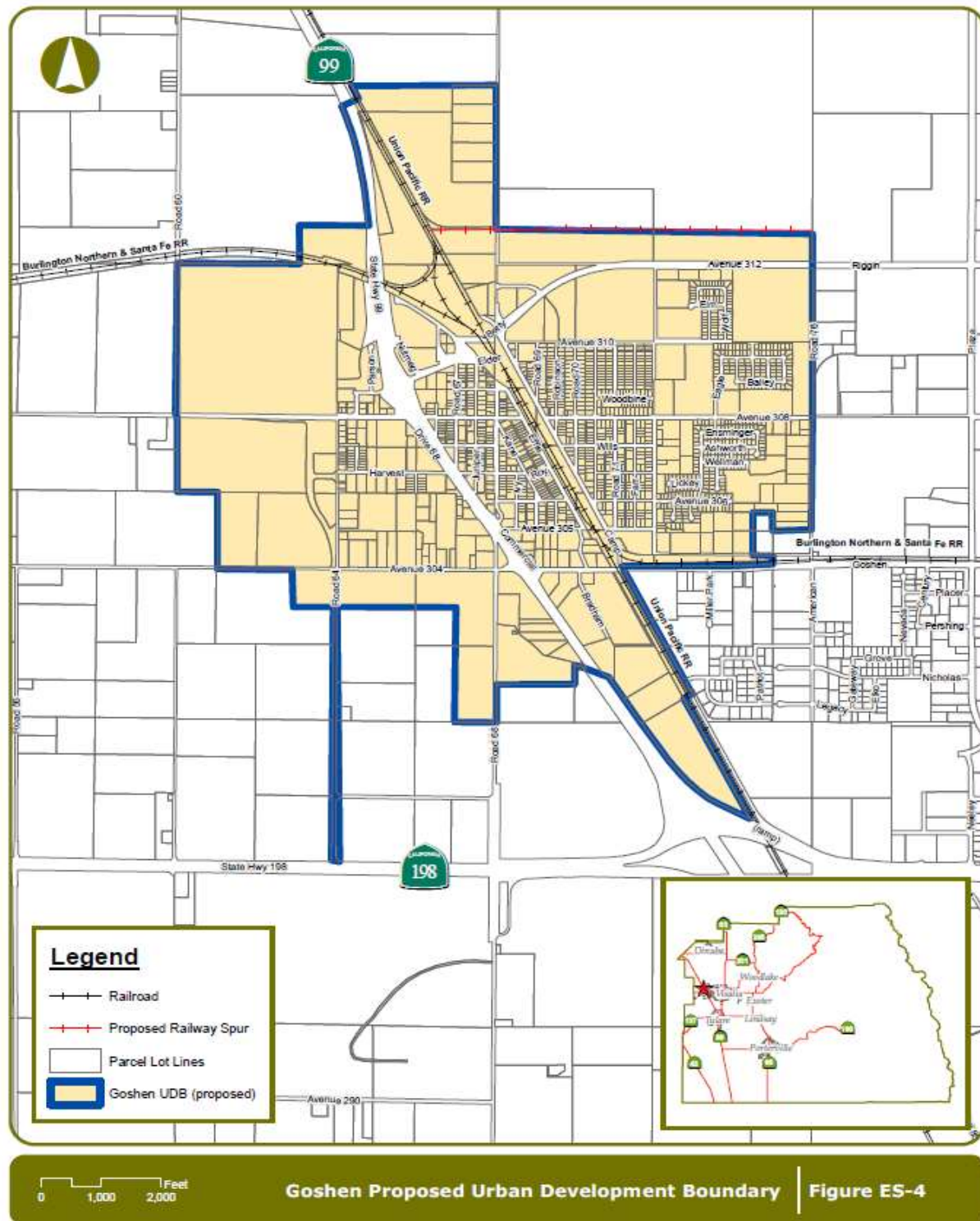
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Figure ES-3 - Goshen Existing UDB Map



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Figure ES-4 - Proposed UDB Goshen



PROJECT COMPONENTS

The Goshen Community Plan Update components are described later in this section will become consistent with the General Plan 2030 Update, and will include the following primary goals and objectives.

This DEIR will evaluate potential impacts from the buildout of the Earlimart Community Plan Update at the program level, as well as the project level for specific proposals, as identified below.

- a) Land Use and Rezoning. Tulare County is proposing new land use and zoning designations. These changes will update the land use and zoning to be consistent with the General Plan, and will bring existing non-compliant properties into conformity with the Tulare County Zoning Code. This process involved looking at the existing properties, meetings with the Community, and review of aerial maps and County records to analyze and decide on which properties were to be updated.
- b) Mixed Use Zone. The Goshen Community Plan includes a mixed use zone. This Community Plan Update requires the updating the Tulare County Zoning Code to reflect a mixed use zoning district specifically within the Goshen Community in compliance with the mixed use designation in the General Plan.
- c) Complete Streets. The Goshen Complete Streets Program was approved by the Board of Supervisors on September 30, 2014, for inclusion in the Circulation Element of this Community Plan Update. The Goshen Complete Streets Program has thoroughly analyzed the alternative forms of transportation, including transit, bicycle ways, and pedestrian circulation. The Complete Streets Program also contemplates use of alternative transportation and facilities for all users from the elderly to children and will be useful in proposing Safe Routes to School and other Public Benefit Projects in the Community.

PROJECT OBJECTIVES & BENEFITS

Objectives of the Project

The following objectives have been proposed by the Project developer, as presented in the “Project Description”.

- Objective 1: Implement the 2030 Tulare County General Plan
- Objective 2: Land Use and Environmental Planning
- Objective 3: Amend the Tulare County Zone Ordinance to include a Mixed-Use Zone, specifically to the Goshen Community Plan Area,
- Objective 4: Improvements for a “disadvantaged community”
- Objective 5: Tulare County 2030 General Plan – Climate Action Plan

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- Objective 6: Strengthening Relationship with TCAG
- Objective 7: Efficient Business Operations
- Objective 8: Minimize Further Unproductive Capital Investment
- Objective 9: Minimize Costs
- Objective 9: Lessen Significant Impacts
- Objective 10: Physical Feasibility
- Objective 11: Project Specific Elements

Project Benefits:

Project Benefit # 1 – Implementation of AB 32

AB 32 has defined plans and programs for Year 2020, with the vision of Year 2050 that sets a goal to have an 80% reduction of greenhouse gas (GHG) emissions compared to the 1990 base year. AB 32 resulted in the adoption of the AB 32 Scoping Plan in 2008 that included a series of measures adopted by the California Air Resources Board (CARB). The key components of AB 32 are a reduction of (GHG) emission to 1997 models by the year 2020 and implements the objectives for the Year 2050 goal.

Project Benefit # 2: - Sustainability

Tulare County Climate Action Plan (CAP). In light of AB 32, the County of Tulare Board of Supervisors adopted its General Plan 2030 Update on August 28, 2012 and included a Climate Action Plan (or CAP). This Climate Action Plan identifies specific General Plan policies that encourage solid waste reduction. The proposed Project was developed to support and implement the efforts made by Tulare County to address climate change through its General Plan and Climate Action Plan.

The Tulare County General Plan has a number of policies that apply to projects within County of Tulare. Nine (9) General Plan policies that relate to Sustainability; below is a summary of some of those policies.

- PF-3.4 Mixed Use Opportunities
- LU-1.1 Smart Growth and Healthy Communities
- LU-1.8 Encourage Infill Development
- LU-7.15 Energy Conservation
- LU-7.16 Water Conservation
- LU-7.17 Shared Parking Facilities
- AQ-3.3 Street Design
- AQ-3.5 Alternative Energy Design
- AQ-3.6 Mixed Land Uses

TCAG Sustainable Communities Strategy (2014 Regional Transportation Plan)

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Assembly Bill (AB) 32 has defined plans and programs for Year 2020, with the vision of Year 2050 that sets a goal to have an 80% reduction of greenhouse gas (GHG) emissions compared to the 1990 base year. AB 32 resulted in the adoption of the AB 32 Scoping Plan in 2008 that included a series of measures adopted by the California Air Resources Board (CARB). The key components of AB 32 are a reduction of GHG emissions to 1997 levels by the Year 2020 and implementation of the objectives for the Year 2050 goal.

Project Benefit # 3 - 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 creations of additional buildings require the use of additional resources, which on a cumulative basis would increase impacts to environment in general.)

Project Benefit # 4 - Physical Feasibility (Land Size and Configuration Constraints)

Physical feasibility is required because if a 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.

Project Benefit # 5 - Project Specific Elements

Overall, all elements (including land use designation and zoning/rezoning of properties, road construction and maintenance programs) within the Study Area were studied.

- a) Land Use and Rezoning. The County is proposing six (6) new land use and zoning districts. These changes are reflective of updating the designations to be consistent with the land uses within the General Plan and to bring existing non-compliant properties into conformity with the Tulare County Zoning Code. This required a review of existing properties, meetings with the Community, review of aerial maps, and review of County records to analyze and ultimately determine which properties would be updated.
- b) Mixed Use Zone. The Goshen Community Plan includes a mixed use zone. This Community Plan Update requires the updating the Tulare County Zoning Code to reflect a mixed use zoning district specifically within the Goshen Community in compliance with the mixed use designation in the 2030 General Plan.
- c) Complete Streets. The Goshen Complete Streets Program was approved by the Board of Supervisors on September 9, 2014 for inclusion in the Circulation Element of this Community Plan Update. The Goshen Complete Streets Program has thoroughly analyzed the alternative forms of transportation, including transit, bicycle ways, and pedestrian circulation. The Complete Streets Program also contemplates use of alternative transportation and facilities for all users from the elderly to children and will

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be useful in proposing Safe Routes to School and other Public Benefit Projects in the Community. In addition, the plan proposes truck routes and build out of roadway projects on Road 76 and Road 64.

- d) State Highway 99 / Betty Drive Overpass. Incorporation of the State Highway 99/ Betty Drive overpass is a major component of the process and Community Plan Update. This Caltrans Improvement was analyzed in the Caltrans IS/MND for the overpass. Some of the major components of the Community Plan Update are based on Caltrans improving the overpass at Betty Drive and State Highway 99 in the Community of Goshen, and shutting down the off and on ramps (“hook ramps”) at Road 304. This Project is in the middle of construction and proposes to be completed in 2018.
- e) Residential and Commercial Projects. The direct projects that are being analyzed under this EIR (See Exhibits 1-5 in Chapter 1) include:
 - i. Goshen Village East on Riggins Ave and Road 76 / Ave 312 (see Exhibits 2 and 3 in Chapter 1), Self Help Enterprises is developing the corner of Road 76 and Ave 312 which includes single family homes, multifamily units, two clubhouses, a bio-swale, a pedestrian/bike trail, and 6 acres of commercial. This mixed use development implements both Tulare County and TCAG’s Sustainable Communities Strategy with mixed uses, conservation measures, alternative transportation facilities, and increased housing supply for disadvantaged citizens. Currently Self Help Enterprises has obtained all the entitlements for the Goshen Village East Subdivision (see Chapter 4 Summary of Cumulative Impacts of the DEIR).
 - ii. The Dollar General at Robinson and Betty Drive (see Exhibit 4), the location of the Dollar General is adjacent to the eastern portion of the Community across from the park / detention basin and across from the Railroad tracks overcrossing. Dollar General prepared has obtained all entitlement and have started construction (see Chapter 4 Summary of Cumulative Impacts of the DEIR).
 - iii. Thandi Commercial Development at Betty Drive and Road 67 (see Exhibit 5). The proposed project is the development of a 6.57 acre infill site located at 6615 W. Betty Drive in the community of Goshen in Tulare County. The proposed project includes the remodeling of the existing 10,000 square foot building into a convenience store/gas station/travel stop with associated food services and a second pad site that is anticipated to be developed to accommodate a sit down restaurant and coffee house with a drive-thru to service the traveling public.
- f) Mitigating Cumulative / Alternative Land Use Project Impacts. In addition, there is the inclusion of two acres of agricultural land west of existing Road 64 and south of the railroad tracks and south to Avenue 304. This re-designation is within the study area and is being proposed as a direct consequence of the Caltrans Road 64 improvements. This

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alternative land use is being studied and contemplated under this EIR but will require additional studies in the future for impacts to agriculture, water and transportation resources. This requires both re-designating and re-zoning the land use for this area from Agricultural to a Highway Commercial. Cumulatively, the only other active project in the vicinity is the Papich Asphalt Batch Plant located at the southwest intersection of Avenue 298 and Road 68 which operates under a Temporary Use Permit which, is undergoing the process of receiving a Special Use Permit as a permanent operation (see Chapter 4 Summary of Cumulative Impacts).

- g) Preferred Alternative/Environmentally Superior Alternative: Proposed Land Use Plan (UDB Expansion & Future City Annexation north of proposed Union Pacific railroad stub line north of Riggins Ave; an increase of approximately 516 additional acres) – under this scenario an expansion of the UDB with a western direction (west of SR 99) growth focus with mixed land use proposed along Road 64 and light industrial land uses to the north of Riggins Ave. This scenario allows residential uses (through mixed use zoning overlay) on Commercial designated land closer to the school, west of SR 99. Industrial land uses to the northwest would be compatible with Visalia Industrial Park expansion and allows for future utilization of the Union Pacific rail line. Mixed Use land use designations proposed south of Riggins Avenue would compliment proposed mixed use projects such as the previously approved Self-Help Enterprises Development; which are supported by the community. Rather, this Alternative would entirely remedy LAFCo boundary and General Plan (UDB / SOI) overlaps and gaps along Road 76. Land use and zoning inconsistencies are addressed and remedied, and the Alternative is supported by residents, Caltrans, the City of Visalia, and staff.

Project Benefit # 6: Implementation of Countywide General Plan Policies

Tulare County's General Plan Policies that are in with the Project's purpose and objectives are included in each CEQA Checklist Resource chapter contained in Chapters 3-1 thru 3-17. Two hundred twenty (220) General Policies apply to this Project. Following is a summarized listing and numerical accounting of applicable General Policies by resource:

- I. AESTHETICS – 14 Policies
- II. AGRICULTURAL LANDS & FORESTRY RESOURCES – 12 Policies
- III. AIR QUALITY – 33 Policies
- IV. BIOLOGICAL RESOURCES – 11 Policies
- V. CULTURAL RESOURCES – 6 Policies
- VI. GEOLOGY AND SOILS – 6 Policies
- VII. GREENHOUSE GAS EMISSIONS – 6 Policies
- VIII. HAZARDS AND HAZARDOUS MATERIALS – 5 Policies
- IX. HYDROLOGY AND WATER QUALITY - 24 Policies
- X. LAND USE AND PLANNING - 24 Policies
- XI. MINERAL RESOURCES – 12 Policies
- XII. NOISE – 13 Policies
- XIII. POPULATION AND HOUSING – 33 Policies

- XIV. PUBLIC SERVICES – 10 Policies
- XV. RECREATION – 7 Policies
- XVI. TRANSPORTATION/TRAFFIC – 13 Policies
- XVII. UTILITIES AND SERVICE SYSTEMS - 19 Policies

SUMMARY OF CHAPTERS

Chapter 1 Introduction

The Introduction discussion contained in Chapter 1 consists of a Project Summary; Identification of Potentially Significant Impacts; Consideration of Significant Impacts; Mitigation Measures; Organization of the EIR; and Environmental Review Process. Below is a summary of each of these components within Chapter 1:

- The 2018 Goshen Community Plan Update is being updated to implement the 2030 Tulare County General Plan (2012). Among the entitlements to be updated are the General Plan Amendment, changes to Zoning District Boundaries, and the Zoning Code Ordinance creating a New Mixed Use Zoning District only for the Goshen Community Update. Consistent with the General Plan and the Study Area Boundary the land uses and alternative land use patterns were considered based on expansion to the Urban Development Boundary and their impacts to the environment. In addition, a Complete Streets Program was approved by the Board of Supervisors in September 2014 for inclusion in the Circulation Element of this Community Plan Update. The Goshen Complete Streets Program has thoroughly analyzed the alternative forms of transportation, including transit, bicycle ways, pedestrian circulation. In addition, the Plan proposes truck routes and build out of roadway projects on Road 76 and Road 64.

The Project's Plan Update Study Area is shown in **Figure 1-1**, the Existing Urban Development Boundary (UDB) is shown in **Figure 1-2**, while the Proposed UDB is shown in **Figure 1-3**. Some of the major components of the Community Plan Update are based on Caltrans reconstructing the over-crossing at Betty Drive and State Route 99. There are five additional projects that have been analyzed; three directly and two in relationship to the Project's impacts to these areas.

The direct projects that are being analyzed under this EIR include: (1) Goshen Village East at the intersection of Riggin Avenue and Road 76/Avenue 312 (see **Figure 1-4**); (2) the Dollar General (general merchandise store) at Robinson Avenue and Betty Drive (see **Figure 1-5**); and 3) Thandi Commercial Development at Betty Drive and Road 67 (see **Figure 1-6**). Two acres of agricultural land (west of Road 64 and south of the railroad tracks, and south to Avenue 304) are also included in the analysis. Cumulatively, the only other project in the vicinity is the Calaveras Materials Inc. (CMI, formerly Papich Asphalt) asphalt batch plant that was granted a permanent Special Use Permit.

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The County is proposing six (6) new land use and zoning designations (including a Mixed Use zone) and an update to the Zoning Code to include a mixed use zoning district consistent with the mixed use designation in the 2030 General Plan. As provided in greater detail in Chapter 5 Alternatives, the preferred Project Alternative is Alternative D. This scenario proposes an expansion of the UDB by 500 acres in a westerly growth focus and to the south along SR 99, with mixed land use proposed to the south side of the Riggins Avenue corridor and industrial to the north of the corridor. It would allow new residential uses (through a mixed-use zoning overlay) on Commercial designated land uses closer to the existing elementary school (west of SR 99). Industrial land uses to the northwest would be compatible with potential Visalia Industrial Park expansion and could utilize the Union Pacific rail line. Mixed Use land use designations proposed south of Riggins Avenue would complement proposed mixed-use projects (such as Self-Help Enterprises) which are supported by the community. This Alternative would also entirely remedy LAFCo boundary overlaps and gaps along Road 76.

- Local Regulatory Context: The Tulare County General Plan Update 2030 was adopted on August 28, 2012. As part of the General Plan an EIR was prepared as was a background report. The General Plan background report contained contextual environmental analysis for the General Plan. The Housing Element for 2009-2014 was adopted on May 8, 2012, and certified by State of California Department of Housing and Community Development on June 1, 2012.
- ..Identification of Potentially Significant Impacts: Indicates that the EIR must identify potentially significant impacts consistent with CEQA Guidelines Section 15002 (h).
- ..Consideration of Significant Impacts: Indicates that the EIR must consider significant impacts consistent with CEQA Guidelines Section 15126.2,
- ..Mitigation Measures: Indicates that the EIR is required to contain mitigation measures consistent with CEQA Guidelines Section 15126.4
- ..Organization of the EIR: Summarizes the content of each Chapter in the EIR.
- ..Environmental Review Process: Summarizes steps taken prior to release of the draft EIR such as the Notice of Preparation, Scoping Meeting, and comments received from persons and/or agencies in response to the Notice of Preparation.

Chapter 2 Project Description, Objectives, and Environmental Setting

In order to orient the reader to this EIR, Chapter 2 provides an Introduction which describes the need for this EIR. The 2018 Goshen Community Plan Update is being updated to implement the 2030 Tulare County General Plan (2012). Among the entitlements to be updated are the General Plan Amendment, changes to Zoning District Boundaries, and the Zoning Code Ordinance

creating a New Mixed Use Zoning District only for the Goshen Community Update. Total site acreage is approximately 1,222 acres.

In summary, Chapter 2 contains the following:

- Project Location: The Project will be located within the Urban Development Boundary of the unincorporated community of Goshen, California.
- Vicinity of Project Site: East-Central Tulare County as shown in **Figure ES-1**.
- Surrounding Land Uses: The Project area contains a mix of agricultural, residential, commercial, industrial, and public facilities (e.g., schools, sheriff and fire department substations, library, community park, etc.).
- Project Setting: Describes the proposed use, summary of facilities of the Project, construction at the site, operational parameters, and a detailed description of the Project. Regulatory Setting: Applicable statutes, rules, regulations, standards, policies, etc. of the County of Tulare, local or special districts, utilities, and State and Federal government.
- Project Objectives: (See pages ES-9 and ES-10)

Chapter 3 Impact Analysis [of Resources]

The CEQA Guidelines includes a Checklist of resources that must be addressed in an EIR. These resources are listed earlier on page EX-1. There are 17 specific resources and a Mandatory Findings of Significance discussed in Chapter 3. The resources are discussed in separate sections of Chapter 3 and each section is structured as follows:

- Summary of Findings;
- Introduction, including Thresholds of Significance;
- Environmental Settings;
- Regulatory Settings such as applicable Federal, State, and Local laws, statutes, rules, regulations, and policies;
- Impact Evaluation including Project Impacts, Cumulative Impacts, Mitigation Measures, and Conclusion;
- Definitions and Acronyms; and
- References.

Some resources required expertise to evaluate the potential Project's impact to the resource. As such, qualified experts (consultants) prepared studies, evaluations, assessments, modeling, etc. (studies) to quantify and/or qualify potential resource impacts. The studies are contained in Appendices A through F. Among the studies were air quality, biological, cultural (archaeological, historical, cultural), greenhouse gases, noise, and traffic.

Chapter 4 Summary of Cumulative Impacts

A critically important component of an EIR is the Cumulative Impacts discussion. Chapter 4 discusses a Cumulative Impact Analysis under CEQA; Past, Present, Probable Future Projects;

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and Summary of Cumulative Impacts. Whereas a project in and of itself may not result in an adverse environmental impact, its cumulative effect may. The CEQA Guidelines require a discussion of cumulative impacts per Section 15130. Discussion of Cumulative Impacts, and defines cumulative impacts per Section 15355, Cumulative Impacts, as “Cumulative impacts” refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

With the exception of Air Quality, Greenhouse Gas Emissions, Biological, and Hydrological resources, Chapter 4 defines Tulare County as the geographic extent of the impact analysis. The geographic area is considered the appropriate extent because:

1. The proposed Project is geographically located in Tulare County and the County of Tulare is the Lead Agency;
2. Tulare County General Plan policies apply to the proposed Project; and
3. Within the Goshen Community Plan are; and

The basis for other resource specific cumulative impact analysis includes:

- Land Use Impacts are: based on the County of Tulare 2030 General Plan and the Goshen Community Plan, (GPA 92-06);
- Air Quality and Green House Gas Emissions are: based on the San Joaquin Valley Air Basin;
- Mandatory Findings of Significance are: based on the San Joaquin Valley, the State California, and the Western United States;
- Biological Resources are: based on the San Joaquin Valley, the State of California, and the Western United States; and,
- Hydrology is: based on the Tulare County, the Tulare Lake Basin, and, the Tule Lake Sub-basin aquifer.

The Summary of Cumulative Impacts section discusses mitigable and unmitigable impacts. Checklist Item criteria that would result in no impacts or less than significant impacts are discussed in the Chapter 3 and are not reiterated in Chapter 4. As noted in Chapter 4, there is only one Significant and Unavoidable Impacts (to the Noise Resource). Less than Significant Impacts with Mitigation are summarized in **Table 4-3** (Checklist Items with Less than Significant with Mitigation). There are a number of cumulative impacts that do not need mitigation; these impacts are listed in **Table 4-4** (Checklist Items with Less than Significant Impacts). Chapter 8 contains a complete list of Mitigation Measures to be implemented as part of the proposed Project. Chapter 4 also contains a No Impacts summary in Table 4-5 (Checklist Items with No Impacts).

Chapter 5 Alternatives

CEQA Guidelines Section 15126.6 requires that a reasonable range of Alternatives to the proposed Project be discussed in the EIR. The proposed Project site is the superior location. The

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conclusion contained in Chapter 5 is based on the criteria established for the site, an evaluation of a reasonable potential site, and the four (4) reasonable Alternatives. The four Alternatives evaluated are:

Alternative A No Project;
Alternative B Existing Adopted Land Use Plan;
Alternative C Proposed Land Use Plan; and
Alternative D Proposed Land Use Plan (UDB Expansion & Future City Annexation north of proposed Union Pacific railroad stub line north of Riggin Ave; an increase of approximately 516 additional acres)

The proposed Alternatives were analyzed based on three evaluation criteria which include each of the objectives of the Project and the assessment of the potential environmental impacts. Each Alternative considered did not meet all the evaluation criteria as identified in **Table 5-4** (Alternatives Evaluation) contained in Chapter 5. Following is a summary of the Alternatives:

Alternative A. No Project Alternative – (Assumes that land use designations in the existing adopted Goshen Community Plan will be maintained). Previous residential development interests located along north side of Riggin Avenue (Avenue 312) would be maintained consistent with the adopted plan. This scenario directs residential growth away from Visalia Municipal Airport traffic pattern and aircraft noise by promoting a majority of the new proposed development east of State Route 99. Infrastructure services are adequate for existing uses and proposed uses east of Road 64 and south of Riggin Avenue. North and east growth focus is advocated by residents located on the east side (that is, east of SR 99) of the community. Compacted growth within the existing UDB would require less capital for infrastructure improvements.

Alternative B. Existing Adopted Land Use Plan Alternative – (Assumes that land use designations in the existing adopted Goshen Community Plan will be maintained). Previous residential development interests located along north side of Riggin Avenue (Avenue 312) would be maintained consistent with the adopted plan. This scenario directs residential growth away from Visalia Municipal Airport traffic pattern and aircraft noise by promoting a majority of the new proposed development east of State Route 99. Infrastructure services are adequate for existing uses and proposed uses east of Road 64 and south of Riggin Avenue. North and east growth focus is advocated by residents located on the east side (that is, east of SR 99) of the community. Compacted growth within the existing UDB would require less capital for infrastructure improvements.

Alternative C. Proposed Land Use Plan Alternative – (No UDB Expansion and north growth focus with mixed land use proposed north and south of the Riggin Avenue corridor). Under this scenario, the proposed plan recommends mixed land uses around Self-Help residential development (Goshen Village East at the intersection of Riggin Avenue and Road 76/Avenue 312) and Family Health Care network sites south of Riggin Avenue,

east of Road 72. This scenario also directs residential growth away from Visalia Municipal Airport traffic pattern and aircraft noise by promoting a majority of the new proposed development east of State Route 99. Community residents east of SR 99 advocate growth toward the north and east.

Alternative D. Proposed Land Use Plan (UDB Expansion & Future City Annexation north of proposed Union Pacific railroad stub line north of Riggin Ave; an increase of approximately 516 additional acres) – under this scenario an expansion of the UDB with a western direction (west of SR 99) growth focus with mixed land use proposed along Road 64 and light industrial land uses to the north of Riggin Ave. This scenario allows residential uses (through mixed use zoning overlay) on Commercial designated land closer to the school, west of SR 99. Industrial land uses to the northwest would be compatible with Visalia Industrial Park expansion and allows for future utilization of the Union Pacific rail line. Mixed Use land use designations proposed south of Riggin Avenue would compliment proposed mixed use projects such as the previously approved Self-Help Enterprises Development; which are supported by the community. Rather, this Alternative would entirely remedy LAFCo boundary and General Plan (UDB / SOI) overlaps and gaps along Road 76. Land use and zoning inconsistencies are addressed and remedied, and the Alternative is supported by residents, Caltrans, City of Visalia, and staff.

As discussed in Alternatives A through D, each of the Alternatives could result in more adverse environmental impacts as specified on the CEQA resources checklist. Therefore, the proposed Project is the Environmentally Superior Alternative.

Alternatives Eliminated From Further Consideration

The following alternative(s) were originally considered during the planning and scoping process for the proposed project, but were determined to not be viable for continued evaluation and were eliminated from further consideration:

- North Growth Alternative with Town Center south of Riggin Avenue.
- Alternative Project Location

Chapter 6 Economic, Social, & Growth Inducing Impacts

This Chapter discusses the Economic, Social, and Growth Inducing effects of the Project. It contains **Table 6-1** which provides the CEQA requirements and a summary of the impact analysis as follows:

- Economic Effects - The proposed Project will not result in negative impacts to the region. It will result in increases in economic benefits to the region over time (i.e., the 2032 planning period). Accounting for the four development proposals described in Chapter

3.10 (Land Use & Planning), the Project will result in temporary construction-related jobs and permanent jobs in retail, highway commercial, services, and light industrial sectors. Overall, the proposed Project will result in employment of additional persons

- Social Effects - The proposed Project will not result in a disproportionate effect on minority populations, low income populations, or Native Americans. The proposed Project does not pose any adverse environmental justice issues that would require mitigation.
- Growth Inducing Effects - The proposed Project will not result in significant growth inducing impacts. The intent of the Project is to provide opportunities, such as Mixed-Use land use designations, to stimulate economic development to meet the needs of existing and future community and nearby residents. Development along the State Route 99 Corridor is anticipated to capture pass through traffic. As such, the Project will not result in new housing. Growth inducing impacts will be Less Than Significant.

The overall conclusion contained in Chapter 6 is implementation of the proposed Project will result in less than significant environmental impacts, either individually or cumulatively, caused by either economic, social, or growth inducing effects.

Chapter 7 Immitigable Impacts

This discussion provides determinations consistent with CEQA Guidelines Sections 15126.2 (b) Environmental Effects That Cannot Be Avoided, 15126.2 (c) Irreversible Impacts, and Statement of Overriding Considerations.

This Project is anticipated to result in a significant and unavoidable cumulative impact to the **Noise Resource**. As such, the cumulative impact from this Project may have the potential to adversely impact nearby humans and will result in a Mandatory Finding of Significance. All other impacts have been found to be less than significant, or have been mitigated to a level considered less than significant. Based on the analysis contained in the No Environmental Impacts That Cannot Be Avoided and the No Irreversible Impact sections contained in Chapter 7, a Statement of Overriding Considerations is necessary for the Noise Resource. The Project's merits and objectives are discussed in the Project Description and are found to be consistent with the intent of the County of Tulare and its 2030 General Plan and the Goshen Community Plan.

Thus, the Project's merits would outweigh any unavoidable and unmitigable impacts to warrant a Statement of Overriding Considerations. The findings in Chapter 7 show that the cumulative traffic-related noise environmental effects will remain significant and effective mitigation is not practicably feasible. Tulare County concludes that there are no feasible alternatives that can reduce this potentially significant and unavoidable impact to a less than significant level and that all feasible alternatives have some significant and unavoidable impacts.

Chapter 8 Mitigation Monitoring and Reporting Program

A summary of the Mitigation Monitoring and Reporting Program is contained at the end of this Executive Summary. CEQA Section 21081.6 requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment. The mitigation monitoring and reporting program is required to ensure compliance during a project's implementation. Consistent with CEQA requirements, the Mitigation Monitoring and Reporting Program contained in this EIR include the following elements:

- **Action and Procedure.** The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
- **Compliance and Verification.** A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
- **Flexibility.** The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the Mitigation Monitoring and Reporting Program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

Chapter 9 EIR Preparation

Key persons from the County of Tulare and the consulting firms that contributed to preparation of the Draft Environmental Impact Report (Draft EIR) are identified.

The sitting Tulare County Board of Supervisors; the sitting Planning Commission; Michael C. Spata, County Administrative Officer; Reed Schenke, Tulare County Resource Management Agency Director/Environmental Assessment Officer; Michael Washam, Associate RMA Director/Assistant Director, Economic Development and Planning; Hector Guerra, Chief, Environmental Planning Division; Aaron Bock, Chief, Planning & Projects Processing Division; David Bryant, Chief Planner, and staff (Jessica Willis, Planner IV Environmental Planning Division; Planner IV, Susan Simon, Planner III, Planning & Projects Processing Division; and Johnson Vang, Engineer I, Public Works Branch) are noted. Jessica Willis, Planner IV, also prepared the Air Quality and Greenhouse Gas Reports.

This DEIR could not have been accomplished without the consulting firms that prepared technical studies to support the analyses contained herein. First Carbon Solutions prepared the Air Quality and Greenhouse Gases studies, Live Oak Associates, Inc. prepared the Biological Evaluation; Sierra Valley Cultural Planning prepared the Cultural Resources Assessment; and Noise Study Report and Traffic Impact Assessments were prepared by VRPA Technologies, Inc.

SUMMARY OF POTENTIAL IMPACTS & MITIGATION MEASURES

The following is a summary of the Mitigation Monitoring and Reporting Program (MMRP). The MMRP can be found in its entirety in Chapter 8 of the DEIR

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**Table ES-1
Mitigation Monitoring Reporting Program Summary**

Table 8-1 - Mitigation Monitoring Reporting Program							
Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initial s	Date	Remarks
Agricultural Resources							
2-1	Prior to the start of construction of any project within an “FMMP area” of the Project area, as applicable, the Applicant shall demonstrate compliance with the Tulare County Agricultural Conservation Easement Program (ACEP). The Applicant shall implement one (1) of the five (5) options below: Option 1 (Mitigation Fees): Applicant(s) may submit in-lieu mitigation fees to Tulare County for the purpose of procuring agricultural lands for farmland conservation easement(s). These fees will be used by Tulare County to purchase farmland easement(s) at a minimum ratio of one to one (1:1) or its functional equivalent to the loss of define agricultural lands, on behalf of the Applicant. These easements must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement shall protect the designated farmland in perpetuity. Option 2 (On-site Easements): Applicant(s) may enter into a Farmland Conservation Easement Agreement with Tulare County. The on-site land placed under the easement(s) must be at a minimum of a one to one (1:1) ratio, with no less than its functional equivalent of the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or combination thereof, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The easement(s) shall be located in Tulare County, within the boundaries of the project	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initial s	Date	Remarks
	site/property. The easement(s) must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement shall protect the designated farmland in perpetuity. Option 3 (Off-site Easements): Applicant(s) may enter into a Farmland Conservation Easement Agreement with Tulare County. The land placed under the easement(s) must be at a minimum of a one to one (1:1) ratio, with no less than its functional equivalent of the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or combination thereof, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The easement(s) shall be located in Tulare County, unless otherwise agreed upon by all parties involved, including the Applicant(s), Tulare County, and/or selling Land Owner(s). The easement(s) must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement(s) shall protect the designated farmland in perpetuity. Option 4 (Combined On- and Off-site Easements): Applicant(s) may enter into a Farmland Conservation Easement Agreement with Tulare County. The land placed under the easement(s) must be at a minimum of a one to one (1:1) ratio, with no less than its functional equivalent of the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or combination thereof, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The easement(s) shall be located in Tulare County, unless						

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Table 8-1 - Mitigation Monitoring Reporting Program							
Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	otherwise agreed upon by all parties involved, including the Applicant(s), Tulare County, and/or selling Land Owner(s). The easement(s) must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement(s) shall protect the designated farmland in perpetuity. Option 5 (Planned Development Overlay): The Applicant(s) can enter into a Planned Development Agreement with Tulare County to establish a Planned Development Overlay for the project area. This agreement will include conditions that require all future developments to undergo a Site Plan Review, which will include mandatory mitigation, including farmland easements, for the conversion of agricultural lands.						
2-2	Prior to the start of construction of any project within an “FMMP area” of the Project, as applicable, the Applicant shall demonstrate compliance with the Tulare County Agricultural Conservation Easement Program (ACEP). The Applicant shall enter into a Farmland Conservation Easement Agreement with Tulare County pursuant to the provisions and administrative protocols of the ACEP. If the Farmland Conservation Easement Agreement is approved by the Board of Supervisors, these properties shall be protected in perpetuity.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department			
Biological Resources							
<i>Swainson’s Hawk</i>							
4-1	<i>(Nesting Surveys).</i> Surveys consistent with <i>Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in California’s Central Valley</i> (SHTAC 2000) will be conducted to determine whether Swainson’s hawks nest within the immediate vicinity of an individual project site.	Prior to a project’s initiation	Issuance of building permit	County of Tulare Planning and Public Works Department and			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	The guidelines call for three surveys during each of the two survey periods immediately prior to a project's initiation, regardless of whether or not construction starts in the nesting season, where the survey periods are defined as: Period I (January-March 20), Period II (March 20-April 5), Period III (April 5-April 20), Period IV (April 21-June 10), and Period V (June 10-July 30). It is recommended that surveys be completed in Periods II, III, and/or V, but not be conducted during Period IV. All suitable trees within ½ mile of the individual project site will be inspected for evidence of nesting by Swainson's hawks.			Cal Fish and Wildlife Service			
4-2	(Avoidance). If feasible, construction activities will occur outside the nesting season, or between September 16 th and January 31 st , to avoid potential construction related mortality.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-3	(Establish Buffers). If it is not feasible to construct an individual project outside of the nesting season, any active Swainson's hawk nests discovered in the survey area defined in Mitigation Measure 3.3.1a will be avoided by an appropriate distance arranged in consultation with CDFW. Disturbance-free buffers will be identified on the ground with flagging, fencing, or by other easily visible means, and will be maintained until a qualified biologist has determined that the young have fledged.	Prior to a project's initiation	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-4	(Compensatory Mitigation). If Swainson's hawks are determined to be nesting within ½ mile of alfalfa fields, wheat fields, or other high-quality foraging habitat on an	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public			

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Table 8-1 - Mitigation Monitoring Reporting Program

Table 8-1 - Mitigation Monitoring Reporting Program							
Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	individual project site, as determined by nesting surveys conducted during the nesting season immediately prior to the start of construction (<i>Mitigation Measure 3.3.1a</i>), loss of foraging habitat will be compensated through the purchase of credits from an approved mitigation bank, the preservation of on-site habitats, or the acquisition and preservation of off-site habitats. Habitat suitable for the Swainson's hawk will be preserved at a ratio of one acre of habitat preserved for each acre of habitat permanently disturbed by project construction within ½ mile of the nest. The preservation lands will be protected in perpetuity by conservation easement.			Works Department and Cal Fish and Wildlife Service			
San Joaquin Kit Fox: Prior to the construction of any projects within the PPSA, the following measures adapted from the U.S. Fish and Wildlife Service 2011 <i>Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance</i> will be implemented.							
4-5	(Pre-construction Surveys). Pre-construction surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance, construction activities, and/or any Project activity likely to impact the San Joaquin kit fox. These surveys will be conducted in accordance with the USFWS <i>Standard Recommendations</i> . The primary objective is to identify kit fox habitat features (e.g. potential dens and refugia) on the Project site and evaluate their use by kit foxes through use of remote monitoring techniques such as motion-triggered cameras and tracking medium. If an active kit fox den is detected within or immediately adjacent to the area of work, the USFWS and CDFW shall be contacted immediately.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-6	(Avoidance). Should an active kit fox den be detected within or immediately adjacent to the area of work, a disturbance-free buffer will be established around the den in consultation with the USFWS and CDFW, to be maintained until a	Prior to and during construction	Issuance of building permit	County of Tulare Planning and Public Works			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	qualified biologist has determined that the den is no longer occupied. Known kit fox dens may not be destroyed until they have been vacant for a period of at least three days, as demonstrated by use of motion-triggered cameras or tracking medium, and then only after obtaining take authorization from the USFWS.			Department and Cal Fish and Wildlife Service			
4-7	(Minimization). Construction activities shall be carried out in a manner that minimizes disturbance to kit foxes. Minimization measures include, but are not limited to: restriction of Project-related vehicle traffic to established roads, construction areas, and other designated areas; inspection and covering of structures (e.g., pipes), as well as installation of escape structures, to prevent the inadvertent entrapment of kit foxes; restriction of rodenticide and herbicide use; and proper disposal of food items and trash.	Prior to and during construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-8	(Employee Education Program). Prior to the start of construction the applicant will retain a qualified biologist to conduct a tailgate meeting to train all construction staff that will be involved with the Project on the San Joaquin kit fox. This training will include a description of the kit fox and its habitat needs; a report of the occurrence of kit fox in the Project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of the measures being taken to reduce impacts to the species during Project construction and implementation.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-9	(Mortality Reporting). The Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW will be notified in writing within three working days in case of the accidental death or injury of a San Joaquin kit fox during Project-related activities. Notification must include the date,	During construction	Issuance of building permit	County of Tulare Planning and Public Works Department and			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	time, location of the incident or of the finding of a dead or injured animal, and any other pertinent information.			Cal Fish and Wildlife Service			
Burrowing Owl: Prior to the initiation of project-related activities involving ground disturbance or heavy equipment use on those portions of the PPSA that contain suitable burrowing owl habitat, the following measures will be implemented, adapted from the California Department of Fish and Game 1995 and 2012 <i>Staff Report on Burrowing Owl Mitigation</i> .							
4-10	(Pre-construction Surveys). A pre-construction survey for burrowing owls will be conducted by a qualified biologist within 30 days of the onset of Project-related activities involving ground disturbance or heavy equipment use. The survey area will include all suitable habitat on and within 500 feet of Project impact areas, where accessible.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-11	(Avoidance of Active Nests). If pre-construction surveys and subsequent Project activities are undertaken during the breeding season (February 1-August 31) and active nest burrows are located within or near Project impact areas, a 250-foot construction setback will be established around active owl nests, or alternate avoidance measures will be implemented in consultation with CDFW. The buffer areas will be enclosed with temporary fencing to prevent construction equipment and workers from entering the setback area. Buffers will remain in place for the duration of the breeding season, unless otherwise arranged with CDFW. After the breeding season (i.e. once all young have left the nest), passive relocation of any remaining owls may take place as described below.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-12	(Passive Relocation of Resident Owls). During the non-breeding season (September 1-January 31), resident owls	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	occupying burrows in Project impact areas may be passively relocated to alternative habitat in accordance with a relocation plan prepared by a qualified biologist. Passive relocation may include one or more of the following elements: 1) establishing a minimum 50 foot buffer around all active burrowing owl burrows, 2) removing all suitable burrows outside the 50 foot buffer and up to 160 feet outside of the impact areas as necessary, 3) installing one-way doors on all potential owl burrows within the 50 foot buffer, 4) leaving one-way doors in place for 48 hours to ensure owls have vacated the burrows, and 5) removing the doors and excavating the remaining burrows within the 50 foot buffer.			and Public Works Department and Cal Fish and Wildlife Service			
American Badger: The following measures will be implemented to avoid and minimize the potential for project-related mortality of American badgers.							
4-13	(Preconstruction Surveys). A preconstruction survey for American badgers will be conducted by a qualified biologist within 30 days of the onset of Project-related activities involving ground disturbance or heavy equipment use. Preconstruction surveys will be conducted in all suitable denning habitat of the Project area.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-14	(Avoidance). Should an active natal den be identified during the preconstruction surveys, a disturbance-free buffer will be established around the den and maintained until a qualified biologist has determined that the cubs have dispersed or the den has been abandoned.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
Nesting Raptors and Migratory Birds (Including Swainson's Hawk, White-tailed Kite, and Loggerhead Shrike):							

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Table 8-1 - Mitigation Monitoring Reporting Program							
Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initial s	Date	Remarks
The following measures will be implemented prior to the start of Project activities within the PPSA.							
4-15	(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 1 st and January 31 st).	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-16	(Preconstruction Surveys). If Project activities must occur during the nesting season (February 1-August 31), a qualified biologist will conduct preconstruction surveys for active raptor and migratory bird nests within 30 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.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-17	(Establish Buffers). Should any active nests be discovered near proposed work areas, the biologist will determine appropriate construction setback distances based on applicable CDFW guidelines and/or the biology of the affected species. 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.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
Roosting Bats: The following measures will be implemented for construction activities involving the removal of buildings or mature trees.							

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
4-18	(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.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-19	(Preconstruction 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 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.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-20	(Minimization). If a non-breeding bat colony is detected during preconstruction surveys, the individuals will be humanely evicted via partial dismantlement of trees prior to full removal and/or installation of exclusion devices on buildings prior to demolition under the direction of a qualified biologist to ensure that no harm or “take” of any bats occurs as a result of construction activities.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-21	(Avoidance of Maternity Roosts). If a maternity colony is detected during preconstruction 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	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	50 to 100 feet as determined by the biologist.			Cal Fish and Wildlife Service			
<i>Waters of the U.S.</i> The state of California and the federal government have both adopted a no-net-loss policy for wetlands and other jurisdictional waters. Mitigation measures will be implemented that are in conformance with that policy. These measures would be as follows:							
4-22	<i>(Avoidance)</i> . Individual projects within the PPSA will be designed to avoid and/or minimize impacts to waters of the U.S. to the maximum extent practicable while still achieving its goal of expanding the planning area.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department			
4-23	<i>(Minimization)</i> . If the Mill Creek Ditch or unnamed ditch is determined to be a water of the U.S. by the USACE, then the applicant will be required to follow the permit requirements which may include an employee education program, implementation of Best Management Practices, placement of protective fencing between nearby unaffected waters and construction areas during construction, removal of temporary fills, and restoring temporarily disturbed areas to pre-project conditions, among others.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department			
4-24	<i>(Compensatory Mitigation)</i> . If the ditches are determined to be waters of the U.S., then compensatory mitigation will be provided at a minimum of 1:1 for all losses of waters that exceed 0.5 acre. Compensatory mitigation will be provided in the form of either on-site or off site preservation or creation, through payment into an in-lieu fee program (if one is available), purchase of credits from an approved Mitigation Bank in the vicinity, or some combination of one or more of these options. Preserved and/or created waters would have to be placed under conservation easement held	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department			

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Table 8-1 - Mitigation Monitoring Reporting Program							
Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	by a third party and managed in perpetuity with an approved endowment fund. If losses are 0.5 acre or less.						
Cultural Resources							
5-1	In the event that historical, archaeological or paleontological resources are discovered during site excavation, the County shall require that grading and construction work on the Project site be immediately suspended until the significance of the features can be determined by a qualified archaeologist or paleontologist. In this event, the property owner shall retain a qualified archaeologist/paleontologist to provide recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recover, excavation analysis, and curation of archaeological or paleontological materials. County staff shall consider such recommendations and implement them where they are feasible in light of Project design as previously approved by the County.	Prior to issuance of grading permits Ongoing monitoring during subsurface excavation	Retention of professional paleontologist/ ongoing monitoring/ submittal of Report of Findings, if applicable	County of Tulare Planning and Public Works Department			
5-2	The property owner shall avoid and minimize impacts to paleontological resources. If a potentially significant paleontological resource is encountered during ground disturbing activities, all construction within a 100-foot radius of the find shall immediately cease until a qualified paleontologist determines whether the resources requires further study. The owner shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The paleontologist shall notify the Tulare County Resource Management Agency and the Project proponent of the procedures that must be	Prior to issuance of grading permits Ongoing monitoring during subsurface excavation	Retention of professional paleontologist/ ongoing monitoring/ submittal of Report of Findings, if applicable	County of Tulare Planning and Public Works Department			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	followed before construction is allowed to resume at the location of the find. If the find is determined to be significant and the Tulare County Resource Management Agency determines avoidance is not feasible, the paleontologist shall design and implement a data recovery plan consistent with applicable standards. The plan shall be submitted to the Tulare County Resource Management Agency for review and approval. Upon approval, the plan shall be incorporated into the Project.						
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 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	Prior to issuance of grading permits Ongoing monitoring during subsurface excavation	Retention of professional paleontologist/ ongoing monitoring/ submittal of Report of Findings, if applicable	County of Tulare Planning and Public Works Department			

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Table 8-1 - Mitigation Monitoring Reporting Program							
Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	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. b. The descendant fails to make a recommendation; or c. The landowner or his authorized representative rejects the recommendation of the descendent.						
Hazards & Hazardous Material							
8-1	Prior to issuance of building permits for any new use within the Project area that proposes to use large quantities of hazardous materials, the County of Tulare shall review the project application for compatibility with existing and planned land uses. The review process shall focus on the location of existing and planned sensitive receptors (e.g.,	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			

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Table 8-1 - Mitigation Monitoring Reporting Program							
Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	residential uses and schools) and whether the proposed hazardous material usage would expose such uses to unacceptable safety risks. If necessary, the County of Tulare will condition the proposed hazardous materials user to incorporate appropriate protection measures (e.g., containment facilities)						
Hydrology & Water Quality							
9-1	Install water meters and adopt a use-weighted rate schedule to encourage reduced usage by the rate-payers.	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
9-2	Retrofit homes with water-efficient faucets, showers and toilets.	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
9-3	Limit permissible landscape area for each residence to 2,500 square feet or less.	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
9-4	Adopt limited outdoor watering days and hours (now in force statewide, as of August 1, 2014, by order of the Department of Water Resources).	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
9-5	Mandate use of native and drought-tolerant species for all landscaping.	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works			

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Table 8-1 - Mitigation Monitoring Reporting Program							
Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
				Department			
9-6	Acquire a new surface water supply that could be shown to benefit the basin and offset the pumping that comes with growth	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
9-7	An elevation certificate and associated flood hazard mitigation measures is required on all proposed buildings with the FEMA Zone AE.	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
9-8	All new construction of buildings with a shaded Zone AE shall have finished floor levels elevated one (1) foot above the adjacent natural ground.	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
9-9	An elevation certificate and associated flood hazard mitigation measures will be required on all proposed buildings within the special flood hazard area. The finished floor elevations of all structures shall be elevated to at least the established base flood elevation resulting from the flood hazard study.	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
Noise							
12-1	The hours of future construction shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday or weekends (if allowed by the County) where residential uses are within 200 feet of where the activity is taking place. If residential uses are beyond 300 feet limited work hours are not required.	Prior to issuance of grading permits Ongoing monitoring during	Retention of professional paleontologist/ ongoing monitoring/ submittal of Report of	County of Tulare Planning and Public Works Department			

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Table 8-1 - Mitigation Monitoring Reporting Program							
Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
		subsurface excavation	Findings, if applicable				
Transportation							
16-1	By 2032 and subject to warrant studies, signalization of the intersection at Riggins Avenue and Road 72			County of Tulare Planning and Public Works Department			
16-2	By 2032 and subject to warrant studies, signalization of the intersection at Riggins Avenue Road 76			County of Tulare Planning and Public Works Department			
16-3	By 2032 and subject to warrant studies separate southbound left and right turn lanes on Road 64 and State Route 198			County of Tulare Planning and Public Works Department			
16-4	Roadway Improvements to Road 64 between Avenue 204 and SR 198			County of Tulare Planning and Public Works Department			
Utilities and Service Systems							
17-1	Subject to CSD approval and consultation, new lift stations or there equivalent volume capacity shall be added to the CSD's sewer piping network prior to project on the west side of SR 99.			County of Tulare Planning and Public Works Department			

Introduction

Chapter 1

PROJECT SUMMARY

The 2018 Goshen Community Plan Update is being updated to implement the 2030 Tulare County General Plan (2012). Among the entitlements to be updated are the General Plan Amendment, changes to Zoning District Boundaries, and the Zoning Code Ordinance creating a New Mixed Use Zoning District only for the Goshen Community Update. Consistent with the General Plan and the Study Area Boundary the land uses and alternative land use patterns were considered based on expansion to the Urban Development Boundary and their impacts to the environment. In addition, a Complete Streets Program was approved by the Board of Supervisors in September 2014 for inclusion in the Circulation Element of this Community Plan Update. The Goshen Complete Streets Program has thoroughly analyzed the alternative forms of transportation, including transit, bicycle ways, pedestrian circulation. In addition, the Plan proposes truck routes and build out of roadway projects on Road 76 and Road 64.

The Project's Study Area is shown in **Figure 1-1**, the Existing Urban Development Boundary (UDB) is shown in **Figure 1-2**, while the Proposed UDB is shown in **Figure 1-3**. Some of the major components of the Community Plan Update are based on Caltrans reconstructing the over-crossing at Betty Drive and State Route 99. There are five additional projects that have been analyzed; three directly and two in relationship to the Project's impacts to these areas.

The direct projects that are being analyzed under this EIR include: (1) Goshen Village East at the intersection of Riggin Avenue and Road 76/Avenue 312 (see **Figure 1-4**); (2) the Dollar General (general merchandise store) at Robinson Avenue and Betty Drive (see **Figure 1-5**); and 3) Thandi Commercial Development at Betty Drive and Road 67 (see **Figure 1-6**). Two acres of agricultural land (west of Road 64 and south of the railroad tracks, and south to Avenue 304) are also included in the analysis. Cumulatively, the only other project in the vicinity is the Calaveras Materials Inc. (CMI, formerly Papich) asphalt batch plant that was granted a permanent Special Use Permit.

The County is proposing six (6) new land use and zoning designations (including a Mixed Use zone) and an update to the Zoning Code to include a mixed use zoning district consistent with the mixed use designation in the 2030 General Plan. As provided in greater detail in Chapter 5 Alternatives, the preferred Project Alternative is Alternative D. This scenario proposes an expansion of the UDB by approximately 500 acres in a westerly growth focus and to the south along SR 99, with mixed land use proposed to the south side of the Riggin Avenue corridor and industrial to the north of the corridor. It would allow new residential uses (through a mixed-use zoning overlay) on Commercial designated land uses closer to the existing elementary school (west of SR 99). Industrial land uses to northwest would be compatible with potential Visalia Industrial Park expansion and could utilize the Union Pacific rail line. Mixed Use land use designations proposed south of Riggin Avenue would complement proposed mixed-use projects

(such as Self-Help Enterprises) which are supported by the community. This Alternative would also entirely remedy LAFCo boundary overlaps and gaps along Road 76.

PROJECT LOCATION

A rural unincorporated community of 3,739 persons¹ in Tulare County, Goshen is located approximately 31 miles south of Fresno on State Highway 99 on the western edge of Tulare County. It is located 1½ miles north of the Visalia Municipal Airport and portions of the community are situated within the approach and departure area of the airport. It lies one tenth of a mile north-west of the city limits of Visalia, 6 ½ miles from the downtown shopping area of Visalia, and immediately west of the Visalia industrial park area. Visalia is the County seat of Tulare County.

The community of Goshen is square in shape, and bisected in a northwest-southeasterly direction by SR 99 and the Union Pacific Railroad, which divides the community into approximately three similar sized areas. Goshen is an agricultural services community and is surrounded by agricultural production lands to the north, south, and west, and scattered residential, light industrial, agricultural, and vacant land to the east.

The central segment, between SR 99 and the railroad property, was built during various periods of growth over many years, as necessary to accommodate the needs of residents and the business community. Resulting in a collection of small neighborhoods with a wide variety of structures, construction methods, and materials. Most of the residential blocks in this area consist of scattered vacant lots, deteriorating housing, and storage structures. Over a long period of time, the streets serving the houses were paved with a variety of materials and construction methods. Alleys between the residential streets are present in this section of Goshen as was typical in suburban neighborhoods constructed prior to 1950 as they were typically used for rear yard access and sewer collection pipelines.

The residential developments east of the railroad were constructed more recently and used modern building techniques and codes. Most of the streets with the Goshen community have been constructed according urban standards, including curbs, gutters and sidewalks. This newer segment of Goshen has experienced the most growth, including recent housing developments and roadways constructed consistent with County building standards and codes. And new housing developments, a medical clinic, and a local community park were constructed at Avenue 312 and Road 72 to serve the needs of Goshen's current and future residents. The recent growth in this segment may serve as a catalyst for Goshen's future, as it is anticipated to attract further development.

¹ 2010 U.S. Census, see <http://www.census.gov/2010census/popmap/ipmtxt.php?fl=06:0657512>

Figure 1-1
Goshen Community Plan Update Study Area

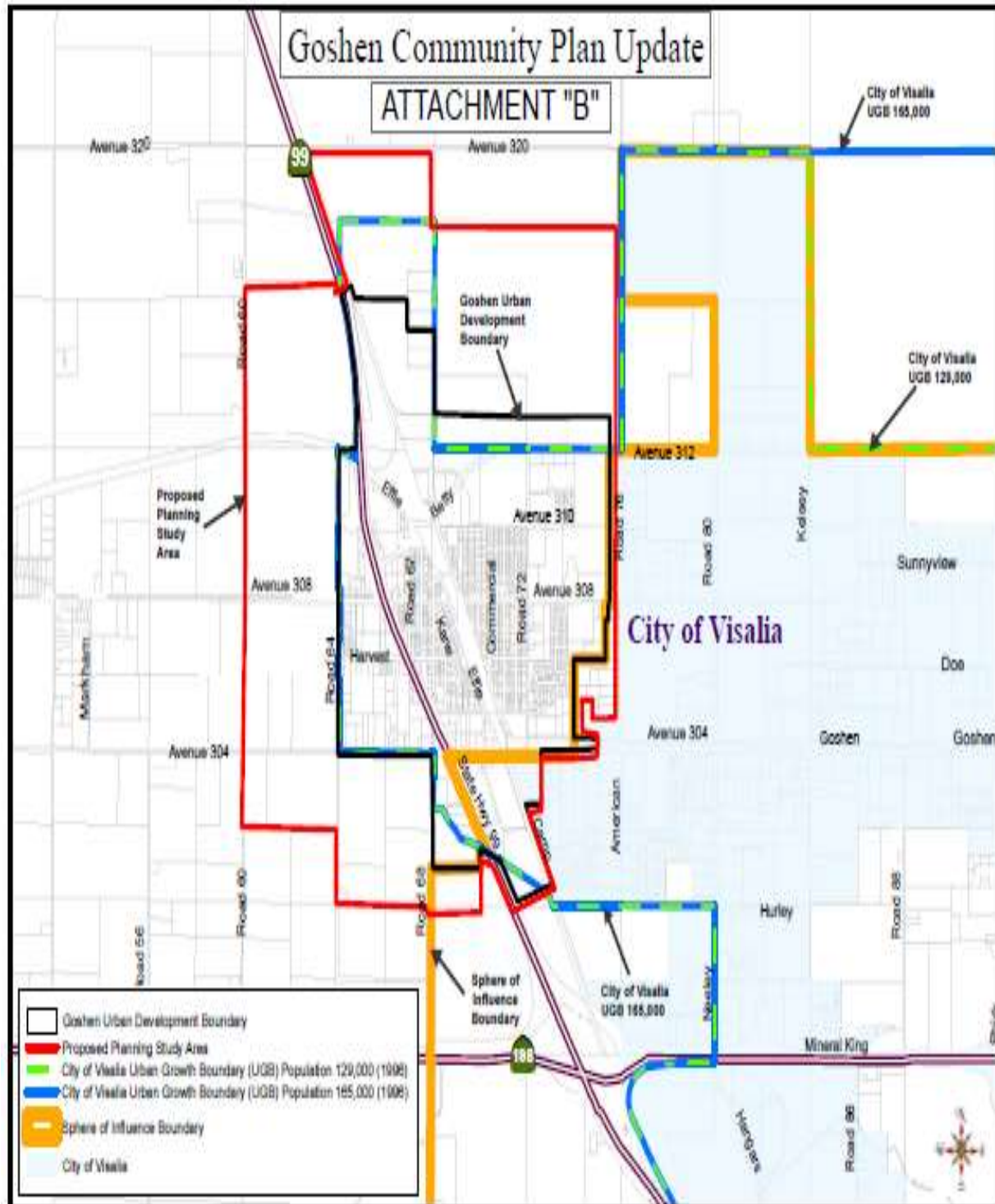


Figure 1-2
Existing Goshen Urban Development Boundary

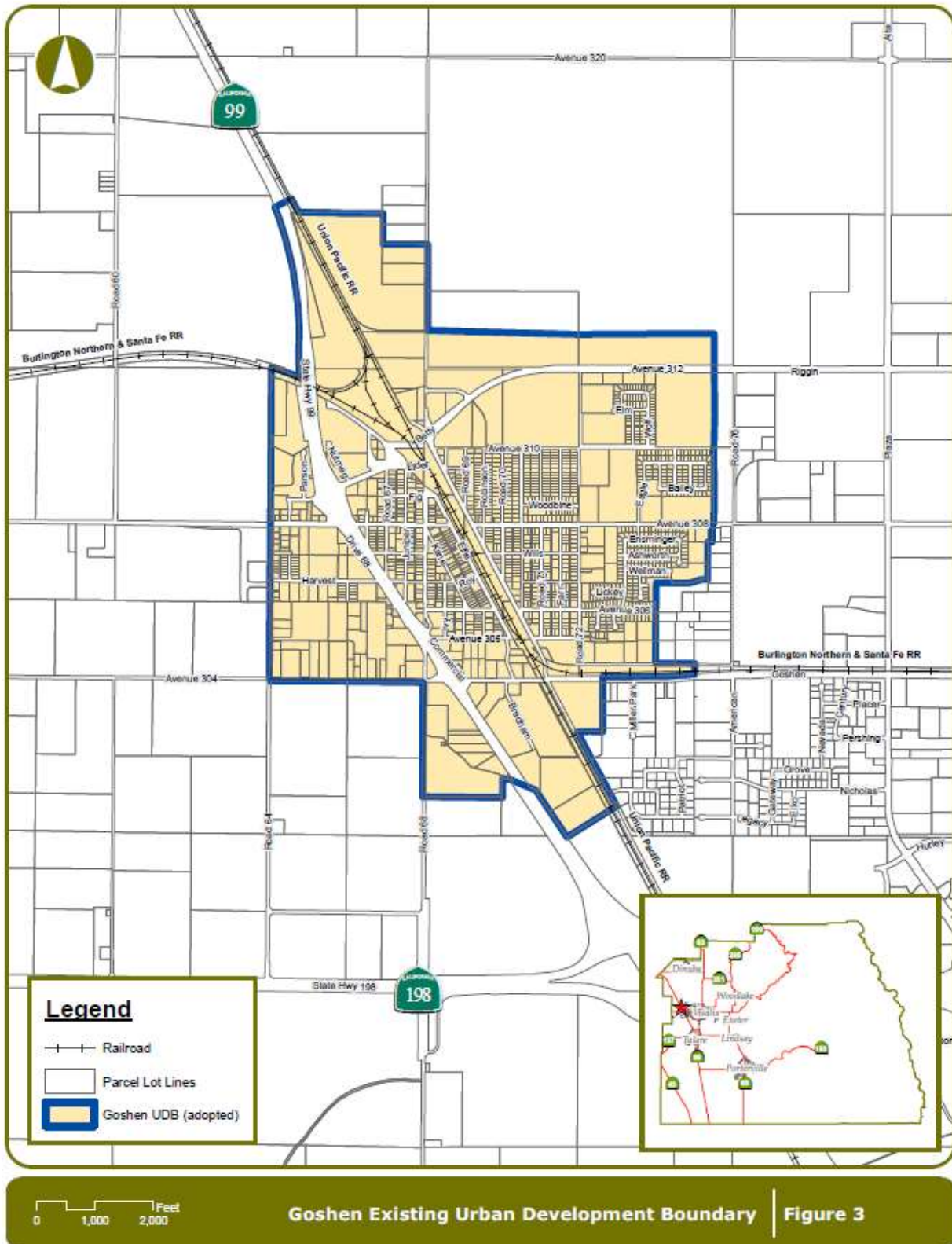
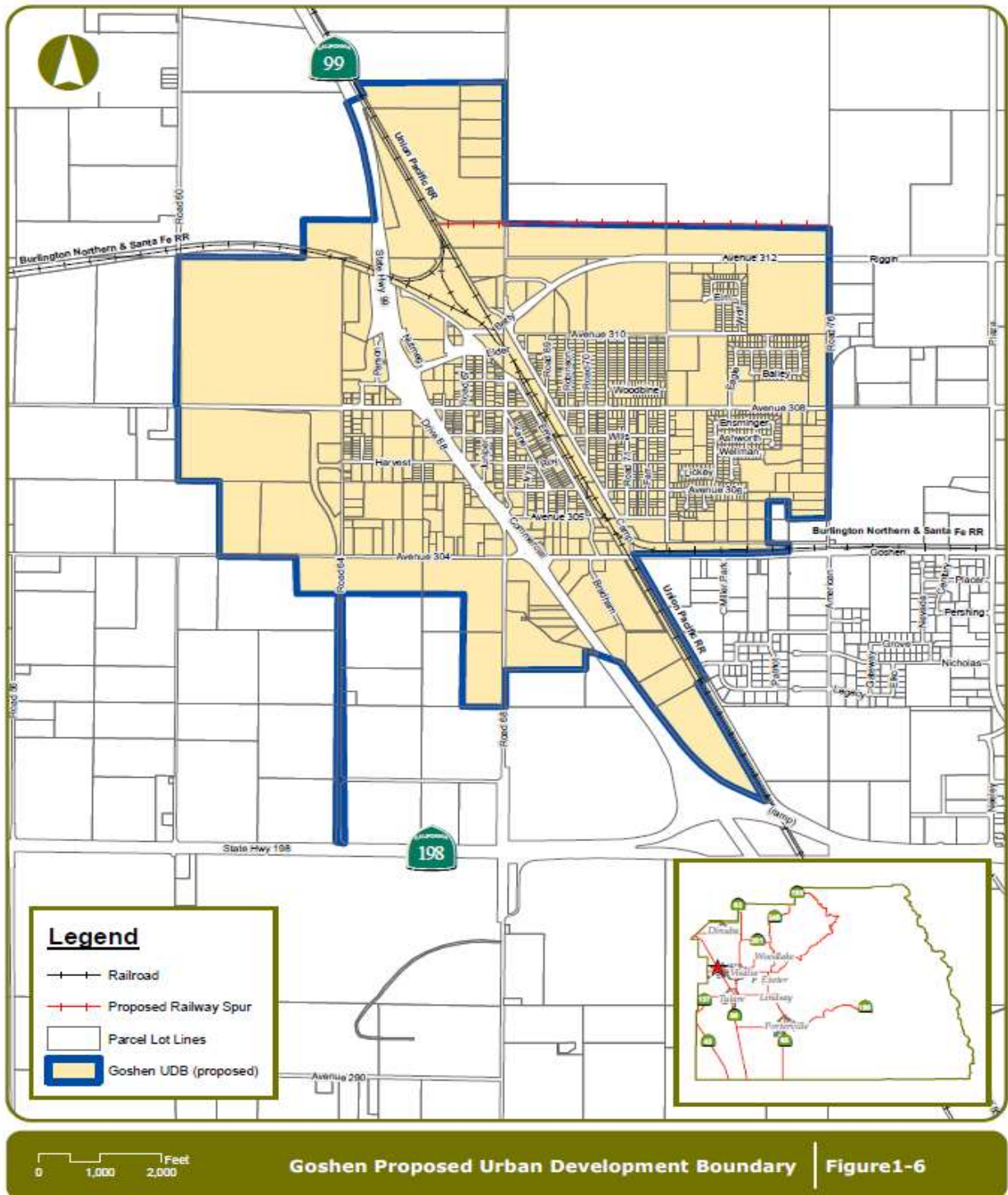
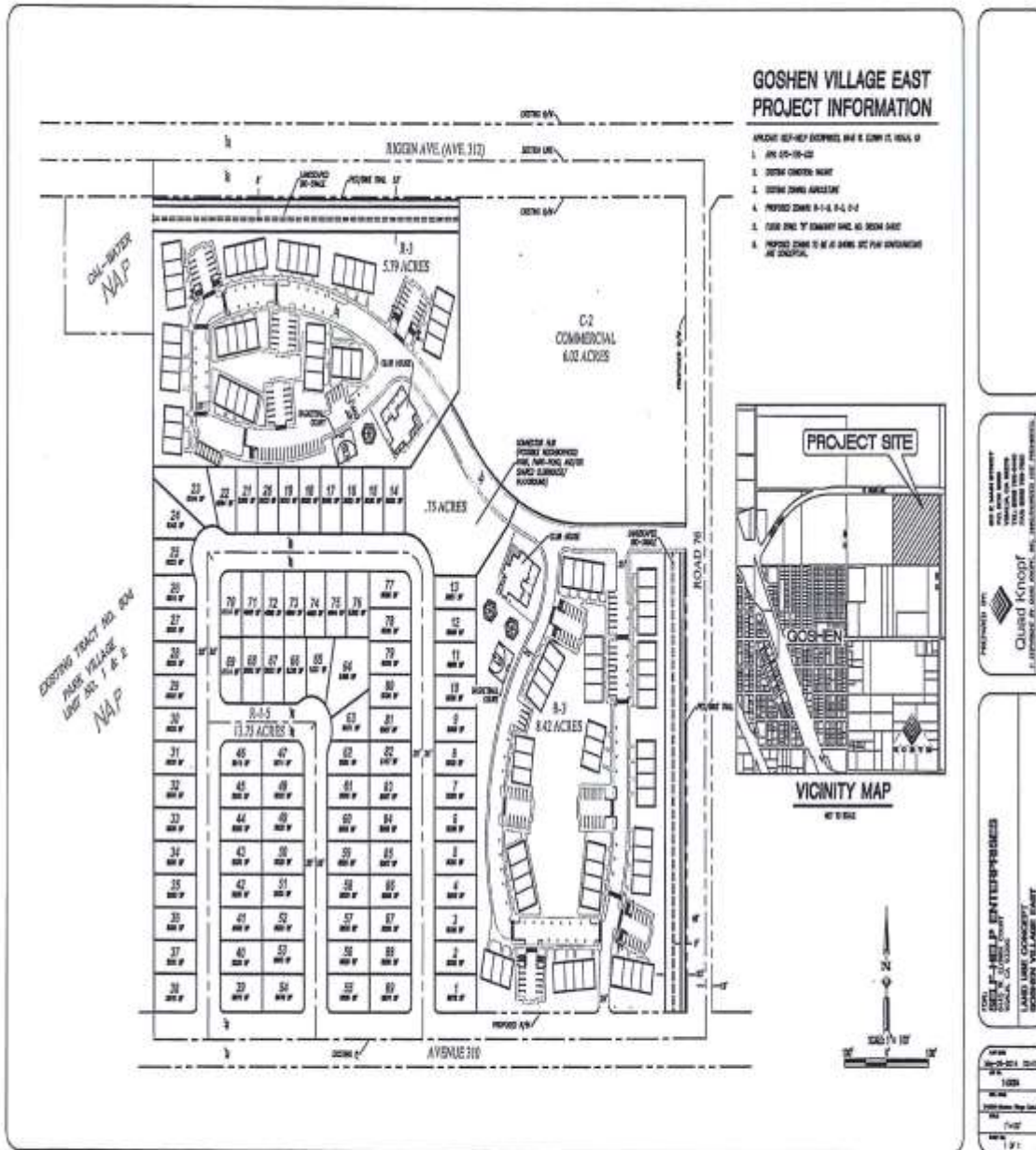


Figure 1-3
Proposed Goshen Urban Development Boundary

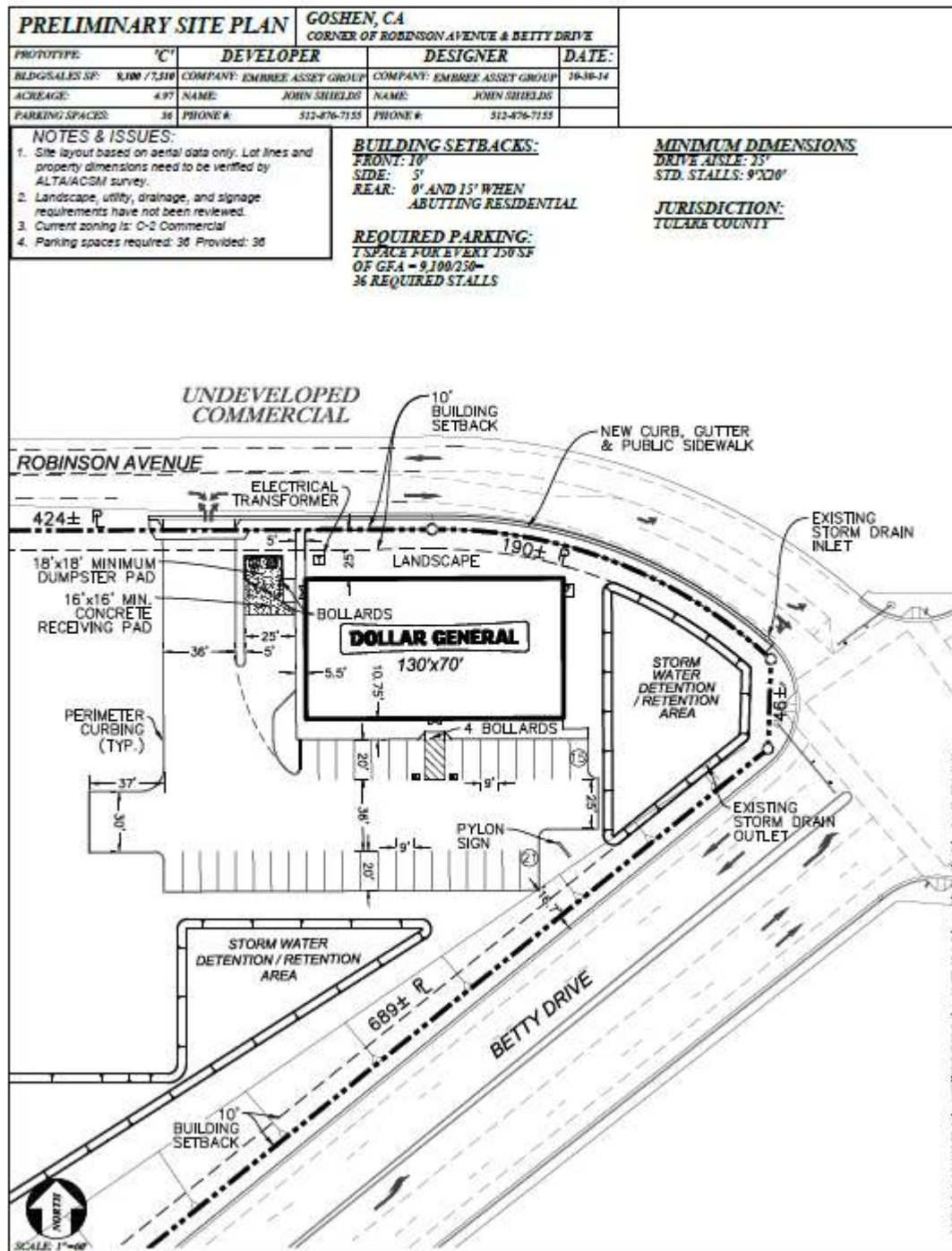


**Figure 1-4
Goshen Village East**



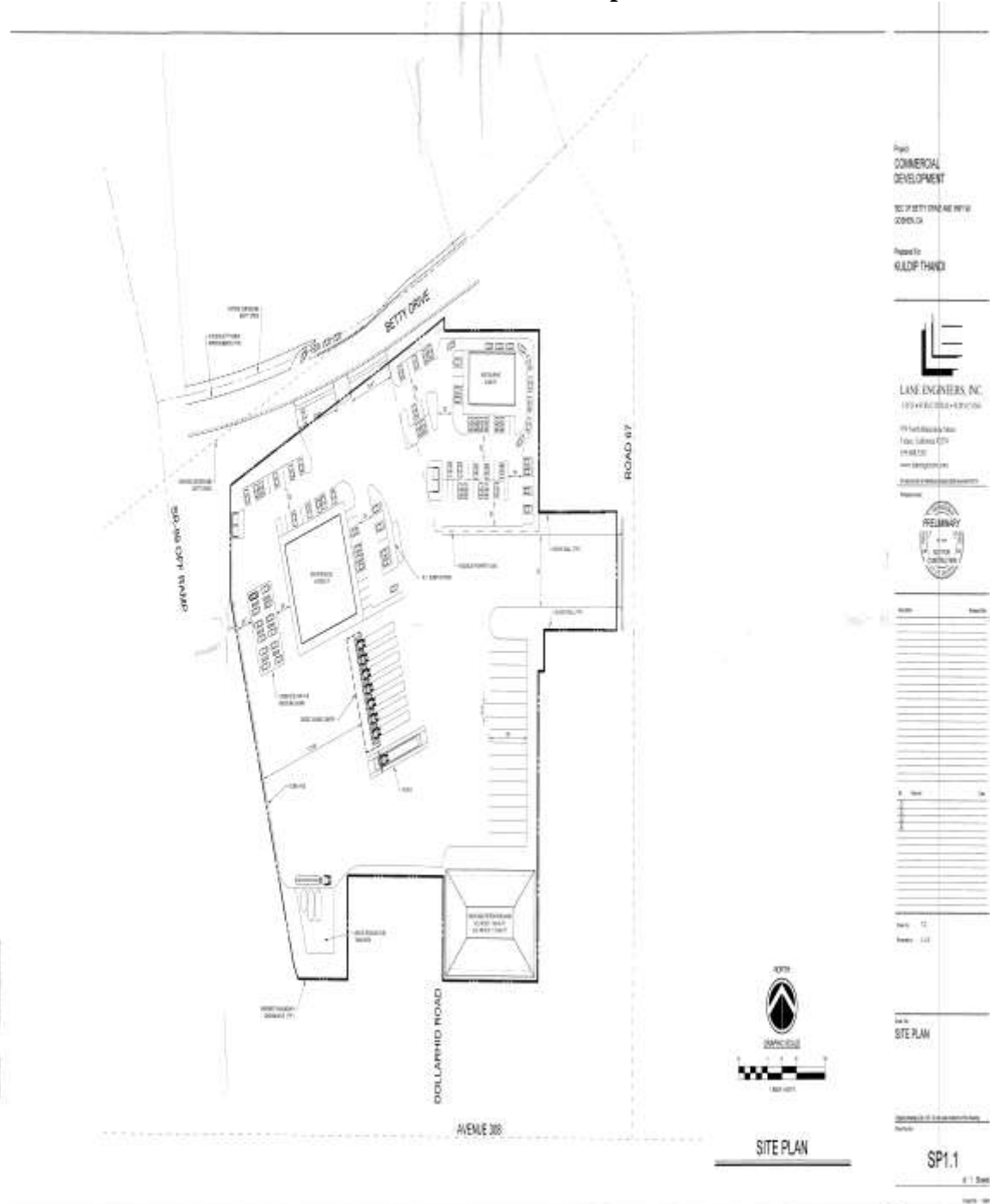
Draft Environmental Impact Report
Goshen Community Plan Update

Figure 1-5
Dollar General



Draft Environmental Impact Report
Goshen Community Plan Update

**Figure 1-6
Thandi Commercial Development**



LOCAL REGULATORY CONTEXT

The Tulare County General Plan Update 2030 (GPU) was adopted on August 28, 2012. An EIR, and background report which contained contextual environmental analyses, were prepared for the GPU. The Housing Element for 2009-2014 was adopted on May 8, 2012, and certified by the State of California Department of Housing and Community Development on June 1, 2012.

SCOPE AND METHODOLOGY

The County of Tulare has determined that a project level EIR fulfills the requirements of CEQA and is the appropriate level of evaluation to address the potential environmental impacts of the proposed project. A project level EIR is described in Section 15161 of the State CEQA Guidelines as one that examines the environmental impacts of a specific development project. A project level EIR must examine all phases of the project, including planning, construction, and operation.

This document addresses environmental impacts to the level that they can be assessed without undue speculation (CEQA Guidelines Section 15145). This *Draft Environmental Impact Report (DEIR)* acknowledges this uncertainty and incorporates these realities into the methodology to evaluate the environmental effects of the Plan, given its long term planning horizon. The degree of specificity in an EIR corresponds to the degree of specificity of the underlying activity being evaluated (CEQA Guidelines Section 15146). Also, the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project (CEQA Guidelines Sections 15151 and 15204(a)).

CEQA Guidelines Section 15002 (a) specifies that, “[t]he basic purposes of CEQA are to:

- (1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- (2) Identify ways that environmental damage can be avoided or significantly reduced.
- (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- (4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.”²

CEQA Guidelines Section 15002 (f) specifies that, “[a]n environmental impact report (EIR) is the public document used by the governmental agency to analyze the significant environmental effects of a proposed project, to identify alternatives, and to disclose possible ways to reduce or avoid the possible environmental damage... An EIR is prepared when the public agency finds substantial evidence that the project may have a significant effect on the environment... When the agency finds that there is no substantial evidence that a project may have a significant environmental effect, the agency will prepare a “Negative Declaration” instead of an EIR...”³

² CEQA Guidelines, Section 15002 (a)

³ CEQA Guidelines, Section 15002 (f)

Pursuant to CEQA Guidelines Section 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.”⁴

IDENTIFICATION OF POTENTIALLY SIGNIFICANT IMPACTS

CEQA Guidelines Section 15002 (h) addresses potentially significant impacts, to wit, “CEQA requires more than merely preparing environmental documents. The EIR by itself does not control the way in which a project can be built or carried out. Rather, when an EIR shows that a project could cause substantial adverse changes in the environment, the governmental agency must respond to the information by one or more of the following methods:

- (1) Changing a proposed project;
- (2) Imposing conditions on the approval of the project;
- (3) Adopting plans or ordinances to control a broader class of projects to avoid the adverse changes;
- (4) Choosing an alternative way of meeting the same need;
- (5) Disapproving the project;
- (6) Finding that changes in, or alterations, the project are not feasible;
- (7) Finding that the unavoidable, significant environmental damage is acceptable as provided in Section 15093.”⁵ (See Chapter 7)

This *Draft EIR* identifies potentially significant impacts that would be anticipated to result from implementation of the proposed Project. Significant impacts are defined as a “substantial or potentially substantial, adverse change in the environment” (Public Resources Code Section 21068). Significant impacts must be determined by applying explicit significance criteria to

⁴ Ibid. Section 15021

⁵ CEQA Guidelines, Section 15002 (h)

compare the future Plan conditions to the existing environmental setting (CEQA Guidelines Section 15126.2(a)).

The existing setting is described in detail in each resource section of Chapter 3 of this document and represents the most recent, reliable, and representative data to describe current regional conditions. The criteria for determining significance are also included in each resource section in Chapter 3 of this document.

CONSIDERATION OF SIGNIFICANT IMPACTS

Pursuant to CEQA Guidelines Section 15126.2, “[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.”⁶

MITIGATION MEASURES

CEQA Guidelines Section 15126.4 specifies that:

- “(1) An EIR shall describe feasible measures which could minimize significant adverse impacts, including where relevant, inefficient and unnecessary consumption of energy.
 - (A) The discussion of mitigation measures shall distinguish between the measures which are proposed by project proponents to be included in the project and other measures proposed by the lead, responsible or trustee agency or other persons which are not included but the lead agency determines could reasonably be expected to reduce adverse impacts if required as conditions of approving the project. This discussion shall identify mitigation measures for each significant environmental effect identified in the EIR.

⁶ Ibid. Section 15126.2.

- (B) Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures should not be deferred until some future time. However, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way.
 - (C) Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant. Examples of energy conservation measures are provided in Appendix F.
 - (D) If a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed. (*Stevens v. City of Glendale* (1981) 125 Cal.App.3d 986.)
- (2) Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments. In the case of the adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design.
 - (3) Mitigation measures are not required for effects which are not found to be significant.
 - (4) Mitigation measures must be consistent with all applicable constitutional requirements, including the following:
 - (A) There must be an essential nexus (i.e. connection) between the mitigation measure and a legitimate governmental interest. *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987); and
 - (B) The mitigation measure must be “roughly proportional” to the impacts of the project. *Dolan v. City of Tigard*, 512 U.S. 374 (1994). Where the mitigation measure is an ad hoc exaction, it must be “roughly proportional” to the impacts of the project. *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854.
 - (5) If the lead agency determines that a mitigation measure cannot be legally imposed, the measure need not be proposed or analyzed. Instead, the EIR may simply reference that fact and briefly explain the reasons underlying the lead agency's determination.”⁷

ORGANIZATION OF THE EIR

Executive Summary

The Executive Summary Chapter summarizes the analysis in this Draft Environmental Impact Report.

⁷ 2013 CEQA Guidelines, Section 15126.4.

CHAPTER 1

Provides a brief introduction to the Environmental Analysis Required by the California Environmental Quality Act (CEQA).

CHAPTER 2

Describes the proposed Project. The chapter also includes the objectives of the proposed Project. The environmental setting is described and the regulatory context within which the proposed project is evaluated is outlined.

CHAPTER 3

Includes the Environmental Analysis by each resource. Within each resource the analysis includes the following:

Summary of Findings

Each chapter notes a summary of findings.

Introduction

Each chapter will begin with a summary of impacts, pertinent CEQA requirements, applicable definitions and/or acronyms, and thresholds of significance.

Environmental Setting

Each environmental resource analysis in Chapter 3 will outline the environmental setting for that resource. In addition, methodology is explained when complex analysis is required.

Regulatory Setting

Each environmental analysis resource in Chapter 3 will outline the regulatory setting for that resource.

Project Impact Analysis

Each evaluation criteria will be reviewed for Project-specific potential impacts.

Cumulative Impact Analysis

Each evaluation criteria will be reviewed for cumulative potential impacts.

Mitigation Measures

Mitigation Measures will be proposed as deemed applicable.

Conclusion

Each conclusion will outline whether recommended mitigation measures will, based on the impact evaluation criteria, substantially reduce or eliminate potentially significant environmental impacts. If impacts cannot be mitigated, unavoidable significant impacts will be identified.

Definitions/Acronyms

Some sub-chapters of Chapter 3 will have appropriate definitions and/or acronyms.

References

Reference documents used in each chapter are listed at the end of each sub-chapter.

CHAPTER 4

Summarizes the cumulative impacts addressed in Chapter 3.

CHAPTER 5

Describes and evaluates alternatives to the proposed Project. The proposed Project is compared to each alternative, and the potential environmental impacts of each are analyzed.

CHAPTER 6

Evaluates or describes CEQA-required subject areas: Economic Effects, Social Effects, and Growth Inducement.

CHAPTER 7

Evaluates or describes CEQA-required subject areas: Environmental Effects That Cannot be Avoided, Irreversible Impacts, and (if required) a Statement of Overriding Considerations.

CHAPTER 8

Provides a Mitigation Monitoring and Reporting Program that summarizes the environmental issues, the significant mitigation measures, and the agency or agencies responsible for monitoring and reporting on the implementation of the mitigation measures.

CHAPTER 9

Outlines persons preparing the EIR and sources utilized in the Analysis.

APPENDICES

Following the text of this *Draft EIR*, several appendices and technical studies have been included as reference material.

ENVIRONMENTAL REVIEW PROCESS

Notice of Preparation

Pursuant to CEQA Guidelines §15082, the Notice of Preparation (NOP) for the proposed Project was amended and re-circulated for review and comment on February 24, 2014 and circulated for a 30-day comment period March 26, 2014. Tulare County RMA received several comments on the NOP. Comments were received from the following agencies, individuals, and/or organizations:

- Keith Jahnke, REHS III, Tulare County Health & Human Services Agency (July 16, 2013)
- David Warner, San Joaquin Valley Air Pollution Control District, Central Region, (July 18, 2013 - District CEQA Ref. No. 20130531)

A copy of the Amended NOP, and letters received in response to the original and amended NOP, are in Appendix A.

Consistent with CEQA Guidelines Section 15103, “Responsible and Trustee Agencies, and the Office of Planning and Research shall provide a response to a Notice of Preparation to the Lead Agency within 30 days after receipt of the notice. If they fail to reply within the 30 days with either a response or a well justified request for additional time, the lead agency may assume that none of those entities have a response to make and may ignore a late response.”⁸

The Scoping Meeting was duly noticed in a newspaper of general circulation (Visalia Times-Delta) and held on Thursday March 6, 2014 at 1:30 PM at the County of Tulare Resource Management Agency’s Main Conference Room. No comments were received at the scoping.

Section 15093 of the State CEQA Guidelines requires decision-makers to balance the benefits of a proposed project against any unavoidable adverse environmental effects of the project. If the benefits of the project outweigh the unavoidable adverse environmental effects, then the decision-makers may adopt a statement of overriding considerations, which are finding that the environmental effects are acceptable in light of the project’s benefits to the public.

⁸ CEQA Guidelines, Section 15103

Draft Environmental Impact Report

As noted in CEQA Guidelines Section 15105 (a), a Draft EIR that is submitted to the State Clearinghouse shall have a minimum review period of 45 days, unless a shortened review period is approved for exceptional circumstances (CEQA, Section 15205(d)). This Draft Environmental Impact Report will be circulated publicly for a **45 day review** period beginning on **February 23, 2018**. Following completion of the 45-day public review period ending **April 9, 2018**, staff will prepare responses to comments and a Final Environmental Impact Report will be prepared. The Final Environmental Impact Report will then be forwarded to the Tulare County Tulare Planning Commission for a recommendation to the Tulare County Board of Supervisors (Board) for consideration of certification/adoption. If certified/adopted by the Board, a Notice of Determination will then be filed with the County of Tulare Clerk and also forwarded to the State of California Office of Planning and Research State Clearinghouse (OPR/SCH).

ORGANIZATIONS CONSULTED

1) State and Federal:

- a) California Department of Conservation, Division of Land Resource Protection
- b) California Department of Fish and Wildlife Region #4
- c) California Water Resources Control Board #5
- d) California Department of Toxic Substance Control
- e) California Environmental Protection Agency
- f) California Department of Transportation (Caltrans) District #6
- g) Native American Heritage Commission
- h) United States Fish & Wildlife Service

2) Local and Regional:

- a) Tulare County Resource Management Agency:
 - i) Public Works Branch
 - ii) Flood Control
 - iii) Fire
 - iv) Planning Branch: Project Review, Environmental Planning, and Building Divisions
- b) Health and Human Services Agency, Environmental Health Services Division
- c) Goshen Community Services District
- d) Tulare County Association of Governments (TCAG)
- e) City of Visalia
- f) Visalia Unified School District
- g) Tulare County Fire Warden
- h) Tulare County Sheriff's Office

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- i) San Joaquin Valley Unified Air Pollution Control District (Air District)
- j) Regional Water Quality Control Board, Central Region
- k) Southern California Edison
- l) Southern California Gas Company

REFERENCES

Tulare County General Plan 2030 Update, August 2012. Website:
<http://generalplan.co.tulare.ca.us/>.

Tulare County General Plan 2030 Update Background Report, February 2010. Website:
<http://generalplan.co.tulare.ca.us/>.

Tulare County General Plan 2030 Update Recirculated Draft Environmental Impact Report (RDEIR), February 2010. Website: <http://generalplan.co.tulare.ca.us/>.

Project Description, Setting, & Objectives

Chapter 2

INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, Section 21000 et seq.), the County of Tulare Resource Management Agency (RMA) is preparing this Environmental Impact Report (EIR) to evaluate the potential environmental effects associated with a comprehensive update to the Goshen Community Plan.

Goshen's current Community Plan was adopted in 1978, amended in 1987 and 1998 (GPA 92-06), and is over 37 years old. The 1978 Goshen Community Plan is a collection of goals, objectives, and policies for the physical development of the Community. The Goshen Urban Development Boundary (UDB), consists of approximately 1,232.6 acres (See Figure 2-1).

The Governor's Office of Planning and Research (OPR) States in their Planner's Guide "Specific Plans differ from area and Community Plans in the following ways:

- A specific Plan is not a component of a general Plan. It is a separately adopted general Plan implementation document.
- Specific Plans are described by statute (§65450 et seq.). There are no statutes that specify the contents of area Plans.
- The purpose of a specific Plan is the "systematic implementation" (§65450) of the general Plan. Community Plans have an emphasis on implementation. They are used to refine the policies of the general Plan relating to a defined geographic area.
- Although a specific Plan must be "prepared, adopted, and amended in the same manner as general Plans" (§65453), it may be adopted by resolution or ordinance and may be amended as often as necessary. Community and area Plans may only be adopted or amended by resolution, and the number of amendments is subject to the limits set out in §65358 for general Plan amendments."

The primary purpose of this Plan is to outline Community goals regarding physical development and to promote the general welfare of the Community. This Plan serves as a general guide for both public and private sector decisions affecting the Community and provides for the overall direction, density, and type of growth consistent with, and to meet with, the needs of the Community.

PROJECT LOCATION

Tulare County is located in central California in the heart of the San Joaquin Valley. The County is composed of eight incorporated cities and numerous unincorporated communities. Most of the unincorporated communities and all of the cities are located on the Valley floor.

Draft Environmental Impact Report
Goshen Community Plan

The foothills and Sequoia and Kings Canyon National Parks form the eastern half of the County.

A rural unincorporated community of 3,739 persons¹ in Tulare County, Goshen is located approximately 31 miles south of Fresno on State Highway 99 on the western edge of Tulare County. It is located 1½ miles north of the Visalia Municipal Airport and portions of the community are situated within the approach and departure area of the airport. It lies one tenth of a mile north-west of the city limits of Visalia, 6 ½ miles from the downtown shopping area of Visalia, and immediately west of the Visalia industrial park area. Visalia is the County seat of Tulare County.

The community of Goshen is generally square in shape, and bisected in a northwest-southeasterly direction by SR 99 and the Union Pacific Railroad, which divides the community into approximately three similar sized areas. Goshen is an agricultural services community and is surrounded by agricultural production lands to the north, south, and west, and scattered residential, light industrial, agricultural, and vacant land to the east.

West of SR 99, the study area has limited visual characteristics. There is a eucalyptus tree grove in an existing mobile home area in the community's northeastern segment. However, a significant number of these trees have been removed to accommodate right-of-way and construction of the SR 99/Betty Drive interchange which is anticipated for completion in 2018.

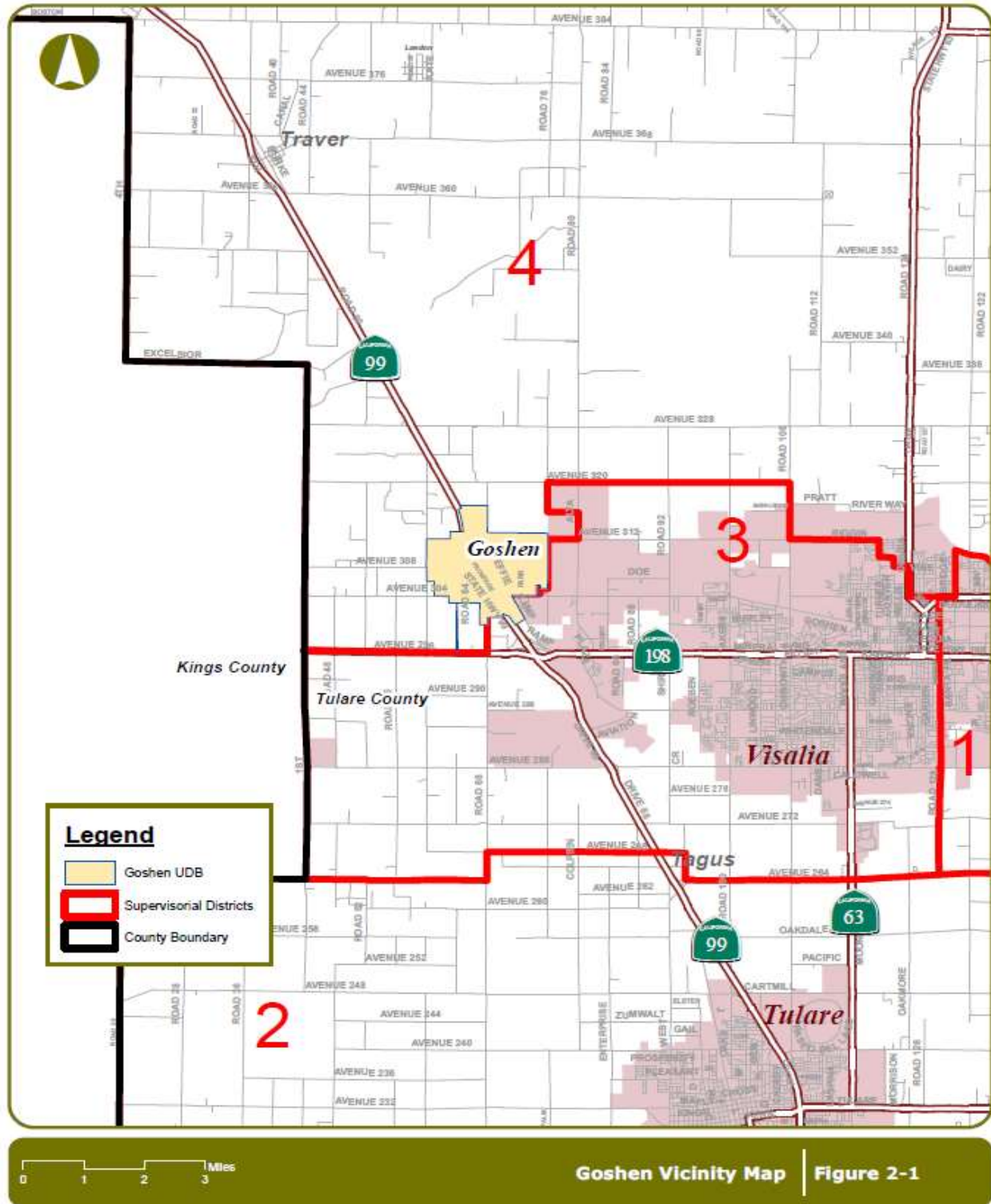
The central segment, between SR 99 and the railroad property, was built during various periods of growth over many years to accommodate the needs of residents and the business community. This activity resulted in a collection of small neighborhoods with a diverse variety of structures, construction techniques, and construction materials. Most of the residential blocks in this central area consist of scattered vacant lots, deteriorating housing, and storage structures. Over time, the streets serving the houses were paved using a variety of construction materials and techniques. Alleys between the residential streets are present in this section of Goshen as was typical in suburban neighborhoods constructed prior to 1950 as they served to provide rear lot access and sewer collection lines were typically placed within alleyways.

The residential developments east of the railroad were constructed more recently and used modern building material, techniques, standards, and codes. Most of the streets within Goshen have been constructed using urban standards; including curbs, gutters and sidewalks. This newer area of Goshen has experienced the most growth, including recent housing developments and roadways constructed consistent with County building standards and codes. This area also includes new housing developments, a medical clinic, and a local community park which were constructed southwest of Avenue 312 and Road 72 to serve the needs of Goshen's current and future residents. The recent growth in this area may serve as a catalyst for Goshen's future, as it is anticipated to attract further development.

¹ 2010 U.S. Census, see <http://www.census.gov/2010census/popmap/ipmtext.php?fl=06:0657512>

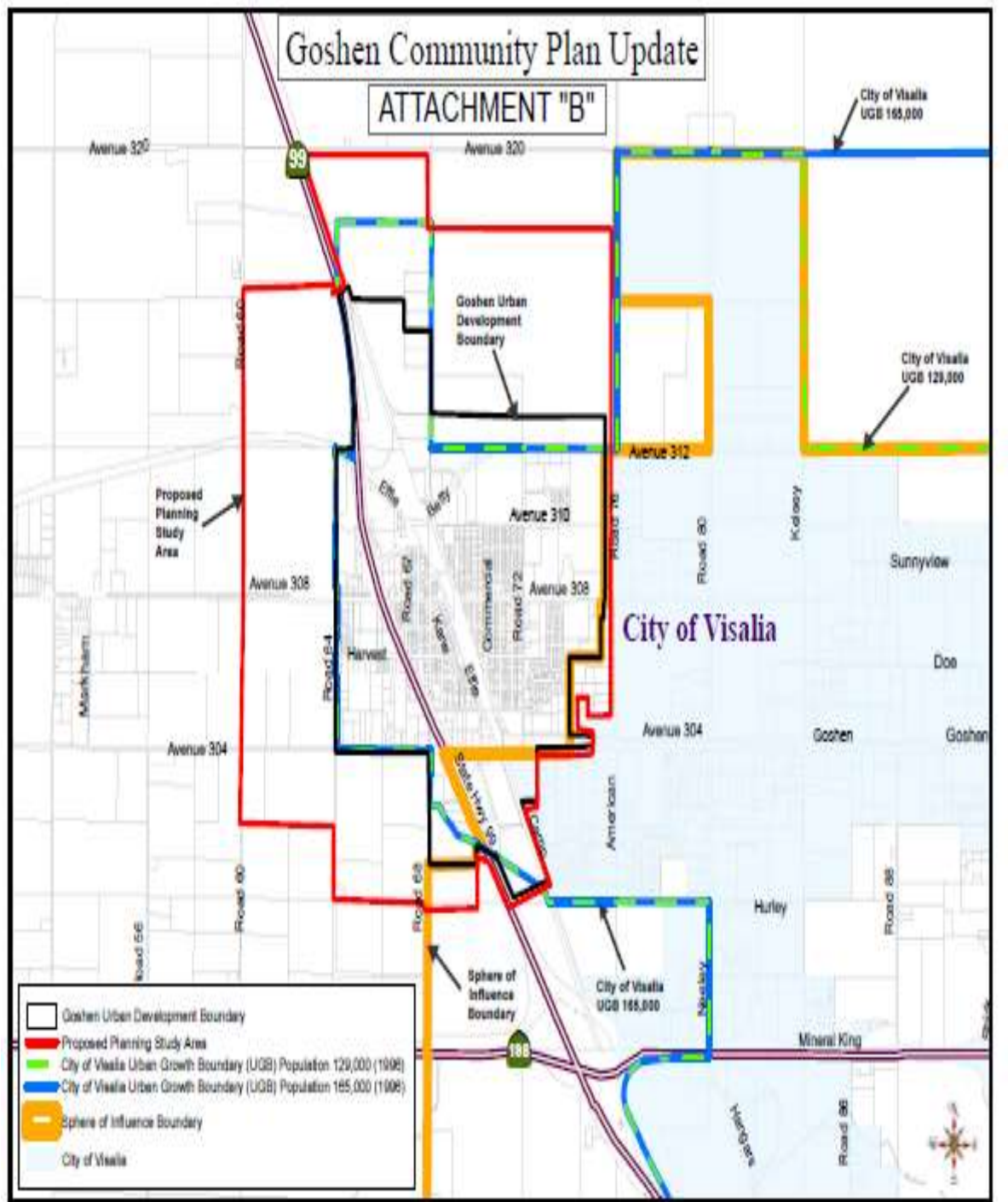
Draft Environmental Impact Report
Goshen Community Plan

Figure 2-1
Vicinity Map



Draft Environmental Impact Report
Goshen Community Plan

Figure 2-2
Study Area Boundary



PROJECT DESCRIPTION

On December 10, 2013, the Tulare County Board of Supervisors (BOS) approved the Planning Branch proposal to update the Goshen Community Plan. The project Study Area Boundary will assess the potential project impacts from the proposed land use changes, for the areas north of Riggin Drive and Avenue 320 to the north, Road 60 to the east, Avenue 304 to the south, and the City of Visalia to the east (**see Figure 2-2**). The project EIR 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 Goshen Community Plan Update 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 99 Corridor in order to implement the following General Plan goals:
 - b) 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;
 - c) Encourage infill development within Urban Development Boundaries, thereby discouraging leapfrog development within Tulare County;
 - d) Reduce development pressure on agriculturally-designated lands within the Valley Floor, thereby encouraging agricultural production to flourish;
 - e) Reduce vehicle miles travelled throughout the County, thereby positively affecting air quality and greenhouse gas reduction; and
 - f) 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 (August 2013) 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.

SURROUNDING LAND USE

The Project area contains a mix of agricultural, residential, commercial, industrial, and public facilities (e.g., a school, sheriff and fire department substations, a library, a community park, etc.).

The Project area is completely surrounded by agricultural land uses. Orchards, row crops and a dairy are either immediately adjacent to, or close to the community. According to the Tulare County General Plan Update, agricultural products are one of the County's most important resources. Prime Farmland and Farmland of Local Importance is located within, and adjacent to, the Goshen Plan Area. The Visalia Municipal Airport is located adjacent to, and southeast of the community.

The community of Goshen is located approximately 31 miles south of Fresno on State Route 99 on the western edge of Tulare County. It generally lies approximately 1½ miles north of the Visalia Municipal Airport, with portions of the community situated within the airport's approach and departure areas. Goshen is adjacent to the City of Visalia (the County Seat) and is located approximately one-tenth of a mile north-west of the city limits of Visalia (and about 6½ miles from downtown Visalia's shopping area). An important consideration of this Community Plan Update is the location of Visalia's Industrial Park area (which is located immediately east of the Road 76 alignment south of Betty Drive/Riggin Avenue, and existing Road 76 north of Goshen Avenue).

EXISTING ZONING AND LAND USE

Table 2-1 provides the acreage for each existing Zoning Designation (District), while **Figure 2-3** shows Existing Zoning. The proposed Project will result in minimal zone changes. Areas added to the Urban Development Boundary will likely be re-zoned from agricultural to commercial/industrial zones as shown in **Table 2-2** and **Figure 2-4**. **Table 2-2** provides the acreage for each Proposed Zoning District, while **Figure 2-4** shows the Proposed Zoning Map.

Draft Environmental Impact Report
Goshen Community Plan

Table 2-1: Existing Zoning Districts		
Zoning Districts	Existing Acres	Percent*
A-1	180.6	14.6
AE-20	2.5	<1
AE-40	42.6	3.4
AP	11.3	<1
AP-SR	7.7	<1
C-1-SR	3.0	<1,
C-2	56.4	<1
C-3	33.9	2.7
C-3-SR	6.2	<1
M-1	249.9	20.2
M-1-SR	39.1	3.1
M-2	5.6	<1
M-2-SR	67.0	5.4
P-O-SR	1.6	<1
R-1	192.4	15.6
R-2	45.7	3.7
R-3	14.4	1.1
Z	15.4	1.2
Unclassified (Right-of-Way)	257.2	20.8
Total*	1,232.6	100.0
<i>Note: *rounded</i>		

Table 2-2: Proposed Zoning Districts		
Zoning Districts	Proposed Acres	Percent*
AE-40	3.0	<1
C-2	11.4	<1
C-2-MU	376.6	21.2
C-3	4.6	<1
C-3-MU	21.0	1.2
C-O	9.0	<1
M-1	531.6	30.5
M-1-MU	57.8	3.2
M-2	105.4	6.0
P-O	14.5	<1
R-1	143.9	8.2
R-1-MU	35.5	2.0
R-2	42.9	2.6
R-2-MU	78.9	4.5
R-3	12.7	<1
R-3-MU	41.4	2.3
Unclassified (Right-of-Way)	258.0	14.7
Total*	1,748.1	100.0
<i>Note: *rounded</i>		

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Goshen Community Plan

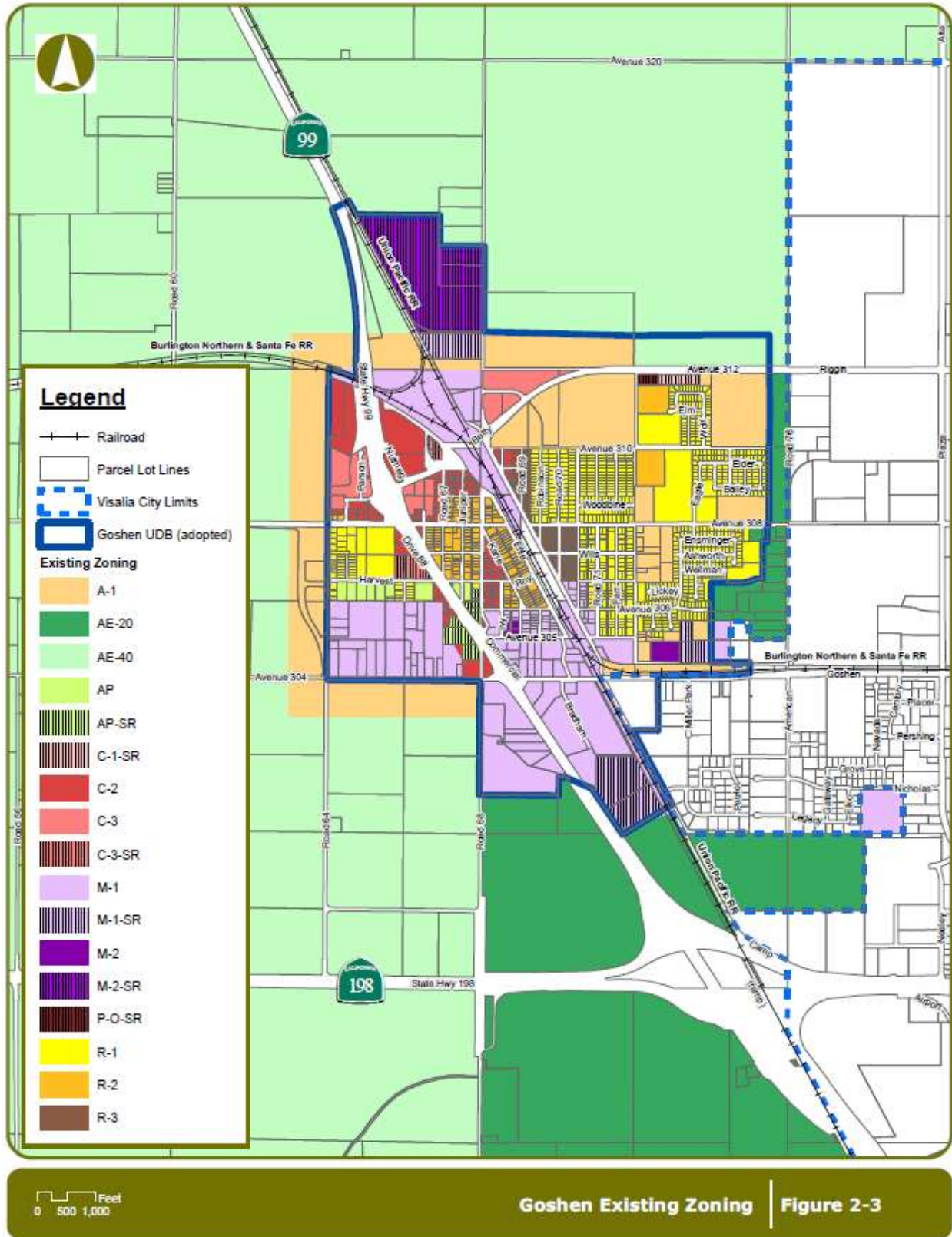
Table 2-3 provides the acreage for each Land Use designation in the existing Goshen Community Plan; while **Figure 2-5** shows the land use designations.

Table 2-3: Existing Land Use Plan		
Land Use	Existing Acres	Percent*
Community Commercial	32.5	2.6
Highway Commercial	44.9	3.6
Industrial	156.6	12.7
Low Intensity, S	260.1	21.1
Private Recreation	21.5	1.7
Residential	324.5	26.3
Residential Reserve	49.4	4.0
Service Commercial	12.2	0.9
Unclassified	73.6	5.9
Unclassified (Right-of-Way)	257.2	20.8
Total	1,232.6	100.0
Note: * rounded		

Table 2-4: Proposed Land Use		
Land Use	Proposed Acres	Percent*
Commercial Recreation	9.0	<1
Community Commercial	13.0	<1
Heavy Industrial	105.4	6.0
High Density Residential	14.7	<1
Highway Commercial	366.6	21.0
Light Industrial	531.4	30.3
Medium Density Residential	208.7	12.0
Mixed Use	198.9	11.3
Public/Quasi-Public	37.8	<1
Service Commercial	4.6	<1
Unclassified (Right-of-Way)	258.0	14.7
Total	1,748.1	100
Note: * rounded		

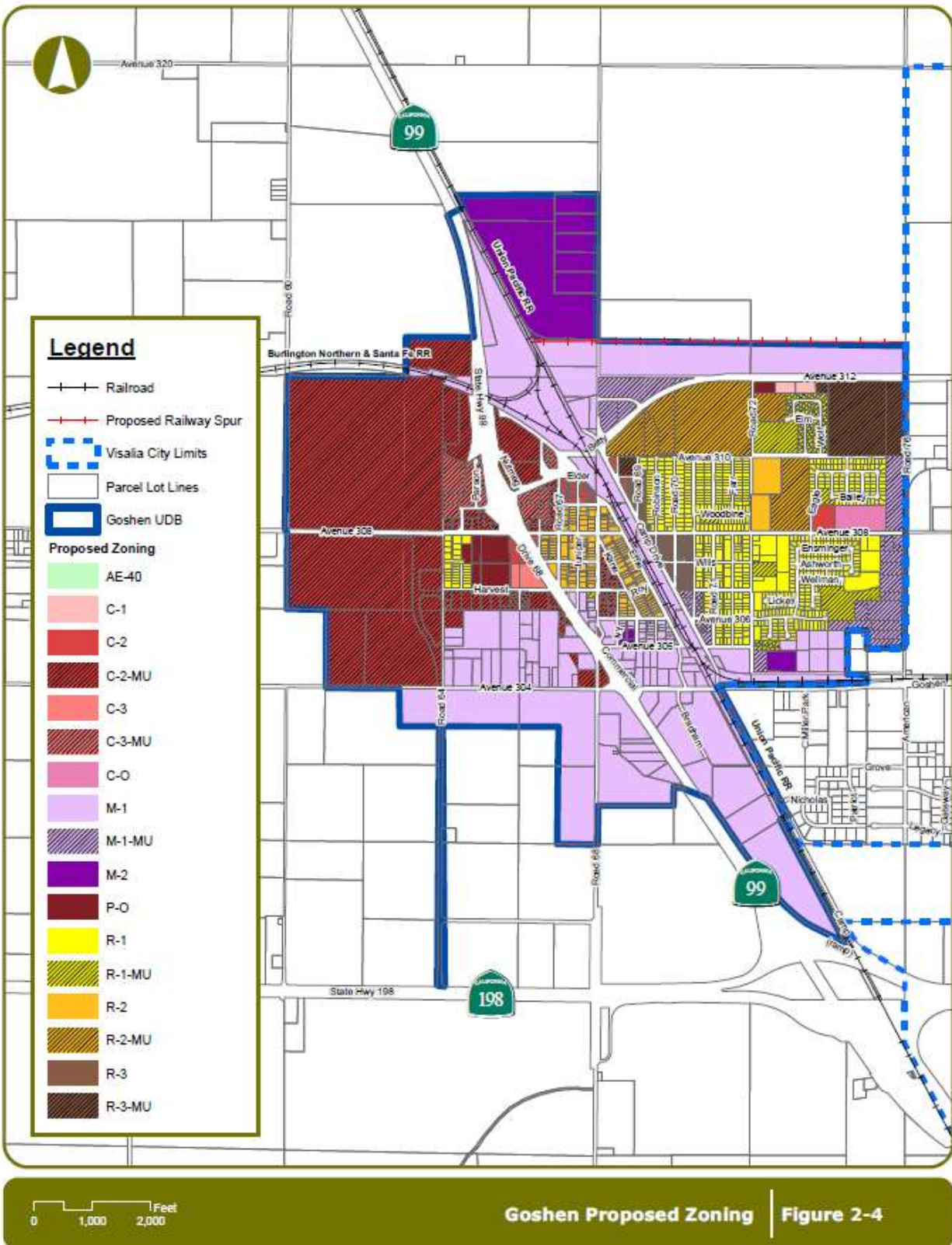
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**Figure 2-3
Existing Zoning**



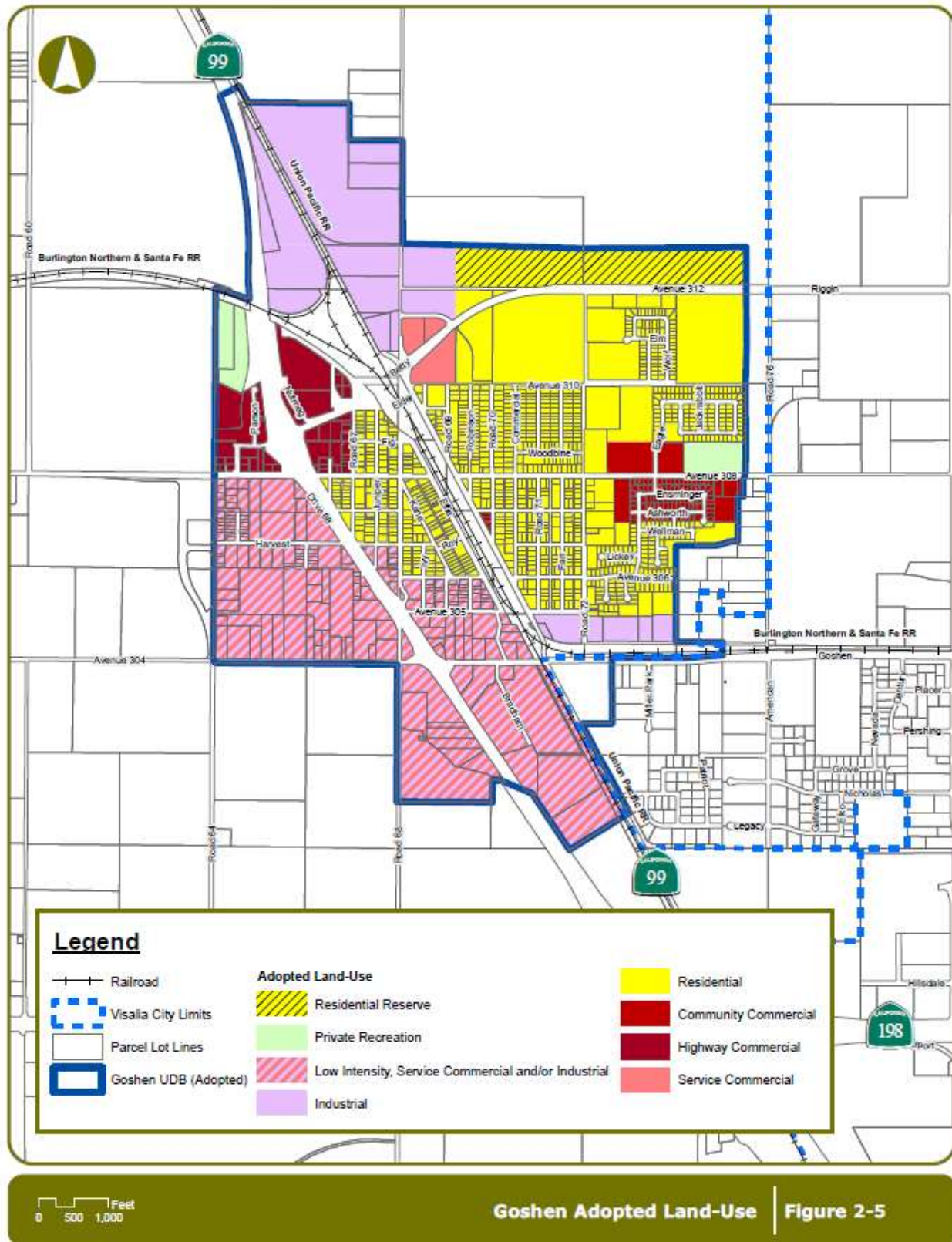
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Figure 2-4 Proposed Zoning



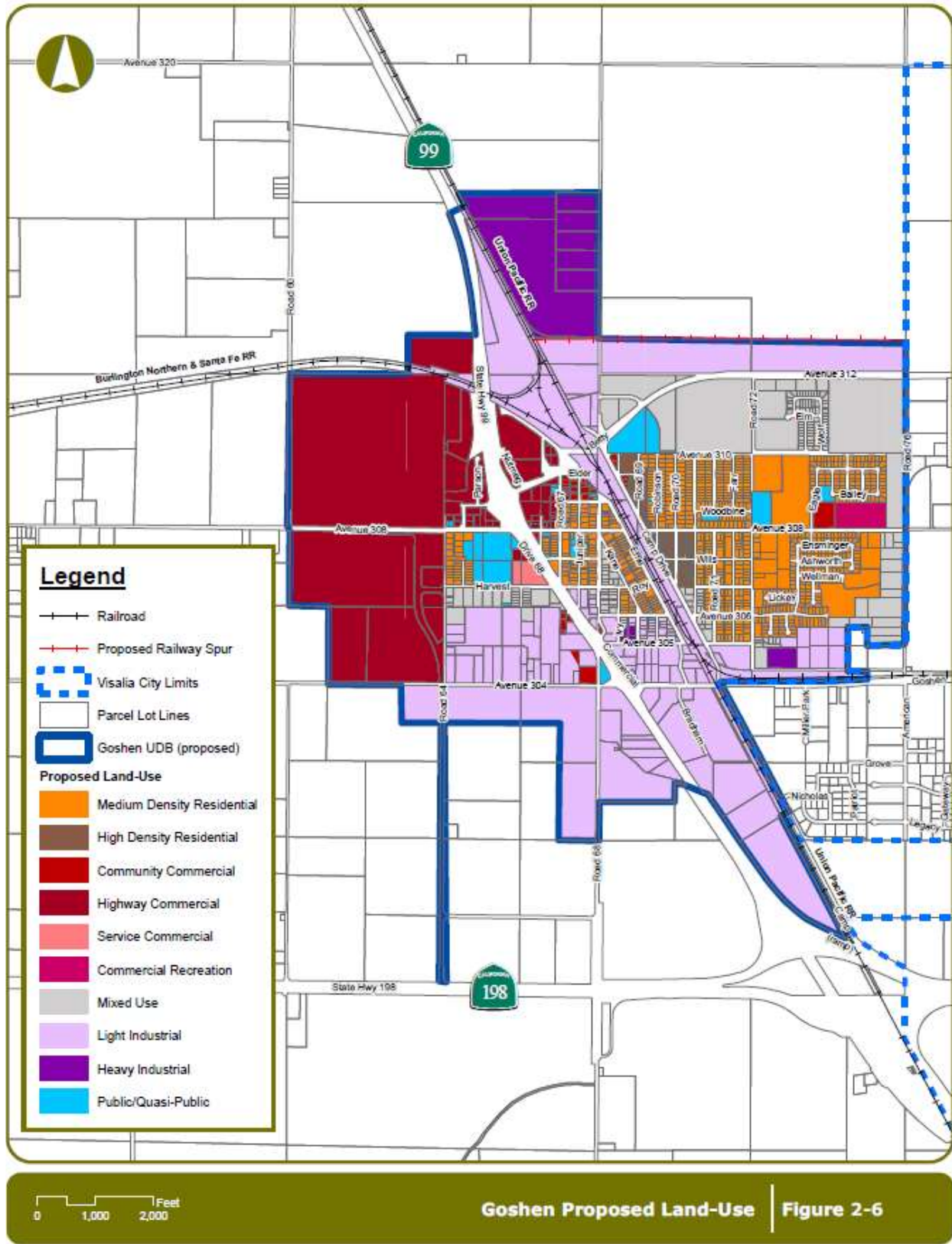
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Figure 2-5: Existing Land Uses Plan – Goshen



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Figure 2-6: Proposed Land Use Plan – Goshen



PROPOSED ZONING AND LAND USE

The Goshen Community Plan Update will implement the Tulare County General Plan, and increase the probability of receiving grant funding for the community. The Proposed Rezoning Maps contemplate both increases in Economic Development and compliance with the General Plan. The Tulare County General Plan was updated in 2012 with land use and policies changes that are inconsistent with the existing land use and zoning districts within the Goshen Urban Development Boundaries. The proposed land uses and alternative land use patterns were based on (i) expansion to the Urban Development Boundary; (ii) their impacts to the environment; (iii) to improve economic development opportunities in the Community of Goshen; and (iv) to be consistent with the General Plan and the Study Area Boundary.

REGULATORY SETTING

State and Federal:

- Central Valley Regional Water Quality Control Board – Region #5
- San Joaquin Valley Unified Air Pollution Control District
- California Department of Conservation – Division of Land Resource Protection
- California Department of Fish and Wildlife Region #4
- California Department of Toxic Substance Control
- California Environmental Protection Agency
- California Department of Transportation District #6
- California Department of Public Health
- California Energy Commission
- California Public Utilities Commission
- Native American Heritage Commission
- United States Fish & Wildlife Services

Local:

- Goshen Community Services District
- City of Visalia
- Tulare County Association of Governments
- Health and Human Services Agency, Public Health Division
- Health and Human Services Agency, Environmental Health Division
- Tulare County Resource Management Agency:
 - ❖ Tulare County Flood Control Division
 - ❖ Tulare County Fire Department
 - ❖ Planning Branch (Environmental Planning, Project Review, Building and Housing Divisions)
 - ❖ Public Works Branch

PROJECT OBJECTIVES

Objective 1: Implementation of AB 32

AB 32 has defined plans and programs for Year 2020, with the vision of Year 2050 that sets a goal to have an 80% reduction of greenhouse gas (GHG) emissions compared to the 1990 base year. AB 32 resulted in the adoption of the AB 32 Scoping Plan in 2008 that included a series of measures adopted by the California Air Resources Board (CARB). The key components of AB 32 are a reduction of (GHG) emission to 1997 models by the year 2020 and implements the objectives for the Year 2050 goal.

Objective 2: Sustainability

a) Tulare County Climate Action Plan (CAP). In light of AB 32, the County of Tulare Board of Supervisors adopted its General Plan 2030 Update on August 28, 2012 and included a Climate Action Plan (or CAP). This Climate Action Plan identifies specific General Plan policies that encourage solid waste reduction. The proposed Project was developed to support and implement the efforts made by Tulare County to address climate change through its General Plan and Climate Action Plan.

b) Tulare County General Plan (Sustainability) Policies

The Tulare County General Plan has a number of policies that apply to projects within County of Tulare. General Plan policies that relate to Sustainability include the following.

PF-3.4 Mixed Use Opportunities - Unless or until a traditional plan approach is requested by the hamlet and such a plan is adopted, land use designations within the HDB shall be the mixed use land use designations as provided in Chapter 4-Land Use that promotes the integration of a compatible mix of residential types and densities, commercial uses, public facilities and services, and employment opportunities.

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.

LU-7.16 Water Conservation - The County shall encourage the inclusion of “extraordinary” 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 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 requires the California Air Resources Board to set greenhouse gas emission targets. Under SB 375 Metropolitan Planning Organizations like TCAG are required to create a Sustainable Communities Strategy consistent with AB 32 to regulate development in relation to vehicle miles traveled. TCAG included this strategy in the 2014 Regional Transportation Plan. A highlight of the implementation strategies include:

- Encourage jurisdictions in Tulare County to consider bicycle lanes, public transit, transit-oriented and mixed-use development, pedestrian networks, rain 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.

The RTP implementation strategies are compatible with the Tulare County General Plan policies.

Objective 8: 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 creations of additional buildings require the use of additional resources, which on a cumulative basis would increase impacts to environment in general.)

Objective 9: Physical Feasibility (Land Size and Configuration Constraints)

Physical feasibility is required because if a 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.

Objective 10: Project Specific Elements – Overall, all elements (including Project’s, Rezoning of Properties within the Study Area) were studied.

- a) The County is proposing six (6) new land use and rezoning districts. These changes are reflective of updating the designations to be consistent with the land uses within the General Plan and to bring existing non-compliant properties into conformity with the Tulare County Zoning Code. This required looking at the existing properties, meetings with the Community, and review of aerial maps and County records to analyze and decide on which properties were updated.
- b) Mixed Use Zone. The Goshen Community Plan includes a mixed use zone. This Community Plan Update requires the updating the Tulare County Zoning Code to reflect a mixed use zoning district specifically within the Goshen Community in compliance with the mixed use designation in the 2030 General Plan.
- c) Complete Streets. The Goshen Complete Streets Program was approved by the Board of Supervisors on September 9, 2014 for inclusion in the Circulation Element of this Community Plan Update. The Goshen Complete Streets Program has thoroughly analyzed the alternative forms of transportation, including transit, bicycle ways, and pedestrian circulation. The Complete Streets Program also contemplates use of alternative transportation and facilities for all users from the elderly to children and will be useful in proposing Safe Routes to School and other Public Benefit Projects in the Community. In addition, the plan proposes truck routes and build out of roadway projects on Road 76 and Road 64.
- d) State Highway 99/Betty Drive Overpass. Incorporation of the State Route 99/Betty Drive overpass is a major component of the process and Community Plan Update. This Caltrans Improvement was analyzed in the Caltrans IS/MND for the overpass. Some of the major components of the Community Plan Update are based on Caltrans improving the overpass at Betty Drive and State Route 99 in the Community of Goshen, and closing the off and on ramps (“hook ramps”) at Road 304. This Project is scheduled to begin construction in 2016 and completed in 2019.
- e) Residential and Commercial Projects. The direct projects that are being analyzed under this EIR (See **Figures 1-4 thru 1-6** in Chapter 1) include:
 - i. Goshen Village East on Riggin Avenue and Road 76/Avenue 312 (see Figure 1-4 in Chapter 1), Self Help Enterprises is developing the corner of Road 76 and Avenue 312 which includes single family homes, multifamily units, two clubhouses, a bio-swale, a pedestrian/bike trail, and six acres of commercial uses. This mixed use development implements both Tulare County and TCAG’s

Sustainable Communities Strategy with mixed uses, conservation measures, alternative transportation facilities, and increased housing supply for disadvantaged citizens.

- ii. The Dollar General at Robinson Road and Betty Drive (see **Figure 1-5** in Chapter 1). The location of the Dollar General is adjacent to the eastern portion of the Community west of the park/detention basin and east of the Union Pacific Railroad tracks overcrossing.
 - iii. Thandi Commercial Development at Betty Drive and Road 67 (see **Figure 1-6** in Chapter 1). The proposed Project is the development of a 6.57 acre infill site located at 6615 West Betty Drive in the community of Goshen in Tulare County. The proposed project includes the remodeling of the existing 10,000 square foot building into a convenience store/gas station/travel stop with associated food services and a second pad site that is anticipated to be developed to accommodate a sit down restaurant and coffee house with a drive-thru to service the traveling public. The pad site has the potential to be developed with approximately 4,000 square feet and could, for example, accommodate a small sit down restaurant and a coffee house with drive-thru.
- f) Mitigating Cumulative/Alternative Land Use Project Impacts. Two acres of agricultural land would also be included (located west of existing Road 64 and south of the railroad tracks, and south to Avenue 304). This re-designation is within the study area and is being proposed as a direct response to the Caltrans Road 64 improvements. This alternative land use is being studied and contemplated under this EIR but will require additional studies in the future to assess impacts to agriculture, water, and transportation resources. This would require both re-designating and re-zoning the land use for this area from Agricultural to a Highway Commercial uses. Cumulatively, the only other active project in the vicinity is the Calaveras Materials Inc. (CMI, former Papich) asphalt batch plant located at the southwest intersection of Avenue 298 and Road 68 which operates under a Special Use Permit as a permanent operation.
- g) As provided in greater detail in Chapter 5 Alternatives, the preferred Project Alternative is Alternative D. This scenario proposes an expansion of the UDB by 500 acres in a westerly growth focus and to the south along SR 99, with mixed land use proposed to the south side of the Riggins Avenue corridor and industrial to the north of the corridor. It would allow new residential uses (through a mixed-use zoning overlay) on Commercial designated land uses closer to the existing elementary school (west of SR 99). Industrial land uses to northwest would be compatible with potential Visalia Industrial Park expansion and could utilize the Union Pacific rail line. Mixed Use land use designations proposed south of Riggins Avenue would support proposed mixed-use projects (such as Self-Help Enterprises) which are supported by the community. This Alternative would also entirely remedy LAFCo boundary overlaps and gaps along Road 76.

REFERENCES

Draft Goshen Community Plan Update (2018)

Goshen Community Plan (1978)

Office of Planning and Research, Planner's Guide to Specific Plans (2001)

Tulare County Association of Governments, 2014-2040 Regional Transportation Plan and Sustainable Communities Strategy (2014)

Tulare County General Plan 2030 Update (2012)

Tulare County General Plan 2030 Update Background Report (2010)

Aesthetics

Chapter 3.1

SUMMARY OF FINDINGS

The proposed Goshen Community Plan Update (Project) will result in ***Less Than Significant Impacts*** to Aesthetics. No mitigation measures will be required. The impact analyses and determinations in this chapter are based upon information obtained from the References listed at the end of this chapter. A detailed review of potential impacts is provided in the analysis as follows.

INTRODUCTION

California Environmental Quality Act (CEQA) Requirements

CEQA requires that significant impacts on the environment be identified and, where possible, measures be added to minimize or eliminate impacts (CEQA Guidelines Section 15382). A “[s]ignificant effect on the environment “means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project...”¹ With respect to aesthetics, potentially significant CEQA impacts include visual impacts to scenic highways, the visual character of the site, and impacts from lighting.

This section describes the existing visual environment in the Project vicinity of the Community Plan Update Project area using accepted methodologies to evaluate aesthetic/visual landscape quality and light/glare. Aesthetic considerations tend to be subjective. The methodologies used to evaluate aesthetic impacts to visual character are qualitative in nature, and are based on the physical characteristics of the Project site and surrounding area

The proposed Project site is located in the agricultural (Valley) portion of Tulare County. The “Environmental Setting” section describes scenic and aesthetic resources in the region, with special emphasis on the proposed Project site and vicinity. The “Regulatory Setting” section provides a description of applicable State and local regulatory policies. A description of the potential impacts of the proposed Project is also provided and includes the identification of feasible mitigation to avoid or lessen the impacts.

The analyses of the existing visual setting and potential visual impacts resulting from the proposed Project are based primarily on information provided by Resource Management Agency staff.

¹ CEQA Guidelines Section 15382

Thresholds of Significance:

- Impact on a scenic vista
- Impact on a scenic highway
- Impact on visual quality
- Creation of glare or impacts on nighttime views

ENVIRONMENTAL SETTING

Visual Character of the Region

Tulare County is located in a predominately agricultural region of central California. The terrain in the County varies. The western portion of the County includes a portion of the San Joaquin Valley (Valley), and is generally flat, with large agricultural areas with generally compact, interspersed towns. In the eastern portion of the County are foothills and the Sierra Nevada mountain range. The Project site is located on the Valley floor, which is very fertile and has been intensively cultivated for many decades. Agriculture and related industries such as agricultural packing and shipping operations, and small and medium sized manufacturing plants, make up the economic base of the Valley region. Many communities are small and rural, surrounded by agricultural uses such as row crops, orchards, and dairies. From several locations on major roads and highways throughout the County, electric towers and telephone poles are noticeable. Mature trees, residential, commercial, and industrial development, utility structures, and other vertical forms are visible in the region because of the flat terrain. Where such vertical elements are absent, views are expansive. Most structures are small; usually one story in height, though occasionally two story structures can be seen at commercial or industrial (such as agricultural-industrial) complexes. The County provides a wide range of views from both mobile and stationary locations...²

REGULATORY SETTING

The following environmental regulatory settings were summarized, in part, from information contained in the Tulare County General Plan 2030 Update, the Tulare County General Plan 2030 Update Background Report, and Tulare County General Plan Update 2030 Recirculated Draft EIR (February 2010).

Federal Agencies & Regulations

None that apply the proposed Project.

State Agencies & Regulations

Title 24 Outdoor Lighting Standards

² General Plan Update 2030: Recirculated Draft EIR (RDEIR) p. 3.1-11

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Title 24 Outdoor Lighting Standards were adopted by the State of California Energy Commission (Commission) (Title 24, Parts 1 and 6, Building Energy Efficiency Standards (Standards) on November 5, 2003 and went into effect on October 1, 2005. The changes included new requirements for outdoor lighting, which vary according to which “lighting Zone” the equipment is in. The Commission defines rural areas as Lighting Zone 2. Existing outdoor lighting systems are not required to meet these lighting allowances.

Scenic Highway Program

The California Scenic Highway Program was established by the state Legislature in 1963 for the purpose of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been officially designated. The state laws governing the scenic highways program are found in The Streets and Highways Code Sections 260-263.³ In Tulare County, portions of State Routes 190, 198, and 180 are eligible for state scenic highway designation.⁴

Local Policy & Regulations

The Tulare County General Plan Update 2030 Part 1: Goals and Policies Report (GPR) (August 2012) includes a number of goals and policies relating to scenic protection of County resources. The Goals and Policies Report Framework Concept No. 3 addresses Scenic Landscapes:

“The scenic landscapes in Tulare County will continue to be one of the County’s 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.”⁵

Scenic Roadways

“Tulare County’s existing General Plan identifies State designated scenic highways and County designated eligible highways [see **Figure 3.1-1**]. There are three highway segments designated as eligible by the State. These include State Route 198 from Visalia to Three Rivers, State Route 190 from Porterville to Ponderosa, and State Route 180 extending through Federal land in the northern portion of Tulare County. State Route 198 closely follows around Lake Kaweah and the Kaweah River, while State Route 190 follows around Lake Success and the Tule River. Both Scenic Highways travel through agricultural areas of the valley floor to the foothills and the Sierra Nevada Range... Additionally, the General Plan Update identifies preserving the rural agricultural character of SR 99 and SR 65, as valuable to the County and communities.”⁶

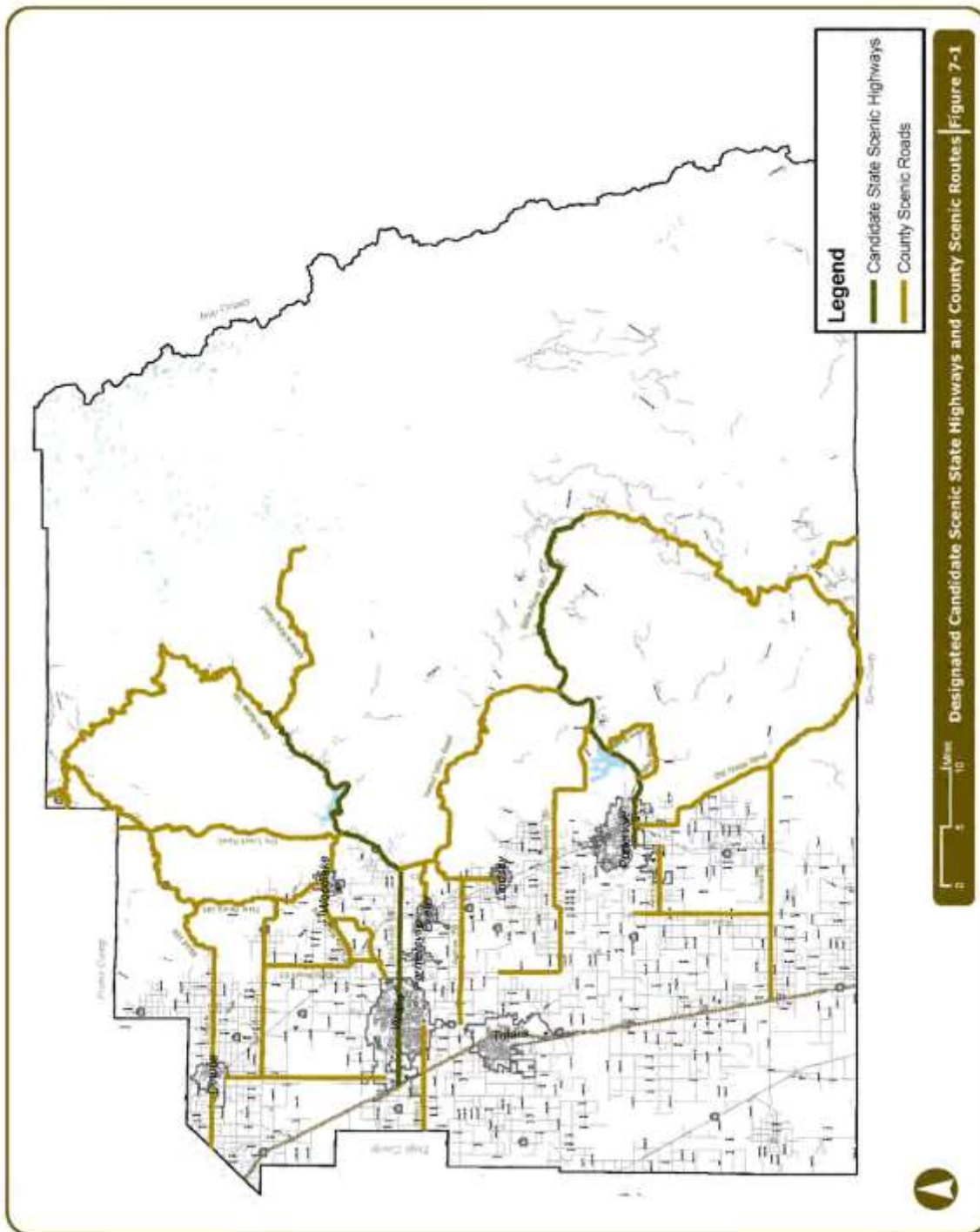
³ California Department of Transportation. Scenic Highway Program. Frequently Asked Questions. http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/faq.htm. Accessed December 28, 2015. Streets and Highway Code Sections 260-284 available online at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=shc&group=00001-01000&file=260-284>.

⁴ TCGPU: Goals and Policies Report Part 1 Figure 7-1, p. 7-5

⁵ TCGPU Goals and Policies Report, p. A-2.

⁶ Goals and Policies Report p. 7-2 (August 2012)

**Figure 3.1-1
Scenic Highways and County Scenic Routes**



Source: Tulare County General Plan 2030 Update, Part I: Goals and Policies Report, Component C – Environment, Figure 7-1, page 7-5.

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.

LU-5.3 Storage Screening - The County shall require adequate landscaping and screening of industrial storage areas to minimize visual impacts and enhance the quality of the environment.

LU-5.6 Industrial Use Buffer - Unless mitigated, the County shall prohibit new heavy industrial uses to a minimum of 500 feet from schools, hospitals, or populated residential areas (more than 10 dwelling units within a quarter mile diameter area). The buffer area may be used for activities not creating impacts to adjoining sensitive land uses for uses accessory to the heavy industrial use. The establishment of a buffer may not be required when mitigated or may not apply to industrial uses that do not impact adjoining uses identified herein. The buffer area shall be landscaped and maintained.

LU-7.6 Screening - The County shall require landscaping to adequately screen new industrial uses to minimize visual impacts.

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-7.19 Minimize Lighting Impacts - The County shall ensure that lighting in residential areas and along County roadways shall be designed to prevent artificial lighting from reflecting into adjacent natural or open space areas unless required for public safety.

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 viewsheds 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 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.

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-5.19 Night Sky Protection - Upon demonstrated interest by a community, mountain service center, or hamlet, the County will determine the best means by which to protect the visibility of the night sky.

ERM-1.15 Minimize Lighting Impacts - The County shall ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions.

IMPACT EVALUATION

Will the proposed Project:

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

Project Impact Analysis: *No Impact*

There are no proposed development projects are part of this amendment. And, according to the Tulare County General Plan, there are no designated scenic vistas on or adjacent to the Project area. The Project site is located in the Valley portion of the County, which is relatively flat. On clear days, there is a view of foothills and the Sierra Nevada Mountains that can be seen to the east. Therefore, implementation of the Project will not have a significant adverse impact to a designated scenic vista. There will be **No Impact** to this resource.

Cumulative Impact Analysis: *No Impact*

The geographic area of this cumulative analysis is the San Joaquin Valley portion of Tulare County. As there are no impacts on scenic vistas on-site or in the Project vicinity, there will be **No Cumulative Impacts** related to this Checklist Item.

Mitigation Measure(s): *None Required.*

Conclusion: *No Impact*

As noted previously, there will be no program-specific or cumulative impacts related to this Checklist Item.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Project Impact Analysis: *No Impact*

The proposed Project site includes a variety of uses such as residential, highway commercial, light industrial, public use (elementary school), and agriculturally productive lands. The Community is completely surrounded by agriculturally productive lands (e.g., orchards and row crops).

There are no significant scenic resources known to exist in the immediate vicinity of the Project area. Goshen is bisected in a northwest-southeasterly direction by State Route (SR)

99 and approximately one mile north of SR 198. Both freeways are not designated as eligible State Scenic Highways. As such, the proposed Community Plan update will not damage 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**.

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, and Tulare County 2030 General Plan EIR.

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

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

Conclusion: **No Impact**

As noted previously, there will be **No Project-specific or Cumulative Impacts** related to this Checklist Item.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

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

The existing Goshen Community Plan contains approximately 1,232.6 acres within the adopted Urban Development Boundary.

The proposed Project will result in a net increase of 515.5 acres. Changes, however, would be gradual and the Plan update includes policies which would minimize impacts associated with visual character.

Therefore, **Less Than Significant** Program—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 information provided in the Tulare County 2030 General Plan, General Plan Background Report, and/or Tulare County 2030 General Plan EIR.

As the proposed Project will not create significant Project-specific visual impacts, the proposed Project will result in **No Significant Cumulative Impacts** related to this Checklist Item.

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Goshen Community Plan Update

Table 3.1-1 - Existing Adopted Land Use Plan	
Designation	Total Acreage
Community Commercial	32.5
Highway Commercial	44.9
Industrial	156.6
Low Intensity, S	260.1
Private Recreation	21.5
Residential	324.5
Residential Reserve	49.4
Service Commercial	12.2
Unclassified	73.6
Unclassified (Right-of-Way)	257.2
Total	1,232.6
Source: Goshen Community Plan 1978	

Table 3.1-2 - Proposed Land Use Plan	
Land Use	Sum Acres
Commercial Recreation	9.0
Community Commercial	13.0
Heavy Industrial	105.4
High Density Residential	14.7
Highway Commercial	366.6
Light Industrial	531.4
Medium Density Residential	208.7
Mixed Use	198.9
Public/Quasi-Public	37.8
Service Commercial	4.6
Unclassified (Right-of-Way)	258.0
Goshen Proposed UDB	1,748.1

Mitigation Measure(s):

None Required.

Conclusion:

Less Than Significant Impact

As noted previously, *Less Than Significant Program-Specific and Cumulative Impacts* related to this Checklist Item will occur.

**d)
which would adversely affect day**

**Create a new source of substantial light or glare
or nighttime views in the area?**

Project Impact Analysis:

Less Than Significant Impact

Future development within the Goshen Community Plan area, and an expected overall increase in the intensity of development in the area, would result in additional lighting and increased light emanating from the area. New lighting (fixtures) will be installed with the new buildings and site improvements to illuminate entries, parking areas, sidewalks and open spaces (generally for safety and security purposes) and to highlight architectural features. Compliance with General Plan Policy ERM-5.19 Night Sky Protection, and Title 24 lighting power allowances would adequately control unnecessary brightness of lighting, debilitating glare, and sky glow. Therefore, the light and glare impacts of the Goshen Community Plan area would be *Less Than Significant*.

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.

The proposed Program will not result in any significant off-site impacts. Therefore, ***No Significant Cumulative Impacts*** related to this Checklist item will occur.

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

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

As noted previously, ***Less Than Significant Program-specific and Cumulative Impacts*** related to this Checklist Item will occur.

DEFINITIONS

Scenic landscapes - Landscapes that include agricultural lands, woodlands, forestlands, watercourses, mountains, meadows, structures, communities, and other types of scenery that contribute to the visual beauty of Tulare County.

Natural Landscapes - An expanse of naturally-formed scenery that contribute to the visual beauty of Tulare County.

Viewshed - An area of land, water, or other environmental features that is visible from a fixed vantage point. Viewsheds tend to be areas of particular scenic or historic value that are deemed worthy of preservation against development or other change. The preservation of viewsheds is typically the goal in the designation of open space areas, green belts, and urban separators.

Working Landscapes - These are landscapes shaped by human activities that produce economic commodities such as agricultural lands, ranch lands, and timber lands. They may also include picturesque commercial districts in communities, crops, orchards, agricultural structures, stands of timber, and canals.”

REFERENCES

California Department of Transportation (Caltrans). California Scenic Highway Program: Frequently Asked Questions. Website:
http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/faq.htm.

Caltrans, “Visual and Aesthetics Review,” in Standard Environmental Reference, Chapter 27, which can be accessed at:
<http://www.dot.ca.gov/ser/vol1/sec3/community/ch27via/chap27via.htm>

State of California, Governor’s Office of Planning and Research, “Thresholds of Significance: Criteria for Defining Environmental Significance,” *CEQA Technical Advice Series* which can be accessed at: <http://ceres.ca.gov/ceqa/more/tas/Threshold.html>

Tulare County. (2010). Tulare County General Plan 2030 Update Background Report, February 2010. Website: <http://generalplan.co.tulare.ca.us/>.

Tulare County. (2010). Tulare County General Plan 2030 Update Recirculated Draft Environmental Impact Report (RDEIR), February 2010. Website:
<http://generalplan.co.tulare.ca.us/>.

CEQA Guidelines

Agricultural Land and Forestry Resources

Chapter 3.2

SUMMARY OF FINDINGS

The proposed Goshen Community Plan Update (Project) will result in ***Less Than Significant Impacts With Mitigation*** to Agricultural Land and Forestry Resources. The impact analyses and determinations in this chapter are based upon information obtained from the References listed at the end of this chapter. 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 Agricultural Land and Forestry Resources. As required in CEQA Guidelines 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

¹ CEQA Guidelines, Section 15126.2 (a)

Draft Environmental Impact Report Goshen Community Plan Update

The environmental setting provides a description of the Agricultural Lands and Forestry Resources 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 Tulare County 2030 General Plan EIR incorporated by reference and summarized below. Additional documents 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

The California Department of Conservation identifies the location of Prime Agricultural Land resource areas and Williamson Act Contract lands. Thresholds of potential significance are established by the CEQA Checklist Item questions and include the following:

- Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance
- Conflict with Williamson Act Contracts
- Convert Forest Land

ENVIRONMENTAL SETTING

“Tulare County exhibits a diverse ecosystems landscape created through the extensive amount of topographic relief (elevations range from approximately 200 to 14,000 feet above sea level). The County is essentially divided into three eco-regions. The majority of the western portion of the County comprises the Great Valley Section, the majority of the eastern portion of the County is in the Sierra Nevada Section, and a small section between these two sections comprises the Sierra Nevada Foothill Area.”²

Agricultural Productivity

The Project site is located in the San Joaquin Valley portion of Tulare County. This area is characterized by rich, highly productive farmland. Agriculture is the most important sector in Tulare County’s economy, and agriculture and related industries make Tulare County one of the two most productive agricultural counties in the United States, according to Tulare County Farm Bureau statistics.^{3 4} Agricultural lands (crop and commodity production and grazing) also provide the County’s most visible source of open space lands. As such, the protection of agricultural lands and continued growth and production of agriculture industries is essential to all County residents.⁵

² Tulare County 2030 General Plan RDEIR. Page 3.11-5.

³ Tulare County Farm Bureau, “Agricultural Facts,” <http://www.tulcofb.org/index.php?page=agfacts>

⁴ Tulare County Agricultural Commissioner, 2015 Tulare County Agricultural Crop and Livestock Report. Pages 9 and 10.

⁴ Tulare County Agricultural Commissioner, 2015 Tulare County Agricultural Crop and Livestock Report, <http://agcomm.co.tulare.ca.us/default/index.cfm/standards-and-quarantine/crop-reports1/crop-reports-2011-2020/2015-tulare-county-annual-crop-and-livestock-report-pdf/>

⁵ Tulare County 2030 General Plan. Page 3-4.

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The 2016 *Tulare County Annual Crop and Livestock Report* listed Tulare County's total gross production value for 2015 as this represents a decrease of \$610,856,200 or 8.8% below 2015's value of \$6,980,800. Milk was the leading agricultural commodity in Tulare County in 2016, representing 25.8% of the total crop and livestock value. The 2016 report listed over 120 different commodities, forty-five (45) of which had a gross value greater than \$1 million. The top agricultural commodities in the County in 2016, based on total value were milk, oranges (navels and Valencias), cattle and calves, grapes, tangerines (fresh), pistachio nuts, almonds (meats and hulls), corn (grain and silage), and walnuts.⁶

According to the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP), in 2012 agricultural lands in Tulare County included 860,120 acres of important farmland (designated as FMMP Prime, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance) and 439,940 acres of grazing land, for a total of 1,300,060 acres of agricultural land.⁷

Important Farmland Trends

Using data collected by the FMMP, farmland acreage has been consistently decreasing for each two-year period since 1998. Tulare County lost 13,815 acres of important farmland, and 14,424 acres of total farmland between 2010 and 2012.⁸

According to the DOC, much of Tulare County's farmland is under California Land Conservation Act (Williamson Act) contracts, a program designed to prevent premature conversion of farmland to residential or other urban uses. As of January 1, 2012, there were 1,096,299 acres of farmland under Williamson Act or Farmland Security Zone contracts in Tulare County. This total includes 571,904 acres of Williamson Act prime, 513,243 acres nonprime, and 11,152 acres of Farmland Security Zone lands.⁹ The acreage totals also include 6,040 acres Williamson Act prime contracted land in nonrenewal and 7,513 acres of Williamson Act nonprime in nonrenewal.¹⁰

According to the Tulare County Subvention Report (Fiscal Year 2015-2016), much of Tulare County's farmland is under California Land Conservation Act (Williamson Act) contracts, a program designed to prevent premature conversion of farmland to residential or other urban uses. As of January 1, 2015, there were 1,097,728 acres of farmland under Williamson Act or Farmland Security Zone contracts in Tulare County. As presented in **Table 3.2-1**, this total includes 565,200 acres of Williamson Act prime, 521,376 acres nonprime, and 11,152 acres of

⁶ Tulare County Agricultural Commissioner, 2016 Tulare County Agricultural Crop and Livestock Report. Agricultural Commissioner/Sear introductory statement and Page 11. Accessed at :

http://agcomm.co.tulare.ca.us/ag/assets/File/54326_Tulare%20Co%20Crop%20%26%20Livestock%202016%20Report_PROOF.pdf

⁷ California Department of Conservation, California Farmland Conversion Report, Table A-44: Tulare County 2010-2012 Land Use Conversion. Page 72.

⁸ California Department of Conservation, Division of Land Resource Protection, FMMP, "Tulare County 2008-2010 Land Use Conversion" Report, Table A-44.

⁹ California Department of Conservation, The California Land Conservation Act 2014 Status Report, Table A-1: Total Reported Enrollment 2012, page 34 http://www.conservation.ca.gov/dlrp/lca/stats_reports/Documents/2014%20LCA%20Status%20Report_March_2015.pdf

¹⁰ Ibid. Table A-5: Cumulative Nonrenewal Acreage. Page 38.

Draft Environmental Impact Report
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Farmland Security Zone lands. The acreage totals also include 175 acres Williamson Act prime contracted land in nonrenewal and 15,731 acres of Williamson Act nonprime in nonrenewal.¹¹

“For Tulare County and the surrounding region, the reported major cause of this conversion is the downgrading of important farmlands to other agricultural uses (e.g., such as expanded or new livestock facilities, replacing irrigated farmland with non-irrigated crops, or land that has been fallow for six years or longer).”¹²

Table 3.2-1 2015 Tulare County Lands under Williamson Act or Farmland Security Zone Contracts	
Acres	Category
565,200	*Total prime = Prime active + NR Prime
521,376	*Total Nonprime = Nonprime active + NR Prime
11,152	Farmland Security Zone
1,097,728	TOTAL ACRES in Williamson Act and Farmland Security Zone contracts
<i>*Prime total includes 6039.75 acres in nonrenewal; Nonprime total includes 7512.56 acres in nonrenewal. Source: Data compiled from 2015-2016 Tulare County Subvention Report</i>	

Forest Lands

“Timberlands that are available for harvesting are located in the eastern portion of Tulare County in the Sequoia National Forest. Hardwoods found in the Sequoia National Forest are occasionally harvested for fuel wood, in addition to use for timber production. Since most of the timberlands are located in Sequoia National Forest, the U.S. Forest Service has principal jurisdiction, which encompasses over 3 million acres. The U.S. Forest Service leases these federal lands for timber harvests.”¹³

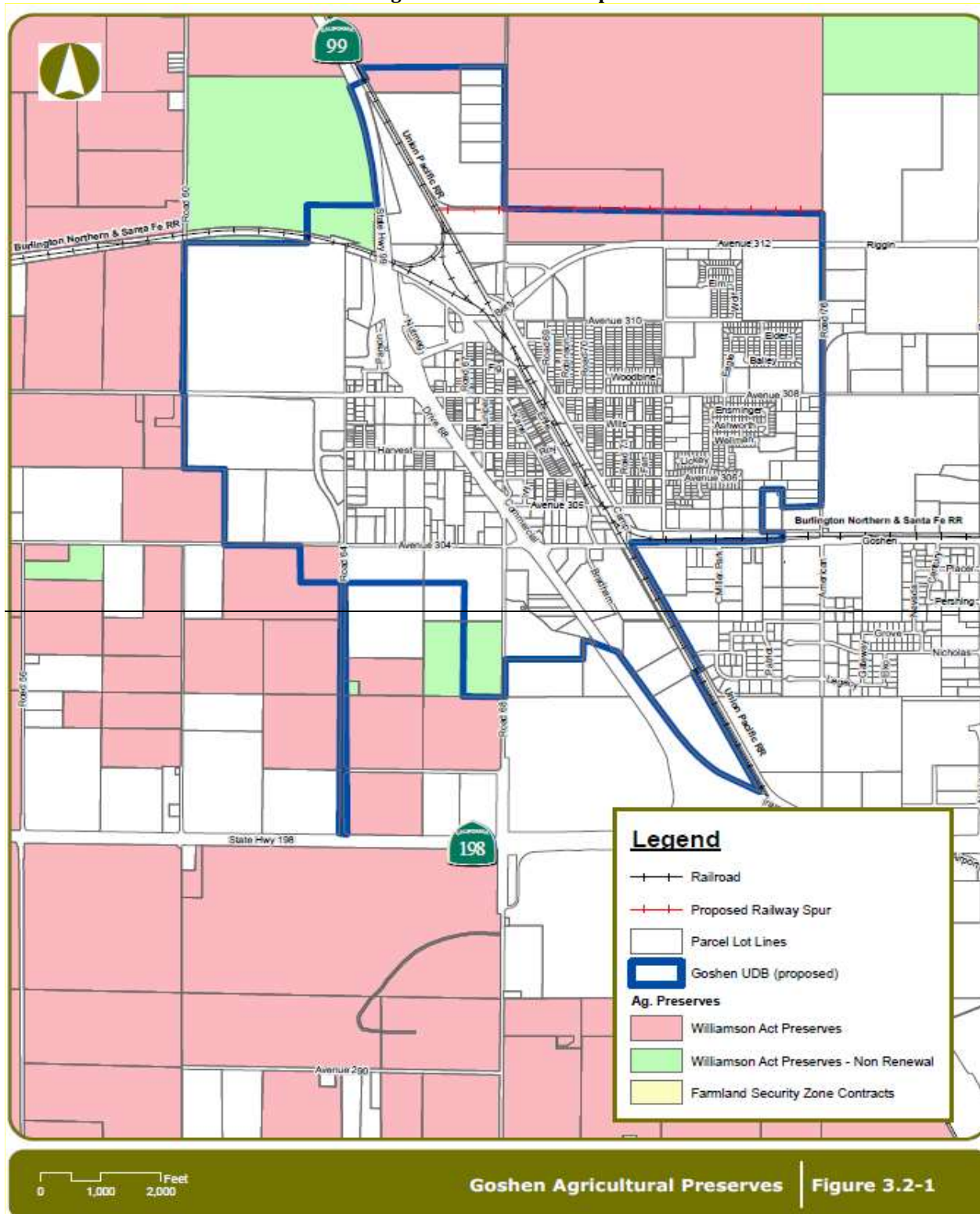
The community of Goshen is located in the eastern portion of Tulare County on the valley floor. There are no forests or timberlands in the Community Plan Update project planning area or the surrounding areas.

¹¹ Tulare County Subvention Report for Fiscal Year 2015-2016

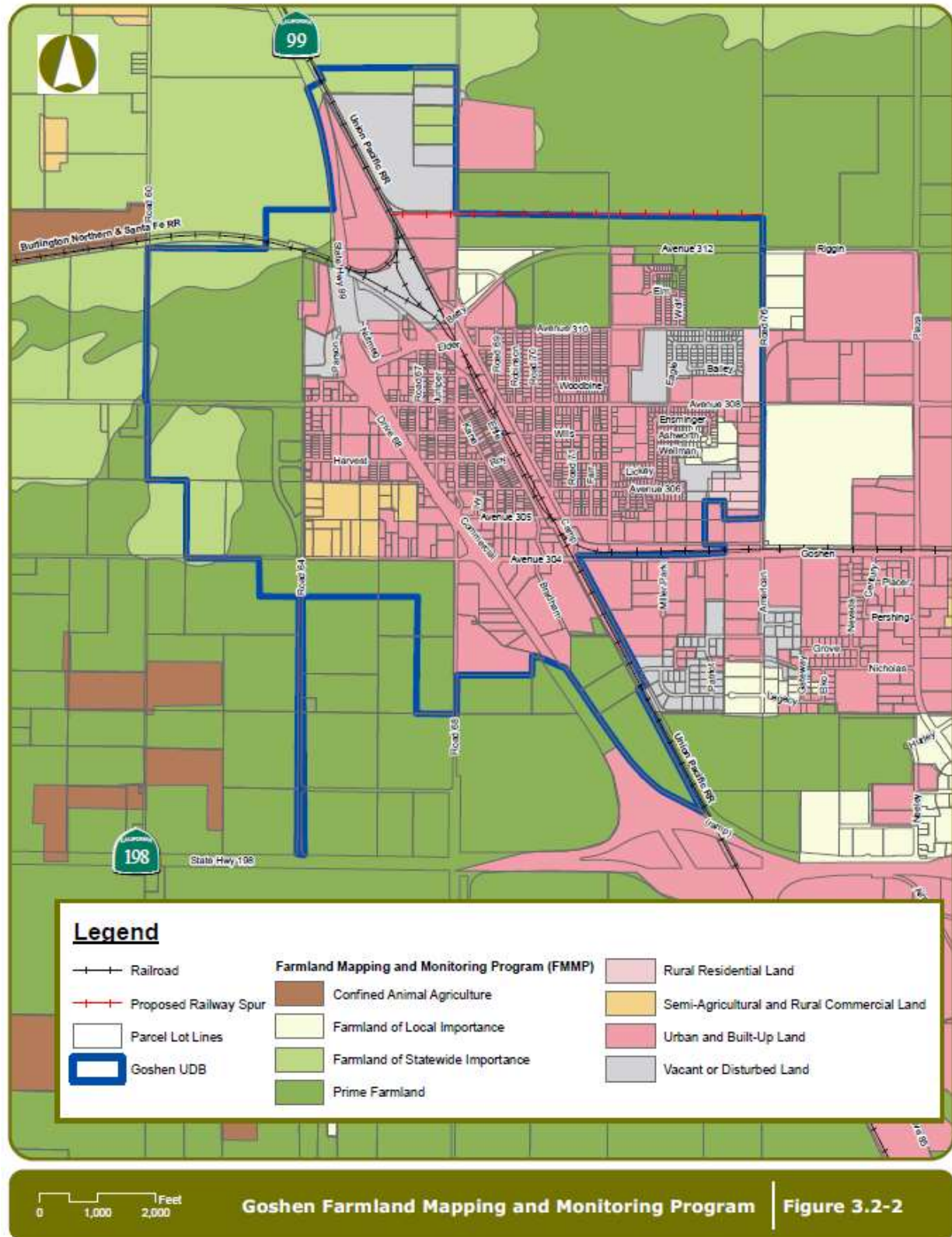
¹² Tulare County 2030 General Plan RDEIR. Pages 3.10 to 3.13.

¹³ General Plan Background Report. Page 4-17.

Figure 3.2-1
Agriculture Preserve Map



**Figure 3.2-2
Farmland Mapping Monitoring Program (FMMP) Map**



REGULATORY SETTING

Federal Agencies & Regulations

Federal Farmland Protection Act (FPPA)

“The FPPA is intended to minimize the impact Federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. It assures that to the extent possible federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland. Federal agencies are required to develop and review their policies and procedures to implement the FPPA every two years. The FPPA does not authorize the Federal Government to regulate the use of private or nonfederal land or, in any way, affect the property rights of owners. For the purpose of FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to FPPA requirements does not have to be currently used for cropland. It can be forest land, pastureland, cropland, or other land, but not water or urban built-up land. Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency.”¹⁴

US Forest Service

The U.S. Department of Agriculture, U.S. Forest Service is a Federal agency that manages public lands in national forests and grasslands. The Forest Service is also the largest forestry research organization in the world, and provides technical and financial assistance to state and private forestry agencies to protect and manage non-federal forest and associated range and watershed lands. The Forest Service mission is to sustain the health, diversity, and productivity of the nation’s forests and grasslands to meet the needs of present and future generations.¹⁵

State Agencies & Regulations

California Department of Conservation: Farmland Mapping and Monitoring Program

“The California Department of Conservation (DOC), under the Division of Land Resource Protection, has developed the Farmland Mapping and Monitoring Program (FMMP), which monitors the conversion of the state’s farmland to and from agricultural use. Data is collected at the county level to produce a series of maps identifying eight land use classifications using a minimum mapping unit of 10 acres. The program also produces a biannual report on the amount of land converted from agricultural to non-agricultural use. The program maintains an inventory of state agricultural land and updates the “Important Farmland Series Maps” every two years (Department of Conservation, 2000).”¹⁶

¹⁴ Federal Farmland Protection Act, <http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/alphabetical/fppa>

¹⁵ US Forest Service, “About Us – Meet the Forest Service”, <http://www.fs.fed.us/aboutus/meetfs.shtml>

¹⁶ General Plan Background Report. Page 4-12.

Williamson Act: California Land Conservation Act of 1965

“The California Land Conservation Act (CLCA) of 1965, Sections 51200 et seq. of the California Government Code, commonly referred to as the “Williamson Act”, enables local governments to restrict the use of specific parcels of land to agricultural or related open space use. Landowners enter into contracts with participating cities and counties and agree to restrict their land to agriculture or open space use for a minimum of ten years. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market (speculative) value. Local governments receive an annual subvention of forgone property tax revenues from the state via the Open Space Subvention Act of 1971.”¹⁷

California Department of Forestry and Fire Protection (CAL FIRE)

“CAL FIRE manages eight Demonstration State Forests that provide for commercial timber production, public recreation, and research and demonstration of good forest management practices. CAL FIRE foresters can be found in urban areas working to increase the number of trees planted in our cities, or preventing the spread of disease by identifying and removing infected trees. A Native American burial ground in the path of a logging operation or fire may be verified and saved due to a CAL FIRE archaeologist's review of the area. And, an improved strain of trees, resistant to disease and pests, may be nurtured and introduced by a CAL FIRE forester.”¹⁸

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.¹⁹ The following General Plan policies apply to the proposed Project:

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-1.3 Williamson Act - The County should promote the use of the California Land Conservation Act (Williamson Act) on all agricultural lands throughout the County located outside established UDBs. However, this policy carries with it a caveat that support for the Williamson Act as a tax reduction component is premised on continued funding of the State subvention program that offsets the loss of property taxes.

¹⁷ Ibid. Page 4-13

¹⁸ California Department of Forestry and Fire Protection, <http://www.fire.ca.gov/about/about.php>

¹⁹ Tulare County General Plan 2030 Update, Part 1 – Goals and Policies Report

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-1.6 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-1.9 Agricultural Preserves Outside Urban Boundaries - The County shall grant approval of individual applications for agricultural preserves located outside a UDB provided that the property involved meets the requirements of the Williamson Act and the regulations of Tulare County.

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, railroads, canals, power lines, etc.), and unique site conditions.

AG-1.17 Agricultural Water Resources - The County shall seek to protect and enhance surface water and groundwater resources critical to agriculture.

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.

LU-2.6 Industrial Development - Other than provided in Policy LU-2.5: Agricultural Support Facilities, the County shall, and the cities should, through their industrial development policies, approve only those agriculturally-oriented or related industries and uses that can demonstrate, whether by location and/or controlled methods of operation, that they will not adversely affect agricultural production or the County's natural resources. These uses should be located inside UDBs, HDBs, PCAs and regional growth corridors unless necessary for the support of agricultural operations or as provided in Policy LU-2.5: Agricultural Support Facilities.

Rural Valley Land Plans

For the unincorporated valley portions of Tulare County, growth is guided by the land use policies in the Rural Valley Lands Plan (RVLP)²⁰ and Planning Framework Element²¹ of the Tulare County General Plan 2030 Update.

“Tulare County has identified land for urbanization according to four categories: 1) lands in and around incorporated cities, 2) lands in and around unincorporated communities, 3) lands in foothill development corridors, and 4) lands that qualify under the RVLP. The county is legally responsible for the planning and regulation of all lands that fall outside incorporated city limits, even though cities adopt their own general plans for the incorporated area and a portion of surrounding unincorporated area.”²²

“The RVLP applies to about 773,500 acres of the valley portion of the County, outside the planned Urban Development Boundaries (UDB) and generally below the 600-foot elevation contour line along the foothills of the Sierra Nevada Mountain Range. ... The purpose of the RVLP is to protect and maintain the agricultural viability of rural valley areas by establishing requirements for exclusive agricultural zoning (containing minimum parcel sizes) appropriate to sustain agriculture and implementing a policy that utilizes resource information to determine the

²⁰ Tulare County General Plan 2030 Update, Part II – Area Plan Policies, Chapter 1 – Rural Valley Lands Plan

²¹ Tulare County General Plan 2030 Update, Part I – Goals and Policies Report, Chapter 2 – Planning Framework

²² Tulare County General Plan 2030 Update Background Report. Page 3-6.

suitability of rural lands for nonagricultural uses. The goal of the RVLP is to "sustain the viability of Tulare County agriculture by restraining division and use of land which is harmful to continued agricultural use." The RVLP utilizes five exclusive agriculture (AE) zones, each requiring a different minimum parcel size (ranging from five to eighty acres). These zones are as follows: AE, AE-10, AE-20, AE-40, and AE-80. The number designation on each zone generally reflects the minimum acres of land needed to productively farm a certain crop at a commercial level."²³

"In order to grant an exception for the use of the AE zone on properties that have minimal or no agricultural value, a point system is used to evaluate property suitability. Points are awarded for various factors such as parcel size, available public services, and surrounding land uses. Parcels determined to be more suitable for nonagricultural uses may be zoned (discretionary review required) for urban/suburban uses. Parcels that do not meet the requirements for rezoning are not allowed to rezone and must remain agriculturally zoned. ... The RVLP point system [is used] to determine whether a site is suitable to rezone from an agricultural zone on the Valley floor to an urban zone. The county shall not allow re-zoning of parcels that accumulate 17 or more points according to the RVLP Development Criteria. If the number of points accumulated is 11 or less, the parcel may be considered for nonagricultural zoning. A parcel receiving 12 to 16 points shall be determined to have fallen within a "gray" area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors shall make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by this system."²⁴

Tulare County Agricultural Conservation Easement Program

The Tulare County Agricultural Conservation Easement Program (ACEP, see Appendix "A") was established to allow the use of agricultural easements to reduce or mitigate any significant impacts resulting from the conversion of certain agricultural land to non-agricultural uses. Resolution 2016-0323, adopted by the Tulare County Board of Supervisors on May 3, 2016, requires the use of farmland conservation easements or other farmland conservation mechanisms for projects requiring County discretionary land use entitlements and the conversion of five (5) or more acres of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses.

"CRITERIA FOR AN EASEMENT: A "Farmland conservation easement" means for the purposes of this ACEP, an easement over agricultural land for the purpose of restricting its use for the term set forth in this resolution for primarily agricultural and agricultural-compatible uses. Any easement offered or used under this program shall, at a minimum, meet these criteria:

- A) Preferably the easement will be located in Tulare County but other suitable land may be encumbered subject to approval by the Board of Supervisors.

²³ Ibid. 3-13.

²⁴ Op. Cit. 3-14.

- B) The easement will include Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.
- C) The land placed under the easement must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated.
- D) The land placed under the easement must be at a minimum of a one to one (1:1) ratio or its functional equivalent to the loss of defined agricultural lands mitigated.”²⁵

IMPACT EVALUATION

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

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to non-agricultural uses?**

Project Impact Analysis:

Less Than Significant Impact

Goshen is generally square in shape and is bisected in a northwest-southeasterly direction by State Route 99 and again by the Union Pacific Railroad (UPRR), which divides the community into three (3) distinct areas. Goshen is currently a highway-oriented service center surrounded on the north, west, and south by lands in agricultural production and by Visalia’s Industrial Park, commercial, agricultural and vacant land on the east.

The proposed amendment will result in the addition of 515.5 acres to the existing Community Plan’s Urban Development Boundary (UDB) area. The overall land use pattern will remain as currently defined; with the exception of those areas where the UDB will be expanded. Existing uses include a mix of single-family residences, highway and general commercial, light and heavy industrial, public (school), and agricultural uses. Proposed land uses within the UDB expansion areas include residential, commercial and industrial uses.

The Project does not include any immediate development proposals, but its development is anticipated to populate the proposed UDB area over time. The Project will result in the Conversion of three parcels containing Williamson Act (WA) Preserves and two parcels

²⁵ Tulare County Agricultural Conservation Easement Program. Pages 6 to 7.

where WA Preserves have not been renewed. Over time, parcels classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) are planned for development to non-agricultural uses. Although there are no specific development projects proposed as part of this amendment. As the agricultural area builds out, the conversion of FMMP designated important agricultural land to an urban use could result in a significant impact if not adequately mitigated.

Loss of important farmlands within unincorporated areas of the County which lie outside of Urban Development Boundaries (UDBs) is mitigated by the RVLP (General Plan Policy RVLP-1.3) on a localized level. The RVLP requires projects outside of UDBs to undertake an additional regulatory checklist (evaluation) that results in most projects deemed undevelopable outside the UDB's unless agriculturally related. However, mitigation, in the form of farmland conservation easements, are available for projects outside of UDBs which are deemed unsuitable for developable per the RVLP checklist.

Future development within portions of the FMMP map as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (see **Figure 3.2-2**) of the planning area will be required to provide farmland conservation easements pursuant to the Tulare County Agricultural Conservation Easement Program (ACEP). Mitigation Measures 2-1, which is included in the Mitigation Monitoring and Reporting Program (MMRP), provides future project developers with five (5) options for securing the required easements. The options include (1) mitigation fees, (2) on-site easements, (3) off-site easements, (4) a combination of on- and off-site easements, and (5) planning development overlay.

Therefore, the Project will result in ***Less Than Significant Project-specific Impacts With Mitigation*** related to this Checklist Item.

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

The geographic area of this cumulative analysis is the entire State of California. This cumulative analysis is based on the Statewide FMMP map provided by the California State Department of Conservation. Therefore, ***Less Than Significant Cumulative Impacts*** related to this Checklist Item will occur.

Mitigation Measure(s): ***Mitigation Measures 2-1 and 2-1.***

- 2-1 Prior to the start of construction of any project within an “FMMP area” of the Project area, as applicable, the Applicant shall demonstrate compliance with the Tulare County Agricultural Conservation Easement Program (ACEP). The Applicant shall implement one (1) of the five (5) options below:**

Option 1 (Mitigation Fees): Applicant(s) may submit in-lieu mitigation fees to Tulare County for the purpose of procuring agricultural lands for farmland conservation easement(s). These fees will be used by Tulare County to purchase farmland easement(s) at a minimum ratio of one to

one (1:1) or its functional equivalent to the loss of define agricultural lands, on behalf of the Applicant. These easements must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement shall protect the designated farmland in perpetuity.

Option 2 (On-site Easements): Applicant(s) may enter into a Farmland Conservation Easement Agreement with Tulare County. The on-site land placed under the easement(s) must be at a minimum of a one to one (1:1) ratio, with no less than its functional equivalent of the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or combination thereof, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The easement(s) shall be located in Tulare County, within the boundaries of the project site/property. The easement(s) must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement shall protect the designated farmland in perpetuity.

Option 3 (Off-site Easements): Applicant(s) may enter into a Farmland Conservation Easement Agreement with Tulare County. The land placed under the easement(s) must be at a minimum of a one to one (1:1) ratio, with no less than its functional equivalent of the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or combination thereof, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The easement(s) shall be located in Tulare County, unless otherwise agreed upon by all parties involved, including the Applicant(s), Tulare County, and/or selling Land Owner(s). The easement(s) must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement(s) shall protect the designated farmland in perpetuity.

Option 4 (Combined On- and Off-site Easements): Applicant(s) may enter into a Farmland Conservation Easement Agreement with Tulare County. The land placed under the easement(s) must be at a minimum of a one to one (1:1) ratio, with no less than its functional equivalent of the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or combination thereof, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The easement(s) shall be located in Tulare County, unless otherwise agreed upon by all parties involved, including the Applicant(s), Tulare County, and/or selling Land Owner(s). The easement(s) must be of substantially the same quality, have or could

acquire access to water, and could otherwise be feasibly cultivated. The easement(s) shall protect the designated farmland in perpetuity.

Option 5 (Planned Development Overlay): The Applicant(s) can enter into a Planned Development Agreement with Tulare County to establish a Planned Development Overlay for the project area. This agreement will include conditions that require all future developments to undergo a Site Plan Review, which will include mandatory mitigation, including farmland easements, for the conversion of agricultural lands.

- 2-2 Prior to the start of construction of any project within an “FMMP area” of the Project, as applicable, the Applicant shall demonstrate compliance with the Tulare County Agricultural Conservation Easement Program (ACEP). The Applicant shall enter into a Farmland Conservation Easement Agreement with Tulare County pursuant to the provisions and administrative protocols of the ACEP. If the Farmland Conservation Easement Agreement is approved by the Board of Supervisors, these properties shall be protected in perpetuity.**

Conclusion:

Less Than Significant Impact With Mitigation

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

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

Project Impact Analysis:

Less Than Significant Impact

Development within the UDB would result in the eventual construction of residences, commercial, and industrial use, streets (and other infrastructure such as curbs, gutters, sidewalks, sewer and water collection/distribution systems, etc.), and other non-agricultural uses. Development within the UDB would occur over the planning period.

As development is anticipated to occur over time, the potential incompatibilities associated with noise, odors, and dust from agricultural activities would be intermittent and is typical of transitional areas between rural and urban interfaces. In this case, implementation of the Right-to-Farm Ordinance would give every a property owner (e.g., a new home buyer), the opportunity to evaluate the personal significance of these potential minor nuisances. Furthermore, the Right-to-Farm Ordinance allows existing agricultural operations to continue, unhindered so that farmers do not have to alter their operations in accordance with future occupant’s desires.

The Project will, at full build-out, result in the conversion of any prime agricultural land as defined in Section 51201(C) of the Govt. Code to non-agricultural use. Although it will

initially conflict with existing zoning for agriculture use, such zoning will be superseded by zoning amendments reclassifying said zones to non-agricultural zones. Over time, it will be necessary to cancel Williamson Act Contracts on the three parcels containing WA contracts. However, by limiting expansion of the UDB, the proposed Project is not expected to encourage the non-renewal or cancellation of other nearby Williamson Act contracted lands. Therefore, ***Less Than Significant Impact*** will result from the proposed Project.

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

The geographic area of this cumulative analysis is the entire State of California. This cumulative analysis is based on provisions of the California Land Conservation Act of 1965 (Williamson Act) and on Tulare County allowed uses in agricultural zones.

While there are Williamson Act-contracted lands adjacent to the Project site, it is not anticipated that the proposed Project will cause the conversion of adjacent agricultural uses. Therefore, ***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 and Cumulative Impacts*** related to this Checklist Item will occur.

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

Project Impact Analysis: ***No Impact***

The Project site and surrounding areas are located in the Valley portion of Tulare County and have agricultural zoning. The area contains no lands zoned or identified as forest land or timberland. The proposed Project will not conflict with existing zoning for forest land or cause rezoning of forest land. As such, ***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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

The proposed Project is not located within a forestland zone or would require the change of a forestland zone. As such ***No Cumulative Impacts*** to this Checklist Item will occur.

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

Conclusion: ***No Impact***

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

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

Project Impact Analysis: ***No Impact***

As noted earlier, the proposed Project is not located within a forest land zone or will require the change of a forest land zone. As such, ***No Project-specific Impacts*** 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, and/or Tulare County 2030 General Plan EIR.

As noted earlier, the proposed Project is not located within a forest land zone or will require the change of a forest land zone. As such, ***No Cumulative Impacts*** to this Checklist Item will occur.

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

Conclusion: ***No Impact***

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

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 agricultural use or conversion of forest land to non-forest use?

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

The Project 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. It could, during the 28-year timeframe of this Community Plan, result in conversion of farmland to future non-

agricultural use (industrial, commercial, and residential). However, no specific development proposals are part of this Community Plan Update. Therefore, a ***Less Than Significant Impact*** will result from the proposed Project.

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, the proposed Project is not anticipated to impact adjacent farmland beyond the Urban Development Boundary and no forest land exists near the Project. Therefore, ***Less Than Significant Cumulative Impacts*** to this Checklist Item will occur.

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

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

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

DEFINITIONS/ACRONYMS

Definitions

“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 map series identifies eight classifications (discussed below) and uses a minimum mapping unit size of 10 acres. The program also produces a biannual report on the amount of land converted from agricultural to non-agricultural use. The program maintains an inventory of state agricultural land and updates its “Important Farmland Series Maps” every two years. Although the program monitors a wide variety of farmland types (more fully described below), Important Farmland consists of lands classified as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland.”²⁶

Farmland of Local Importance (L) - Farmland of Local Importance is land important to the local agricultural economy as determined by each county’s board of supervisors and a local advisory committee.²⁷

Farmland of Statewide Importance (S) - Farmland of Statewide Importance is similar to Prime Farmland but has minor shortcomings, such as greater slopes or a lesser ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.²⁸

Grazing Land (G) - Grazing Land is land on which the vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen’s Association, the University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.²⁹

Other Land (X) - Other Land is land not included in any other mapping category. Common examples include low-density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines and borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.³⁰

Prime Farmland (P) – Prime Farmland is farmland with the best combination of physical and chemical features to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.³¹

²⁶ General Plan Update RDEIR, page 3.10-4

²⁷ *Ibid.*

²⁸ *Op. Cit.*

²⁹ *Op. Cit.*

³⁰ *Op. Cit.*, page 3.10-5

³¹ *Op. Cit.*, page 3.10-4

Unique Farmland (U) - Unique Farmland has lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.³²

Urban and Built-Up Land (D) - Urban and Built-Up Land is land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.³³

Water (W) - Water is defined as perennial water bodies with an extent of at least 40 acres. While the number of agricultural lands classified as Important Farmlands (i.e., Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) have been decreasing over the past several years, the total acreage for all categories of farmland (including grazing land) remained relatively stable between the years 1998 and 2006 (see Table 3.10-4). The locations of these farmland types are identified in Figure 3.10-1. The farmlands are concentrated in the Rural Valley/Foothill Planning areas. No important farmlands are located in the Mountain Area.

Acronyms

ACEP	Agricultural Conservation Easement Program
CALFIRE	California Department of Forestry and Fire Protection
CLCA	California Land Conservation Act (Williamson Act)
DOC	California Department of Conservation
FPPA	Farmland Protection Policy Act
FMMP	Farmland Mapping and Monitoring Program
MMRP	Mitigation and Monitoring Program
RVLP	Rural Valley Lands Plan
THP	Timber Harvesting Plan
UDB	Urban Development Boundary

REFERENCES

Tulare County 2030 General Plan, August 2012

California Department of Conservation (DOC), Division of Land Resource Protection (DLRP), California Land Conservation, "Williamson Act Status Report (2010)" downloaded from "Williamson Act Reports and Statistics" which can be accessed at:

http://www.conservation.ca.gov/dlrp/lca/stats_reports/Pages/index.aspx

³² Op. Cit.

³³ Op. Cit., 3.10-4 to 3.10-5.

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Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program, which can be accessed at:

<http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>

Tulare County Farm Bureau, “Agricultural Facts,” Tulare County Farm Bureau, “Agricultural Facts,” which can be accessed at: <http://www.tulcofb.org/index.php?page=agfacts>

Tulare County 2030 General Plan Background Report, February 2010

Tulare County 2030 General Plan, Recirculated Draft Environmental Impact Report (RDEIR), February 2010

Tulare County Agricultural Commissioner, “2016 Tulare County Annual Crop and Livestock Report”, June 2016, which can be accessed at:

http://agcomm.co.tulare.ca.us/ag/assets/File/54326_Tulare%20Co%20Crop%20%26%20Livestock%202016%20Report_PROOF.pdf

Tulare County Resource Management Agency, Tulare County Subvention Report for Fiscal Year 2012-2013 (submitted to Department of Conservation, November 2012)

California Department of Forestry and Fire Protection, which can be accessed at:

<http://www.fire.ca.gov/about/about.php>

Federal Farmland Protection Act, which can be accessed at:

<http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/alphabetical/fppa>

US Forest Service, “About Us – Meet the Forest Service”, which can be accessed at:

<http://www.fs.fed.us/aboutus/meetfs.shtml>

CEQA Guidelines

Air Quality

Chapter 3.3

SUMMARY OF FINDINGS

The proposed Goshen Community Plan Update (Project) will result in ***Less Than Significant Impacts*** to Air Quality. A detailed review of potential impacts is provided in the following analysis. An Air Quality Analysis Report (AQA Report) prepared by consultants First Carbon Solutions, and a subsequent Air Quality and Greenhouse Gas Analysis Technical Memorandum prepared by Tulare County Resource Management Agency (RMA) staff, are included as Appendix “A” of this document and are used as the basis for determining this Project will result in ***Less Than Significant Impacts***.

INTRODUCTION

California Environmental Quality Act (CEQA) Requirements

This section of the Draft Program/Project Environmental Impact Report (DEIR) addresses potential impacts to Air Quality. 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 hazardous areas.”¹

¹ CEQA Guidelines, Section 15126.2(a)

The “Environmental Setting” section provides a description of the air quality in the County. The “Regulatory Setting” section provides a description of applicable Federal, State and Local regulatory policies that were developed in part from information contained in the Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, and/or Tulare County General Plan 2030 Update Recirculated Draft Environmental Impact Report (RDEIR) incorporated by reference and summarized below. Additional documents utilized are noted as appropriate. A description of the potential impacts of the proposed is provided and includes the identification of feasible mitigation measures (if necessary and feasible) to avoid or lessen the impacts.

Thresholds of Significance

The thresholds of significance for this section are established by the CEQA Checklist Item questions. The following are potential thresholds for significance.

- Result in an exceedance of criteria pollutants as established in the 1990 Clean Air Act amendments.
- Result in an exceedance of San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) criteria pollutant threshold. (See GAMAQI Thresholds of Significance for Criteria pollutants below, Table 3.3-4)
- Result in nuisance odors.
- Result in emissions of toxic air contaminants (TAC).
- 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.

ENVIRONMENTAL SETTING

San Joaquin Valley Air Basin

Topography

The topography of a region is important for air quality because mountains can block airflow that would help disperse pollutants and can channel air from upwind areas that transports pollutants to downwind areas. The San Joaquin Valley (SJV or Valley) covers the entirety of the San Joaquin Valley Air Basin (SJVAB or Air Basin) which includes San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and the valley portion of Kern counties. The SJVAB is generally shaped like a bowl.

“The climate of the SJV is modified by topography. This creates climatic conditions that are particularly conducive to air pollution formation. ...[The] SJV is surrounded by mountains on three sides and open to the Sacramento Valley and the San Francisco Bay Area to the north.

The SJVAB is the southern half of California's Central Valley and is approximately 250 miles long and averages 35 miles wide. The SJV is bordered by the Sierra Nevada Mountains in the east (8,000 to 14,491 feet in elevation), the Coast Ranges in the west (averaging 3,000 feet in elevation), and the Tehachapi mountains in the south (6,000 to 7,981 feet in elevation). There is a slight downward elevation gradient from Bakersfield in the southeast end (elevation 408 feet) to sea level at the northwest end where the valley opens to the San Francisco Bay at the Carquinez Straits. At its northern end is the Sacramento Valley, which comprises the northern half of California's Central Valley. The bowl shaped topography inhibits movement of pollutants out of the valley.”²

Climate

“The SJV is in a Mediterranean Climate Zone. Mediterranean Climates Zones occur on the west coast of continents at 30 to 40 degrees latitude and are influenced by a subtropical high-pressure cell most of the year. Mediterranean Climates are characterized by sparse rainfall, which occurs mainly in winter. Summers are hot and dry. Summertime maximum temperatures often exceed 100 degrees F in the Valley.

The subtropical high-pressure cell is strongest during spring, summer and fall and produces subsiding air, which can result in temperature inversions in the Valley. A temperature inversion can act like a lid, inhibiting vertical mixing of the air mass at the surface. Any emissions of pollutants can be trapped below the inversion. Most of the surrounding mountains are above the normal height of summer inversions (1,500-3,000 feet).

Winter-time high pressure events can often last many weeks with surface temperatures often lowering into the thirties degree Fahrenheit. During these events, fog can be present and inversions are extremely strong. These wintertime inversions can inhibit vertical mixing of pollutants to a few hundred feet.”³

Wind Pattern

“Wind speed and direction play an important role in dispersion and transport of air pollutants. Wind at the surface and aloft can disperse pollution by mixing and by transporting the pollution to other locations.

Especially in summer, winds in the Valley most frequently blow from the northwesterly direction. The region’s topographic features restrict air movement and channel the air mass towards the southeastern end of the Valley. Marine air can flow into the basin from the San Joaquin River Delta and over Altamont Pass and Pacheco Pass, where it can flow along the axis of the valley, over the Tehachapi pass, into the Southeast Desert Air Basin. The Coastal Range is a barrier to air movement to the west and the high Sierra Nevada range is a significant barrier to the east (the highest peaks in the southern Sierra Nevada reach almost halfway through the Earth's atmosphere). Many days in the winter are marked by stagnation events where winds are very weak. Transport of pollutants during winter can be very limited. A secondary but significant summer wind pattern

² Air District, *Guidance for Assessing and Mitigating Air Quality Impacts*, page 16

³ *Ibid.*, 17

is from the southeasterly direction and can be associated with nighttime drainage winds, prefrontal conditions and summer monsoons.

Two significant diurnal wind cycles that occur frequently in the Valley are the sea breeze and mountain-valley upslope and drainage flows. The sea breeze can accentuate the northwest wind flow, especially on summer afternoons. Nighttime drainage flows can accentuate the southeast movement of air down the valley. In the mountains during periods of weak synoptic scale winds, winds tend to be upslope during the day and downslope at night. Nighttime and drainage flows are especially pronounced during the winter when flow from the easterly direction is enhanced by nighttime cooling in the Sierra Nevada. Eddies can form in the valley wind flow and can recirculate a polluted air mass for an extended period. Such an eddy occurs in the Fresno area during both winter and summer.”⁴

Temperature, Sunlight and Ozone Production

“Solar radiation and temperature are particularly important in the chemistry of ozone formation. The SJVAB averages over 260 sunny days per year. Photochemical air pollution (primarily ozone) is produced by the atmospheric reaction of organic substances (such as volatile organic compounds) and nitrogen dioxide under the influence of sunlight. Ozone concentrations are very dependent on the amount of solar radiation, especially during late spring, summer and early fall. Ozone levels typically peak in the afternoon. After the sun goes down, the chemical reaction between nitrous oxide and ozone begins to dominate. This reaction tends to scavenge the ozone in the metropolitan areas through the early morning hours, resulting in the lowest ozone levels, possibly reaching zero at sunrise in areas with high nitrogen oxides emissions. At sunrise, nitrogen oxides tend to peak, partly due to low levels of ozone at this time and also due to the morning commuter vehicle emissions of nitrogen oxides.

Generally, the higher the temperature, the more ozone formed, since reaction rates increase with temperature. However, extremely hot temperatures can "lift" or "break" the inversion layer. Typically, if the inversion layer doesn't lift to allow the buildup of contaminants to be dispersed, the ozone levels will peak in the late afternoon. If the inversion layer breaks and the resultant afternoon winds occur, the ozone will peak in the early afternoon and decrease in the late afternoon as the contaminants are dispersed or transported out of the SJVAB.

Ozone levels are low during winter periods when there is much less sunlight to drive the photochemical reaction.”⁵

Temperature Inversions

“The vertical dispersion of air pollutants in the SJV can be limited by persistent temperature inversions. Air temperature in the lowest layer of the atmosphere typically decreases with altitude. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. The height of the base of the inversion is known as the "mixing height". This is the level

⁴ Op. Cit. 17 to 18

⁵ Op. Cit. 18

to which pollutants can mix vertically. Mixing of air is minimized above and below the inversion base. The inversion base represents an abrupt density change where little air movement occurs.

Inversion layers are significant in determining pollutant concentrations. Concentration levels can be related to the amount of mixing space below the inversion. Temperature inversions that occur on the summer days are usually encountered 2,000 to 2,500 feet above the valley floor. In winter months, overnight inversions occur 500 to 1,500 feet above the valley floor.”⁶

Precipitation, Humidity and Fog

“Precipitation and fog may reduce or limit some pollutant concentrations. Ozone needs sunlight for its formation, and clouds and fog can block the required solar radiation. Wet fogs can cleanse the air during winter as moisture collects on particles and deposits them on the ground. Atmospheric moisture can also increase pollution levels. In fogs with less water content, the moisture acts to form secondary ammonium nitrate particulate matter. This ammonium nitrate is part of the Valleys PM_{2.5} and PM₁₀ problem.

The winds and unstable air conditions experienced during the passage of winter storms result in periods of low pollutant concentrations and excellent visibility. Between winter storms, high pressure and light winds allow cold moist air to pool on the SJV floor. This creates strong low-level temperature inversions and very stable air conditions, which can lead to Tule fog. Wintertime conditions favorable to fog formation are also conditions favorable to high concentrations of PM_{2.5} and PM₁₀.”⁷

Tulare County

Tulare County is located within the southern portion of the SJVAB. Due to the SJVAB’s light and wind patterns, long periods of warm and sunny days, and surrounding mountains, air quality in the County can occur at any time of the year. The following discussion on topography and climate in the County of Tulare are taken from the Tulare County 2030 General Plan Recirculated Draft Environmental Impact Report (RDEIR).

“The topography of Tulare County significantly varies in elevation from its eastern to western borders, which results in large climatic variations that ultimately affect air quality. The western portion of the County is within the low-lying areas of the SJVAB. This portion of the County is much dryer in comparison to the eastern portion that is located on the slopes of the Sierra Nevada Mountains. The higher elevation contributes to both increased precipitation and a cooler climate.

Wind direction and velocity in the eastern section varies significantly from the western portion of the County. The western side receives northwesterly winds. The eastern side of the County exhibits more variable wind patterns, but the wind direction is typically up-slope during the day and down-slope in the evening. Generally, the wind direction in the eastern portion of the County is westerly; however terrain differences can create moderate directional changes.”⁸

⁶ Op. Cit. 19

⁷ Op. Cit.

⁸ Tulare County. General Plan 2030 Update Background Report, page 6-12 to 6-13

Existing Air Quality Conditions

SJVAB Attainment Status

The United States Environmental Protection Agency (EPA) and the California Air Resources Board (ARB) designate air basins where ambient air quality standards are exceeded as “nonattainment” areas. If standards are met, the area is designated as an “attainment” area. If there is inadequate or inconclusive data to make a definitive attainment designation, they are considered “unclassified.” National nonattainment areas are further designated as marginal, moderate, serious, severe, or extreme as a function of deviation from standards. Current attainment designations for the SJVAB are provided in **Table 3.3-1**.

Table 3.3-1 San Joaquin Valley Air Basin Attainment Status		
Pollutant	Designation	
	National	State
Ozone—1-hour	No Federal Standard	Nonattainment/Severe
Ozone—8-hour	Nonattainment/Extreme	Nonattainment
PM10	Attainment	Nonattainment
PM2.5	Nonattainment	Nonattainment
Carbon monoxide	Attainment/Unclassified	Attainment/Unclassified
Nitrogen dioxide	Attainment/Unclassified	Attainment
Sulfur dioxide	Attainment/Unclassified	Attainment
Lead	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	Unclassified
Source: Air District, http://www.valleyair.org/aqinfo/attainment.htm		

“The SJVAB is highly susceptible to pollutant accumulation over time due to the transport of pollutants into the SJVAB from upwind sources. Stationary emission sources in the County include the use of cleaning and surface coatings and industrial processes, road dust, local burning, construction/demolition activities, and fuel combustion. Mobile emissions are primarily generated from the operation of vehicles. According to air quality monitoring data, the SJVAB has been in violation for exceeding ozone ... emission standards for many years.”⁹ As of December 2017, the

⁹ Tulare County General Plan 2030 Update RDEIR, page 3.3-9

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SJVAB is in nonattainment for federal and state ozone and PM_{2.5} standards, attainment for federal PM₁₀ standards, and nonattainment for state PM₁₀ standards.

Local Air Quality Conditions

Existing local air quality conditions can be characterized by reviewing air pollution concentration data near the Project Planning Area for comparison with the NAAQS and the CAAQS. Air samples are collected continuously for some pollutants and periodically for other pollutants depending on the type of monitoring equipment installed. Monitoring sites are usually chosen to be representative of the emissions in a community. There are currently 38 active air monitoring stations in the SJVAB. Of these, there are currently five stations in Tulare County operated by various agencies: Porterville (Air District); Ash Mountain (Sequoia National Park); Lower Kaweah (Sequoia National Park); Visalia–Church St. (ARB); and Visalia–Airport (Air District). For pollutants not measured by any station in the project area, the next closest monitor with those emissions must be identified. The measurements made at these stations may not be representative of the Project Planning Area, but they are assumed to provide a conservative estimate for a smaller community like Goshen.

There are no monitoring stations in Tulare County that measure CO and SO₂ and the nearest station that monitored these pollutants is Fresno-First St. location in Fresno. However, according to ARB the Fresno-First St. station last recorded SO₂ emissions in 2011 and CO emissions in 2012. The Visalia-Church station is the closest station to Goshen and is representative of the community. **Table 3.3-2** summarizes the published air monitoring data from 2014 through 2016 (except where noted), which is the most recent data available. The amount over the standards and the number of days each year that the standards were exceeded provide an indicator of the severity of the air quality problems in the local area

Table 3.3-2. Air Quality Monitoring Summary					
Air Pollutant	Averaging Time	Item	2014	2015	2016
Ozone (O ₃)	1-hour	State Max 1-hour (ppm)	0.104	0.109	0.108
		Days > State Standard (0.09 ppm)	8	12	13
	8-hour	State Max 8-hour (ppm)	0.091	0.090	0.096
		Days > State Standard (0.07 ppm)	81	67	87
		National Max 8-hour (ppm)	0.091	0.090	0.096
		Days > National Standard (0.075 ppm) ⁷	51	52	60
Inhalable coarse particulate matter (PM ₁₀)	Annual	State Average (µg/m ³)	ID	ID	ID
		National Average (µg/m ³)	45.4	28.9	43.3
	24 hour	State 24-hour (µg/m ³)	104.2	140.3	132.5
		Days > State Standard (50 µg/m ³)	17	67	95
		National 24-hour (µg/m ³)	102.4	67.3	137.1
		Days > National Standard (150 µg/m ³)	0	0	0
	Annual	State Average (µg/m ³)	17.9	ID	15.6
		National Average (µg/m ³)	17.8	16.1	14.6

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Table 3.3-2. Air Quality Monitoring Summary					
Air Pollutant	Averaging Time	Item	2014	2015	2016
Fine particulate matter (PM _{2.5})	24-hour	State 24-hour (µg/m ³)	85.9	91.5	53.9
		National 24-hour (µg/m ³)	81.3	86.3	48.0
		Days > National Standard (35 µg/m ³)	12	5	7
Carbon monoxide (CO)	8-hour	Max 8-hour (ppm)	Unavailable	Unavailable	Unavailable
		Days > State and National Standards (9 ppm)	Unavailable	Unavailable	Unavailable
Nitrogen dioxide (NO ₂)	Annual	State Average (ppb)	10	9	ID
	1-hour	State Max 1-hour (ppb)	64	62	57
		Days > State Standard (180 ppb)	0	0	0
		National Max 1-hour (ppb)	64.5	62.3	57.5
		Days > National Standard (100 ppb)	0	0	0
Sulfur dioxide (SO ₂)	Annual	State Average (ppm)	Unavailable	Unavailable	Unavailable
	24-hour	Max 24-hour (ppm)	Unavailable	Unavailable	Unavailable
Abbreviations: ppm = parts per million; ppb = parts per billion; > = exceeded; µg/m ³ = micrograms per cubic meter; ID = insufficient data; max = maximum					
Source: Air Resources Board, https://www.arb.ca.gov/adam/topfour/topfour1.php					

Table 3.3-3 provides the federal and state ambient air quality standards and identifies the properties and health effects of each of the criteria pollutants.

Table 3.3-3 State & National Criteria Air Pollutant Standards, Effects, and Sources					
Pollutant	Averaging Time	State Standard	National Standard	Pollutant Health and Atmospheric Effects	Major Pollutant Sources
Ozone	1 hour	0.09 ppm	---	(a) Decrease of pulmonary function and localized lung edema in humans and animals; (b) Risk to public health implied by alterations in pulmonary morphology and host defense in animals; (c) Increased mortality risk; (d) Risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (e) Vegetation damage; (f) Property damage.	Formed when reactive organic gases (ROG) and nitrogen oxides (NO _x) react in the presence of sunlight. Major sources include on-road motor vehicles and any sources that burn fuels (e.g., gasoline, natural gas, wood, oil), solvent evaporation, petroleum processing and storage, pesticides and commercial/ industrial mobile equipment.
	8 hours	0.07 ppm ^a	0.070 ppm		

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Table 3.3-3 State & National Criteria Air Pollutant Standards, Effects, and Sources					
Respirable Particulate Matter (PM10)	24 hours	50 mg/m ³	150 mg/m ³	(a) Exacerbation of symptoms in sensitive patients with respiratory or cardiovascular disease; (b) Declines in pulmonary function growth in children; (c) Increased risk of premature death from heart or lung diseases in the elderly. Daily fluctuations in PM _{2.5} levels have been related to hospital admissions for acute respiratory conditions, school absences, and increased medication use in children and adults with asthma.	Dust and fume-producing industrial and agricultural operations, combustion of any fuel (including fireplaces), atmospheric photochemical reactions, and natural activities (e.g., wind-raised dust and ocean sprays).
	Annual Average	20 mg/m ³	---		
Fine Particulate Matter (PM2.5)	24 hours	---	35 mg/m ³	Fuel combustion in motor vehicles, equipment, and industrial sources; residential and agricultural burning; Also, formed from photochemical reactions of other pollutants, including NO _x , sulfur oxides, and organics.	
	Annual Average	12 µg/m ³	12 µg/m ³		
Carbon Monoxide	1 hour	20 ppm	35 ppm	(a) Aggravation of angina pectoris (chest pain) and other aspects of coronary heart disease; (b) Decreased exercise tolerance in persons with peripheral vascular disease and lung disease; (c) Impairment of central nervous system functions; (d) Possible increased risk to fetuses.	Internal combustion engines, primarily gasoline-powered motor vehicles, and any source that burns fuel such as heavy construction equipment, farming equipment and residential heating.
	8 hours	9.0 ppm	9 ppm		
Nitrogen Dioxide	1 hour	0.18 ppm	100 ppb	(a) Potential to aggravate chronic respiratory disease and respiratory symptoms in sensitive groups; (b) Risk to public health implied by pulmonary and extra-pulmonary biochemical and cellular changes and pulmonary structural changes; (c) Contribution to atmospheric discoloration - Colors atmosphere reddish-brown.	Motor vehicles, petroleum refining operations, industrial sources, aircraft, ships, and railroads. See also Carbon Monoxide.
	Annual Average	0.030	0.053 ppm		
Sulfur Dioxide	1 hour	0.25 ppm	75 ppb	Bronchoconstriction accompanied by symptoms which may include wheezing, shortness of breath and chest tightness,	Fuel combustion, coal or oil burning power plants and industries, oil refineries, chemical plants, sulfur recovery plants, and metal processing.
	3 hours	---	0.5 ppm		
	24 hours	0.04 ppm	0.14 ppm ^b		

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Table 3.3-3
State & National Criteria Air Pollutant Standards, Effects, and Sources

	Annual Average	---	0.03 ppm ^b	during exercise or physical activity in persons with asthma. Some population-based studies indicate that the mortality and morbidity effects associated with fine particles show a similar association with ambient sulfur dioxide levels. It is not clear whether the two pollutants act synergistically or one pollutant alone is the predominant factor.	
Lead	30 Day Average	1.5 mg/m ³	---	Lead accumulates in bones, soft tissue, and blood and can affect the kidneys, liver, and nervous system. It can cause impairment of blood formation and nerve conduction. The more serious effects of lead poisoning include behavior disorders, mental retardation, neurological impairment, learning deficiencies, and low IQs. Lead may also contribute to high blood pressure and heart disease.	Present source: lead smelters, battery manufacturing & recycling facilities; deterioration of lead paint. Past source: combustion of leaded gasoline.
	Quarterly	---	1.5 mg/m ³		
	Rolling 3-Month Average	---	0.15 mg/m ³		
Visibility Reducing Particles	8 hour	Extinction of 0.23/km; visibility of 10 miles or more	No National Standard	Reduces visibility, reduced airport safety, lower real estate value, and discourages tourism.	See PM2.5.
Sulfates	24 hour	25 mg/m ³	No National Standard	(a) Decrease in ventilatory function; (b) Aggravation of asthmatic symptoms; (c) Aggravation of cardio-pulmonary disease; (d) Vegetation damage; (e) Degradation of visibility; (f) Property damage.	Produced by the reaction in the air of SO ₂ .
Hydrogen Sulfide	1 hour	0.03 ppm	No National Standard	High levels of hydrogen sulfide can cause immediate respiratory arrest. It can irritate the eyes and respiratory tract and cause headache, nausea, vomiting, and cough. Long exposure can cause pulmonary edema.	Geothermal Power Plants, Petroleum Production and refining

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Table 3.3-3 State & National Criteria Air Pollutant Standards, Effects, and Sources					
Vinyl Chloride	24 hour	0.01 ppm	No National Standard	Short-term exposure to high levels of vinyl chloride in the air causes central nervous system effects, such as dizziness, drowsiness, and headaches. Long-term exposure through inhalation and oral exposure has resulted in liver damage. Cancer is a major concern from exposure to vinyl chloride via inhalation, as vinyl chloride exposure has been shown to increase the risk of a rare form of liver cancer in humans.	Discharge of exhaust gases from factories that manufacture or process vinyl chloride, or evaporation from areas where chemical wastes are stored; outgas from new plastic parts.
Sources: ARB, https://www.arb.ca.gov/research/health/fs/fs1/fs1.htm ; http://www.arb.ca.gov/research/health/fs/fs2/fs2.htm ; https://www.arb.ca.gov/research/aaqs/caaqs/ozone/ozone.htm ; https://www.arb.ca.gov/research/aaqs/caaqs/pm/pm.htm ; https://www.arb.ca.gov/research/aaqs/caaqs/co/co.htm ; https://www.arb.ca.gov/research/aaqs/caaqs/no2-1/no2-1.htm ; https://www.arb.ca.gov/research/aaqs/caaqs/so2-1/so2-1.htm ; https://www.arb.ca.gov/research/aaqs/caaqs/pb-1/pb-1.htm ; https://www.arb.ca.gov/research/aaqs/caaqs/h2s/h2s.htm . https://www.arb.ca.gov/research/aaqs/caaqs/sulf-1/sulf-1.htm ; https://www.arb.ca.gov/research/aaqs/caaqs/vrp-1/vrp-1.htm ; http://www.arb.ca.gov/research/aaqs/caaqs/vc/vc.htm ; EPA, https://www3.epa.gov/airnow/particle/pm-color.pdf ; http://www.epa.gov/airnow/ozone-c.pdf ; https://www.epa.gov/no2-pollution/fact-sheets-and-additional-information-regarding-2010-revision-primary-national ; https://www.epa.gov/sites/production/files/2016-06/documents/20120320factsheet_secondary_standards.pdf ; https://www.epa.gov/indoor-air-quality-iaq/volatile-organic-compounds-impact-indoor-air-quality ; http://www.epa.gov/ttnatw01/hlthef/vinylchl.html ; and https://www.epa.gov/sites/production/files/2016-09/documents/vinyl-chloride.pdf .					

REGULATORY SETTING

Federal Agencies & Regulations

Federal Clean Air Act

“The Federal Clean Air Act (CAA), adopted in 1970 and amended twice thereafter (including the 1990 amendments), establishes the framework for modern air pollution control. The act directs the Environmental Protection Agency (EPA) to establish ambient air standards, the National Ambient Air Quality Standards (NAAQS)... for six pollutants: ozone, carbon monoxide, lead, nitrogen dioxide, particulate matter (less than 10 microns in diameter [PM10] and less than 2.5 microns in diameter [PM2.5]), and sulfur dioxide. The standards are divided into primary and secondary standards; the former are set to protect human health with an adequate margin of safety and the latter to protect environmental values, such as plant and animal life.

Areas that do not meet the ambient air quality standards are called "non-attainment areas". The Federal CAA requires each state to submit a State Implementation Plan (SIP) for non-attainment areas. The SIP, which is reviewed and approved by the EPA, must demonstrate how the federal standards will be achieved. Failing to submit a plan or secure approval could lead to the denial of federal funding and permits for such improvements as highway construction and sewage treatment plants. For cases in which the SIP is submitted by the State but fails to demonstrate achievement of the standards, the EPA is directed to prepare a federal implementation plan or EPA can "bump up" the air basin in question to a classification with a later attainment date that allows time for additional reductions needed to demonstrate attainment, as is the case for the San Joaquin Valley.

SIPs are not single documents. They are a compilation of new and previously submitted plans, programs (such as monitoring, modeling, permitting, etc.), district rules, state regulations and federal controls. The California SIP relies on the same core set of control strategies, including emission standards for cars and heavy trucks, fuel regulations and limits on emissions from consumer products. California State law makes the California Air Resources Board (CARB) the lead agency for all purposes related to the SIP. Local Air Districts and other agencies, such as the Bureau of Automotive Repair and the Department of Pesticide Regulation, prepare SIP elements and submit them to CARB for review and approval. The CARB forwards SIP revisions to the EPA for approval and publication in the Federal Register.”¹⁰

State Agencies & Regulations

California Clean Air Act

“The California CAA of 1988 establishes an air quality management process that generally parallels the federal process. The California CAA, however, focuses on attainment of the State ambient air quality standards..., which, for certain pollutants and averaging periods are more stringent than the comparable federal standards. Responsibility for meeting California’s standards is addressed by the CARB and local air pollution control districts (such as the eight county AIR DISTRICT, which administers air quality regulations for Tulare County). Compliance strategies are presented in district-level air quality attainment plans.

The California CAA requires that Air Districts prepare an air quality attainment plan if the district violates State air quality standards for criteria pollutants including carbon monoxide, sulfur dioxide, nitrogen dioxide, PM2.5, or ozone. Locally prepared attainment plans are not required for areas that violate the State PM10 standards. The California CAA requires that the State air quality standards be met as expeditiously as practicable but does not set precise attainment deadlines. Instead, the act established increasingly stringent requirements for areas that will require more time to achieve the standards.

The air quality attainment plan requirements established by the California CAA are based on the severity of air pollution caused by locally generated emissions. Upwind air pollution control

¹⁰ Tulare County General Plan 2030 Update RDEIR, pages 3.3-1 to 3.3-2

districts are required to establish and implement emission control programs commensurate with the extent of pollutant transport to downwind districts.”¹¹

California Air Resources Board

“The CARB is responsible for establishing and reviewing the State ambient air quality standards, compiling the California State Implementation Plan (SIP) and securing approval of that plan from the U.S. EPA. As noted previously, federal clean air laws require areas with unhealthy levels of ozone, inhalable particulate matter, carbon monoxide, nitrogen dioxide, and sulfur dioxide to develop SIPs. SIPs are comprehensive plans that describe how an area will attain NAAQS. The 1990 amendments to the Federal CAA set deadlines for attainment based on the severity of an area’s air pollution problem. State law makes CARB the lead agency for all purposes related to the SIP. The California SIP is periodically modified by the CARB to reflect the latest emission inventories, planning documents, and rules and regulations of various air basins. The CARB produces a major part of the SIP for pollution sources that are statewide in scope; however, it relies on the local Air Districts to provide emissions inventory data and additional strategies for sources under their jurisdiction. The SIP consists of the emission standards for vehicular sources and consumer products set by the CARB, and attainment plans adopted by the local air agencies as approved by CARB. The EPA reviews the air quality SIPs to verify conformity with CAA mandates and to ensure that they will achieve air quality goals when implemented. If EPA determines that a SIP is inadequate, it may prepare a Federal Implementation Plan for the nonattainment area, and may impose additional control measures.

In addition to preparation of the SIP, the CARB also regulates mobile emission sources in California, such as construction equipment, trucks, automobiles, and oversees the activities of air quality management districts and air pollution control districts, which are organized at the county or regional level. The local or regional Air Districts are primarily responsible for regulating stationary emission sources at industrial and commercial facilities within their jurisdiction and for preparing the air quality plans that are required under the Federal CAA and California CAA.”¹²

On-Road Heavy-Duty Vehicles Program.¹³ On-road heavy-duty vehicles are major contributors to poor air quality in California. In particular, emissions from these vehicles are highly disproportionate to the total population of these vehicles. The problem is complicated by the large number of heavy-duty vehicles registered in other states that travel on California's highways and roads, while bringing goods and commerce into and out of our state. The ARB works closely with the EPA, engine and vehicle manufacturers, and other interested parties to address this issue by establishing and enforcing emissions standards. Other programs that work in concert with this program include the Heavy-Duty Vehicle Inspection Program which requires heavy-duty trucks and buses to be inspected for excessive smoke and tampering, and engine certification label compliance; the Periodic Smoke Inspection Program which requires diesel and bus fleet owners conduct annual smoke opacity inspections of their vehicles and repair those with excessive smoke emissions; and the Emission Control Label Inspection Program which requires each vehicle operating in California, including those in transit from Mexico, Canada, or any other state, to be

¹¹ *Ibid.* page 3.3-1

¹² *Op. Cit.* 3.3-6 to 3.3-7

¹³ ARB, <https://www.arb.ca.gov/msprog/onroadhd/onroadhd.htm> and <https://www.arb.ca.gov/enf/hdvp/hdvp.htm>.

equipped with engines that meet California and/or EPA or equivalent emission standards and be labeled as such.

Low-Emission Vehicle Program.¹⁴ The ARB first adopted Low-Emission Vehicle (LEV) program standards in 1990. The first LEV standards ran from 1994 through 2003. LEV II regulations, which ran from 2004 through 2010, represent continuing progress in emission reductions. However, as the State's passenger vehicle fleet continued to grow and more sport utility vehicles and pickup trucks are used as passenger cars, the more stringent LEV II standards were needed to provide reductions necessary for California to meet federally mandated clean air goals outlined in the 1994 State Implementation Plan (SIP). In 2012, ARB adopted the LEV III amendments to California's LEV regulations to provide reductions needed to achieve the latest ozone and PM_{2.5} standards. These amendments include more stringent emission standards for both criteria pollutants and greenhouse gases for new passenger vehicles.

In-Use Off-Road Diesel-Fueled Fleets.¹⁵ On July 26, 2007, the ARB adopted a regulation to reduce diesel particulate matter (DPM) and NOx emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. These vehicles are used in construction, mining, and industrial operations. The regulation limits idling to no more than five consecutive minutes, requires reporting and labeling, and requires disclosure of the regulation upon vehicle sale. Performance requirements of the rule are based on a fleet's average NOx emissions, which can be met by replacing older vehicles with newer, cleaner vehicles or by applying exhaust retrofits. The regulation was amended in 2010 to delay the original timeline of the performance requirements making the first compliance deadline January 1, 2014 for large fleets (over 5,000 horsepower), 2017 for medium fleets (2,501-5,000 horsepower), and 2019 for small fleets (2,500 horsepower or less).

In-Use On-Road Heavy-Duty Diesel Vehicles (Bus and Truck).¹⁶ On December 12, 2008, the ARB adopted the Truck and Bus Regulation that requires diesel trucks and buses that operate in California to be upgraded to reduce emissions and applies to nearly all privately and federally-owned diesel fueled trucks and buses and to privately and publicly owned school buses with a gross vehicle weight rating greater than 14,000 pounds. In light of the economic recession amendments that restructured the Truck and Bus Regulation were adopted by the ARB on December 17, 2010 and again on April 25, 2014. Beginning January 1, 2012, heavier trucks must be retrofitted with PM filters and older trucks engines must be replaced with 2010 model year or newer beginning January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. To allow for flexibility of compliance with the regulations, the regulation provides a variety of options tailored to fleets operating low use vehicles, fleets operating in selected vocations like agricultural and construction, and small fleets of three or fewer trucks.

¹⁴ ARB, <http://www.arb.ca.gov/msprog/levprog/levprog.htm>; <https://www.arb.ca.gov/msprog/levprog/levii/levii.htm>;

<https://www.arb.ca.gov/msprog/levprog/levii/factsht.pdf>; and <https://www.arb.ca.gov/regact/2012/leviiighg2012/leviiighg2012.htm>.

¹⁵ ARB, <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>; http://www.arb.ca.gov/msprog/ordiesel/fq/overview_fact_sheet_dec_2010-final.pdf; and <https://www.arb.ca.gov/regact/2010/offroadlsi10/offroadisor.pdf>.

¹⁶ ARB, <http://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>; <https://www.arb.ca.gov/regact/2008/truckbus08/tsd.pdf>; and <https://www.arb.ca.gov/regact/2014/truckbus14/tb14isor.pdf>.

California Air Toxics Program.¹⁷ In the 1980's, serious industrial accidents, in conjunction with researchers warning that exposure to very small amounts of toxic chemicals could cause long-term health problems, heightened public concern over the dangers of air toxics. As a result, the public demanded protection and control over the release of air toxics. The Air Toxics Program was created to protect the public's health; identify, prevent and control toxic emissions; identify health risks to the public; reduce emissions from high risk sources; increase community awareness of air toxics; improve interagency cooperation; and continue to reduce air toxics emissions in the future.

Key features of the program include compliance with the Toxic Air Contaminant Identification and Control Act (AB 1807-1983), the Air Toxics "Hot Spots" Information and Assessment Act (AB2588-1987), and the 1992 amendment to the law (SB1731). The 1990 Amendments of the federal CAA set up a nationwide air toxics control program. In 1993, the ARB expanded the TAC list to almost 200 substances to include the hazardous air pollutants (HAPs) identified in the 1990 federal CAA Amendments.

The federal program focuses on larger industrial sources that are of the highest national priority, such as chemical manufacturers. California's program focuses on protecting the public from all significant sources, regardless of size. The ARB works with both federal and local agencies to implement federal requirements in California while maintaining current public health safeguards and avoiding regulatory duplication.

Diesel Risk Reduction Plan.¹⁸ In August 1998, the ARB identified DPM as TACs and was required to determine the need for further control of DPM emissions. On September 28, 2000, the ARB approved the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles and the Risk Management Guidance for the Permitting of New Stationary Diesel-Fueled Engines. The ARB's Diesel Risk Reduction Plan has led to the adoption of new state regulatory standards for all new on-road, off-road, and stationary diesel-fueled engines and vehicles to reduce DPM emissions by about 90% overall from year 2000 levels. The plan requires all new diesel-fueled vehicles and engines to use diesel particulate filters and very low-sulfur diesel fuel. The projected emission benefits associated with the full implementation of this plan, including federal measures, are reductions in DPM emissions and associated cancer risks of 75% by 2010 and 85% by 2020.

ATCM for School Bus Idling.¹⁹ On December 12, 2002, the ARB adopted the Airborne Toxic Control Measure (ATCM) to Limit School Bus Idling and Idling at Schools. The ATCM, which became effective July 16, 2003, limits school bus idling and idling at or near schools to only when necessary for safety or operational concerns and targets school buses, school pupil activity buses, youth buses, paratransit vehicles, transit buses, and heavy-duty commercial motor vehicles that operate at or near schools. In 2009, SB 124 (Oropeza), codified the ATCM limiting school bus idling and clarified authority of peace officers and Air District to enforce the program.

¹⁷ ARB, <http://www.arb.ca.gov/html/brochure/airtoxic.htm>

¹⁸ ARB, <https://www.arb.ca.gov/diesel/background.htm>; <https://www.arb.ca.gov/diesel/documents/rmg.htm>; and <http://www.arb.ca.gov/diesel/documents/rpfinal.pdf>.

¹⁹ ARB, <https://www.arb.ca.gov/toxics/sbidling/sbidling.htm>

ATCM for Diesel-Fueled Commercial Motor Vehicle Idling.²⁰ On July 22, 2004, the ARB adopted the ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling and subsequently amended it on October 20, 2005, October 19, 2009, and December 12, 2013. The ATCM requires, among other things, that drivers of diesel-fueled commercial motor vehicles with gross vehicle weight ratings greater than 10,000 pounds, including buses and sleeper berth equipped trucks, not idle the vehicle's primary diesel engine longer than five minutes at any location. Vehicles with 2008 and newer model year diesel engines must either be equipped with a non-programmable engine shutdown system that automatically shuts down the engine after five minutes of idling or meet a stringent NOx idling emission standard. Emissions producing alternative technologies such as diesel-fueled auxiliary power systems and fuel-fired heaters are also required to meet emission performance requirements and requirements specified in the Low Emission Vehicle regulations. However, the regulation also contains exemptions allowing engine operation for power take-off, maintenance, extreme weather or emergency conditions, emergency vehicles, military and tactical vehicles, armored vehicles, workover rigs, etc.

ATCM for Asbestos.²¹ Asbestos is found in a natural state, known as naturally occurring asbestos. Exposure and disturbance of rock and soil that naturally contain asbestos can result in the release of fibers into the air and consequent exposure to the public. Asbestos most commonly occurs in ultramafic rock that has undergone partial or complete alteration to serpentine rock (serpentinite) and often contains chrysotile asbestos. Another form of asbestos, tremolite, can be found associated with ultramafic rock, particularly near faults. Sources of asbestos emissions include unpaved roads or driveways surfaced with ultramafic rock, construction activities in ultramafic rock deposits, or rock quarrying activities where ultramafic rock is present.

In July 1990, the ARB adopted an ATCM for surfacing application. The ATCM was amended in July 2000 and the amendments became effective in November 2011. The regulation prohibits the sale or use of restricted materials for unpaved surfacing unless it has been tested and found to have an asbestos content less than 0.25%. Restricted material includes aggregate material extracted from an ultramafic (or ultrabasic) rock unit as shown on the geologic maps referenced in the amended ATCM; ultramafic rock including serpentine; or aggregate material shown to have an asbestos content of 0.25% or more; or any mixture containing 10% of these materials. The regulation also establishes specific testing and notification of the restricted materials.

In July 2001, the ARB approved an ATCM for construction, grading, quarrying and surface mining operations to minimize emissions of naturally occurring asbestos, which requires the implementation of mitigation measures to minimize emissions of asbestos-laden dust. The regulation requires application of best management practices to control fugitive dust in areas known to have naturally occurring asbestos and requires notification to the local air district prior to commencement of ground-disturbing activities. The measure establishes specific testing, notification and engineering controls prior to grading, quarrying or surface mining in construction zones where naturally occurring asbestos is located on projects of any size. There are additional

²⁰ ARB, <https://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm>; and <https://www.arb.ca.gov/regact/idling/idling.htm>.

²¹ ARB, <http://arb.ca.gov/toxics/Asbestos/general.htm>; <http://www.arb.ca.gov/toxics/asbestos/asbestos.htm>; <http://www.arb.ca.gov/toxics/atcm/asbeatcm.htm>; <http://www.arb.ca.gov/toxics/asbestos/atcm/AsbP1IGD.pdf>; <http://www.arb.ca.gov/toxics/atcm/asb2atcm.htm>; and CGS, http://www.conservation.ca.gov/cgs/minerals/hazardous_minerals/asbestos/Pages/Index.aspx; http://www.conservation.ca.gov/cgs/geologic_hazards/hazardous_minerals/Pages/Index.aspx; and USGS, <http://pubs.usgs.gov/of/2011/1188/>.

notification and engineering controls at work sites larger than one acre in size. These projects require the submittal of a "Dust Mitigation Plan" and approval by the Air District prior to the start of a project.

The ATCM applies to road construction and maintenance, construction and grading operations, and quarries and surface mines when the activity occurs in an area where naturally occurring asbestos is likely to be found. Areas are subject to the regulation if they are identified on maps published by the California Department of Conservation, California Geological Survey (CGS) as ultramafic rock units or if the Air Pollution Control Officer or owner/operator has knowledge of the presence of ultramafic rock, serpentine, or naturally occurring asbestos on the site. The measure also applies if ultramafic rock, serpentine, or asbestos is discovered during any operation or activity. Review of the United States Geological Survey (USGS) and CGS maps shows no ultramafic rock has been found near the community Goshen.

Local Policy & Regulations

San Joaquin Valley Unified Air Pollution Control District (Air District)

The Air District is a public health agency whose mission is to improve the health and quality of life for all San Joaquin Valley residents through efficient, effective and entrepreneurial air quality-management strategies. The Air District's 10 core values include: protection of public health; active and effective air pollution control efforts with minimal disruption to the San Joaquin Valley's economic prosperity; outstanding customer service; ingenuity and innovation; accountability to the public; open and transparent public process; recognition of the uniqueness of the San Joaquin Valley; continuous improvement; effective and efficient use of public funds; and respect for the opinions and interests of all San Joaquin Valley residents.²² To achieve these core values the Air District has adopted air quality plans pursuant to the California CAA and a comprehensive list of rules to limit air quality impacts. The air plans currently in effect in the SJVAB and specific rules that apply to the proposed Project are listed and described further below.

Ozone Attainment Plans

The SJVAB has severe ozone problems. The EPA has required the Air District to demonstrate in a plan, substantiated with modeling, that the ozone NAAQS could be met by the November 15, 2005, deadline. However, the Air District could not provide this demonstration for several reasons, including that its achievement would require regulation of certain source categories not currently under the jurisdiction of the Air District. According to the Air District, in order to meet the standard the SJVAB must reduce the total emissions inventory by an additional 30 percent (300 tons per day). Because attainment by the deadline could not be demonstrated by the mandated deadlines, the federal sanction clock was started. The clock was to be stopped if the Air District SIP could demonstrate compliance with specified federal requirements by November 15, 2005. However, the Air District recognized that it could not achieve demonstration in time. Therefore, the Air District, through petition by the State on behalf of AIR DISTRICT, sought a change in the federal nonattainment classification from "severe" to "extreme" nonattainment with the ozone standard.

²² Air District, http://www.valleyair.org/General_info/aboutdist.htm#Core%20Values

An extreme nonattainment designation would effectively move the compliance deadline to year 2010 before federal sanctions would begin.

On February 23, 2004, EPA publicly announced its intention to grant the request by the State of California to voluntarily reclassify the SJVAB from a “severe” to an “extreme” 1-hour ozone nonattainment area. The EPA stated that, except for a demonstration of attainment of the ozone standard by 2005, the Air District has submitted all of the required severe area plan requirements and they were deemed complete. The ARB submitted the 2004 Extreme Ozone Attainment Demonstration Plan to EPA on November 15, 2004. On August 21, 2008, the District adopted Clarifications for the 2004 Extreme Ozone Attainment Demonstration Plan for 1-hour Ozone, and on October 16, 2008, EPA proposed to approve the Air District's 2004 Extreme Ozone Attainment Demonstration Plan for 1-hour Ozone.

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

Following litigation over approval of the 2004 Extreme Ozone Attainment Demonstration Plan, EPA withdrew its approval in November 2012, and the Air District and ARB withdrew the plan from consideration. The Air District adopted the 2013 Plan for the Revoked 1-Hour Ozone Standard on September 19, 2013. This plan demonstrated that the SJVAB will attain the revoked 1-hour ozone standard by 2017. On May 6, 2014, the Air District submitted a formal request that the EPA determine that the Valley has attained the federal 1-hour ozone standard and to eliminate the \$29 million Clean Air Act penalty. Per federal requirements, the Air District's submittal includes a clean data finding (2011-2013) and a finding that attainment is due to permanent and enforceable emissions reductions.

As part of the clean data finding, the Air District requested EPA concurrence that an exceedance at Fresno-Drummond on August 10, 2012 was due to an exceptional event. Alternatively, the Air District also provided compelling evidence that the Valley would attain the 1-hour ozone standard but for the influence of international air pollutant transport, allowing nonattainment penalties to be lifted under CAA 179B. On July 18, 2016, EPA determined that, effective August 17, 2016, the SJVAB has attained the revoked 1-hour standard.

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

The 2007 Ozone Plan contains measures to reduce ozone and particulate matter precursor emissions to bring the Basin into attainment with the federal 8-hour ozone standard. The 2007 Ozone Plan calls for a 75-percent reduction of NO_x and a 25-percent reduction of ROG. The plan, with innovative measures and a “dual path” strategy, assures expeditious attainment of the federal 8-hour ozone standard for all Basin residents. The Air District Governing Board adopted the 2007 Ozone Plan on April 30, 2007. The ARB approved the plan on June 14, 2007. The 2007 Ozone Plan requires yet to be determined “Advanced Technology” to achieve additional reductions after 2021 to attain the standard at all monitoring stations in the Basin by 2024 as allowed for areas designated extreme nonattainment by the federal CAA.

The EPA revised the federal 8-hour ozone standard in 2008. To address this standard on June 16, 2016, the Air District adopted the 2016 Ozone Plan for 2008 8-hour Ozone Standard, which the SJVAB must attain by 2031. This plan demonstrates that the Air District’s attainment strategy satisfies all federal CAA requirements and includes a “black box” provision to satisfy the contingency requirements under the federal CAA. The “black box” represents reductions that would be needed to attain the standard for which specific measures or technologies are not currently available. The strategy in this plan will reduce NO_x emissions by over 60% between 2012 and 2031.

In October 2015, the EPA again revised and lowered the federal 8-hour ozone standard. Upon EPA’s publication of the implementation rule, the Air District will be required to prepare a new plan to address the 2015 standard.

Particulate Matter Attainment Plans

The SJVAB was designated nonattainment of state and federal health-based air quality standards for PM₁₀. However, as discussed below, the SJVAB has demonstrated attainment of the federal PM₁₀ standards and currently remains in nonattainment only for the state standards. The SJVAB is also designated nonattainment of state and federal standards for PM_{2.5}.

To meet CAA requirements for the PM₁₀ standard, the Air District adopted a PM₁₀ Attainment Demonstration Plan (Amended 2003 PM₁₀ Plan and 2006 PM₁₀ Plan), which had an attainment date of 2010. The Air District adopted the 2007 PM₁₀ Maintenance Plan in September 2007 to assure the San Joaquin Valley’s continued attainment of the EPA’s PM₁₀ standard. The EPA designated the San Joaquin Valley as an attainment/maintenance area for PM₁₀ on September 25, 2008. Although the San Joaquin Valley has exceeded the standard since then, those days were considered exceptional events that are not considered a violation of the standard for attainment purposes.

On April 30, 2008, the Air District adopted the 2008 PM_{2.5} Plan satisfying federal implementation requirements for the 1997 federal PM_{2.5} standard. However, on the verge of the demonstration of attainment with the standard the SJVAB was plagued with extreme drought, stagnation, strong inversions, and historically dry conditions and could not achieve attainment by the 2015 deadlines. The 2015 Plan for the 1997 PM_{2.5} Standard (2015 PM_{2.5} Plan) was adopted by the Air District on April 16, 2015, and is a continuation of the Air District’s strategy to improve the air quality in

the SJVAB. The 2015 PM_{2.5} Plan contains most stringent measures, best available control measures, additional enforceable commitments for further reductions in emissions, and ensures attainment of the 1997 federal 24-hour standard by 2018 and the annual standard by 2020.

In December 2012, the Air District adopted the 2012 PM_{2.5} Plan to bring the San Joaquin Valley into attainment of the EPA's 2006 24-hour PM_{2.5} standard. The ARB approved the Air District's 2012 PM_{2.5} Plan for the 2006 standard at a public hearing on January 24, 2013. This plan seeks to bring the San Joaquin Valley into attainment with the standard by 2019, with the expectation that most areas will achieve attainment before that time.

EPA lowered the annual PM_{2.5} standard in 2012 and in response the Air District adopted the 2016 Moderate Area Plan for the PM_{2.5} Standard. This plan demonstrates that the SJVAB attainment of the revised annual standard by 2021 is not practical and seeks to bring the SJVAB into attainment by 2025. The plan also includes a request for reclassification of the SJVAB from "moderate nonattainment" to "serious nonattainment".

The Air District is currently in the process of developing an attainment strategy to address multiple PM_{2.5} standards (including the 1997 24-hour standard of 65 µg/m³ and annual standard of 15 µg/m³; the 2006 24-hour standard of 35 µg/m³; and the 2012 annual standard of 12 µg/m³) as well as a plan to demonstrate maintenance of the 1987 PM₁₀ standard as required under the federal Clean Air Act. The proposed attainment strategy will include the preparation of the 2017 PM_{2.5} Plan; 2017 PM₁₀ Maintenance Plan; and 5 Percent Plan for the 1997 PM_{2.5} Standard. The Air District continues to work with EPA on issues surrounding these plans, including EPA implementation updates.

Criteria Pollutants

Although all criteria pollutants are to be evaluated, the primary pollutants of concern during project construction and operation are ROG, NO_x, PM₁₀, and PM_{2.5}. Ozone is a secondary pollutant that is formed in the atmosphere sometimes miles away from the source of emissions through reactions of ROG and NO_x emissions in the presence of sunlight. Therefore, ROG and NO_x are termed ozone precursors. As demonstrated in **Table 3.3-2**, the SJVAB often exceeds the state and national ozone standards. Therefore, if the project emits a substantial quantity of ozone precursors, the project may contribute to an exceedance of the ozone standard. The SJVAB also exceeds air quality standards for PM₁₀, and PM_{2.5}; therefore, substantial project emissions may contribute to an exceedance for these pollutants.

To assess air quality impacts, the Air District has established significance thresholds to assist Lead Agencies in determining whether a project may have a significant air quality impact.²³ The Air District's thresholds of significance for criteria pollutants, which are based on Air District Rule 2201 New Source Review offset thresholds, are provided below in **Table 3.3-4**.

As shown in **Table 3.3-4**, the Air District has three sets of significance thresholds for each pollutant 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-

²³ San Joaquin Valley Unified Air Pollution Control District, GAMAQI, page 74.

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.”²⁴

Table 3.3-4 Criteria Pollutant Emission 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
NO_x	10	10	10
ROG	10	10	10
SO_x	27	27	27
PM₁₀	15	15	15
PM_{2.5}	15	15	15
<i>Source: Air District, GAMAQI, Table 2, page 80</i>			

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. However, the Lead Agency can, and should, make an exception to this determination if special circumstances suggest that the emissions from any permitted or exempt source may cause a significant air quality impact. For example, if a source may emit objectionable odors, then odor impacts on nearby receptors should be considered a potentially significant air quality impact. 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. However, under certain circumstances, the District may be precluded by state law or other District rule requirements from requiring a stationary source to offset emissions increases.”²⁵

Toxic Air Contaminants

²⁴ *Ibid.* 75.

²⁵ *Op. Cit.* 76.

“The operation of any project with the potential to expose sensitive receptors to substantial levels of toxic air contaminants (TAC’s) would be deemed to have a potentially significant impact. More specifically, proposed development projects that have the potential to expose the public to TAC’s in excess of the following thresholds would be considered to have a significant air quality impact:

- Probability of contracting cancer for the Maximally Exposed Individual²⁶ exceeds 20 in one million.
- Ground-level concentrations of non-carcinogenic TAC’s would result in a Hazard Index greater than 1 for the Maximally Exposed Individual.

Application of these standards would typically apply to the preparation of more detailed project-specific health risk assessments (based on a detailed air dispersion modeling effort) that would occur as individual projects are considered under the proposed project. For this programmatic assessment of the proposed project, the assessment of TAC’s is conducted at a qualitative level with specific policies and implementation measures provided to address the potential impacts associated with this issue.”²⁷

Tulare County Board of Supervisors

“The County continues to evaluate and consider a variety of Federal, State, and Air District programs in order to respond to the non-attainment designation for Ozone that the SJVAB has received, and will continue to adopt resolutions to implement these programs. The Tulare County Board of Supervisor resolutions are described below. These resolutions were adopted in 2002 and 2004, respectively.”²⁸

“**Resolution 2002-0157.** Resolution 2002-0157, as adopted on March 5, 2002, requires the County to commit to implementing the Reasonably Available Control Measures included in the Resolution. The following Reasonably Available Control Measures were included in the resolution:

- Increasing transit service to the unincorporated communities of Woodville, Poplar and Cotton Center;
- Purchase of three new buses and installation of additional bicycle racks on buses;
- Public outreach to encourage the use of alternative modes of transportation;
- Providing preferential parking for carpools and vanpools;
- Removing on-street parking and providing bus pullouts in curbs to improve traffic flow;
- Supporting the purchase of hybrid vehicles for the County fleet;
- Mandating that the General Plan 2030 Update implement land use policies supporting public transit and vehicle trip reduction; and
- Programming \$13,264,000 of highway widening projects.”²⁹

²⁶ Maximally Exposed Individual represents the worst-case risk estimate based on a theoretical person continuously exposed for 70 years at the point of highest compound concentration in air.

²⁷ Tulare County General Plan 2030 Update RDEIR, pages 3.3-15 to 3.3-16

²⁸ Ibid. 3.3-12 to 3.3-13

²⁹ Op. Cit.

“Resolution 2004-0067. As part of a follow up effort to Resolution 2002-0157 and to address the federal reclassification to Extreme non-attainment for ozone, the County Board of Supervisors adopted Resolution 2004-067. The resolution contains additional Reasonably Available Control Measures as summarized below:

- Encouraging land use patterns which support public transit and alternative modes of transportation;
- Exploring concepts of Livable Communities as they address housing incentives and transportation;
- Consideration of incentives to encourage developments in unincorporated communities that are sensitive to air quality concerns; and
- Exploring ways to enhance van/carpool incentives, alternative work schedules, and other Transportation Demand Management strategies.”³⁰

The County continues to evaluate and consider Federal, State, and Air District programs in order to respond to the non-attainment designation for state PM10 standards that the SJVAB has received. “On September 25, 2008, EPA redesignated the San Joaquin Valley to attainment for the PM10 NAAQS and approved the PM10 Maintenance Plan. However, prior to this redesignation, Tulare County Board of Supervisors adopted the following resolution (Resolution 2002-0812) on October 29, 2002. Although now designated in attainment of the federal PM10 standard, all requirements included in the AIR DISTRICT PM10 Plan are still in effect. The resolution contains the following Best Available Control Measures (BACMs) to be implemented in order to reduce PM10 emissions in the County:

- Paving or stabilizing of unpaved roads and alleys;
- Paving, vegetating, chemically stabilizing unpaved access points onto paved roads;
- Curbing, paving, or stabilizing shoulders on paved roads;
- Frequent routine sweeping or cleaning of paved roads;
- Intensive street cleaning requirements for industrial paved roads and streets providing access to industrial/ construction sites; and
- Debris removal after wind and rain runoff when blocking roadways.”³¹

Tulare County General Plan Policies

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare.³² The following General Plan policies apply to the proposed Project:

AQ-1.1 Cooperation with Other Agencies - The County shall cooperate with other local, regional, Federal, and State agencies in developing and implementing air quality plans to achieve State and federal Ambient Air Quality Standards. The County shall partner with the SJVAPCD,

³⁰ *Op. Cit.* 3.3-14

³¹ *Op. Cit.*

³² *Tulare County General Plan 2030 Update, Part 1 – Goals and Policies Report*

Tulare County Association of Governments (TCAG), and the California Air Resource Board to achieve better air quality conditions locally and regionally.

AQ-1.2 Cooperation with Local Jurisdictions - The County shall participate with cities, surrounding counties, and regional agencies to address cross-jurisdictional transportation and air quality issues.

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-1.5 California Environmental Quality Act (CEQA) Compliance - The County shall ensure that air quality impacts identified during the CEQA review process are consistently and reasonably mitigated when feasible.

AQ-2.1 Transportation Demand Management Programs - The County shall coordinate and provide support for County Transportation Demand Management programs with other public and private agencies, including programs developed by the TCAG and the SJVAPCD.

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 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-2.4 Transportation Management Associations - The County shall encourage commercial, retail, and residential developments to participate in or create Transportation Management Associations (TMAs) that may assist in the reduction of pollutants through strategies that support carpooling or other alternative transportation modes.

AQ-2.5 Ridesharing - The County shall continue to encourage ridesharing programs such as employer-based rideshare programs.

AQ-3.1 Location of Support Services - The County shall encourage the location of ancillary employee services (including, but not limited to, child care, restaurants, banking facilities, convenience markets) near major employment centers for the purpose of reducing midday vehicle trips.

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 CO₂, 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 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.

AQ-4.1 Air Pollution Control Technology - The County shall utilize the BACM and RACM as adopted by the County to support SJVAPCD air quality attainment plans to achieve and maintain healthful air quality and high visibility standards. These measures shall be applied to new development approvals and permit modifications as appropriate.

AQ-4.2 Dust Suppression Measures - The County shall require developers to implement dust suppression measures during excavation, grading, and site preparation activities consistent with SJVAPCD Regulation VIII – Fugitive Dust Prohibitions. Techniques may include, but are not limited to, the following:

1. Site watering or application of dust suppressants,
2. Phasing or extension of grading operations,
3. Covering of stockpiles,
4. Suspension of grading activities during high wind periods (typically winds greater than 25 miles per hour), and
5. Re-vegetation of graded areas.

AQ-4.3 Paving or Treatment of Roadways for Reduced Air Emissions - The County shall require that all new roads be paved or treated to reduce dust generation where feasible as required by SJVAPCD Regulation VIII, Rule 8061- Paved and Unpaved Roads. For new projects with unpaved roads, funding for roadway maintenance shall be adequately addressed and secured.

AQ-4.4 Wood Burning Devices - The County shall require the use of natural gas where service is available or the installation of low-emission, EPA-certified fireplace inserts in all open hearth fireplaces in new homes as required under the SJVAPCD Rule 4901 – Wood Burning Fireplaces and Wood Burning Heaters. The County shall promote the use of natural gas over wood products in space heating devices and fireplaces in all existing and new homes.

AQ-4.5 Public Awareness - The County shall promote public awareness of the seriousness and extent of the existing air quality problems.

AQ-4.6 Asbestos Airborne Toxic Control and Dust Protection - Asbestos is of concern to Tulare County because it occurs naturally in surface deposits of several types of ultramafic materials (materials that contain magnesium and iron and a very small amount of silica). Asbestos emissions can result from the sale or use of asbestos-containing materials, road surfacing with such materials, grading activities, and surface mining.

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-1.8 Encourage Infill Development - The County shall encourage and provide incentives for infill 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-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.

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.

Impact Evaluation

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?

Project Impact Analysis: *Less Than Significant Impact*

The Notice of Preparation (NOP) of the Draft Environmental Impact Report (DEIR) for the Goshen Community Plan Update was released in February 2014. At that time no specific development projects had been identified within the Community Plan Update Planning Area. An Air Quality Analysis Report (AQA Report) and a Greenhouse Gas Analysis Report (GHG Report) was prepared on September 16, 2014, for the Community Plan Update. Estimates of future development were based on the County's 1.3% annual growth rate consistent with the General Plan, with no expansion to the existing UDB proposed. The future development mix was assumed to be similar to what was already present in the community of Goshen.

Since the release of the NOP, two community-wide programs and four development projects have been identified within the Community Plan Update Planning Area: Goshen Complete Streets Program, Road Maintenance Program, Papich Construction, Goshen Village East, Dollar General, and Thandi Commercial Development. These six projects were evaluated for consistency with the growth assumptions evaluated in the AQA Report to determine whether additional analysis would be required.

The land use growth assumptions and the associated emissions evaluated in the AQA Report are consistent with the proposed Community Plan Update. There are no development projects proposed with the Community Plan Update and the four development projects that have been approved since the time of the NOP are consistent with the emissions analysis provided in the AQA Report. As such, it was determined that no additional emissions analysis was needed for anticipated future land use developments.

The Complete Streets and Road Maintenance Programs were approved after the completion of the AQA Report and the emissions associated with their implementation are not included in the emissions analysis. As such, it was determined that additional analysis was required to evaluate potential impacts resulting from implementation of the Complete Streets and Road Maintenance Programs. To ensure that implementation of the Complete Streets and Road Maintenance Programs are adequately evaluated and addressed in the DEIR, the emissions associated with these programs have been quantified and evaluated in the Air Quality and Greenhouse Gas Analysis Technical Memorandum prepared by RMA staff on February 14, 2018.

The Complete Streets and Road Maintenance Programs include construction of roadway improvements only; therefore, only construction-related emissions associated with these programs was assessed. These emissions were then added to the emissions included in the AQA Report to provide the basis of evaluation for potential impacts resulting from the full buildout of the Community Plan.

Contribution to Air Quality Violations

The CEQA Guidelines indicate that a significant impact would occur if the proposed project would conflict with or obstruct implementation of the applicable Air Quality Plan (AQP). AQPs are plans for reaching attainment of air quality standards. The assumptions, inputs, and control measures are analyzed to determine if the SJVAB can reach attainment for the ambient air quality standards. In order to show attainment of the standards, the Air District analyzes the growth projections in the San Joaquin Valley, contributing factors in air pollutant emissions and formations, and existing and future emissions controls. The Air District then formulates a control strategy to reach attainment.

The Air District's GAMAQI provides the following guidance on analyzing conformity with the applicable AQPs, "As presented in Chapter 8 [of the GAMAQI], the District has established thresholds of significance for criteria pollutant emissions, which 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 emission below the thresholds of significance for criteria pollutants would be determined to "Not conflict or obstruct implementation of the District's air quality plan."³³

Construction-related and operations-related emissions associated with the projected buildout of the Goshen Community Plan Update Planning Area, including the Complete Streets and Road Maintenance Programs as well as anticipated future development projects, are identified in **Table 3.3-5** and **Table 3.3-6**, respectively.

Table 3.3-5. Total Annual Average Construction-Related Emissions (Development Projects Plus Road Improvements)							
	ROG	NOx	CO	SOx	PM₁₀	PM_{2.5}	CO_{2e}
Projected Future Developments							
Total Construction	11.34	38.40	32.74	0.05	4.58	3.04	4,340.68
<i>Averaged over 16-year CPU life</i>	<i>0.71</i>	<i>2.40</i>	<i>2.05</i>	<i>0.003</i>	<i>0.29</i>	<i>0.19</i>	<i>271.29</i>
Road Improvements							
Total Emissions	5.05	42.18	43.15	0.09	11.41	3.32	8,938.45
<i>Averaged over 13-year remaining CPU life</i>	<i>0.39</i>	<i>3.24</i>	<i>3.32</i>	<i>0.007</i>	<i>0.88</i>	<i>0.26</i>	<i>687.57</i>
Total Average Annual Construction Emissions	1.10	5.64	5.37	0.01	1.16	0.45	958.87
Significance Thresholds	10	10	100	27	15	15	---
Exceed Threshold – Significant?	No	No	No	No	No	No	---
Source: See AQA Report prepared September 16, 2014, and Air Quality and Greenhouse Gas Analysis Technical Memorandum prepared February 14, 2018.							

³³ Air District, *Guidance for Assessing and Mitigating Air Quality Impacts*, page 65.

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As demonstrated in **Table 3.3-5**, the average annual construction-related emission resulting from implementation of the Community Plan Update, including the Complete Streets and Road Maintenance Programs and projected future developments, do not exceed the Air District's thresholds of significance. Therefore, construction-related emissions resulting from the implementation of the Community Plan Update will not cause a significant contribution to air quality violations.

**Table 3.3-6. Total Annual Operations-Related Emissions at 2030 Buildout
(Development Projects Only)**

	ROG	NOx	CO	SOx	PM ₁₀	PM _{2.5}	CO _{2e}
Total Annual Emissions	6.75	5.78	28.45	0.08	5.48	1.58	7,347.30
Significance Thresholds	10	10	100	27	15	15	---
Exceed Threshold – Significant?	No	No	No	No	No	No	---
At the time of the NOP and the preparation of the AQA Report, the Air District's GAMAQI did not establish significance thresholds for CO and SOx. Emissions from future development were taken from the CalEEMod Reports provided in the AQA Report.							

As the Complete Streets and Road Maintenance Programs are road improvement projects, their implementation includes construction-related emissions only and will not add to the operations-related emissions provided in the AQA and GHG Reports. **Table 3.3-6** presents the operations-related emissions resulting from projected future development through Year 2030, as provided in the AQA Report. As demonstrated in **Table 3.3-6**, implementation of the Community Plan Update, will not exceed the Air District's thresholds of significance for operations. Therefore, implementation of the Community Plan Update will not cause a significant contribution to air quality violations. As such, ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Consistency with Assumptions in AQPs

The primary way of determining consistency with the AQP's assumptions is determining consistency with the applicable General Plan to ensure that a project's population density and land uses are consistent with the growth assumptions used in the AQPs for the San Joaquin Valley Air Basin (SJVAB). Projects requiring a General Plan Amendment might not be accounted for in the AQP growth forecast; however, the addition of vacant or agricultural land to the existing UDB land area, and thus to the AQP's emission inventory, may not result in an increase in the actual amount of land developed by the AQP's attainment year.

The growth forecasts for Tulare County included in the applicable AQPs are:³⁴

- 2004 Extreme Ozone Attainment Demonstration Plan – 1.87%
- 2007 Ozone Plan – 1.94%
- 2008 PM_{2.5} Plan – 3.3%
- 2015 Plan for the 1997 PM_{2.5} Standard – 1.92%

³⁴ Applicable Air Quality Plans can be found on the Air District website at http://valleyair.org/Air_Quality_Plans/air-quality-plans.htm.

- 2016 Plan for the 2008 8-Hour Ozone Standard – 1.44%
- 2016 Moderate Area Plan for the 2012 PM_{2.5} Standard – 1.44%

The proposed UDB expansion would administratively add approximately ±515 acres to the existing Goshen UDB. The expansion to the UDB has been proposed to provide location flexibility for developers to respond to local market demands to accommodate projected future growth through horizon Year 2030. The addition of the ±515-acre land area to the UDB would not result in an increase in the total amount (i.e., acreage) of land actually developed by the AQP's attainment year. The additional land area is necessary to place the UDB boundary lines along logical alignments, such as property lines and roadways. The UDB expansion is an administrative reallocation of land intended to provide opportunities to stimulate economic development to meet the needs of the existing and future community and nearby residents. As no specific development projects are currently proposed and an unknown number of proposals may occur within the UDB during the lifetime of the Community Plan Update, the proposed Community Plan is intended only to direct the density, intensity, and types of growth within the community. Projected growth is consistent with the County's General Plan at an annual growth rate of 1.3% per year. The County's growth rate is lower than the growth rates applied in the applicable AQPs; therefore, the emissions resulting from the buildout of the Community Plan, including the UDB expansion area, has been included in the AQPs forecasts. As such, the project would not conflict with the assumptions made in the AQPs. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Control Measures

The Air District's AQPs contain a number of control measures which are enforceable requirements through the adoption of Air District rules and regulations. Future development projects, as well as construction activities associated with the Complete Streets and Road Maintenance Programs, will be required to comply with all applicable Air District rules and regulations, including Regulation VIII (PM₁₀ Prohibitions) and Rule 9510 (Indirect Source Review). Furthermore, the Tulare County General Plan includes Policies AQ-1.1, AQ-1.2, AQ-2.1 through AQ-2.3, and AQ-4.1 through AQ-4.6, which were specifically designed to ensure cooperation with the Air District and TCAG in effective planning of the County's future growth and development, and to ensure compliance with Air District rules and regulations included in the AQPs. These policies would be implemented for future development projects within the Community Plan Update Planning Area. Therefore, buildout of the Community Plan would not conflict with or obstruct implementation of the applicable AQPs.

Other than the Complete Streets and Road Maintenance Programs, there are no specific development projects (such as residential, commercial, or industrial uses) associated with the Goshen Community Plan Update. The Community Plan Update establishes the planning guidelines for the anticipated growth of the community through the horizon Year 2030. As previously discussed, the Community Plan Update growth projections and emissions inventory are consistent with the applicable AQPs. Future developments will comply with all applicable General Plan policies, Goshen Community Plan policies, and Air District rules and regulations. Therefore, buildout of the Community Plan Update would not conflict with or obstruct

implementation of the applicable AQPs. As such, ***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 San Joaquin Air Basin. Annual construction-related emissions do not exceed the Air District's annual significance thresholds for construction, nor do the annual operation-related emissions exceed the Air District's annual significance thresholds for operations. Buildout of the Community Plan Update at an annual growth rate of 1.3% is lower than, and therefore consistent with, the growth forecasts included in the applicable Air District AQPs. Future developments will be required to implement all applicable Tulare County General Plan policies, Goshen Community Plan policies, and all applicable Air District rules and regulations. Therefore, ***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, the Goshen Community Plan Update is a planning document intended to direct the density, intensity, and types of growth within the community. Projected growth of the community is below, and therefore consistent with, the assumptions and emissions inventories of the applicable AQPs. Future developments will be evaluated on a project-by-project basis. Consultation with the Air District, and implementation of County policies and compliance with Air District rules and regulations would reduce potential impacts of future development. Therefore, ***Less Than Significant Project-specific and Cumulative Impacts*** related to this Checklist Item will occur.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

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

As discussed in the AQA Report, air pollutant emissions have regional and localized impacts. This analysis evaluates the regional effects of the Community Plan Update's criteria pollutant emissions in comparison to the Air District's thresholds of significance for short-term construction-related activities and long-term operation of the developments over time. Localized emissions from construction-related activities and long-term operation of developments are also assessed using concentration based thresholds compared with ambient air quality standards or significance thresholds. As the SJVAB is in attainment for CO and SO₂ standards, the primary pollutants of concern during project construction and operation are ROG, NO_x, PM₁₀, and PM_{2.5}.

Regional Impacts

Construction-Related Criteria Air Pollutants

Construction-related criteria pollutant emissions associated with the buildout of the Community Plan Update are presented in **Table 3.3-5**. The analysis is based on the projected growth of the community between baseline Year 2014 and planning horizon Year 2030 and was modeled with a Year 2014 baseline. The Year 2014 represents the highest annual emissions because emissions from construction equipment decline over time as older equipment is retired or retrofitted with new pollution control devices. Development-type projects (residential, commercial, and industrial) were modeled with CalEEMod. As the Complete Streets and Road Maintenance Programs have not been implemented, the associated emissions were modeled with a Year 2018 baseline using the SMAQMD Road Construction Emissions Model. As presented in **Table 3.3-5**, the total average annual construction emissions for all criteria pollutants (including those emissions from future development projects and the road improvement programs) are below the Air District's significance thresholds and, therefore, would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Operations-Related Criteria Air Pollutants

Operations-related criteria pollutant emissions associated with the buildout of the Community Plan Update are presented in **Table 3.3-6**. As previously discussed, the Complete Streets and Road Maintenance Programs consist only of road improvements and would result in only construction-related emissions. As such, operations-related emissions will result from the buildout of the projected future growth within the community. To provide a conservative analysis, the emissions presented in the AQA Report, represent the unmitigated modeling output from CalEEMod. As shown in **Table 3.3-6**, operations-related emissions at full buildout do not exceed the Air District's significance thresholds. Furthermore, the Tulare County General Plan includes Policies AQ-1.1, AQ-1.2, AQ-2.1 through AQ-2.3, and AQ-4.1 through AQ-4.6, which were specifically designed to ensure cooperation with the Air District and TCAG in effective planning of the County's future growth and development, and to ensure compliance with certain Air District rules and regulations included in the AQPs. Future developments will be required to implement and comply with all applicable General Plan and Goshen Community Plan policies and all applicable Air District rules and regulations. As such, the Project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Localized Impacts

Localized construction-related impacts would be short-term in nature lasting only the duration of individual construction projects. Localized operation-related impacts could occur in areas with a single large source of emissions (such as a power plant), or with multiple sources concentrated in a small area (such as a distribution or industrial center). The Air District has

provided guidance for screening localized impacts and has established a screening threshold of 100 pounds per day (lb/day) of any criteria pollutant³⁵. If a project were to exceed 100 lb/day of any criteria pollutant during construction- or operations-related activities, then ambient air quality modeling would be necessary. If the project would not exceed 100 lb/day of any criteria pollutant, then it would be assumed that the project would not result in a violation of an ambient air quality standard and ambient air quality modeling would not be required. The Air District has also provided guidance that development projects falling below Air District Rule 9510 (Indirect Source Review) applicability thresholds are not expected to generate sufficient emissions to violate any air quality standard, no emissions calculations are required for air quality analysis purposes, and an ambient air quality analysis is not required.³⁶ The Air District has also provided guidance that combustion-related emissions for all residential development projects qualify as small project analysis level (SPAL) projects that do not require an ambient air quality analysis.³⁷

Construction-Related Criteria Pollutants – PM₁₀, PM_{2.5}, CO, SO_x, ROG, and NO_x

As discussed in the AQA Report, localized construction-related impacts would be short-term in nature lasting only during the duration of individual construction projects. Because of the short duration and limited amount of construction anticipated, application of best management practices, compliance with Air District rules and regulations, and emissions that are below the significance thresholds, localized construction-related emission concentrations are considered less than significant. Furthermore, As future development projects are proposed, the County will consult with the Air District during the CEQA process on a project-by-project basis to determine whether a localized pollutant analysis may be required to identify and mitigate, if necessary, potential project-specific impacts. Because future projects will be required to implement and comply with all applicable General Plan and Goshen Community Plan policies and Air District rules and regulations, localized construction-related criteria pollutant concentrations will not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Therefore, localized construction-related criteria pollutant emissions would have a ***Less Than Significant Project-specific Impact*** on air quality.

Operation-Related Criteria Pollutants – PM₁₀, PM_{2.5}, CO, SO_x, ROG, and NO_x

Localized operation-related impacts could occur in areas with a single large source of emissions such as a power plant or with multiple sources concentrated in a small area such as a distribution center. Other than the four previously approved development projects, which included project-specific review, and the Complete Streets and Road Maintenance Programs, there are no other specific development projects proposed within the Community Plan Update Planning Area that would trigger an analysis at this time. Furthermore, as future development projects are proposed, the County will consult with the Air District during the CEQA process on a project-by-project basis to determine whether a localized pollutant analysis may be

³⁵ Air District, Guidance for Assessing and Mitigating Air Quality Impacts, March 19, 2015, Page 93-94 for stationary sources and Page 95-97 for development projects.

³⁶ Air District, Ambient Air Quality Analysis Project Daily Emissions Assessment, May 31, 2013,

<http://www.valleyair.org/transportation/CEQA%20Rules/Ambient-Air-Quality-Analysis-Project-Daily-Emissions-Assessment.pdf>.

³⁷ Air District, FYI-329, Small Project Analysis Levels for Ambient Air Quality Analysis – Combustion Exhaust Emissions, June 13, 2012,

<http://www.valleyair.org/transportation/CEQA%20Rules/Small-Project-Analysis-Levels-for-Ambient-Air-Quality-Analysis-Combust.pdf>

required to identify and mitigate, if necessary, potential project-specific impacts. Because future projects will implement all applicable General Plan and Goshen Community Plan policies and will comply with Air District rules and regulations, localized operation-related criteria pollutant concentrations would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Therefore, localized operation-related criteria pollutant emissions would have a ***Less Than Significant Project-specific Impact*** on air quality.

Carbon Monoxide Hot Spot Analysis

As discussed in the AQA Report, a CO “hot spot” is a localized concentration of CO that is above the state or national 1-hour or 8-hour CO ambient air standards. Project concentrations may be considered significant if a CO hot spot intersection analysis determines that project generated CO concentrations cause a localized violation of the state CO 1-hour standard of 20 ppm, state CO 8-hour standard of 9 ppm, national CO 1-hour standard of 35 ppm, or national CO 8-hour standard of 9 ppm. There are no monitoring stations in Tulare County that measures CO and the nearest station that monitored this pollutant, the Fresno-First St. location in Fresno, last recorded CO emissions in 2012. As discussed in the AQA Report, the maximum 8-hour background concentration for CO reported is 2.22 ppm and the current maximum 1-hour background concentration is 3.17 ppm.

The Air District’s GAMAQI states that a CO hot spot analysis should be conducted if (1) a Traffic Impact Study (TIS) for a project indicates that the Level of Service (LOS) on one or more streets or at one or more intersection in the Project vicinity will be reduced to LOS E or F; or (2) a traffic study indicates that a project will substantially worsen an already existing LOS F at one or more intersections.³⁸ The Goshen Community Plan Update Planning Area does not presently experience significant traffic congestion or generate traffic volumes necessary to create a CO hotspot based on parameters established by the Air District. The TIS prepared by consultants VRPA Technologies, Inc. for the Goshen Community Plan Update Planning Area indicates that no intersection in the Planning Area would exceed LOS D given that the specific roadway improvements (mitigation measures) outlined on pages E-5 thru E-9 of the TIS are implemented.³⁹ Most of the road improvements identified, which are necessary to maintain acceptable LOS in Year 2040 (10 years beyond the life of the Community Plan Update), are included in the Complete Streets Program and may be included in future Road Maintenance and improvement strategies beyond the Year 2030 Planning horizon. Based on the assessment in the TIS, impacts related to CO hotspots would be less than significant and no additional analysis is required at this time. As such, ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Operations-Related Criteria Pollutants – H₂S, Lead, Vinyl Chloride

As discussed in the AQA Report, the development of the Community Plan Update Planning Area is not anticipated to result in significant levels of H₂S, lead, or vinyl chloride emissions because the type of development/uses allowed by zoning and regulations do not typically allow

³⁸ Air District, *Guidance for Assessing and Mitigating Air Quality Impacts*, March 19, 2015, Page 98.

³⁹ VRPA, 2018, pages E-5 thru E-9, Tables E-3 and E-4. *Goshen Community Plan Update. Traffic Impact Study Report February 2018.*

a source that would generate H₂S or lead in any substantial quantity. “Stationary Source” type industrial uses that could emit H₂S, lead, or vinyl chloride emissions would be evaluated by the Air District for potential health risks to nearby receptors prior to the issuance of Air District permits. Therefore, the buildout of the Community Plan Update would not result in an exceedance of the state ambient air quality standard for H₂S or cause any related health impact. As such, ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Operations-Related Visibility-Reducing Particles

There is no federal ambient air quality standard for visibility reducing particles. The state ambient air quality standard is intended to limit the frequency and severity of visibility impairment due to regional haze and is equivalent to a 10-mile nominal visual range. The main source of anticipated operational PM₁₀ and PM_{2.5} from the buildout of the Community Plan Update Planning Area would be from dust on roads that would be entrained or re-entrained from vehicle movements of soil that is tracked or carried-out by vehicle movements. As discussed in the AQA Report, road dust emissions are generally localized and most likely would be deposited near the road and would not result in a substantial impact to visibility. As such, ***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 San Joaquin Valley Air Basin. All future developments within the Community Plan Update Planning Area will be evaluated on a project-by-project basis and will implement all applicable General Plan and Goshen Community Plan policies, and will comply with all Air District rules and regulations. Furthermore, emissions tend to decrease as time progresses and technology improves, and future projects could include project design features that could further reduce criteria pollutant emissions. Therefore, ***Less Than Significant Cumulative Impacts*** related to this Checklist Item will occur.

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

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

The Goshen Community Plan Update is a planning document intended to direct the density, intensity, and types of growth within the community. Projected growth of the community is consistent with the assumptions and emissions inventories of the applicable AQPs. Future developments will be evaluated for potential regional and localized impacts on air quality on a project-by-project basis. Consultation with the Air District, and implementation of County policies and compliance with Air District rules and regulations would reduce potential impacts of future developments. Both construction-related and operations-related emissions fall below the Air District’s annual thresholds of significance. Therefore, ***Less Than Significant Project-specific and Cumulative Impacts*** related to this Checklist Item will occur.

- c) **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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

Project Impact Analysis:

Less Than Significant Impact

As discussed in the AQA Report, implementation of the Community Plan Update would have a cumulatively significant impact if: (1) emissions of nonattainment pollutants exceed the Air District's project-level significance thresholds; (2) the Community Plan is not consistent with the applicable AQPs; or (3) implementation of the Community Plan would result in significant cumulative health effects.

Emissions Analysis

The SJVAB is in nonattainment for federal and state ozone standards, nonattainment for federal and state PM_{2.5} standards, and nonattainment for state PM₁₀ standards. The Air District's significance thresholds for ROG and NO_x (ozone precursors) and for PM₁₀ and PM_{2.5} are presented in **Table 3.3-4**. Operations-related emissions that exceed these significance thresholds would be considered significant at the project level, as well as cumulatively significant. Operations-related emissions anticipated by the buildout of the Community Plan are presented in **Table 3.3-6**. As discussed in Checklist Items a) and b), operations-related emissions at full buildout would not exceed the Air District's annual thresholds of significance. As such, the implementation and buildout of the Community Plan would be considered to have ***Less Than Significant Cumulative Impacts*** related to this Checklist Item.

Consistency with AQPs

As discussed in the AQA Report and Checklist Item a) above, the Community Plan Update growth projections and emissions inventory are consistent with the assumptions and emissions inventories in the applicable AQPs. Future developments will comply with all applicable General Plan policies, Goshen Community Plan policies, and all applicable Air District rules and regulations. Therefore, buildout of the Community Plan Update Planning Area would not conflict with or obstruct implementation of the applicable AQPs. As such, the Community Plan Update would have a ***Less Than Significant Cumulative Impact*** related to this Checklist Item.

Health Impacts

As discussed in the AQA Report, significance thresholds for ROG and NO_x are not designed to be indicators of health effects from ROG and NO_x individually. However, it is possible that someone could infer that a project could result in a cumulative contribution to the existing health impacts of ozone and/or secondary particulate matter if the thresholds are exceeded. The impacts are not considered a project-specific impact because project emissions of ROG and NO_x emissions from a single project would not result in a measurable change in ozone or particulate concentrations; however, the combined effects of many projects dispersed throughout the region could potentially increase concentrations or slow progress toward

achieving the air quality standards. The combination of project-related emissions with pollutants from other sources within the SJVAB could cumulatively contribute to a significant impact.

As presented in **Table 3.3-6**, operations-related criteria pollutant emissions at projected buildout would not exceed the Air District's significance thresholds and would therefore, not exceed AAQS that would result in significant health risks. Furthermore, as previously discussed in Checklist Items a) and b), the County will implement all applicable General Plan and Goshen Community Plan policies and will consult with the Air District on a project-by-project basis to identify and mitigate, if necessary, any potential impacts on air quality. Therefore, the Community Plan Update would not significantly contribute to violation of any AAQS or increased health risks. The Community Plan Update would have a ***Less Than Significant Cumulative Impact*** related to this Checklist Item.

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

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

As previously noted, criteria pollutant emissions resulting from implementation of the Community Plan fall below the Air District's annual significance thresholds for both construction-related and operations-related emissions. Future developments will be required to implement all applicable Tulare County General Plan and Goshen Community Plan policies and to comply with all Air District rules and regulations. Therefore, the Community Plan Update would have a ***Less Than Significant Cumulative Impact*** related to this Checklist Item.

d) Expose sensitive receptors to substantial pollutant concentrations?

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

As discussed in the AQA Report, there is potential for exposure to pollutants resulting from the implementation of the Community Plan Update. Potential health risks can arise from exposure to a variety of sources including fugitive dust emissions during construction-related activities and emissions of hazardous air pollutant (HAPs)/toxic air contaminants (TACs) during both construction-related and operations-related activities.

HAP/TAC Emissions

As discussed in the AQA Report, potential health risks from HAPs/TACs could occur during construction-related and operations-related activities. Construction-related activities are short-term and would cease upon completion of a project. Operations-related activities occur throughout the life of a project. Other than the four previously approved development projects, which included project-specific review, and the Complete Streets and Road Maintenance Programs, there are no other specific development projects proposed within the Community Plan Update Planning Area that would trigger a health risk analysis at this time. As specific land use developments, their locations, and timing is not known, localized impacts from HAP/TAC emissions cannot be determined at this time and to do so would be speculative. The

Tulare County General Plan includes Policies AQ-1.1 through AQ-1.4, AQ-3.1 through AQ-3.6, LU-1.1 through LU-1.4, and LU-1.8, which were specifically designed to address potential impacts from siting incompatible uses in close proximity to each other. In order to ensure that development within the Community Plan Update Planning Area does not expose sensitive receptors to significant impacts from HAP/TAC emissions, Tulare County will review individual projects on a project-by-project basis. Development projects would implement all applicable General Plan and Goshen Community Plan policies that would reduce potential risks from inappropriate siting of incompatible uses. The County would also use the Air Resources Board (ARB) guidance document *Air Quality Land Use Handbook* to determine if ARB-recommended screening criteria are exceeded and will follow applicable recommendations in the California Air Pollution Control Officers Association (CAPCOA) guidance document *Health Risk Assessments for Proposed Land Use Projects*. The County will also consult with the Air District on a project-by-project basis during the CEQA process to determine whether additional health risk screening or modeling would be required to identify, and mitigate, if necessary, potentially significant health risk impacts. The Air District would perform a Risk Management Review (RMR) for stationary source projects subject to the Air District's permitting process; permits would be issued only if it can be demonstrated that the facility would not have a significant health risk. As such, ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Valley Fever

The SJVAB is considered an endemic area for valley fever *Coccidioides immitis* (*C. immitis*). Distribution of valley fever is not uniform within endemic areas and are dependent upon physical, chemical, and biological conditions of the soils. In areas with soils that contain *C. immitis* spores, exposure to valley fever occurs when earthmoving construction-related activities, such as grading and trenching, cause windblown dust. As discussed in the AQA Report, the Goshen Community Plan Update Planning Area is in an area with a long history of cultivation where fertilizers have been applied, and soil moisture has been maintained through irrigation. These factors would lead to a low probability of having *C. immitis* growth sites and exposure from disturbed soil. However, construction-related activities associated with the development of the Community Plan Update Planning Area would generate fugitive dust that could contain *C. immitis* spores. The Tulare County General Plan includes Policies AQ-4.2 and AQ-1.3, which were specifically designed to address impacts from the generation of dust emitted into the air, and will be implemented for future development projects. Future development projects are subject to Air District Regulation VIII (PM10 Prohibition) requirements. Road improvements and construction of future development projects would incorporate design features and/or mitigation measures (such as compliance with the Air District's Regulation VIII, Dust Control Plans, or other control techniques) that minimize the generation of fugitive dust during construction-related activities. Therefore, implementation of General Plan and Goshen Community Plan policies and compliance with applicable Air District rules and regulations would reduce the chance of exposure to valley fever during construction-related activities. As such, ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur.

Asbestos

In areas containing naturally occurring asbestos, earthmoving construction-related activities, such as grading and trenching, could expose receptors to windblown asbestos. Demolition and remodeling activities could expose receptors through accidental release of asbestos-containing building materials. As discussed in the AQA Report, according to the United States Geological Soil Survey map of areas where naturally occurring asbestos in California are likely to occur, there are no such areas within the Goshen Community Plan Update Planning Area. Therefore, construction-related activities during development of the Community Plan Update is not anticipated to expose receptors to naturally occurring asbestos.

Future development and road improvement projects would not be constructed with materials containing asbestos and as such, would pose no threat of exposure. However, some of the older housing units and non-residential facilities within the community could have asbestos containing materials and could expose residents if these buildings were to be remodeled or demolished. Remodeling and demolition projects are subject to Air District Rule 4002 (National Emission Standards for Hazardous Air Pollutants, or NESHAPs) and require notification to the Air District if the disturbed areas exceed certain parameters and require special handling and disposal of asbestos-containing materials. Compliance with California and County building codes and compliance with Air District regulation would reduce risks of exposure to asbestos. As such, ***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 SJVAB. The Goshen Community Plan Update is a planning document intended to direct the density, intensity, and types of growth within the community. Future developments will be evaluated on a project-by-project basis and will not expose the public to substantial pollutant concentrations. The Tulare County General Plan includes Policies AQ-1.1 through AQ-1.4, AQ-3.1 through AQ-3.6, LU-1.1 through LU-1.4, and LU-1.8, which were specifically designed to address potential impacts from siting incompatible uses in close proximity to each other. These policies would be implemented for future development projects. The County will consult with the Air District on a project-by-project to determine whether screening or modeling would be required to identify potential health risks. Compliance with applicable District rules and regulations would reduce potential impacts from exposure to pollutants. As such, the development of the Community Plan Update Planning Area would not expose the public to substantial pollutant concentrations. Therefore, a ***Less Than Significant Cumulative Impact*** related to this Checklist Item will occur.

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

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

The Goshen Community Plan Update is a planning document intended to direct the density, intensity, and types of growth within the community. Implementation of General Plan and

Community Plan policies and compliance with applicable Air District rules and regulations designed to address potential impacts associated with the inappropriate siting of incompatible uses would reduce potential impacts. To ensure that sensitive receptors would not be exposed to substantial pollutant concentrations Tulare County will consult with the Air District on a project-by-project basis to identify and mitigate, if necessary, potential health risks. Therefore, ***Less Than Significant Project-specific and Cumulative Impacts*** related to this Checklist Item will occur.

e) Create objectionable odors affecting a substantial number of people?

Project - Impact Analysis:

Less Than Significant Impact t

Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, schools, etc., warrant the closest scrutiny, but consideration should also be given to other land uses where people may congregate, such as recreational facilities, worksites, and commercial areas.

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. According to the Air District's GAMAQI, analysis of potential odor impacts should be conducted for either of the following two situations:

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

For a project locating near an existing source of odors, the project should be identified as having a potentially significant odor impact if it is proposed for a site that is closer to an existing odor source than any location where there have been:

- More than one *confirmed* complaint per year averaged over a three-year period, or
- Three *unconfirmed* complaints per year averaged over a three-year period.

Potential odor sources from construction-related activities associated with future development projects and the Complete Streets and Road Maintenance Programs could originate from diesel exhaust from construction equipment and fumes from architectural coating and paving operations. However, these odors, if perceptible, would dissipate rapidly 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 in the area.

Potential odor sources associated with future development projects could originate from diesel exhaust from delivery vehicles (e.g., heavy-duty trucks) and manufacturing processes once a projects becomes operational. However, these odors, if perceptible, would dissipate rapidly as

they mix with the surrounding air and would be of very limited duration. As such, objectionable odors during operations would not affect a substantial number of people in the area.

Other than the four approved development projects previously discussed, there are no other specific development projects proposed within the Community Plan Update Planning Area that would trigger an odor assessment at this time. The Tulare County General Plan includes Policies AQ-1.1 through AQ-1.4, AQ-3.1 through AQ-3.6, LU-1.1 through LU-1.4, and LU-1.8, which were specifically designed to address potential impacts from siting incompatible uses in close proximity to each other. These policies would be implemented for future development projects. As these policies encourage infill developments and project design to reduce air impacts, future developments would be encouraged to be sited in areas distanced sufficiently to reduce potential impacts from existing sources. Furthermore, all projects (with the exception of agricultural operations) are subject to Air District Rule 4102 (Nuisance). To ensure potential impacts are addressed, if future developments were to result in sensitive receptors being located within the Air District's recommended screening distances as identified in Table 6 of the GAMAQI, a more detailed analysis, would be recommended.⁴⁰ The detailed odor analysis would involve contacting the Air District's Compliance Division for information regarding odor complaints and evaluation of potential impacts taking into consideration the Air District's complaint record and the source(s) of the odors.

Implementation of the applicable General Plan and Community Plan policies and compliance with applicable District rules and regulations specifically designed to address air quality and odor impacts, would reduce potential odor impacts. Future development projects would be evaluated on a project-by-project basis. If a future development project may be a source of odors it will, if technically possible, mitigate any potential nuisance 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 SJVAB. The Goshen Community Plan Update is a planning document intended to direct the density, intensity, and types of growth within the Goshen UDB. Future developments will be evaluated on a project-by-project basis to identify potential odor sources in close proximity to the proposed development. New development projects are not anticipated to create new permanent sources of odor, nor are they anticipated to expose substantial numbers of people to existing sources of potential nuisance odors. Therefore, ***Less Than Significant Cumulate Impacts*** related to this Checklist Item will occur.

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

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

Implementation of County policies and Air District regulation designed to address potential land use conflicts and nuisance odor issues associated with the inappropriate siting of

⁴⁰ Table 6 of the GAMAQI is located on page 103 or can be found on the Air District website at <http://www.valleyair.org/transportation/GAMAQI-2015/GAMAQI-Criteria-Pollutant-Thresholds-of-Odors.pdf>.

incompatible uses would reduce potential odor impacts. Future development projects would be evaluated on a project-by-project basis and would mitigate, if necessary and technically possible, any nuisance impacts. Therefore, ***Less Than Significant Project-specific and Cumulative Impacts*** related to this Checklist Item will occur.

DEFINITIONS

Definitions

Air Quality Plan (AQP) - An air quality plan is a plan for reaching attainment of an air quality standard. The assumptions, inputs, and control measures are analyzed to determine if the air basin can reach attainment for the ambient air quality standard for the subject pollutant. In order to show attainment of the standard, the Air District analyzes the growth projections in the valley, contributing factors in air pollutant emissions and formations, and existing and future emissions controls. The Air District then formulates a control strategy to reach attainment.

Ambient Air Quality Standards - These standards measure outdoor air quality. They identify the maximum acceptable average concentrations of air pollutants during a specified period of time. These standards have been adopted at a State and Federal level.

Best Available Control Measures (BACM) - A set of programs that identify and implement potentially best available control measures affecting local air quality issues.

Carbon Monoxide (CO) - Carbon monoxide is an odorless, colorless gas that is highly toxic. It is formed by the incomplete combustion of fuels and is emitted directly into the air (unlike ozone).

Hydrogen Sulfide (H₂S) - Hydrogen sulfide is a highly toxic flammable gas. Because it is heavier than air, it tends to accumulate at the bottom of poorly ventilated spaces.

Lead (Pb) - Lead is the only substance which is currently listed as both a criteria air pollutant and a toxic air contaminant. Smelters and battery plants are the major sources of the pollutant "lead" in the air. The highest concentrations of lead are found in the vicinity of nonferrous smelters and other stationary sources of lead emissions. The EPA's health-based national air quality standard for lead is 1.5 micrograms per cubic meter (µg/m³) [measured as a quarterly average].

Mobile Source - A mobile emission source is a moving object, such as on-road and off-road vehicles, boats, airplanes, lawn equipment, and small utility engines.

Nitrogen Oxides (Oxides of Nitrogen, NO_x) - NO_x are compounds of nitric oxide (NO) and nitrogen dioxide (NO₂). NO_x are primarily created from the combustion process and are a major contributor to ozone smog and acid rain formation. NO_x also forms ammonium nitrate particulate in chemical reactions that occur when NO_x forms nitric acid and combines with ammonia. Ammonium nitrate particulate is an important contributor to PM₁₀ and PM_{2.5}.

Ozone (O₃) - Ozone is a pungent, colorless, toxic gas created in the atmosphere rather than emitted directly into the air. O₃ is produced in complex atmospheric reactions involving oxides of nitrogen, reactive organic gases (ROG), and ultraviolet energy from the sun in a photochemical reaction. Motor vehicles are the major sources of O₃ precursors.

Ozone Precursors - Chemicals such as non-methane hydrocarbons, also referred to as ROG, and oxides of nitrogen, occurring either naturally or as a result of human activities, which contribute to the formation of ozone, a major component of smog.

Photochemical - Some air pollutants are direct emissions, such as the CO produced by an automobile's engine. Other pollutants, primarily O₃, are formed when two or more chemicals react (using energy from the sun) in the atmosphere to form a new chemical. This is a photochemical reaction.

Particulate Matter 2.5 Micrometers (PM_{2.5}) - The federal government has recently added standards for smaller dust particulates. PM_{2.5} refers to dust/particulates/aerosols that are 2.5 microns in diameter or smaller. Particles of this size can be inhaled more deeply in the lungs and the chemical composition of some particles is toxic and has serious health impacts.

Particulate Matter 10 Micrometers (PM₁₀) - Dust and other particulates exhibit a range of particle sizes. Federal and State air quality regulations reflect the fact that smaller particles are easier to inhale and can be more damaging to health. PM₁₀ refers to dust/particulates that are 10 microns in diameter or smaller. The fraction of PM between PM_{2.5} and PM₁₀ is comprised primarily of fugitive dust. The particles between PM₁₀ and PM_{2.5} are primarily combustion products and secondary particles formed by chemical reactions in the atmosphere.

Reactive Organic Gas (ROG) - A photo chemically reactive chemical gas composed of non-methane hydrocarbons that may contribute to the formation of smog. This is also sometimes referred to as Volatile Organic Compounds (VOCs).

Reasonable Available Control Measures (RACM) - A broadly defined term referring to technologies and other measures that can be used to control pollution. They include Reasonably Available Control Technology and other measures. In the case of PM₁₀, RACM refers to approaches for controlling small or dispersed source categories such as road dust, woodstoves, and open burning. Regional Transportation Planning Agencies are required to implement RACM for transportation sources as part of the federal ozone attainment plan process in partnership with the Air District.

San Joaquin Valley Air Basin (SJVAB) - An air basin is a geographic area that exhibits similar meteorological and geographic conditions. California is divided into 15 air basins to assist with the statewide regional management of air quality issues. The SJVAB extends in the Central Valley from San Joaquin County in the north to the valley portion of Kern County in the south (including San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and Kern Counties).

San Joaquin Valley Unified Air Pollution Control District (Air District) - The Air District is the regulatory agency responsible for developing air quality plans (AQPs), monitoring air quality, developing air quality regulations, and permitting programs on stationary/industrial sources and agriculture and reporting air quality data for the SJVAB. The Air District also regulates indirect sources and has limited authority over transportation sources through the implementation of transportation control measures (TCM).

Sensitive Receptors - Sensitive receptors are defined as land uses that typically accommodate sensitive population groups such as long-term health care facilities, rehabilitation centers, retirement homes, convalescent homes, residences, schools, childcare centers, and playgrounds.

Sensitive Population Groups - Sensitive population groups are a subset of the general population that are at greater risk than the general population to the effects of air pollution. These groups include the elderly, infants and children, and individuals with respiratory problems, such as asthma.

Sulfur Dioxide (SO₂) - Sulfur dioxide belongs to the family of SO_x. These gases are formed when fuel containing sulfur (mainly coal and oil) is burned, and during metal smelting and other industrial processes.

Stationary Source - A stationary emission source is a non-mobile source, such as a power plant, refinery, or manufacturing facility.

Sulfates - Sulfates occur as microscopic particles (aerosols) resulting from fossil fuel and biomass combustion. SO_x can form sulfuric acid in the atmosphere that in the presence of ammonia forms ammonium sulfate particulates, a small but important component of PM₁₀ and PM_{2.5}. Sulfates increase the acidity of the atmosphere and form acid rain.

Transportation Conformity - A federal requirement for transportation plans and Projects to demonstrate that they will not result in emissions that exceed attainment plan emission budgets or exceed air quality standards.

Transportation Control Measures (TCMs) - Any measure that is identified for the purposes of reducing emissions or concentrations of air pollutants from transportation sources by reducing vehicle use or changing traffic flow or congestion conditions.

Transportation Management Associations (TMAs) - Groups of employers uniting together to work collectively to manage transportation demand in a particular area.

Tulare County Association of Governments (TCAG) - TCAG is the Transportation Planning Agency (TPA) for Tulare County. TCAG is also designated as a Metropolitan Planning Organization (MPO), the agency responsible for preparing long range Regional Transportation Plans and demonstrating Transportation Conformity with air quality plans (AQPs).

Wood-burning Devices - Wood-burning devices are designed to burn “solid fuels” such as cordwood, pellet fuel, manufactured logs, or any other non-gaseous or non-liquid fuels.

Abbreviations and Acronyms

Air District	San Joaquin Valley Unified Air Pollution Control District
ARB	California Air Resources Board
BACM	Best Available Control Measures

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CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CARB	California Air Resources Board
CH ₄	Methane
CO	Carbon Monoxide
EPA	Environmental Protection Agency
GAMAQI	Guidance for Assessing and Mitigating Air Quality Impacts
HI	Hazard Index
H ₂ S	Hydrogen Sulfide
NAAQS	National Ambient Air Quality Standards
NO ₂	Nitrogen Dioxide
NESHAPs	National Environmental Standards for Hazardous Air Pollutants
O ₃	Ozone
Pb	Lead
PM _{2.5}	Particulate Matter 2.5 Micrometers
PM ₁₀	Particulate Matter 10 Micrometers
RACM	Reasonable Available Control Measures
ROG	Reactive Organic Gases
SIP	State Implementation Plan
SO ₂	Sulfur Dioxide
SJVAPCD	San Joaquin Valley Unified Air Pollution Control District
SJVAB	San Joaquin Valley Air Basin
TAC	Toxic Air Contaminants
TCAG	Tulare County Association of Governments
TCM	Transportation Control Measures
VOC	Volatile Organic Compound

REFERENCES

California Air Resources Board, <https://www.arb.ca.gov/adam/topfour/topfour1.php>

CEQA Guidelines, Sections 15126 and 15130

San Joaquin Valley Unified Air Pollution Control District, Ambient Air Quality Standards & Valley Attainment Status, which can be accessed online at:
<http://www.valleyair.org/aqinfo/attainment.htm>

San Joaquin Valley Unified Air Pollution Control District, Guidance for Assessing and Mitigating Air Quality Impacts, March 19, 2015, which can be accessed online at:
http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf

Tulare County General Plan 2030 Update, August 2012

Tulare County General Plan 2030 Update Background Report, February 2010

Draft Environmental Impact Report
Goshen Community Plan Update

Tulare County General Plan 2030 Update, Recirculated Draft Environmental Impact Report (RDEIR), February 2010

Tulare County Resource Management Agency, Air Quality and Greenhouse Gas Analysis Technical Memorandum, February 14, 2018 [included as Appendix “A” of this DEIR]

Tulare County – Goshen Community Plan Update Air Quality Analysis Report” prepared by First Carbon Solutions, September 16, 2014 [which is included as Appendix “A” of this DEIR]

Biological Resources

Chapter 3.4

SUMMARY OF FINDINGS

The proposed Goshen Community Plan Update (Project) will result in ***Less Than Significant Impacts With Mitigation*** to Biological Resources. A Biological Evaluation conducted by Live Oak Associates is included as Appendix “B” of this document, and is used as the basis for the determination that this Project will result in less than significant impacts. A detailed review of potential impacts is provided in the following analysis.

“Live Oak Associates, Inc. (LOA) conducted an investigation of the biological resources of the Goshen Community Plan Proposed Planning Study Area (PPSA) in the outskirts of the community of Goshen in Tulare County, California and evaluated likely impacts to such resources resulting from development of the PPSA. The approximately 1,380-acre PPSA consists of three separate blocks of land; the western block is located immediately to the west of Highway 99, the northern block immediately to the east of Highway 99 and north of Avenue 312, and the eastern block east of Highway 99 and south of Avenue 312. In April of 2014, LOA surveyed the PPSA for its biotic habitats, the plants and animals occurring in those habitats, and significant habitat values that may be protected by state and federal law.

Habitats/land uses identified within the PPSA included agricultural field, orchard/vineyard, residential/industrial land, vacant lot, ruderal, agricultural basin, and irrigation ditch. A mosaic of agricultural, residential, industrial, and commercial land uses surround the PPSA, within a region dominated by similar land uses. The PPSA contained two hydrological features that would likely be considered waters of the U.S. based on their connectivity with known waters of the U.S. These consisted of an approximate 1.5-mile reach of the Mill Creek Ditch, and an approximate 0.75-mile reach of an unnamed ditch.

Impacts associated with future development of PPSA would be less than significant, as defined by the California Environmental Quality Act (CEQA), for special status plant species, wildlife movement corridors, riparian or other sensitive habitats, designated critical habitat, downstream water quality, and local policies and habitat conservation plans. Loss of habitat for most special status animal species would also be considered less than significant under CEQA.

Potentially significant impacts associated with future development of the PPSA include construction mortality of the Swainson’s hawk, San Joaquin kit fox, burrowing owl, American badger, nesting raptors and migratory birds including the white-tailed kite, loggerhead shrike, and tricolored blackbird, and colonially roosting bats. Project avoidance of active nests, dens, and roost sites identified during preconstruction surveys and implementation of minimization measures consistent with the USFWS *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* will ensure that

impacts to all special status animal species from construction mortality or disturbance are reduced to a less than significant level under CEQA.

Future development of the PPSA also has the potential to result in a significant loss of foraging habitat for the Swainson's hawk. This impact will be mitigated through the provision of compensatory mitigation for project-related loss of suitable foraging habitat within ½ mile of any active Swainson's hawk nest. Swainson's hawk nests will be identified by conducting nesting surveys consistent with *Recommended Timing and Methodology for Nesting Swainson's Hawk Surveys in California's Central Valley* (SHTAC 2000).

Project impacts will also potentially be significant for waters of the U.S, should these impacts exceed 0.5 acre. Impacts of more than 0.5 acre to the Mill Creek Ditch or the unnamed ditch can be mitigated through on-site or off site preservation or creation, through payment into an in-lieu fee program (if one is available), purchase of credits from an approved mitigation bank in the vicinity, or some combination of one or more of these options.”¹

INTRODUCTION

California Environmental Quality Act (CEQA) Requirements

“Whenever possible, public agencies are required to avoid or minimize environmental impacts by implementing practical alternatives or mitigation measures. According to Section 15382 of the CEQA Guidelines, a significant effect on the environment means a “substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the Project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic interest.”²

The California Environmental Quality Act (CEQA; California Public Resources Code §§ 21000-21177) requires that State agencies, local governments, and special districts evaluate and disclose impacts from "Projects" in the State. CEQA Guidelines Section 15380 clearly indicates that species of special concern (SSCs) should be included in an analysis of Project impacts if they can be shown to meet the criteria of sensitivity.³

CEQA Guidelines Sections 15063 and 15065 address how an impact is identified as significant. These sections are particularly relevant to SSCs. Project-level impacts to listed rare, threatened, or endangered species are generally considered significant, and therefore require lead agencies to prepare an Environmental Impact Report to fully analyze and evaluate the impacts. In determining to assign "impact significance" to populations of non-listed species, factors which are usually considered include population-level effects, proportion of the species' range affected by a Project, regional effects, and impacts to habitat features.⁴

¹ Goshen Community Plan Update Biological Evaluation Tulare County, California” prepared by Live Oak Associates, Inc. August, 2014. Page i.

² DFW, <http://www.dfg.ca.gov/wildlife/nongame/ssc/>

³ Ibid.

⁴ Op. Cit.

This section of the Draft Environmental Impact Report (DEIR) for the Project meets CEQA requirements by addressing potential impacts to biological resources on the proposed Project site, which is located in a portion of the San Joaquin Valley in Tulare County. The “Environmental Setting” section provides a description of biological resources in the region, with special emphasis on the proposed Project site and vicinity. The “Regulatory Setting” provides a description of applicable State and local regulatory policies. A description of the potential impacts of the proposed Project is also provided and includes the identification of feasible mitigation to avoid or lessen the impacts.

Thresholds of Significance

The geographical area may be either statewide or nationwide, depending on the sensitive status of the species. Standards for listing as federal endangered species are determined by the Federal Endangered Species Act, administered by U.S. Department of Fish and Wildlife. Standards for listing of California special status species (Endangered, Threatened, Candidate Endangered, Candidate Threatened, and Sensitive Species) are administered by the California Department of Fish and Wildlife (DFW). These requirements are described in further detail in the “Regulatory” section of this document.

ENVIRONMENTAL SETTING

As indicated in the Biological Evaluation (Appendix “B” of this DEIR), “The PPSA [Proposed Planning Study Area] is located in the central San Joaquin Valley north, east, and west of the community of Goshen. The valley is bordered by the Sierra Nevada to the east, the Tehachapi Mountains to the south, the California coastal ranges to the west, and the Sacramento-San Joaquin Delta to the north.

Like most of California, the central San Joaquin Valley (and the PPSA) experiences a Mediterranean climate. Warm dry summers are followed by cool moist winters. Summer temperatures commonly exceed 90 degrees Fahrenheit, and the relative humidity is generally very low. Winter temperatures rarely exceed 70 degrees Fahrenheit, with daytime highs often below 60 degrees Fahrenheit. Annual precipitation in the vicinity of the PPSA is about 11 inches, almost 90% of which falls between the months of November and April. Nearly all precipitation falls in the form of rain.

“The principal drainage of the PPSA vicinity is the St. John’s River, a distributary channel of the Kaweah River. The St. John’s River emerges from the Kaweah River approximately 20 miles east of the PPSA, and flows from east to west approximately 3 miles north of the PPSA before merging with Cottonwood Creek to form Cross Creek. Cross Creek follows a meandering course south and is ultimately constrained to a set of engineered channels before joining the Tule River approximately 18 miles south of the PPSA. The drainages in the vicinity of the PPSA historically contained large areas of riparian, wetland, and aquatic ecosystems that supported a diversity of native plants and animals. Presently, these drainages support only a fraction of the riparian habitat they once supported and the aquatic habitat has been greatly degraded from

agricultural runoff and irregular flows. In essence, the drainages have been reduced to a series of distributary channels supplying water to farmland in the region.

The PPSA is situated within a matrix of agricultural lands, industrial complexes, and residential/commercial development associated with the community of Goshen. The northern block of the PPSA is bordered by agricultural fields to the north and east; agricultural fields, remnant non-native grassland, and residential areas to the south; and Highway 99 to the west. The eastern block of the PPSA is bordered by ruderal grassland and residential areas to the north, ruderal grassland to the east, and residential and commercial areas to the south and west. The western block of the PPSA is bordered by orchard to the north; Highway 99 and residential, commercial, and industrial areas to the east; and agricultural fields, orchard, and residential areas to the south and west.”⁵

Project Site

“The PPSA consists primarily of agricultural fields, orchard, residential areas, an auto salvage yard, and disturbed grassland. The topography of the site is relatively level, ranging from 293 feet National Geodetic Vertical Datum (NGVD) at its northeastern extent to 279 feet NGVD at its southwestern extent.

Four soil mapping units were identified within the PPSA: Grangeville sandy loam, drained, 0-2 percent slopes; Calgro-Calgro, saline-sodic, complex, 0-2 percent slopes; Akers-Akers, saline-sodic, complex, 0-2 percent slopes; and Colpien loam, 0-2 percent slopes (NRCS 2014). The Calgro-Calgro, Akers-Akers, and Grangeville soil mapping units are considered hydric. Hydric soils are defined as saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions such that under sufficiently wet conditions hydrophytic vegetation is supported. However, due to long-term management, soils of the site exhibited no characteristics of hydric soils.”⁶

Biotic Habitats/Land Uses

“Seven land use/habitat types were observed within the PPSA during the April 2014 biological field survey: agricultural field, orchard/vineyard, residential/industrial, vacant lot, ruderal, irrigation canal, and irrigation basin (Figures 3a and 3b [of the Biological Evaluation]). A list of the vascular plant species observed within the PPSA and the terrestrial vertebrates using, or potentially using, the PPSA are provided in Appendices A and B [of the Biological Evaluation], respectively. Selected photographs of the PPSA are presented in Appendix C [of the Biological Evaluation].

Agricultural Field

Agricultural field comprised much of the northern and western blocks of the PPSA. The northern block contained approximately 350 acres of fields planted to winter wheat (*Triticum*

⁵ Ibid. 5-6.

⁶ Op. Cit. 6.

sp.), corn (*Zea mays* ssp. *mays*), and beans, as well as two fields totaling approximately 70 acres that had recently been prepped for planting. The western block contained approximately 430 acres of fields planted to winter wheat and alfalfa (*Medicago sativa*). Agricultural fields were absent from the eastern block of the PPSA. Agricultural fields of the PPSA were generally devoid of vegetation other than the planted crop.

Intensive agricultural practices on the agricultural fields of the PPSA likely limit their value to wildlife; however, some wildlife species undoubtedly occur in the fields. Amphibians with the potential to use agricultural fields of the PPSA include Pacific chorus frogs (*Pseudacris regilla*) and western toads (*Bufo boreas*), both of which may breed in nearby irrigation ditches and subsequently disperse through the fields. Reptiles that could occur in the fields include the side-blotched lizard (*Uta stansburiana*), western whiptail (*Cnemidophorus tigris*), Pacific gopher snake (*Pituophis catenifer catenifer*), and common kingsnake (*Lampropeltis getulus*).

Agricultural fields also provide foraging habitat for a number of avian species. Common resident species likely to forage in the agricultural fields of the PPSA include mourning doves (*Zenaida macroura*) and American crows (*Corvus brachyrhynchos*), as well as mixed flocks of Brewer's blackbirds (*Euphagus cyanocephalus*), brown-headed cowbirds (*Molothrus ater*), and European starlings (*Sturnus vulgaris*); all but the brown-headed cowbird were observed during the field survey. Summer migrants that would be common on agricultural lands of the PPSA include the western kingbird (*Tyrannus verticalis*), while common winter migrants include the savannah sparrow (*Passerella sandwichensis*) and American pipit (*Anthus rubescens*); both kingbirds and pipits were observed during the field survey.

Although less common, certain birds may use agricultural fields of the PPSA for nesting. For example, both red-winged blackbirds (*Agelaius phoeniceus*) and tricolored blackbirds (*Agelaius tricolor*) may nest in wheat. During the April 2014 survey, a large number of red-winged blackbirds were observed flying in and out of several of the wheat fields of the PPSA. Although no nests were observed, any nests that would have been present would have likely been obscured by the wheat crop, which was 2-3 feet high and extremely dense.

A few mammal species may also occur within the agricultural fields of the PPSA. Small mammals such as deer mice (*Peromyscus maniculatus*) and California voles (*Microtus californicus*) would occur in fluctuating numbers depending on the season and yearly agricultural practices. Botta's pocket gophers (*Thomomys bottae*) and California ground squirrels (*Otospermophilus beecheyi*) could burrow around the perimeter of active fields, or within fields during fallow periods. Other small mammals that may occur from time to time within the agricultural fields of the PPSA include black-tailed hares (*Lepus californicus*) and Audubon cottontail rabbits (*Sylvilagus audubonii*). Various species of bat may also forage over the fields of the PPSA for flying insects.

The presence of amphibians, reptiles, birds and small mammals is likely to attract foraging raptors and mammalian predators. Raptors such as red-tailed hawks (*Buteo jamaicensis*) and American kestrels (*Falco sparverius*) would likely forage over agricultural fields of the PPSA; red-tailed hawks were commonly observed during the field survey. Mammalian predators

occurring in agricultural fields of the PPSA would most likely be limited to raccoons (*Procyon lotor*), striped skunks (*Mephitis mephitis*), coyotes (*Canis latrans*) and red foxes (*Vulpes vulpes*), as these species are relatively tolerant of human disturbance.

Orchard/Vineyard

Walnut (*Juglans* sp.) and *Prunus* sp. orchards at various stages of maturity accounted for approximately 295 acres of the western block of the PPSA. The northern block of the PPSA contained approximately 70 acres of walnut orchard, as well as a small vineyard of approximately 5 acres. Orchard/vineyard land was absent from the eastern block of the PPSA. Being highly maintained, these orchards and vineyards were mostly barren in the understory.

Due to intensive disturbance and the lack of aquatic habitat, orchards and vineyards provide marginal habitat for amphibians; however, Pacific chorus frogs and western toads may disperse through orchard lands during the winter and spring. A limited number of reptile species would be expected to forage in orchards of the PPSA due to the lack of sun required by these species for thermal regulation; however, the western fence lizard (*Sceloporus occidentalis*), Pacific gopher snake, common kingsnake, and western rattlesnake (*Crotalus viridis*) may occasionally occur.

Orchards and vineyards provide foraging and nesting habitat for a number of avian species. Mature orchards could be used for nesting by the American robin (*Turdus migratorius*), mourning dove, and western kingbird; at the time of the field survey, robins appeared to be nesting in a mature walnut orchard at the PPSA's western extent. Winter migrants such as the white-crowned sparrow (*Zonotrichia leucophrys*) may forage on dormant buds in the orchards and vineyard of the PPSA, while resident birds such as the European starling and house finch (*Haemorrhous mexicanus*) would be expected to forage on ripening fruit.

A few small mammal species would be expected to occur within the orchards and vineyard of the PPSA. These include deer mice, California voles, house mice (*Mus musculus*), Botta's pocket gophers, and Audubon cottontail rabbits. Various species of bat may forage over orchard and vineyard habitat for flying insects, or glean insects from the leaves of trees and vines.

Foraging raptors and mammalian predators may occur in the orchards and vineyard of the PPSA from time to time. Raptors adapted to hunt within the tree canopy such as Cooper's hawks (*Accipiter cooperii*) and sharp-shinned hawks (*Accipiter striatus*) may forage for small birds in orchards, and red-tailed hawks and American kestrels may forage over vineyards. Mammalian predators potentially occurring in the orchards and vineyard of the PPSA would be the same as those described for agricultural fields.

Residential/Industrial

Residential and industrial areas accounted for approximately 25 acres of the PPSA. Seven rural residences were located along the borders of agricultural fields in the western block of the PPSA, and two were situated within orchards in the northern block of the PPSA. The eastern block of

the PPSA contained numerous residences on small lots, a small manufacturing facility, and a portion of a larger automobile salvage yard. Residential areas of the PPSA generally consisted of houses and associated structures, landscaped areas with grass, trees, and shrubs, and paved and gravel surfaces. The manufacturing facility consisted of buildings, containers, and paved surfaces. The salvage yard was not accessible during the field survey, but a perimeter investigation and analysis of aerial imagery suggests this area consists almost entirely of non-operational cars and trucks on an earthen substrate, interspersed with dirt roads and several buildings. Ornamental trees and shrubs that had been planted in residential areas of the PPSA included white mulberry (*Morus alba*), Italian cypress (*Cupressus sempervirens*), Washington fan palm (*Washingtonia filifera*), blue gum eucalyptus (*Eucalyptus globulus*), coast redwood (*Sequoia sempervirens*), cultivated pine (*Pinus* sp.), oleander (*Nerium oleander*), privet (*Ligustrum* sp.), and cultivated rose (*Rosa* sp.). The salvage yard contained several trees and shrubs, which from the perimeter of the property appeared to include weeping willow (*Salix* sp.), blue gum, and fan palm. The manufacturing facility appeared devoid of vegetation.

A number of wildlife species adapted to human disturbance could be expected to occur in residential/industrial areas of the PPSA. For example, amphibians such as Pacific chorus frogs and western toads might disperse through industrial/residential land during the winter and spring, and reptiles such as the western fence lizard and common garter snake (*Thamnophis sirtalis*) could forage in this land use type. Buildings and other human-made structures located on residential/industrial lands of the PPSA provide potential nesting habitat for a number of avian species such as the house finch, house sparrow (*Passer domesticus*), and Eurasian collared dove (*Streptopelia decaocto*); all were observed during the field survey. Trees and shrubs associated with residences could be used for nesting by a variety of avian species, including the Bullock's oriole (*Icterus bullockii*), northern mockingbird (*Mimus polyglottos*), and Anna's hummingbird (*Calypte anna*). Mammal species attracted to this land use type may include the house mouse, Norway rat (*Rattus norvegicus*), and Virginia opossum (*Didelphis virginiana*).

Birds of prey may occasionally forage over the residential/industrial areas. The red-tailed hawk and American kestrel are likely visitors. Red-tailed hawks were commonly observed during the field survey.

Vacant Lots

Interspersed with the residential and industrial areas in the eastern block of the PPSA were approximately 12 acres of vacant lots. These lands included ruderal disked fields, barren areas that appeared to be undergoing site preparation for building, two backyard pastures, a small stand of blue gum eucalyptus, and one lot upon which the demolition of a home had recently taken place. The northern block of the PPSA contained a single, 5-acre vacant lot upon which several buildings had recently been demolished. Vacant lots were absent from the western block of the PPSA. Where vegetation was present in vacant lots, it generally consisted of non-native grasses such as barnyard barley (*Hordeum murinum* spp. *leporinum*) and ripgut brome (*Bromus diandrus*) and weedy forbs such as red-stemmed filaree and bull mallow (*Malva nicaeensis*).

Wildlife use of vacant lots is expected to be similar to that described for the residential/industrial land use, with the addition of burrowing rodents such as the California ground squirrel and Botta's pocket gopher. At the time of the field survey, California ground squirrel burrows were plentiful in a backyard pasture fronting Road 76 in the eastern block of the PPSA.

Ruderal

Interspersed with the residential and industrial areas in the eastern block of the PPSA were approximately 12 acres of vacant lots. These lands included ruderal disked fields, barren areas that appeared to be undergoing site preparation for building, two backyard pastures, a small stand of blue gum eucalyptus, and one lot upon which the demolition of a home had recently taken place. The northern block of the PPSA contained a single, 5-acre vacant lot upon which several buildings had recently been demolished. Vacant lots were absent from the western block of the PPSA. Where vegetation was present in vacant lots, it generally consisted of non-native grasses such as barnyard barley (*Hordeum murinum* spp. *leporinum*) and ripgut brome (*Bromus diandrus*) and weedy forbs such as red-stemmed filaree and bull mallow (*Malva nicaeensis*).

Wildlife use of vacant lots is expected to be similar to that described for the residential/industrial land use, with the addition of burrowing rodents such as the California ground squirrel and Botta's pocket gopher. At the time of the field survey, California ground squirrel burrows were plentiful in a backyard pasture fronting Road 76 in the eastern block of the PPSA.

Agricultural Basin

Two agricultural basins were identified within the northern block of the PPSA. The first basin was a large overflow reservoir approximately 30 acres in size that appeared to be fed by the Modoc Ditch. At the time of the field survey, the majority of this basin was dry and recently disked. An area of approximately one acre along the basin's western boundary was inundated. The entire basin was barren of vegetation. The second basin was located immediately to the northwest of the overflow reservoir, and was only about 2,500 square feet in area. It was dry at the time of the field survey, and densely vegetated with curly dock (*Rumex crispus*), bearded sprangletop (*Leptochloa fusca* spp. *fascicularis*), and other weedy species.

Wildlife use of agricultural basins would vary depending on the timing and degree to which the basins are inundated or saturated. During periods of inundation, amphibians such as the Pacific chorus frog and western toad could opportunistically breed in the basins and subsequently disperse through surrounding lands. During dry periods, reptile and amphibian use of the basins would be similar to that described for agricultural fields of the PPSA.

Birds expected to use the basins during periods of inundation may include the great blue heron (*Ardea herodias*) and great egret (*Ardea alba*), assuming amphibian and/or invertebrate prey is present. Black phoebes (*Sayornis nigricans*) may glean insects from the surface of the water, or extract mud from the banks for nest-building. When the basins are saturated but not inundated, avian use may include those species that feed on mudflats, such as the killdeer. When the basins

are dry, avian use would be similar to that described for agricultural fields and ruderal habitats of the study area.

Periodic inundation likely precludes occupation of the basin floors by burrowing rodents; however, Botta's pocket gophers and California ground squirrels could burrow on the banks. Deer mice and western harvest mice could also inhabit the margins of the basins and could forage for insects, seeds, and plant parts in the basins when the basins are dry. Mammalian predator and raptor use of the basins would be similar to that described for other habitats of the PPSA.

Irrigation Ditch

Three earthen irrigation ditches traversed the PPSA. The Mill Creek Ditch traveled through the western block of the PPSA for a distance of approximately 1.5 miles, beginning at Road 68 and flowing to the west and north before exiting the PPSA at Road 60. It varied in width between 20 and 30 feet between bank tops, and was dry at the time of the field survey. The eastern portion of this ditch was barren of vegetation, while the western portion appeared to experience less maintenance, and was vegetated with stinging nettle (*Urtica dioica holerica*), annual bluegrass (*Poa annua*), London rocket (*Sisymbrium irio*), and other weedy species. An unnamed ditch traveled through the northern block of the PPSA for approximately 0.75 mile, from Road 68 west to Highway 99, and averaged 12 feet in width between bank tops. The eastern portion of this ditch had a modest flow at the time of the field survey, but the western portion was dry. The ditch was barren of vegetation. Finally, the Modoc Ditch traveled through the northern block of the PPSA for approximately 0.75 mile, from Road 76 west to an overflow reservoir, and averaged 15 feet in width between bank tops. It had a modest flow at the time of the field survey, contained algae blooms, and was vegetated with tumble mustard (*Sisymbrium altissimum*), yellow monkeyflower (*Mimulus guttatus*), and waterweed (*Elodea* sp.).

Wildlife use of the irrigation ditches would vary depending on the inundation regime. During inundated periods, the Pacific chorus frog, western toad, and introduced bullfrog (*Lithobates catesbeianus*) could breed in the ditches; these and other prey species may attract wading birds such as the great blue heron and great egret. California ground squirrel burrows were frequently observed in the banks of the less-maintained western reach of the Mill Creek Ditch.”⁷

Special Status Plants and Animals

The Biological Evaluation identified potential special status species which might occur onsite or in the project vicinity. “Sources of information for this table included *California's Wildlife, Volumes I, II, and III* (Zeiner et. al 1988-1990), *California Natural Diversity Data Base* (CDFW 2014), *Endangered and Threatened Wildlife and Plants* (USFWS 2011), *Annual Report on the Status of California State Listed Threatened and Endangered Animals and Plants* (CDFW 2014), and *The California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of*

⁷ Op. Cit. 6-15.

California (CNPS 2014). It is important to note that the California Natural Diversity Data Base (CNDDB) is a volunteer database; therefore, it may not contain all known literature records.”⁸

Table 3.4.1 [Table 1 of the Biological Evaluation, Appendix “B” of this DEIR] provides a summary of Project-related biological impacts to the PPSA as contained in the Biological Evaluation (Appendix “B”). Table 3.4.1 shows “Eleven special status vascular plant species are known to occur in the vicinity of the PPSA: California jewelflower (*Caulanthus californicus*), Hoover’s spurge (*Chamaesyce hooveri*), San Joaquin Valley orcutt grass (*Orcuttia inaequalis*), San Joaquin adobe sunburst (*Pseudobahia peirsonii*), heartscale (*Atriplex cordulata* var. *cordulata*), Earlimart orache (*Atriplex cordulata* var. *erecticaulis*), brittlescale (*Atriplex depressa*), lesser saltscale (*Atriplex minuscula*), subtle orache (*Atriplex subtilis*), recurved larkspur (*Delphinium recurvatum*), and spiny sepaed button-celery (*Eryngium spinosepalum*). Because of many decades of disturbance, habitat for these eleven plant species is absent from the PPSA. Moreover, none of these plants were observed in April 2014, at a time when most of these species are in bloom and their probability of detection is maximized. Future development of the PPSA would not affect regional populations of these species and impacts would be less than significant.” Therefore, no mitigation will be necessary.⁹

Table 3.4.1 shows “18 special status animal species potentially occurring in the region, seven species would be absent or unlikely to occur on within the PPSA (See Table 1 [of the Biological Evaluation, Appendix “B” of this DEIR]). These include the vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardii*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), blunt-nosed leopard lizard (*Gamelia sila*), California tiger salamander (*Ambystoma californiense*), western pond turtle (*Emys marmorata*), and the western spadefoot (*Spea hammondi*). These species are not at risk of injury or mortality from future development activities within the PPSA because of the extreme unlikelihood of their occurring within the PPSA. Similarly, future development of the PPSA will not result in loss of habitat for these species, because there is little or no likelihood that they utilize habitats of the PPSA.”¹⁰ Therefore, as indicated in the Biological Evaluation, no mitigation is warranted.

As summarized in Table 3.4.1 (Table 1 of the Biological Evaluation, Appendix “B” of this DEIR) and described in the narrative on page 48 of the Biological Evaluation; “Of the 18 special status animal species potentially occurring in the region, eleven species have the potential to occur within the PPSA. These species include the Swainson’s hawk, San Joaquin kit fox, white-tailed kite (*Elanus leucurus*), northern harrier (*Circus cyaneus*), lesser sandhill crane (*Grus canadensis canadensis*), burrowing owl, loggerhead shrike (*Lanius ludovicianus*), tricolored blackbird (*Agelaius tricolor*), pallid bat (*Antrozous pallidus*), western mastiff bat (*Eumops perotis* spp. *californicus*), and American badger. The northern harrier and lesser sandhill crane would be expected to use the PPSA for foraging only, while the remaining species have the potential to breed or forage within the PPSA.”¹¹

⁸ Op. Cit. 16.

⁹ Op. Cit. 47.

¹⁰ Op. Cit. 48.

¹¹ Op. Cit.

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**Table 3.4-1 [Table 1 of the Biological Evaluation]
LIST OF SPECIAL STATUS SPECIES THAT COULD OCCUR
IN THE VICINITY OF THE GOSHEN PPSA**

Species	Status	Habitat	Occurrence within the PPSA
California Jewelflower (<i>Caulanthus californicus</i>)	FE, CE	Occurs in chenopod scrub, pinyon and juniper woodland, and sandy valley and foothill grassland; blooms February–May; elevation 250-3,300 ft.	Absent. Historic and ongoing human disturbance of the PPSA has rendered habitats unsuitable for this species.
Hoover’s Spurge (<i>Chamaesyce hooveri</i>)	FT CNPS 1B	Occurs in vernal pools of the Central Valley, germinating after the water evaporates; blooms July–September; elevations below 1,000 ft.	Absent. Vernal pools are absent from the PPSA.
San Joaquin Valley Orcutt Grass (<i>Orcuttia inaequalis</i>)	FE, CE CNPS 1B	This annual occurs in vernal pools of the Central Valley; requires deep pools with prolonged periods of inundation; blooms April–September; elevation 100-2,480 ft.	Absent. Vernal pools are absent from the PPSA.
San Joaquin Adobe Sunburst (<i>Pseudobahia peirsonii</i>)	FT, CE CNPS 1B	This annual sunflower occurs in grasslands of the Sierra Nevada foothills in heavy clay soils of the Porterville and Centerville series. Blooms March–April; elevation 300-2,625 ft.	Absent. Suitable heavy clay soils of the Porterville and Centerville series are absent from the PPSA.
Species	Status	Habitat	Occurrence within the PPSA
Earlimart Orache (<i>Atriplex cordulata</i> var. <i>erecticaulis</i>)	CNPS 1B	Occurs in valley and foothill grassland between 130 and 330 ft. in elevation; blooms August–September.	Absent. Historic and ongoing human disturbance of the PPSA has rendered habitats unsuitable for this species.
Brittlescale (<i>Atriplex depressa</i>)	CNPS 1B	Occurs in relatively barren areas with alkaline clay soils in chenopod scrub, playas, grasslands, and vernal pools of the Central Valley; blooms April–October; elevations below 1,050 ft.	Absent. Historic and ongoing human disturbance of the PPSA has rendered habitats unsuitable for this species.
Lesser Saltscale (<i>Atriplex minuscula</i>)	CNPS 1B	Occurs widely scattered locations of California’s Central Valley with sandy alkaline soils in chenopod scrub, valley grasslands, and vernal pools; blooms May–October; elevation 50-660 ft.	Absent. Historic and ongoing human disturbance of the PPSA has rendered habitats unsuitable for this species.
Subtle Orache (<i>Atriplex subtilis</i>)	CNPS 1B	Occurs in valley and foothill grassland; blooms August–October; elevation 130-330 ft.	Absent. Historic and ongoing human disturbance of the PPSA has rendered habitats unsuitable for this species.
Recurved Larkspur (<i>Delphinium recurvatum</i>)	CNPS 1B	Occurs on alkaline soils in chenopod scrub, cismontane woodland, and grasslands; blooms March–June; elevations below 2,500 ft.	Absent. Historic and ongoing human disturbance of the PPSA has rendered habitats unsuitable for this species.
Spiny-Sepaled Button Celery (<i>Eryngium spinoseplum</i>)	CNPS 1B	This annual/perennial occurs in vernal pools and valley and foothill grasslands of the San Joaquin Valley and the Tulare Basin; blooms April–May; elevation 330-840 ft.	Absent. Historic and ongoing human disturbance of the PPSA has rendered habitats unsuitable for this species.
Vernal Pool Fairy Shrimp (<i>Branchinecta lynchi</i>)	FT	Occurs in vernal pools, clear to tea-colored water in grass or mud-bottomed swales, and basalt depression pools.	Absent. Habitat suitable for this species is absent from the PPSA.

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**Table 3.4-1 [Table 1 of the Biological Evaluation]
LIST OF SPECIAL STATUS SPECIES THAT COULD OCCUR
IN THE VICINITY OF THE GOSHEN PPSA**

Vernal Pool Tadpole Shrimp (<i>Lepidurus packardi</i>)	FE	Primarily found in vernal pools, but may use other seasonal wetlands in mesic valley and foothill grasslands.	Absent. Habitat suitable for this species is absent from the project site.
Valley Elderberry Longhorn Beetle (VELB) (<i>Desmocerus californicus dimorphus</i>)	FT	Lives in mature elderberry shrubs of California's Central Valley and Sierra Foothills, generally along waterways and in floodplains.	Absent. No elderberry shrubs were observed during the April 2014 field survey. The only vegetated portions of the PPSA for which full visual coverage was not possible were orchard interiors and portions of residential and industrial areas that were obscured from the road. Elderberry shrubs are presumed absent from the PPSA's orchards due to intensive maintenance practices within. While it is possible that elderberry shrubs occur in the residential/industrial areas, VELB are presumed absent because of the isolation of any on-site shrubs from intact elderberry habitat and source populations of VELB. The CNDDB lists no VELB occurrences within a 10-mile radius of the PPSA.
Species	Status		Occurrence within the PPSA
Blunt-Nosed Leopard Lizard (<i>Gambelia sila</i>)	FE, CE, CFP	Occurs in semiarid grasslands, alkali flats, and washes. Avoids densely vegetated areas. Inhabits the San Joaquin Valley and adjacent valleys and foothills north to southern Merced County.	Absent. Any potential blunt-nosed leopard lizard habitat that may have once been present has been eliminated through intensive agricultural uses.
California Tiger Salamander (<i>Ambystoma californiense</i>)	FT, CT	Found primarily in annual grasslands; requires vernal pools for breeding and rodent burrows for aestivation. Although most CTS aestivate within 0.4 mile of their breeding pond, outliers may aestivate up to 1.3 miles away (Orloff 2011).	Absent. The PPSA is located approximately 4.5 miles east southeast of the southernmost documented occurrence of this species. Habitat suitable for breeding by CTS is absent from the PPSA. Rodent burrows in the PPSA occur in habitat that would be considered marginal to unsuitable for CTS aestivation, consisting of vacant lots and ruderal areas surrounded by residential, industrial, and agricultural uses.
Swainson's Hawk (<i>Buteo swainsoni</i>)	CT	This breeding-season migrant to California nests in mature trees in riparian areas and oak savannah, and occasionally in lone trees at the margins of agricultural fields. Requires adjacent suitable foraging areas such as grasslands or alfalfa fields supporting rodent populations.	Likely. Swainson's hawks could nest in the trees of the PPSA and forage over the PPSA's alfalfa and wheat fields. Swainson's hawks are well-known from the vicinity, with 12 CNDDB occurrences within four miles of the PPSA.
San Joaquin Kit Fox (SJKF) (<i>Vulpes macrotis mutica</i>)	FE, CT	Frequents desert alkali scrub and annual grasslands and may forage in adjacent agricultural habitats. Utilizes enlarged (6 to 10 inches in diameter) ground squirrel burrows as	Possible. Intensive agricultural practices, highly modified habitats, and ongoing disturbance make kit fox occupation of the PPSA unlikely. However, individual SJKF may pass

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**Table 3.4-1 [Table 1 of the Biological Evaluation]
LIST OF SPECIAL STATUS SPECIES THAT COULD OCCUR
IN THE VICINITY OF THE GOSHEN PPSA**

		denning habitat.	through or forage on the PPSA from time to time. The CNDDDB lists 12 occurrences of SJKF within 10 miles of PPSA boundaries; all but one sighting are from more than 20 years ago.
Western Pond Turtle (<i>Emys marmorata</i>)	CSC	Open slow-moving water or ponds with rocks and logs for basking. Nesting occurs in open areas, on a variety of soil types, and up to ¼ mile away from water.	Unlikely. The highly-maintained irrigation ditches of the PPSA are marginal to unsuitable for the western pond turtle. This species has not been documented in the 10-mile vicinity of the PPSA since 1879.
Species	Status	Habitat	Occurrence within the PPSA
Western Spadefoot (<i>Spea hammondi</i>)	CSC	Mainly occurs in grasslands of San Joaquin Valley. Vernal pools or other temporary wetlands are required for breeding. Aestivates in underground refugia such as rodent burrows, typically within 1,200 ft. of aquatic habitat.	Unlikely. Suitable breeding habitat is absent from the PPSA; however, western spadefoot reproduction was documented on a property bordering the eastern block of the PPSA in 2004. Since this observation, this property has been subjected to ground disturbance associated with agricultural production, and may no longer be suitable for spadefoot breeding. Even if spadefoot do still breed on this property, it is unlikely they would aestivate in the highly disturbed habitats of the eastern block of the PPSA.
Northern Harrier (<i>Circus cyaneus</i>)	CSC	Frequents meadows, grasslands, open rangelands, freshwater emergent wetlands. Nests on ground, generally in wet areas, although grassland, pasture, and cultivated fields may occasionally be used.	Possible. This species may forage within and adjacent to the PPSA, but breeding habitat is absent.
White-tailed Kite (<i>Elanus leucurus</i>)	CFP	Occurs in savannah, open woodlands, marshes, desert grassland, and cultivated fields. Prefer lightly grazed or ungrazed fields for foraging.	Possible. Kites could forage over the agricultural fields of the PPSA and theoretically also nest in the PPSA's trees; however, this species does not typically nest adjacent to roads.
Lesser Sandhill Crane (<i>Grus canadensis canadensis</i>)	CSC	Winters in the Central Valley, where it frequents grasslands, moist croplands with rice or corn stubble, and emergent wetlands. Breeds in the Arctic.	Possible. Lesser sandhill cranes could forage in agricultural fields of the PPSA post-harvest.
Burrowing Owl (<i>Athene cunicularia</i>)	CSC	Frequents open, dry annual or perennial grasslands, deserts, and scrublands characterized by low growing vegetation. Dependent upon burrowing mammals, most notably the California ground squirrel, for nest burrows.	Possible. Suitably-sized burrows on the PPSA are restricted to vacant lots in a matrix of residential and industrial uses, and the ruderal margins of roads and irrigation ditches. However, burrowing owls could theoretically roost/nest in one or more of these locations, and forage in agricultural fields of the PPSA.
Loggerhead Shrike	CSC	Frequents open habitats with sparse	Possible. Shrikes could forage in on-

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**Table 3.4-1 [Table 1 of the Biological Evaluation]
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IN THE VICINITY OF THE GOSHEN PPSA**

(<i>Lanius ludovicianus</i>)		shrubs and trees, other suitable perches, bare ground, and low herbaceous cover. In the Central Valley, nests in riparian areas, desert scrub, and occasionally agricultural hedgerows.	site agricultural fields and could theoretically also nest in the PPSA's trees; however, the nesting habitats typically used by this species are absent from the PPSA.
Tricolored Blackbird (<i>Agelaius tricolor</i>)	CSC	Breeds in colonies near fresh water, primarily emergent wetlands, with tall thickets. Forages in grassland and cropland habitats.	Possible. Suitable foraging habitat for tricolored blackbirds occurs in the agricultural fields of the PPSA, and tricolored blackbirds could conceivably nest in the wheat fields of the PPSA's northern and western blocks.
Species	Status	Habitat	Occurrence within the PPSA
Pallid Bat (<i>Antrozous pallidus</i>)	CSC	Found in grasslands, chaparral, and woodlands, where it feeds on ground- and vegetation-dwelling arthropods, and occasionally takes insects in flight. Prefers to roost in rock crevices, but may also use tree cavities, caves, bridges, and buildings.	Possible. Individuals of this species could potentially roost in trees or buildings of the PPSA, and forage in or over agricultural fields and orchards.
Western Mastiff Bat (<i>Eumops perotis</i> ssp. <i>californicus</i>)	CSC	Found in open, arid to semi-arid habitats, where it feeds on insects in flight. Roosts most commonly in crevices in cliff faces, but may also use high buildings, trees, and tunnels.	Possible. Individuals of this species could potentially roost in trees or buildings of the PPSA, and forage in flight over agricultural fields.
American Badger (<i>Taxidea taxus</i>)	CSC	Uncommon resident statewide; most abundant in drier open stages of most shrub, forest, and herbaceous habitats.	Possible. Badgers may occasionally pass through the PPSA, foraging in agricultural fields of the site and possibly denning in the margins of these fields or other ruderal areas.

OCCURRENCE EXPLANATIONS: Key for terms or codes used in Table 3.4.1

Present: Species observed on the site at time of field surveys or during recent past.

Possible: Species not observed on the site, but it could occur there from time to time.

Unlikely: Species not observed on the site, and would not be expected to occur there except, perhaps, as a transient.

Absent: Species not observed on the site, and precluded from occurring there because habitat requirements not met.

STATUS CODES

FE	Federally Endangered	CE	California Endangered
FT	Federally Threatened	CT	California Threatened
FPE	Federally Endangered (Proposed)	CR	California Rare
FPT	Federal Endangered (Proposed)	CFP	California Fully Protected
FC	Federal Candidate	CSC	California Species of Special Concern

CNPS California Native Plant Society Listing

1A	Plants Presumed Extinct in California	2	Plants Rare, Threatened, or Endangered in California, but more common elsewhere
1B	Plants Rare, Threatened, or Endangered in California and elsewhere		

There are two habitat conservation plans that apply in Tulare County: 1) Recovery Plan for Upland Species of the San Joaquin Valley, and 2) the Kern Water Bank Habitat Conservation Plan. The Kern Water Bank Habitat Conservation Plan also applies to Tulare County. This plan; however, only applies to an area in Allensworth.

Whenever possible, public agencies are required to avoid or minimize environmental impacts by implementing practical alternatives or mitigation measures. According to Section 15382 of the CEQA Guidelines, a significant effect on the environment means a “substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic interest.”

REGULATORY SETTING

Applicable Federal, State, and local regulations specific to biological resources are described below. The following environmental regulatory settings were summarized, in part, from information contained in the Tulare County General Plan 2010 Background Report.

Federal Agencies & Regulations

Federal Endangered Species Act

“The U.S. Fish and Wildlife Service (USFWS) administers the Federal Endangered Species Act (16 USC Section 153 et seq.) and thereby has jurisdiction over federally listed threatened, endangered, and proposed species. Projects that may result in a “take” of a listed species or critical habitat must consult with the USFWS. “Take” is broadly defined as harassment, harm, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collection; any attempt to engage in such conduct; or destruction of habitat that prevents an endangered species from recovering (16 USC 1532, 50 CFR 17.3). Federal agencies that propose, fund, or must issue a permit for a project that may affect a listed species or critical habitat are required to consult with the USFWS under Section 7 of the Federal Endangered Species Act. If it is determined that a federally listed species or critical habitat may be adversely affected by the federal action, the USFWS will issue a “Biological Opinion” to the federal agency that describes minimization and avoidance measures that must be implemented as part of the federal action. Projects that do not have a federal nexus must apply for a take permit under Section 10 of the Act. Section 10 of the Act requires that the project applicant prepare a habitat conservation plan as part of the permit application (16 USC 1539).”¹²

“Under Section 4 of the Federal Endangered Species Act, a species can be removed, or delisted, from the list of threatened and endangered species. Delisting is a formal action made by the USFWS and is the result of a determined successful recovery of a species. This action requires posts in the federal registry and a public comment period before a final determination is made by the USFWS.”¹³

¹² Tulare County 2030 General Plan RDEIR. Page 3.11-1.

¹³ Ibid.

Habitat Conservation Plans

“Habitat Conservation Plans (HCPs) are required for a non-federal entity that has requested a take permit of a federal listed species or critical habitat under Section 10 of the Endangered Species Act. HCPs are designed to offset harmful effects of a proposed project on federally listed species. These plans are utilized to achieve long-term biological and regulatory goals. Implementation of HCPs allows development and projects to occur while providing conservation measures that protect federally listed species or their critical habitat and offset the incidental take of a proposed project. HCPs substantially reduce the burden of the Endangered Species Act on small landowners by providing efficient mechanisms for compliance with the ESA, thereby distributing the economic and logistic effects of compliance. A broad range of landowner activities can be legally protected under these plans (County of Tulare, 2010 Background Report, pages 9-6 and 9-7, 2010a). There are generally two types of HCPs, project-specific HCPs which typically protect a few species and have a short duration and multi-species HCPs which typically cover the development of a larger area and have a longer duration.”¹⁴

There are two habitat conservation plans that apply in Tulare County: The Kern Water Habitat Conservation Plan, which applies to an area in Allensworth; and the U.S. Fish and Wildlife’s “The Recovery Plan for Upland Species in the San Joaquin Valley,” which includes sensitive species in the San Joaquin Valley, several of which may be found in Tulare County.

Migratory Bird Treaty and Bald and Golden Eagle Protection Act

“The Migratory Bird Treaty Act (MBTA, 16 USC Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668) protect certain species of birds from direct “take”. The MBTA protects migrant bird species from take by setting hunting limits and seasons and protecting occupied nests and eggs. The Bald and Golden Eagle Protection Act (16 USC Sections 668-668d) prohibits the take or commerce of any part of Bald and Golden Eagles. The USFWS administers both acts, and reviews federal agency actions that may affect species protected by the acts.”¹⁵

Clean Water Act - Section 404

“Wetlands and other waters of the U.S. are subject to the jurisdiction of the U.S. Army Corp of Engineers (USACE) and U.S. Environmental Protection Agency (EPA) under Section 404 of the Clean Water Act (33 U.S.C. 1251 et seq., 1972). Together, the EPA and the USACE determine whether they have jurisdiction over the non-navigable tributaries that are not relatively permanent based on a fact-specific analysis to determine if there is a significant nexus. These non-navigable tributaries include wetlands adjacent to non-navigable tributaries that are not relatively permanent and wetlands adjacent to but that does not directly abut a relatively permanent non-navigable tributary.”¹⁶

¹⁴ Op. Cit. 3.11-2.

¹⁵ Op. Cit.

¹⁶ Op. Cit. 3.11-1 and 3.11-2.

“Wet areas that are not regulated by this Act do not have a hydrologic link to other waters of the U.S., either through surface or subsurface flow and include ditches that drain uplands, swales or other erosional features. The USACE has the authority to issue a permit for any discharge, fill, or dredge of wetlands on a case-by-case basis, or by a general permit. General permits are handled through a Nationwide Permit (NWP) process. These permits allow specific activities that generally create minimal environmental effects. Projects that qualify under the NWP program must fulfill several general and specific conditions under each applicable NWP. If a proposed project cannot meet the conditions of each applicable NWP, an individual permit would likely be required from the USACE.”¹⁷

State Agencies & Regulations

California Department of Fish and Wildlife (formerly Dept. of Fish and Game)

The California Department of Fish and Wildlife (DFW) regulates the modification of the bed, bank, or channel of a waterway under Sections 1601-1607 of the California Fish and Game Code. Also included are modifications that divert, obstruct, or change the natural flow of a waterway. Any party who proposes an activity that may modify a feature regulated by the Fish and Game Code must notify DFW before project construction. DFW will then decide whether to enter into a Streambed Alteration Agreement with the project applicant either under Section 1601 (for public entities) or Section 1603 (for private entities) of the Fish and Game Code.

California Endangered Species Act

DFW administers the California Endangered Species Act of 1984 (Fish and Game Code Section 2080), which regulates the listing and “take” of endangered and threatened State-listed species. A “take” may be permitted by California Department of Fish and Game through implementing a management agreement. “Take” is defined by the California Endangered Species Act as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill” a State-listed species (Fish and Game Code Sec. 86). Under State laws, DFW is empowered to review projects for their potential impacts to State-listed species and their habitats.

The DFW maintains lists for Candidate-Endangered Species (SCE) and Candidate-Threatened Species (SCT). California candidate species are afforded the same level of protection as State-listed species. California also designates Species of Special Concern (CSC) that are species of limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. These species do not have the same legal protection as listed species, but may be added to official lists in the future. The CSC list is intended by DFW as a management tool for consideration in future land use decisions (Fish and Game Code Section 2080).¹⁸

All State lead agencies must consult with DFW under the California Endangered Species Act when a proposed project may affect State-listed species. DFW would determine if a project under review would jeopardize or result in taking of a State-listed species, or destroy or

¹⁷ Op. Cit.

¹⁸ General Plan Background Report. Pages 9-7 and 9-8.

adversely modify its essential habitat, also known as a “jeopardy finding” (Fish and Game Code Sec. 2090). For projects where DFW has made a jeopardy finding, DFW must specify reasonable and prudent alternatives to the proposed project to the State lead agency (Fish and Game Code Sec. 2090 et seq.).¹⁹

Natural Communities Conservation Planning Act

The Natural Communities Conservation Planning Act allows a process for developing natural community conservation plans (NCCPs) under DFW direction. NCCPs allow for regional protection of wildlife diversity, while allowing compatible development. DFW may permit takings of State-listed species whose conservation and management are provided in a NCCP, once a NCCP is prepared (Fish and Game Code Secs. 2800 et seq.).²⁰

Federally and State-Protected Lands

Ownership of California’s wildlands is divided primarily between federal, state, and private entities. State-owned land is managed under the leadership of the Departments of Fish and Game (DFW), Parks and Recreation, and Forestry and Fire Protection (CDF). Tulare County has protected lands in the form of wildlife refuges, national parks, and other lands that have large limitations on appropriate land uses. Some areas are created to protect special status species and their ecosystems.²¹

California Wetlands Conservation Policy

The California Wetlands Conservation Policy’s goal is to establish a policy framework and strategy that will ensure no overall net loss and achieve a long-term net gain in the quantity, quality, and permanence of wetlands acreage and values in California. Additionally, the policy aims to reduce procedural complexity in the administration of State and federal wetlands conservation programs and to encourage partnerships with a primary focus on landowner incentive programs and cooperative planning efforts. These objectives are achieved through three policy means: statewide policy initiatives, three geographically based regional strategies in which wetland programs can be implemented, and creation of interagency wetlands task force to direct and coordinate administration and implementation of the policy. Leading agencies include the Resources Agency and the California Environmental Protection Agency (Cal/EPA) in cooperation with Business, Transportation and Housing Agency, Department of Flood and Agriculture, Trade and Commerce Agency, Governor’s Office of Planning and Research, Department of Fish and Game, Department of Water Resources, and the State Water Resources Control Board.²²

Birds of Prey

Birds of Prey are protected under the California Fish and Game Code Section 3503.5, which

¹⁹ Ibid. 9-8.

²⁰ Op. Cit.

²¹ Op. Cit. 9-9.

²² Op. Cit.

states:

“It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.”

This includes any construction disturbance which could lead to nest abandonment, which is considered a “taking” by the DFW.

CEQA and Oak Woodland Protection

CEQA Statute Section 21083.4, “Counties; Conversion of Oak Woodlands; Mitigation Alternatives,” requires that counties determine whether a development will have potential impacts on oak woodlands:

21083.4(a): “For purposes of this section, “oak” means a native tree species in the genus *Quercus*, not designated as Group A or Group B commercial species pursuant to regulations adopted by the State Board of Forestry and Fire Protection pursuant to Section 4526, and that is 5 inches or more in diameter at breast height.”

21083.4(b): “...a county shall determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment. If a county determines that there may be a significant effect to oak woodlands, the county shall require one or more of the...[listed] oak woodlands mitigation alternatives...”

Local Policy & Regulations

Tulare County General Plan Policies

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

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-1.4 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-1.7 Planting of Native Vegetation - The County shall encourage the planting of native trees, shrubs, and grasslands in order to preserve the visual integrity of the landscape, provide habitat conditions suitable for native vegetation and wildlife, and ensure that a maximum number and variety of well-adapted plants are maintained.

ERM-1.12 Management of Oak Woodland Communities - The County shall support the conservation and management of oak woodland communities and their habitats.

ERM-1.14 Mitigation and Conservation Banking Program - The County shall support the establishment and administration of a mitigation banking program, including working cooperatively with TCAG, Federal, State, not-for-profit and other agencies and groups to evaluate and identify appropriate lands for protection and recovery of threatened and endangered species impacted during the land development process.

ERM-1.16 Cooperate with Wildlife Agencies - The County shall cooperate with State and federal wildlife agencies to address linkages between habitat areas.

ERM-1.17 Conservation Plan Coordination - The County shall coordinate with local, State, and federal habitat conservation planning efforts (including Section 10 Habitat Conservation Plan) to protect critical habitat areas that support endangered species and other special-status species.

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.

IMPACT EVALUATION

Would the Project:

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Project Impact Analysis:

Less Than Significant Impact With Mitigation

As noted earlier, consultants Live Oak Associates, Inc. (LOA) conducted an investigation of the biological resources of the Goshen Community Plan Proposed Planning Study Area (PPSA) in the outskirts of the community of Goshen and evaluated likely impacts to such resources resulting from development of the PPSA. The PPSA consists primarily of agricultural fields, orchard, residential areas, an auto salvage yard, and disturbed grassland. As indicated in Figure 4 of the Biological Evaluation (see Appendix “B” of this DEIR), only two special status species. It is also noted that Planning Department records search of building permits and other types of entitlements within the PPSA by RMA staff indicates that no new projects (i.e., construction-related developments which involves new structures or any clearing or earthmoving) have occurred since the Biological Evaluation was completed by LOA. As such, the landscape remains as described in the Biological Evaluation with one exception.

In May 2017, Caltrans initiated work on the new SR 99/Betty Drive interchange and overcrossing and removed a stand of eucalyptus trees northeast of SR99/Betty Drive. Although the Biological Evaluation identified this location as suitable for nesting,²³ it does not indicate the presence of special status birds (i.e., Swainson’s hawk) in this or any stand within the PPSA. If special status species were found within this particular stand; avoidance, minimization or other form of mitigation would fall under the purview of Caltrans. Regardless of any action(s) which Caltrans may have taken, the stand is no longer present and potential habitat has been permanently removed from this location within the PPSA.

According to the CNDDDB search (and as seen in **Table 3.4-1**), 11 Special Status plant species and 18 Special Status animal species are known to occur in the general proposed Project vicinity. Field surveys were conducted by LOA in April of 2014 and it was determined that of the 29 Special Status species, there was only the possibility of 11 species to actually be in the area, due to the disturbance on the site and the quality of habitat on and around the proposed Project site.

As indicated in the Biological Evaluation (BE); “Swainson’s hawks have consistently been documented nesting in the vicinity of the PPSA. The CNDDDB lists 12 nesting occurrences of Swainson’s hawk within four miles of the PPSA. One such occurrence, documented in 2012, is just 0.8 mile south of the western block of the PPSA, while the remaining 11 occurrences are more than one mile from the PPSA. The PPSA contains 220 acres of alfalfa fields, which represent high-quality foraging habitat for the Swainson’s hawk throughout the breeding season, and 340 acres of wheat fields, which are generally used by Swainson’s hawks at harvest time. Together, these crop types account for 560 acres of the PPSA. Although wheat and alfalfa fields are regionally abundant, the loss of 560 acres of these crop types may have a significant effect on Swainson’s hawks nesting in the near vicinity of the PPSA.”²⁴

“Swainson’s hawks nesting on or in the near vicinity of an individual project site may also be at risk of construction-related mortality or disturbance. Project activities that adversely affect

²³Goshen community Plan Update Biological Evaluation Tulare County, California. Page 26. Prepared by Live Oak Associates, Inc. and included as “Appendix “B” of this DEIR.

²⁴ Op. Cit. 37-38.

the nesting success of Swainson's hawks or result in the mortality of individual hawks constitute a violation of state and federal laws (see Sections 3.2.4 to 3.2.6) and are considered a potentially significant impact under CEQA.”²⁵

As discussed in the BE; “The San Joaquin kit fox is known from the vicinity of the PPSA, and individuals may occasionally pass through or forage within the PPSA. If a kit fox were present at the time of future construction activities in the PPSA, then it would be at risk of project-related injury or mortality. Kit fox mortality as a result of future development of the PPSA would violate the state and federal Endangered Species Acts, and is considered a potentially significant impact under CEQA.”²⁶

“As discussed in Section 2.5.5. [of the BE], burrowing owls have the potential to nest or roost in those portions of the PPSA in which suitable rodent burrows are present, which at the time of the April 2014 survey consisted of certain ruderal areas and vacant lots. If one or more owls were present in an individual project area at the time of construction, then construction activities would have the potential to injure or kill these individuals. Mortality of individual burrowing owls would violate California Fish and Game Code and the federal Migratory Bird Treaty Act, and is considered a potentially significant impact under CEQA.”²⁷

“Although habitats of the PPSA are primarily marginal to unsuitable for the American badger, badgers may occasionally pass through the PPSA, foraging in agricultural fields and possibly denning in ruderal areas. In the event that one or more badgers were denning in an individual project area at the time of construction, these individuals would be at risk of construction-related injury or mortality. Construction mortality of American badgers is a potentially significant impact of future development of the PPSA.”²⁸

In regards to Project-Related mortality/disturbance of nest raptor and migratory birds; “The majority of the PPSA consists of habitat that could be used for nesting by one or more avian species protected by the federal Migratory Bird Treaty Act and related state laws. Tree-nesting songbirds and raptors may nest in the PPSA's orchards or residential areas, in the various trees located along ruderal roadsides, or in the eucalyptus stand in the vacant lot. Red-winged or tricolored blackbirds may nest in the PPSA's wheat fields. Killdeer may nest on bare ground or gravel surfaces in ruderal or industrial areas of the PPSA, and the house finch may nest in the PPSA's buildings. Raptors and migratory birds nesting within the PPSA at the time that individual projects are implemented have the potential to be injured or killed by project activities. In addition to direct “take” of nesting birds, project activities could disturb birds nesting within or adjacent to work areas such that they would abandon their nests. Project activities that adversely affect the nesting success of raptors and migratory birds or result in the mortality of individual birds constitute a violation of state and federal laws and are considered a potentially significant impact under CEQA.”²⁹

²⁵ Op. Cit. 38.

²⁶ Op. Cit. 39.

²⁷ Op. Cit. 41.

²⁸ Op. Cit. 42.

²⁹ Op. Cit. 43.

In regards to Project-Related mortality of roosting bats, the BE indicates that; “Development of the PPSA may result in the removal of buildings and mature trees that provide potential roosting habitat for bats. If trees or buildings removed by construction activities contain colonial roosts, many individual bats could be killed. Such a mortality event is considered a potentially significant impact of the project under CEQA.”³⁰

Based on this analysis, implementation of **Mitigation Measures 4-1** through **4-21** would reduce potential Project-specific impacts related to this Checklist Item to Less Than significant.

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

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, ***Less Than Significant Cumulative Impacts*** with Mitigation will occur. Consultants LOA recommended the following Mitigation Measures as contained in the Biological Evaluation (See Appendix “B” of this DEIR). For easier reading, the Mitigation Measures contained in the Biological Evaluation have been sequenced differently and numbered rather than using the format contained in the Biological Evaluation.

Mitigation Measure(s):

Project Impacts to Swainson’s hawk

- 4-1 “(Nesting Surveys).** Surveys consistent with *Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in California’s Central Valley* (SHTAC 2000) will be conducted to determine whether Swainson’s hawks nest within the immediate vicinity of an individual project site. The guidelines call for three surveys during each of the two survey periods immediately prior to a project’s initiation, regardless of whether or not construction starts in the nesting season, where the survey periods are defined as: Period I (January-March 20), Period II (March 20-April 5), Period III (April 5-April 20), Period IV (April 21-June 10), and Period V (June 10-July 30). It is recommended that surveys be completed in Periods II, III, and/or V, but not be conducted during Period IV. All suitable trees within ½ mile of the individual project site will be inspected for evidence of nesting by Swainson’s hawks.”³¹

³⁰ Op. Cit. 45.

³¹ Op. Cit. 38.

- 4-2 **“(Avoidance).** If feasible, construction activities will occur outside the nesting season, or between September 16th and January 31st, to avoid potential construction related mortality.”³²
- 4-3 **“(Establish Buffers).** If it is not feasible to construct an individual project outside of the nesting season, any active Swainson’s hawk nests discovered in the survey area defined in Mitigation Measure 3.3.1a will be avoided by an appropriate distance arranged in consultation with CDFW. Disturbance-free buffers will be identified on the ground with flagging, fencing, or by other easily visible means, and will be maintained until a qualified biologist has determined that the young have fledged.”³³
- 4-4 **“(Compensatory Mitigation).** If Swainson’s hawks are determined to be nesting within ½ mile of alfalfa fields, wheat fields, or other high-quality foraging habitat on an individual project site, as determined by nesting surveys conducted during the nesting season immediately prior to the start of construction (*Mitigation Measure 3.3.1a*), loss of foraging habitat will be compensated through the purchase of credits from an approved mitigation bank, the preservation of on-site habitats, or the acquisition and preservation of off-site habitats. Habitat suitable for the Swainson’s hawk will be preserved at a ratio of one acre of habitat preserved for each acre of habitat permanently disturbed by project construction within ½ mile of the nest. The preservation lands will be protected in perpetuity by conservation easement.”³⁴

Project-Related Mortality of San Joaquin Kit Fox

- 4-5 **“(Pre-construction Surveys).** As discussed in Section 2.5.4 [of the BE] Pre-construction surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance, construction activities, and/or any project activity likely to impact the San Joaquin kit fox. These surveys will be conducted in accordance with the USFWS *Standard Recommendations*. The primary objective is to identify kit fox habitat features (e.g. potential dens and refugia) on the project site and evaluate their use by kit foxes through use of remote monitoring techniques such as motion-triggered cameras and tracking medium. If an active kit fox den is detected within or immediately adjacent to the area of work, the USFWS and CDFW shall be contacted immediately to determine the best course of action.”³⁵
- 4-6 **“(Avoidance).** Should a kit fox be found using any of the sites during preconstruction surveys, the project will avoid the habitat occupied by the kit fox and the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW will be notified.”³⁶
- 4-7 **“(Minimization).** Construction activities shall be carried out in a manner that minimizes disturbance to kit foxes. Minimization measures include, but are not limited to:

³² Op. Cit. 39.

³³ Op. Cit. 40.

³⁴ Op. Cit.

³⁵ Op. Cit.

³⁶ Op. Cit.

restriction of project-related vehicle traffic to established roads, construction areas, and other designated areas; inspection and covering of structures (e.g., pipes), as well as installation of escape structures, to prevent the inadvertent entrapment of kit foxes; restriction of rodenticide and herbicide use; and proper disposal of food items and trash.”³⁷

4-8 “(Employee Education Program). Prior to the start of construction the applicant will retain a qualified biologist to conduct a tailgate meeting to train all construction staff that will be involved with the project on the San Joaquin kit fox. This training will include a description of the kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of the measures being taken to reduce impacts to the species during project construction and implementation.”³⁸

4-9 “(Mortality Reporting). The Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW will be notified in writing within three working days in case of the accidental death or injury of a San Joaquin kit fox during project-related activities. Notification must include the date, time, location of the incident or of the finding of a dead or injured animal, and any other pertinent information.”³⁹

Project-Related Mortality of Burrowing Owl

4-10 “(Pre-construction Surveys). A pre-construction survey for burrowing owls will be conducted by a qualified biologist within 30 days of the onset of project-related activities involving ground disturbance or heavy equipment use. The survey area will include all suitable habitat on and within 500 feet of project impact areas, where accessible.”⁴⁰

4-11 “(Avoidance of Active Nests). If pre-construction surveys and subsequent project activities are undertaken during the breeding season (February 1-August 31) and active nest burrows are located within or near project impact areas, a 250-foot construction setback will be established around active owl nests, or alternate avoidance measures implemented in consultation with CDFW. The buffer areas will be enclosed with temporary fencing to prevent construction equipment and workers from entering the setback area. Buffers will remain in place for the duration of the breeding season, unless otherwise arranged with CDFW. After the breeding season (i.e. once all young have left the nest), passive relocation of any remaining owls may take place as described below.”⁴¹

4-12 “(Passive Relocation of Resident Owls). During the non-breeding season (September 1-January 31), resident owls occupying burrows in project impact areas may be passively relocated to alternative habitat in accordance with a relocation plan prepared by a qualified biologist. Passive relocation may include one or more of the following

³⁷ Op. Cit.

³⁸ Op. Cit.

³⁹ Op. Cit. 41.

⁴⁰ Op. Cit.

⁴¹ Op. Cit. 42.

elements: 1) establishing a minimum 50 foot buffer around all active burrowing owl burrows, 2) removing all suitable burrows outside the 50 foot buffer and up to 160 feet outside of the impact areas as necessary, 3) installing one-way doors on all potential owl burrows within the 50 foot buffer, 4) leaving one-way doors in place for 48 hours to ensure owls have vacated the burrows, and 5) removing the doors and excavating the remaining burrows within the 50 foot buffer.”⁴²

Project-Related Mortality of American Badger

4-13 (Preconstruction Surveys). A preconstruction survey for American badgers will be conducted by a qualified biologist within 30 days of the onset of project-related activities involving ground disturbance or heavy equipment use. Preconstruction surveys will be conducted in all suitable denning habitat of the individual project area.”⁴³

4-14 “(Avoidance). Should an active natal den be identified during the preconstruction surveys, a disturbance-free buffer will be established around the den and maintained until a qualified biologist has determined that the cubs have dispersed or the den has been abandoned.”⁴⁴

Project-Related Mortality/Disturbance of Nesting Raptors and Migratory Birds (Including White-tailed Kite, Loggerhead Shrike, and Tricolored Blackbird)

4-15 “(Avoidance). In order to avoid impacts to nesting raptors and migratory birds, individual projects within the PPSA will be constructed, where possible, outside the nesting season, or between September 1st and January 31st.”⁴⁵

4-16 “(Preconstruction Surveys). If project activities must occur during the nesting season (February 1-August 31), a qualified biologist will conduct preconstruction surveys for active raptor and migratory bird nests within 30 days of the onset of these activities. The survey will include the proposed work area(s) and surrounding lands within 500 feet. If no nesting pairs are found within the survey area, no further mitigation is required.”⁴⁶

4-17 “(Establish Buffers). Should any active nests be discovered near proposed work areas, the biologist will determine appropriate construction setback distances based on applicable CDFW guidelines and/or the biology of the affected species. 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.”⁴⁷

⁴² Op. Cit.

⁴³ Op. Cit. 43.

⁴⁴ Op. Cit.

⁴⁵ Op. Cit. 44.

⁴⁶ Op. Cit.

⁴⁷ Op. Cit.

Project-Related Mortality of Roosting Bats

- 4-18 “(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.”⁴⁸**
- 4-19 “(Preconstruction 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 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.”⁴⁹**
- 4-20 “(Minimization). If a non-breeding bat colony is detected during preconstruction surveys, 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.”⁵⁰**
- 4-21 “(Avoidance of Maternity Roosts). If a maternity colony is detected during preconstruction 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 50 to 100 feet as determined by the biologist.”⁵¹**

Conclusion:

Less Than Significant Impact With Mitigation

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

- 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 US Fish and Wildlife Service?**

Project Impact Analysis:

Less Than Significant Impact

LOA noted in the Biological Evaluation that “Riparian habitat is absent from the PPSA. The agricultural and disturbed lands that comprise the PPSA are not considered sensitive habitats, and are not of significant importance to regional wildlife populations. Because riparian and other sensitive habitats are absent, future development of the PPSA will have no impact on

⁴⁸ Op. Cit. 45.

⁴⁹ Op. Cit.

⁵⁰ Op. Cit.

⁵¹ Op. Cit.

these habitats.”⁵² Also as discussed, “...designated critical habitat is absent from the PPSA. The nearest units of critical habitat are located along Cross Creek, approximately 2 miles northwest of the PPSA. Future development of the PPSA does not have the potential to impact these units of critical habitat.”⁵³

Cumulative Impact Analysis: ***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 will 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, ***Less Than Significant Cumulative Impacts*** will occur.

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

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

- c) **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

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

LOA noted in the Biological Evaluation that; “As discussed in Sections 2.3.7 and 2.6 [of the BE], the hydrologic features on the PPSA include an approximate 1.5-mile reach of the Mill Creek Ditch, an approximate 0.75-mile reach of the Modoc Ditch, and an approximate 0.75-mile reach of an unnamed irrigation ditch. The Mill Creek Ditch and unnamed ditch would likely be considered jurisdictional by the USACE; however, the jurisdictional status of water features is determined by the USACE upon review and verification of a wetland delineation prepared for the project area. Individual projects within the PPSA could result in potentially significant impacts to these ditches, should future development within the planning area require filling large portions or all of the ditches. Project impacts to these ditches of 0.5 acre or more would be considered potentially significant. Impacts to waters of the U.S., regardless of the size of the impact, are also subject to the permit requirements of Section 404 and 401 of the Clean Water Act. The placement of fill within any wetlands or other jurisdictional features will require 1) a Clean Water Act permit from the USACE, and 2) a Water Quality Certification from the RWQCB. These permits cannot be issued without an

⁵² Op. Cit. 50.

⁵³ Op. Cit. 51.

accepted preliminary jurisdictional determination or a verified approved wetland delineation by the USACE.”⁵⁴

LOA also noted in the evaluation: “Extensive grading often leaves the soils of construction zones barren of vegetation and, therefore, vulnerable to erosion. Eroded soil is generally carried as sediment in surface runoff to be deposited in natural creek beds, canals, and adjacent wetlands. Furthermore, runoff is often polluted with grease, oil, pesticide and herbicide residues, heavy metals, etc. However, agricultural and residential/industrial lands in and around the PPSA are nearly level and are subjected to regular soil disturbance that exposes barren soils. The only hydrologic features found within the PPSA are highly maintained irrigation ditches, two of which connect to Cross Creek 4-5 miles downstream of the PPSA. Only during an extremely large rainfall event could eroded soil conceivably travel downstream to Cross Creek. Therefore, impacts to water quality from project construction are considered less than significant.

“It should be noted that projects involving the grading of more than one acre of land must be in compliance with provisions of a General Construction permit (a type of NPDES permit) available from the RWQCB.”⁵⁵

Based on this analysis, implementation of Mitigation Measures 4-22 through 4-24 would reduce potential Project-specific impacts related to this Checklist Item to Less Than Significant.

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

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 impacts to potential waters of the U.S., ***Less Than Significant Cumulative Impacts With Mitigation*** will occur. LOA recommended the following Mitigation Measures as contained in the Biological Evaluation (See Appendix “B” of this DEIR). For easier reading, the Mitigation Measures contained in the Biological Evaluation have been sequenced differently and numbered rather than using the format contained in the Biological Evaluation.

Mitigation Measure(s):

Project-Related Impacts to Waters of the United States

⁵⁴ Op. Cit. 46.

⁵⁵ Op. Cit.

- 4-22 **“(Avoidance and/ or Minimization).** Individual projects within the PPSA will be designed to avoid and/or minimize impacts to waters of the U.S. to the maximum extent practicable while still achieving its goal of expanding the planning area.”⁵⁶
- 4-23 **“(Compliance with Terms of the Permits).** If the Mill Creek Ditch or unnamed ditch is determined to be a water of the U.S. by the USACE, then the applicant will be required to follow the permit requirements which may include an employee education program, implementation of Best Management Practices, placement of protective fencing between nearby unaffected waters and construction areas during construction, removal of temporary fills, and restoring temporarily disturbed areas to pre-project conditions, among others.”⁵⁷
- 4-24 **“(Compensatory Mitigation).** If the ditches are determined to be waters of the U.S., then compensatory mitigation will be provided at a minimum of 1:1 for all losses of waters that exceed 0.5 acre. Compensatory mitigation will be provided in the form of either on-site or off site preservation or creation, through payment into an in-lieu fee program (if one is available), purchase of credits from an approved Mitigation Bank in the vicinity, or some combination of one or more of these options. Preserved and/or created waters would have to be placed under conservation easement held by a third party and managed in perpetuity with an approved endowment fund. If losses are 0.5 acre or less.”⁵⁸

Conclusion:

Less Than Significant Impact With Mitigation

As noted earlier, ***Less Than Significant Project-specific and Cumulative Impacts*** related to this Checklist item will occur with mitigation.

- 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?**

Project Impact Analysis:

Less Than Significant Impact

LOC noted in the Biological Evaluation that “the PPSA consists of and is surrounded by developed and/or highly disturbed lands that do not support important movement corridors for native wildlife. As discussed, there are three ditches that pass through the PPSA. However, they are devoid of riparian vegetation and are bisected by numerous roads throughout their length, making them unsuitable for movement corridors. Birds using the Pacific flyway will continue to do so following project development.”⁵⁹ As such, ***Less Than Significant Impact*** related to this Checklist Item will occur.

Cumulative Impact Analysis:

Less Than Significant Impact

⁵⁶ Op. Cit. 46.

⁵⁷ Op. Cit. 47.

⁵⁸ Op. Cit.

⁵⁹ Op. Cit. 50.

The geographic area of this cumulative analysis is the San Joaquin Valley. While the study area is limited to Tulare County, corridors for fish and wildlife species with similar habitat requirements may exist in other portions of the San Joaquin Valley, and therefore cumulative impacts will 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 impact important movement corridors, ***Less Than Significant Cumulative Impacts*** will occur.

Mitigation Measure(s)

None Required

Conclusion:

Less Than Significant Impact

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

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Project Impact Analysis:

Less Than Significant Impact

No trees will be removed as a result of the proposed Project. LOC noted in the Biological Evaluation that “individual projects will be implemented in accordance with the goals and policies of the Tulare County General Plan.”⁶⁰ ***Less Than Significant Project-specific Impacts*** relate to this Checklist Item will occur.

Cumulative Impact Analysis:

Less Than Significant Impact

The geographic area of this cumulative analysis is California. 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.

There are less than significant impacts to biological resources, and, therefore, there are no conflicting policies. ***Less Than Significant Cumulative Impacts*** related to this Checklist item will occur.

Mitigation Measure(s):

None Required

Conclusion:

Less Than Significant Impact

Less Than Significant Project-specific and Cumulative Impacts related to this Checklist Item will occur.

⁶⁰ Op. Cit. 51.

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?

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

As noted earlier, “No known HCPs [Habitat Conservation Plans] or NCCPs [Natural Community Conservation Plan] are in effect for the area.”⁶¹ ***Less Than Significant Project-specific Impacts*** relate to this Checklist Item will occur.

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

The geographic area of this cumulative analysis is California. 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.

With less than significant Program-specific impacts related to habitat conservation plans, ***Less Than Significant Cumulative Impacts*** will occur.

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

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

Less Than Significant Program-specific and cumulative impacts related to this Checklist Item will occur.

DEFINITIONS AND ACRONYMS

Definitions

CEQA Guidelines Section 15380 provides definitions for the terms “species,” “endangered,” “threatened” and “rare”:

“Endangered, Rare or Threatened Species

(a) "Species" as used in this section means a species or subspecies of animal or plant or a variety of plant.

(b) A species of animal or plant is:

⁶¹ Op. Cit. 52.

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- (1) "Endangered" when its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors; or
- (2) "Rare" when either:
- (A) Although not presently threatened with extinction, the species is existing in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or
 - (B) The species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range and may be considered "threatened" as that term is used in the Federal Endangered Species Act.
- (c) A species of animal or plant shall be presumed to be endangered, rare or threatened, as it is listed in:
- (1) Sections 670.2 or 670.5, Title 14, California Code of Regulations; or
 - (2) Title 50, Code of Federal Regulations Section 17.11 or 17.12 pursuant to the Federal Endangered Species Act as rare, threatened, or endangered.
- (d) A species not included in any listing identified in subdivision (c) shall nevertheless be considered to be endangered, rare or threatened, if the species can be shown to meet the criteria in subdivision (b).
- (e) This definition shall not include any species of the Class Insecta which is a pest whose protection under the provisions of CEQA would present an overwhelming and overriding risk to man as determined by:
- (1) The Director of Food and Agriculture with regard to economic pests; or
 - (2) The Director of Health Services with regard to health risks.”⁶²

Acronyms

DFW	California Department of Fish and Wildlife
DPR	California Department of Parks and Recreation
CDF	California Department of Forestry and Fire Protection
CSC	DFW Species of Special Concern
Cal/EPA	California Environmental Protection Agency
HCP	Habitat Conservation Plan
LOA	Live Oak Associates
MBTA	Migratory Bird Treaty Act (Federal)
NCCP	Natural Communities Conservation Planning Act
NWP	Nationwide Permit

⁶² CEQA Guidelines, Section 15380

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PSP	Tulare County Special Use Permit
SCE	Candidate-Endangered Species
SCT	Candidate-Threatened Species
SSC	Species of Special Concern
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service

REFERENCES

CEQA Guidelines

Tulare County 2030 General Plan: Background Report, February 2010

Tulare County 2030 General Plan, August 2012

Tulare County 2030 General Plan Recirculated Draft Environmental Impact Report (RDEIR), February 2010

U.S. Fish & Wildlife Service, Recovery Plan for Upland Species of the San Joaquin Valley, California, (1998)

Goshen Community Plan, 1978

Cultural Resources

Chapter 3.5

SUMMARY OF FINDINGS

The proposed Goshen Community Plan Update (Project) will result in ***Less Than Significant Impacts With Mitigation*** to Cultural Resources. A Cultural Resources Assessment (CRA) was prepared by consultant Sierra Valley Cultural Planning (SVCP) in August 2014, which is included as Appendix “C”. These reports are used as the basis for determining that this Project will result in ***Less Than Significant Impacts With Mitigation***.

INTRODUCTION

California Environmental Quality Act (CEQA) Requirements

Several CEQA statutes and guidelines address requirements for cultural resources, including historic and archaeological resources. If a proposed Project may cause a substantial adverse effect on the significance of a historical resource, then the Project may be considered to have a significant effect on the environment, and the impacts must be evaluated under CEQA¹ (Section 21084.1). The definition of “historical resources” is included in Section 15064.5 of CEQA Guidelines, and includes both historical and archaeological resources. “Substantial adverse change” is defined as “physical demolition, destruction, relocation, or alteration of the resource...”

Section 15064.5 also provides guidelines when there is a probable likelihood of Native American remains existing in the Project site. Provisions for the accidental discovery of historical or unique archaeological resources accidentally discovered during construction include a recommendation for evaluation by a qualified archaeologist, with followup as necessary.

Public Resources Code Section 5097.5 prohibits excavation or removal of any “vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands.”

This section of the DEIR for the Project meets CEQA requirements by addressing potential impacts to cultural resources on the proposed Project site. The “Environmental Setting” section provides a description of cultural resources in the region, with special emphasis on the proposed Project site and vicinity. The “Regulatory Setting” section provides a description of applicable State and local regulatory policies. Results of cultural resources reports from CHRIS are included. A description of potential impacts is provided, along with feasible mitigation measures to reduce the impacts to less than significant.

¹CEQA Section 21084.1

CEQA Thresholds of Significance

Under CEQA Guidelines Section 15064.5. (b) “A Project with an effect that may cause a substantial adverse change in the significance of an historical resource is a Project that may have a significant effect on the environment.

- (1) Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.
- (2) The significance of an historical resource is materially impaired when a Project:
 - (A) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
 - (B) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the Project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
 - (C) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.
- (3) Generally, a Project that follows the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.
- (4) A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historical resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.
- (5) When a Project will affect state-owned historical resources, as described in Public Resources Code Section 5024, and the lead agency is a state agency, the lead agency

shall consult with the State Historic Preservation Officer as provided in Public Resources Code Section 5024.5. Consultation should be coordinated in a timely fashion with the preparation of environmental documents.”²

ENVIRONMENTAL SETTING

As indicated in the Cultural Resources Assessment (Appendix “C”), the Proposed Planning Study Area is located in the central San Joaquin Valley north, east, and west of the community of Goshen. The valley is bordered by the Sierra Nevada to the east, the Tehachapi Mountains to the south, the California coastal ranges to the west, and the Sacramento-San Joaquin Delta to the north.

Background

“Prior to Euro American exploration and settlement in the region, the central San Joaquin Valley was extensive grassland covered with spring-flowering herbs. Stands of trees -- sycamore, cottonwoods, box elders and willows -- lined the stream and river courses with groves of valley oaks in well-watered localities with rich soil. Rivers yielded fish, mussels, and pond turtles; migratory waterfowl nested in the dense tules along the river sloughs downstream. When the Spanish first set foot in the area, they found the deer and tule elk trails to be so broad and extensive that they first supposed that the area was occupied by cattle. Grizzly bears occupied the open grassland and riparian corridors on the valley floor and adjacent foothills. Smaller mammals and birds, including jackrabbits, ground squirrels, and quail were abundant. Native Americans occupants of the region describe abundant sedge beds, along with rich areas of deer grass, plants that figure prominently in the construction of Native American basketry Items.”³

“Prehistoric Period Summary

The San Joaquin Valley and adjacent Sierran foothills and Coast Range have a long and complex cultural history with distinct regional patterns that extend back more than 11,000 years (McGuire 1995). The first generally agreed-upon evidence for the presence of prehistoric peoples in the region is represented by the distinctive basally-thinned and fluted projectile points, found on the margins of extinct lakes in the San Joaquin Valley. These projectiles, often compared to Clovis points, have been found at three localities in the San Joaquin Valley including along the Pleistocene shorelines of former Tulare Lake. Based on evidence from these sites and other well dated contexts elsewhere, these Paleo-Indian hunters who used these spear points existed during a narrow time range of 11550 cal B.C. to 8550 cal B.C. (Rosenthal et al. 2007).

As a result of climate change at the end of the Pleistocene, a period of extensive deposition occurred throughout the lowlands of central California, burying many older landforms and providing a distinct break between Pleistocene and subsequent occupations during the Holocene. Another period of deposition, also a product of climate change, had similar results around 7550

²CEQA Guidelines, Section 15064.5 (b)

³Goshen Community Plan Update Cultural Resources Assessment Tulare County, California, prepared by Sierra Valley Cultural Planning Inc. August 2014. Page 4

cal B.C., burying some of the oldest archaeological deposits discovered in California (Rosenthal and Meyer 2004).

The Lower Archaic (8550-5550 cal B.C.) is characterized by an apparent contrast in economies, although it is possible they may be seasonal expressions of the same economy. Archaeological deposits which date to this period on the valley floor frequently include only large stemmed spear points, suggesting an emphasis on large game such as artiodactyls (Wallace 1991). Recent discoveries in the adjacent Sierra Nevada have yielded distinct milling assemblages which clearly indicate a reliance on plant foods. Investigations at Copperopolis (LaJeunesse and Pryor 1996) argue that nut crops were the primary target of seasonal plant exploitation. Assemblages at these foothill sites include dense accumulations of handstones, millingslabs, and various cobble-core tools, representing “frequently visited camps in a seasonally structured settlement system” (Rosenthal et al. 2007:152). During the Lower Archaic, regional interaction spheres were well established. Marine shell from the central California coast has been found in early Holocene contexts in the Great Basin east of the Sierra Nevada, and eastern Sierra obsidian comprises a large percentage of flaked stone debitage and tools recovered from sites on both sides of the Sierra (Rosenthal et al. 2007:152).

About 8,000 years ago, many California cultures shifted the main focus of their subsistence strategies from hunting to nut and seed gathering, as evidenced by the increase in food-grinding implements found in archeological sites dating to this period. This cultural pattern is best known for southern California, where it has been termed the Milling Stone Horizon (Wallace 1954, 1978a), but recent studies suggest that the horizon may be more widespread than originally described and is found throughout the central region during the Middle Archaic Period. Dates associated with this period vary between 9,000 and 2,000 cal BP, although most cluster in the 6,800 to 4,500 cal BP range (Basgall and True 1985).

On the valley floor, early Middle Archaic sites are relatively rare; this changes significantly toward the end of the Middle Archaic. In central California late Middle Archaic settlement focused on river courses on the valley floor. “Extended residential settlement at these sites is indicated by refined and specialized tool assemblages and features, a wide range of nonutilitarian artifacts, abundant trade objects, and plant and animal remains indicative of year-round occupation” (Rosenthal et al. 2007:154). Again, climate change apparently influence this shift, with warmer, drier conditions prevailing throughout California. The shorelines of many lakes, including Tulare Lake, contracted substantially, while at the same time rising sea levels favored the expansion of the San Joaquin/Sacramento Delta region, with newly formed wetlands extending eastward from the San Francisco Bay.

In contrast with rare early Middle Archaic sites on the valley floor, early Middle Archaic sites are relatively common in the Sierran foothills, and their recovered, mainly utilitarian assemblages show relatively little change from the preceding period with a continued emphasis on acorns and pine nuts. Few bone or shell artifacts, beads, or ornaments have been recovered from these localities. Projectile points from this period reflect a high degree of regional morphological variability, with an emphasis on local toolstone material supplemented with a small amount of obsidian from eastern sources. In contrast with the more elaborate mortuary assemblages and extended burial mode documented at Valley sites, burials sites documented at

some foothill sites such as CA-FRE-61 on Wahtoke Creek are reminiscent of “re-burial” features reported from Milling Stone Horizon sites in southern California. These re-burials are characterized by re-interment of incomplete skeletons often capped with inverted millingstones (McGuire 1995:57).

A return to colder and wetter conditions marked the Upper Archaic in Central California (550 cal B.C. to cal A.D. 1100). Previously desiccated lakes returned to spill levels and increased freshwater flowed in the San Joaquin and Sacramento watershed. Cultural patterns as reflected in the archeological record, particularly specialized subsistence practices, emerged during this period. The archeological record becomes more complex, as specialized adaptations to locally available resources were developed and valley populations expanded into the lower Sierran foothills. New and specialized technologies expanded and distinct shell bead types occurred across the region. The range of subsistence resources utilized and exchange systems expanded significantly from the previous period. In the Central Valley, archaeological evidence of social stratification and craft specialization is indicated by well-made artifacts such as charmstones and beads, often found as mortuary items. The period between approximately cal A.D. 1000 and Euro-American contact is referred to as the Emergent Period.

The Emergent Period is marked by the introduction of bow and arrow technology which replaced the dart and atlatl at about cal A.D. 1000 and 1300. In the San Joaquin region, villages and small residential sites developed along the many stream courses in the lower foothills and along the river channels and sloughs of the valley floor. A local form of pottery was developed in the southern Sierran foothills along the Kaweah River. While many sites with rich archaeological assemblages have been documented in the northern Central Valley, relatively few sites have been documented from this period in the southern Sierran foothills and adjacent valley floor, despite the fact that the ethnographic record suggests dense populations for this region.”⁴

“Ethnographic Summary

Prior to EuroAmerican settlement, most of the San Joaquin Valley and the bordering foothills of the Sierra Nevada and Coast Range were inhabited by speakers of Yokutsan languages. The southern San Joaquin Valley, from the lower Kings River to the Tehachapi Mountains, formed the nucleus of the Southern Valley Yokuts homeland (Wallace 1978b:448). Population densities were highest in this area, with as many as 10+ people per square mile living along a narrow strip bordering the San Joaquin and its tributaries (Baumhoff 1963: map 7[of the Cultural Resource Assessment]). The present project area falls within *Telamni* Yokuts territory (Figure 1 [of the Cultural Resource Assessment]). “Cross, Mill, and Packwood Creeks were occupied by the *Talumne* [*Telamni*]. This tribe had a large rancheria [*Watot Shulul*], the site of which now probably is within the present southeastern Visalia city limits” (Latta 1999:175, 670).

Due to the abundance and diversity of wildlife habitats and plant communities within the Sierran foothills and nearby San Joaquin Valley and higher elevations of the Sierra Nevada, Native American population densities in the region were quite high (Baumhoff 1963). While the acorn was the dietary staple, the diversity of accessible natural resources provided an omnivorous diet. The reader is referred to Gayton (1948), Kroeber (1925), Latta (1999) and Wallace (1978b) for

⁴Ibid. 4-5

additional information on precontact Yokuts subsistence and culture. (Figure 1 [of the Cultural Resource Assessment]). Depicts the territory of the location of *Telamni* Yokuts relative to the study area.”⁵

“Historic Period Summary

The San Joaquin Valley was visited in the early 1800s by Spanish expeditions exploring the interior in search of potential mission sites. One of the earliest Americans to explore the Tulare area was Jedediah Strong Smith in 1826-27. In 1832-33 Colonel Jose J. Warner, a member of the Ewing-Young trapping expedition, passed through the San Joaquin Valley. Warner described Native villages densely packed along the valley waterways, from the foothills down into the slough area. The next year he revisited the area following a devastating malaria epidemic. Whereas the previous year the region had been densely occupied by Native peoples, during this trip not more than five Indians were observed between the head of the Sacramento Valley and the Kings River (Cook 1955).

EuroAmerican appreciation for the land did not include acceptance of its indigenous human populations, and pressure was exerted upon the US military to remove the Native population from the region, leaving the region open for American settlement and resource development. EuroAmerican settlement of the region began in 1851 with the establishment of Fort Miller on the San Joaquin River. Hostilities between Native inhabitants and American settlers initially prevented widespread settlement of the region; however, by 1860 such threats had been reduced and settlers began taking up large tracts in the region.

In late 1849 or early 1850, a party under the leadership of John Wood settled on the south bank of the Kaweah River, about seven miles east of the present city of Visalia (Hoover et al. 1990:508). In April, 1852, Tulare County was created, with the county seat initially located at Woodsville. In 1853 the county seat was removed to Fort Visalia, located in the area bounded by Oak, Center, Garden and Bridge streets.

Many of the early EuroAmerican settlers in the region were successful gold miners, eager to settle in this new land and reinvest their profits. The earliest economic development of the area focused on cattle. Miller and Lux, the cattle kings, claimed ownership to hundreds of thousands of acres in the San Joaquin Valley. Agriculture, particularly winter wheat cultivation, gained importance following passage of the “No Fence” law of 1874 (Clough 1996:29). Crop production later shifted to orchard and vineyard crops, particularly oranges.

Conflicts between ranchers and farmers over water rights led to the passage of the Wright Act in 1887 (JRP 2000). The Wright Act enabled the creation of irrigation districts within the state. These districts were often controlled by large land owners and provided little relief to small farm owners. Later in the 1930s, state and federal government took on a much larger role in providing reliable water conveyance. In 1933 California voters approved the Central Valley Project, which called for construction of a huge system of canals and dams/reservoirs throughout the state. In 1935 the Federal government released funds for construction of the project, and two years later the U.S. Bureau of Reclamation was given authority to take over the project (JRP 2000:74). The

⁵Op. Cit. 5-6

Friant-Kern Canal was authorized for construction by Congress in the Central Valley Project Act of 1937, and the canal was built between 1945 and 1951. The Friant-Kern Canal conveys water from Lake Millerton to Bakersfield, covering a distance of 152 miles.

The community of Goshen was initially called Goshen Junction. The Central Pacific Railroad built a line from Lathrop to Goshen in 1872, and named the place after the biblical “Land of Plenty.” From that junction, in 1874 construction began on a line connecting Goshen to Visalia on the east, and in 1876 the Southern Pacific began the Goshen Division which bypassed Grangeville and created Hanford, Lemoore, Huron, and Coalinga, ultimately ending at Alcalde in the Coast Range in 1778. A post office was opened on April 1, 1880, followed by establishment of the first school in 1885 (Mitchell 1976:126), which was located immediately west of Road 68 just north its junction with the Southern Pacific tracks in the northeast corner of Section 24 (Figure 2 [of the Cultural Resource Assessment]).

Writing in 1892, anonymous author(s) of The Lewis Publishing Company (1892:224) described the community of Goshen:

Goshen, geographically speaking, occupies a very important position. She is on the main line of the Southern Pacific Railroad. The Visalia road branches off here toward the east, and the Mussel Slough road to the west, giving the town the appearance of a railroad center. From some unknown cause the town has never grown much. The country surrounding nearby is good. An artesian well has been sunk there and a considerable flow of water obtained. The town has a good general merchandise establishment, two hotels, a lumber yard, grain warehouse, large and convenient depot, stock-yards, etc. Recently there is an air of activity apparent, and Goshen will yet be an important town.

In 2010 the population of Goshen was noted as 3,006. The majority of residences are single family homes. A few buildings date to the early/middle 1900s, although the vast majority of constructions appears to date to post 1960. Little above-ground evidence remains of the boom period of the late 1880s.”⁶

Existing Resources

“Records Search Results

Prior to a windshield survey of the study area, a records search was conducted by the author at the Southern San Joaquin Valley Information Center of the California Historical Resources Information System at CSU Bakersfield to identify areas previously surveyed and 10 identify known cultural resources present within or in close proximity to the study area. Three previously recorded historic-period sites have been recorded within the study area; five additional historic-period sites have been identified within one-half mile of the study area (Map 3 [of the Cultural Resource Assessment]).

⁶Op. Cit. 6-9

There are no other resources within or in the immediate vicinity of the study area that are listed on the National Register of Historic Places, the California Register of Historic Resources, California Points of Historical Interest, State Historic Landmarks, or the California Inventory of Historic Resources. Thirteen cultural resources surveys have been completed within the study area; an additional eight studies have been completed within one-mile of the study area (Map 4⁷ [of the Cultural Resource Assessment]). All records search materials are included as (Attachment A [of the Cultural Resource Assessment])”

“Cultural Resource Identification within the Goshen Planning Study Area

Based on current information, there are three known cultural resource sites within or immediately adjacent to the study area. These include three non-Native American historic-era sites (Map 3 [of the Cultural Resource Assessment]). No Native American resources have been identified within or in close proximity to the study.

- *P-54-002173* This resource includes a small earthen canal flowing in an east/west direction. A wooden railroad trestle supports the railroad crossing over the canal. The canal feature delivers water from the St. Johns River. The resource was recorded in 1995 as part of the Santa Fe Pacific Pipeline Concord to Colton Project by William Self Associates.
- *P-54- 002174* This resource includes an earthen canal flowing in an east/west direction; it is identified on the USGS topographic quadrangle map as the Mill Creek Ditch. Two galvanized culvert pipes support the railroad over the ditch. In 1995 the Mill Creek Ditch was described as flowing through agricultural areas planted with barley and wheat. The resource was recorded in 1995 as part of the Santa Fe Pacific Pipeline Concord to Colton Project by William Self Associates. In 2000 Mill Creek Ditch was evaluated and determined not to appear to meet the criteria for listing in the National Register of Historic Places, nor did it appear to be a historical resource per CEQA guidelines (Jones & Stokes 2000).
- *P-54-004795/4995* This resource is a water tower built in 1957 and located at 7533 W. Goshen Avenue in a business park. The tower was initially documented in 2010 by URS Corp. It was further documented and evaluated for listing on the National Register in 2012 by Dana Supernowicz, and found to be ineligible for listing as an individual structure due to the ubiquitous nature and standard design of this form of elevated water tank constructed throughout much of California. The tank site was mistakenly identified as the Avenue 304 Water Tower and Tank on the 2012 site record headings and map. Inspection of the alleged Avenue 304 tank site during the present assessment identified no such resource.”⁸

⁷Op. Cit. 9-10

⁸Op. Cit. 10

“Cultural Resources Identified Near the Goshen Planning Study Area

- *P-54-003602* This site includes a segment of the Modoc Ditch located on Road 80 east of the study area. The Modoc Ditch collects water from the St. Johns River north of the City of Visalia and conveys it westwards to a reservoir located within the study area. The ditch is earthen and approximately 17 feet across and right feet in depth. Portions of Modoc Ditch were originally constructed in 1875; however, from an engineering standpoint the ditch has been considerable altered since that early date (period of significance), and was judged to be ineligible for listing on the National Register of Historic Places (Jones & Stokes 2000).
- *P-54-003619* The house at 30264 Road 80 is 877 square feet in size, constructed in 1946. The house is a wood frame structure with a side gabled roof over a simple rectangular plan. A 432 square foot garage, constructed at the same time as the residence, stands on the south side of the property and is a wood structure with board and batten walls and a suspended sliding garage door. The house now stands in a setting surrounded by modern industrial buildings. The property was recorded and evaluated in 2000 by Jones & Stokes as part of the Road 80 Widening Project and found to be ineligible for listing on the National Register of Historic Places (Jones & Stokes 2000).
- *P-54-003893* This Craftsman cottage is located west of the study area at 5904 Highway 198 and at the time of recording was described as unaltered and in good condition. The property was recorded as part of the State Route 198 – Freeway Gap Closure Project by David Chavez & Associates (1989).
- *P-54-002175* This resource includes a segment of the North Fork of the Persian Ditch, located south of SR 198; portions of the ditch have been undergrounded through the Visalia Airport. The earthen ditch flows under railroad tracks supported on a wooden trestle. The resource was recorded in 1995 as part of the Santa Fe Pacific Pipeline Concord to Colton Project by William Self Associates. In 1990 the Persian Ditch was evaluated as eligible for listing on the National Register of Historic Places, having significance both through its association with the earliest irrigation efforts in California as well as an example of early ditch construction (JRP Historic Consulting Services and the California Department of Transportation 2000: Appendix A:29).
- *P-54-004623* The site marks a row of California black walnut trees that runs parallel to SR 198 from the Tulare County line to slightly west of the intersection of SR 198 and West Avenue. The trees may have been planted by the Department of Public Works in 1933 as part of the statewide highway beautification process. The row is situated on the south side of the highway, six feet from the edge. The resource was documented by JRP Historical Consulting, Inc., as part of the Caltrans District 6/9 Rural Conventional Highways Cultural Resources Inventory project (Leach-Palm et al. 2009).⁹

⁹Op. Cit. 10-12

“Previous Cultural Resource Investigations within the Study Area

Thirteen cultural resources surveys have been completed within the study area (Map 4 [of the Cultural Resource Assessment]); an additional eight studies have been completed within one-mile of the study area.”

In 1977 an archaeological survey was completed of the proposed railroad crossing at Road 68 and Avenue 309 by Consulting Archaeologist R. J. Cantwell (TU 187). No resources were identified.

In 2000 Dudley Varner of Varner Associates completed an archaeological survey of seven acres for the proposed Goshen Village Housing Project (TU 1032). No resources were identified.

In 2001 Caltrans District 6 Archaeologist Steven Ptomey completed an archaeological survey adjacent to SR 99 as part of the proposed pedestrian overcrossing of Route 99 (TU 1048). No resources were identified.

Between 2001 and 2010 three separate surveys were completed for cellular communications site installations on an existing water tower, identified above as P-54- 004795/4995 (TU 1108, TU 1267, and TU 1564). As discussed above, the water tower has been evaluated as not having qualities which would make it eligible for listing in the National Register of Historic Places. No other resources were identified during these three surveys.

In 2006 SWCA Environmental Consultants completed a linear cultural resources survey parallel to the Southern Pacific Railroad which extend southern from Madera County to Kern County. No resources were identified in that portion of the survey area that crosses through the present study area (TU 1324).

A survey of a 640-acre parcel was completed by Basin Research Associates in 2006 (TU 1312). The survey was completed as part of an environmental review for the proposed low density housing, park, and neighborhood commercial area on the northwest portion of Riggins Avenue/Avenue 312 and Road 72. A heavy industrial component was included in the triangular corner of the project area bounded by Road 70 to Road 68/Camp Drive. The previously discussed Modoc Ditch runs through the parcel, which at the time of survey was under cultivation and no structures were present. No other resources were identified during the survey. In 2008 Dudley Varner of Varner Associates completed an archaeological survey of 39 acres for a proposed 60-unit multi-family and 77 single-family housing project (TU 1357). No resources were identified during the survey.

In 2008 Dudley Varner of Varner Associates completed an archaeological survey of 39 acres for a proposed 60-unit multifamily and 77 single-family housing project (TU 1357), No resources were identified.

In 2009 Compass Rose Archaeological, Inc., completed a Phase 1 cultural resource investigation for the proposed replacement of 15 deteriorated wood poles along 13 distribution line circuits on private property in Tulare County (TU 1395). The investigation included one location within the

present study area. In 2010 a survey was completed for another deteriorated power pole replacement project which include a pole in the study area (TU 1476). No resources were identified as a result of either survey.

In 2011 a supplemental Archaeological Survey Report and Historic Property Survey Report were completed for the northern segment of the Tulare/Goshen Six-Lane Project on State Route 99 (TU 1136 and TU 1574). No resources were identified as a result of these investigations.”¹⁰

“Native American Consultation

The Native American Heritage Commission (NAHC) was contacted on 1 June 2014 in order to determine whether Native American sacred sites have been identified either within or in close proximity to the study area. The request was resent on June 16, 2014. The NAHC responded in a letter dated June 30, 2014, stating that a records search of the NAHC Sacred Lands Inventory failed to indicate the presence of Native American traditional sites/places within the project study area. The NAHC notes that the absence of surface visible archaeological features does not preclude their presence below surface. The NAHC advised that when specific projects become public, that the County or appropriate jurisdiction inform the Native American contacts provided by the NAHC as to the nature of the proposed project. As part of the consultation process, the NAHC recommends that local government and project developers contact tribal governments and Native American individuals on the list provided in order to determine of the proposed action might impact any cultural places or sacred sites. If a response is not received in two weeks of notification, the NAHC recommends that a follow-up telephone call be made to ensure the project information has been received. NAHC correspondence and the Native American contact list is included in Attachment B” [of the Cultural Resource Assessment]”¹¹.

“Windshield Survey of the Study Area

On June 18 the author completed a windshield survey of the study area to field check previously recorded resources and identify any structures and/or other features which may be eligible for listing in the California Register of Historic Resources. Numerous structures appear to date to the period prior to 1960, although many of these have been modified to include additions, aluminum windows, and other more modern features. Several structures, however, appear to date to the early 1900s and appear relatively unmodified. Farm structures such as windmills and tank houses are also present (Figures 4 a-c [of the Cultural Resource Assessment]). Commercial and industrial structures all appear to be relatively modern in construction. Canal features are present within the study area including the Modoc Ditch and Mill Creek Ditch.”¹²

Planning Department Records Search

It is also noted that Planning Department records search of building permits and other types of entitlements within the PPSA by RMA staff indicates that no new projects (i.e., construction-related developments which involves new structures or any clearing or earthmoving) have

¹⁰Op. Cit. 10-12

¹¹Op. Cit. 14

¹²Op. Cit. 15

occurred since the Cultural Resources Assessment (CRA) was prepared by consultant Sierra Valley Cultural Planning (SVCP). As such, the landscape remains unchanged since the CRA was completed; that is, no surface or subsurface ground disturbances, demolition, or other physical changes within the PPSA have occurred thus it is unlikely than any cultural resources have been impacted since the CRA was completed SVCP.

REGULATORY SETTING

Federal Agencies & Regulations

The National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) established federal regulations for the purpose of protecting significant cultural resources. The legislation established the National Register of Historic Places and the National Historic Landmarks Program. It mandated the establishment of the State Historic Preservation Office (SHPO), responsible for implementing statewide historic preservation programs in each state. A key aspect of SHPO responsibilities include surveying, evaluating and nominating significant historic buildings, sites, structures, districts and objects to the National Register. The NHPA also established requirements federal agencies to consider the effects of proposed federal Projects on historic properties (Section 106, NHPA). Federal agencies and recipients of federal funding are required to initiate consultation with the State Historic Preservation Officer (SHPO) as part of the Section 106 review process.¹³

State Agencies & Regulations

California State Office of Historic Preservation (OHP)

The California State Office of Historic Preservation (OHP) is responsible for administering federally and state mandated historic preservation programs to further the identification, evaluation, registration and protection of California's irreplaceable archaeological and historical resources under the direction of the State Historic Preservation Officer (SHPO), appointed by the governor, and the State Historical Resources Commission, a nine-member state review board appointed by the governor.¹⁴

Among OHP's responsibilities are identifying, evaluating, and registering historic properties; and ensuring compliance with federal and state regulations. The OHP administers the State Register of Historical Resources and maintains the California Historical Resources Information System (CHRIS) database. The CHRIS database includes statewide Historical Resources Inventory (HRI) database. The records are maintained and managed under contract by eleven independent regional Information Centers. Tulare, Fresno, Kern, Kings and Madera counties are served by the Southern San Joaquin Valley Historical Resources Information Center (Center), located in

¹³ Advisory Council on Historic Preservation, <http://www.achp.gov/nrcriteria.html>. Accessed November , 2014

¹⁴ Advisory Council on Historic Preservation, State Historic Preservation Officers, <http://www.achp.gov/shpo.html>, Accessed November, 2014

Bakersfield, CA. The Center provides information on known historic and cultural resources to governments, institutions and individuals.¹⁵

A historical resource may be eligible for inclusion in the California Register of Historical Resources (CRHR) if it:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important to our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.¹⁶

Native American Heritage Commission (NAHC)

The Native American Heritage Commission (NAHC) performs a Sacred Lands File search for sites located on or near the Project site upon request. The NAHC also provides local governments with a consultation list of tribal governments with traditional lands or cultural places located within the Project Area of Potential Effect.

“The Mission of the Native American Heritage Commission is to provide protection to Native American burials from vandalism and inadvertent destruction, provide a procedure for the notification of most likely descendants regarding the discovery of Native American human remains and associated grave goods, bring legal action to prevent severe and irreparable damage to sacred shrines, ceremonial sites, sanctified cemeteries and place of worship on public property, and maintain an inventory of sacred places.”¹⁷

Assembly Bill 52

Assembly Bill 52 On September 25, Governor Brown signed Assembly Bill No. 52 (AB 52), which creates a new category of environmental resources that must be considered under CEQA: “tribal cultural resources.” AB 52 is applicable to project for which a Notice of Preparation is filed on or after July 2015. The Notice of Preparation (NOP) for the Goshen Community Plan Update was circulated by Tulare County February 24 2014. Therefore, CEQA “Tribal cultural resources” to no apply to this project. The NOP (see Appendix H) for this project was filed before July 2015 and thus Assembly Bill 52 is not applicable to this project.

AB 52 adds tribal cultural resources to the categories of cultural resources in CEQA, which had formerly been limited to historic, archaeological, and paleontological resources. “Tribal cultural resources” are defined as either (1) “sites, features, places cultural landscapes, sacred places and objects with cultural value to a California Native American tribe” that are included in the state register of historical resources or a local register of historical resources, or that are determined to

¹⁵ California Office of Historic Preservation, About OHP, http://ohp.parks.ca.gov/?page_id=1066 Accessed November 201410

¹⁶ California Register: Criteria for Designation, http://www.ohp.parks.ca.gov/?page_id=21238 Accessed November 2014

¹⁷ <http://www.nahc.ca.gov/sp.html#Mission%20Statement>

be eligible for inclusion in the state register; or (2) resources determined by the lead agency, in its discretion, to be significant based on the criteria for listing in the state register.

Recognizing that tribes may have expertise with regard to their tribal history and practices, AB 52 requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area. If the tribe requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe. Consultation may include discussing the type of environmental review necessary, the significance of tribal cultural resources, the significance of the project's impacts on the tribal cultural resources, and alternatives and mitigation measures recommended by the tribe. The parties must consult in good faith, and consultation is deemed concluded when either the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource (if such a significant effect exists) or when a party concludes that mutual agreement cannot be reached.

CEQA Guidelines: Historical Resources Definition

CEQA Guidelines Section 15064.5(a) defines a historical resource as:

- “(1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code §5024.1, Title 14 CCR, Section 4850 et seq.).
- (2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code §5024.1, Title 14 CCR, Section 4852) including the following:
 - (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
 - (B) Is associated with the lives of persons important in our past;
 - (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or

possesses high artistic values; or

- (D) Has yielded, or may be likely to yield, information important in prehistory or history.
- (4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.”¹⁸

CEQA Guidelines: Archaeological Resources

Section 15064.5(c) of CEQA Guidelines provides specific guidance on the treatment of archaeological resources as noted below.

- “(1) When a Project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subdivision (a).
- (2) If a lead agency determines that the archaeological site is an historical resource, it shall refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.
- (3) If an archaeological site does not meet the criteria defined in subdivision (a), but does meet the definition of a unique archeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of section 21083.2. The time and cost limitations described in Public Resources Code Section 21083.2 (c–f) do not apply to surveys and site evaluation activities intended to determine whether the Project location contains unique archaeological resources.
- (4) If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the Project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.”¹⁹

CEQA Guidelines: Human Remains

Public Resources Code Sections 5097.94 and 5097.98 provide guidance on the disposition of Native American burials (human remains), and fall within the jurisdiction of the Native American Heritage Commission:

¹⁸ CEQA Guidelines, Section 15064.5(a)

¹⁹ Ibid. Section 15064.5(c)

- “(d) When an initial study identifies the existence of, or the probable likelihood, of Native American human remains within the Project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any Items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from:
- (1) The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5).
 - (2) The requirements of CEQA and the Coastal Act.²⁰
- “(e) 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 coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
 - (B) If the coroner determines the remains to be Native American:
 1. The coroner shall contact the Native American Heritage Commission within 24 hours.
 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
 3. 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
 - 4.
 - (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.

²⁰ Ibid. Section 15064.5(d)

- (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.
 - (B) The descendant identified fails to make a recommendation; or
 - (C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.²¹
- “(f) As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency should make provisions for historical or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place.”²²

CEQA Guidelines: Paleontological Resources

Public Resources Code Section 5097.5 prohibits excavation or removal of any “vertebrate paleontological site... or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands.”

Tribal Consultation Requirements: SB 18 (Burton, 2004)

On September 29, 2004, Governor Schwarzenegger signed Senate Bill 18, Tribal Consultation Guidelines, into law. SB 18, enacted March 1, 2005, creates a mechanism for California Native American Tribes to identify culturally significant sites that are located within public or private lands within the city or county’s jurisdiction. SB 18 requires cities and counties to contact, and offer to consult with, California Native American Tribes before adopting or amending a General Plan, a Specific Plan, or when designating land as Open Space, for the purpose of protecting

Native American Cultural Places (PRC 5097.9 and 5097.993). The Native American Heritage Commission (NAHC) provides local governments with a consultation list of tribal governments with traditional lands or cultural places located within the Project Area of Potential Effect. Tribes have 90 days from the date on which they receive notification to request consultation, unless a shorter timeframe has been agreed to by the tribe.²³

²¹ Ibid. Section 15064.5 (e)

²² Ibid. Section 15064.5(f)

²³ Government Code §65352.3

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 as below.

ERM-6.1 Evaluation of Cultural and Archaeological Resources - The County shall participate in and support efforts to identify its significant cultural and archaeological resources using appropriate State and Federal standards.

ERM-6.2 Protection of Resources with Potential State or Federal Designations - The County shall protect cultural and archaeological sites with demonstrated potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation's California Points of Interest and California Inventory of Historic Resources. Such sites may be of Statewide or local significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, or other values as determined by a qualified archaeological professional.

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 can 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.

ERM-6.4 Mitigation - If preservation of cultural resources is not feasible, every effort shall be made to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records.

ERM-6.9 Confidentiality of Archaeological Sites - The County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts.

ERM-6.10 Grading Cultural Resources Sites - The County shall ensure all grading activities conform to the County's Grading Ordinance and California Code of Regulations, Title 20, § 2501 et. seq.

IMPACT EVALUATION

Would the Project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?

Project Impact Analysis:

Less Than Significant Impact With Mitigation

Sierra Valley Cultural Planning, conducted a Windshield Survey of the Goshen Community Planning Area on June 18, 2014. Numerous structures appear to date to the period prior to 1960, although many of these have been modified. A number of structures (older than 50 years in age) were identified as historic resources, but have not been formally recorded. Canal features are present within the study area including the Modoc Ditch and Mill Creek Ditch.

The Southern San Joaquin Valley Information Center, Bakersfield (Center) conducted a cultural resources record search. The Center records search in August 2014 identified three non-Native American historic-era resource sites located within the Goshen Planning study area, and five additional historic-period sites within one-half mile of the study area. Thirteen previous cultural resources surveys have been completed within the study area; and eight previous studies have been completed within one-mile of the study area.

The records search included historic sites listed on the National Register of Historic Places, California Register of Historic Resources, California Points of Historical Interest, State Historic Landmarks, and California Inventory of Historic Resources. The Center staff noted “No Native American Resources have been identified within or in close proximity to the study area.”²⁴ The Center recommended that the Goshen Community Plan include i) the identification and management of potentially sensitive prehistoric and historic-period resources, ii) the local Native American communities in all planning and development activities, and iii) a requirement to conduct intensive cultural resources field inventory prior to development of specific projects that could disturb or destroy sensitive and significant cultural resources.

As noted earlier, the Native American Heritage Commission (NAHC) was contacted in June of 2014. The NAHC indicated in a letter dated June 30, 2014, (see Appendix C) that a records search of the NAHC Sacred Lands Inventory failed to indicate the presence of Native American traditional sites/places within the Project area.

The Project does not include any immediate development proposals however, “Very little of the area within the Goshen Planning Area has been surveyed, and documented resources likely exist. Utilization of the available data is integral to planning for future uses and activities and to determine the best management strategy for such resources at this phase of the planning process. All actions taken pursuant to the Goshen Community Plan shall be planned and implemented in coordination with provisions and implementing guidelines of the California Environmental Quality Act (CEQA), as amended March 18, 2010, which states that identification and evaluation of historical resources is required for any action that may result in a potential adverse effect on the significance of such resources, which includes

²⁴ Goshen Community Plan Update Cultural Resources Assessment Tulare County, California, prepared by Sierra Valley cultural Planning Inc. August 2014. Page 10.

archaeological resources. Once specific projects are planned, targeted studies can be conducted to avoid or minimize impacts to significant cultural resources.”²⁵

Despite the absence of documented cultural resources within the project area, undiscovered potentially significant resources might still exist in the area. Based on this analysis, implementation of Mitigation Measure 5-1 would reduce potential Project-specific impacts related to this Checklist Item to a level considered ***Less Than Significant***.

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

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.

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 would be mitigated to a level considered less than significant, cumulative impacts would also be considered ***Less Than Significant With Mitigation***.

Mitigation Measure(s):

5-1 In the event that historical, archaeological or paleontological resources are discovered during site excavation, the County shall require that grading and construction work on the Project site be immediately suspended until the significance of the features can be determined by a qualified archaeologist or paleontologist. In this event, the property owner shall retain a qualified archaeologist/paleontologist to provide recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recover, excavation analysis, and curation of archaeological or paleontological materials. County staff shall consider such recommendations and implement them where they are feasible in light of Project design as previously approved by the County.

Conclusion: ***Less Than Significant Impact With Mitigation***

With implementation of Mitigation Measure 5-1, potential Project-specific and cumulative impacts related to this Checklist Item will be reduced to a ***Less Than Significant*** level.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

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

²⁵ Ibid. 16.

As noted in Response to Item 3.5.a), a cultural resources records search was conducted of the area. No archaeological deposits or isolated finds were identified during that search.

Although no archaeological deposits have been identified, there is the potential that archaeological resources may be discovered. With the implementation of Mitigation Measure 5-1, ***Less Than Significant Impacts With Mitigation*** related to this Checklist Item will occur.

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

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.

The proposed Project will only contribute to cumulative impacts related to this Checklist Item if Project-specific impacts were to occur. The proposed Project will be mitigated to ***Less Than Significant Project-specific and Cumulative*** levels.

Mitigation Measure(s): ***See Mitigation Measure 5-1***

Conclusion: ***Less Than Significant Impact With Mitigation***

With implementation of Mitigation Measure 5-1 potential Project-specific and cumulative impacts related to this Checklist Item will be reduced to a ***Less Than Significant Impact With Mitigation***.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

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

As noted in Response to Item 3.5.a), a cultural resources records search was conducted of the site. No paleontological resources or sites, or unique geologic features were identified during that search.

Although it cannot conclusively be demonstrated that no subsurface paleontological resources are present, it is possible to mitigate potentially significant impacts with Mitigation Measure 5-2. With implementation the Mitigation Measure 5-2, Project-specific impacts related to this Checklist Item will be reduced to ***Less Than Significant Impact With Mitigation***.

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

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.

The proposed Project would only contribute to cumulative impacts related to this Checklist Item if Project-specific impacts were to occur. As such, the proposed Project would result in ***Less Than Significant Project-Specific and Cumulative Impacts With Mitigation***.

Mitigation Measure(s):

- 5-2 The property owner shall avoid and minimize impacts to paleontological resources. If a potentially significant paleontological resource is encountered during ground disturbing activities, all construction within a 100-foot radius of the find shall immediately cease until a qualified paleontologist determines whether the resources requires further study. The owner shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The paleontologist shall notify the Tulare County Resource Management Agency and the Project proponent of the procedures that must be followed before construction is allowed to resume at the location of the find. If the find is determined to be significant and the Tulare County Resource Management Agency determines avoidance is not feasible, the paleontologist shall design and implement a data recovery plan consistent with applicable standards. The plan shall be submitted to the Tulare County Resource Management Agency for review and approval. Upon approval, the plan shall be incorporated into the Project.

Conclusion:

Less Than Significant Impact With Mitigation

With implementation of Mitigation Measure 5-2, potential Project-specific and cumulative impacts related to this Checklist Item will be reduced ***Less Than Significant With Mitigation***.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Project Impact Analysis:

Less Than Significant Impact With Mitigation

As noted in Response to Item 3.5.a), a cultural resources records search was conducted of the area. No development is proposed. Although it cannot conclusively be demonstrated that no subsurface human remains are present, it is possible to mitigate potentially significant impacts with the following Mitigation Measure. With implementation of Mitigation Measure 5-3, this Checklist Item will be reduced to a ***Less Than Significant Project-specific Impact With Mitigation***.

Cumulative Impact Analysis:

Less Than Significant Impact With Mitigation

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.

It is not anticipated that Native American remains will be found at any site. However, consistent with CEQA requirements, Mitigation Measure 5-3 is included in the unlikely event that if Native American remains are unearthed during any ground disturbance activities, all work will immediately halt and the Native American Heritage Association will be contacted to assess the findings and make appropriate mitigation recommendations. As Project-specific impacts will be mitigated to a less than significant level, Cumulative Impacts will result in a level of ***Less Than Significant Project-specific and Cumulative Impacts with Mitigation.***

Mitigation Measure(s):

- 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**
 - 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.

- b. The descendant fails to make a recommendation; or**
- c. The landowner or his authorized representative rejects the recommendation of the descendent.**

Conclusion:

Less Than Significant Impact With Mitigation

With implementation of Mitigation Measure 5-3, potential ***Project-specific and Cumulative Impacts*** related to this Checklist Item will be reduced ***Less Than Significant Impact With Mitigation***.

DEFINITIONS/ACRONYMS

Acronyms

Center	San Joaquin Valley Historical Resource Information Center
CEQA	California Environmental Quality Act
CHRIS	California Historic Resources Information System
CRA	Cultural Resources Assessment
CRHR	California Register of Historical Resources
DEIR	Draft Environmental Impact Report
HABS/HAER	Historic American Building Survey/Historic American Engineering Record
NAHC	Native American Heritage Commission
NHPA	National Historic Preservation Act of 1966
OHP	California State Office of Historic Preservation
RMA	Tulare County Resource Management Agency
SHPO	State Historic Preservation Officers
SVCP	Sierra Valley Cultural Planning

REFERENCES

Advisory Council on Historic Preservation. The National Historic Preservation Program. Website: <http://www.achp.gov/hepp.html>. Accessed August, 2014.

Advisory Council on Historic Preservation, State Historic Preservation Officers, which can be accessed at: <http://www.achp.gov/shpo.html>, Accessed September, 2014.

California Office of Historic Preservation, About OHP, which can be accessed at: http://ohp.parks.ca.gov/?page_id=1066 . Accessed September, 2014.

California Office of Historic Preservation. California Register which can be accessed at: http://www.ohp.parks.ca.gov/?page_id=21238. Accessed September, 2014.

“Cultural Resources Assessment, Proposed Planning Study Area For The Goshen Community Tulare County, Plan Update, Tulare County”. Prepared by Sierra Valley Cultural Planning. August 2014 and is included as Appendix “C” of this DEIR.

Government Code §65352.3

Tulare County General Plan 2030 Update, *Background Report*, Page 9-56.

Tulare County General Plan Update 2030, page 8-5, 8-6

CEQA Guidelines; including Section 21084.1 and 15064.5 (a) thru (f)

Geology and Soils

Chapter 3.6

SUMMARY OF FINDINGS

The proposed Goshen Community Plan Update (Project) will result in ***Less Than Significant Impacts*** related to Geology and Soils. No mitigation measures will be required. The impact analyses and determinations in this chapter are based upon information obtained from the References listed at the end of this chapter. A detailed review of potential impacts is provided in the analysis as follows.

INTRODUCTION

California Environmental Quality Act (CEQA) Requirements

This section of the Draft Environmental Impact Report (DEIR) addresses potential impacts to Geology and Soils. 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

¹ CEQA Guidelines Section 15126.2 (a)

The environmental setting provides a description of the Geology and Soils 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 Tulare County 2030 General Plan EIR incorporated by reference and summarized below. Additional documents 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

The thresholds of significance for this section are established by the CEQA Checklist Item including:

- Located on a Fault line
- Hazard to people or property
- Project subject to landslides
- Located on a liquefaction zone

ENVIRONMENTAL SETTING

“Tulare County is divided into two major physiographic and geologic provinces: the Sierra Nevada Mountains and the Central Valley. The Sierra Nevada Physiographic Province, in the eastern portion of the county, is underlain by metamorphic and igneous rock. It consists mainly of homogeneous granitic rocks, with several islands of older metamorphic rock. The central and western parts of the county are part of the Central Valley Province, underlain by marine and non-marine sedimentary rocks. It is basically a flat, alluvial plain, with soil consisting of material deposited by the uplifting of the mountains.”²

“The San Joaquin and Tulare Basins constitute the southern two-thirds of the Central Valley of California, which is part of a large, northwest trending, asymmetric structural trough, filled with marine and continental sediments up to 6 miles (mi) thick. The bedrock geology of the areas adjacent to the east and west sides of the San Joaquin Valley contrasts sharply.”³

“This contrast between the composition of the highlands on the east and west sides of the valley has a profound influence on the sediments and water quality in the valley. Alluvial, Pleistocene nonmarine, and other nonmarine deposits of the eastern part of the valley were derived primarily from the weathering of granitic intrusive rocks of the Sierra Nevada, with lesser contributions from the sedimentary and metasedimentary rocks of the foothills. In the eastern part of the valley, sediments derived primarily from the Sierra Nevada are highly permeable, medium- to coarse-grained sands with low total organic carbon, forming broad alluvial fans where the streams enter the valley. These deposits generally are coarsest near the upper parts of the alluvial fans and finest near the valley trough.”⁴

² Tulare County 2030 General Plan 2030 Update Background Report. Page 8-4.

³ USGS, 1998. Page 5, <https://ca.water.usgs.gov/sanj/pub/usgs/wrir97-4205/wrir97-4205.pdf>.

⁴ Ibid. 6.

“The climate of the area (and of the San Joaquin Valley) is described as Mediterranean, and is characterized by hot, dry summers and mild winters. It is not uncommon for maximum temperatures to exceed 100 degrees during the summer nor for temperatures to drop below freezing in winter. The Mediterranean climate is limited to portions of California and is unique in the United States in that the majority of precipitation is received in the winter months.”⁵

Geology & Seismic Hazards

Seismic hazards, such as earthquakes, can cause loss of human life and property damage, disrupt the local economy, and undermine the fiscal condition of a community. Secondary seismic hazards, including subsidence and liquefaction, can cause building and infrastructure damage.

Seismicity

“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.”⁶

“Earthquakes are typically measured in terms of magnitude and intensity. The most commonly known measurement is the Richter Scale, a logarithmic scale which measures the strength of a quake. The Modified Mercalli Intensity Scale measures the intensity of an earthquake as a function of the following factors:

- Magnitude and location of the epicenter;
- Geologic characteristics;
- Groundwater characteristics;
- Duration and characteristic of the ground motion;
- Structural characteristics of a building.”⁷

Faults

“Faults are the indications of past seismic activity. It is assumed that those that have been active most recently are the most likely to be active in the future. Recent seismic activity is measured in a geologic timescale. Geologically recent is defined as having occurred within the last two million years (the Quaternary Period). All faults believed to have been active during Quaternary time are considered "potentially" active.”⁸

⁵ Tulare County, 2017. Earlimart Community Plan (DRAFT). Page 1.

⁶ Ibid. 8-5

⁷ Ibid.

⁸ Op. Cit.

“Although a number of faults have been located along the western edge of the Sierra Nevada Mountains, none are known to be active. The Owens Valley Fault Group poses the greatest seismic threat.”⁹

“There are three 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.”¹⁰

As noted above, the Tulare County General Plan Background Report 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.

Groundshaking

“Groundshaking 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 groundshaking, 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 groundshaking over longer periods of time, thereby affecting a larger area. Groundshaking intensity, which is often a more useful measure of earthquake effects than magnitude, is a qualitative measure of the effects felt by the population.”¹¹

⁹ *Op. Cit.*

¹⁰ General Plan Background Report, pages 8-6 and 8-7

¹¹ *Op. Cit.* 8-7

“The San Joaquin Valley portion of Tulare County is located on alluvial deposits, which tend to experience greater groundshaking intensities than areas located on hard rock. Therefore, structures located in this area will tend to suffer greater damage from groundshaking 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.”¹²

“Older buildings constructed before current building codes were in effect, and even newer buildings constructed before earthquake resistance provisions were included in the current building codes, are most likely to suffer damage in an earthquake. Most of Tulare County’s buildings are no more than one or two stories in height and are of wood frame construction, which is considered the most structurally resistant to earthquake damage. Older masonry buildings (without earthquake-resistance reinforcement) are the most susceptible to structural failure, which causes the greatest loss of life. The State of California has identified unreinforced masonry buildings (URMs) as a safety issue during earthquakes. In high risk areas (Bay Area) inventories and programs to mitigate this issue are required. Because Tulare County is not a high risk area, state law only recommends that programs to retrofit URMs are adopted by jurisdictions.”¹³

Liquefaction

“Liquefaction is a process whereby soil is temporarily transformed to a fluid form during intense and prolonged groundshaking. Areas most prone to liquefaction are those that are water saturated (e.g., where the water table is less than 30 feet below the surface) and consist of relatively uniform sands that are low to medium density. In addition to necessary soil conditions, the ground acceleration and duration of the earthquake must be of sufficient energy to induce liquefaction. Scientific studies have shown that the ground acceleration must approach 0.3g before liquefaction occurs in a sandy soil with relative densities typical of the San Joaquin alluvial deposits.”¹⁴

“Liquefaction during major earthquakes has caused severe damage to structures on level ground as a result of settling, tilting, or floating. Such damage occurred in San Francisco on bay-filled areas during the 1989 Loma Prieta earthquake, even though the epicenter was several miles away. If liquefaction occurs in or under a sloping soil mass, the entire mass may flow toward a lower elevation, such as that which occurred along the coastline near Seward, Alaska during the 1964 earthquake. Also of particular concern in terms of developed and newly developing areas are fill areas that have been poorly compacted.”¹⁵

“No specific countywide assessments to identify liquefaction hazards have been performed in Tulare County. Areas where groundwater is less than 30 feet below the surface occur primarily

¹² *Op. Cit.*

¹³ *Op. Cit. 8-8*

¹⁴ *Op. Cit. 8-8 and 8-9*

¹⁵ *Op. Cit. 8-9*

in the San Joaquin Valley portion of the County. However, soil types in the area are not conducive to liquefaction because they are either too coarse or too high in clay content. Areas subject to 0.3g acceleration or greater are located in a small section of the Sierra Nevada Mountains along the Tulare-Inyo County boundary. However, the depth to groundwater in such areas is greater than in the valley, which would minimize liquefaction potential as well. Detailed geotechnical engineering investigations would be necessary to more accurately evaluate liquefaction potential in specific areas and to identify and map the areal extent of locations subject to liquefaction.”¹⁶

Settlement

“Settlement can occur in poorly consolidated soils during groundshaking. During settlement, the soil materials are physically rearranged by the shaking and result in reduced stabling alignment of the individual minerals. Settlement of sufficient magnitude to cause significant structural damage is normally associated with rapidly deposited alluvial soils, or improperly founded or poorly compacted fill. These areas are known to undergo extensive settling with the addition of irrigation water, but evidence due to groundshaking is not available. Fluctuating groundwater levels also may have changed the local soil characteristics. Sufficient subsurface data is lacking to conclude that settlement would occur during a large earthquake; however, the data is sufficient to indicate that the potential exists in Tulare County.”¹⁷

Soil Characteristics

The Goshen area soils are typical of those found in semi-arid regions and are referred to as transported soils, indicating that they have been deposited some distance from their parent rock. The soils which characterize the Goshen area originated from granitic rocks of the Sierra Nevada and contain quantities of mica, quartz, feldspars and granitic sand. (See **Figure 3.6-1**) (Source: USDA Soils Survey Map, Visalia) The predominant soil described as follows:

Cajon Sandy Loam - a deep permeable soil on gently sloping alluvial fans and flood plains with a Class II agricultural capability (good agricultural land). There are slight limitations for septic systems. The soil is extremely easy to till and is not sticky when wet. The major portion of the soil is free of salts but with a comparatively low organic-matter content the soil is of good quality and suitable for most crops.

Traver Fine Sandy Loam - a soil with dense or moderately dense subsoil on alluvial fans and valley plains. It is moderately affected by salt and alkali, with a Class IV agricultural capability (fairly good agricultural land). It has moderate to severe limitations for septic system. Black alkali is present in most areas. Small mounds and depressions are common over the surface. Because of its puddled condition and compact subsoil, water is absorbed very slowly. Without water, the soil is hard and dry. This grade of soil is suitable for few crops except grasses and shallow rooted crops.

¹⁶ Op. Cit.

¹⁷ Op. Cit.

Chino Silty Clay Loam - a deep permeable soil on gently sloping alluvial fans and flood plains - free of salts and alkali - Class I agricultural capability (very good cultivable land) - moderate limitations for septic systems - has a moderately high water holding capacity for both surface and subsurface areas - slight tendency to retard absorption due to compaction characteristics

Landslides

“Landslides are a primary geologic hazard and are influenced by four factors:

- Strength of rock and resistance to failure, which is a function of rock type (or geologic formation);
- Geologic structure or orientation of a surface along which slippage could occur;
- Water (can add weight to a potentially unstable mass or influence strength of a potential failure surface); and,
- Topography (amount of slope in combination with gravitation forces).”¹⁸

Wastewater Treatment

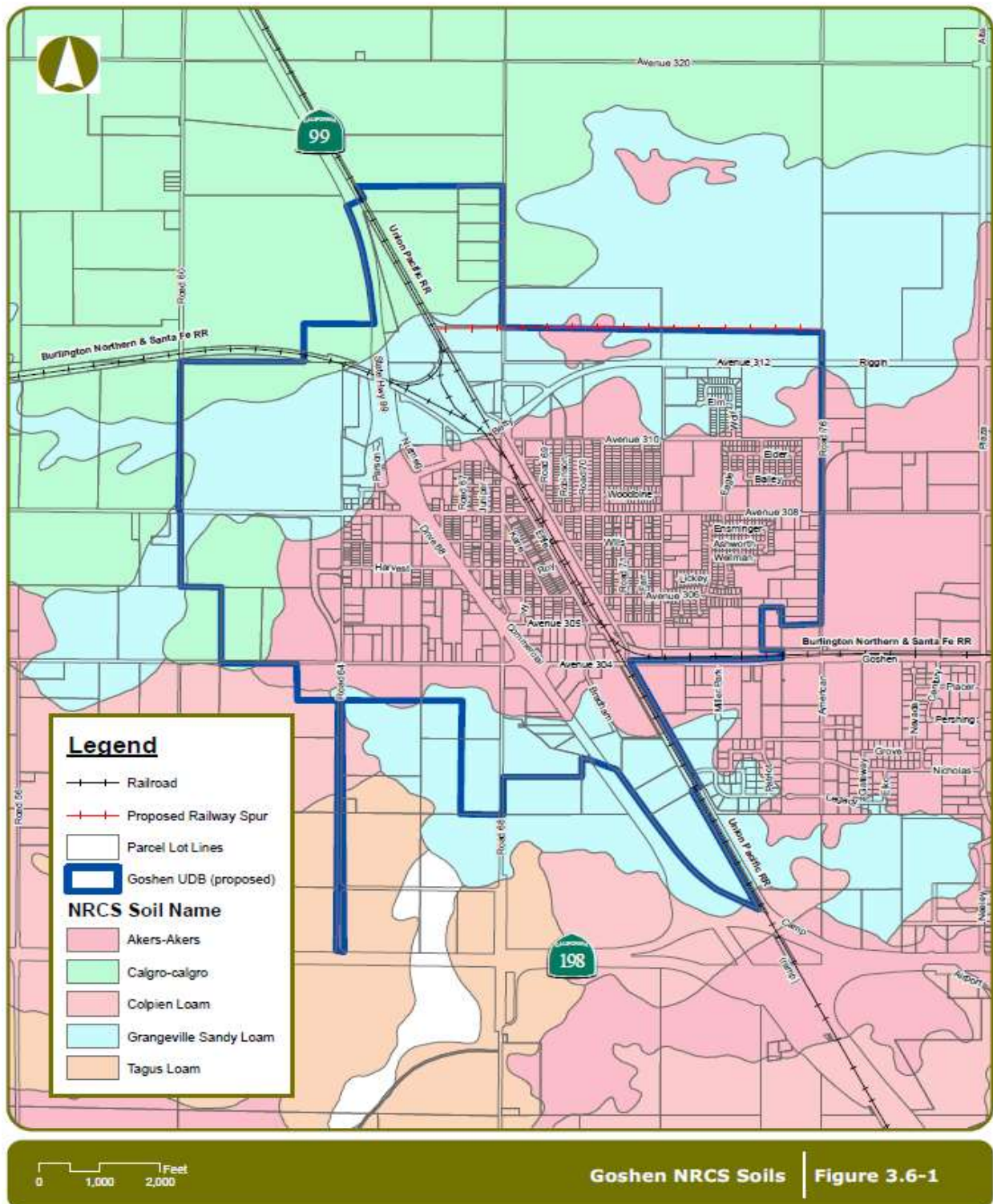
“The Goshen CSD is responsible for the planning and construction of a sewage collection system. The main sewer system for the Goshen community is comprised of a collection system that was constructed in the mid to late 1990s. The construction of the District’s sewer system was funded through a United States Department of Agriculture Rural Economic and Community Development Grant and a Small Community Grant. Pursuant to obtaining funding for the Goshen Sewer Project, the Goshen CSD entered into a Wastewater Service Agreement with the City of Visalia for treatment of the District’s wastewater.

Connection from the District’s sewer system to the City of Visalia’s sewer system is through a 24-inch gravity sewer under Camp Drive. The 24-inch line connects to the existing City SR198-Airport lift station. The District constructed the 24-inch line as a part of the Goshen Sewer Project, although the line is part of the City’s Master Planned Sewer System. After the line was placed in operation, the City assumed responsibility for maintenance of the line as a part of the City conveyance system. The City is responsible for improvements to its lift station and conveyance facilities downstream of the point of connection. The 24-inch line is planned to provide full capacity for the ultimate build-out of the Goshen CSD SOI.”¹⁹

¹⁸ Tulare County General Plan 2030 Update, Background Report. Page 8-10.

¹⁹ Goshen Community Service District MSR. Pages 4-11 to 4-12.

Figure 3.6-1
Goshen NRCS Soils Map



REGULATORY SETTING

Federal Agencies & Regulations

None that apply to the proposed Project.

State Agencies & Regulations

Seismic Hazards Mapping Act

“Under the Seismic Hazards Mapping Act, the State Geologist is responsible for identifying and mapping seismic hazards zones as part of the California Geologic Survey (CGS). The CGS provides zoning maps of non-surface rupture earthquake hazards (including liquefaction and seismically induced landslides) to local governments for planning purposes. These maps are intended to protect the public from the risks associated with strong ground shaking, liquefaction, landslides or other ground failure, and other hazards caused by earthquakes. For projects within seismic hazard zones, the Seismic Hazards Mapping Act requires developers to conduct geological investigations and incorporate appropriate mitigation measures into project designs before building permits are issued.”²⁰

California Building Code

“The California Building Code is another name for the body of regulations known as the California Code of Regulations (C.C.R.), Title 24, Part 2, which is a portion of the California Building Standards Code. Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards.”²¹

Alquist-Priolo Earthquake Fault Zoning Act

“The Alquist- Priolo Earthquake Fault Zoning Act (formerly the Alquist- Priolo Special Studies Zone Act), signed into law December 1972, requires the delineation of zones along active faults in California. The purpose of the Alquist-Priolo Act is to regulate development on or near active fault traces to reduce the hazards associated with fault rupture and to prohibit the location of most structures for human occupancy across these traces.”²²

²⁰ USDA NRCS Web Soils Report, *Custom Soil Resource Report for Tulare County, California, Western Part*, June 2014. Appendix x

²¹ Ibid. 8-3.

²² Op. Cit.

Local Policy & Regulations

Tulare County General Plan Policies

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

ERM-7.2 Soil Productivity - The County shall encourage landowners to participate in programs that reduce soil erosion and increase soil productivity. To this end, the County shall promote coordination between the Natural Resources Conservation Service, Resource Conservation Districts, UC Cooperative Extension, and other similar agencies and organizations.

ERM-7.3 Protection of Soils on Slopes - Unless otherwise provided for in this General Plan, building and road construction on slopes of more than 30 percent shall be prohibited, and development proposals on slopes of 15 percent or more shall be accompanied by plans for control or prevention of erosion, alteration of surface water runoff, soil slippage, and wildfire occurrence.

HS-2.1 Continued Evaluation of Earthquake Risks - The County shall continue to evaluate areas to determine levels of earthquake risk.

HS-2.4 Structure Siting - The County shall permit development on soils sensitive to seismic activity permitted only after adequate site analysis, including appropriate siting, design of structure, and foundation integrity.

HS-2.7 Subsidence - The County shall confirm that development is not located in any known areas of active subsidence. If urban development may be located in such an area, a special safety study will be prepared and needed safety measures implemented. The County shall also request that developments provide evidence that its long-term use of ground water resources, where applicable, will not result in notable subsidence attributed to the new extraction of groundwater resources for use by the development.

HS-2.8 Alquist-Priolo Act Compliance - The County shall not permit any structure for human occupancy to be placed within designated Earthquake Fault Zones (pursuant to and as determined by the Alquist-Priolo Earthquake Fault Zoning Act; Public Resource code, Chapter 7.5) unless the specific provision of the Act and Title 14 of the California Code of Regulations have been satisfied.

IMPACT EVALUATION

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Project Impact Analysis:

Less Than Significant Impact

No substantial faults are known to traverse Tulare County according to the Alquist-Priolo Earthquake Fault Zoning Maps and the State of California Department of Conservation²³. The nearest major fault line, which lies outside of Tulare County, is the San Andreas fault zones; approximately 56 miles southwest of the proposed Project site. According to the Five County Seismic Safety Element (FCSSE), Tulare County is located in the V-1 zone. This zone includes most of the eastern San Joaquin Valley, and is characterized by a relatively thin section of sedimentary rock overlying a granitic basement. Amplification of shaking that would affect low to medium-rise structures is relatively high, but the distance of the faults that are expected sources of the shaking is sufficiently great that the effects should be minimal. The requirements of Zone II of the Uniform Building Code should be adequate for normal facilities.²⁴ Therefore, a ***Less Than Significant Impact*** would result from the rupture of a known earthquake fault.

ii) Strong seismic ground shaking?

Project Impact Analysis:

Less Than Significant Impact

Tulare County is characterized as Severity Zone “Nil” and “Low” for ground-shaking events.²⁵ De-aggregation of the hazard was performed by using the USGS Interactive De-aggregation website and it was found that all faults within a 20 mile radius are quaternary faults between the ages of 750,000 and 1.6 million years old.²⁶ Quaternary faults are defined as those faults that have been recognized at the surface and which have evidence of movement in the past 1.6 million years, which is the duration of the Quaternary Period.²⁷ Due to the distance and types of faults in the proposed Project vicinity, strong ground shaking is unlikely. Therefore, a ***Less Than Significant Impact*** would occur.

iii) Seismic-related ground failure, including liquefaction?

Project Impact Analysis:

No Impact

The proposed Project area is not located within an area mapped to have a potential for soil liquefaction. Liquefaction in soils and sediments occurs during earthquake events, when soil material is transformed from a solid state to a liquid state, generated by an increase in pressure between pore space and soil particles. Earthquake induced liquefaction typically

²³ State of California Department of Conservation, Alquist-Priolo Earthquake Fault Zone Maps, <http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm>. Accessed June, 2014.

²⁴ Five County Seismic Safety Element, Summary & Policy Recommendations II. Pages 3 and 15.

²⁵ Tulare County General Plan 2030 Update, Part 1-Goals and Policies Report. Page 253.

²⁶ USGS, Earthquake Hazards Program: Custom Mapping & Analysis Tools, <http://geohazards.usgs.gov/qfaults/ca/California.php>. Accessed June, 2014.

²⁷ USGS. Earthquake Hazards Program: Glossary, <http://earthquake.usgs.gov/hazards/qfaults/glossary.php#Q>. Accessed June, 2014.

occurs in low-lying areas with soils or sediments composed of unconsolidated, saturated, clay-free sands and silts, but it can also occur in dry, granular soils or saturated soils with partial clay content. Based on available subsurface data, the proposed Project site is underlain by shallow rock that would not liquefy. As such, there would be **No Impact** caused by seismic-related ground failure, including liquefaction.

iv) Landslides?

Landslides are not a significant threat as the topography in the proposed Project area is relatively flat. No geologic landforms exist on or near the site that would result in a landslide event. Therefore, the proposed Project would result in **No Impact**.

As noted in the Response to 3.6 a), due to the relatively flat nature of the building areas, the potential for lateral spreading is considered a *Less Than Significant Impact*. “Due to the relatively flat nature of the site, the potential for landslides (seismic or seismically induced) is considered less than significant to the proposed project.”

Project Impact Analysis: **No Impact**

The existing Project area is not located within a published Earthquake Fault Zone and the potential for ground rupture is low. As earthquakes are possible throughout the State of California, the Project will be required to comply with the Tulare County General Plan and Zone II of the Uniform Building Code. In addition, the existing Project area is not located within an area mapped to have a potential for soil liquefaction. As the Project area is relatively flat, there is no potential for landslides. 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 information provided in the Tulare County 2030 General Plan, Tulare County General Plan Background Report, and/or Tulare County 2030 General Plan EIR.

The proposed Project will not increase geotechnical related impacts off-site. No cumulative impacts related to this Checklist Item will occur.

With **Less Than Significant** Project-specific impacts, **Less Than Significant Cumulative Impacts** will also occur.

Mitigation Measures: **None Required**

Conclusion: **Less Than Significant Impact**

As noted earlier, implementation of the proposed Project will not cause a significant impact to this Checklist Item. **Less Than Significant Cumulative Impacts** would occur and no mitigation is required.

b) Result in substantial soil erosion or the loss of topsoil?

Project Impact Analysis:

Less Than Significant Impact

The proposed Project area is primarily flat and as such, soil erosion is not anticipated. As future development occurs, site construction activities would potentially 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 developments within the Project areas as required for all projects which disturb more than one acre in size. 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 a ***Less Than Significant Impact***. As such, no mitigation is required.

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.

The proposed Project area is not located on slope. The proposed Project also does not involve changes that will affect off-site hillsides. Therefore, a ***Less Than Significant Impact*** related to this Checklist Item will occur.

Mitigation Measure(s):

None Required

Conclusion:

Less Than Significant Impact

Implementation of the proposed Project will not cause a significant impact, potential Project-specific impacts related to this Checklist Item will be reduced to a level considered ***Less Than Significant*** and ***No Cumulative Impacts*** related to this Checklist Item will occur.

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?

Project Impact Analysis:

Less Than Significant Impact

Substantial grade change would not occur in the topography to the point where the developments within the proposed Project area would expose people or structures to potential

substantial adverse effects on, or offsite, such as landslides, lateral spreading, liquefaction or collapse. According to the Five County Seismic Safety Element the V-1 zone the proposed Project site inhabits has a low to moderate risk of subsidence.

There is no evidence to suggest that soils located within the Project area are subject to lateral spreading. Subsidence is due to non-compacted, wind-deposited, soils consolidation under load, to oil or gas production or to severe overdraft existing in the Project area. The impact would be ***Less Than Significant Impact***.

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 such, ***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 and Cumulative Impacts*** related to this Checklist item will occur.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

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

The Planning area will be developed on soils that are classified as moderate with respect to expansion attributes. Normal compliance with the Uniform Building Code is required.

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.

The proposed Project will have a minor impact on soil compaction. This minor compaction will have a *de minimus* impact of on-site soils. As such, ***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, expansive soils were not identified within the Project site. Therefore, the Project-specific or Cumulative Impacts related to this Checklist Item will be ***Less Than Significant***.

- 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?**

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

The Goshen Community Service District (CSD) owns and operates the existing waste water disposal system. Adequate capacity exists for the future growth within the developed portion of Goshen. The system includes an outfall line to the City of Visalia Wastewater Treatment Plant. As future development occurs, such development will also be required to connect to the wastewater treatment system. Therefore, a ***Less Than Significant Impact*** would 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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

The proposed Project does not include a septic system and will have no impacts related to soils suitable for septic tanks. In addition, the proposed Project will have no impacts related to the use of septic tanks on other properties. As such, ***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, future development will be required to connect to the wastewater treatment system, therefore the Project-specific or Cumulative Impacts related to this Checklist Item will result in a ***Less Than Significant Impact***.

DEFINITIONS/ACRONYMS

Definitions

Fault - “A fault is a fracture in the Earth’s crust that is accompanied by displacement between the two sides of the fault. An active fault is defined as a fracture that has shifted in the last 10,000 to 12,000 years (Holocene Period). A potentially active fault is one that has been active in the past 1.6 million years (Quaternary Period). A sufficiently active fault is one that shows evidence of Holocene displacement on one or more of its segments or branches (Hart, 1997).”²⁸

²⁸ General Plan Background Report. Ppage 8-2.

Liquefaction - “Liquefaction in soils and sediments occurs during earthquake events, when soil material is transformed from a solid state to a liquid state, generated by an increase in pressure between pore space and soil particles. Earthquake-induced liquefaction typically occurs in low-lying areas with soils or sediments composed of unconsolidated, saturated, clay-free sands and silts, but it can also occur in dry, granular soils or saturated soils with partial clay content.”²⁹

Magnitude - “Earthquake magnitude is measured by the Richter scale, indicated as a series of Arabic numbers with no theoretical maximum magnitude. The greater the energy released from the fault rupture, the higher the magnitude of the earthquake. Magnitude increases logarithmically in the Richter scale; thus, an earthquake of magnitude 7.0 is thirty times stronger than one of magnitude 6.0. Earthquake energy is most intense at the point of fault slippage, the epicenter, which occurs because the energy radiates from that point in a circular wave pattern. Like a pebble thrown in a pond, the increasing distance from an earthquake’s epicenter translates to reduced groundshaking.”³⁰

REFERENCES

CA DOC. (2008). Earthquake Shaking Potential for California 2008. Website:
http://www.conservation.ca.gov/cgs/information/publications/ms/Documents/MS48_revised.pdf.

CEQA Guidelines; including Section 15126.2 (a)

Tulare County General Plan 2030 Update, Background Report. Pages 8-3 and 8-5 through 8-10

Natural Resource Conservation Service (NRCS). Soil Map Unit Description. Report – Map Unit Description. Tulare County, Western Part, California. Website:
<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. August 2014.

²⁹ Ibid.

³⁰ Op. Cit.

Greenhouse Gas Emissions

Chapter 3.7

SUMMARY OF FINDINGS

The proposed Project will result in ***Less Than Significant Impacts*** related to Greenhouse Gas (GHG) Emissions. A detailed review of potential impacts is provided in the following analysis. A Greenhouse Gas Analysis Report (GHG Report) prepared by consultants First Carbon Solutions, which is included in Appendix “D” of this document, and a subsequent Air Quality and Greenhouse Gas Analysis Technical Memorandum prepared by Tulare County Resource Management Agency (RMA) staff, which is included as Appendix “A” of this document, are used as the basis for determining this Project will result in ***Less Than Significant Impacts***.

INTRODUCTION

California Environmental Quality Act (CEQA) Requirements

Section 15064.4 Determining the Significance of Impacts from Greenhouse Gas Emissions

- “(a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:
- (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or
 - (2) Rely on a qualitative analysis or performance based standards.
- (b) A lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emissions on the environment:
- (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
 - (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
 - (3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are

still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.”¹

Thresholds of Significance

According to Appendix G of the CEQA Guidelines, project-related greenhouse gas (GHG) emissions would normally have a significant effect on climate change if the project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

The San Joaquin Valley Unified Air Pollution Control District (Air District) has not adopted a numerical threshold, such as a volume of GHG per capita (MTCO₂e per person) or a maximum annual volume (e.g. 3,000 MMTCO₂e per year), for GHG emissions. The Air District however, has provided guidance to assist Lead Agencies which established a menu of performance standards, some of which depend on the existence of an adopted climate action plan or the establishment of Best Performance Standards (BPS). Specifically, the Air District’s *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Project under CEQA* document provides the following process for evaluating GHG significance.²

- “Projects determined to be exempt from the requirements of CEQA would be determined to have a less than significant individual and cumulative impact for GHG emissions and would not require further environmental review, including analysis of project specific GHG emissions. Projects exempt under CEQA would be evaluated consistent with established rules and regulations governing project approval and would not be required to implement BPS.
- 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 BPS.
- Projects implementing Best Performance Standards 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 Best Performance Standards would require quantification of project specific GHG emissions and demonstration that project specific GHG emissions

¹ CEQA Guidelines, Section 15064.4

² Air District, Valley Land-use Agencies in Addressing GHG Emission Impacts for New Project under CEQA, pages 4-5.
<http://www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20-%20FINAL%20LU%20Guidance%20-%20Dec%2017%202009.pdf>.

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. 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.

- Notwithstanding any of the above provisions, projects requiring preparation of an Environmental Impact Report for any other reason would require quantification of project specific GHG emissions. Projects implementing BPS or 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.”³
- individual and cumulative impact for GHG.

ENVIRONMENTAL SETTING

“Gases that trap heat in the atmosphere are called greenhouse gases (GHGs). The major concern is that increases in GHGs are causing global climate change. Global climate change is a change in the average weather on earth that can be measured by wind patterns, storms, precipitation and temperature. The gases believed to be most responsible for global warming are water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆).”⁴

“In 2007, Tulare County generated approximately 5.2 million tonnes of CO₂e [carbon dioxide equivalent]. The largest portion of these emissions (63 percent) is attributed to dairies/feedlots, while the second largest portion (16 percent) is from mobile sources.”⁵

Table 3.7-1 Emissions by Sector in 2007		
Sector	CO₂e (tonnes/year)	% of Total
Electricity	542,690	11%
Natural Gas	321,020	6%
Mobile Sources	822,230	16%
Dairy/Feedlots	3,294,870	63%
Solid Waste	227,250	4%
Total	5,208,060	100%
Per Capita	36.1	
<i>Source: Tulare County General Plan 2030 Update Recirculated Draft EIR, page 3.4-22, Table 3.4-2</i>		

³ Air District, Guidance for Valley Land-use Agencies, pages 4-5

⁴ General Plan Background Report, page 6-17

⁵ Tulare County General Plan 2030 Update Recirculated DEIR, page 3.4-32

“In 2030, Tulare County is forecast to generate approximately 6.1 million tons of CO₂e. The largest portion of these emissions (59 percent) is attributed to dairies/feedlots, while the second largest portion (20 percent) is from mobile sources. Per capita emissions in 2030 are projected to be approximately 27 tons of CO₂e per resident.”⁶

Table 3.7-2 Emissions by Sector in 2030		
Sector	CO₂e (tonnes/year)	% of Total
Electricity	660,560	11%
Natural Gas	384,410	6%
Mobile Sources	1,212,370	20%
Dairy/Feedlots	3,601,390	59%
Solid Waste	246,750	4%
Total	6,105,480	100%
Per Capita	27.4	
<i>Source: Tulare County General Plan 2030 Update Recirculated Draft EIR, page 3.4-22, Table 3.4-3</i>		

The Tulare County General Plan 2030 Update Background Report contains the following: “Enhancement of the greenhouse effect can occur when concentrations of GHGs exceed the natural concentrations in the atmosphere. Of these gases, CO₂ and methane are emitted in the greatest quantities from human activities. Emissions of CO₂ are largely by-products of fossil fuel combustion, whereas methane primarily results from off-gassing associated with agricultural practices and landfills. SF₆ is a GHG commonly used in the utility industry as an insulating gas in transformers and other electronic equipment. There is widespread international scientific agreement that human-caused increases in GHGs has and will continue to contribute to global warming, although there is much uncertainty concerning the magnitude and rate of the warming.

Some of the potential resulting effects in California of global warming may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (CARB, 2006). Globally, climate change has the potential to impact numerous environmental resources through potential, though uncertain, impacts related to future air temperatures and precipitation patterns. The projected effects of global warming on weather and climate are likely to vary regionally, but are expected to include the following direct effects (IPCC, 2001):

- Higher maximum temperatures and more hot days over nearly all land areas;
- Higher minimum temperatures, fewer cold days and frost days over nearly all land areas;
- Reduced diurnal temperature range over most land areas;

⁶ *Ibid.*

- Increase of heat index over land areas; and
- More intense precipitation events.

Also, there are many secondary effects that are projected to result from global warming, including global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity. While the possible outcomes and the feedback mechanisms involved are not fully understood, and much research remains to be done, the potential for substantial environmental, social, and economic consequences over the long term may be great.”⁷

According to AB 32, which is discussed further below, “The [California State] Legislature finds and declares all of the following: (a) Global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems. (b) Global warming will have detrimental effects on some of California’s largest industries, including agriculture, wine, tourism, skiing, recreational and commercial fishing, and forestry. It will also increase the strain on electricity supplies necessary to meet the demand for summer air-conditioning in the hottest parts of the state.”⁸

REGULATORY SETTING

Applicable Federal, State, and local regulations specific to greenhouse gas resources are described below. The following environmental regulatory settings were summarized, in part, from information contained in the Tulare County 2030 General Plan Update Background Report, Tulare County General Plan 2030 Update Recirculated Draft Environmental Impact Report (RDEIR), the California Air Resources Board (ARB) website, and the United States Environmental Protection Agency (US EPA) website.

Federal Agencies & Regulations

United States Environmental Protection Agency Greenhouse Gas Endangerment Findings

“On December 7, 2009, Administrator Lisa Jackson signed a final action, under Section 202(a) of the Clean Air Act, finding that six key well-mixed greenhouse gases constitute a threat to public health and welfare, and that the combined emissions from motor vehicles cause and contribute to the climate change problem.”⁹

“The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases — carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O),

⁷ Op. Cit. 6-27 to 6-28

⁸ California Air Resources Board, website: <http://www.arb.ca.gov/cc/ab32/ab32.htm>

⁹ United States Environmental Protection Agency, <http://www.epa.gov/climatechange/EPAactivities/regulatory-initiatives.html>

hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆) — in the atmosphere threaten the public health and welfare of current and future generations.”¹⁰

However, as indicated by the US EPA website accessed on July 2, 2017, “Thank you for your interest in this topic. We are currently updating our website to reflect EPA's priorities under the leadership of President Trump and Administrator Pruitt. If you're looking for an archived version of this page, you can find it on the January 19 snapshot.”¹¹

State Agencies & Regulations

California Clean Air Act (CAA)

“The California CAA of 1988 establishes an air quality management process that generally parallels the federal process. The California CAA, however, focuses on attainment of the State ambient air quality standards,... which, for certain pollutants and averaging periods, are more stringent than the comparable federal standards. Responsibility for meeting California’s standards is addressed by the CARB and local air pollution control districts (such as the eight county SJVAPCD, which administers air quality regulations for Tulare County). Compliance strategies are presented in district-level air quality attainment plans.”¹²

California Air Resources Board

“The Air Resources Board (ARB or Board) has established State ambient air quality standards (State standards) to identify outdoor pollutant levels considered safe for the public. After State standards are established, State law requires ARB to designate each area as attainment, nonattainment, or unclassified for each State standard. The area designations, which are based on the most recent available data, indicate the healthfulness of air quality throughout the State.”¹³

“On April 26, 1996, the Board approved the "Carbon Monoxide Redesignation Request and Maintenance Plan for Ten Federal Planning Areas" as part of the State Implementation Plan (SIP) for Carbon Monoxide. U.S. EPA approved this revision on June 1, 1998 and redesignated the ten areas to attainment. On October 22, 1998, ARB revised the SIP to incorporate the effects of the recent Board action to remove the wintertime oxygen requirement for gasoline in certain areas. On July 22, 2004, ARB approved an update to the SIP that shows how the ten areas will maintain the standard through 2018, revises emission estimates, and establishes new on-road motor vehicle emission budgets for transportation conformity purposes.”¹⁴

Executive Order S-3-05

“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:

¹⁰ United States Environmental Protection Agency, <http://www.epa.gov/climatechange/endangerment/index.html>

¹¹ EPA, website: <https://www.epa.gov/sites/production/files/signpost/cc.html>, accessed July 14, 2017.

¹² Tulare County General Plan 2030 Update RDEIR, pages 3.3-2 to 3.3-3

¹³ ARB, <http://www.arb.ca.gov/design/design.htm>, accessed July 14, 2017

¹⁴ ARB, <http://www.arb.ca.gov/planning/sip/co/co.htm>, accessed July 14, 2017

- 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, 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

Assembly Bill 32: California Global Warming Solutions Act of 2006

“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.

In December 2007, CARB approved the 2020 emission limit of 427 million metric tons of CO₂ equivalents (CO₂e) of greenhouse gases (CARB, page 2, 2007b). The 2020 target of 427 million metric tons of CO₂e requires the reduction of 169 million metric tons of CO₂e, or approximately 30 percent, from the State’s projected 2020 emissions of 596 million metric tons of CO₂e (business-as-usual).

Also in December 2007, CARB adopted mandatory reporting and verification regulations pursuant to AB 32. The regulations became effective on January 1, 2009, with the first reports covering 2008 emissions. The mandatory reporting regulations require reporting for certain types of facilities that make up the bulk of the stationary source emissions in California. Currently, the draft regulation language identifies major facilities as those that generate more than 25,000 metric tons/year of CO₂e. Cement plants, oil refineries, electric-generating facilities/providers, cogeneration facilities, and hydrogen plants and other stationary combustion sources that emit more than 25,000 metric tons/year CO₂e, make up 94 percent of the point source CO₂e emissions in California (CARB, page 12, 2007a).¹⁶

¹⁵ *Tulare County General Plan 2030 Update RDEIR, pages 3.4-4 to 3.4-5*

¹⁶ *Ibid.* 3.4-5

Climate Change Scoping Plan

“In June, 2008, CARB published its *Climate Change Draft Scoping Plan* (CARB, page ES-1, 2008a). The *Climate Change Draft Scoping Plan* reported that CARB met the first milestones set by AB 32 in 2007: developing a list of early actions to begin sharply reducing greenhouse gas emissions; assembling an inventory of historic emissions; and establishing the 2020 emissions limit. After consideration of public comment and further analysis, CARB adopted the *Climate Change Scoping Plan* (Scoping Plan) in December, 2008 (CARB, page ES-1, 2008b). The Scoping Plan proposes a set of actions designed to reduce overall carbon emissions in California. Key elements of the Scoping Plan include:

- Expanding and strengthening existing energy efficiency programs as well as building and appliance standards;
- Achieving a Statewide renewables energy mix of 33 percent;
- Developing a California cap-and-trade program that links with other Western Climate Initiative partner programs to create a regional market system;
- Establishing targets for transportation-related greenhouse gas emissions for regions throughout California, and pursuing policies and incentives to achieve those targets;
- Adopting and implementing measures pursuant to existing State laws and policies, including California’s clean car standards, goods movement measures, and the Low Carbon Fuel Standard; and
- Creating targeted fees, including a public goods charge on water use, fees on high global warming potential gases, and a fee to fund the administrative costs of the State’s long term commitment to AB 32 implementation. (CARB, pages ES-3 – ES-4, 2008b)

The *Scoping Plan* notes that “[a]fter Board approval of this plan, the measures in it will be developed and adopted through the normal rulemaking process, with public input” (CARB, page ES-4, 2008b).

The *Scoping Plan* states that local governments are “essential partners” in the effort to reduce greenhouse gas emissions, and that they have “broad influence and, in some cases, exclusive jurisdiction” over activities that contribute to greenhouse gas emissions. Local governments may contribute to significant direct and indirect greenhouse gas emissions through their planning and permitting processes, local ordinances, outreach and education efforts, and municipal operations. Many of the proposed measures to reduce greenhouse gas emissions rely on local government actions. The plan encourages local governments to reduce greenhouse gas emissions by approximately 15 percent from current levels by 2020 (CARB, pages 26-27, 2008b).

The *Scoping Plan* also included recommended measures that were developed to reduce greenhouse gas emissions from key sources and activities while improving public health, promoting a cleaner environment, preserving our natural resources, and ensuring that the impacts of the reductions are equitable and do not disproportionately impact low-income and minority communities. These measures also put the State on a path to meet the long-term 2050 goal of reducing California’s greenhouse gas emissions to 80 percent below 1990 levels. These measures were presented to and approved by the CARB on December 11, 2008.

The total reduction for the recommended measures is 174 million metric tons/year of CO₂e, slightly exceeding the 169 million metric tons/year of CO₂e of reductions estimated to be needed in the *Scoping Plan*. The measures in the Scoping Plan approved by the Board will be developed over the next two years and be in place by 2012.”¹⁷

“The First Update to the Scoping Plan was approved by the Board on May 22, 2014, and builds upon the initial Scoping Plan with new strategies and recommendations. The First Update identifies opportunities to leverage existing and new funds to further drive GHG emission reductions through strategic planning and targeted low carbon investments. The First Update defines ARB’s climate change priorities for the next five years, and also sets the groundwork to reach long-term goals set forth in Executive Orders S-3-05 and B-16-2012. The Update highlights California’s progress toward meeting the “near-term” 2020 GHG emission reduction goals defined in the initial Scoping Plan. It also evaluates how to align the State’s “longer-term” GHG reduction strategies with other State policy priorities for water, waste, natural resources, clean energy, transportation, and land use.”¹⁸

“On April 29, 2015, the Governor issued Executive Order B-30-15 establishing a mid-term GHG reduction target for California of 40 percent below 1990 levels by 2030. All state agencies with jurisdiction over sources of GHG emissions were directed to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 targets. ARB was directed to update the AB 32 Scoping Plan to reflect the 2030 target, and therefore, is moving forward with the update process. The mid-term target is critical to help frame the suite of policy measures, regulations, planning efforts, and investments in clean technologies and infrastructure needed to continue driving down emissions.”¹⁹

Senate Bill 97

“Governor Schwarzenegger signed Senate Bill (SB) 97, a CEQA and greenhouse gas emission bill, into law on August 24, 2007. SB 97 requires the Governor’s Office of Planning and Research (OPR) to prepare CEQA guidelines for the mitigation of GHG emissions, including, but not limited to, effects associated with transportation or energy consumption. The Resources Agency certified and adopted the guidelines on December 31, 2009 and submitted them for review by the Office of Administrative Law. The adopted amendments will become effective after the Office of Administrative Law completes its review of the adopted amendments and rulemaking file, and transmits the adopted amendments to the Secretary of State for inclusion in the California Code of Regulations. OPR and the Resources Agency are required to periodically review the guidelines to incorporate new information or criteria adopted by CARB pursuant to the Global Warming Solutions Act, scheduled for 2012.”²⁰

¹⁷ Op. Cit. 3.4-5 to 3.4-6

¹⁸ ARB, <https://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm>, accessed July 14, 2017.

¹⁹ ARB, <https://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>, accessed July 14, 2017.

²⁰ Tulare County General Plan 2030 Update RDEIR, page 3.4-9

Governor's Office of Planning and Research (OPR)

The OPR published a Technical Advisory in June of 2008 that is an informal guidance regarding the steps lead agencies should take to address climate change in their CEQA documents to serve in the interim until guidelines are established pursuant to SB 97. This Advisory recommends that CEQA documents include quantification of estimated GHG emissions associated with a proposed project and that a determination of significance be made. "The technical advisory points out that neither CEQA nor the CEQA Guidelines prescribe thresholds of significance or particular methodologies for performing an impact analysis. "This is left to lead agency judgment and discretion, based upon factual data and guidance from regulatory agencies and other sources where available and applicable" (OPR, page 4, 2008). OPR recommends that "the global nature of climate change warrants investigation of a Statewide threshold of significance for GHG emissions" (OPR, page 4, 2008). Until such a standard is established, OPR advises that each lead agency should develop its own approach to performing an analysis for projects that generate greenhouse gas emissions (OPR, page 5, 2008)."²¹

Senate Bill 375

"SB 375 (Steinberg) was signed into law in 2008. It builds on AB 32 to connect the reduction of GHG emissions from cars and light trucks to land use and transportation policy. The transportation sector represents the State's largest contributor of greenhouse gases. Accordingly, SB 375 seeks (1) to use the regional transportation planning process to help achieve AB 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce GHG emissions; and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process. SB 375 aligns regional land use, transportation, housing and greenhouse gas reduction planning efforts. It requires CARB to set greenhouse gas emission reduction targets for passenger vehicles and light trucks for 2020 and 2035. The targets are for the 18 Metropolitan Planning Organizations in California. Metropolitan Planning Organizations are responsible for preparing Sustainable Community Strategies and, if needed, Alternative Planning Strategies, that will include the region's strategy for meeting the established targets. Tulare County Association of Governments is the Metropolitan Planning Organization for Tulare County. Implementation of SB 375 is a multi-year process, with regional GHG reduction targets to be determined in late 2010."²²

California Attorney General

In response to the 2009 updates to the CEQA Guidelines, the Attorney General's Office (AGO) prepared two advisory documents in January 2010 to assist land use agencies in addressing greenhouse gases in CEQA evaluations. The advisory document *Addressing Climate Change at the Project Level* provides a variety of mitigation measures to address climate change, one of the most serious environmental effects affecting the State of California. The list that was provided was not intended to be an exhaustive list and not all mitigation measures would apply to all projects.²³ The advisory document *Sustainability and General Plans: Example of Policies to*

²¹ Ibid. 3.4-9 to 3.4-10

²² Op. Cit. 3.4-11

²³ Attorney General's Office, website: http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf, accessed July 14, 2017.

Address Climate Change provides land use agencies with a list of resources available to assist in integrating sustainability and climate change into general planning and local land use regulations. The document provides a list of examples of "exemplary and innovative" local sustainability and climate policies and measures that agencies could incorporate into their general plans.²⁴

"The Attorney General is a leader in the State's efforts to fight global warming and promote a clean, lower-carbon economy. The Attorney General's Office, representing state agencies and acting independently in the name of the People:

- Successfully defended – and will continue to defend – the State's landmark clean cars laws. [See Clean Cars]
- Filed numerous actions that caused the U.S. Environmental Protection Agency to finally begin regulating greenhouse gas pollution, and continues to ensure that the federal government does its job. [See Clean Air Act]
- Through comments and litigation, ensures that local governments take account of climate change and plan for a more sustainable future for all members of the community. [See California Environmental Quality Act]
- Promotes renewable energy and enhanced energy efficiency in California, supporting hundreds of thousands of new jobs and improved air quality. [See Green Energy]
- Defends the Air Resources Board in challenges to its landmark carbon and greenhouse gas reduction regulations. The Board has defended against challenges to actions taken under AB 32, the Global Warming Solutions Act of 2006, which requires California to reduce its total greenhouse gas emissions to 1990 levels by 2020. The Board has also defended against challenges to the Low Carbon Fuel Standard by industry groups representing petroleum, refining, trucking, and ethanol interests. The Low Carbon Fuel Standard is a landmark regulatory effort to reduce the carbon content of all transportation fuel used in California, requiring at least a ten percent reduction in carbon intensity of fuel by the year 2020."²⁵

Regional Policy & Regulations

California Air Pollution Control Officers Association (CAPCOA)

"In January 2008, the California Air Pollution Control Officers Association (CAPCOA) issued a "white paper" on evaluating GHG emissions under CEQA (CAPCOA, 2008). The CAPCOA white paper strategies are not guidelines and have not been adopted by any regulatory agency; rather, the paper is offered as a resource to assist lead agencies in considering climate change in environmental documents."²⁶

The California Association of Air Pollution Control Officers (CAPCOA) represents all thirty-five local air quality agencies throughout California. CAPCOA, which has been in existence since 1975, is dedicated to protecting the public health and providing clean air for all our residents and visitors to breathe, and initiated the Greenhouse Gas Reduction Exchange.²⁷

²⁴ Attorney General's Office, website: https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/GP_policies.pdf?, accessed July 14, 2017.

²⁵ Attorney General's Office, <https://oag.ca.gov/environment/climate-change>, accessed July 14, 2017.

²⁶ Tulare County General Plan 2030 Update RDEIR, page 3.4-12

²⁷ California Air Pollution Control Officers Association, <http://www.capcoa.org/>, accessed July 14, 2017.

“The Greenhouse Gas Reduction Exchange (GHG Rx) is a registry and information exchange for greenhouse gas emissions reduction credits designed specifically to benefit the state of California. The GHG Rx is a trusted source of locally generated credits from projects within California, and facilitates communication between those who create the credits, potential buyers, and funding organizations.”²⁸ Four public workshops were held throughout the state including in the SJVAPCD. The mission is to provide a trusted source of high quality California-based greenhouse gas credits to keep investments, jobs, and benefits in-state, through an Exchange with integrity, transparency, low transaction costs and exceptional customer service.²⁹

San Joaquin Valley Air Pollution Control District (Air District)

The Air District has jurisdiction over eight counties in California’s Central Valley: San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and the San Joaquin Valley Air Basin portion of Kern. The Air District “is a public health agency whose mission is to improve the health and quality of life for all Valley residents through efficient, effective and entrepreneurial air quality-management strategies.”³⁰ As previously discussed the Air District has determined that the quantification of GHG emissions is expected for all projects that require an Environmental Impact Report. The Air District has provided guidance documents identifying recommended significance thresholds for GHG emissions.³¹

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,

On December 17, 2009, the San Joaquin Valley Air Pollution Control District (District) 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.

Use of BPS is a method of streamlining the CEQA process of determining significance and is not a required emission reduction measure. Projects implementing BPS would be determined to have a less than cumulatively significant impact. Otherwise, demonstration of a 29 percent reduction in GHG emissions, from business-as-usual, is required to determine that a project would have a less than cumulatively significant impact. The guidance does not limit a lead agency’s authority in establishing its own process and guidance for determining significance of project related impacts on global climate change.”³²

²⁸ Ibid.

²⁹ California Air Pollution Control Officers Association, <http://www.ghgrx.org/>, accessed July 14, 2017.

³⁰ Air District, website: http://www.valleyair.org/General_info/aboutdist.htm#Mission, accessed July 14, 2017.

³¹ Air District, Final Staff Report, pages 65-66; Guidance for Valley Land-use Agencies, pages 4-5; and District Policy, pages 8-9

³² Air District, http://www.valleyair.org/Programs/CCAP/CCAP_menu.htm, accessed July 14, 2017.

Local Policy & Regulations

Tulare County General Plan Policies

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

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 (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-1.9 Support Off-Site Measures to Reduce Greenhouse Gas Emissions - The County will support and encourage the use of off-site measures or the purchase of carbon offsets to reduce greenhouse gas emissions.

AQ-1.10 Alternative Fuel Vehicle Infrastructure - County shall support the development of necessary facilities and infrastructure needed to encourage the use of low or zero-emission vehicles (e.g. electric vehicle charging facilities and conveniently located alternative fueling stations, including CNG filling stations.)

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 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.

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 a strong sense of place,

2. Mixing land uses, and
3. Preserving open space

Tulare County Climate Action Plan

“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.”³³

“Tulare County Climate Action Plan. The Tulare County adopted a Climate Action Plan (CAP) on August 28, 2012. The CAP is an implementation measure of the 2030 General Plan Update. The CAP follows a four-step process recommended by the Institute for Local Government, including identification of a baseline year and emissions inventory; projected future year inventories; and provision of policies, regulations, and programs that achieve reductions by the target years. The CAP uses 2007 as the baseline year, and contains projections for 2020 and 2030. The policies, regulations, and programs considered in the CAP include those by federal, state, and local governments. The measures were quantified to the extent possible.

Summary of CAP Actions

- Identifies sources of greenhouse gas emissions caused by activities within the unincorporated areas of Tulare County and estimates how these emissions may change over time.
- Establishes a reduction target of reducing Tulare County’s greenhouse gas emissions to demonstrate consistent with AB 32 (2006) and CARB Scoping Plan targets. This requires a reduction of 6 percent on average from new development in excess of those achieved from adopted regulations.
- Provides energy use, transportation, land use, water conservation, and solid waste strategies to bring Tulare County’s greenhouse gas emissions levels to the reduction target. Mitigates the impacts of Tulare County activities on climate change (by reducing greenhouse gas emissions consistent with the direction of the State of California via AB 32, Governor’s Order S-03-05, and the 2009 amendments to the CEQA Guidelines to comply with SB 97 (2008). The CEQA Guidelines encourage the adoption of policies or programs as a means of addressing comprehensively the cumulative impacts of projects. (See CEQA Guidelines, Sections 15064(h)(3), 15130(c).)
- Allows the greenhouse gas emissions inventory and CAP to be updated every five years and to respond to changes in science, effectiveness of emission reduction measures and federal, state, regional, or local policies to further strengthen the County’s response to the challenges of climate change.

³³ Tulare County Climate Action Plan, page 1

- Provides substantial evidence that the emission reductions estimated in the CAP are feasible.
- Serves as the threshold of significance within the County of Tulare for climate change impacts, by which all applicable developments within the County will be reviewed.
- Proposed development projects that are consistent with the emission reduction and adaptation measures included in the CAP and the programs that are developed as a result of the CAP, would be considered to have a less than significant cumulative impact on climate change and emissions consistent with CEQA Guidelines 15064(h)(3) as amended to comply with SB 97.”

IMPACT EVALUATION

Would the project:

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

As indicated in the GHG Report (see Appendix “D”) prepared by consultants First Carbon Solutions;

“Section 15064.4(b) of the CEQA Guidelines amendments for greenhouse gas emissions states that a lead agency may take into account the following three considerations in assessing the significance of impacts from greenhouse gas emissions.

- **Consideration #1:** The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.
- **Consideration #2:** Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- **Consideration #3:** The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project’s incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

The District has established a menu of performance standards, some of which depend on the existence of an adopted climate action plan or the establishment of Best Performance

Standards. The County has an adopted Climate Action Plan (CAP), which will be used in this analysis to determine significance for this impact.”³⁴

“Consistency with Climate Action Plan

A CAP was adopted for Tulare County in August 2012 (Tulare 2012). The CAP states the following:

Commercial and industrial development in Tulare County during the 2020 and 2030 planning timeframes will be subject to conditions of approval and mitigation measures that will reduce greenhouse gas emissions beyond State 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 To demonstrate consistency with the ARB Scoping Plan 2020 target of 26.2 percent reduction in land use related sectors compared with business as usual, new development in the County subject to discretionary approval would need to provide an overall reduction of 6 percent beyond that provided by State and SJVAPCD regulation. Based on this analysis, implementation of the policies contained in the General Plan 2030 Update and available project specific measures can achieve an overall reduction of 6 percent of development-related greenhouse gas emissions under Tulare County jurisdiction. When reductions from regulations and programs are included, new development would produce approximately 31 percent fewer greenhouse gas emissions compared with the 2020 business as usual scenario.

To determine significance, the analysis quantified project-related construction and operational greenhouse gas emissions under a business-as-usual scenario, and then compared these emissions with those emissions that would occur accounting for all project-related design features and regulatory measures adopted after 2005. Operational emissions were analyzed for the year 2020 to demonstrate consistency with the targets contained in the Tulare County CAP and AB 32. Operational or long-term emissions occur over the life of the project. For assumptions and descriptions for the emission sources, please refer to Section 3 of this report.”³⁵

“Impact Analysis

Construction

Greenhouse gas emissions generated during construction are shown in Table 3.7-3 [of the GHG Report and as Table 3.7-3 of this DEIR]. The SJVAPCD does not have a recommendation for assessing the significance of construction related emissions. Most construction-related emissions would occur prior to the year 2020, which is the year the State is required to reduce its greenhouse gas emissions to 1990 levels. Additionally, emissions

³⁴ Tulare County – Goshen Community Plan Update Greenhouse Gas Analysis Report” prepared by First Carbon Solutions, September 2014, pages 37-38

³⁵ Ibid. 38

from construction would be temporary. In order to account for the construction emissions, the emissions were amortized based on the life of the development (residential – 50 years; commercial/industrial – 25 years) and added to the operational emissions. Because the project includes a mixture of residential and commercial/industrial land uses, a 30-year life of the project was assumed in order to provide a conservative estimate.”³⁶

Table 3.7-3 Construction Greenhouse Gas Emissions

Land Uses	Total MTCO ₂ e per year
Residential	3,529.00
Commercial	242.04
Industrial	569.63
Total	4,340.68
Amortized Emissions (based on 30 year life of project)	144.69
Note: MTCO ₂ e = metric tons of carbon dioxide equivalents Source: CalEEMod output (Appendix A).	

“Operation Emissions in 2020

Operational emissions were analyzed for the year 2020 to demonstrate consistency with the targets contained in the Tulare County CAP and AB 32. Emissions were also assessed for 2030 to reflect the Community Plan horizon year. The “project” in this case is the amount of new development anticipated to occur between the baseline conditions in 2014 and the 2020 target year and between 2014 and the 2030 plan horizon year. The amount of development is based on a 1.3 percent per year growth rate projected through the 2030 plan horizon year. The mix of land uses is based on current development found in Goshen with increases applied equally to all land use categories.

To determine significance, the analysis quantified project-related greenhouse gas emissions under a business-as-usual scenario, and then compared these emissions with those emissions that would occur accounting for all project-related design features and regulatory measures adopted after 2005. As shown in Table 6 [of the GHG Report and as Table 3.7-4 in this DEIR], the reduction from business-as-usual emissions in 2020 is 31.40 percent, which is above the 26.2-percent threshold established by the CAP and the 6-percent threshold for additional reductions from new development. Therefore, the project is consistent with the County achieving the required AB 32 scoping plan reductions. Impacts would be less than significant.”³⁷

³⁶ Op. Cit. 38-39

³⁷ Op. Cit. 39

Table 3.7-4 Project Operational Greenhouse Gases in 2020

Source	Emissions (MTCO ₂ e per year)		
	2020 Business as Usual	2020 (with Regulation)	Percent Reduction (%)
Area	54.26	54.22	0.06
Energy	983.60	697.74	29.06
Mobile	3,581.97	2,312.44	35.44
Waste	135.91	135.91	0.00
Water	94.92	81.86	13.76
Amortized Construction Emissions	144.69	144.69	0
Total	4,397.96	2,964.16	31.40%
Significance Threshold			29.0%
Are emissions significant?			No
Note: MTCO ₂ e = metric tons of carbon dioxide equivalents Source of business as usual emissions: CalEEMod output for the year 2005 (Appendix A). Source of 2020 emissions: CalEEMod output for the year 2020 (Appendix A).			

“The business-as-usual emissions represent those that would have occurred without regulations enacted pursuant to AB 32. The 2020 emissions with regulations represent emissions with reductions from regulations enacted as part of AB 32, in particular, the following:

Mobile: Pavley and Low Carbon Fuel Standard regulation reductions are calculated by CalEEMod. The estimated reduction is 36.69 percent of the mobile sources GHG emissions (motor vehicle emissions).

Electricity: Renewable Portfolio Standards require a 33-percent renewable portfolio by the year 2020. The estimated reduction from electricity GHG emissions is 28.75 percent.

Water: Compliance with California Green Building Code Standards. The estimated reduction is 14.15 percent.

In addition to comparing the project with the Tulare County CAP, the analysis also considered the recommendations of the District. The District has established a menu of performance standards, some of which depend on the existence of an adopted climate action plan or the establishment of Best Performance Standards. As shown above, the project is consistent with the CAP adopted by Tulare County. In a situation where a CAP was not adopted, the District considers whether the project will reduce or mitigate greenhouse gas levels by 29 percent from business-as-usual levels. Business as usual is determined by modeling emissions with only regulations in effect in 2005 to be consistent with the baseline used in the Scoping Plan (SJVAPCD 2009). This level of greenhouse gas reduction is based

on the target established by ARB's AB 32 Scoping Plan, approved in 2008. As mentioned in the Regulatory Environment section, this reduction level was revised in the Final Supplement to the Functional Equivalent Document, which was included in ARB's 2011 re-approval of the Scoping Plan. This new greenhouse gas reduction level of 21.7 percent from business as usual in 2020 accounts for less growth in emissions related to the recent recession. As shown in Table [of the GHG Report and as Table 3.7-4 in this DEIR], the project not only meets the CAP reductions but also exceeds the 29-percent threshold established by the District.”³⁸

“Operation Emissions in 2030

No threshold or state target has been set for 2030. Therefore, it is necessary to use different criteria for significance after 2020. The continued buildout of the Community Plan after 2020 results in increases in greenhouse gas emissions; however, the increases are offset by the continued implementation of regulations currently in place on greenhouse gas emissions and by compliance with the adopted General Plan and CAP. The overall growth projected for the Goshen Community Plan is relatively small, as shown in the land use assumptions tables (**Error! Reference source not found.** and **Error! Reference source not found.** [of the GHG Report]). In addition, the State anticipates continued increases in energy efficiency that will ultimately result in “net zero” energy consumption in new development and 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 (10 percent) through SB 375's 2035 milestone year. Since the project will continue to comply with existing and future regulations and the General Plan and CAP will continue to be implemented through 2030, the growth projected for 2030 would not result in significant greenhouse gas impacts. Finally, in the event that the State adopts new targets beyond 2020, the County would adopt revisions to the CAP if needed to demonstrate consistency with any new reduction target amounts.

As shown in Table 7 [of the GHG Report and as Table 3.7-5 of this DEIR], the reduction from business-as-usual emissions in 2030 is 35.36 percent, demonstrating continued progress toward reducing greenhouse gas emissions by the 2030 Plan horizon year.”³⁹

Table 3.7-5 Project Operational Greenhouse Gases in 2030

Source	Emissions (MTCO ₂ e per year)		
	2030 Business as Usual	2030 (with Regulation and Design Features)	Percent Reduction (%)
Area	115.69	115.92	0.06
Energy	2,439.62	1,723.93	29.34
Mobile	7,922.94	4,706.51	40.60
Waste	344.12	344.12	0.00

³⁸ Op. Cit. 40-41

³⁹ Op. Cit. 41

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Water	250.37	216.16	13.67
Amortized Construction Emissions	144.69	144.69	0
Total	11,217.43	7,251.02	35.36
Significance Threshold			N/A
Are emissions significant?			No
Note: MTCO₂e = metric tons of carbon dioxide equivalents Source of business as usual emissions: CalEEMod output for the year 2005 (Appendix A). Source of 2030 emissions: CalEEMod output for the year 2030 (Appendix A).			

“Level of Significance Before Mitigation

Less Than Significant Impact.

Mitigation Measures

No Mitigation Measures are required.

Level of Significance After Mitigation

Less Than Significant Impact.”⁴⁰

As indicated in the Air Quality and Greenhouse Gas Technical Memorandum (see Appendix “A, at that time of the NOP and preparation of the GHG Report, no specific development projects had been identified within the Community Plan Update Planning Area and an expansion to the Urban Development Boundary (UDB) had not been proposed. Since the release of the NOP, two community-wide programs and four development projects have been identified within the Community Plan Update Planning Area: Goshen Complete Streets Program, Road Maintenance Program, Papich Construction, Goshen Village East, Dollar General, and Thandi Commercial Development. These six projects were evaluated for consistency with the growth assumptions evaluated in the GHG Report to determine whether additional analysis would be required.

“The Community Plan Update includes a ±515-acre expansion to the UDB that was not anticipated at the time of the NOP. However, other than the Complete Streets and Road Maintenance Programs and the four approved development project previously discussed, there are no other development projects proposed with the Community Plan Update. The UDB expansion is intended to provide potential project proponents with flexibility and greater opportunity for suitable development sites within the community. Future growth within the expansion area is expected to be consistent with the County’s 1.3% annual growth projections. As such, the proposed UDB expansion is intended to provide opportunities to stimulate economic development to meet the needs of the existing and future community and nearby residents and it is anticipated to capture pass through traffic along the State Route 99

⁴⁰ Op. Cit. 42

Corridor. The proposed UDB expansion area boundaries are necessary to place the UDB boundary lines along logical alignments (such as property lines and roadways). As an unknown number of proposals may occur throughout the entire UDB within the lifetime of the Community Plan Update, the plan is intended to direct the density, intensity, and types of growth needed to meet the needs of the community.

The land use growth assumptions and the associated emissions evaluated in the AQA Report are consistent with the proposed Community Plan Update. There are no development projects proposed with the Community Plan Update and the four development projects that have been approved since the time of the NOP are consistent with the emissions analysis provided in the AQA Report. No additional emissions analysis is needed for anticipate future land use developments.

The Complete Streets and Road Maintenance Programs were approved after the completion of the AQA Report and the emissions associated with their implementation are not included in the emissions analysis. Additional analysis is required to evaluate potential impacts resulting from implementation of the Complete Streets and Road Maintenance Programs.”⁴¹

“As discussed in the GHG Report prepared in 2014, the project will result in direct and indirect GHG emissions. The GHG Report quantified the GHG emissions of both the short-term construction-related activities and the long-term operations-related activities associated with the future development of the Community Plan Update. The AQA Report found that full buildout of the Community Plan would result in a total of 4,340.68 metric tons of construction-related emissions, which equals 144.69 metric tons per year based on an average 30-year life for development projects. As presented in Table 6 [of the Air Quality and Greenhouse Gas Analysis Technical Memorandum], the Complete Streets and Road Maintenance Programs could generate up to 8,938.45 metric tons of GHG, which averages 687.57 metric tons over the remaining 13-year life of the Community Plan or 297.95 metric tons if amortized over the expected life of future development projects. The amortized construction-related emissions from the Complete Streets and Road Maintenance Programs have been added to the operations-related emissions to determine significance as compared to BAU at Year 2020 and Year 2030 and are presented in Table 8 [Table 3.7-6 of this DEIR] and Table 9 [Table 3.7-7 of this DEIR], respectively.

Table 3.7-6. Greenhouse Gases in Year 2020 (with Road Improvements)			
	Emissions (MTCO ₂ e per year)		
Source	2020 Business as Usual	2020 with Regulation	% Reduction
Area	54.26	54.22	0.06
Energy	983.60	697.74	29.06
Mobile	3,581.97	2,312.44	35.44
Waste	135.91	135.91	0.00
Water	94.92	81.86	13.76
Amortized Construction	144.69	144.69	0.00

⁴¹ Tulare County RMA, Air Quality and Greenhouse Gas Technical Memorandum, Page 25

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(development)			
Amortized Construction (road improvements)	297.95	297.95	0.00
Total	5,293.30	3,724.81	29.63
Significance Threshold	29%		
Are emissions significant?	No		

**Table 3.7-7. Greenhouse Gases in Year 2030
(with Road Improvements)**

Source	Emissions (MTCO ₂ e per year)		
	2020 Business as Usual	2020 with Regulation	% Reduction
Area	115.92	115.69	0.20
Energy	2,439.62	1,723.93	29.34
Mobile	7,922.94	4,706.51	40.60
Waste	344.12	344.12	0.00
Water	250.37	216.16	13.66
Amortized Construction (development)	144.69	144.69	0.00
Amortized Construction (road improvements)	297.95	297.95	0.00
Total	11,515.61	7,549.05	34.45
Significance Threshold	---		
Are emissions significant?	No		

“As demonstrated in Table 8 [Table 3.7-6 of this DEIR] and Table 9 [Table 3.7-7 of this DEIR], implementation of the Goshen Community Plan Update would achieve the 29% reduction from BAU as recommended by the Air District. Furthermore, the Community Plan Update includes policies designed to specifically address GHG emissions, consistent with the Tulare County CAP. Future development projects would be evaluated on a project-by-project basis, and applicable Goshen Community Plan, Tulare County General Plan and Tulare County Climate Action Plan (CAP) policies will be implemented as future developments are identified. As future developments would be required to demonstrate consistency with the Goshen Community Plan, the General Plan, and the County CAP, the Community Plan Update does not conflict with the Tulare County CAP. Implementation of the Community Plan Update, including future growth and road improvements, would have a **Less Than Significant Project-specific Impacts** related to this Checklist Item.”⁴²

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

The geographic area of this cumulative analysis is the San Joaquin Valley Air Basin. This cumulative analysis is based on the information provided in the GHG Report prepared by consultants First Carbon Solutions which is included as Appendix “D” of this DEIR and the Air Quality and Greenhouse Gas Technical Memorandum prepared by RMA staff which is included as Appendix “A” of this DEIR.

⁴² Ibid. 26

The Community Plan Update establishes the planning guidelines for the anticipated growth of the community through the horizon Year 2030. Future developments would be evaluated on a project-by-project basis and would implement all applicable Goshen Community Plan, Tulare County General Plan, and Tulare County CAP policies addressing GHG emissions. The growth projections are consistent with the County CAP and therefore, the emission reduction targets established in AB 32. As such, GHG emissions from future buildout of the Community Plan Update Planning Area would not have a significant impact on the environment. Furthermore, implementation of the Complete Streets and Road Maintenance Programs will further reduce GHG emissions by providing a safer, more walkable community, thereby reducing vehicle miles travelled within the community and by providing free-flowing truck routes that reduce queuing and idling emissions from slow-moving traffic. Therefore, ***Less Than Significant Cumulative Impacts*** related to this Checklist Item would occur.

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

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

As the proposed Project is consistent with aforementioned plans, policies, and rules/regulations, ***Less Than Significant Project-specific or Cumulative Impacts*** related to this Checklist Item will occur.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Project Impact Analysis: ***No Impact***

As indicated in the Greenhouse Gases Report (see Appendix “D”) prepared by consultants First Carbon Solutions;

“Climate Action Plan Consistency

Tulare County adopted a CAP as part of the Tulare County General Plan Update on August 28, 2012. The CAP requires projects to achieve an average reduction that is 6 percent in excess of the reductions stated in the ARB Scoping Plan and by regional regulations and programs. When combined with reductions anticipated from the ARB Scoping Plan measures and regional regulations and programs, Tulare County emissions would be 26.2 percent below 2020 business-as-usual levels for development related sources, which is the amount needed for the State to reduce emissions to 1990 levels. As shown in Table [of the GHG Report and shown as Table 3.7-4 of this DEIR], the project would exceed the required reduction and would therefore be consistent with the CAP 2020 target.

Since the adoption of the CAP, several additional regulations have been adopted by the State that provide additional reductions beyond those described in the CAP. The largest reductions are from LEV III Light Duty Vehicle Standards and 2013 Title 24 Energy Efficiency Standards as described in

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The CAP identifies General Plan policies that would help reduce greenhouse gas emissions; Table [of the GHG Report and shown as Table 3.7-8 of this DEIR] lists the policy titles. For a discussion of the benefits of the policies, refer to the CAP.”⁴³

Table 3.7-8: General Plan Policies Having Greenhouse Gas Emission Reductions

PF-1.1	Maintain Urban Edges	ERM-1.2	Development in Environmentally Sensitive Areas
PF-1.2	Location of Urban Development	ERM-1.3	Encourage Cluster Development
PF-1.3	Land Uses in UDBs/HDBs	ERM-1.4	Protect Riparian Management Plans and Mining Reclamation Plans
PF-1.4	Available Infrastructure	ERM-1.6	Management of Wetlands
AG-1.7	Conservation Easements	ERM-1.7	Planting of Native Vegetation
AG-1.8	Agriculture Within Urban Boundaries	ERM-1.8	Open Space Buffers
AG-1.11	Agricultural Buffers	ERM-1.14	Mitigation and Conservation Banking Program
AG-1.14	Right to Farm Noticing	ERM-4.1	Energy Conservation and Efficiency Measures
AG-2.11	Energy Production	ERM-4.2	Streetscape and Parking Area Improvements for Energy Conservation
AG-2.11	Energy Production	ERM-4.3	Local and State Programs
AG-2.6	Biotechnology and Biofuels	ERM-4.4	Promote Energy Conservation Awareness
AQ-1.6	Purchase of Low Emission/Alternative Fuel Vehicles	ERM-4.6	Renewable Energy
AQ-1.7	Support Statewide Global Warming Solutions	ERM-4.7	Reduce Energy Use in County Facilities
AQ-1.8	Greenhouse Gas Emissions Reduction Plan	ERM-4.8	Energy Efficiency Standards
AQ-1.9	Off-Site Measures to Reduce Greenhouse Gas Emissions	ERM-5.1	Parks as Community Focal Points
AQ-1.10	Alternative Fuel Vehicle Infrastructure	ERM-5.6	Location and Size Criteria for Parks
AQ-2.1	Transportation Demand Management Programs	ERM-5.15	Open Space Preservation
AQ-2.3	Transportation and Air Quality	HS-1.4	Building and Codes
AQ-2.4	Transportation Management Associations	TC-2.1	Rail Service
AQ-2.5	Ridesharing	TC-2.4	High Speed Rail (HSR)
AQ-3.1	Location of Support Services	TC-2.7	Rail Facilities and Existing Development
AQ-3.2	Infill Near Employment	TC-4.4	Nodal Land Use Patterns that Support Public Transit
AQ-3.3	Street Design	TC-5.1	Bicycle/Pedestrian Trail System
AQ-3.5	Alternative Energy Design	TC-5.2	Consider Non-Motorized Modes in Planning and Development
AQ-3.6	Mixed Use Development	TC-5.3	Provisions for Bicycle Use
LU-1.1	Smart Growth and Healthy Communities	TC-5.4	Design Standards for Bicycle Routes
LU-1.2	Innovative Development	TC-5.5	Facilities
LU-1.3	Prevent Incompatible Uses	TC-5.6	Regional Bicycle Plan
LU-1.4	Compact Development	TC-5.7	Designated Bike Paths
LU-1.8	Encourage Infill Development	TC-5.8	Multi-Use Trails
LU-2.1	Agricultural Lands	PFS-1.3	Impact Mitigation
LU-3.2	Cluster Development	PFS-1.15	Efficient Expansion
LU-3.3	High-Density Residential Locations	PFS-2.	Water Supply
LU-4.1	Neighborhood Commercial Uses	PFS-2.2	Adequate Systems
LU-7.1	Distinctive Neighborhoods	PFS-3.3	New Development Requirements
LU-7.2	Integrate Natural Features	PFS-5.3	Solid Waste Reduction
LU-7.3	Friendly Streets	PFS-5.4	County Usage of Recycled Materials and
LU-7.15	Energy Conservation		
ED-2.3	New Industries		

⁴³ Tulare County – Goshen Community Plan Update Greenhouse Gas Analysis Report” prepared by First Carbon Solutions, September 2014, page 42

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Table 3.7-8: General Plan Policies Having Greenhouse Gas Emission Reductions

ED-2.8	Jobs/Housing Ratio		Products
ED-5.9	Bikeways	PFS-5.5	Private Use of Recycled Products
ED-6.1	Revitalization of Community Centers	PFS-8.3	Location of School Sites
ED-6.2	Comprehensive Redevelopment Plan	PFS-8.5	Government Facilities and Services
ED-6.3	Entertainment Venues	WR-1.5	Expand Use of Reclaimed Wastewater
ED-6.4	Culturally Diverse Business	WR-1.6	Expand Use of Reclaimed Water
ED-6.5	Intermodal Hubs for Community and Hamlet Core Areas	WR-3.5	Use of Native and Drought Tolerant Landscaping
ED-6.7	Existing Commercial Centers		
SL-3.1	Community Centers and Neighborhoods		
ERM-1.1	Protection of Rare and Endangered Species		

Source: Tulare County General Plan 2030 Update.

“Development within the Goshen Community is required to show consistency with the General Plan, the Goshen Community Plan, and the CAP. Since no specific development projects are proposed as part of the Goshen Community Plan Update, growth is expected to occur in areas currently designated for development. Projects consistent with these plans and built according to county and state standards can be assumed to have a less than significant impact on climate change. New projects requiring additional county approvals would be required to show consistency with plans, regulations, and thresholds in place at the time of approval.”⁴⁴

“Consistency with San Joaquin Valley Air Pollution Control District Plans

The District adopted its own procedures for addressing climate change impacts of projects where the District issues a permit. For these projects, the District is either a Lead Agency or a Responsible Agency for CEQA purposes. The procedures do not apply directly to projects subject to County approval; however, development projects that include stationary source emissions requiring a District permit would need to comply with District procedures.

The District adopted the Climate Change Action Plan (CCAP) in 2008, the mandates of which have been described in Section 3.3, Regulatory Framework. The Carbon Exchange Program is not applicable to this project, and the project would not require Voluntary Greenhouse Gas Mitigation Agreements, as greenhouse gas emissions impacts are less than significant. The project would comply with all applicable greenhouse gas regulations contained in the CCAP. The project also achieves the required reductions from business as usual established by the District.”⁴⁵

“Consistency with AB 32

The California State Legislature adopted AB 32 in 2006. AB 32 focuses on reducing greenhouse gases (carbon dioxide, methane, nitrous oxide, hydrofluorocarbons,

⁴⁴ Ibid. 44

⁴⁵ Op. Cit.

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perfluorocarbons, and sulfur hexafluoride) to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, the ARB adopted the Climate Change Scoping Plan (Scoping Plan) in 2008, which outlines actions recommended to obtain that goal. The Scoping Plan calls for an “ambitious but achievable” reduction in California’s greenhouse gas emissions, cutting approximately 29 percent from business-as-usual emission levels projected for 2020, or about 10 percent 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.

The Scoping Plan contains a variety of strategies to reduce the State’s emissions. As shown In Table 9 [of the GHG Report and shown as Table 3.7-9 in this DEIR], the strategies are either consistent or not applicable to the project.”⁴⁶

Table 3.7-9 Consistency with Scoping Plan Reduction Measures	
Scoping Plan Reduction Measure	Project Consistency
1. California Cap-and-Trade Program Linked to Western Climate Initiative. Implement a broad-based California Cap-and-Trade program to provide a firm limit on emissions. Link the California cap-and-trade program with other Western Climate Initiative Partner programs to create a regional market system to achieve greater environmental and economic benefits for California. Ensure California’s program meets all applicable AB 32 requirements for market-based mechanisms.	Not applicable. When this cap-and-trade system begins, products or services (such as electricity) would be covered and the cost of the cap-and-trade system would be transferred to the consumers.
2. California Light-Duty Vehicle Greenhouse Gas Standards. Implement adopted standards and planned second phase of the program. Align zero-emission vehicle, alternative and renewable fuel and vehicle technology programs with long-term climate change goals.	Consistent. This is a statewide measure that cannot be implemented by a project applicant or lead agency. However, vehicles accessing projects in the Community would be subject to the standards.
3. Energy Efficiency. Maximize energy efficiency building and appliance standards; pursue additional efficiency including new technologies, policy, and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California.	Consistent. This is a measure for the state to increase its energy efficiency standards. However, the project would increase its energy efficiency through existing regulation.
4. Renewable Portfolio Standard. Achieve 33 percent renewable energy mix statewide. Renewable energy sources include (but are not limited to) wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas.	Consistent. This is a statewide measure that cannot be implemented by a project applicant or lead agency. Pacific Gas and Electric obtains 19 percent of its power supply from renewable sources such as geothermal. However, residents and businesses in the community will purchase power with increasing amounts of renewable energy content.
5. Low Carbon Fuel Standard. Develop and adopt	Consistent. This is a statewide measure that cannot

⁴⁶ Op. Cit. 44-45

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Table 3.7-9 Consistency with Scoping Plan Reduction Measures

Scoping Plan Reduction Measure	Project Consistency
the Low Carbon Fuel Standard.	be implemented by a project applicant or lead agency. However, the standard is applicable to the fuel used by vehicles that would access the project site.
6. Regional Transportation-Related Greenhouse Gas Targets. Develop regional greenhouse gas emissions reduction targets for passenger vehicles. This measure refers to SB 375.	Consistent. The plan area will be constructed to densities consistent with the 2014 RTP/SCS.
7. Vehicle Efficiency Measures. Implement light-duty vehicle efficiency measures.	Consistent. The standards would be applicable to the light-duty vehicles that would access the project site.
8. Goods Movement. Implement adopted regulations for the use of shore power for ships at berth. Improve efficiency in goods movement activities.	Not applicable. The project does not propose any changes to maritime, rail, or intermodal facilities or forms of transportation.
9. Million Solar Roofs Program. Install 3,000 MW of solar-electric capacity under California's existing solar programs.	Consistent. This measure is to increase solar throughout California, which is being done by various electricity providers and existing solar programs. Projects within the plan area will be able to take advantage of incentives that are in place at the time of construction.
10. Medium/Heavy-Duty Vehicles. Adopt medium and heavy-duty vehicle efficiency measures.	Consistent. This is a statewide measure that cannot be implemented by a project applicant or lead agency. However, the standard is applicable to the fuel used by vehicles that would access the project site.
11. Industrial Emissions. Require assessment of large industrial sources to determine whether individual sources within a facility can cost-effectively reduce greenhouse gas emissions and provide other pollution reduction co-benefits. Reduce greenhouse gas emissions from fugitive emissions from oil and gas extraction and gas transmission. Adopt and implement regulations to control fugitive methane emissions and reduce flaring at refineries.	Consistent. This is a statewide measure that cannot be implemented by a project applicant or lead agency. When this measure is initiated, the standards would be applicable to the vehicles that access the project site.
12. High Speed Rail. Support implementation of a high-speed rail system.	Not applicable. It is not likely that industrial sources subject to this measure will be constructed in the community. However, if such a project were proposed, it would require its own environmental review.
13. Green Building Strategy. Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.	Not applicable. This is a statewide measure that cannot be implemented by a project applicant or lead agency.
14. High Global Warming Potential Gases. Adopt measures to reduce high global warming potential	Consistent. The State is to increase the use of green building practices. The project would implement

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Table 3.7-9 Consistency with Scoping Plan Reduction Measures

Scoping Plan Reduction Measure	Project Consistency
gases.	some green building strategies through existing regulation.
15. Recycling and Waste. Reduce methane emissions at landfills. Increase waste diversion, composting, and commercial recycling. Move toward zero-waste.	Consistent. This measure is applicable to the high global warming potential gases that would be used by the project (such as in air conditioning and refrigerators).
16. Sustainable Forests. Preserve forest sequestration and encourage the use of forest biomass for sustainable energy generation.	Consistent. The project would not contain a landfill. The State is to help increase waste diversion. The project would reduce waste with implementation of state mandated recycling and reuse mandates.
17. Water. Continue efficiency programs and use cleaner energy sources to move and treat water.	Not applicable. The project site is in an urban, built-up condition. No forested lands exist onsite.
18. Agriculture. In the near-term, encourage investment in manure digesters and at the five-year Scoping Plan update determine if the program should be made mandatory by 2020.	Consistent. This is a measure for state and local agencies. However, project will comply with the California Green Building Standards Code, which requires a 20 percent reduction in indoor water use.
Source of ARB Scoping Plan Reduction Measure: California Air Resources Board 2008. Source of Project Consistency or Applicability: First Carbon Solutions, 2013.	

“Level of Significance Before Mitigation

Less Than Significant Impact.

Mitigation Measures

No Mitigation Measures are required.

Level of Significance After Mitigation

Less Than Significant Impact.”⁴⁷

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

The geographic area of this cumulative analysis is the San Joaquin Valley Air Basin. This cumulative analysis is based on the information provided in the GHG Report prepared by consultants First Carbon Solutions which is included as Appendix “D” of this DEIR and the Air Quality and Greenhouse Gas Technical Memorandum prepared by RMA staff which is included as Appendix “A” of this DEIR.

⁴⁷ Op. Cit. 47

As previously discussed, implementation of the Community Plan Update is consistent with the applicable AB 32 Scoping Plan reductions measures and the Air District's CCAP. Future development projects within the Community Plan Update Planning Area will implement applicable Tulare County General Plan and Tulare County CAP policies. As such, implementation of the Community Plan Update 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 Measure(s): ***None Required***

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

As the proposed Project is consistent with aforementioned plans, policies, and rules/regulations, ***Less Than Significant Project-specific or Cumulative Impacts*** related to this Checklist Item will occur.

DEFINITIONS/ACRONYMS

Definitions

Achieved-in-Practice - Any equipment, technology, practice or operation available in the United States that has been installed and operated or used at stationary source site for a reasonable period of time sufficient to demonstrate that the equipment, technology, practice or operation is reliable when operated in a manner that is typical for the process. In determining whether equipment, technology, practice or operation is Achieved-in-Practice, the District will consider the extent to which grants, incentives or other financial subsidies influence the economic feasibility of its use.

Approved Alternate Technology - Any District approved, Non-Achieved-in- Practice GHG emissions reduction measure equal to or exceeding the GHG emission reduction percentage for a specific BPS.

Baseline - The three year average (2002-2004) of GHG emissions for a type of equipment or operation within an identified class and category, expressed as annual GHG emissions per unit.

Best Performance Standard - For a specific Class and Category, the most effective, District approved, Achieved-In-Practice means of reducing or limiting GHG emissions from a GHG emissions source, that is also economically feasible per the definition of Achieved-in-Practice. BPS includes equipment type, equipment design, and operational and maintenance practices for the identified service, operation, or emissions unit class and category.

Business-as-Usual - The emissions for a type of equipment or operation within an identified class and category Projected for the year 2020, assuming no change in GHG emissions per unit of activity as established for the baseline period

Category - A District approved subdivision within a “class” as identified by unique operational or technical aspects.

Class - The broadest District approved division of stationary GHG sources based on fundamental type of equipment or industrial classification of the source operation.

Global Warming - Global warming is an increase in the temperature of the Earth's troposphere. Global warming has occurred in the past as a result of natural influences, but the term is most often used to refer to the warming predicted by computer models to occur as a result of increased emissions of greenhouse gases.

Greenhouse Gas - Greenhouse gas (GHG) emissions are the release of any gas that absorbs infrared radiation in the atmosphere. Generally when referenced in terms of global climate they are considered to be harmful. Greenhouse gases include, but are not limited to, water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrochlorofluorocarbons (HCFCs), ozone (O₃), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆).

Operational Boundaries - Operational boundaries are defined as “[t]he boundaries that determine the direct and indirect emissions associated with operations owned or controlled by the reporting company. This assessment allows a company to establish which operations and sources cause direct and indirect emissions, and to decide which indirect emissions to include that are a consequence of its operations” (GHG Protocol, 2008).

Acronyms and Abbreviations

AB	Assembly Bill
ARB	Air Resources Board (Short for CARB)
BAU	Business As Usual
BPS	Best Performance Standards
CAA	Clean Air Act
Cal EPA	California Environmental Protection Agency
CARB	California Air Resources Board
CERF	Compost Reduction Emission Factor
CH ₄	Methane
CO ₂	Carbon Dioxide
GHG	Greenhouse Gases
HFCs	Hydrofluorocarbons
MSW	Municipal Solid Waste
N ₂ O	Nitrous Oxide
OPR	Governor’s Office of Planning and Research
PFCs	Perfluorocarbons
SF ₆	Sulfur Hexafluoride
AIR DISTRICT	San Joaquin Valley Air Pollution Control District

REFERENCES

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California Air Pollution Control Officers Association, <http://www.ghgrx.org/>, accessed July 14, 2017.

California Air Resources Board, <http://www.arb.ca.gov/desig/desig.htm>

CEQA Guidelines

San Joaquin Valley Air Pollution Control District,
http://www.valleyair.org/General_info/aboutdist.htm#Mission, accessed July 14, 2017.

San Joaquin Valley Air Pollution Control District.,
http://www.valleyair.org/Programs/CCAP/CCAP_menu.htm, accessed July 14, 2017.

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San Joaquin Valley Air Pollution Control District, Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as Lead Agency, San Joaquin Valley Air Pollution Control District, December 17, 2009

San Joaquin Valley Air Pollution Control District. Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Project under CEQA.

<http://www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20-%20FINAL%20LU%20Guidance%20-%20Dec%2017%202009.pdf>

Tulare County General Plan 2030 Update, August 2012

Tulare County General Plan 2030 Update Background Report, February 2010

Tulare County General Plan 2030 Update Recirculated Draft Environmental Impact Report (RDEIR), February 2010

Tulare County – Goshen Community Plan Update Greenhouse Gas Analysis Report” prepared by First Carbon Solutions, September 16, 2014 [which is included as Appendix “D” of this DEIR]

Hazards and Hazardous Materials

Chapter 3.8

SUMMARY OF FINDINGS

Impacts of the proposed Goshen Community Plan Update (Project) are determined to be ***Less Than Significant With Mitigation***. The impact analyses and determinations in this chapter are based upon information obtained from the References listed at the end of this chapter. 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 Hazards and Hazardous Materials. 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 Hazards and Hazardous Materials in the County. The regulatory setting provides a description of applicable Federal, State and Local

¹ 2013 CEQA Guidelines, Section 15126.2 (a)

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 Tulare County 2030 General Plan EIR incorporated by reference and summarized below. Additional documents 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

- Create a significant hazard
- Located within one-quarter mile of an existing or proposed school
- Located on a list of hazardous materials sites
- Located within an airport land use plan
- Located within the vicinity of a private airstrip
- Interfere adopted emergency response plan or emergency evacuation plan
- Wildland Fire Risk

ENVIRONMENTAL SETTING

Goshen is basically square in shape and is bisected in a northwest-southeasterly direction by State Route 99 and again by the Union Pacific Railroad (UPRR), which divides the community into three (3) distinct areas. Goshen is currently a highway-oriented service center surrounded on the north, west, and south by lands in agricultural production and on the east by Visalia's Industrial Park, commercial, agricultural and vacant land. The topography of the site is moderately sloped, with elevations ranging between 275 feet and 295 feet above mean sea level.

The Project area contains a variety of industrial and agricultural uses that involve the handling and storage of potentially hazardous materials that could adversely affect soil and groundwater. In addition, the regional transportation route State Route 99 traverses the Project area. State Route 99, as the primary route through Tulare County presents a risk of upset hazards relating to possible spills of hazardous materials.

Development within the UDB would occur in a series of phases over the Year 2030 build-out period. The existing Goshen Community Plan contains approximately 1,232.6 acres within the adopted Urban Development Boundary. The proposed Project will result in a net increase in forecasted land demand phased in over the Year 2030 build-out period is 515.5 acres. Changes, however; would be gradual and the Plan update includes policies which are intended to reduce any impacts associated with hazardous material.

Hazardous Waste Shipments Originating Within Tulare County

“A hazardous material is defined by the California Code of Regulations (CCR) as a substance that, because of physical or chemical properties, quantity, concentration, or other characteristics, may either (1) cause an increase in mortality or an increase in serious, irreversible, or incapacitating, illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of (CCR, Title 22,

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Division 4.5, Chapter 10, Article 2, Section 66260.10). According to Title 22 of the CCR, hazardous materials are classified according to four properties: toxic, ignitable, corrosive, and reactive (CCR, Title 22, Chapter 11, Article 3).”²

“Similarly, hazardous wastes are defined as materials that no longer have practical use, such as substances that have been discarded, discharged, spilled, contaminated, or are being stored prior to proper disposal. According to Title 22 of the CCR, hazardous materials and hazardous wastes are classified according to four properties: toxic, ignitable, corrosive, and reactive (CCR, Title 22, Chapter 11, Article 3).”³

“In 2007, the DTSC Hazardous Waste Tracking System (HWTS) manifest data reports that approximately 5,925 tons of hazardous waste was transported from all categories of generators in Tulare County. As of November 2008, hazardous waste data available for 2008 indicated that approximately 7,160 tons of hazardous waste was generated in the county (DTSC, 2008a). Tulare County contains several categories of hazardous waste generators: Resource Conservation and Recovery Act (RCRA) Large Quantity Hazardous Waste Generator (LQG) and two tiers of hazardous waste generators developed by the Tulare County CUPA, which are identified by the CUPA as within Program Element 2254 and Program Element 2258.”⁴ No RCRA Large Quantity Generators are located in Goshen. However, the nearest are Moore Wallace North America, Inc. (located at 7801 Avenue 304, Visalia, CA), Voltage Multipliers Inc. (Located at 8711 W. Roosevelt Avenue, Visalia) and KAWNEERR/ALCOA (located at 7200 Doe Avenue, Visalia).⁵

REGULATORY SETTING

Federal Agencies & Regulations

Hazardous Materials Transportation Act

The Hazardous Materials Transportation Act of 1975 (HMTA) as amended, is the major transportation-related statute affecting DOE. The objective of the HMTA according to the policy stated by Congress is “. . .to improve the regulatory and enforcement authority of the Secretary of Transportation to protect the Nation adequately against risks to life and property which are inherent in the transportation of hazardous materials in commerce.”⁶ The HMTA empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property."

Regulations apply to “. . .any person who transports, or causes to be transported or shipped, a hazardous material; or who manufactures, fabricates, marks, maintains, reconditions, repairs, or tests a package or container which is represented, marked, certified, or sold by such person for

² General Plan Background Report. Page 8-26.

³ Ibid.

⁴ Op. Cit. 8-37.

⁵ Op. Cit. 8-37 thru 8-38.

⁶ US Department of Energy, The Hazardous Materials Transportation Act of 1975 (HMTA) <http://hss.doe.gov/sesa/environment/policy/hmta.html>

use in the transportation in commerce of certain hazardous materials.”⁷

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA / “Superfund”)

“Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly referred to as “Superfund”, was enacted on December 11, 1980. The purpose of CERCLA was to provide authorities with the ability to respond to uncontrolled releases of hazardous substances from inactive hazardous waste sites that endanger public health and the environment. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at such sites, and established a trust fund to provide for cleanup when no responsible party could be identified. Additionally, CERCLA provided for the revision and republishing of the National Contingency Plan (NCP) that provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also provides for the National Priorities List, a list of national priorities among releases or threatened releases throughout the United States for the purpose of taking remedial action.”⁸

Superfund Amendments and Reauthorization Act (SARA)

“Superfund Amendments and Reauthorization Act SARA amended CERCLA on October 17, 1986. This amendment increased the size of the Hazardous Response Trust Fund to \$8.5 billion, expanded EPA’s response authority, strengthened enforcement activities at Superfund sites; and broadened the application of the law to include federal facilities. In addition, new provisions were added to the law that dealt with emergency planning and community right to know. SARA also required EPA to revise the Hazard Ranking System to ensure that the system accurately assesses the relative degree of risk to human health and the environment posed by sites and facilities subject to review for listing on the National Priorities List.”⁹

Federal Aviation Regulations

Sec. 77.17 — Form and time of notice

- (a) Each person who is required to notify the Administrator under §77.13(a) shall send one executed form set (four copies) of FAA Form 7460–1, Notice of Proposed Construction or Alteration, to the Manager, Air Traffic Division, FAA Regional Office having jurisdiction over the area within which the construction or alteration will be located. Copies of FAA Form 7460–1 may be obtained from the headquarters of the Federal Aviation Administration and the regional offices.
- (b) The notice required under §77.13(a) (1) through (4) must be submitted at least 30 days before the earlier of the following dates:
 - (1) The date the proposed construction or alteration is to begin.
 - (2) The date an application for a construction permit is to be filed.

⁷ US Department of Energy, The Office of Health, Safety and Security, <http://www.hss.doe.gov/sesa/environment/policy/hmta.html>

⁸ General Plan Background Report. 8-20.

⁹ Ibid. 8-21.

However, a notice relating to proposed construction or alteration that is subject to the licensing requirements of the Federal Communications Act may be sent to FAA at the same time the application for construction is filed with the Federal Communications Commission, or at any time before that filing.

- (c) A proposed structure or an alteration to an existing structure that exceeds 2,000 feet in height above the ground will be presumed to be a hazard to air navigation and to result in an inefficient utilization of airspace and the applicant has the burden of overcoming that presumption. Each notice submitted under the pertinent provisions of this part 77 proposing a structure in excess of 2,000 feet above ground, or an alteration that will make an existing structure exceed that height, must contain a detailed showing, directed to meeting this burden. Only in exceptional cases, where the FAA concludes that a clear and compelling showing has been made that it would not result in an inefficient utilization of the airspace and would not result in a hazard to air navigation, will a determination of no hazard be issued.
- (d) In the case of an emergency involving essential public services, public health, or public safety that requires immediate construction or alteration, the 30-day requirement in paragraph (b) of this section does not apply and the notice may be sent by telephone, telegraph, or other expeditious means, with an executed FAA Form 7460-1 submitted within 5 days thereafter. Outside normal business hours, emergency notices by telephone or telegraph may be submitted to the nearest FAA Flight Service Station.
- (e) Each person who is required to notify the Administrator by paragraph (b) or (c) of §77.13, or both, shall send an executed copy of FAA Form 117-1, Notice of Progress of Construction or Alteration, to the Manager, Air Traffic Division, FAA Regional Office having jurisdiction over the area involved.

State Agencies & Regulations

Hazardous Substance Account Act (1984), California Health and Safety Code Section 25300 et seq. (HSAA)

“This act, known as the California Superfund, has three purposes: 1) to respond to releases of hazardous substances; 2) to compensate for damages caused by such releases; and 3) to pay the states 10 percent share in CERCLA cleanups. Contaminated sites that fail to score above a certain threshold level in the EPA’s ranking system may be placed on the California Superfund list of hazardous wastes requiring cleanup.”¹⁰

California Environmental Protection Agency (Cal/EPA) Department of Toxic Substance Control (DTSC)

“Cal/EPA has regulatory responsibility under Title 22 of the California Code of Regulations (CCR) for administration of the state and federal Superfund programs for the management and cleanup of hazardous materials. The DTSC is responsible for regulating hazardous waste facilities and overseeing the cleanup of hazardous waste sites in California. The Hazardous Waste Management Program (HWMP) regulates hazardous waste through its permitting, enforcement and Unified Program activities. HWMP maintains the EPA authorization to

¹⁰ Ibid. 8-22.

implement the RCRA program in California, and develops regulations, policies, guidance and technical assistance/ training to assure the safe storage, treatment, transportation and disposal of hazardous wastes. The State Regulatory Programs Division of DTSC oversees the technical implementation of the state's Unified Program, which is a consolidation of six environmental programs at the local level, and conducts triennial reviews of Unified Program agencies to ensure that their programs are consistent statewide and conform to standards.”¹¹

California Occupational Safety and Health Administration (Cal/OSHA)

“Cal/OSHA and the Federal OSHA are the agencies responsible for assuring worker safety in the handling and use of chemicals in the workplace. Pursuant to the Occupational Safety and Health Act of 1970, Federal OSHA has adopted numerous regulations pertaining to worker safety, contained in the Code of Federal Regulations Title 29 (29 CFR). These regulations set standards for safe workplaces and work practices, including standards relating to hazardous material handling. Cal/OSHA assumes primary responsibility for developing and enforcing state workplace safety regulations. Because California has a federally General Plan Background Report December 2007 approved OSHA program, it is required to adopt regulations that are at least as stringent as those identified in 29 CFR. Cal/OSHA standards are generally more stringent than federal regulations.”¹²

Hazardous Materials Transport Regulations

“California law requires that Hazardous Waste (as defined in California Health and Safety Code Division 20, Chapter 6.5) be transported by a California registered hazardous waste transporter that meets specific registration requirements. The requirements include possession of a valid Hazardous Waste Transporter Registration, proof of public liability insurance, which includes coverage for environmental restoration, and compliance with California Vehicle Code registration regulations required for vehicle and driver licensing.”¹³

Cal/EPA Cortese List

“The provisions in Government Code Section 65962.5 are commonly referred to as the "Cortese List" (after the Legislator who authored the legislation that enacted it). The list, or a site's presence on the list, has bearing on the local permitting process as well as on compliance with the California Environmental Quality Act (CEQA).”¹⁴ The Cortese List identifies the following:

- Hazardous Waster and Substance Sites
- Cease and desist order Sites
- Waste Constituents above Hazardous Waste Levels outside the Waste Management Unit Sites
- Leaking Underground Storage Tank (LUST) Cleanup Sites
- Other Cleanup Sites

¹¹ General Plan Background Report. Pages 8-22 and 8-23.

¹² Ibid. 8-23 and 8-24.

¹³ Op. Cit. 8-24

¹⁴ Cal/EPA Cortese List background, <http://www.calepa.ca.gov/sitecleanup/corteselist/Background.htm>

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- Land Disposal Sites
- Military Sites
- WDR Sites
- Permitted Underground Storage Tank (UST) Facilities Sites
- Monitoring Wells Sites
- DTSC Cleanup Sites
- DTSC Hazardous Waste Permit Sites

According to the DTSC's EnviroStor information, the only active cleanup site is Goshen Carbon TET Plume¹⁵, located at Betty Drive in Goshen, CA. The site's cleanup status remains active as of May 2014. The DTSC indicates "Groundwater is impacted with carbon tetrachloride (CCl₄) in northern Goshen and numerous wells in the area have elevated concentrations. The source of CCl₄ has not been identified and the previous Cargill Incorporated (Cargill) facility located at 31189 Road 68 is suspected of being a source. Soil-gas investigations conducted by the Regional Water Board in the Goshen industrial area identified CCl₄-impacted soil on the former Cargill property. A letter submitted by Cargill indicated that CCl₄ had been previously stored and used on the site. In addition to Cargill, the former Valley Warehouse located at 31071 Road 68, the former Union Pacific – Goshen Junction located near Nutmeg Road and Road 67, and Western Milling located at 31120 West Street, may have contributed to impacts to regional groundwater. The Goshen Carbon Tet Plume discovery project consisted of a sensitive receptor survey and title search, a passive soil gas survey, active soil gas and first-encountered groundwater sampling, an optional task for the installation and monitoring of permanent groundwater wells and monitoring of water supply wells, and reporting." The DTSC is the lead agency regarding oversight of this cleanup.¹⁶

Airport Land Use

The purpose of the California State Aeronautics Act (SSA) pursuant to Public Utilities Code (PUC), Section 21001 et seq., "is to protect the public interest in aeronautics and aeronautical progress." The California Department of Transportation, Division of Aeronautics, administers much of this statute. The purpose of the California Airport Land Use Planning Handbook (*Handbook*) is to provide guidance for conducting airport land use compatibility planning as required by Article 3.5, Airport Land Use Commissions, and PUC Sections 21670 – 21679.5. Article 3.5 outlines the statutory requirements for Airport Land Use Commissions (ALUCs) including the preparation of an Airport Land Use Compatibility Plan (ALUCP). Article 3.5 mandates that the Division of Aeronautics create a *Handbook* that contains the identification of essential elements for the preparation of an Airport Land Use Compatibility Plan (PUC Sections 21674.5 and 21674.7). This *Handbook* is intended to (1) provide information to ALUCs, their staffs, airport proprietors, cities, counties, consultants, and the public, (2) to identify the

¹⁵ DTSC information accessed on February 15, 2018 at:

http://www.envirostor.dtsc.ca.gov/public/search.asp?PAGE=4&CMD=search&ocierp=&business_name=&main_street_number=&main_street_name=&city=&zip=&county=&branch=&status=ACT%2CBKLG%2CCOM&site_type=CSITES%2COPEN%2CFUDS%2CCLOSE&cleanup_type=&npl=&funding=&reporttype=CORTESE&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST&federal_sponsorfund=&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=&pub=&hwmp=False&permitted=&pc_permitted=&inspections=&complaints=&censustract=&cesdecile=&ORDERBY=city&next=Next+50

¹⁶ DTSC information accessed on February 15, 2018 at: http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60002004

requirements and procedures for preparing effective compatibility planning documents, and (3) define exemptions where applicable.

California State Aeronautics Act

The California State Aeronautics Act is implemented by Caltrans Division of Aeronautics. The purpose of this Act is to: (1) foster and promote safety in aeronautics; (2) ensure state laws and regulations relating to aeronautics are consistent with federal aeronautics laws and regulations; (3) assure that persons residing in the vicinity of airports are protected against intrusions by unreasonable levels of aircraft noise; and (4) develop informational programs to increase the understanding of current air transportation issues. Caltrans Division of Aeronautics issues permits for and annually inspects hospital heliports and public-use airports, makes recommendations regarding proposed school sites within 2 miles of an airport runway, and authorizes helicopter landing sites at/near schools.

Local Policy & Regulations

Tulare County Environmental Health Division

“Since 1995, our organization, commonly referred to as HHSA, has been an integrated agency, providing a broad range of social and human services. Our programs include traditional categories of County service delivery, such as public health, public assistance, environmental health, child protective services, and mental health. Programs for veterans, those on conservatorship, and for the aging population also fall under our umbrella.”¹⁷

Comprehensive Airport Land Use Plan (ALUC)

Influence Area Findings

To be consistent with PUC and PRC requirements, the Tulare County ALUC makes the following findings:

- a. The Airport Influence Area shall be an area that is inclusive of all of the various restriction zones created for managing airport land use compatibility. Specifically these include:
 - Airport height restriction zones
 - Airport safety zones
 - Aircraft noise restriction zones
 - Aircraft overflight zones
 - Any proposed public, private or charter school site, or community college site, within two miles of the airport runway at one of the County’s public-use airports.
- b. Airport master plans alone may not be sufficient to meet ALUC responsibilities with respect to aircraft noise. Consequently, the ALUC may have to rely on other documentation, including CEQA documentation associated with the airport master plans or General Plan

¹⁷ Tulare County Environmental Health Webpage, <http://tchhsa.org/hhsa/index.cfm/message-from-the-director/>

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Noise Elements, to determine noise restriction zones. In the absence of other relevant and qualified sources, the ALUC may need to develop its own interpretation of aircraft noise based on the policies presented in Section 2.5 (specifically see Policy 2.5.3.d).

Visalia Airport

The Community Plan area is located approximately 1.5 miles north of the Visalia Municipal Airport, with portions of the community situated within the airport approach and departure areas. According to the 2004 Airport Master Plan Initial Study/Mitigated Negative Declaration, there are agricultural, industrial and highway commercial uses to the north; and agricultural uses to the east, south, and west.

The Visalia Airport is classified as a General Aviation Airport in the Federal Aviation Administration (FAA) *National Plan of Integrated Airport Systems* (NPIAS). General Aviation Airports serve those communities that i) do not receive scheduled commercial service, ii) do not meet the criteria for classification as a commercial service airport, and account for enough aviation activity (usually at least ten locally-based aircraft), and iii) are at least 20 miles from the nearest NPIAS airport. The Airport is designated an airport reference code (ARC) C-III by the FAA, and is classified as a Commercial Service-Primary Airport in the *California Aviation System Plan* (CASP). Commercial Service-Primary Airports provide scheduled passenger service for more than 10,000 passengers annually. However, there were only 2,455 passengers in 2009. The airport includes one runway (12-30), which is oriented northwest to southeast, and is 6,559 feet long and 150 feet wide. There is a 275-foot displaced landing threshold on runway 12, and left-hand traffic patterns for both runway ends. In addition to general aviation, as of May 2011, Great Lakes Airlines has been providing two passenger flights per day to and from Los Angeles International Airport, and one flight per day to and from Las Vegas McCarran International Airport, using Beechcraft 1900 aircraft. There are also small package services provided by Federal Express (FedEx) and United Parcel Service (UPS) using turboprop aircraft. According to the *Airport Master Plan*, adopted June 2004, there were an estimated 26,000 annual aircraft operations at the Airport in 2001. The current Visalia Municipal Airport Master Plan was adopted in 2004. The Airport Layout Plan is illustrated on Figure 3.10-1.

ALUC height control policies affect all of Goshen, with 1/3 of Goshen directly affected by Safety Zone 6 policies, and a smaller area directly affected by Safety Zone 4 policies. Single family residential development (including low and medium density rural residential uses) are compatible with Safety Zone 6 policies, providing the aircraft noise is less than 60 decibels (dB) Community Noise Equivalent Level (CNEL). New residential development is not compatible in Safety Zone 4. The compatible uses in Safety Zone 4 must adhere to restrictions applied to above-ground storage of hazardous materials, fumes, smoke, electrical interference, and other events that might interfere with aircraft safety.

Commercial aircraft make their approach into Visalia Municipal Airport at a height of 500 to 700 feet above ground level when passing over Goshen, departure height is approximately 350 feet. The Goshen elementary school site presently located at the airport runway centerline extension.

The Visalia airport has three Safety Zones (2, 4, and 6), and an Airport Influence Area located within the Goshen Urban Development Boundary. Zones 2, 4, and 6 prohibit schools and

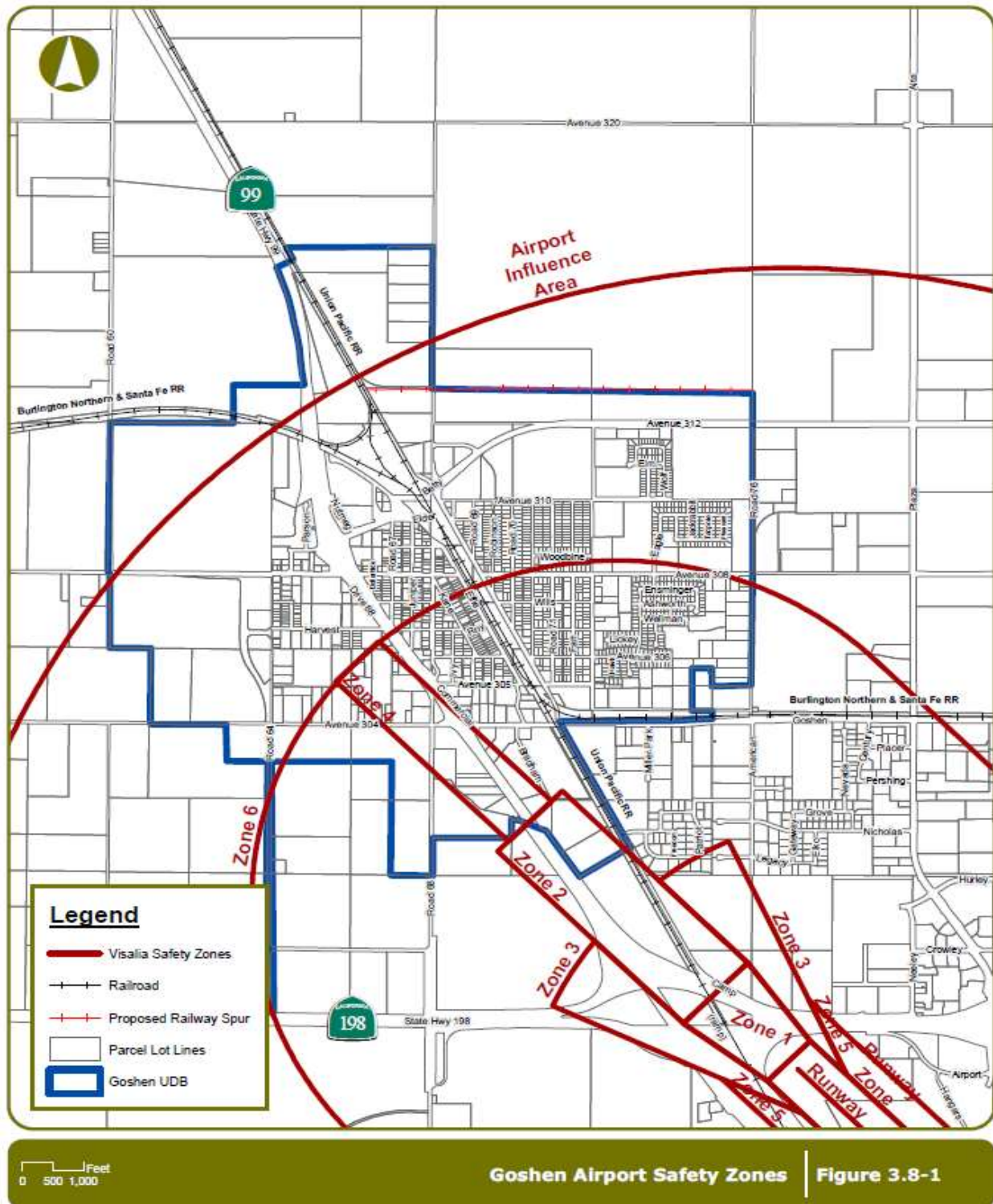
multifamily residential uses. Therefore, new multifamily zones should be located to the north and/or west, outside of the airport safety zones.

Safety Zone 2, Inner Approach/Departure Zone – The Inner Approach/ Departure Zone is a rectangular area located along the extended runway centerline immediately beyond the RPZ. Aircraft over fly this area at altitudes between 200 and 400 feet above the runway elevation. Caltrans research indicates that 8 to 22 percent of near-runway accidents occur in this zone.

Safety Zone 4, Outer Approach/Departure Zone – The Outer Approach/Departure Zone is a rectangular area, which lies immediately beyond the Inner approach/Departure Zones along the extended runway centerline. Particularly applicable for runways with straight-in instrument approach procedures, and other runways where straight-in or straight-out flight paths are common. Approaching and departing aircraft are usually at less than traffic pattern altitude.

Safety Zone 6, Traffic Pattern Zone – The Traffic Pattern Zone is an oval shaped area centered on the extended runway centerline. This zone encompasses all other portions of the regular traffic patterns and pattern entry routes. This area generally has a low likelihood of accident occurrence at most airports, except where high concentrations of people present the potential for severe consequences.

Figure 3.8-1– Airport Safety Zone



Union Pacific Railroad

The Union Pacific Railroad (UPRR) runs parallel and east of State Route 99. This is an existing railroad that was built in 1874. This railroad was initially used as a shipping point for wheat growers in Tulare County¹⁸ and is now used as a rail transport corridor through Tulare County.

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 as follows:

HS-4.1 Hazardous Materials - The County shall strive to ensure hazardous materials are used, stored, transported, and disposed of in a safe manner, in compliance with local, State, and Federal safety standards, including the Hazardous Waste Management Plan, Emergency Operations Plan, and Area Plan.

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-4.6 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.

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.

IMPACT EVALUATION

Would the project:

- a) **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

Project Impact Analysis:

Less Than Significant Impact With Mitigation

The Community Plan contemplates a wide variety of potential end uses, including industrial, office, hotels, retail, residential, and open space. The Community Plan acknowledges and recognizes that there are a number of existing hazardous materials users within and near the Planning Area, and is intended to promote land use compatibility by locating the most sensitive uses (i.e., residential and schools) as far away as possible from the most intensive

¹⁸ 1978 Goshen Community Plan

uses. Additionally, the Community Plan's land use pattern is designed to locate non-sensitive land uses (e.g., office, retail, and etc.) between the most intensive uses and the most sensitive uses to provide additional buffering. Further, areas where the UDB is proposed for expansion consists generally of light and heavy industrial uses (north of Betty Drive and east of SR 99) and highway commercial use (north of Avenue 308 and west of SR 99; and south of Avenue 308 and west of Road 64). As such, the Community Plan intends to minimize exposure of the public or environment to existing routine hazardous materials usage within and near the plan area.

Moreover, new development or redevelopment in the Project area would typically involve the routine management of some hazardous materials that could pose a significant threat to human health or the environment if not properly managed or if accidentally released. During construction, this would include the use of fuels, lubricants, and other potential hazardous materials typically associated with heavy construction equipment. During operation, it is anticipated that small quantities of cleaning, maintenance, and landscaping chemicals would be used and stored in nearly all buildings developed under the Community Plan, and industrial uses, even under the performance standards contained in the Community Plan, may potentially use additional types of hazardous materials.

The routine storage, use, handling, generation, transport, and disposal of hazardous materials during site construction and operation activities are addressed by federal, state, and local laws, regulations, and programs, including the Resource Conservation and Recovery Act, the Toxic Substances Control Act, DOT regulations in 49 CFR, and hazardous materials regulations in CCR Title 26 at the federal and state levels. Cal/OSHA is responsible for developing and enforcing workplace safety standards, including the handling and use of hazardous materials. At the local level construction and operation-related activities of facilities will comply with the California fire code, local building codes (including requirements for fire suppression systems), and gas pipeline regulations. The Tulare County Fire Department will be responsible for enforcing provisions of the fire code. The California Public Utilities Code regulates the safety of gas transmission pipelines.

Based on this analysis, should future uses within the Project area propose the use of large quantities of hazardous materials, Mitigation Measure 8-1 will require that they be evaluated for compatibility with surrounding area. With implementation of Mitigation Measure 8-1 would reduce potential Project-specific impacts related to this Checklist Item to ***Less Than Significant***.

Cumulative Impact Analysis:

Less Than Significant Impact With Mitigation

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.

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 99. 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 freeways. Therefore, through appropriate regulations, potential cumulative health impacts associated with the build out of the Project area would be ***Less Than Significant Impact With Mitigation*** related to this Checklist Item.

Mitigation Measure(s):

- 8-1** Prior to issuance of building permits for any new use within the Project area that proposes to use large quantities of hazardous materials, the County of Tulare shall review the project application for compatibility with existing and planned land uses. The review process shall focus on the location of existing and planned sensitive receptors (e.g., residential uses and schools) and whether the proposed hazardous material usage would expose such uses to unacceptable safety risks. If necessary, the County of Tulare will condition the proposed hazardous materials user to incorporate appropriate protection measures (e.g., containment facilities).

Conclusion:

Less Than Significant Impact With Mitigation

Less Than Significant Project-specific and Cumulative Impacts related to this Checklist Item will occur.

- 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?**

Project Impact Analysis:

Less Than Significant Impact With Mitigation

The proposed Project will not involve any hazards or hazardous materials. All new development will be subject to independent environmental review and all applicable regulations to minimize any potential health risks associated with freeways. Therefore, through appropriate regulations, potential cumulative health impacts associated with the build out of the Project area would be ***Less Than Significant Impact With Mitigation*** 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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

With the implementation of the Mitigation Measure mentioned earlier, potential Project-specific impacts related to this Checklist Item will be ***Less Than Significant***. With Less Than Significant Project-specific impacts, ***Less Than Significant Cumulative Impacts*** related to this Checklist Item will occur.

Mitigation Measure(s): ***See Mitigation Measure 8-1***

Conclusion: ***Less than Significant Impact with Mitigation***

With implementation of Mitigation Measure 8-1, potential Project-specific impacts related to this Checklist Item will be ***Less Than Significant With Mitigation***. Therefore, ***Less Than Significant Cumulative Impacts*** related to this Checklist Item will occur.

- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

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

“The Goshen Community Plan Area is within the Visalia Unified School District with one (1) school located within its boundaries, Goshen Elementary School (K-6). In 2009, there was a reported enrollment of 543 students according to the Betty Drive Interchange studies. Students in Junior High and High School are bused to schools in Visalia.”¹⁹ As previously discussed, all hazardous materials will be properly handled in accordance with applicable regulations. Therefore, a ***Less Than Significant Impact*** 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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

Therefore, ***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) **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?**

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

¹⁹ Goshen Community Plan page 25

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The proposed Project will not involve any hazards or hazardous materials. As indicated earlier, according to the DTSC's EnviroStor information, the only active cleanup site is Goshen Carbon TET Plume²⁰, located at Betty Drive in Goshen, CA. The site's cleanup status remains active as of May 2014. Therefore, ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will also 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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

The proposed Project will not cause other properties to be included in the Cortese List. ***Less Than Significant Cumulative Impacts*** will occur.

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

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

As noted earlier, the only active cleanup site is Goshen Carbon TET Plume²¹ located at Betty Drive in Goshen, CA; the site's cleanup status remains active as of May 2014. As such, ***Less Than Significant Project-specific and Cumulative Impacts*** related to this Checklist Item will occur

- 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 for people residing or working in the project area?**

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

The Project area is located within the City of Visalia's Municipal Airport Land Use Plan area. The Visalia Municipal Airport is located approximately 1½ miles south of the Project area and portions of the Community are situated within the approach and departure areas of the airport.

The Visalia Airport has three Safety Zones (2, 4, and 6), and an Airport Influence Area located within the Goshen Urban Development Boundary. Zones 2, 4, and 6 prohibit schools and multifamily residential uses. Therefore, new multifamily zones should be located to the north and/or west, outside of the airport safety zones.

²⁰ DTSC information accessed on February 15, 2018 at:

http://www.envirostor.dtsc.ca.gov/public/search.asp?PAGE=4&CMD=search&ocierp=&business_name=&main_street_number=&main_street_name=&city=&zip=&county=&branch=&status=ACT%2CBKLG%2CCOM&site_type=CSITES%2COPEN%2CFUDS%2CCLOSE&cleanup_type=&npl=&funding=&reporttype=CORTESE&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST&federal_sponsorfund=&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=&pub=&hwmp=False&permitted=&pc_permitted=&inspections=&complaints=&censustrack=&cesdecile=&ORDERBY=city&next=Next+50

²¹ Ibid.

The safety of residents of Goshen, particularly those living or working west of State Route 99 will be a continuing concern. Commercial aircraft make their approach into Visalia Municipal Airport at a height of 500 to 700 feet above the ground's surface when passing over Goshen, while departure height above the community is approximately 350 feet. The existing Goshen Elementary School site is located along the extension of the center line of the Airport runway.

Aircraft noise will increasingly impact the community of Goshen, and in particular, that portion located west of State Route 99. Studies show that this area is subject to a noise rating of 100 CNR (100 dbA) which is an excessive noise irritant for residents and workers within the area. 65 dbA is considered the maximum permissible for housing and schools as it is the threshold of psychological stress responses by the average person (Tulare County, Noise Element, 1975, p.6). Continued new development will be constrained by Airport Land Use Commission policies which require a lower land use intensity than currently permitted.

Although the Visalia Municipal Airport is located less than 2 miles from the Project area, there are three concurrent entitlement and future developments occurring within the Airport Influence Zone (the least restrictive of any Airport Zone) as part of this Community Plan update process at the following locations:

- A Self Help Enterprises project consisting of an 89 unit residential subdivision, 80-100 units of multi-family residential, and an undefined six acre commercial use near the northeast corner of the intersection of Betty Drive (Avenue 312 and Road 76 alignment). Although the NOP listed this 89 unit residential subdivision as a Project of the Goshen Community Plan Update, a separate environmental document for this subdivision was prepared. In addition, Self Help Enterprises has obtained all the Entitlements required for this project;
- A truck stop, gas station, restaurant project at the southeast corner of the intersection of SR 99 and Betty Drive. Although the NOP listed this truck stop as a Project of the Goshen Community Plan Update, this Project is allowed "By Right"; and
- A Dollar General, a general merchandise store located at the northeast corner of the intersection of Betty Drive and Road 68. Although the NOP listed this Dollar General, a general merchandise store as a Project of the Goshen Community Plan Update, a separate environmental document for Dollar General was prepared. In addition, the Entitlements for Dollar General have been obtained and this Project is under construction.

No other developments are proposed as part of this Project and future development will be required to be located outside the more restrictive Airport Safety Zones. Therefore, ***Less Than Significant Impact Program - 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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

Less Than Significant Cumulative Impacts will occur.

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

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

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

- f) **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

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

Visalia Municipal Airport is located 1½ miles south of the subject site and portions of the community are situated within the approach and departure area of the airport. For the reasons above, Project-specific impacts to safety hazard for people residing or working in the project area are ***Less Than Significant Impact***

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.

Therefore, ***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 and Cumulative Impacts*** related to this Checklist Item will occur.

- g) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

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

“Tulare County has in place an emergency plan to cope with natural disasters that are statewide or happen locally. The County Fire Department and local stationed California Department of Forestry (CDF) are well prepared to fight fires locally as well as statewide.

The United States Forest Service (USFS) is in charge of fires that happen in the national parks and Tulare County assists with the fire management process as needed.”²²

“In the event of a disaster, certain facilities are critical to serve as evacuation centers, provide vital services, and provide for emergency response. Existing critical facilities in Tulare County include hospitals, county dispatch facilities, electrical, gas, and telecommunication facilities, water storage and treatment systems, wastewater treatment systems, schools, and other government facilities. This plan also addresses evacuation routes, which include all freeways, highways, and arterials that are located outside of the 100-year flood plain.”²³ As such, compliance with these standards would ensure that ***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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

The proposed Project does not include alterations to an emergency plan and there is sufficient access for emergency vehicles. Therefore, ***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 and Cumulative Impacts*** related to this Checklist Item will occur.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Project Impact Analysis: ***No Impact***

As the proposed Project is located outside of any wildland areas, the proposed Project area will not result in any exposure to people or structures to a significant risk of loss, injury or death from wildland fires. ***No Project-specific Impacts*** related to this Checklist Item will occur.

Cumulative Impact Analysis: ***No Impact***

²² TCAG Regional Transportation Plan, Page 1-11.

²³ General Plan Background Report. Page 8-35 to 8-36.

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.

The Project area is not located in a wildland area and will not impact the status of wildlands. 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.

DEFINITIONS/ACRONYMS

Definitions

Hazardous Waste Generators - “Hazardous waste generators can be classified in three groups depending on the quantity of waste generated in any month. A Conditionally Exempt Small Quantity Generator (CESQG) is defined in regulation as a generator of less than 100 kilograms of hazardous waste in a calendar month. A Small Quantity Generator (SQG) is a generator of greater than 100 kg and less than 1000 kg of hazardous waste in a calendar month. A Large Quantity Generator (LQG) generates greater than 1000 kg of hazardous waste in a calendar month. Determination of whether a facility is a CESQG, SQG, or LQG is the responsibility of the generator. The designation may change during the year, based on the quantity of hazardous waste produced during a particular month. Specific hazardous waste materials may also be exempt from the monthly total quantity. Therefore, the Certified Unified Program Agencies (CUPA) cannot authoritatively designate the number of generators within each of the above categories.”²⁴

Small Quantity Generators - “CUPA has designated 58 active and 30 inactive small quantity generators (SQG’s). The total estimated quantities of hazardous waste generated within Tulare County by active and inactive SQG’s during calendar year 2002 were 121.7 and 56.3 tons, respectively.”²⁵

Large Hazardous Waste Producers - “CUPA has designated 23 active and 3 inactive large quantity generators (LQG’s). The total estimated quantities of hazardous waste generated within Tulare County by active and inactive LQG’s during calendar year 2002 were 559.7 and 121.6 tons, respectively.”²⁶

Storage Facilities - “According to available information from the agencies (Department of

²⁴ General Plan Background Report. Pages 8-28 and 8-29.

²⁵ Ibid.

²⁶ Op. Cit.

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Toxic Substances Control [DTSC] and RWQCB) that oversee treatment, storage and disposal facilities (TSDFs), there are no facilities authorized for the storage of hazardous waste in Tulare County.”²⁷

Disposal Facilities - “According to available information from the agencies (DTSC and RWQCB) that oversee treatment, storage and disposal facilities (TSDFs), there are no facilities authorized for the disposal of hazardous waste in Tulare County.”²⁸

Planned Treatment, Storage and Disposal Facilities - “According to information available to the CUPA, there are no new treatment, storage and disposal facilities proposed in Tulare County.”²⁹

Acronyms

CDF/CalFire	California Department of Forestry
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
DOE	Department of Energy
DTSC	Cal/EPA Department of Toxic Substance Control
HMTA	Hazardous Materials Transportation Act of 1975
HWMP	Hazardous Waste Management Program
HWTS	Hazardous Waste Tracking System
LUST	Leaking Underground Tank
NCP	National Contingency Plan
SARA	Superfund Amendments and Reauthorization Act
USFS	United States Forest Service

REFERENCES

Cal/EPA Cortese List background, which can be accessed at:
<http://www.calepa.ca.gov/sitecleanup/corteselist/Background.htm>. Accessed November, 2014.

CEQA Guidelines; including Section 15126.2 (a)

Tulare County Association of Government Regional Transportation Plan, Page 1-11

Tulare County General Plan 2030 Update Background Report, pages 8-19, 20-24, 31-32, and 35-36

United States Department of Energy, The Office of Health, Safety and Security, which can be accessed at: <http://homer.oml.gov/sesa/environment/policy/hmta.html>. Accessed October, 2014.

²⁷ Op. Cit.

²⁸ Op. Cit.

²⁹ Op. Cit.

Caltrans Division of Aeronautics, which can be accessed at
<http://www.dot.ca.gov/hq/planning/aeronaut>

Federal Aviation Administration, which can be accessed at <http://www.faa.gov/arp/arphome.htm>

Hydrology and Water Quality

Chapter 3.9

SUMMARY OF FINDINGS

The proposed Goshen Community Plan Update (Project) will result in ***Less Than Significant Impacts with Mitigation*** related to Hydrology and Water Quality. A detailed review of potential impacts is provided in the analysis as follows.

INTRODUCTION

California Environmental Quality Act (CEQA) Requirements

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

As noted in 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 Hydrology and Water Quality 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

¹ 2013 CEQA Guidelines, Section 15126.2 (a)

County 2030 General Plan, the Tulare County General Plan Background Report and/or the Tulare County General Plan Revised DEIR incorporated by reference and summarized below. Additional documents 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

The thresholds of significance for this section are established by the CEQA checklist item questions. The following are potential thresholds for significance.

- Project not in compliance with the regulations outlined by the State Water Resources Control Board.
- Project not in compliance with the regulations by the Regional Water Quality Control Board.
- Design of stormwater facilities will not adequately protect surface water quality.
- Project will cause erosion.
- Project will alter watercourse and increase flooding impacts.
- Project's water usage not assessed in the Tulare County 2030 General Plan (General Plan Amendment, Zone Change, etc.).
- Project that will impact service levels of a Water Services District.
- Project includes or requires an expansion of a Water Service District.
- Project in flood zone.
- Project will create a flood safety hazard.
- Project located immediately downstream of a dam.
- Project violate any water quality standards or waste discharge requirements.
- Project will 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 (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).
- Project will substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.
- Project will substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.
- Project will 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.
- Project will otherwise substantially degrade water quality; place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.
- Project will place within a 100-year flood hazard area structures which would impede or redirect flood flows.
- Project will expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or be subject to inundation by seiche, tsunami, or mudflow.

ENVIRONMENTAL SETTING

“The Tulare Lake Hydrologic Region covers approximately 10.9 million acres (17,050 square miles) and includes all of Kings and Tulare counties and most of Fresno and Kern counties (Figure TL-1 [Figure 3.9-1 of this EIR]). The San Joaquin Valley is divided into the San Joaquin River and the Tule Lake regions by the San Joaquin River with the Tulare Lake region in the southern portion. Historically, the valley floor in this region had been a complex series of interconnecting natural sloughs, canals, and marshes.”²

“The economic development of the region is closely linked to the surface water and groundwater resources of the Tulare Lake region. Major rivers draining into the Tulare Lake region include the Kings, Kaweah, Tule, and Kern rivers. The original ecological character of the area has been changed dramatically, largely from the taming of local rivers for farming. In the southern portion of the region, significant geographic features include the lakebeds of the former Buena Vista/Kern and Tulare lakes, comprising the southern half of the region; the Coast Ranges to the west; the Tehachapi Mountains to the south; and the southern Sierra Nevada to the east.”³

Figure 3.9-2 shows the Goshen Community Plan’s watershed. The Tulare Lake Hydrologic Region has both watershed areas (surface water) and groundwater sub basin areas (see **Figure 3.9-3**⁴).

² California Department of Water Resources, California Water Plan Update 2013, Tulare Lake Hydrologic Region. Page TL-11.

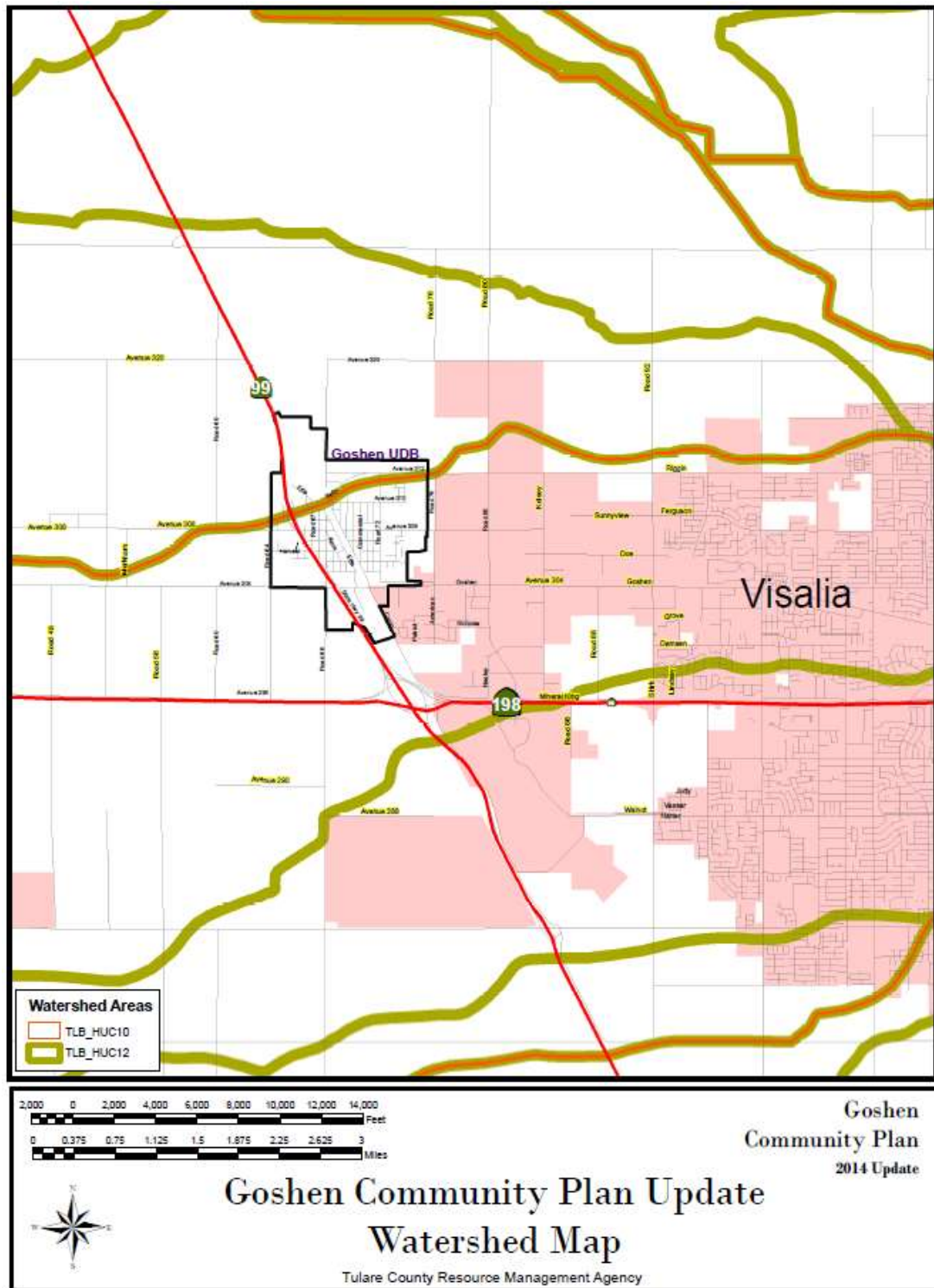
³ Ibid.

⁴ Ibid. TL-14.

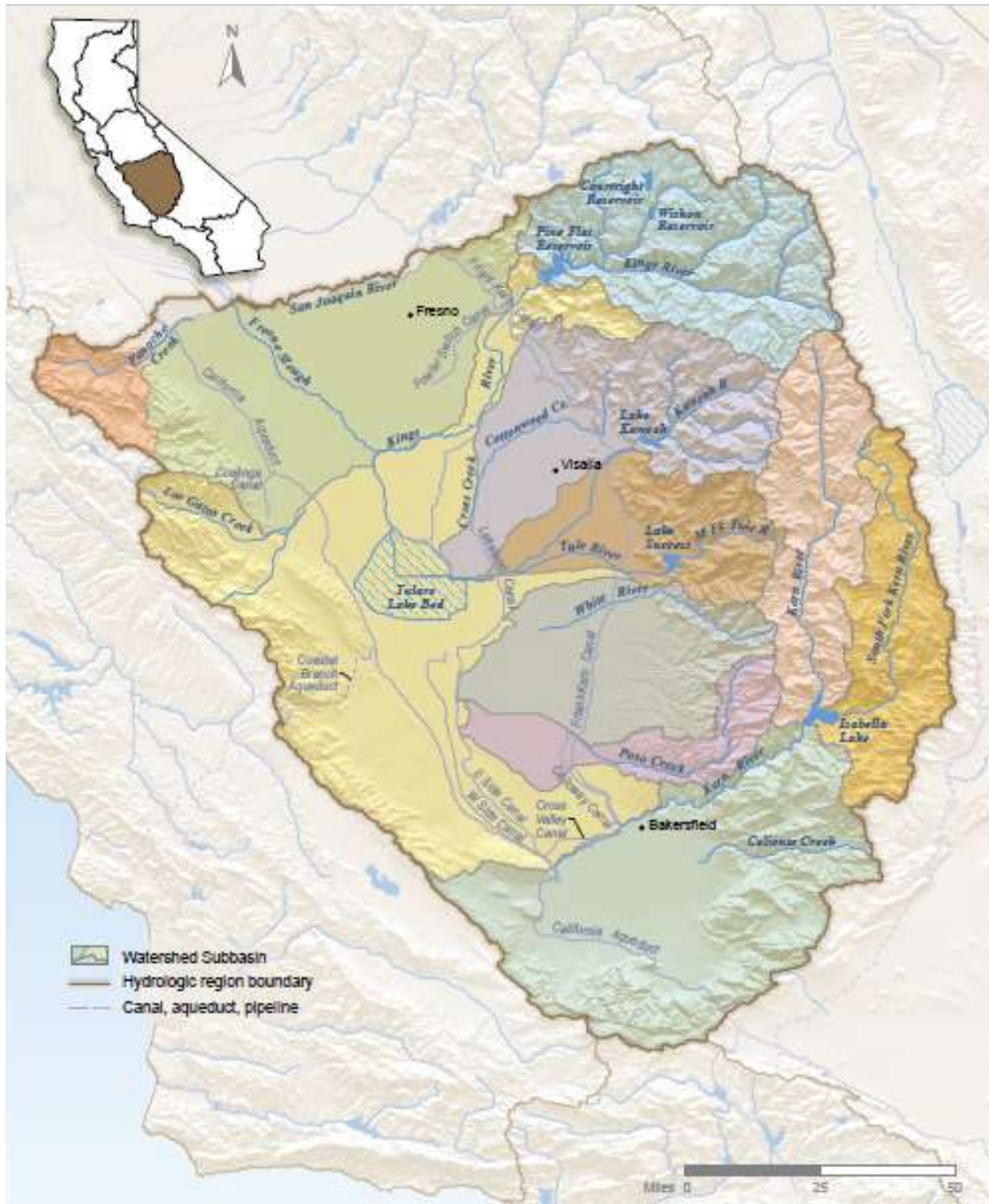
**Figure 3.9-1
Watershed Map**



Figure 3.9-2
Goshen Community Plan Watershed Map



**Figure 3.9-3
Tulare Lake Hydrologic Region Watersheds**



Watershed (Surface Water)

“The Tulare Lake region is divided into several main hydrologic subareas: the alluvial fans from the Sierra foothills and the basin subarea (in the vicinity of the Kings, Kaweah, and Tule rivers and their distributaries); the Tulare Lake bed; and the southwestern uplands. The alluvial fan/basin subarea is characterized by southwest to south flowing rivers, creeks, and irrigation canal systems that convey surface water originating from the Sierra Nevada. The dominant hydrologic features in the alluvial fan/basin subarea are the Kings, Kaweah, Tule, and Kern rivers and their major distributaries from the western flanks of the Sierra. Los Gatos Creek is the one substantial creek entering from the Coast Ranges, flowing southeast. The largest river in terms of runoff is the Kings River, which originates high in Kings Canyon National Park and generally trends southwest into Pine Flat Lake. Downstream of Pine Flat Dam, the river flows south and west toward Tulare Lake. During flood release events from Pine Flat Reservoir, the majority of the Kings River flow is diverted northwest into the Fresno Slough/James Bypass system (along the historically high-water outlet of Tulare Lake), emptying first into the Mendota Pool, and from there, into the San Joaquin River. The Kaweah River begins in Sequoia National Park, flows west and southwest, and is impounded by Terminus Dam. It subsequently spreads into many distributaries around Visalia and Tulare trending toward Tulare Lake. The Tule River begins in Sequoia National Forest and flows southwest through Lake Success toward Tulare Lake.”⁵

“Surface water from the Tulare Lake Basin only drains north into the San Joaquin River in years of extreme rainfall. This essentially closed basin is situated in the topographic horseshoe formed by the Diablo and Temblor Ranges on the west, by the San Emigdio and Tehachapi Mountains on the south, and by the Sierra Nevada Mountains on the east and southeast. The Basin encompasses approximately 10.5 million acres, of which approximately 3.25 million acres are in federal ownership. Kings Canyon and Sequoia National Parks and substantial portions of Sierra, Sequoia, Inyo, and Los Padres National Forests are included in the Basin. Valley floor lands (i.e., those having a land slope of less than 200 feet per mile) make up slightly less than one-half of the total basin land area. The maximum length and width of the Basin are about 170 miles and 140 miles, respectively. The valley floor is approximately 40 miles in width near its southern end, widening to a maximum of 90 miles near the Kaweah River.”⁶

“Urban development is generally confined to the foothill and eastern valley floor areas. Major concentrations of population occur in or near the metropolitan areas of Bakersfield, Fresno, Porterville, Hanford, Tulare, and Visalia. The Basin is one of the most important agricultural centers of the world. Industries related to agriculture, such as food processing and packaging (including canning, drying, and wine making), are prominent throughout the area. Producing and refining petroleum lead non-agricultural industries in economic importance. Surface water supplies tributary to or imported for use within the Basin are inadequate to support the present level of agricultural and other development. Therefore, ground water resources within the valley are being mined to provide additional water to supply demands. Water produced in extraction of crude oil is used extensively to supplement agricultural irrigation supply in the Kern River sub-basin.”⁷

⁵ California Department of Water Resources, *California Water Plan Update 2013, Tulare Lake Hydrologic Region*, page TL-13

⁶ Regional Water Quality Control Board, Central Valley Region. *Water Quality Control Plan for the Tulare Lake Basin* (Revised July 2016), page I-1

⁷ Ibid. I-1.01

Surface Water Quality

“Surface water quality in the Basin is generally good, with excellent quality exhibited by most eastside streams. The Regional Water Board intends to maintain this quality.”⁸ Specific objectives outlined in the Water Quality Control Plan are listed below:

- **Ammonia:** “Waters shall not contain un-ionized ammonia in amounts which adversely affect beneficial uses. In no case shall the discharge of wastes cause concentrations of un-ionized ammonia (NH₃) to exceed 0.025 mg/l (as N) in receiving waters.”⁹
- **Bacteria:** “In waters designated REC-1, the fecal coliform concentration based on a minimum of not less than five samples for any 30-day period shall not exceed a geometric mean of 200/100 ml, nor shall more than ten percent of the total number of samples taken during any 30-day period exceed 400/100 ml.”¹⁰
- **Biostimulatory Substances:** “Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.”¹¹
- **Chemical Constituents:** “Waters shall not contain chemical constituents in concentrations that adversely affect beneficial uses.”¹²
- **Color:** “Waters shall be free of discoloration that causes nuisance or adversely affects beneficial uses.”¹³
- **Dissolved Oxygen:** “Waste discharges shall not cause the monthly median dissolved oxygen concentrations (DO) in the main water mass (at centroid of flow) of streams and above the thermocline in lakes to fall below 85 percent of saturation concentration, and the 95 percentile concentration to fall below 75 percent of saturation concentration.”¹⁴
- **Floating Material:** “Waters shall not contain floating material, including but not limited to solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.”¹⁵
- **Oil and Grease:** “Waters shall not contain oils, greases, waxes, or other materials in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.”¹⁶
- **pH:** “The pH of water shall not be depressed below 6.5, raised above 8.3, or changed at any time more than 0.3 units from normal ambient pH.”¹⁷

⁸ Op. Cit. III-2.

⁹ Op.Cit. III-2.

¹⁰ Op.Cit. III-2.01.

¹¹ Op.Cit. III-2.01 to III-3.

¹² Op.Cit. III-3.

¹³ Op.Cit.

¹⁴ Op.Cit.

¹⁵ Op.Cit.

¹⁶ Op.Cit.

¹⁷ Op.Cit.

- **Pesticides:** “Waters shall not contain pesticides in concentrations that adversely affect beneficial uses. There shall be no increase in pesticide concentrations in bottom sediments or aquatic life that adversely affect beneficial uses.”¹⁸
- **Radioactivity:** “Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life or which result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.”¹⁹
- **Salinity:** “Waters shall be maintained as close to natural concentrations of dissolved matter as is reasonable considering careful use of the water resources.”²⁰
- **Sediment:** “The suspended sediment load and suspended sediment discharge rate of waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses.”²¹
- **Settle-able Material:** “Waters shall not contain substances in concentrations that result in the deposition of material that causes nuisance or adversely affects beneficial uses.”²²
- **Suspended Material:** “Waters shall not contain suspended material in concentration that cause nuisance or adversely affect beneficial uses.”²³
- **Tastes and Odors:** “Waters shall not contain taste- or odor-producing substances in concentrations that cause nuisance, adversely affect beneficial uses, or impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin or to domestic or municipal water supplies.”²⁴
- **Temperature:** “Natural temperatures of waters shall not be altered unless it can be demonstrated to the satisfaction of the Regional Water Board that such alteration in temperature does not adversely affect beneficial uses.”²⁵
- **Toxicity:** “All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life. This objective applies regardless of whether the toxicity is caused by a single substance or the interactive effect of multiple substances.”²⁶
- **Turbidity:** “Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses.”²⁷

Surface Water Supply

“Surface water supplies for the Tulare Lake Basin include developed supplies from the [Central Valley Project] CVP, the [State Water Project] SWP, rivers, and local projects. Surface water also

¹⁸ Op.Cit.

¹⁹ Op.Cit. III-4.

²⁰ Op.Cit.

²¹ Op.Cit. III-5.

²² Op.Cit.

²³ Op.Cit. III-6.

²⁴ Op.Cit.

²⁵ Op.Cit.

²⁶ Op.Cit.

²⁷ Op.Cit. III-7.

includes the supplies for required environmental flows. Required environmental flows are comprised of undeveloped supplies designated for wild and scenic rivers, supplies used for instream flow requirements, and supplies used for Bay-Delta water quality and outflow requirements. Finally, surface water includes supplies available for reapplication downstream. Urban wastewater discharges and agricultural return flows, if beneficially used downstream, are examples of reapplied surface water.”²⁸

“The California Aqueduct extends the entire length of the west side of the region, delivering water to State Water Project (SWP) and Central Valley Project (CVP) contractors and exporting water over the Tehachapi Mountains to Southern California. Along the eastern edge of the valley, the Friant-Kern Canal is used to divert San Joaquin River water from Millerton Lake for delivery to agencies extending into Kern County. All of the Tulare Lake region’s streams are diverted for irrigation or other purposes, except in the wettest years. Historically, they drained into Tulare Lake, Kern Lake, or adjacent Buena Vista Lake. The latter ultimately drained to Tulare Lake, which is about 30 feet lower in elevation.”²⁹

“The Kings, Kaweah, Tule, and Kern Rivers, which drain the west face of the Sierra Nevada Mountains, are of excellent quality and provide the bulk of the surface water supply native to the Basin. Imported surface supplies, which are also of good quality, enter the Basin through the San Luis Canal/California Aqueduct System, Friant-Kern Canal, and the Delta- Mendota Canal. Adequate control to protect the quality of these resources is essential, as imported surface water supplies contribute nearly half the increase of salts occurring within the Basin. Buena Vista Lake and Tulare Lake, natural depressions on the valley floor, receive flood water from the major rivers during times of heavy runoff. During extremely heavy runoff, flood flows in the Kings River reach the San Joaquin River as surface outflow through the Fresno Slough. These flood flows represent the only significant outflows from the Basin. Besides the main rivers, the basin also contains numerous mountain streams. These streams have been administratively divided into eastside streams and westside streams using Highway 58 from Bakersfield to Tehachapi. Streams from the Tehachapi and San Emigdio Mountains are grouped with westside streams. In contrast to eastside streams, which are fed by Sierra snowmelt and springs from granitic bedrock, westside streams derive from marine sediments and are highly mineralized, and intermittent, with sustained flows only after extended wet periods.”³⁰

Ground Water Sub Basin

“The Tulare Lake Hydrologic Region has 12 distinct groundwater basins and seven sub-basins of the San Joaquin Valley Groundwater Basin, which crosses north into the San Joaquin River Hydrologic Region.... These basins underlie approximately 5.33 million acres (8,330 square miles) or 49 percent of the entire hydrologic region. Groundwater has historically been important to both urban and agricultural uses, accounting for 41 percent of the region’s total annual supply and 35 percent of all groundwater use in the state. Groundwater use in the region represents about 10 percent of the state’s overall water supply for agricultural and urban uses.”³¹

²⁸ Tulare County General Plan 2030 Update Background Report. Page 10-7.

²⁹ Department of Water Resources, California Water Plan Update 2009, Tulare Lake. Page TL-5.

³⁰ Regional Water Quality Control Board, Central Valley Region. Water Quality Control Plan for the Tulare Lake Basin (Revised July 2016). Page I-1.01 to I-2.

³¹ California Water Plan Update 2009, Tulare Lake. Page TL-9 to TL-10.

“Water agencies in the Tulare Lake region have been practicing conjunctive use for many years to manage groundwater and assist dry year supplies. Groundwater recharge is primarily from rivers and natural streambeds, irrigation water percolating below the root zone of irrigated fields, direct recharge from developed ponding basins and water banks, and in-lieu recharge where surface water is made available in-lieu of groundwater pumping. Some water agencies accomplish recharge by directing available water into existing natural streambeds and sloughs, and others encourage application of water, when available, on farmed fields. The Deer Creek and Tule River Authority provides an example of how groundwater management activities can be coordinated with other resources. The authority, in conjunction with the US Bureau of Reclamation, has constructed more than 200 acres of recharge basins as part of its Deer Creek Recharge-Wildlife Enhancement Project. When available, the project takes surplus water during winter months and delivers it to the basins, which serve as winter habitat for migrating waterfowl, creating a significant environmental benefit. Most of the water also recharges into the underlying aquifer, thereby benefiting the local groundwater system.”³²

Groundwater Quality

Specific objectives outlined in the Water Quality Control Plan are listed below:³³

- **Bacteria:** In ground waters designated MUN, the concentration of total coliform organisms over any 7-day period shall be less than 2.2/100 ml.
- **Chemical Constituents:** Ground waters shall not contain chemical constituents in concentrations that adversely affect beneficial uses.
- **Pesticides:** No individual pesticide or combination of pesticides shall be present in concentrations that adversely affect beneficial uses.
- **Radioactivity:** Radionuclides shall not be present in ground waters in concentrations that are deleterious to human, plant, animal, or aquatic life, or that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal or aquatic life.
- **Salinity:** All ground waters shall be maintained as close to natural concentrations of dissolved matter as is reasonable considering careful use and management of water resources.
- **Tastes and Odors:** Ground waters shall not contain taste- or odor producing substances in concentrations that cause nuisance or adversely affect beneficial uses.
- **Toxicity:** Ground waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life associated with designated beneficial use(s).

According to the California Water Plan, the key ground water quality issues include the following.³⁴

- **Salinity:** Salinity is the primary contaminant affecting water quality and habitat in the Tulare Lake region. Because the groundwater basin in the San Joaquin Valley portion of

³² Ibid. Page TL-10.

³³ Water Quality Control Plan for the Tulare Lake Basin. Page III-7 to III-8.

³⁴ California Water Plan Update 2009, Tulare Lake. Page TL-22 to TL-24.

the region is an internally drained and closed basin, salts, much of which are introduced into the basin with imported water supplies, build up in the soil and groundwater. Salt contained in the imported water supply is the primary source of salt circulating in the Tulare Lake region. The California Aqueduct, Friant-Kern Canal, and to a less extent Delta Mendota Canal supply most of the higher quality surface irrigation water in the Tulare Lake region. The quality of this supply may be impaired by the recirculation of salts from the San Joaquin River to the Delta Mendota Canal intake pump, leading to a greater net accumulation of salts in the basin. Delivery data from the two major water projects in California indicate there is a substantial amount of salt being transported from the Delta to other basins throughout the state. Annual import of salt into the Tulare Lake region is estimated to be 1,206 thousand tons of salt. In situ dissolution of salts and pumping from the underlying confined aquifer are important secondary sources.

- **Sedimentation and Erosion:** In the Central Valley, erosion is occurring from the headwaters down to the valley floor. Although naturally occurring, erosion can be accelerated by timber harvest activities, land use conversion, rural development, and grazing. Excessive soil erosion and sediment delivery can impact the beneficial uses of water by (1) silting over fish spawning habitats; (2) clogging drinking water intakes; (3) filling in pools creating shallower, wider, and warmer streams and increasing downstream flooding; (4) creating unstable stream channels; and (5) losing riparian habitat. Timber harvesting in the riparian zone can adversely affect stream temperatures by removing stream shading, a concern for spawning and rearing habitat for salmonids. Thousands of miles of streams are potentially impacted, and the lack of resources has prevented a systematic evaluation of these impacts.
- **Nitrates and Groundwater Contaminates:** Groundwater is a primary water supply, but in many places it is impaired or threatened because of elevated levels of nitrates and salts that are derived principally from irrigated agriculture, dairies, discharges of wastewater to land, and from disposal of sewage from both community wastewater systems and septic tanks. As population has grown, many cities have struggled to fund improvements in wastewater systems. High TDS content of west-side water is due to recharge of streamflow originating from marine sediments in the Coast Range.

Naturally occurring arsenic and human-made organic chemicals—pesticides and industrial chemicals—in some instances have contaminated groundwater that is used as domestic water supplies in this region. In some cases, nitrates are from natural sources. Agricultural pesticides and herbicides have been detected throughout the Central Valley, but primarily along the east side where soil permeability is higher and depth to groundwater is shallower. The most notable agricultural contaminant is DBCP, a now-banned soil fumigant and known carcinogen once used extensively on grapes.

Groundwater Supply

“Surface water supplies tributary to or imported for use within the Basin are inadequate to support the present level of agricultural and other development. Therefore, ground water resources within

the valley are being mined to provide additional water to supply demands.”³⁵

“Tulare Lake region’s groundwater use rises and falls contingent on the availability of both local and imported surface supplies. The management of water resources within this region is a complex activity and critical to the region’s agricultural operations. Local annual surface supplies are determined by the amount of runoff from the Sierra Nevada watersheds, the flows captured in local reservoirs, and carryover storage over a series of years. Imported surface supply availability is contingent not only on runoff in any year or series of years but also by regulations determining the amount of water that can be pumped month to month from the Sacramento-San Joaquin River Delta due to fishery and other concerns. The recent San Joaquin River settlement will reduce the overall volume of water available for diversion into the Friant-Kern Canal. The new biological opinion on the Operating Criteria and Plan (OCAP) for the SWP and CVP will impact surface water supplies to south-of-Delta water users.”³⁶

“Groundwater in Tulare County occurs in an unconfined state throughout, and in a confined state beneath its western portion. Extensive alluvial fans associated with the Kings, Kaweah, and Tule Rivers provide highly permeable areas in which groundwater in the unconfined aquifer system is readily replenished. Interfan areas between the streams contain less permeable surface soils and subsurface deposits, impeding groundwater recharge and causing well yields to be relatively low. The mineral quality of groundwater in Tulare County is generally satisfactory for all uses.”³⁷
“Groundwater recharge is primarily from natural streams, other water added to streambeds, from deep percolation of applied irrigation water, and from impoundment of surface water in developed water bank/percolation ponds.”³⁸

“The Tulare Lake region has experienced water-short conditions for more than 100 years, which has resulted in a water industry that has consciously developed—through careful planning, management and facility design—the possibility of a shortage occurring in any year. Water demand is more or less controlled by available, reliable long-term water supplies. Over the years, agricultural acreage has risen and dropped largely based on water supplies. The region initially developed with surface water supplies; but local water users learned these supplies could widely vary in volume from year to year and drought conditions could quickly develop. The introduction of deep well turbines resulted in a dramatic rise in groundwater use in the early 1900s, subsequently resulting in dropping groundwater levels and land subsidence. Surface water storage and conveyance systems built to alleviate the overuse of groundwater provided an impounded supply of water that could be used during years with deficient surface water. This resulted in a regional reliance on conjunctive water use in the development of the local water economy. Efforts to address Delta environmental issues and the subsequent loss of surface water to the region is increasing groundwater use and creating concern that additional pumping will increase subsidence.”³⁹

³⁵ Water Quality Control Plan for the Tulare Lake Basin. Page I-1.

³⁶ California Water Plan Update 2009, Tulare Lake. Page TL-15 to TL-17.

³⁷ General Plan Background Report. Page 10-11.

³⁸ California Water Plan Update 2009, Tulare Lake. Page TL-17.

³⁹ Ibid. Page TL-19.

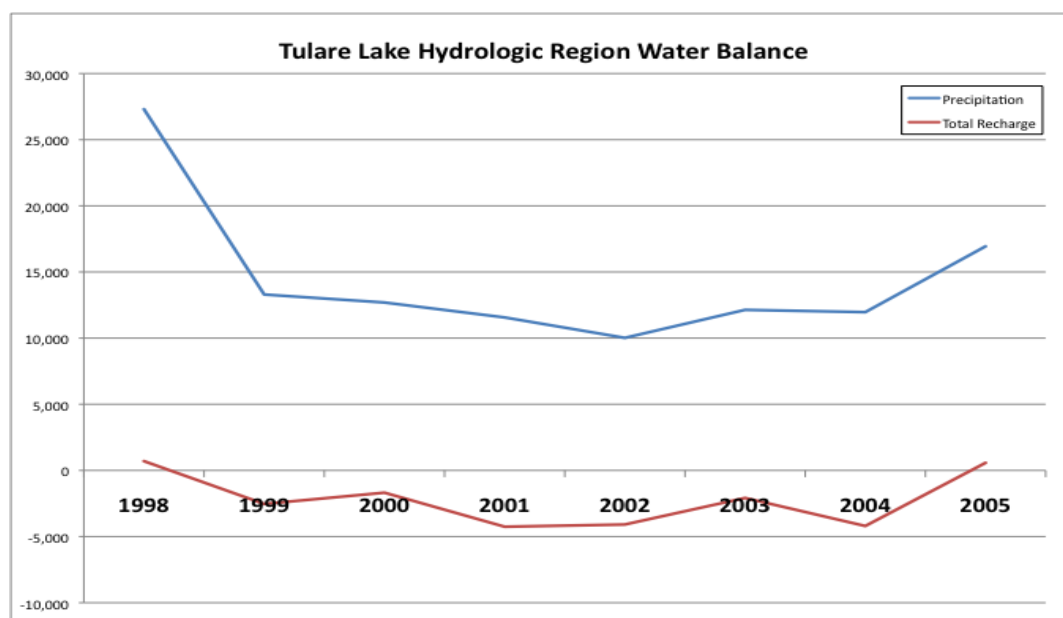
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“Groundwater overdraft is expected to decline statewide by 2020. The reduction in irrigated acreage in drainage problem areas on the west side of the San Joaquin Valley is expected to reduce groundwater demands in the Tulare Lake region by 2020.”⁴⁰ **Table 3.9-1** and **Figure 3.9-4** show the water balance between 1998-2005 in the Tulare Lake Region.

Table 3.9-1 Tulare Lake Hydrologic Water Balance for 1998-2005 (thousand acre-feet)								
Tulare Lake Region	Water Year							
	1998	1999	2000	2001	2002	2003	2004	2005
Water Entering the Region								
Precipitation	27,306	13,298	12,693	11,564	10,021	12,137	11,964	16,939
Inflow from Oregon/Mexico	0	0	0	0	0	0	0	0
Inflow from Colorado River	0	0	0	0	0	0	0	0
Imports from Other Regions	3,716	4,817	5,627	3,696	4,239	5,174	4,816	5,909
Total	31,022	18,115	18,320	15,260	14,260	17,311	16,780	22,848
Water Leaving the Region								
Consumptive Use of Applied Water	5,401	7,486	7,427	7,591	7,938	7,430	8,031	6,655
Outflow to Oregon/Nevado/Mexico	0	0	0	0	0	0	0	0
Exports to Other Regions	1,857	821	1,540	1,093	1,643	1,898	1,961	1,724
Statutory Required Outflow to Salt Sink	0	0	0	0	0	0	0	0
Additional Outflow to Salt Sink	457	456	457	458	305	458	457	300
Evaporation, Evapotranspiration of Native Vegetation, Groundwater Subsurface Outflows, Natural and Incidental Runoff, Ag Effective Precipitation & Other Outflows	22,606	11,885	10,578	10,374	8,462	10,327	10,532	13,596
Total	30,321	20,648	20,002	19,516	18,348	20,113	20,981	22,274
Storage Changes in Region: [+] Water added to storage, [-] Water removed from storage								
Change in Surface Reservoir Storage	438	-595	-57	-141	-161	173	-199	680
Change in Groundwater Storage	263	-1,938	-1,625	-4,115	-3,927	-2,975	-4,002	-106
Total	701	-2,533	-1,682	-4,256	-4,088	-2,802	-4,201	574

Source: California Water Plan Update 2009, Tulare Lake, Department of Water Resources (This table does not include dairy usage)

**Figure 3.9-4
Water Balance**



⁴⁰ General Plan Background Report, page 10-11

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“Groundwater overdraft is expected to decline statewide by 2020. The reduction in irrigated acreage in drainage problem areas on the west side of the San Joaquin Valley is expected to reduce groundwater demands in the Tulare Lake region by 2020.”⁴¹ According to the 2009 California Water Plan Update, it is anticipated that there will be a 550,000 acre-feet reduction in the water demand in the Tulare Lake Hydrologic Area under Current Growth trends. Slow & Strategic Growth may further decrease water demand, while Expansive Growth may increase water demand.

“There are 19 entities in Tulare County with active programs of groundwater management. These management programs include nearly all types of direct recharge of surface water. Groundwater recovery is accomplished primarily through privately owned wells. Among the larger programs of groundwater management are those administered by the Kaweah Delta Water Conservation District, the Kings River Water Conservation District, the Tulare Irrigation District, the Lower Tule Water Users Association, and the Alta Irrigation District, utilizing water from the Friant-Kern Canal and local streams. The Kings River Water Conservation District covers the western county.”⁴² See table of irrigation districts located in Tulare County below:

Table 3.9-2 Irrigation Districts in Tulare County			
Entity	Surface Water	Imported Water Source	Groundwater Extraction
Alpaugh Irrigation District	NA	Friant-Kern Canal (1,000af average)	19,000 af
Alta Irrigation District	King River	Friant-Kern Canal (surplus)	230,000 af
Delano-Earlimart Irrigation District	NA	Friant-Kern Canal (146,050 af average)	8,000 af
Exeter Irrigation District	NA	Friant-Kern Canal (1,000 af average)	14,000 af
Hills Valley Irrigation District	NA	Cross Valley Canal (2,000 af average)	1,000 af
Ivanhoe Irrigation District	Kaweah River	Friant-Kern Canal (11,650 af average)	15,000 af
Kaweah Delta Water Cons. District	Kaweah River	Friant-Kern Canal (24,000 af average)	130,000 af
Kern-Tulare Water District	Kern River	Cross Valley Canal (41,000 af average)	33,000 af
Lindmore Irrigation District	NA	Friant-Kern Canal (44,000 af average)	28,000 af
Lower Tulare River Irrigation Dist.	Tule River	Friant-Kern Canal (180,200 af average) Cross Valley Canal (31,000 af average)	NA
Lindsay-Strathmore Irrigation District	NA	Friant-Kern Canal (24,150 af average)	NA
Orange Cove Irrigation District	NA	Friant-Kern Canal (39,200 af average)	30,000 af
Pioneer Water Irrigation District	Tule River		3,000 af
Pixley Irrigation District	NA	Friant-Kern Canal (1,700 af average) Cross Valley Canal (31,000 af average)	130,000 af
Porterville Irrigation District	Tule River	Friant-Kern Canal (31,000 af average)	15,000 af
Rag Gulch Water District	Kern River	Friant-Kern Canal (3,700 af average) Cross Valley Canal (13,300 af average)	
Saucelito Irrigation District	Tule River	Friant-Kern Canal (37,600 af average)	15,000 af
Stone Corral Irrigation District	NA	Friant-Kern Canal (10,000 af average)	5,000 af
Teapot Dome Irrigation District	NA	Friant-Kern Canal (5,600 af average)	
Terra Bella Irrigation District	NA	Friant-Kern Canal (29,000 af average)	2,000 af
Tulare Irrigation District	Kaweah River	Friant-Kern Canal (100,500 af average)	65,000 af
Source: Bookman-Edmonston Engineering Inc. Water Resources Management in the Southern San Joaquin Valley, Table A-1.			

⁴¹ General Plan Background Report. Page 10-11.

⁴² Ibid. 10-12.

“The Tulare County Resource Management Agency maintains a list of special districts that provide sewer and/or water service that cannot currently meet the demand of new development projects. The list provided by Tulare County RMA (last updated April 30, 2007) indicates that following water and/or sewer districts are either under a temporary cease and desist order by the Regional Water Control Board prohibiting any new connections, or have other limitations for water and sewer connections:

- Alpaugh Joint Powers Authority Water District;
- Cutler Public Utility District;
- Delft Colony Zone of Benefit (County RMA);
- Earlimart Public Utility District;
- El Rancho Zone of Benefit (County RMA);
- Orosi Public Utility District;
- Pixley Public Utility District;
- Pratt Mutual Water Company;
- Richgrove Public Utility District;
- Seville Zone of Benefit (County RMA);
- Seville Water Company;
- Springville Public Utility District;
- Tooleville Zone of Benefit (County RMA);
- Traver Zone of Benefit (County RMA); and
- Wells Tract Zone of Benefit (County RMA).”⁴³

“In order to determine if a local utility district will be able to serve a proposed development project, a “Will Serve Letter” is required to be submitted with the building permit application. This requirement establishes whether or not a permit can proceed early in the application process and avoid application denials several weeks into the permit approval process.”⁴⁴

Much of the County’s land is rural in nature and requires the use of private wells. If a project utilizes water from an existing irrigation district, then the affected irrigation district is responsible for determining if the proposed Project could potentially create a significant impact related to water supply. An example of a potential impact could involve a need for a significant increase in the service levels of an irrigation district.

Goshen Community Information

“The following discusses the Community of Goshen’s recorded water usage, assumed current water usage, projected water usage and current water quality issues.

Information for the community of Goshen is somewhat limited because water service is provided by the PUC-regulated California Water Services Company (Cal Water), a private corporation, which has not been willing to disclose specific water use and quality information for this report. Certain water quality information is in the public domain in the form of Consumer Confidence Reports, and the company did release annual water use totals for Goshen but not for West Goshen.

⁴³ General Plan Background Report. Page 7-33.

⁴⁴ Ibid. Page 7-34.

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From that information and using information from other communities as guideline, monthly and future water use for the community has been calculated.

Cal Water states that they have 1,021 water services in Goshen, and another 80 or so residential services in West Goshen for a total of 1,101 services. Of the Goshen services, approximately 95% (or 970) are residential while the others (51) are small businesses, either commercial or industrial land uses. Applying the County's standard household formation rate of 3.1 persons per household (pph) to the 1050 residential services in both Goshen and West Goshen combined implies a population of 3,255 in the current year.

Assuming the current 3.1 pph remains constant, and using the 2010 General Plan Background Report population growth rate of 1.3% annually to project to 2030, Goshen (including West Goshen) could reach 4,613 persons in Year 2030, an increase of 1,358 persons (42%) from 2013. This population would imply a need for a total of 1,318 residential services at that time.

Recorded Water Usage

Cal Water supplied P&P with total water usage data for Goshen for only the year 2013. No monthly data nor water use data for West Goshen was supplied. As a result, data from nearby Traver was used to estimate monthly demands and peak flows for Goshen. In order to estimate Goshen's current water demand and create future projections, a monthly demand curve was estimated using the shape of the demand curve observed in Traver, and overall water use was pro-rated up to include the 80 additional residences in West Goshen. Since no peaking factors for Goshen are available, peaking factors observed in the community of Traver were used to produce the following table.⁴⁵ (See Appendix "G", Goshen Water Usage Memo).

Table 3.9-3				
Goshen Current Water Demand				
Estimated Current Goshen/West Goshen Water Usage And Demand - 2013				
Year	Lowest Month (MG)	Highest Month (MG)	Peaking Factor Low to High	Yearly Total (MG)
2013	7.38	43.12	5.85	253.2

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.”⁴⁶

⁴⁵ Goshen Water Usage Memo. Page 2.

⁴⁶ General Plan Background Report. Page 7-33.

“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.”⁴⁷

“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.”⁴⁸

“The flood carrying capacity in rivers and streams has decreased as trees, vegetation, and structures (e.g., bridges, trestles, buildings) have increased along the Kaweah, Kings, and Tule Rivers. Unsecured and uprooted material can be carried down a river, clogging channels and piling up against trestles and bridge abutments that can, in turn, give way or collapse, increasing blockage and flooding potential. Flooding can force waters out of the river channel and above its ordinary floodplain. Confined floodplains can result in significantly higher water elevations and higher flow rates during high runoff and flood events.”⁴⁹

“Dam failure can result from numerous natural or human activities, such as earthquakes, erosion, improper siting, rapidly rising flood waters, and structural and design flaws. Flooding due to dam failure can cause loss of life, damage to property, and other ensuing hazards. Damage to electric-generating facilities and transmission lines associated with hydro-electric dams could also affect life support systems in communities outside the immediate hazard area.”⁵⁰

Storm Drainage

The entire County of Tulare is under the jurisdiction of the Tulare County Flood Control District which has the authority to address local drainage, flooding, and related issues. According to the Tulare County General Plan Update, localized drainage issues do occur throughout the County but they are generally in proximity to floodplains. Two (2) levees are constructed Goshen; however, the Goshen Community Plan Area is not located within the levee districts.

Most of the storm drainage is directed via surface flow. There are a number of inlets and pipes on either side of the railroad that carry runoff to the drainage basin nick-named the “Goshen Ocean” (APN 073-160-001) by locals. The area west of SR 99 has very little drainage improvements.

REGULATORY SETTING

Federal Agencies & Regulations

Clean Water Act/NPDES

⁴⁷ California Water Plan Update 2009, Tulare Lake, page TL-28 to TL-29

⁴⁸ Ibid., page 8-14

⁴⁹ General Plan Background Report, page 8-14

⁵⁰ Ibid., page 8-17

“The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was significantly reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972... Under the CWA, EPA has implemented pollution control programs such as setting wastewater standards for industry. We have also set water quality standards for all contaminants in surface waters... The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.”⁵¹

Safe Drinking Water Act

“The Safe Drinking Water Act (SDWA) is the main federal law that ensures the quality of Americans' drinking water. Under SDWA, EPA sets standards for drinking water quality and oversees the states, localities, and water suppliers who implement those standards... SDWA was originally passed by Congress in 1974 to protect public health by regulating the nation's public drinking water supply. The law was amended in 1986 and 1996 and requires many actions to protect drinking water and its sources: rivers, lakes, reservoirs, springs, and ground water wells. (SDWA does not regulate private wells which serve fewer than 25 individuals.)”⁵²

Environmental Protection Agency

The mission of EPA is to protect human health and the environment.

EPA's purpose is to ensure that:

- all Americans are protected from significant risks to human health and the environment where they live, learn and work;
- national efforts to reduce environmental risk are based on the best available scientific information;
- federal laws protecting human health and the environment are enforced fairly and effectively;
- environmental protection is an integral consideration in U.S. policies concerning natural resources, human health, economic growth, energy, transportation, agriculture, industry, and international trade, and these factors are similarly considered in establishing environmental policy;
- all parts of society -- communities, individuals, businesses, and state, local and tribal governments -- have access to accurate information sufficient to effectively participate in managing human health and environmental risks;
- environmental protection contributes to making our communities and ecosystems diverse,

⁵¹ EPA summary of the Clean Water Act – <http://www.epa.gov/lawsregs/laws/cwa.html>

⁵² EPA summary of the Safe Drinking Water Act – <http://water.epa.gov/lawsregs/rulesregs/sdwa/index.cfm>

- sustainable and economically productive; and
- the United States plays a leadership role in working with other nations to protect the global environment.”⁵³

United States Army Corps of Engineers

“The Department of the Army Regulatory Program is one of the oldest in the Federal Government. Initially it served a fairly simple, straightforward purpose: to protect and maintain the navigable capacity of the nation's waters. Time, changing public needs, evolving policy, case law, and new statutory mandates have changed the complexion of the program, adding to its breadth, complexity, and authority.

The Regulatory Program is committed to protecting the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions. The Corps evaluates permit applications for essentially all construction activities that occur in the Nation's waters, including wetlands.”⁵⁴

National Flood Insurance Program

“In 1968, Congress created the National Flood Insurance Program (NFIP) to help provide a means for property owners to financially protect themselves. The NFIP offers flood insurance to homeowners, renters, and business owners if their community participates in the NFIP. Participating communities agree to adopt and enforce ordinances that meet or exceed FEMA requirements to reduce the risk of flooding.”⁵⁵

State Agencies & Regulations

The Porter-Cologne Water Quality Control Act

“Under the Porter-Cologne Water Quality Control Act (Porter-Cologne), the State Water Resources Control Board (State Board) has the ultimate authority over State water rights and water quality policy. However, Porter-Cologne also establishes nine Regional Water Quality Control Boards (Regional Boards) to oversee water quality on a day-to-day basis at the local/regional level.”⁵⁶

State Water Quality Control Board

“The State Water Resources Control Board (State Water Board) was created by the Legislature in 1967. The joint authority of water allocation and water quality protection enables the State Water Board to provide comprehensive protection for California's waters. The State Water Board consists of five full-time salaried members, each filling a different specialty position. Board

⁵³ EPA Website, <http://www.epa.gov/aboutepa/whatwedo.html>

⁵⁴ Army Corps of Engineers <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx>

⁵⁵ Flood Insurance Program Summary: http://www.floodsmart.gov/floodsmart/pages/about/nfip_overview.jsp

⁵⁶ Porter-Cologne Water Quality Control Act Summary, http://ceres.ca.gov/wetlands/permitting/Porter_summary.html

members are appointed to four-year terms by the Governor and confirmed by the Senate.”⁵⁷

California Department of Water Resources⁵⁸

This Department’s primary mission is to manage the water resources of California in cooperation with other agencies, to benefit the State’s people, and to protect, restore, and enhance the natural and human environments. Other goals include:

- Goal 1 - Develop and assess strategies for managing the State’s water resources, including development of the California Water Plan Update.
- Goal 2 - Plan, design, construct, operate, and maintain the State Water Project to achieve maximum flexibility, safety, and reliability.
- Goal 3 - Protect and improve the water resources and dependent ecosystems of statewide significance, including the Sacramento-San Joaquin Bay-Delta Estuary.
- Goal 4 - Protect lives and infrastructure as they relate to dams, floods, droughts, watersheds impacted by fire and disasters, and assist in other emergencies.
- Goal 5 - Provide policy direction and legislative guidance on water and energy issues and educate the public on the importance, hazards, and efficient use of water.
- Goal 6 - Support local planning and integrated regional water management through technical and financial assistance.
- Goal 7 - Perform efficiently all statutory, legal, and fiduciary responsibilities regarding management of State long-term power contracts and servicing of power revenue bonds.
- Goal 8 - Provide professional, cost-effective, and timely services in support of DWR’s programs, consistent with governmental regulatory and policy requirements.

Regional Water Quality Control Board

“There are nine Regional Water Quality Control Boards (Regional Boards). The mission of the Regional Boards is to develop and enforce water quality objectives and implementation plans that will best protect the State’s waters, recognizing local differences in climate, topography, geology and hydrology. Each Regional Board has seven part-time members appointed by the Governor and confirmed by the Senate. Regional Boards develop “basin plans” for their hydrologic areas, issue waste discharge requirements, take enforcement action against violators, and monitor water quality.”⁵⁹

“The primary duty of the Regional Board is to protect the quality of the waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality plans for specific ground or surface water basins and by prescribing and enforcing requirements on all agricultural, domestic and industrial waste discharges. Specific responsibilities and procedures of the Regional Boards and the State Water Resources Control Board are contained in the Porter-Cologne Water Quality Control Act.”⁶⁰

Local Policy & Regulations

⁵⁷ State Water Board Website, http://www.waterboards.ca.gov/about_us/water_boards_structure/mission.shtml

⁵⁸ California Department of Water Resources website, <http://www.water.ca.gov/about/mission.cfm>

⁵⁹ State Water Board Website, http://www.waterboards.ca.gov/about_us/water_boards_structure/mission.shtml

⁶⁰ Central Valley Water Quality Control Board, http://www.swrcb.ca.gov/centralvalley/about_us/

Lower Tule River & Pixley Irrigation Districts

“As one of the largest irrigation districts in the State of California, the Lower Tule River Irrigation District (LTRID) supplies supplemental water for district-wide crop irrigation to 104,000 acres in the Valley – 30,000 being permanent plantings.

Both districts have been [i]n operation for more than 50 years[.] [These two irrigation districts strive] to provide an affordable and reliable water supply for many more years to come, dedicated to service and excellence in water resource management.”⁶¹

Tulare County Environmental Health Services

“The Environmental Health Services Division regulates retail food sales and hazardous waste storage and disposal; inspects contaminated sites and monitors public water systems, which protects and reduces the degradation of groundwater. The Division regulates the production and shipping of milk for Tulare and Kings Counties and also serves as staff to the Tulare County Water Commission appointed by the Board of Supervisors. The goal of HHSA's Environmental Health division is to protect Tulare County's residents and visitors by ensuring that our environment is kept clean and healthy.”⁶² This division requires water quality testing of public water systems.

Any project that involves septic tanks and water wells within Tulare County is subject to approval by this agency. All recommendations provided by this division will be added as mitigation measures to ensure reduction of environmental impacts.

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.

PF-4.14 Compatible Project Design - The County may ensure proposed development within CACUABs is compatible with future sewer and water systems, and circulation networks as shown in city plans.

AG-1.17 Agricultural Water Resources - The County shall seek to protect and enhance surface water and groundwater resources critical to agriculture.

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.

⁶¹ <http://www.ltrid.org/>

⁶² Tulare County Environmental Health Division, <http://www.tularehhsa.org/index.cfm/public-health/environmental-health/>

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 to 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-5.4 Multi-Purpose Flood Control Measures

The County shall encourage multipurpose flood control projects that incorporate recreation, resource conservation, preservation of natural riparian habitat, and scenic values of the County's streams, creeks, and lakes. Where appropriate, the County shall also encourage the use of flood and/or stormwater retention facilities for use as groundwater recharge facilities.

HS-5.6 Impacts to Downstream Properties - The County shall ensure that new County flood control projects will not adversely impact downstream properties or contribute to flooding hazards.

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 project involving further channeling, straightening, or lining of waterways until alternative multipurpose modes of treatment, such as wider berm 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.

WR-1.1 Groundwater Withdrawal

The County shall cooperate with water agencies and management agencies during land development processes to help promote an adequate, safe, and economically viable groundwater supply for existing and future development within the County. These actions shall be intended to help the County mitigate the potential impact on ground water resources identified during planning and approval processes.

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-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.

WR-2.4 Construction Site Sediment Control

The County shall continue to enforce provisions to control erosion and sediment from construction sites.

WR-2.5 Major Drainage Management

The County shall continue to promote protection of each individual drainage basin within the County based on the basins unique hydrologic and use characteristics.

WR-2.6 Degraded Water Resources

The County shall encourage and support the identification of degraded surface water and groundwater resources and promote restoration where appropriate.

WR-2.8 Point Source Control

The County shall work with the Regional Water Quality Control Board to ensure that all point source pollutants are adequately mitigated (as part of the California Environmental Quality Act review and project approval process) and monitored to ensure long-term compliance.

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.

WR-3.5 Use of Native and Drought Tolerant Landscaping

The County shall encourage the use of low water consuming, drought-tolerant and native landscaping and emphasize the importance of utilizing water conserving techniques, such as night watering, mulching, and drip irrigation.

WR-3.6 Water Use Efficiency

The County shall support educational programs targeted at reducing water consumption and enhancing groundwater recharge.

WR-3.10 Diversion of Surface Water

Diversions of surface water or runoff from precipitation should be prevented where such diversions may cause a reduction in water available for groundwater recharge.

IMPACT EVALUATION

Would the project:

a) Violate any water quality standards or waste discharge requirements?

Project Impact Analysis: ***Less than Significant Impact with Mitigation***

Project-specific impacts related this Checklist item will be reduced to a ***Less Than Significant*** level with mitigation.

Cumulative Impact Analysis: ***Less than Significant Impact***

The geographic area of this cumulative analysis is the Tulare Lake Basin. This cumulative analysis is based on information provided in the Water Quality Control Plan for the Tulare Lake Basin and the requirements of Tulare County Environmental Health.

The proposed Project (as mitigated), will be required to comply with the all requirements of the California Regional Water Quality Control Board, Central Valley and the Tulare County Environmental Health Division. In addition, Project-specific impacts will be mitigated to a ***Less Than Significant*** level. Therefore, the proposed Project will results in ***Less Than Significant Cumulative Impacts*** related to this Checklist Item.

Mitigation Measure(s):

9-1 Install water meters and adopt a use-weighted rate schedule to encourage reduced usage by the rate-payers.

Conclusion:

Less Than Significant Impact With Mitigation

With implementation of the earlier mentioned mitigation measures, potential Project-specific related to this Checklist item will be reduced to a ***Less Than Significant*** level. Cumulative impacts related to this Checklist item will be ***Less Than Significant***.

- b) 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 (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

Project Impact Analysis:

Less Than Significant Impact With Mitigation

As indicated by a Memorandum prepared by Mr. David McGlasson and Mr. Jan Bowen consultants for Provost & Pritchard (See Appendix “G”)

The Goshen Community Plan will be utilizing California Water Company Systems (that is the equivalent to or greater than 500 dwelling units, or approximately 175,000 gallons per day) (See California Water Code Section 10912). The Water for the County was studied in the Tulare County General Plan and does meet the requirement of SB 610/ SB 220 (2001) Water Supply Assessment under California Water Code Section 10912 or Section 10910.

The existing baseline annual usage of water for this site based on Goshen Community’s 1,101 connections used 253.2 million gallons of water in 2013, or about 229,000 gallons per year per connection. This is approximately 0.70 AF/year, which is modest usage in the Central Valley. Projecting this usage to the future 1,318 connection results in a projected annual water demand of $(1,318 \times 229,000 = 301,822,000 \text{ gallons})$ in 2030. See Table 3.9-4

**Table 3.9-4
Goshen Projected Water Usage**

Goshen/West Goshen Projected Water Usage - 2030				
	Year	Growth Rate (%)	Usage Increase (Million Gal)	Total Usage (Million Gal)
	2013	-	-	253.2
1	2014	1.30%	3.29	256.5
2	2015	1.30%	3.33	259.8
3	2016	1.30%	3.38	263.2
4	2017	1.30%	3.42	266.6
5	2018	1.30%	3.47	270.1
6	2019	1.30%	3.51	273.6
7	2020	1.30%	3.56	277.2
8	2021	1.30%	3.60	280.8
9	2022	1.30%	3.65	284.4
10	2023	1.30%	3.70	288.1
11	2024	1.30%	3.75	291.9
12	2025	1.30%	3.79	295.6
13	2026	1.30%	3.84	299.5
14	2027	1.30%	3.89	303.4
15	2028	1.30%	3.94	307.3
16	2029	1.30%	4.00	311.3
17	2030	1.30%	4.05	315.4

System Infrastructure Capacity

Cal Water was not willing to release information with respect to current water production, treatment, storage and distribution facilities, so no evaluation of remaining service live or future capital needs can be made. Cal Water is subject to regulation of all these subjects by the P.U.C., and is responsible to create and seek out funding to implement the necessary operations, maintenance and capital facilities plan.

The immediate impact to groundwater will not substantially impact the immediate groundwater resource. Over time, this amount will be recaptured and the amount of water generated from rainfall for the Study Area will be greater than the amount of water used. However, the projected growth rate suggests that there may be impacts that may exceed the recapture rate in extreme conditions. These impacts will be significant in that the purveyor may not be able to supply adequate water in those severe drought conditions based on projected growth rates. Therefore, the Project will require mitigation measures related to conservation. Project-specific impacts related to this Checklist item will be ***Less Than Significant with Mitigation***.

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

The geographic area of this cumulative analysis is the Tulare Lake Basin. This cumulative analysis is based on information provided in the Water Quality Control Plan for the Tulare Lake Basin and the requirements of Tulare County Environmental Health.

As such, ***Less Than Significant Cumulative Impacts With Mitigation*** related to this Checklist Item will occur.

Mitigation Measure(s):

The following are mitigation measures that are seen as feasible in Goshen and could allow the impact to be reduced to less than significance. Each of these is currently in use in one or more California communities. The first five of these measures could reduce per-unit water consumption by 25-30 percent. The sixth measure would have to be designed to offset the balance of the increased use. If the County or the community water purveyor were to put an agreement like that in place, it would reduce groundwater impacts to less than significance.

- 9-1 See Mitigation Measure 9-1, a) above**
- 9-2 Retrofit homes with water-efficient faucets, showers and toilets.**
- 9-3 Limit permissible landscape area for each residence to 2,500 square feet or less.**
- 9-4 Adopt limited outdoor watering days and hours (now in force statewide, as of August 1, 2014, by order of the Department of Water Resources).**
- 9-5 Mandate use of native and drought-tolerant species for all landscaping.**
- 9-6 Acquire a new surface water supply that could be shown to benefit the basin and offset the pumping that comes with growth.**

Conclusion: ***Less Than Significant Impact With Mitigation***

The proposed Project will result in ***Less Than Significant Project-specific and Cumulative Impacts With Mitigation Measures*** 9-1 through 9-6 related to this Checklist Item.

- c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?**

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

The proposed Project does not include any projects which would alter any land. The proposed Project does not include any project that would add a significant amount of impervious areas that would cause significant impacts related to drainage. As development occurs within the proposed Project area, each will be evaluated to determine if it is necessary to implement a Stormwater Pollution Prevention Plan (SWPPP) as part of their National Pollutant Discharge Elimination System (NPDES) permit if one acre or more. This SWPPP will ensure that potential construction erosion and siltation will not affect offsite drainages. This will inhibit any erosion or siltation from occurring onsite or offsite. As such, Project-specific impacts related to this Checklist item will be ***Less Than Significant***.

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

The geographic area of this cumulative analysis is Tulare County. Alteration of a stream or river will be subject to the regulations of the U.S. Army Corps of Engineers and the California Department of Fish and Wildlife.

As the drainage plan will adequately address potential stormwater impacts, ***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 and Cumulative Impacts*** related to this Checklist Item will occur.

- d) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

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

FIRM Flood Hazard Map designation: The subject site is located within Flood Zone AE. Elevation certificate and associated flood hazard mitigation measure will be required on all buildings and mechanical equipment within Flood Zone AE.

Source: Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Community Number 065066, Panel No. 918, dated June 16, 2009.

Therefore, Project-specific impacts related to this Checklist Item will be ***Less Than Significant***.

Cumulative Impact Analysis: ***No Impact***

The geographic area of this cumulative analysis is Tulare County. Alteration of a stream or river will be subject to the regulations of the U.S. Army Corps of Engineers and the California Department of Fish and Wildlife.

The proposed Project will not affect any streams or rivers as none exist on the Project site. ***No 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 Impacts*** related to this Checklist Item will occur. ***No Cumulative Impacts*** related to this Checklist Item will occur.

e) 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?

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

Individual Project's will retain stormwater runoff in a retention basin subject to review by the CSD and the County; therefore, Project-specific impacts related to this Checklist item are considered ***Less Than Significant***.

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 such, ***No 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 Impacts*** related to this Checklist item will occur. ***Less Than Significant cumulative*** impacts related to this Checklist Item will occur.

f) Otherwise substantially degrade water quality?

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

Proposed future development will be subject **System Water Quality**

With respect to Environmental Health regulations and oversight in regards to individual wells and community wells are subject to Cal. Department of Health oversight. Cal water and CSD are regulated by the CVRWQCB who oversee the Goshen Water Utility for 2014, the most recent year available, reports that no contaminant was measured at a level exceeding the Maximum Contaminant Level (MCL) established by the State Water Resources Control Board, Division of Drinking Water (DDW). In fact, no contaminant measured exceeded even 25% of the relevant MCL. There are no apparent water quality issues within this community.

Tri-Chloro Propane

The utility did not test for the presence of 1,2,3-trichloro Propane (TCP), which is at this time an unregulated contaminant for which the Department of Drinking Water has set a Public Health Goal of 0.0007 ppb and a Notification Level of 0.005 ppb, and intends to set an MCL in 2015. Until such time as DDW sets an MCL for TCP, there is no requirement for any action. Once that regulation of sewer and storm drainage, and therefore, all future development will require will serve or CSD/ County approval theis adopted, the Goshen system will be obliged to test for TCP, which has been found in actionable concentrations in wells in neighboring communities. The Project-specific impacts will be ***Less Than Significant***.

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 earlier, the proposed Project does not include elements that could degrade water quality beyond what was discussed in 3.9 a). ***Less Than Cumulative Impacts*** related to this Checklist Item will occur.

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

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

With mitigation, ***Less Than Significant Project-specific Impacts*** related to this Checklist Item will occur. ***Less Than Significant Cumulative Impacts*** related to this Checklist Item will occur.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

“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.”⁶³ The subject site is located within Flood Zones AE, per the Federal Emergency Agency (FEMA) National Flood Insurance program Flood Insurance Rate Map for Community Number 06566, June 16, 2009, Panel No. 910.

An elevation certificate and associated flood hazard mitigation measures will be required on all proposed buildings within Flood Zone AE

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

The proposed Project does not include the construction of any housing units. ***No Project-specific Impacts*** related to this Checklist Item will occur.

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

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, a large portion of Goshen is subject to 100-year flood hazard. Although the Project does not contain any development proposals at this time; future development will be evaluated on a case-by-case basis as development occurs and project design and standards will be implemented to ensure future housing or structures will be significant impacted by flooding. Therefore, ***No Cumulative Impacts*** related to this Checklist Item will occur.

Mitigation Measure(s):

- 9-7 An elevation certificate and associated flood hazard mitigation measures is required on all proposed buildings with the FEMA Zone AE.**
- 9-8 All new construction of buildings with a shaded Zone AE shall have finished floor levels elevated one (1) foot above the adjacent natural ground.**
- 9-9 An elevation certificate and associated flood hazard mitigation measures will be required on all proposed buildings within the special flood hazard area. The finished floor elevations of all structures shall be elevated to at least the established base flood elevation resulting from the flood hazard study.**

Conclusion: ***Less Than Significant Impact With Mitigation***

⁶³ General Plan Background Report, page 8-14

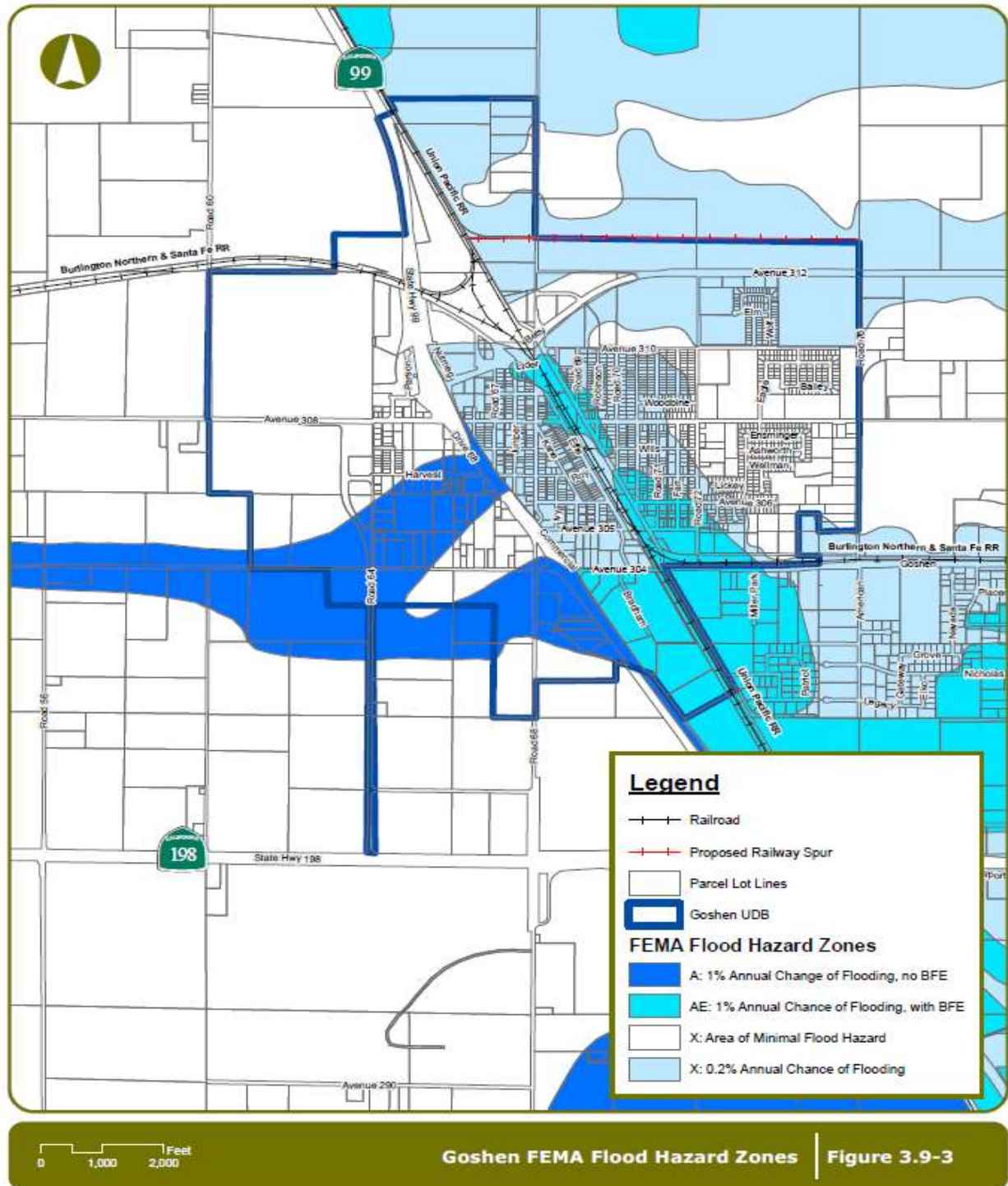
As noted earlier, ***No Project-specific or Cumulative Impacts*** related to this Checklist Item will occur.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

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

As shown on Panel No. 910 of the Federal emergency Management Agency (FEMA) National flood Insurance Program (NFIP) Flood Insurance Rate Maps (FIRM), the subject site is located within Flood Zone AE subject site is located within Flood Zone AE, which is identified as an area inside the 100-year floodplain (See Figure 3.9-3). However, west of and around SR 99 and the areas immediately north and south of Road 304 are in Flood Zone AE, where base map flood elevations have been determined. Currently, these areas drain to the “Goshen Ocean” and will ultimately drain to the larger flood control facilities added by Caltrans Betty Drive Project. Areas to the south of Road 304 may require further flood control as associated with Mill Creek, but since the area has no further plans for future development the EIR is not required to consider it.

Figure 3.9-5 FEMA Flood Map



No Project-specific Impacts related to this Checklist Item will occur.

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

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.

The proposed Project will not have off site impacts related to flooding. In addition, the proposed Project will not induce additional flooding hazards. ***Less Than Significant Cumulative Impacts*** related to this Checklist Item will occur.

Mitigation Measure(s):

Conclusion: ***Less Than Significant Impact With Mitigation***

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

- i) **Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

Project Impact Analysis: ***No Impact***

“Two major dams could cause substantial flooding in Tulare County in the event of a failure: Terminus Dam. In addition, there are many smaller dams throughout the county that would cause localized flooding in the event of their failing.”⁶⁴

The proposed Project is not located near a major levee or dam. In addition, the proposed Project does not involve significant water storage or changing the alignment of an established watercourse. ***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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

As noted earlier, the proposed Project is not located near a major levee or dam. The proposed Project would not have any impacts related to this checklist item on other off-site parcels. Therefore, ***No Cumulative Impacts*** related to this Checklist Item will occur.

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

⁶⁴ General Plan Background Report, page 8-14

Conclusion: ***No Impact***

As noted earlier, no Project-specific or cumulative impacts related to this Checklist item will occur.

j) Inundation by seiche, tsunami, or mudflow?

Project Impact Analysis: ***No Impact***

The Project area is relatively flat and is not located near a large body of water, the coast or hillsides. As such, the proposed Project is not subject to inundation by seiche, tsunami, or mudflow.

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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

As noted earlier, the proposed Project is not located near a large body of water, the coast or hillsides. The proposed Project will not have any impacts related to this Checklist item on other off-site parcels. ***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.

DEFINITIONS/ACRONYMS

Abbreviations

AF	Acre-feet
AMP	Agricultural Management Plan
CIMIS	California Irrigation Management Information System
DWR	State of California Department of Water Resources
M&I	Municipal and Industrial
UWMP	Urban Water Management Plan
WSA	Water Supply Assessment

REFERENCES

California Department of Water Resources, <http://www.water.ca.gov/>

California Water Plan Update 2009, Volume 3 Tulare Lake, California Department of Water Resources

EPA summary of the Safe Drinking Water Act:
<http://water.epa.gov/lawsregs/rulesregs/sdwa/index.cfm>

EPA summary of the Clean Water Act:
<http://www.epa.gov/lawsregs/laws/cwa.html>

FEMA Flood Zone Designations:
<https://msc.fema.gov/webapp/wcs/stores/servlet/info?storeId=10001&catalogId=10001&langId=-1&content=floodZones&title=FEMA%2520Flood%2520Zone%2520Designations>

Flood Insurance Program Summary:
http://www.floodsmart.gov/floodsmart/pages/about/nfip_overview.jsp

Tulare County General Plan Update 2030, Adopted August 28, 2012

Tulare County General Plan 2030 Update: Background Report (February 2010)

Water Quality Control Plan for the Tulare Lake Basin, California Regional Water Quality Control Board Central Valley Region, August 17, 2005

Land Use and Planning

Chapter 3.10

SUMMARY OF FINDINGS

The proposed Goshen Community Plan Update (Project) will result in ***Less Than Significant Impacts*** to Land Use and Planning. No mitigation measures will be required. The impact analyses and determinations in this chapter are based upon information obtained from the References listed at the end of this chapter. A detailed review of potential impacts is provided in the analysis as follows.

INTRODUCTION

California Environmental Quality Act (CEQA) Requirements

This section of the Draft Environmental Impact Report (DEIR) addresses potential impacts to Land Use and Planning. 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 will 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

¹ CEQA Guidelines, Section 15126.2 (a)

The environmental setting provides a description of the County's Land Use and Planning setting. The regulatory setting provides a description of the applicable Federal, State and Local regulatory policies that were developed from the Tulare County 2030 General Plan, Background Report, and the Tulare County General Plan DEIR incorporated by reference and summarized below. A description of the potential impacts from the proposed Project, and the identification of feasible mitigation measures to avoid or lessen the impacts, are provided.

Thresholds of Significance:

- Divide Community
- Conflict with Applicable land use plan policy, or regulation of an agency with jurisdiction over the Project
- Conflict with applicable habitat conservation plan

ENVIRONMENTAL SETTING

The community of Goshen is located approximately 31 miles south of Fresno on State Route 99 on the western edge of Tulare County. Goshen is very proximate to the City of Visalia which is the County seat of Tulare County. Goshen is approximately one-tenth of a mile north-west of the city limits and 6½ miles from the downtown shopping area of Visalia, and immediately west of the Visalia industrial park area. It is also approximately 1 ½ miles north of the Visalia Municipal Airport, with portions of the community situated within the airport's approach and departure areas.

Existing Land Use

The community of Goshen is generally square in shape. It is bisected in a northwest-southeasterly direction by SR 99 and the Union Pacific Railroad which divides the community into approximately three similar sized areas. Goshen is an agricultural services community and is surrounded by agriculturally productive lands to the north, south, and west, and scattered residential, light industrial, agricultural, and vacant land to the east.

West of SR 99, the study area has limited visual characteristics. There is a non-native tree grove (eucalyptus trees) in an existing mobile home area in the community's northeastern segment. However, a significant number of these trees will be removed to accommodate right-of-way and construction of the SR 99/Betty Drive interchange which is anticipated for completion in 2018.

The central segment, between SR 99 and the railroad property, was built during various periods of growth over many years, as necessary to accommodate the needs of residents and the business community. This development pattern resulted in a collection of small neighborhoods with a wide variety of structures, construction methods, and materials. Most of the residential blocks in this area consist of scattered vacant lots, deteriorating housing, and storage structures. Over a long period of time, the streets serving the houses were paved with a variety of materials and construction methods. Alleys between the residential streets are present in this section of Goshen which is typical in suburban neighborhoods constructed prior to 1950.

Draft Environmental Impact Report
Goshen Community Plan Update

The residential developments east of the railroad were constructed more recently and used modern building techniques and codes. Most of the streets within the Goshen community have been constructed according to urban standards, including curbs, gutters and sidewalks. This newer segment of Goshen has experienced the most growth, including recent housing developments and roadways constructed consistent with County building standards and codes. And new housing development, a medical clinic, and a local community park were constructed at Avenue 312 and Road 72 to serve the needs of Goshen's current and future residents. The recent growth in this segment may serve as a catalyst for Goshen's future, as it is anticipated to attract further development.

Land Uses

Consistent with the land uses contained in the Tulare County General Plan, the Goshen Community Plan also contains the following land use designations:

Table 3.10-1 - Existing Adopted Land Use Plan	
Designation	Total Acreage
Community Commercial	32.5
Highway Commercial	44.9
Industrial	156.6
Low Intensity, S	260.1
Private Recreation	21.5
Residential	324.5
Residential Reserve	49.4
Service Commercial	12.2
Unclassified	73.6
Unclassified (Right-of-Way)	257.2
Total	1,232.6
<i>Source: Goshen Community Plan 1978</i>	

Urban Reserve – This designation establishes a holding zone whereby properties shall remain zoned for agriculture or open space use until such a time as conversion to urban uses is deemed appropriate.

Low-Medium Density Residential – This designation establishes areas suitable for single-family neighborhoods at relatively low densities on lots ranging from generally 5,000 to 12,500 square feet in urbanized areas. Uses typically allowed include detached single-family homes; secondary dwellings; and residential support uses such as churches, schools, parks, medical facilities, and other necessary public utility and safety facilities.

Medium Density Residential – This designation establishes areas for single-family and low-density multi-family dwellings. Uses typically allowed include single-family dwellings, second units, townhomes, duplexes, triplexes, and mobile home parks.

General Commercial – This designation establishes areas for small, localized retail, recreational, and service businesses that provide goods and services to the surrounding community. Uses

typically allowed include: eating and drinking establishments; food and beverage retail sales; limited personal, medical, professional services; repair services; and retail sales. Such facilities may range from a single use to a cluster of uses such as a shopping center.

Highway Commercial – This designation establishes areas for retail, recreational, and service-based businesses which provide goods and services to tourists and commuters along major highways. Uses typically allowed include: big box retail; eating and drinking establishments; food and beverage retail sales; limited repair services; lodging (hotels and motels); and retail sales. Such facilities may range from a single use to a cluster of uses located at a freeway off ramp or major highway intersection.

Service Commercial – This designation establishes areas for service commercial uses in urbanizing areas. Uses typically allowed include: automotive-related or heavy equipment sales and services; building maintenance services; construction sales and services; and warehousing.

Commercial Recreation – This designation establishes areas for a mix of commercial uses oriented toward tourists and other visitors. Uses typically allowed include: recreation activities (e.g., golf courses, archery ranges, theme parks); dining; entertainment services; destination-resort hotels; motels; dude ranches; wineries; spas; and on-site employee residential uses. Residential uses would only be allowed in conjunction with resort uses as onsite caretaker or employee housing.

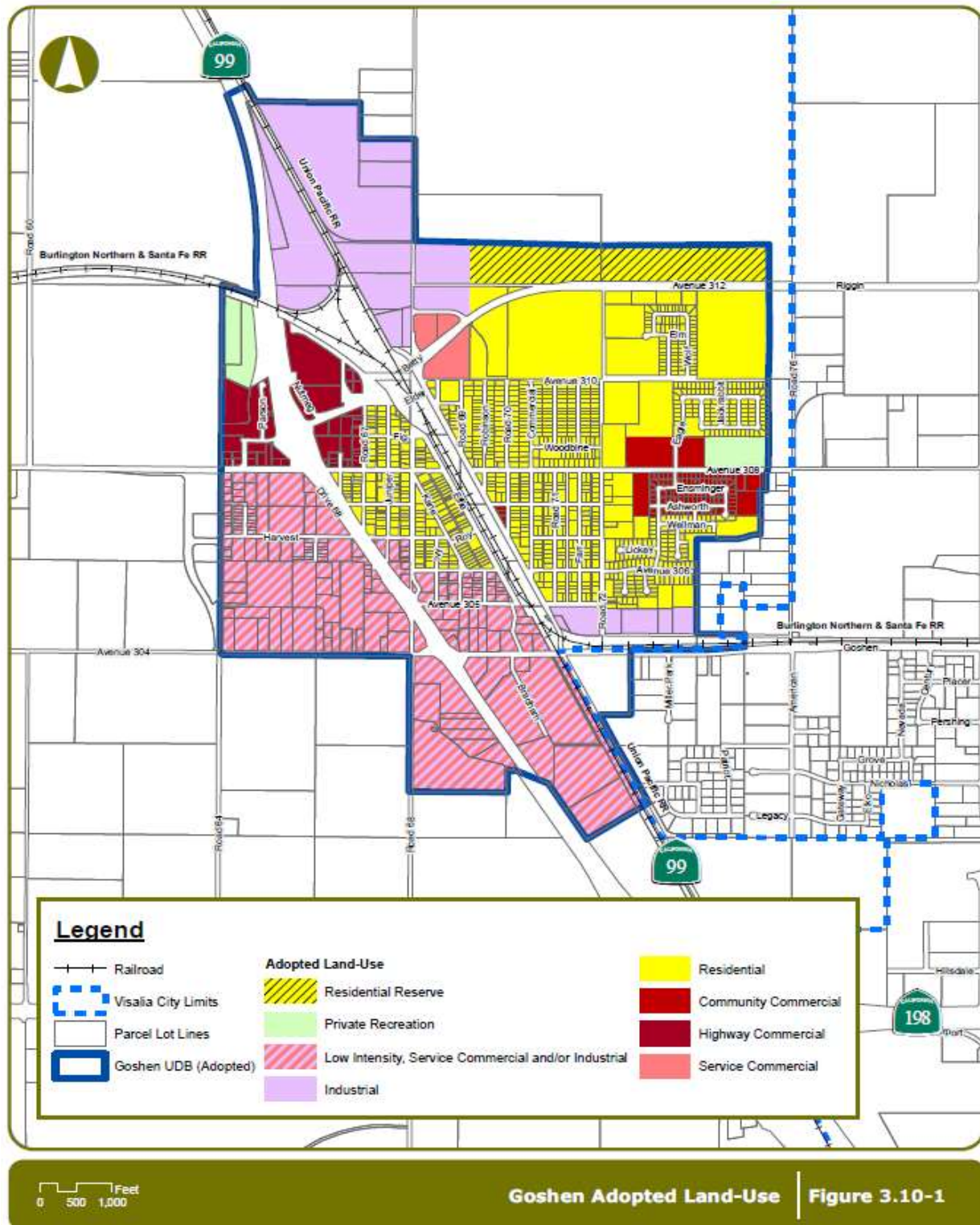
Mixed Use – This designation establishes areas appropriate for the planned integration of some combination of retail; office; single and multi-family residential; hotel; recreation; limited industrial; public facilities or other compatible use.

Light Industrial – This designation establishes areas for a range of non-intensive business park, industrial park, and storage uses that do not have detrimental noise or odor impacts on surrounding urban uses. Uses typically allowed include: warehousing; welding and fabrication shops; manufacturing and processing; and business support services such as retail or eating establishments that serve adjacent light industrial uses and employees.

Heavy Industrial – This designation establishes areas for the full range of industrial uses, which may cause noise or odor impacts on surrounding urban uses. Uses typically allowed include: manufacturing; processing; fabrication; ethanol plants; warehouses; asphalt batch plants; mills; wood processing yards; and support uses such as retail or eating establishments that support adjacent heavy industrial uses and employees.

Public/Quasi-Public – This designation establishes areas for public and quasi-public services and facilities that are necessary to maintain the welfare of County residents and businesses. Uses typically allowed include: churches; schools; civic centers; hospitals; fire stations; sheriff stations; liquid and solid waste disposal sites; cemeteries; airports; and public utility and safety facilities.

Figure 3.10-1 Adopted Land Use Plan Map as Amended



Agriculture

366 acres of land are classified as agricultural in Goshen, according to the Betty Drive Interchange Project Initial Study (IS) with Mitigated Negative Declaration (MND), and Environmental Assessment (EA) with Finding of No Significant Impact (FONSI). Because agriculture uses continue to decrease in the area, land that is currently zoned for agriculture will most likely be rezoned for residential and commercial uses. According to the Tulare County General Plan Update, agricultural products are one of the County's most important resources. There is Prime Farmland and Farmland of Statewide Importance located within and adjacent to the Goshen Plan Area. Prime Farmland is farmland with the best combination of physical and chemical features to sustain long-term agricultural production. Farmland of Statewide Importance is similar, but with minor shortcomings, including greater slopes and a reduced ability to store soil moisture.

The northeast, west, and southwest portions of the Urban Development Boundary (UDB) is mostly Prime Farmland. The UDB was developed to contain growth and development, so that farmland outside of the UDB can be preserved. Conversion of prime farmland in the Goshen UDB enables farmland outside the UDB to be preserved.

Urban growth needs to move toward the north and the west because the Airport Safety Zones constrain development to the south, and the City of Visalia's city limits are located to the east. Prime Farmland located to the north and west, while Farmland of Statewide Importance is situated to the northwest.

Tulare County is located in a geographically diverse region. The majestic peaks of the Sierra Nevada frame its eastern region, and its western region includes the San Joaquin Valley floor, which is very fertile and extensively cultivated. In addition to its agricultural production, the County's economic base also includes agricultural packing and shipping operations. Small and medium sized manufacturing plants are located in the western part of the county and are increasing in number. Tulare County contains portions of Sequoia National Forest, Sequoia National Monument, Inyo National Forest, and Kings Canyon National Park. Sequoia National Park is entirely located within the county.

The County encompasses approximately 4,840 square miles of classified lands (lands with identified uses) and can be divided into three general topographical zones: valley region; foothill region east of the valley area; and mountain region just east of the foothills. The eastern half of the county is generally comprised of public lands, including the Mountain Home State Forest, Golden Trout Wilderness area, and portions of the Dome Land and south Sierra Wilderness areas. Federal lands, which include wilderness, national forests, monuments and parks, and County parks, account for 52 percent of the County land. Agricultural uses, which include row crops, orchards, dairies, and grazing lands on the Valley floor and foothills account for 43 percent of the County land. Urban uses including incorporated cities, communities, hamlets, unincorporated urban uses, and infrastructure rights-of-way account for the remaining land in the County.

“Land use in Tulare County is predominately agriculture, and the County is committed to retaining the rich agricultural land. The foothill and mountain regions are controlled predominantly by the State and federal governments. However, as population increases, so does the demand for new

housing, retail and commercial space. Agricultural land around the cities is being converted into urban uses. Housing, land, employment and economics are balanced to minimize the amount of agricultural land taken by development. Economic principles tend to take precedence over the conservation of land.”²

“Tulare County has been one of the faster growing counties in the state. Since 1950, its annualized growth rate is 1.8% (2.0% since 1980). Population growth has been primarily in the incorporated cities versus the unincorporated county... As of January 2009, the Department of Finance (DOF) estimates the County population to be 441,481...”³

Urban Boundaries

The existing Urban Development Boundary (UDB) contains approximately 1,232.6 acres. Future updates to the UDB will need to address the Goshen Community Services District Sphere of Influence to ensure service area consistency.

Special Restrictions

The Community Plan area is located approximately 1.5 miles north of the Visalia Municipal Airport, with portions of the community situated within the airport approach and departure areas. According to the 2004 Airport Master Plan Initial Study/Mitigated Negative Declaration, there are agricultural, industrial and highway commercial uses to the north; and agricultural uses to the east, south, and west.

Visalia Municipal Airport is classified as a General Aviation Airport in the Federal Aviation Administration (FAA) *National Plan of Integrated Airport Systems* (NPIAS). General Aviation Airports serve those communities that i) do not receive scheduled commercial service, ii) do not meet the criteria for classification as a commercial service airport, and account for enough aviation activity (usually at least ten locally-based aircraft), and iii) are at least 20 miles from the nearest NPIAS airport. The Airport is designated an airport reference code (ARC) C-III by the FAA, and is classified as a Commercial Service-Primary Airport in the *California Aviation System Plan* (CASP). Commercial Service-Primary Airports provide scheduled passenger service for more than 10,000 passengers annually. However, there were only 2,455 passengers in 2009. The airport includes one runway (12-30), which is oriented northwest to southeast, and is 6,559 feet long and 150 feet wide. There is a 275-foot displaced landing threshold on runway 12, and left-hand traffic patterns for both runway ends. In addition to general aviation, as of May 2011, Great Lakes Airlines has been providing two passenger flights per day to and from Los Angeles International Airport, and one flight per day to and from Las Vegas McCarran International Airport, using Beechcraft 1900 aircraft. There are also small package services provided by Federal Express (FedEx) and United Parcel Service (UPS) using turboprop aircraft. According to the *Airport Master Plan*, adopted June 2004, there were an estimated 26,000 annual aircraft operations at the Airport in 2001. The current Visalia Municipal Airport Master Plan was adopted in 2004. The Airport Layout Plan is illustrated on **Figure 3.10-2**.

² 2011 TCAG Regional Transportation Plan. Page 1-11.

³ Ibid. 1-4.

Land Use Compatibility with the Visalia Airport

ALUC height control policies affect all of Goshen, with approximately 1/3 of Goshen directly affected by Safety Zone 6 policies, and a smaller area directly affected by Safety Zone 4 policies. Single family residential development (including low and medium density rural residential uses) are compatible with Safety Zone 6 policies, providing the aircraft noise is less than 60 decibels (dB) Community Noise Equivalent Level (CNEL). New residential development is not compatible in Safety Zone 4. The compatible uses in Safety Zone 4 must adhere to restrictions applied to above-ground storage of hazardous materials, fumes, smoke, electrical interference, and other events that might interfere with aircraft safety.

Commercial aircraft make their approach into Visalia Municipal Airport at a height of 500 to 700 feet above ground level when passing over Goshen, departure height is approximately 350 feet. The Goshen elementary school site presently located at the airport runway centerline extension.

The Visalia airport has three Safety Zones (2, 4, and 6), and an Airport Influence Area located within the Goshen Urban Development Boundary. Zones 2, 4, and 6 prohibit schools and multifamily residential uses. Therefore, new multifamily zones should be located to the north and/or west, outside of the airport safety zones.

Safety Zone 2, Inner Approach/Departure Zone – The Inner Approach/ Departure Zone is a rectangular area located along the extended runway centerline immediately beyond the RPZ. Aircraft over fly this area at altitudes between 200 and 400 feet above the runway elevation. Caltrans research indicates that 8 to 22 percent of near-runway accidents occur in this zone.

Safety Zone 4, Outer Approach/Departure Zone – The Outer Approach/Departure Zone is a rectangular area, which lies immediately beyond the Inner approach/Departure Zones along the extended runway centerline. Particularly applicable for runways with straight-in instrument approach procedures, and other runways where straight-in or straight-out flight paths are common. Approaching and departing aircraft are usually at less than traffic pattern altitude.

Safety Zone 6, Traffic Pattern Zone – The Traffic Pattern Zone is an oval shaped area centered on the extended runway centerline. This zone encompasses all other portions of the regular traffic patterns and pattern entry routes. This area generally has a low likelihood of accident occurrence at most airports, except where high concentrations of people present the potential for severe consequences.

As discussed in the Hazard and Hazardous Materials resource Item (Chapter 3.8 of this DEIR) there are three concurrent entitlement and future developments occurring within the Airport Influence Zone (the least restrictive of any Airport Zone) as part of this Community Plan update process at the following locations:

- A Self Help Enterprises project (Goshen Village West) consisting of an 89 unit residential subdivision, 80-100 units of multi-family residential, and an undefined six acre commercial use near the northeast corner of the intersection of Betty Drive

(Avenue 312 and Road 76 alignment);

- A truck stop, gas station, restaurant project (Thandi Commercial Development) at the southeast corner of the intersection of SR 99 and Betty Drive; and
- A Dollar General (a general merchandise) store located at the northeast corner of the intersection of Betty Drive and Road 68.

No other developments are proposed as part of this Project and future development will be required to be located outside the more restrictive Airport Safety Zones. Therefore, consistent with the Hazard and Hazardous Materials discussion in Chapter 3.8 of this DEIR that determined ***Less Than Significant Impact Program - specific Impacts*** would occur as a result of this Project, this determination regarding the Land Use & Planning resource agrees that ***Less Than Significant Impact Program - specific Impacts*** would occur.

Union Pacific Railroad

The Union Pacific Railroad was built in 1874 and runs parallel and east of SR 99. The railroad was used as shipping points for wheat growers in Tulare County.⁴ The Project would not result in any impacts to the rail line.

REGULATORY SETTING

Federal Agencies & Regulations

Federal Endangered Species Act

“Through federal action and by encouraging the establishment of state programs, the 1973 Endangered Species Act provided for the conservation of ecosystems upon which threatened and endangered species of fish, wildlife, and plants depend. The Act:

- authorizes the determination and listing of species as endangered and threatened;
- prohibits unauthorized taking, possession, sale, and transport of endangered species;
- provides authority to acquire land for the conservation of listed species, using land and water conservation funds;
- authorizes establishment of cooperative agreements and grants-in-aid to States that establish and maintain active and adequate programs for endangered and threatened wildlife and plants;
- authorizes the assessment of civil and criminal penalties for violating the Act or regulations;
- authorizes the payment of rewards to anyone furnishing information leading to arrest and conviction for any violation of the Act or any regulation issued there under.”⁵

⁴ 1978 Goshen Community Plan

⁵ Federal Endangered Species Act, <http://www.fws.gov/laws/lawsdigest/esact.html>

State Agencies & Regulations

California Department of Fish and Game

“The Department of Fish and Game maintains native fish, wildlife, plant species and natural communities for their intrinsic and ecological value and their benefits to people. This includes habitat protection and maintenance in a sufficient amount and quality to ensure the survival of all species and natural communities. The department is also responsible for the diversified use of fish and wildlife including recreational, commercial, scientific and educational uses.”⁶

California Endangered Species Act

“The California Endangered Species Act (CESA) states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved. The Department will work with all interested persons, agencies and organizations to protect and preserve such sensitive resources and their habitats.”⁷

Local Policy & Regulations

Tulare County Association of Governments (TCAG)

“The Tulare County Association of Governments (TCAG) is responsible for overseeing and planning projects with the county and each of its cities, helping to bring tax money back home to fund bus service, road improvements, projects that will improve our air quality, and more.”⁸ TCAG’s 2009 Regional Blueprint includes a goal for a 25% increase in land use densities, facilitated urban growth, and expansion of transportation facilities.

Existing County Land Uses

The proposed Project site is located in the northwestern portion of Tulare County. Tulare County is 4,863 square miles in area and is located in the San Joaquin Valley portion of California’s Great Central Valley. It lies south of the Sacramento-San Joaquin Delta and is bordered by Fresno County to the north, Kings County to the west, Kern County to the south, and Inyo County to the east. The valley land portion is approximately 3,930 square miles or approximately 81 percent of Tulare County. Open space, which includes wilderness, national forests, monuments and parks, and county parks, encompass approximately 1,230 square miles, or approximately 25 percent of the County. Agricultural uses total approximately 2,150 square miles or approximately 44 percent of the entire County. Incorporated cities in the Tulare County account for less than three percent of the entire County area.

⁶ California Department of Fish and Game website, <http://www.dfg.ca.gov/about/>

⁷ California Endangered Species Act, <http://www.dfg.ca.gov/habcon/cesa/>

⁸ Tulare County Council of Governments (TCAG) Website, <http://www.tularecog.org/>

The County's primary regulatory tool for implementing the General Plan is the Zoning Ordinance. Tulare County's first zoning ordinance was adopted in 1947 as Ordinance 352. The current *Tulare County Zoning Ordinance and related State and Local Land Use Regulations* was revised in September 2005 and covers the entire unincorporated county. The Zoning Ordinance has been amended many times since 2005, but has not undergone a comprehensive update. The zoning regulations regulate the extent and type of development that can occur in the unincorporated areas, therefore the outdated ordinance is limiting the County's holding capacity and build out potential. A major difference between the general plan and zoning is that the General Plan provides guidance on the location, type, density, and timing of new growth and development over the long-term, while zoning determines what development can occur on a site specific basis. The land general plan use designations, and the zoning classifications and development standards of the zoning ordinance, determine the County's holding capacity and buildout potential.

The *Zoning Ordinance* establishes three residential zones, four commercial zones, three industrial zones, and seven other zones related to agriculture, timber, and resource-related uses. The purpose of the zones is to translate the broad land use categories established by the *Tulare County General Plan* into detailed land use classifications that are applied to properties with much greater precision than the General Plan. The zoning classifications follow specific property lines and road alignments and correspond to the applicable General Plan categories. Working with the zoning classifications, the text of the *Zoning Ordinance* provides detailed regulations for the development and use of land.

Tulare County General Plan Policies

The General Plan contains the following policies aimed at reducing potential land use conflicts, promoting an efficient urban form, and ensuring consistency with local land use and environmental plans. General Plan policies that relate to the proposed Project are listed below.

ED-2.2 Land Requirements - The County shall ensure there is capacity for new and expanding businesses by: Reserving sufficient locations for industry, recognizing industry's need for greater land requirements; Recognizing the need for a variety of locations to avoid creation of a monopoly of the industrial land market and to reflect varying requirements for transportation facilities and utility services; and Reserving land for exclusive industrial use to encourage development of like industries that complement each other and to prevent encroachment on industrial areas by incompatible uses.

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.

ED-3.1 Diverse Economic Base - The County shall actively promote the development of a diversified economic base by continuing to promote agriculture, recreation services, and commerce, and by expanding its efforts to encourage industrial development including the development of energy resources.

ERM-2.9 Compatibility - The County will encourage the development of mineral deposits in a manner compatible with surrounding land uses.

PF-1.1 Maintain Urban Edges - The County shall strive to maintain distinct urban edges for all unincorporated communities within the valley region or foothill region, while creating a transition between urban uses and agriculture and open space.

PF-1.2 Location of Urban Development -

The County shall ensure that urban development only takes place in the following areas:

1. Within incorporated cities and CACUDBs;
2. Within the UDBs of adjacent cities in other counties, unincorporated communities, planned community areas, and HDBs of hamlets;
3. Within foothill development corridors as determined by procedures set forth in Foothill Growth Management Plan;
4. Within areas set aside for urban use in the Mountain Framework Plan and the mountain sub-area plans; and
5. Within other areas suited for non-agricultural development, as determined by the procedures set forth in the Rural Valley Lands Plan.

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-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.

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-2.4 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-2.7 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.

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.

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-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.

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-5.1 Industrial Developments - The County shall encourage a wide range of industrial development activities in appropriate locations to promote economic development, employment opportunities, and provide a sound tax base.

LU-5.4 Compatibility with Surrounding Land Use - The County shall encourage the infill of existing industrial areas and ensure that proposed industrial uses will not result in significant harmful impacts to adjacent land uses.

LU-5.7 Industrial Uses Allowed on Resource Land - The County shall allow asphalt batch plants and similar processing facilities that are directly associated with the development of a resource to be located at the site of the resource under the following criteria: Any such site shall be developed under the Special Use Permit process, and The Special Use Permit shall not permit any commercial or industrial uses that are not related to the processing of the resource.

LU-6.2 Buffers - The County shall ensure that residential and other non-compatible land uses are separated and buffered from major public facilities such as landfills, airports, and sewage treatment plants.

LU-7.2 Integrate Natural Features - The County shall emphasize each community's natural features as the visual framework for new development and redevelopment.

ED-2.3 New Industries - The County shall encourage new industries to locate within cities, unincorporated communities, hamlets, regional growth corridors, and other unincorporated County areas where appropriately zoned. The County, in cooperation with cities and communities will identify locations for industrial uses in unincorporated areas around cities consistent with the cities' economic development strategies, taking into account opportunities offered by variations in local environmental conditions.

HS-3.1 Airport Land Use Compatibility Plan - The County shall require that development around airports is consistent with the safety policies and land use compatibility guidelines contained in the adopted Tulare County Comprehensive Airport Land Use Plan (CALUP).

IMPACT EVALUATION

Would the project:

a) Physically divide an established community?

Project Impact Analysis:

Less Than Significant Impact

SR 99 impedes the movement of people from the east side of the community to the west side, and vice versa. The Union Pacific Railroad traverses the community from north to south parallel to Effie Road (which located west of the railroad) with at-grade crossings at Avenue 304, and an overpass at Betty Drive/West Riggins Avenue. Caltrans is currently (February 2018) constructing a new Betty Drive overpass at SR 99 which will improve vehicular and pedestrian accessibility across SR 99. The process to add at-grade railroad crossings in the Goshen Community would take more than one year, and the cost to add an overcrossing or undercrossing at the UPRR line is prohibitive and thereby, infeasible. Therefore, the Community Plan is structured such that commercial uses east and west of SR 99 are developed to support the existing residences along both sides of SR 99 and at the UPRR crossings. As part of the Betty Drive overcrossing project, Caltrans will construct a new overpass, reroute Road 64 westward from its existing alignment, and construct a 5-7 acre stormwater detention basin (southeast of Betty Drive and the new Road 64 alignment). These activities will direct orderly growth at the intersection of Road 64 and Betty Drive. Further, it is possible that these actions could create pressure for expansion of the UDB in an eastward and westward direction. However, the City of Visalia's expansion southward along Betty Drive/West Riggins Avenue, and westward along the southern portion of Road 76, will constrain growth within the UDB to the east and west. The purpose of the Community Plan is to create connectivity and balance for the existing uses on either side of SR 99. Therefore, the proposed Project will not disrupt or divide an established Community, but will increase opportunities by expanding the UDB westward and eastward. This will result in a ***Less than Significant 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.

The proposed Project will not divide an established Community. In September 2014, the City of Visalia approved their 2030 General Plan Update and Environmental Impact Report wherein the City determined that its General Plan Policies are self-mitigating. The proposed changes to Visalia's Sphere of Influence are being considered in the Alternative Land Use Plan, have been studied in the Visalia General Plan EIR, and have been mitigated to a level of less than significance.

As discussed in the Hazard and Hazardous Materials resource Item (Chapter 3.8 of this DEIR), and also discussed earlier in this section, there are three concurrent entitlement and future developments occurring as part of this Community Plan update process at the following locations:

- A Self Help Enterprises project (Goshen Village West) Project will include one hundred percent (100%) single- and multiple-family dwelling units (89 single-family lots as part of Phases 2 and 3, and up to 140 multiple-family units as part of Phase 1) on an approximately 29 acre area. Also, an approximately 9.4 acre remainder parcel will retain its current zoning. Infrastructure improvements, such as a storm water detention basin (2.36 acres as part of Phase 1), streets, curbs, gutters, sidewalks, and water and sewer systems will also be constructed. A Class I bicycle lane, a pedestrian trail (in Phase 1), a possible transit stop, a public park (0.56 acre as part of Phase 3), and bio-swales are also part of the project.;
- A truck stop, gas station, restaurant project (Thandi Commercial Development) at the southeast corner of the intersection of SR 99 and Betty Drive; and
- A Dollar General (a general merchandise store) located at the northeast corner of the intersection of Betty Drive and Road 68.

In addition, the CMI, Inc. asphalt batch plant project and corresponding infrastructure improvements to the south will not create additional land use impacts, divisions of land, or disruptions within the Goshen Community.

As such, the cumulative impacts of the above-noted projects would result in ***Less than Significant Impacts*** related to this Checklist Item.

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

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

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

- b) **Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

Project Impact Analysis:

No Impact

As a result of the Tulare County 2030 General Plan Update, and changes to land uses and zoning designations throughout the Community over the years, there are several inconsistent and non-compliant land uses within the Community of Goshen (See **Figure 2-3** and **Figure 2-5**). As part of the Community Plan update process, the Community Plan land uses and zoning districts were updated in more than 20 occurrences to conform to the Tulare County General Plan.

As part of this Project, the County is adopting a change to the Zoning Code to allow a Mixed Use Zoning District consistent with the General Plan's new Mixed Use land use designation.

The Urban Development Boundary is proposed for westward expansion, northward (along SR 99), and eastward (along Road 76), and contracted south of Road 76 to be consistent with the City of Visalia Sphere Of Influence (SOI) expansion. The other expansion areas are south of Avenue 304 and along Effie Drive to the north to allow consistency with the existing Goshen Community Services District boundary.

The Community Plan also includes a Complete Streets Program, which has been developed concurrently with this process and has been found to be in consistent with the requirements of the Complete Streets Program.

Because the proposed Project is adjusting its Urban Development Boundary to be consistent with other agencies' jurisdictional boundaries, and the Tulare County General Plan, the Project will not conflict with any of the previously noted land use plans. Therefore, ***No Project-specific Impacts*** related to this Checklist Item will occur.

Cumulative Impact Analysis:

No Impact

The proposed Project would result in adjusting the Goshen Community Plan Urban Development Boundary to be consistent compliance with other agencies' jurisdictional boundaries, and the land use and zoning districts consistent with the Tulare County General Plan and Zoning Code, ***No Cumulative Impacts*** related to this Checklist Item will occur.

Mitigation Measure(s):

None Required.

Conclusion: ***No Impact***

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

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

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

There are no designated Wildlife Areas near Goshen. The nearest wildlife area (Pixley National Wildlife Refuge) is located approximately 28 miles southwest. As noted in Chapter 3.4 (Biological Resources), there are two habitat conservation plans that apply in Tulare County: 1) Recovery Plan for Upland Species of the San Joaquin Valley, and 2) the Kern Water Bank Habitat Conservation Plan (which only applies to an area in Allensworth located in southwestern Tulare County). As such, there is no conservation or natural community conservation plans applicable to the Goshen area. 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 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.

There are no impacts related to habitat conservation plans, and therefore ***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 and Cumulative Impacts*** related to this Checklist Item will occur.

REFERENCES

2011 Regional Transportation Plan, Tulare County Association of Governments (TCAG), July 11, 2012

Tulare County Council of Governments (TCAG) Website, which can be accessed at <http://www.tularecog.org/>

Tulare County 2030 General Plan, August 2012

Federal Endangered Species Act (1973), (Section 4, 63 FR 24140 et seq.)

California Endangered Species Act (Fish and Game Code Section 2050 et seq.)

California Department of Fish and Wildlife (Fish and Game Code Section 2050 et seq.)

CEQA Guidelines

Mineral Resources

Chapter 3.11

SUMMARY OF FINDINGS

The proposed Goshen Community Plan Update (Project) will result in ***No Significant Impacts*** related to Mineral Resources, as the Project area is not located near a known mineral resource area. No mitigation measures will be required. The impact analyses and determinations in this chapter are based upon information obtained from the References listed at the end of this chapter. 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 Mineral Resources. As required in Section 15126, all phases of the proposed Project will be considered as part of the potential environmental impact.

As noted in 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

¹ Tulare County General Plan Update 2030, Background Report, February 2010, page 10-18.

The environmental setting provides a description of the Mineral Resources 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 Tulare County 2030 General Plan EIR incorporated by reference and summarized below. Additional documents 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

The Tulare County 2030 General Plan identifies known Mineral Resource areas. The threshold of significance for this section will include the following:

- Impact a known Mineral Resource

ENVIRONMENTAL SETTING

“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.”²

“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.”³

“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

² Tulare County General Plan Update 2030, Background Report, February 2010. Page 10-18.

³ Ibid. 10-17.

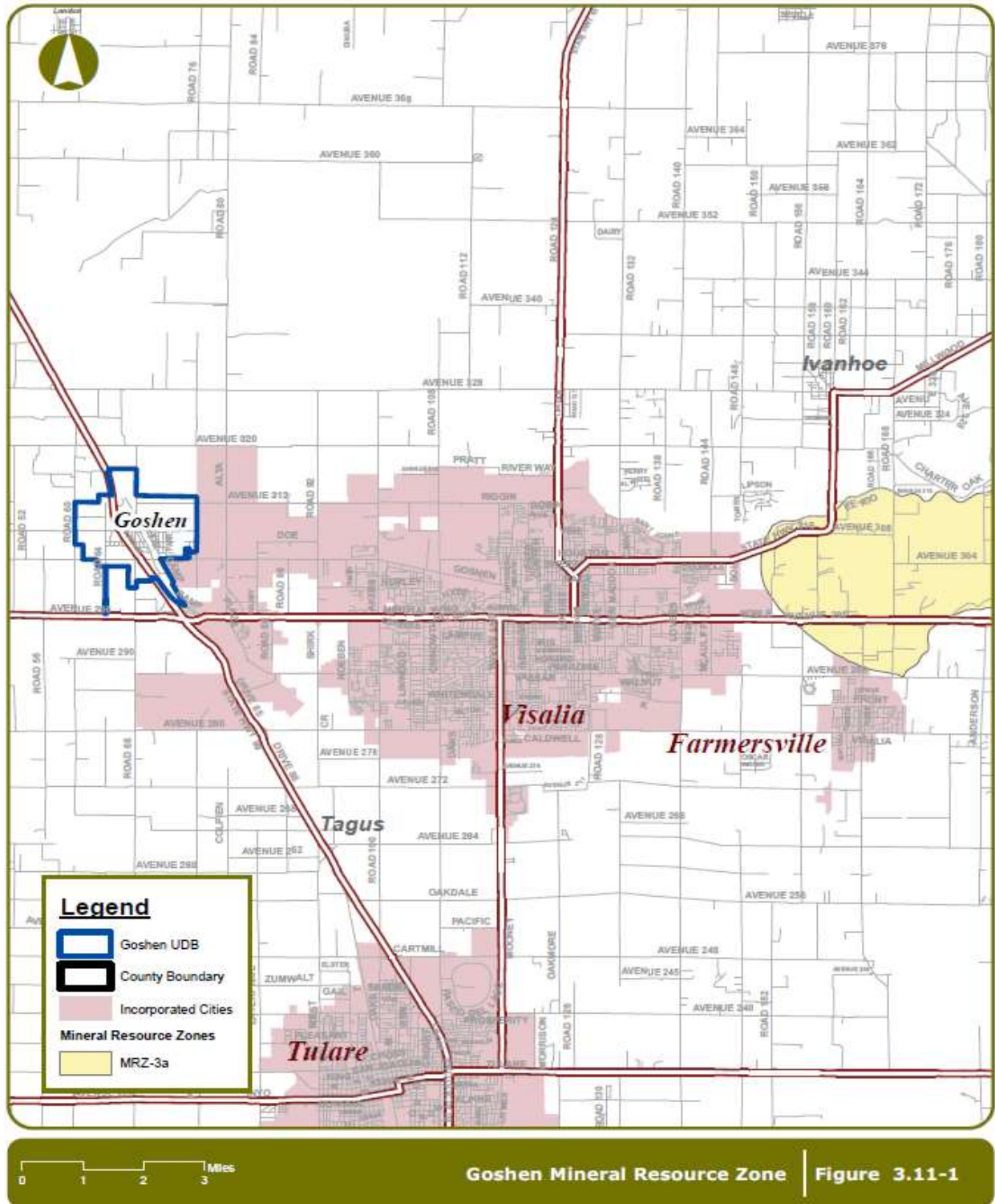
likelihood for occurrence of significant mineral deposits is nil or slight.

- 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 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.”⁴

⁴ Guidelines for classification and designation of mineral land, pages 4 to 6

Figure 3.11-1
Mineral Resource Zones



REGULATORY SETTING

Federal Agencies & Regulations

None that apply to the proposed Project.

State Agencies & Regulations

Surface Mining and Reclamation Act of 1975 (SMARA)

“The Surface Mining and Reclamation Act (SMARA), Chapter 9, Division 2 of the Public Resources Code, requires the State Mining and Geology Board to adopt State policy for the reclamation of mined lands and the conservation of mineral resources. These policies are prepared in accordance with the Administrative Procedures Act, (Government Code) and are found in California Code of Regulations, Title 14, Division 2, Chapter 8, Subchapter 1.

The Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code, Sections 2710-2796) provides a comprehensive surface mining and reclamation policy with the regulation of surface mining operations to assure that adverse environmental impacts are minimized and mined lands are reclaimed to a usable condition. SMARA also encourages the production, conservation, and protection of the state’s mineral resources. Public Resources Code Section 2207 provides annual reporting requirements for all mines in the state, under which the State Mining and Geology Board is also granted authority and obligations.”⁵

State Mining & Geology Board (SMGB)

“The SMGB serves as a regulatory, policy, and appeals body representing the State's interests in geology, geologic and seismologic hazards, and conservation of mineral resources and reclamation of lands following surface mining activities. The SMGB operates within the Department of Conservation, and is granted certain autonomous responsibilities and obligations under several statutes including the Alquist-Priolo Earthquake Fault Zoning Act, the Seismic Hazards Mapping Act, and the Surface Mining and Reclamation Act.”⁶

The Office of Mine Reclamation (OMR)

The Office of Mine Reclamation was created in 1991 to administer the SMARA requirements. OMR provides assistance to cities, counties, state agencies and mine operators for reclamation planning and promotes cost-effective reclamation. OMR strives to reclaim mined lands to a beneficial end-use through the implementation of SMARA, prevent or minimize the adverse environmental effects of mining by providing assistance to lead agencies and miners in the review of reclamation plans, and minimize residual hazards to public health and safety through the Abandoned Mine Lands program.”⁷

⁵ SMARA Description, <http://www.conservation.ca.gov/smgb/Regulations/Pages/regulations.aspx>

⁶ State Mining & Geology Board (SMGB), <http://www.conservation.ca.gov/smgb/Pages/Index.aspx>

⁷ Office of Mine Regulation, <http://www.conservation.ca.gov/OMR/Pages/Index.aspx>

Local Policy & Regulations

Tulare County General Plan Policies

The Tulare County General Plan has a number of policies that apply to projects within 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.

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.

IMPACT EVALUATION

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?**

Project Impact Analysis: *No Impact*

The proposed Project area is not located in a known mineral resource zone (MRZ). The nearest MRZ (classified as “3a”), is located more than 10 miles east of the proposed Project site. The MRZ Class 3a, contains known mineral deposits that may qualify as mineral resources; however, further exploration work within these areas could result in the reclassification to a more significant category⁸. MRZ Class 3a areas are considered to have a moderate potential for the discovery of economic mineral deposits. Due to the distance separation between the identified MRZ Class 3a area and proposed Project area, there will be no loss of availability of a known mineral resource due to Project implementation. 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, Tulare County General Plan Background Report, and/or Tulare County 2030 General Plan EIR.

As noted earlier, the proposed Project does not include mining operations and is not located within a known mineral resource zone. As such, *No Cumulative Impacts* related to this Checklist Item will occur.

Mitigation Measure(s): *None Required.*

Conclusion: *No Impact*

⁸ California Surface Mining and Reclamation Policies and Procedures. Guidelines for Classification and Designation of Mineral Lands. <http://www.conservation.ca.gov/smgf/Guidelines/Documents/ClassDesig.pdf> . Accessed June 2014.

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

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?

Project Impact Analysis: ***No Impact***

As noted in the Response to 3.11 a), the proposed Project does not include a mining operation and the proposed Project site is not located in or near a known mineral resource zone. There will be no significant loss of local important mineral resource recovery site. According to U.S. Geological Survey, the nearest active mine and mineral production plant to the proposed Project is Lemon Cove Plant (operated by RMC Pacific Materials) located approximately 21 miles northeast of the proposed Project site within Tulare County⁹. The mine facility is located east of State Route 198 on Avenue 324, near the Sierra Mountains foothills. The Lemon Cove Plant generally produces sand and gravel materials¹⁰. The RMC Pacific Materials mine site is identified by U.S. Geological Survey Record ID, 133. The proposed Project will not create any project specific impacts related to this resource. 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, Tulare County General Plan Background Report, and/or Tulare County 2030 General Plan EIR.

As noted in the Response to Item 3.11 a), the proposed Project does not include mining operations and is not located within a mineral resource zone. As such, ***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.

⁹ USGS Mineral Resources On-Line Spatial Data, Active mines and mineral plants in the US. <http://mrdata.usgs.gov/mineral-resources/active-mines.html>. Accessed June, 2014.

¹⁰ Ibid.

DEFINITIONS/ACRONYMS

Acronyms

MRZ	Mineral Resource Zone
OMR	Office of Mine Reclamation
SMGB	State Mining & Geology Board
SMARA	Surface Mining and Reclamation Act

REFERENCES

California Surface Mining and Reclamation Policies and Procedures. Guidelines for Classification and Designation of Mineral Lands, which can be accessed at <http://www.conservation.ca.gov/smgb/Guidelines/Documents/ClassDesig.pdf> . Accessed June 2014.

Guidelines for Classification and Designation of Mineral Land, page 4 to 6, which can be accessed at <http://www.conservation.ca.gov/smgb/Guidelines/Documents/ClassDesig.pdf>

Office of Mine Regulation, which can be accessed at <http://www.conservation.ca.gov/OMR/Pages/Index.aspx>. Accessed June 2014.

SMARA Description, which can be accessed at <http://www.conservation.ca.gov/smgb/Regulations/Pages/regulations.aspx>. Accessed June 2014.

State Mining & Geology Board (SMGB), which can be accessed at <http://www.conservation.ca.gov/smgb/Pages/Index.aspx>. Accessed June 2014.

USGS Mineral Resources On-Line Spatial Data, Active mines and mineral plants in the US, which can be accessed at <http://mrdata.usgs.gov/mineral-resources/active-mines.html>. Accessed June, 2014.

Tulare County 2030 General Plan, August 2012

Tulare County 2030 General Plan Background Report, February 2010

CEQA Guidelines

Noise

Chapter 3.12

SUMMARY OF FINDINGS

The proposed Goshen community Plan Update (Project) will result in ***Significant and Unavoidable Impacts*** related to Noise with mitigation. A Noise Study Report conducted by consultants VRPA Technologies is included as Appendix “E” of this document which is used as the basis for determining this Project will result in **Significant and Unavoidable Impacts**.

INTRODUCTION

California Environmental Quality Act (CEQA) Requirements

This section of the Draft Environmental Impact Report (DEIR) addresses potential impacts related to Noise. 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 Noise Setting in Tulare County. The regulatory setting provides a description of applicable Federal, State, and Local regulatory

¹ 2013 CEQA Guidelines, Section 15126.2 (a)

policies that were developed in part from information contained in the Tulare County 2030 General Plan, Tulare County General Plan Background Report, and/or Tulare County 2030 General Plan EIR incorporated by reference and summarized below. Additional documents 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

- Exceed Tulare County Standards for Noise Levels
- Expose people of excessive groundborne vibration
- Expose people to excessive airport/airstrip noise

The Noise Study Report (NSR or Goshen NSR) prepared by consultants VRPA Technologies (see Appendix “_”) described all the necessary components of noise impacts necessary to provide a CEQA-based evaluation. A description and discussion of the community, the street and highway system, existing circulation and traffic conditions, technical background regarding sound and noise evaluation (such as sound and the human ear, decibels, sound pressure, sound/noise/acoustics, frequency/hertz, etc.), methodology, applicable governmental codes and policies, study methods and procedures (such as site selection and noise level measurement procedures, existing conditions, future year conditions, vibration, standards of significance and CEQA environmental checklist questions have all been addressed in the NSR.

Beginning with the Existing Circulation and Traffic Conditions, the NSR identifies the roadways such as highways, arterials, collectors and local streets within the Project area as:

“Existing Circulation and Traffic Conditions

State Highways: State Route 99 and State Route (SR) 198 are the principle state highways serving Goshen. SR 99 is the principal north-south state highway and serves most of the larger cities in the San Joaquin Valley. In the Goshen area, Highway [SR] 99 includes two travel lanes in each direction. There is a freeway interchange at Betty Drive in Goshen, as well as freeway ramps without an overcrossing at Avenue 304; these facilities provide access between the community and the freeway. A mitigated negative declaration has recently been completed for this interchange that will result in the interchange being reconfigured to partial cloverleaf; this is described further below.

State Route 198 is a major east-west highway that connects Sequoia National Park in the east with US 101 in San Luis Obispo county in the east. In the vicinity of Goshen and to the east SR 198 is an expressway, with two lanes in each direction.

Arterials: Betty Drive is an arterial road that traverses SR 99 via an overcrossing, connecting parcels west of SR 99 with Riffin Avenue east of SR 99. It has two travel lanes west of SR 99 and at this overcrossing, widening to four lanes at Road 67.

Riggin Avenue (also designated as Avenue 312) is the continuation of Betty Drive. In the study area it is a four-lane arterial.

Avenue 304/West Goshen Avenue is an east-west arterial street that is bifurcated into two segments by SR99; the segment east of SR 99 is called West Goshen Avenue. Currently Avenue 308 has southbound on- and off-ramps with SR 99, and West Goshen Avenue has a northbound off ramp from SR 99. All of the ramps will be removed in conjunction with Betty Drive/SR 99 interchange improvements, which is planned for the near future.

Road 64 is a two-lane mainly rural arterial that provides direct access between the community of Goshen and SR 198.

Collectors: Within Goshen, Avenue 308 is an east-west collector level street that, like Avenue 304, is bifurcated into two segments by SR99. Its western segment, serves the Goshen Elementary School with approximately 530 students, which is part of the Visalia Unified School District.

Road 67 is a two-lane north-south collector street providing access to mainly industrial parcels just east of SR 99.

Road 68 is a two-lane north-south collector street bifurcated by SR 99; both segments provide access to several industrial parcels.

Robinson Road is a two-lane north-south collector street that provides access to industrial parcels north of Betty Drive and to a residential area south of Betty Drive.

Road 72 is a two-lane north-south collector street serving primarily residential areas of Goshen, It connects Riggin Avenue in the north with Rasmussen Avenue in the south.

Road 76 is also a two-lane north-south collector street. It currently runs from West Goshen Avenue to Avenue 308. There are near-term plans to extend Road 76 north to Riggin Avenue.

Camp Drive is a two-lane industrial collector street that parallels the Union Pacific Railroad main line through much of the community of Goshen.

Local Streets: All other streets and roads in the community's planning area function essentially as local streets, carrying traffic to and from abutting urban and rural properties."²

ENVIRONMENTAL SETTING

"Noise in the community has often been cited as being a health problem, not in terms of actual damage such as hearing impairment, but in terms of inhibiting general well-being and contributing to undue stress and annoyance. The health effects of noise in the community arise from interference with human activities such as sleep, speech, recreation, and tasks demanding

² Goshen Noise Study Report. Pages 4-5 Prepared by VRPA Technologies and included as Appendix "E" of this DEIR.

concentration or coordination. When community noise interferes with human activities or contributes to stress, public annoyance with the noise source increases, and the acceptability of the environment for people decreases. This decrease in acceptability and the threat to public well-being are the bases for land use planning policies preventing exposure to excessive community noise levels.”³

“Noise sources are commonly grouped into two major categories: transportation and non-transportation noise sources. Transportation noise sources include surface traffic on public roadways, railroad line operations, and aircraft in flight. Non-transportation (or fixed), noise sources, commonly consist of industrial activities, railroad yard activities, small mechanical devices (lawnmowers, leaf blowers, air conditioners, radios, etc.), and other sources not included in the traffic, railroad and aircraft category.”⁴

“Noise level data collected during continuous monitoring included the hourly Leq and Lmax and the statistical distribution of noise levels over each hour of the sample period. The community noise survey results indicate that typical noise levels in noise-sensitive areas of the unincorporated areas of Tulare County are in the range of 29-65 dB Ldn. As would be expected, the quietest areas are those that are removed from major transportation-related noise sources and industrial or stationary noise sources.”⁵

A Noise Study Report (NSR) was prepared by VRPA Technologies (VRPA) to determine if significant noise impacts would be expected to occur as a result of the Project, and to describe mitigation measures for noise if significant impacts are determined to exist as described below.

VRPA used the following study methods and procedures to determine site selection and noise level measurements. For the site selection analysis, VRPA determined indicates; “Developed and undeveloped land uses in the community of Goshen were identified through land use maps, aerial photography, and site inspection. Within each land use category, sensitive receptors were then identified. Land uses in the community of Goshen include agricultural, single-family residences, retail, and industrial uses. The generalized land use data and location of particular sensitive receptors and existing traffic volumes were the basis for the selection of the noise monitoring and analysis sites. Four (4) field receptor locations were measured in the field and represent residential, industrial, and recreational land uses adjacent to local roadways within the community. Goshen is a small community with a population of just 3000 and Betty Drive/Riggin Avenue and Goshen Avenue, which are the northern and southern border of the community, provide access to a majority of the local roads. Field receptor locations are in and described in **Figure 3.12-1** of the DEIR. **Figure 3.12-2** also shows additional modeled receptor locations that reflect locations of other sensitive receptor locations. Modeled receptors 5 - 15 represent outdoor areas of residential, industrial, office/retail, and school land uses.”⁶

³ TCAG 2011 Regional Transportation Plan Draft Subsequent EIR. Page 151.

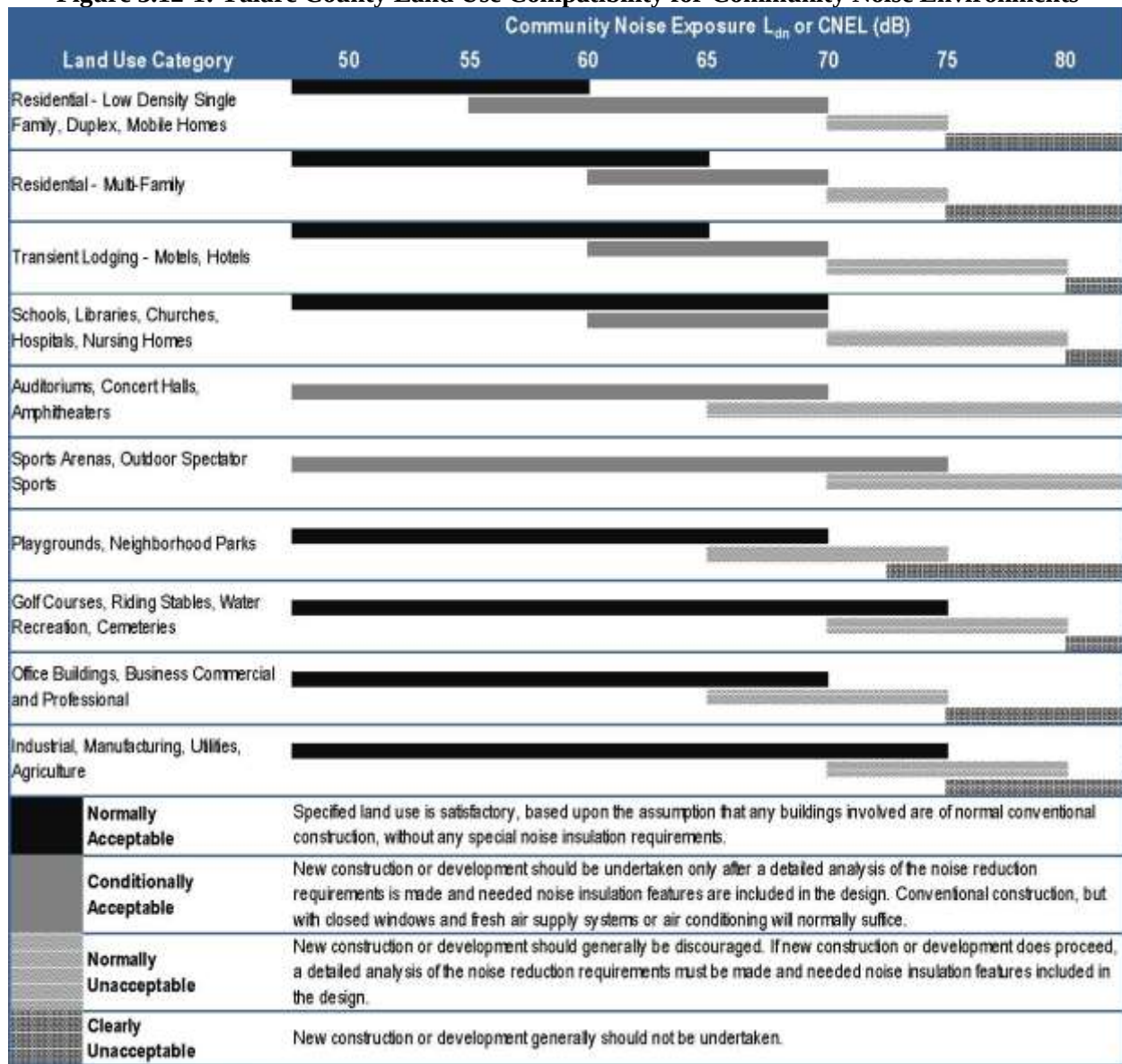
⁴ Ibid. 153.

⁵ General Plan Background Report. Page 8-77.

⁶ Goshen NSR. Page 13. Prepared by VRPA Technologies (and included as Appendix “E” of this DEIR.

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Figure 3.12-1: Tulare County Land Use Compatibility for Community Noise Environments



Source: Tulare County General Plan

For the noise level measurement procedure, VRPA indicates; “Existing noise levels in the community of Goshen were sampled in the afternoon because traffic counts conducted in the study area show a greater volume of traffic in the PM peak hour than the AM peak hour. All measurements were made using an Extech Type 2 sound level meter datalogger.

The following measurement procedure was utilized:

- ✓ Calibrate sound level meter.
- ✓ Set up sound level meter at a height of 1.5 m (5 ft).
- ✓ Commence noise monitoring.
- ✓ Collect site-specific data such as date, time, direction of traffic, and distance from sound level meter to the center of the roadway.

- ✓ Count passing vehicles for a period of 5 minutes.
- ✓ Stop measurement after 5 minutes.”⁷

“Existing traffic noise levels are established based on previously collected traffic data and using the Traffic Noise Model (TNM) Version 2.5. TNM 2.5 is an FHWA Traffic Noise Prediction Program. Once existing levels are established, future levels, based on expected traffic growth, are calculated and compared to both the existing noise level and the maximum allowable noise exposure to noise generation sources as described in Tulare County’s General Plan. Referencing **Table 3.12-2** of the DEIR, Tulare County’s criteria shows that mitigation must be considered when the exterior noise exposure level of 60 Ldn/CNEL for single family residential and exterior noise exposure level of 65 to 75 Ldn/CNEL for multi-family, transient lodging, hospitals, churches, schools, business commercial, industrial, and meeting halls has been exceeded. Levels reported in this section are in terms of A-weighted levels.

⁷ Ibid.

Figure 3.12-2 Noise Receptor Locations



Existing traffic noise levels were evaluated using TNM 2.5. Traffic volumes collected from the circulation element completed for the Goshen Community Plan and average vehicle speeds along various roadways within the study area were entered into the model to estimate noise levels at various land uses in the Goshen Community. In order to calibrate the TNM 2.5 model, the existing counts (expanded to one hour), lane geometry, and any other pertinent existing conditions were added to the model. The noise level measurements taken in the Goshen area were then compared to the noise levels computed by the model. The difference between the measured and modeled noise levels, referred to as the “K constant”, is then added to the modeled receptors for the Existing calculated noise levels to obtain the estimated noise levels for the 11 additional modeled receptors.

To assess the traffic noise on sensitive receptors in the community of Goshen, the first step is to determine the baseline or the existing noise condition. The second is to then compare the baseline to future level results, based on expected traffic growth, and Tulare County’s Land Use Compatibility for Community Noise Environments.”⁸ **Figure 3.12-1** (Table 2 of the Goshen NSR) shows the locations of receptors analyzed in the NSR.

“As shown in Table 3 [**Table 3.12-1** of the DEIR], the highest peak hour sound level for the study area is 75.5 Leq (h) dBA at receptor 7. When it comes to noise levels, generally the Ldn is determined to be within +/- 2 dBA of the peak hour Leq under normal traffic conditions based upon Caltrans’ Traffic Analysis Noise Protocol. Caltrans’ Technical Noise Supplement includes methodology for the purpose of converting peak hour Leq to Ldn (See Appendices). Table 3 also includes the calculated Ldn based on the peak hour Leq measured at noise receptors. Results of the analysis show that noise levels at Receptor 7 will exceed Tulare County’s Land Use Compatibility for Community Noise Environments. Receptor 7 is located adjacent to SR 99, which accommodates approximately 5,000 trips during the PM peak hour.

Table 3.12-2 of the DEIR shows the existing traffic noise exposure levels at a setback of 60 feet from the roadway centerline and the approximate distances from the roadway centerline necessary to achieve 60 Ldn dB in the absence of any noise attenuating barriers.”⁹

⁸ Op. Cit. 16

⁹ Op. Cit.

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Table 3.12-1: Receptor Locations

Receptor I.D. No.	Location	Type of Development
1	Approximately 30 feet from Betty Drive Centerline	Neighborhood Park
2	Approximately 25 feet from Road 72 Centerline	Neighborhood Park
3	Approximately 30 feet from Goshen Avenue Centerline	Industrial
4	Approximately 86 feet from Road 64 Centerline	Residential
5	Approximately 320 feet from Betty Drive Centerline	Commercial
6	Approximately 120 feet from Harvest Avenue Centerline	School
7	Approximately 149 feet from Road 67 Centerline	Residential
8	Approximately 56 feet from Avenue 304 Centerline	Industrial
9	Approximately 120 feet from Rigger Avenue Centerline	Office
10	Approximately 230 Feet from Avenue 310 Centerline	Multi-Family
11	Approximately 70 feet from Avenue 308 Centerline	Residential
12	Approximately 100 feet from Avenue 308 Centerline	Residential
13	Approximately 73 feet from Goshen Avenue Centerline	Industrial
14	Approximately 156 feet from Road 76 Centerline	Industrial
15	Approximately 100 feet from Road 72 Centerline	Residential

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Table 3.12-2: Existing Noise Levels

Receptor I.D. No.	Location	Type of Development	Existing Noise Level Leq(h) dBA	Existing Noise Level Ldn dB	Tulare County Noise Standard dBA Ldn	Impact
1	Approximately 30 feet from Betty Drive Centerline	Neighborhood Park	64.9	65.6	70	None
2	Approximately 25 feet from Road 72 Centerline	Neighborhood Park	55.1	55.8	60	None
3	Approximately 30 feet from Goshen Avenue Centerline	Industrial	62.3	63.0	75	None
4	Approximately 86 feet from Road 64 Centerline	Residential	55.5	56.2	60	None
5	Approximately 320 feet from Betty Drive Centerline	Commercial	67.9	68.6	70	None
6	Approximately 120 feet from Harvest Avenue Centerline	School	62.3	63.0	70	None
7	Approximately 149 feet from Road 67 Centerline	Residential	75.5	76.2	60	Yes
8	Approximately 56 feet from Avenue 304 Centerline	Industrial	62.8	63.5	75	None
9	Approximately 120 feet from Riggen Avenue Centerline	Office	53.4	54.1	70	None
10	Approximately 230 Feet from Avenue 310 Centerline	Multi-Family	40.4	41.1	65	None
11	Approximately 70 feet from Avenue 308 Centerline	Residential	45.1	45.8	60	None
12	Approximately 100 feet from Avenue 308 Centerline	Residential	44.8	45.5	60	None
13	Approximately 73 feet from Goshen Avenue Centerline	Industrial	55.8	56.5	75	None
14	Approximately 156 feet from Road 76 Centerline	Industrial	45.2	45.9	75	None
15	Approximately 100 feet from Road 72 Centerline	Residential	49.3	50.0	60	None

Table 3.12-3
Existing Noise Levels for Roadway Segments

Roadway	Segment	Existing Conditions	
		Noise Level Leq(h) dBA @ 60' Fom Roadway Centerlines	Distance (Feet) to 60 Ldn dB from Roadway Centerline
Betty Drive/Riggin Avenue	Between SR 99 and Road 76	59.4	61
Avenue 308	Between Camp Drive and Road 76	46.4	14
Goshen Avenue	Between Camp Drive and Road 76	57.5	49
Avenue 304	Between Road 64 and SR 99	62.2	84
Road 64	Between Harvest Avenue and Avenue 304	58.6	56
Camp Drive	Between Avenue 310 and Goshen Avenue	63.1	93
Road 72	Between Riggin Avenue and Rasmussen Avenue	53.7	32
Road 76	Between Riggin Avenue and Goshen Avenue	53.5	31
State Route 99	Between Betty Drive and Goshen Avenue	86.8	1420

Once the baseline of existing noise levels was established, the consultants estimated future year conditions of the Goshen community as follows:

“The noise impacts to the Goshen community were analyzed considering future traffic conditions in the year 2032. The levels of traffic expected in 2032 relate to the cumulative effect of traffic increases resulting from the implementation of the General Plan of local agencies. Traffic conditions in the Year 2032 were estimated using the Tulare County Association of Governments (TCAG) regional travel model.

Traffic volumes, truck mix, and vehicle speeds were used as inputs to the model for the Future Year 2032 scenario. Traffic volumes and truck mix were determined by the Circulation Element prepared for the Goshen Community Plan. Table 5 [Table 3.12-54 of the DEIR] shows the predicted noise levels at the 15 sensitive receptors evaluated in this noise element. Results of the analysis show that Receptors 1, 4, and 7 will exceed Tulare County’s Land Use Compatibility for Community Noise Environments for the Future Year 2032 scenario. Receptors 1 and 4 are located adjacent to Betty Drive and Road 64, which are projected to experience a significant increase in traffic volumes as a result of roadway improvements that are planned in the study area. The SR 99 on and off ramps at Avenue 304/Goshen Avenue will be closed in the future, which will force nearly all traffic in the Goshen community to use the SR 99 at Betty Avenue interchange. The traffic volumes along Harvest Avenue and Road 64, which are nearest to Receptor 4, are projected to increase by 273% and 1,920% respectively. The traffic volume along Betty Drive, which has an impact on Receptor 1, is projected to increase by 205%. Receptor 7 is located adjacent to SR 99, which is projected to accommodate approximately 6,200

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**Table 3.12-4
Traffic Noise Impacts for the Future Year 2032 Scenario**

Receptor I.D. No.	Type of Development	Existing Noise Level Ldn dB	Future Year 2032 Noise Level Ldn dB	Existing vs Future Year Comparison	Tulare County Noise Standard dBA Ldn	Impact
1	Neighborhood Park	65.6	70.2	4.6	70	Yes
2	Neighborhood Park	55.8	58.9	3.1	60	None
3	Industrial	63.0	64.0	1.0	75	None
4	Residential	56.2	64.2	8.0	60	Yes
5	Commercial	68.6	69.8	1.2	70	None
6	School	63.0	65.1	2.1	70	None
7	Residential	76.2	77.0	0.8	60	Yes
8	Industrial	63.5	64.2	0.7	75	None
9	Office	54.1	57.8	3.7	70	None
10	Multi-Family	41.1	44.0	2.9	65	None
11	Residential	45.8	46.7	0.9	60	None
12	Residential	45.5	46.8	1.3	60	None
13	Industrial	56.5	57.4	0.9	75	None
14	Industrial	45.9	46.7	0.8	75	None
15	Residential	50.0	52.6	2.6	60	None

trips during the PM peak hour. As noted in the existing conditions analysis, Receptor 7 currently experiences noise levels that exceed Tulare County's Land Use Compatibility for Community Noise Environments.

As noted previously, an important way of determining a person's subjective reaction to a new noise is the comparison of it to the existing environment, referred to as the "ambient" environment. Overall traffic volumes in the study area are expected to increase due to growth in population and employment anticipated under the Tulare County General Plan. Table 5 [Table 3.12-5 of the DEIR] provides a comparison of existing noise levels to the estimated future year noise levels. Results show that the greatest increase between existing conditions and future conditions is 8.0 dB's, which occurs at Receptor 4. The significant increase in traffic volumes near the SR 99 at Betty Drive interchange is the reason for the substantial increase in noise levels at Receptors 1 and 4. A change in level of at least 5 dB is required before any noticeable change in community response would be expected and a 10 dB change is subjectively heard as approximately a doubling in loudness. Therefore, the increase in traffic volumes as a result of population and employment increase in the Tulare County General Plan will cause potentially significant impacts at Receptors 1 and 4.

Table 3.12-5 shows the Future Year 2032 traffic noise exposure levels at a setback of 60 feet from the roadway centerline and the distances from the roadway centerline necessary to achieve 60 Ldn dB in the absence of any noise attenuating barriers."¹⁰

Table 3.12-5
Roadway Segment Noise Levels for the Future Year 2032 Scenario

Roadway	Segment	Future Year 2032 Conditions	
		Noise Level Leq(h) dBA @ 60' Fom Roadway Centerlines	Distance (Feet) to 60 Ldn dB from Roadway Centerline
Betty Drive/Riggin Avenue	Between SR 99 and Road 76	63.1	93
Avenue 308	Between Camp Drive and Road 76	47.3	15
Goshen Avenue	Between Camp Drive and Road 76	58.4	54
Avenue 304	Between Road 64 and SR 99	62.9	91
Road 64	Between Harvest Avenue and Avenue 304	66.6	139
Camp Drive	Between Avenue 310 and Goshen Avenue	64.0	103
Road 72	Between Riggin Avenue and Rasmussen Avenue	56.3	43
Road 76	Between Riggin Avenue and Goshen Avenue	54.3	34
State Route 99	Between Betty Drive and Goshen Avenue	87.6	1557

¹⁰ Op. Cit. 18-19

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In addition to traffic noise, the consultant also analyzed noise from the nearby San Joaquin Valley Railroad that runs through the Goshen community. The analysis is summarized below:

“The San Joaquin Valley Railroad (SJVR) operates 417 miles of track in Southern California. SJVR interchanges with the Union Pacific Railroad at Fresno, Goshen Junction and Bakersfield, CA and the Burlington Northern Santa Fe at Fresno and Bakersfield, CA. The SJVR service features primary commodities of petroleum products, cattle feed, building products, tomato paste, consumer products, and dry and liquid fertilizer products. Operations provide service to customers seven days per week and meet customer’s needs for spotting and pulling railcars.

The SJVR runs adjacent to SR 99 and the industrial land uses in the community of Goshen. SJVR’s current operations at the Camp Drive and Avenue 304 crossings consist of approximately 3 train movements and 1 train movement per day, respectively, based on the United State Department of Transportation crossing inventory. The typical speed of the trains over the crossings ranges from 10 to 20 mph. Train operators are required to sound the warning horn when approaching within approximately 1,000 feet of a grade crossing. As a result, train noise levels are higher at locations near grade crossings, such as the crossings at Camp Drive and Avenue 304. It is estimated that noise level’s from train passby’s (with warning horn) at approximately 175 feet from the tracks range from 94 – 102 dB’s. Table 7 [Table 3.12-6 of this DEIR] shows the Existing and Future Year 2032 noise exposure levels from a combination of traffic along Camp Drive and railroad activity along the SJVR. The noise levels were calculated using the Federal Transit Administration (FTA) CREATE Freight Noise and Vibration Model. Results of the Analysis show that noise levels at residences adjacent to the SJVR will not exceed Tulare County’s noise standards.

Table 3.12-6
Estimated Existing and Future Traffic Noise Levels

Noise Source	Existing Sound Levels Measured (Ldn dB at residences adjacent to rail line)	Future Year 2032 Sound Levels Measured (Ldn dB at residences adjacent to rail line)
San Joaquin Valley Railroad / Automobile Traffic	59	60

In addition to noise, the consultant also analyzed potential vibration sources. Ground-borne vibrations, such as construction-related and San Joaquin Valley Railroad sources, were determined to not likely impact nearby receptors. An analysis from these vibration can be found in pages 21-22 of the Goshen NSR (Appendix “_” of the DEIR).

“Construction activities associated with the build-out of the Tulare County General Plan would likely require the use of various tractors, trucks, and jackhammers. Based on the vibration levels provided in Table 9 [Table 3.12-7], ground vibration generated by common construction equipment would be 75 VdB or less at a distance of 100 feet or more. Given that much of the construction activities would occur on vacant parcels in sparsely to moderately developed areas, the nearest offsite structures to a particular project site would likely be located in excess of 100

feet from construction activities. As a result, predicted vibration levels at the nearest offsite structures would not exceed vibration levels greater than 75 VdB.”¹¹

Table 3.12-7
Vibration Source Levels for Construction Equipment

Equipment	PPV at 25 ft (in/sec)	Approximate L _v * at 25 ft
Large bulldozer	0.089	87
Caisson drilling	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

* RMS velocity in decibels (VdB) re 1 μinch/second

“San Joaquin Valley Railroad (SJVR) activity can also generate ground vibration as a result railroad activities. The U.S. Department of Transportation, Federal Transit Administration Operation provides a vibration screening methodology in the “Transit Noise and Vibration Impact Assessment” document. Based on the vibration screening methodology coupled with the infrequent daily train movements and proximity of sensitive receptors, railroad activity along the SJVR will not likely have an impact to nearby sensitive receptors.”¹²

In addition to vibration noise, construction equipment noise is shown in **Table 3.12-8**

TABLE 3.12-8
Construction Equipment Noise

TYPE	MAXIMUM LEVEL, dB AT 50 FEET
Bulldozers	87
Heavy Trucks	88
Backhoe	85
Pneumatic Tools	85

Source: Environmental Noise Pollution, 1977

¹¹ Op. Cit. 23

¹² Op. Cit.

Regulatory Setting

Federal Agencies & Regulations

Federal Highways Administration (FHWA) Highway Traffic Noise Prediction methodology

“In March 1998, the Federal Highway Administration (FHWA) released the Traffic Noise Model, Version 1.0 (FHWA TNM®). It was developed as a means for aiding compliance with policies and procedures under FHWA regulations. Since its release in March 1998, Version 1.0a was released in March 1999, Version 1.0b in August 1999, Version 1.1 in September 2000, Version 2.0 in June 2002, Version 2.1 in March 2003 and the current version, Version 2.5 in April 2004. The FHWA TNM is an entirely new, state-of-the-art computer program used for predicting noise impacts in the vicinity of highways. It uses advances in personal computer hardware and software to improve upon the accuracy and ease of modeling highway noise, including the design of effective, cost-efficient highway noise barriers.”¹³

Federal Aviation Administration (FAA)

“Aircraft operated in the U.S. are subject to certain federal requirements regarding noise emissions levels. These requirements are set forth in Title 14 CFR, Part 36. Part 36 establishes maximum acceptable noise levels for specific aircraft types, taking into account the model year, aircraft weight, and number of engines. Pursuant to the federal Airport Noise and Capacity Act of 1990, the FAA established a schedule for complete transition to Part 36 "Stage 3" standards by year 2000. This transition schedule applies to jet aircraft with a maximum takeoff weight in excess of 75,000 pounds, and thus applies to passenger and cargo airlines, but not to operators of business jets or other general aviation aircraft.”¹⁴

Federal Railway Administration (FRA) and the Federal Transit Administration (FTA)

“The Federal Railway Administration (FRA) and the Federal Transit Administration (FTA) have published guidance relative to vibration impacts. According to the FRA, fragile buildings can be exposed to groundborne vibration levels of 0.5 PPV without experiencing structural damage. The FTA has identified the human annoyance response to vibration levels as 80 VdB.”¹⁵

State Agencies & Regulations

California Noise Insulation Standards

“The California Noise Insulation Standards found in the California Code of Regulations, Title 24, set requirements for new multi-family residential units, hotels, and motels that may be subject to relatively high levels of transportation-related noise. For exterior noise, the noise insulation standard is DNL 45 dB in any habitable room and requires an acoustical analysis

¹³ Federal Highway Administration website, Traffic Noise Model, http://www.fhwa.dot.gov/environment/noise/traffic_noise_model/

¹⁴ TCAG 2011 Regional Transportation Plan Draft Subsequent EIR, page 152

¹⁵ Ibid., page 152

demonstrating how dwelling units have been designed to meet this interior standard where such units are proposed in areas subject to noise levels greater than DNL 60 dB.”¹⁶

California's Airport Noise Standards

“The State of California has the authority to establish regulations requiring airports to address aircraft noise impacts on land uses in their vicinities. The State of California's Airport Noise Standards, found in Title 21 of the California Code of Regulations, identify a noise exposure level of CNEL 65 dB as the noise impact boundary around airports. Within the noise impact boundary, airport proprietors are required to ensure that all land uses are compatible with the aircraft noise environment or the airport proprietor must secure a variance from the California Department of Transportation.”¹⁷

California Department of Transportation (Caltrans)

“The State of California establishes noise limits for vehicles licensed to operate on public roads. For heavy trucks, the State passby standard is consistent with the federal limit of 80 dB. The State passby standard for light trucks and passenger cars (less than 4.5 tons gross vehicle rating) is also 80 dB at 15 meters from the centerline.”¹⁸

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.

HS-8.1 Economic Base Protection - The County shall protect its economic base by preventing the encroachment of incompatible land uses on known noise-producing industries, railroads, airports, and other sources.

HS-8.2 Noise Impacted Areas - The County shall designate areas as noise-impacted if exposed to existing or projected noise levels that exceed 60 dB Ldn (or Community Noise Equivalent Level (CNEL)) at the exterior of buildings.

HS-8.3 Noise Sensitive Land Uses - The County shall not approve new noise sensitive uses unless effective mitigation measures are incorporated into the design of such projects to reduce noise levels to 60 dB Ldn (or CNEL) or less within outdoor activity areas and 45 dB Ldn (or CNEL) or less within interior living spaces.

HS-8.4 Airport Noise Contours - The County shall ensure new noise sensitive land uses are located outside the 60 CNEL contour of all public use airports.

¹⁶ Ibid., page 153

¹⁷ Ibid.

¹⁸ TCAG 2011 Regional Transportation Plan Draft Subsequent EIR, page 152

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-8.8 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-8.10 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-8.13 Noise Analysis - The County shall require a detailed noise impact analysis in areas where current or future exterior noise levels from transportation or stationary sources have the potential to exceed the adopted noise policies of the Health and Safety Element, where there is development of new noise sensitive land uses or the development of potential noise generating land uses near existing sensitive land uses. The noise analysis shall be the responsibility of the project applicant and be prepared by a qualified acoustical engineer (i.e., a Registered Professional Engineer in the State of California, etc.). The analysis shall include recommendations and evidence to establish mitigation that will reduce noise exposure to acceptable levels (such as those referenced in Table 10-1 of the Health and Safety Element).

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, highways, and railroad tracks.

HS-8.16 State Noise Insulation -

The County shall enforce the State Noise Insulation Standards (California Administrative Code, Title 24) and Chapter 35 of the Uniform Building Code.

HS-8.18 Construction Noise - The County shall seek to limit the potential noise impacts of construction activities by limiting construction activities to the hours of 7 am to 7pm, Monday through Saturday when construction activities are located near sensitive receptors. No construction shall occur on Sundays or national holidays without a permit from the County to minimize noise impacts associated with development near sensitive receptors.

HS-8.19 Construction Noise Control - The County shall ensure that construction contractors implement best practices guidelines (i.e. berms, screens, etc.) as appropriate and feasible to reduce construction-related noise-impacts on surrounding land uses.

Goshen Community Plan Policies

The intent of the Goshen Community Noise Element is to provide a policy framework for addressing potential noise impacts encountered in the planning process. The goals and policies outline below are consistent with Tulare County policies.

Goal 1: *Protect the citizens of Tulare County from the harmful effects of exposure to excessive noise.*

Policies and Standards:

1. Areas within the Goshen Community shall be designated as noise-impacted if exposed to existing or projected future noise levels at the exterior of buildings which exceed 60 dB Ldn (or CNEL).
2. New development of residential or other noise-sensitive land uses which require discretionary approval under the Tulare County Zoning Ordinance of the Tulare County Subdivision Ordinance (e.g. use permits, zone changes, subdivision maps, parcel maps) will not be permitted in noise-impacted areas unless effective mitigation measures are incorporated into the specific design of such projects to reduce noise levels to 60 dB Ldn (or CNEL) or less within outdoor activity areas and 45 dB Ldn (or CNEL) or less within interior living spaces. Where it is not possible to reduce exterior noise level of up to reduce exterior noise levels within outdoor activity areas to 60 dB Ldn (or CNEL) or less after the practical application of the best available noise reduction technology, an exterior noise level of up to 65 dB Ldn (or CNEL) will be allowed. Under no circumstances will an interior noise level exceeding 45 dB Ldn be allowed with the windows and doors closed. It should be noted that in instances where the windows and doors must remain closed to achieve the required acoustical isolation, mechanical ventilation or air conditioning must be provided.
3. Noise level criteria applied to land uses other than residential or other noise-sensitive uses shall be consistent with the recommendations of the California Office of Noise Control. Tulare 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 multifamily dwellings, condominiums, hotels or motels. UBC Chapter 35 requires that common wall and floor/ceiling assemblies within multi-family dwellings comply with minimum standards concerning the transmission of airborne sound and structure-borne impact noise. Title 24 requires that conformance with the above-described standards be documented by the submission of an acoustical analysis whenever new multi-family dwellings, condominiums, hotels or motels are proposed for areas within the 60 dB Ldn (or CNEL) contour of a major noise source as determined by the local jurisdiction.

4. In conformance with the directives of State planning law, the County shall ensure that the Noise Element is consistent with and does not conflict with other elements of the Goshen Community Plan.
5. Where existing noise-sensitive uses may be exposed to increased noise levels due to roadway improvement projects, the County shall apply the following criteria to determine the significance of the impact:
 - a. Where existing noise levels are less than 60 Ldn dB at outdoor activity areas of noise-sensitive uses, a 5 Ldn dB increase in noise levels will be considered significant;
 - b. Where existing noise levels are between 60 and 65 Ldn dB at outdoor activity areas of noise-sensitive uses, a 3 Ldn dB increase in noise levels will be considered significant; and
 - c. Where existing noise levels are greater than 65 Ldn dB at outdoor activity areas of noise-sensitive uses, a 1.5 Ldn dB increase in noise levels will be considered significant.

Goal 2: *Protect the economic base of Tulare County by preventing the encroachment of incompatible land uses near known noise-producing industries, railroads, airports and other sources.*

Policies and Standards:

1. New development of industrial, commercial or other noise-generating land uses will not be permitted if resulting noise levels will exceed 60 dB Ldn (or CNEL) at the boundary of areas planned and zoned for residential or other noise-sensitive land uses, unless determined to be necessary to promote the public health, safety and welfare of the Goshen Community.

Planning Department Records Search

It is also noted that Planning Department records search of building permits and other types of entitlements within the PPSA by RMA staff indicates that no new projects (i.e., construction-related developments which involves new structures or any clearing or earthmoving) have occurred since the NSR was prepared by consultant VRPA Technologies. As such, the landscape remains unchanged since the NSR was completed; that is, no surface or subsurface ground disturbances, demolition, or other physical changes within the PPSA have occurred thus it is likely than any noise impacts, either short- or long-term, could have since the NSR was completed.

IMPACT EVALUATION

Would the project:

- a) **Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Project Impact Analysis:

Significant and Unavoidable Impact

“Table 5 [Table 3.12-5 of the DEIR] shows the predicted noise levels at the 15 sensitive receptors evaluated in this noise element. Results of the analysis show that Receptors 1, 4, and 7 will exceed Tulare County’s Land Use Compatibility for Community Noise Environments for the Future Year 2032 scenario. Receptors 1 and 4 are located adjacent to Betty Drive and Road 64, which are projected to experience a significant increase in traffic volumes as a result of roadway improvements that are planned in the study area. The SR 99 on and off ramps at Avenue 304/Goshen Avenue will be closed in the future, which will force nearly all traffic in the Goshen community to use the SR 99 at Betty Avenue interchange. The traffic volumes along Harvest Avenue and Road 64, which are nearest to Receptor 4, are projected to increase by 273% and 1,920% respectively. The traffic volume along Betty Drive, which has an impact on Receptor 1, is projected to increase by 205%. Receptor 7 is located adjacent to SR 99, which is projected to accommodate approximately 6,200 trips during the PM peak hour. As noted in the existing conditions analysis, Receptor 7 currently experiences noise levels that exceed Tulare County’s Land Use Compatibility for Community Noise Environments.

Table 5 [Table 3.12-2 of this DEIR] also provides a comparison of existing noise levels to the estimated future year noise levels. Results show that the greatest increase between existing conditions and future conditions is 8.0 dB’s, which occurs at Receptor 4. The significant increase in traffic volumes near the SR 99 at Betty Drive interchange is the reason for the substantial increase in noise levels at Receptors 1 and 4. A change in level of at least 5 dB is required before any noticeable change in community response would be expected and a 10 dB change is subjectively heard as approximately a doubling in loudness. Therefore, the increase in traffic volumes as a result of population and employment increase in the Tulare County General Plan will cause potentially significant impacts at Receptors 1 and 4.”¹⁹

Although the Project itself will not result in significant growth and subsequent increases to traffic travelling northbound on SR 99, the Project-specific impacts related to this Checklist will contribute to an existing adverse condition. To support this determination, reference should be made to pages 69-76 of the “Betty Drive Interchange Project 06-TUL-99-PM 39.6/41.3 06-471500 06-0000-0464 Initial Study with Proposed Mitigated Negative Declaration/Environmental Assessment” (Betty Drive Interchange MND) prepared by the State of California Department of Transportation. The Goshen NSR analyzed a residential receptor (Receptor 7) approximately 675 feet south of the residential receptors (identified as Receptor R6) analyzed in Caltrans’ Betty Drive Interchange MND. Both sites are immediately east of and adjacent to the existing and future off-ramp alignment.

Caltrans’ analysis is based on its *Traffic Noise Analysis Protocol* which sets forth the criteria for determining when an abatement measure is reasonable and feasible. “The reasonableness determination is basically a cost-benefit analysis. Factors used in determining whether a proposed noise abatement measure is reasonable include residents’ acceptance, the absolute noise level, build versus existing noise, environmental impacts of abatement, public and local

¹⁹ Goshen NSR pages 23-24 13, prepared by VRPA Technologies (and included as Appendix “ ” of this DEIR)

agencies' input, newly constructed development versus development pre-dating 1978, and the cost per benefited residence. Feasibility of noise abatement is basically an engineering concern. A minimum 5-decible reduction in the future noise level must be achieved for an abatement measure to be considered feasible. Other considerations include topography, access requirements, other noise sources, and safety considerations.”²⁰

Further, the Betty Drive Interchange MND states; “To achieve a 5-decibel reduction, a 12-foot noise wall would be needed. If the total cost of the wall at this location is less than the total cost allowance, then the wall would likely be incorporated into the project. The total cost allowance, calculated in accordance with Caltrans’ *Traffic Noise Analysis Protocol*, is \$175,000. The current estimated cost of the wall is \$218,000.”²¹ At the time the Betty Drive Interchange MND was prepared, Caltrans determined; “The current estimated cost of a sound or noise wall for receptor R6 is \$218,000, which exceeds the total cost allowance of \$175,000 calculated in accordance with Caltrans’ *Traffic Noise Analysis Protocol*. Because the cost of the wall does not meet the reasonableness criteria set out in the protocol, the preliminary noise abatement decision is that a soundwall is not recommended or proposed for this project.”²²

As such, there is the potential of a ***Significant and Unavoidable Impact*** as mitigation (specifically, a soundwall) would not be economically reasonable.

Cumulative Impact Analysis: ***Significant and Unavoidable 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.

The proposed Project is located along State Route 99 resulting in a high volume of traffic noise from the freeway. The normal operations of the proposed Project will have a minimal impact on the overall ambient noise levels of the area; however, as the Project also includes the Betty Drive Interchange project by Caltrans, there is the potential for a cumulative impact is. As such, ***Significant Cumulative Impact*** may occur.

As shown in **Table 3.12-1** of this DEIR , Receptor sites 1 (neighborhood park south of Betty Drive, east of SR 99) and 4 (single family residential east of the current Road 64 alignment) exceed Tulare County’s Land Use Compatibility for Community Noise Environments noise thresholds by 0.2 and 4.2; respectively.

As indicated in the Goshen NSR; “With regard to increases in A-weighted noise level, knowledge of the following relationships will be helpful in understanding this report:

- ✓ Except in carefully controlled laboratory experiments, a change of 1 dB cannot be perceived by humans.

²⁰ “Betty Drive Interchange Project 06-TUL-99-PM 39.6/41.3 06-471500 06-0000-0464 Initial Study with Proposed Mitigated Negative Declaration/Environmental Assessment” prepared by the State of California Department of Transportation. Page 72

²¹ Ibid. 76

²² Op. Cit. 77

- ✓ Outside of the laboratory, a 3 dB change is considered a just-perceivable difference.
- ✓ A change in level of at least 5 dB is required before any noticeable change in community response would be expected.
- ✓ A 10 dB change is subjectively heard as approximately a doubling in loudness.”²³

Therefore, despite the noise increases, there will be *no-* to *just-perceivable* differences as a result of the Project to Receptors 1 and 4; respectively.

Mitigation Measure(s): ***None Available***

Consistent with the “*Betty Drive Interchange Project 06-TUL-99-PM 39.6/41.3 06-471500 06-0000-0464 Initial Study with Proposed Mitigated Negative Declaration/Environmental Assessment*” (Betty Drive Interchange MND) prepared by the State of California Department of Transportation in regard to Receptor 7 (as analyzed in the NSR, included as Appendix “E” of this DEIR) as the feasible and reasonable mitigation (a soundwall) is economically non-viable due to costs. As noted earlier, the impacts to Receptors 1 and 4 are *no-* to *just-perceivable* differences in noise levels.

Conclusion: ***Significant and Unavoidable Impact***

As noted earlier, the analysis indicates that a ***Significant and Unavoidable Impact*** would occur as a result of the Project-specific impacts related to the Noise resource.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

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

“Ambient vibration levels in residential areas are typically 50 VdB, which is well below human perception. The operation of heating/air conditioning systems and slamming of doors produce typical indoor vibrations that are noticeable to humans. Construction activity can result in ground vibration, depending upon the types of equipment used. Operation of construction equipment causes ground vibrations which spread through the ground and diminish in strength with distance from the source generating the vibration. Building structures that are founded on the soil in the vicinity of the construction site respond to these vibrations, with varied results. Ground vibrations as a result of construction activities very rarely reach vibration levels that will damage structures, but can cause low rumbling sounds and feelable vibrations for buildings very close to the site. Construction activities that generally create the most severe vibrations are blasting and impact pile driving.

Vibration levels from various types of construction equipment are shown in Table 9. The primary concern with construction vibration is building damage. Therefore, construction vibration is generally assessed in terms of peak particle velocity (PPV). Using the highest vibration level shown in Table 9 (Lv 87), the anticipated vibration level at 100 feet, 150 feet, and 200 feet is 75, 71, and 69 VdB, respectively.

²³ Op. Cit. 6

Construction activities associated with the build-out of the Tulare County General Plan would likely require the use of various tractors, trucks, and jackhammers. Based on the vibration levels provided in Table 9, ground vibration generated by common construction equipment would be 75 VdB or less at a distance of 100 feet or more. Given that much of the construction activities would occur on vacant parcels in sparsely to moderately developed areas, the nearest offsite structures to a particular project site would likely be located in excess of 100 feet from construction activities. As a result, predicted vibration levels at the nearest offsite structures would not exceed vibration levels greater than 75 VdB.”²⁴

Therefore, site preparation and construction-related vibration levels are anticipated to be well below the 0.01 inch per-second perception threshold at nearby properties, resulting in an a ***Less Than Significant Impact***.

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.

Due to the short-term, temporary nature of construction-related activities, the proposed Project will not generate long-term impacts. No perceptible operational vibration will occur. ***No Cumulative Impacts*** related to this Checklist item will occur.

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

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

The proposed Project will result in ***Less Than Significant Project-specific Impacts*** and ***No Cumulative Impacts*** related to this Checklist Item.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Project Impact Analysis: ***Significant and Unavoidable Impact***

“Table 5 [Table 3.12-4 of this DEIR] provides a comparison of existing noise levels to the estimated future year noise levels. Results show that the greatest increase between existing conditions and future conditions is 8.0 dB’s, which occurs at Receptor 4 [single-family residence]. The significant increase in traffic volumes near the SR 99 at Betty Drive interchange is the reason for the substantial increase in noise levels at Receptors 1 [Neighborhood Park] and 4. A change in level of at least 5 dB is required before any noticeable change in community response would be expected and a 10 dB change is subjectively heard as approximately a doubling in loudness. Therefore, the increase in traffic

²⁴ Op. Cit. 25

volumes as a result of population and employment increase in the Tulare County General Plan will cause potentially significant impacts at Receptors 1 and 4.”²⁵ **Figure 3.12-2** shows noise receptor locations, **Table 3.12-2** shows existing noise levels at the receptors shown on **Figure 3.12-1**, and **Table 3.12.1** shows traffic impacts to receptors for the 2032 buildout scenario. Even without the Project, receptors 1 and 4 are, and will remain, above Tulare County General Plan noise thresholds while receptor 7 [single-family residence] will become exposed to increased noise levels as a result of cumulative growth of Tulare County in general, including the Project area.

Therefore, consistent with Item a., above, there is the potential of a ***Significant and Unavoidable Impact*** as mitigation (specifically, a soundwall) would not be economically reasonable.

Cumulative Impact Analysis: ***Significant and Unavoidable 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.

Therefore, consistent with Item a., above, there is the potential of a ***Significant and Unavoidable Impact*** as mitigation (specifically, a soundwall) would not be economically reasonable.

Mitigation Measure(s): ***None that are economically reasonable.***

Conclusion: ***Significant and Unavoidable Impact***

As noted earlier, there is the potential of a ***Significant and Unavoidable Impact*** as mitigation (specifically, a soundwall) would not be economically reasonable.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

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

Future construction-related activities of the proposed Project could generate significant noise, corresponding to the particular phase of construction and the noise-generating equipment used during construction-related activities. “Implementation of the proposed community plan will result in construction activities that could generate temporary noise and groundborne vibration. Table 9 [**Table 3.12-8** of this DEIR] depicts typical construction equipment noise. Construction equipment noise is controlled by the Environmental Protection Agency's Noise Control Program (Part 204 of Title 40, Code of Federal Regulations).”²⁶

²⁵ Op. Cit. 25-26

²⁶ Op. Cit. 26

“Construction activities associated with new development would be temporary in nature and related noise impacts would be short-term. However, since construction activities could substantially increase ambient noise levels at noise-sensitive locations, construction noise could result in potentially significant impacts to sensitive receptors. Activities involved in construction would generate maximum noise levels, as indicated in Table 10, ranging from 85 to 88dB at a distance of 50 feet. Construction activities will be temporary in nature and are expected to occur during normal daytime working hours. Construction noise impacts could result in annoyance or sleep disruption for nearby residences if nighttime operations occurred, or if unusually noisy equipment was used.”²⁷ As recommended in the NSR for Goshen, in order to reduce potential construction noise impacts to sensitive receptors near the Project area, the proposed Project shall comply with the following Mitigation Measure:

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

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.

Future, temporary, short-term construction-related noise will not result in a less than significant impact through implementation of **Mitigation Measure 12-1**. There are no other projects in the vicinity of the Project site that will significantly increase temporary noise levels. Therefore, ***Less Than Significant Cumulative Impacts With Mitigation*** related to this Checklist item will occur.

Mitigation Measure(s):

12-1 The hours of future construction shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday or weekends (if allowed by the County) where residential uses are within 200 feet of where the activity is taking place. If residential uses are beyond 300 feet limited work hours are not required.

Conclusion: ***Less Than Significant Impact With Mitigation***

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

- 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 expose people residing or working in the project area to excessive noise levels?**

Project Impact Analysis: ***No Impact***

“The Visalia Municipal Airport is the only airport in Tulare County that has scheduled airline service. The noise impacts from these public airports were analyzed in the 2004 Airport

²⁷ Op. Cit.

Master Plan. Current average daily activity is estimated at 71 takeoffs and landings and approximately 26,000 operations per year. The projected 2019 total activity level is 90 takeoffs and landings and approximately 33,000 operations per year.

The Airport Master Plan establishes procedures and criteria for reviewing proposed development in the Airport environs. All land uses located outside of the 65 dB CNEL contours are considered compatible. However, residential and lodging land uses located inside the 65 CNEL contour are considered to be incompatible uses and could generate complaints. This can be expected because the background noise levels, absent of aircraft overflights, are low. Maximum noise levels due to typical single engine aircraft overflights can range between 65 dB and 80 dB, which may be annoying to individuals.

The Airport Master Plan reported CNEL contours for projected (Year 2019) average daily airport activity levels are depicted in **Figure 3.10-2** of the Visalia Municipal Airport Master Plan. The 55 CNEL noise contour Year 2019 conditions cover a small portion of the southern part of the Goshen community. Therefore, noise generated from the Visalia Municipal Airport will not expose people residing in the Goshen Community to excessive noise levels.”²⁸

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, and/or Tulare County 2030 General Plan EIR.

The proposed Project is located within 2 miles from the nearest public or private airport (Visalia Municipal Airport located in the City of Visalia). As noted earlier, noise generated from the Visalia Municipal Airport will not expose people residing in the Goshen Community to excessive noise levels. ***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) **For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

Project Impact Analysis: ***No Impact***

The proposed Project is not located within 2 miles of a private airstrip. As such, ***No Project-Specific Impacts*** related to this Checklist Item will occur.

²⁸ Op. Cit. 27

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, and/or Tulare County 2030 General Plan EIR.

The proposed Project does not include housing or additional employees and, as noted earlier, is located approximately 10 miles from the nearest public or private airport. ***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.

DEFINITIONS/ACRONYMS & ABBREVIATIONS

Definitions

“Noise is often described as unwanted sound, and thus is a subjective reaction to characteristics of a physical phenomenon. Researchers have generally agreed that A-weighted sound pressure levels (sound levels) are well correlated with subjective reaction to noise. Variations in sound levels over time are represented by statistical descriptors, and by time-weighted composite noise metrics such as the Day/Night Average Level (Ldn).”²⁹ In addressing noise impacts, the following key terms are outlined and explained below:

Ambient Noise - “The total noise associated with a given environment and usually comprising sounds from many sources, both near and far.”

Attenuation - “Reduction in the level of sound resulting from absorption by the topography, the atmosphere, distance, barriers, and other factors.

A-weighted decibel (dBA) - A unit of measurement for noise based on a frequency weighting system that approximates the frequency response of the human ear.

Community Noise Equivalent Level (CNEL) - Used to characterize average sound levels over a 24-hour period, with weighting factors included for evening and nighttime sound levels. Leq values (equivalent sound levels measured over a 1-hour period - see below) for the evening period (7:00 p.m. to 10:00 p.m.) are increased by 5 dB, while Leq values for the nighttime period (10:00 p.m. to 7:00 a.m.) are increased by 10 dB. For a given set of sound measurements, the CNEL value will usually be about 1 dB higher than the Ldn value (see below). In practice, CNEL and Ldn are often used interchangeably.

Decibel (dBA) - A unit of measurement describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure (which is 20 micronewtons per square meter).

Day-Night Average Sound Level (Ldn) - Average sound exposure over a 24-hour period. Ldn values are calculated from hourly Leq values, with the Leq values for the nighttime period (10:00 p.m. to 7:00 a.m.) increased by 10 dB to reflect the greater disturbance potential from nighttime noises.”

Equivalent Sound Level (Leq) - The level of a steady-state sound that, in a stated time period and at a stated location, has the same sound energy as the time-varying sound (approximately equal to the average sound level). The equivalent sound level measured over a 1-hour period is called the hourly Leq or Leq (h).

Lmax and Lmin - The maximum and minimum sound levels, respectively, recorded during a measurement period. When a sound meter is set to the “slow” response setting, as is typical for most community noise measurements, the Lmax and Lmin values are the maximum and

²⁹ TCAG 2011 Regional Transportation Plan Draft Subsequent EIR, page 150

minimum levels recorded typically for 1-second periods.

Percentile-Exceeded Sound Level (L_x) - The sound level exceeded during a given percentage of a measurement period. Examples include L₁₀, L₅₀, and L₉₀. L₁₀ is the A-weighted sound level that is exceeded 10% of the measurement period, L₅₀ is the level exceeded 50% of the period, and so on. L₅₀ is the median sound level measured during the measurement period. L₉₀, the sound level exceeded 90% of the time, excludes high localized sound levels produced by nearby sources such as single car passages or bird chirps. L₉₀ is often used to represent the background sound level. L₅₀ is also used to provide a less conservative assessment of the background sound level.

Sensitive Receptors - Sensitive receptors are defined to include residential areas, hospitals, convalescent homes and facilities, schools, and other similar land uses.³⁰

Acronyms

ACEP	Agricultural Conservation Easement Program
BMPs	Best Management Practices
CEQA	California Environmental Quality Act
CARB or ARB	California Air Resources Board
CNEL	Community Noise Equivalent Level
CONC	California Office of Noise Control
dB	Decibel
FEMA	Federal Emergency Management Agency
GHG	Greenhouse Gas
HDB	Hamlet Development Boundary
JDF	Juvenile Detention Facility
Leq	Equivalent Sound Level
L _{dn}	Day-Night Average Sound Level
LOS	Level of Service
NPDES	National Pollution Discharge Elimination System
RMA	Tulare County Resource Management Agency
SJVAPCD	San Joaquin Valley Air Pollution Control District
TCAG	Tulare County Association of Governments
TCFD	Tulare County Flood Control District (TCFD)
UAB	Urban Area Boundary
UC	University of California
UDB	Urban Development Boundary
US EPA (or EPA)	United States Environmental Protection Agency

General Plan Policies:

AG	Agriculture
AQ	Air Quality
ERM	Environmental Resources Management
HS	Health and Safety

³⁰ General Plan Background Report, pages 8-46 to 8-47

Draft Environmental Impact Report
Goshen Community Plan Update

LU	Land Use
PF	Planning Framework (General)
PFS	Public Facilities and Services
SL	Scenic
TC	Transportation and Circulation
WR	Water Resources

REFERENCES

Tulare County 2030 General Plan, August 2012; and Background Report, February 2010

TCAG 2011 Regional Transportation Plan Draft Subsequent Environmental Impact Report, April 30, 2010

Federal Highway Administration website, Traffic Noise Model, which can be accessed at:
http://www.fhwa.dot.gov/environment/noise/traffic_noise_model/

“Betty Drive Interchange Project 06-TUL-99-PM 39.6/41.3 06-471500 06-0000-0464 Initial Study with Proposed Mitigated Negative Declaration/Environmental Assessment” prepared by the State of California Department of Transportation which can be accessed at:
http://www.dot.ca.gov/dist6/environmental/envdocs/d6/SR99TUL_BettyDrive063011.pdf

CEQA Guidelines

Population and Housing

Chapter 3.13

SUMMARY OF FINDINGS

The proposed Project will result in ***Less Than Significant Impacts*** related to Population and Housing and therefore, no mitigation measures are required. 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 Population and Housing. 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 will 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 Population and Housing in the County.

¹ 2013 CEQA Guidelines, Section 15126.2 (a)

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, the Tulare County General Plan Background Report and/or the Tulare County General Plan Revised DEIR incorporated by reference and summarized below. Additional documents 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

- Induce Substantial Population Growth
- Displace Housing or People

ENVIRONMENTAL SETTING

The community of Goshen is located approximately 31 miles south of Fresno on State Route 99 on the western edge of Tulare County. It generally lies approximately 1½ miles north of the Visalia Municipal Airport, with portions of the community situated within the airport's approach and departure areas. Goshen is adjacent to the City of Visalia (the County Seat) and is located approximately one-tenth of a mile north-west of the city limits of Visalia (and about 6½ miles from downtown Visalia's shopping area). An important consideration of this Community Plan Update is the location of Visalia's Industrial Park area (which is located immediately east of the Road 76 alignment south of Betty Drive/Riggin Avenue, and existing Road 76 north of Goshen Avenue).

Historical Perspective

"Goshen came into being as Goshen Junction in on the east by Road 68, the south by 1872 as a result of the townsite laid out by the San Joaquin Branch of the Central Pacific Railroad. In 1874, a branch line was built from Goshen to Visalia, inspiring the hope that Goshen would become a great railway center.

By 1880, a number of the townsite lots had been sold to Goshen settlers (the first home was built for Jacob Kane) and the population increased enough to warrant construction of a post office. By 1883, Goshen Junction had become an important stop on the railroad's main line, with two small hotels and a railway passenger and freight depot. Goshen's population did not grow rapidly, perhaps due to the alkali visible to train passengers on the depot's ground, which unfavorably impressed potential settlers.

During the period 1884 to 1888, Goshen and other railroad towns served as shipping points for wheat growers during the bonanza wheat-growing years in Tulare County. Huge warehouses were built to store the wheat. In 1885, Goshen's first school was constructed and the Central Pacific changed its name to the Southern Pacific Railroad. The first newspaper, the Goshen Herald, a weekly tabloid, rolled off the press in 1887. By 1888 the community had grown to include a lumber yard, stockyard, blacksmith shops, restaurants and saloons. The first Tulare

County business directory listed 74 residents of Goshen Junction who were comprised of farmers, laborers, a railroad agent, saloon keepers, a wagon maker, postmaster, stage driver, blacksmith, hotel keeper and real estate dealer. The 1910 directory listed 65 persons, although it is presumed that both directories did not list all the residents and their children. Prior to 1913 the Associated Oil Company's pipeline acted as a development stimulus, resulting in the construction of several cottages to house the company's employees.

According to the Goshen Improvement Council, the 1937 population was about 50. The main residential core of the community consisted of approximately 30 homes on 24 acres. The majority of homes were concentrated west of the railroad, north of Avenue 308, and east of Road 67. The vast majority of the area east of the railroad, north of Avenue 304, and south of Avenue 312 was undeveloped. Needless to say Avenue 308 did not extend east of the railroad tracks. Two large oval tracts existed adjacent to the old borrow pit in the area bounded on the north by Avenue 308, on the east by Road 68, the south by Avenue 304 and on the west by Road 64.

According to population data available, the community grew rather rapidly during the 1940's and 1950's to reach a 1960 population figure of 1,061. Most of this growth is probably attributed to the post World War II boom, with Goshen offering agricultural opportunities and a rural atmosphere for a reasonable price. A hundred years after its inception, Goshen, currently with a population of over 1800, is ideally suited for highway- oriented commercial development because of its relationship to State Highway 99 and the Visalia airport. Although primarily an agriculturally related service center, Goshen's industrial base is rapidly increasing, providing new employment opportunities for residents of the community.

In the 1960s improvements along State Route 99 (SR 99) gave rise to highway commercial activities as an important economic opportunity for most of the adjacent settlements with direct highway access. As traffic volumes increased along the highway, land uses were intensified surrounding the Betty Drive and Avenue 304 interchanges and residential development began moving eastward between the highway and the railroad tracks and even further eastward beyond the tracks. The structure of the community revealed economic and development conditions across the three geographic and time frame segments. Each segment provides a slightly unique structure and quality of life for its residents. Some destinations such as the elementary school, health clinic, and shops serve the larger community and require residents to travel between segments daily.

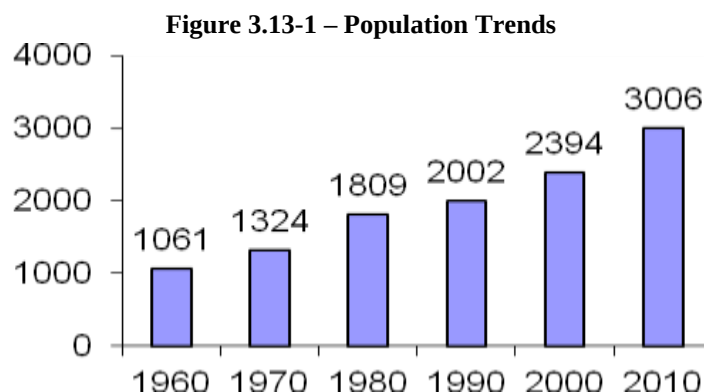
Today, Goshen has four major ingredients that bolster growth: two State Routes, a main railroad corridor, proximity to a municipal airport, and basic infrastructure (e.g. water and sewer system) in place.”²

“Historic Population Growth

The rate of population growth over a 6 year period, 1970 - 1976, in the unincorporated County and Goshen is 3.2 and 36.0, respectively. Males and females show increases of 3.3% and 3.1%,

² 2014 Goshen Community Plan Update. Page 2

respectively in the unincorporated County while the Goshen male population increased at 37.7% and females increased by 34.4% during the same period (1970-1976). This indicates that Goshen grew at a rate roughly equivalent to ten times the growth rate for the balance of the unincorporated area. Goshen's growth may be attributable to several factors, including new jobs in nearby industrial developments, availability of moderately priced lots, low rents, and a general shift in farm employee population from rural areas to communities.



Recent Population Growth

In 2000, Goshen's population was 2,394. The population increased to 3,006 by 2010. The male population increased from 1,182 in 2000 to 1,556 in 2010. The female population increased from 1,212 in 2000 to 1,420 in 2010. In the decade between 2000 and 2010, more males were added to the population than females.”³

“Projected Population

The San Joaquin Valley faces major challenges. One concerns 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.”⁴

Table 3.13-1 – Projected Annual Growth Rates		
	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%

Source: DOF, 2007; TCAG, 2008, 2010 General Plan Background Report

³ Goshen Community Plan Update, Figure 3 and Table 5. Page 66-67

⁴ Tulare County Regional Blueprint, page 7”

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“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 Goshen.

Median Age

The median age in Goshen went up from 25.3 in 2000 to 27.1 in 2010. As shown in **Table 3.13-2**, Goshen’s median age is lower than the median age of Tulare County and of the State of California.

Table 3.13-2 – Median Age (2000 & 2010)		
Geography	2000	2010
	Median age (years)	Median age (years)
California	33.3	35.2
Tulare County	29.2	29.6
Goshen CDP	25.3	27.1
<i>Source: California Department of Finance</i>		

As shown in **Table 3.13-3**, Goshen has a higher percentage of persons under 18 at 25.9% than Tulare County (22.3%) and the State of California (16.4%). Goshen also has a lower elderly population. Persons 55 years old and over made up 10.7% of Goshen’s population. Comparatively, persons 55 years and older in Tulare County was 12.7% and in the State of California was 14.6%.⁵

Table 3.13-3 – 2010 Age Percentage						
Geography	Persons Under 5 years	Persons Under 18 years	Persons Age 21+	Persons Age 55+	Persons Age 60+	Persons Age 65+
California	4.5%	16.4%	46.3%	14.6%	10.7%	7.5%
Tulare County	6.4%	22.3%	42.8%	12.7%	9.3%	6.5%
Goshen CDP	8.3%	25.9%	42.7%	10.7%	7.5%	4.9%
<i>Source: State of California, Department of Finance.</i>						

⁵ Goshen Community Plan Update, Tables 6 and 7, Page 67

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“Ethnicity and Race

In 2000 [as shown in **Table 3.13-4**], 63% of the Goshen’s population was white, 2.8% was African American, 2% was Native American, 1.4% was Asian, and 3.9% was two races or more. Approximately 73% was Hispanic (of any race).

Table 3.13-4– Race & Ethnicity (2000)							
Geography	2000						
	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	33,871,648	20,170,059	10,966,556	2,263,882	333,346	3,697,513	1,607,646
Tulare County	368,021	213,751	186,846	5,852	5,737	12,018	16,938
Goshen CDP	2,394	1,508	1,751	67	49	33	93
Goshen % of Total	-	62.99%	73.14%	2.80%	2.05%	1.38%	3.88%

Source: California Department of Finance

In 2010 [as shown in **Table 3.13-5**], 39% of the Goshen’s population was white, 2.5% was African American, 3% was Native American, 0.4% was Asian, and 4.8% was two races or more. Approximately 83% was Hispanic (of any race).

Table 3.13-5 Race & 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
Goshen CDP	3,006	1,186	2,482	76	90	11	146
Goshen % of Total	-	39.45%	82.57%	2.53%	2.99%	0.37%	4.86%

Source: California Department of Finance

Population Growth Forecast

In the decade between 2000 and 2010, the proportion of the White population decreased from 63% to 39%. The African-American population percentage decreased from 2.8% to 2.5%. The Asian population percentage decreased from 1.3% to 0.4%. The two or more race demographic

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when up from 3.9% to 4.8%. The Hispanic population (of any race) increased from 73% to 82%.”⁶

Table 3.13-6 provides population projections for the Goshen community based on an annual average growth rate of 1.3% consistent with the Tulare County General Plan. **Table 3.13-6** is derived from the draft Goshen Community Plan Update, page 94.

Table 3.13-6 – Goshen Population Projections				
Annual Growth Rate 0.013%		2010	2020	2030
	773	814	880	1,001

Based on the data and analysis contained above, the **Table 3.13-7** includes Year 2030 square footage and residential unit demand forecast for the Goshen planning area.

Table 3.13-7 – Goshen Housing Development Projections			
Housing Type	% of Total	2020	2030
Single Family Homes	54%		
Increase from 2014		11	30
Multi Family Homes	7.4%		
Increase from 2014		1	4
Mobile Homes	38.1%		
Increase from 2014		7	21
<i>Residential percentages from 2007-2011 Census</i>			

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 RHNA housing results are summarized in **Table 3.13-8**. 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

⁶ Goshen Community Plan Update, Tables 8, 9, and 10. Pages 69-70.

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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.

Table 3.13-8 Regional Housing Needs Assessment Plan January 1, 2014 – September 30, 2023					
Income Category					
Jurisdiction	Very Low	Low	Moderate	Above Moderate	Total
Dinuba	211	163	121	470	965
Exeter	143	125	85	272	625
Farmersville	74	65	68	259	466
Lindsay	80	80	82	348	590
Porterville	623	576	566	1,431	3,196
Tulare	920	609	613	1,452	3,594
Visalia	2616	1,931	1,802	3,672	10,021
Woodlake	71	41	69	191	372
Unincorporated Area	1,477	1,065	1,169	3,370	7,081
Total Tulare County	6,215	4,655	4,575	11,465	26,910
<i>Source: TCAG, Final Regional Housing Needs Plan for Tulare County 2014-2023. Table 1. Page 19.: Draft RHNA Allocations by Income Category.</i>					

According to the Tulare County Regional Housing Needs Assessment Plan (RHNA), the number of household in Tulare County's was estimated as 110,356 in 2000. In 2010 the number of Tulare County households was estimated as 130,352⁷. The 2014 household Projection is estimated as 159,514⁸. **Table 3.13-9** shows Tulare County's Population estimates from 1980 through 2012.

Table 3.13-9 Tulare County Population Growth Trend 1980-2014					
Geography	1980	1990	2000	2010	2014
Cities	124,302	178,815	227,199	299,307	312,634
Unincorporated Area	121,436	311,921	368,021	442,179	459,446
County Population	245,738	311,921	368,021	442,179	459,446
<i>Source: Tulare County Housing Element 2015 Update, Page 3-2, Table 3-1.</i>					

“Affordability problems occur when housing costs become so high in relation to income that households have to pay an excessive proportion of their income for housing, or are unable to afford any housing and are homeless. A household is considered to be overpaying (or cost burdened) if it spends more than 30 percent of its gross income on housing. Severe overpayment

⁷ 2010 census data, general population and housing characteristics, which can be accessed at:
<http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>

⁸ TC Regional Housing Needs Assessment Plan, Table II-1. Page II-7, <http://www.tularecog.org/DocumentCenter/View/37>

occurs when a household spends more than 50 percent of income on housing. Housing costs depend upon many variables, including the type, size, value and/or location of the housing units, the intended tenure of the unit (whether it is to be occupied by owners or renters), and the inclusion or exclusion of one or more utilities, services, property taxes, insurance, and maintenance.”⁹

“Housing costs continue to rise significantly. The 2010 Census reports the median rent has increased 10.72% from \$727 in 2000 to \$805 in 2010. The median monthly owner costs for housing units with a mortgage have seen a minor decrease going from \$1,518 to \$1,471 which is a -3.09% decrease. The monthly owner costs for those housing units without a mortgage increased by less than 1%, going from \$330 to \$361.”¹⁰

“The County’s median household income has decreased 2.91% from \$45,117 in 2008 to \$43,803 in 2010. This has not kept up with the rise in housing costs. Therefore, households are challenged with a greater housing cost burden. This is demonstrated in the increased percentage of household income 3. Housing Needs Assessment 3-27 families are paying for housing. In 2010, 51.9% of renter households and 48.39% of owner occupied households pay 35% or more of their income for housing (up from 41.5% and 37.7% in 2008).”¹¹

“The TCAG RHNA Plan recommends that the County provide land use and zoning to accommodate 7,081 housing units during the planning cycle. This averages 885 units per year in the unincorporated portions of the County. This high allocation and augmented number is due to the fact that the County’s housing allocation was based on the County’s existing total housing stock percentage of 30% (2014). The allocation was not based on the County’s actual housing growth rate. The County anticipates an unincorporated growth rate of less than 15% of the Countywide housing stock increase during the life of the Housing element. It is not anticipated that the County’s unincorporated housing units will remain at a total of 30% of the countywide housing units, but will decrease to less than 25% due to a housing unit growth rate of 15%. However, to remain consistent with the housing allocation based on TCAG’s RTP, the County continues to be allocated an extremely high housing share to 7,081 units (885 units per year over the 8 year RHNA planning period).”¹²

As of January 1, 2015, the California Department of Finance estimates a total of 45,049 existing housing units in the unincorporated area.¹³ (See **Table 3.13-10**)

⁹ 2009 Tulare County Housing Element. Page 36.

¹⁰ Ibid. 3-26

¹¹ Op. Cit. 3-26 to 3-27.

¹² Op. Cit. 3-73.

¹³ California Department of Finance, E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2016 with 2010 Census Benchmark, <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>, accessed February 14, 2017.

Table 3.13-10	
Estimated Housing Units	
Unincorporated Tulare County - 2015	
Single	
Detached	34,783
Attached	826
Multiple	
Two to Four	1,715
Five Plus	1,187
Mobile Homes	6,538
Unincorporated Total	45,049
Housing Units Occupied	39,341
Vacancy Rate	12.7%

“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."

Goshen's median household income was \$39,360 in 2016. The State of California's median household income in 2016 was \$63,783 [see **Table 3.13-11**].

Goshen's median household income was 61.7% of the State of California's median household income. Goshen is considered a severely disadvantaged community."¹⁴

Table 3.13-11					
2012 – 2016 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	\$63,783	\$91,149	\$72,952	\$101,373	\$31,458
Tulare County	\$42,789	\$59,859	\$45,629	\$63,575	\$18,257
Goshen CDP	\$39,360	\$46,264	\$34,795	\$37,878	\$11,947
<i>Source: Goshen Community Plan Update, Table 12</i>					

Poverty

According to the California Department of Finance, the 2012-2016 American Community Survey data indicated that an estimated 33.2% of all families in Goshen live below the poverty line. Goshen has a higher level of poverty overall with 31.7% of the total population living in poverty compared to Tulare County at 28.3% and the State of California at 1.8%. Female-headed

¹⁴ Goshen Community Plan Update. Page 7.

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households with no husband present have even higher rates of poverty with 75.4% of those in Goshen living below the poverty line.¹⁵ (see **Table 3.13-12**)

Table 3.13-12 2012 – 2016 American Community Survey: Poverty					
Geography	All families	Married couple families	Families with female householder, no husband present	All people	Persons under 18 years
California	11.8%	7.0%	27.3%	15.8%	21.9%
Tulare County	23.5%	15.8%	39.40%	28.3%	38.3%
Goshen CDP	33.2%	13.4%	75.4%	31.7%	37.9%

Source: Goshen Community Plan Update, Table 13.

Goshen Housing Characteristics

Housing Units

During the decade between 2000 and 2010, the number of housing units in Goshen increased from 667 to 840, which represents an increase of 25.94%. This increase was higher than the percent increase in Tulare County of 18.4% and the State of California at 12%. See **Table 3.13-13**.

Table 3.13-13 – Housing Units (2000 & 2010)			
Geography	2000	2010	Percent Increase
	Total housing units	Total housing units	
California	12,214,549	13,680,081	12.00%
Tulare County	119,639	141,696	18.44%
Goshen CDP	667	840	25.94%

Source: California Department of Finance

Housing Types

According to the California Department of Finance, the 2012-2016 American Community Survey (**see Table 3.13-14**) indicated that 78.68% of the housing units in Goshen were 1 unit detached and 2.8% were 1-unit attached, 2.7% was 2 units, and 2.9% was 3 or 4 unit housing types. In Tulare County 76.0% of the housing units were 1-unit detached. In California 58.1% of housing units were 1-unit detached.

¹⁵ Ibid. 162.

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Table 3.13-14 2012-2016 American Community Survey: Unit Types									
Geography	Total housing units	1-unit, detached	%	1-unit, attached	%	2 units	%	3 or 4 units	%
California	13,911,737	8,076,586	58.1	962,527	6.9	345,952	2.5	776,724	6.9
Tulare County	145,661	110,770	76.0	3,515	2.4	3,878	2.7	8,026	5.5
Goshen CDP	1,041	818	78.6	29	2.8	28	2.7	30	2.9
<i>Source: California Department of Finance</i>									

During the decade between 2000 and 2010, the home ownership percentage in California decreased by approximately 1%. In Tulare County, that percentage decreased by approximately 3%. In Goshen, the homeownership percentage decreased by approximately 8%. While the average household size increased in the State of California and Tulare County, the average household size decreased in Goshen as shown in **Table 3.13-15**.

Table 3.13-15 – Ownership and Household Size (2000 & 2010)						
Geography	2000			2010		
	Percent Ownership	Average household size of owner-occupied units	Average household size of renter-occupied units	Percent Ownership	Average household size of owner-occupied units	Average household size of renter-occupied units
California	57%	2.93	2.79	56%	2.95	2.83
Tulare County	62%	3.18	3.43	59%	3.24	3.52
Goshen CDP	60%	3.91	4.08	52%	3.78	4.01
<i>Source: California Department of Finance</i>						

Tenure

“Tenure [shown in **Table 3.13-16**] is essentially a description of how a household is being occupied, that is, whether the owners or renters are living in a housing unit.”¹⁶ According to the 2012-2016 American Community Survey, 51.3% of the housing units in Goshen in 2016 were owner occupied. This is lower 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.”¹⁷.

¹⁶ Op. Cit.

¹⁷ Op. Cit.

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Table 3.13-16 Housing Tenure (2016)							
	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
Three Rivers CDP	950	487	51.3	463	48.7	3.88	3.99
<i>Source: 2012-2016 American Community Survey 5-Year Estimates, Table DP04: Selected Housing Characteristics</i>							

Housing Conditions

According to the 1978 Goshen Community Housing Condition Survey, approximately 14.3% of Goshen's housing units in 1978 were deteriorated and 5.3% were dilapidated.

According to the 2009 Tulare County Housing Element, and as shown in **Table 3.13-17**, approximately 46% of the housing units were sound. Approximately 40% were deteriorated and 13% were dilapidated.

Table 3.13-17 – 2009 Housing Conditions Survey											
Survey Area	Sound		Deteriorated						Dilapidated		Total Units
			Minor		Moderate		Substantial				
	Units	%	Units	%	Units	%	Units	%	Units	%	
Goshen	116	46%	11	4%	70	28%	21	8%	32	13%	250
Source: Tulare County 2009 Housing Condition Survey, Tulare County 2009 Housing Element											

The percentage of substandard housing shown in **Table 3.13-18** in Goshen has increased between 1992 and 2009. The percentage was 14% in 1992, 24% in 2003 and 54% in 2009.

Table 3.13-18 Percentages of Substandard Housing Units Unincorporated Communities in Tulare County 1992-2009			
	1992 Survey Results	2003 Survey Results	2009 Survey Results
Goshen	14%	24%	54%
<i>Source: 1992, 2003, 2009 Tulare County Housing Survey of Unincorporated Communities, 2009 Housing Element</i>			

Age of Structures

According to the U.S. Census, the 2012-2016 Community Survey noted that 27.1% of the housing structures were built between 1950 and 1959. Approximately 22.7% of housing structures were built between 1970 and 1979. Approximately 14.5% of housing structures were built between 1980 and 1989. See **Table 3.13-19**.

Table 3.13-19 2012-2016 American Community Survey, Age of Structures in Goshen		
Age of Structures	Number	Percentage
Built 2014 or later	8	0.8%
Built 2010 to 2013	172	16.5%
Built 2000 to 2009	89	8.5%
Built 1990 to 1999	212	20.4%
Built 1980 to 1989	184	17.7%
Built 1970 to 1979	114	11.0%
Built 1960 to 1969	139	13.4%
Built 1950 to 1959	93	8.9%
Built 1940 to 1949	0	0.0%
Built 1939 or earlier	30	2.9%
Total:	1,041	-

Household Size (Overcrowding)

Between 2000 and 2010, the average household size decreased from 3.98 to 3.89. During this decade, the average household size increased in Tulare County from 3.28 to 3.36. Also, the average household size in the State of California also increased from 2.87 to 2.90. Although Goshen's average household size decreased, it was still higher than Tulare County's and the State of California's average household size. **Table 3.13-20** shows average household size within Goshen.

Table 3.13-20 Average Household Size 2000 & 2010		
Geography	2000	2010
	Average Household size	Average Household size
California	2.87	2.90
Tulare County	3.28	3.36
Goshen CDP	3.98	3.89
<i>Source: California Department of Finance</i>		

Vacancy Rate

As shown in **Table 3.13-21**, in 2000, the vacancy rate in Goshen was 11.1%, which was higher than Tulare County at 7.7% and the State of California at 5.8%. In 2010, the vacancy rate in Goshen was 8%, which is consistent with Tulare County at 8% and the State of California at 8.1%.

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Table 3.13-21
Vacancy Rate (2000 & 2010)

Geography	2000			2010		
	Vacancy rate	Homeowner vacancy rate (1)	Rental vacancy rate (1)	Vacancy rate	Homeowner vacancy rate (1)	Rental vacancy rate (1)
California	5.8%	1.4%	3.7%	8.1%	2.1%	6.3%
Tulare County	7.7%	1.8%	5.8%	8.0%	2.4%	5.8%
Goshen CDP	11.1%	0.8%	10.1%	8.0%	2.4%	10.0%

Source: California Department of Finance

While the State of California's rental vacancy rate increased from 3.7% to 6.3%, the rental vacancy rate in Goshen remained around 10% between 2000 and 2010. Tulare County's rental vacancy rate remained at 5.8% during this decade.

"Renter Affordability"

According to the California Department of Finance, the 2012-2016 American Community Survey indicated that median rent in Goshen was \$783. The median rent was \$847 in Tulare County and \$1,297 in the State of California. In Goshen, the percentage of households paying 35% or more of income on housing was 52.0%. The percentage of households paying 35% or more of income on housing was 47.2% Tulare County and 47.0% in the State of California. [see **Table 3.13-22**]

Table 3.13-22
2012-2016 American Community Survey: Renter Cost

		Gross Rent as a % of Household Income					
Geography	Median Rent	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	\$1,297	9.3%	10.7%	12.1%	11.5%	9.4%	47.0%
Tulare County	\$847	10.2%	10.5%	12.7%	10.6%	8.7%	47.2%
Goshen CDP	\$783	0.0%	16.8%	4.5%	11.1%	15.6%	52.0%

Source: California Department of Finance

Owner Affordability

According to the California Department of Finance, the 2012-2016 American Community Survey indicated that median owner cost (with mortgage) in Goshen was \$896. The median owner cost was \$1,353 in Tulare County and \$2,157 in the State of California. In Goshen, the percentage of households paying 35% or more of income on housing was 20.5%. The

percentage of households paying 35% or more of income on housing was 32.0% Tulare County and 31.9% in the State of California. [See **Table 3.13-23**]¹⁸

Table 3.13-23						
2012-2016 American Community Survey: Owner Cost						
		Mortgage as a % of Household Income				
Geography	Median Owner Cost (with mortgage)	Less than 20.0%	20.0% to 24.9%	25.0% to 29.9%	30.0% to 34.9%	35.0% or more
California	\$2,157	30.9%	15.3%	12.6%	9.3%	31.9%
Tulare County	\$1,353	34.1%	15.0%	11.4%	7.5%	32.0%
Goshen CDP	\$896	38.0%	12.0%	14.1%	15.4%	20.5%
<i>Source: California Department of Finance</i>						

REGULATORY SETTING

Federal Agencies & Regulations

U.S. Department of Housing and Urban Development (HUD)

“HUD’s mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes; utilize housing as a platform for improving quality of life; build inclusive and sustainable communities free from discrimination; and transform the way HUD does business.”¹⁹

State Agencies & Regulations

California Department of Housing and Community Development (HCD)

HCD’s mission is to “[p]rovide leadership, policies and programs to preserve and expand safe and affordable housing opportunities and promote strong communities for all Californians.”²⁰ “In 1977, the State Department of Housing and Community Development (HCD) adopted regulations under the California Administrative Code, known as the Housing Element Guidelines, which are to be followed by local governments in the preparation of local housing elements. AB 2853, enacted in 1980, further codified housing element requirements. Since that time, new amendments to State Housing Law have been enacted. Each of these amendments has been considered during development of this Housing Element.”²¹

¹⁸ Goshen Community Plan Update. Page 90.

¹⁹ HUD Website, <http://portal.hud.gov/hudportal/HUD?src=/about/mission>

²⁰ HCD website, <http://www.hcd.ca.gov/mission.html>

²¹ 2009 Housing Element. Pages 3 and 4.

California Relocation Assistance Act

The State of California adopted the California Relocation Assistance Act (*California Government Code* §7260 et seq.) in 1970. This State law, which follows the federal Uniform Relocation Assistance and Real Property Acquisition Act, requires public agencies to provide procedural protections and benefits when they displace businesses, homeowners, and tenants in the process of implementing public programs and Projects. This State law calls for fair, uniform, and equitable treatment of all affected persons through the provision of relocation benefits and assistance to minimize the hardship of displacement on the affected persons.

Local Policy & Regulations

Tulare County 2008 Regional Housing Needs Assessment Plan

“The Tulare County Association of Governments (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 this Housing Element. Tulare County has no control over the countywide population and housing Projections provided to TCAG when it prepared the Regional Housing Needs Assessment Plan.”²²

Tulare County Regional Blueprint 2009

This Blueprint includes the following preferred growth scenario principals:

- Increase densities county-wide by 25% over the status quo densities;
- Establish light rail between cities;
- Extend Highway 65 north to Fresno County;
- Expand transit throughout the county;
- Maintain urban separators around cities; and
- Growth will be directed toward incorporated cities and communities where urban development exists and where comprehensive services and infrastructure are or will be provided.

Tulare County Housing Authority

“The Housing Authority of the County of Tulare (HATC) has been officially designated as the local public housing agency for the County of Tulare by the Board of Supervisors and was created pursuant to federal and state laws. ...HATC is a unique hybrid: a public sector agency with private sector business practices. Their major source of income is the rents from residents. The HATC mission is “to provide affordable, well-maintained rental housing to qualified low- and very low-income families. Priority shall be given to working families, seniors and the disabled. Tenant self sufficiency and responsibility shall be encouraged. Programs shall be self-supporting to the maximum extent feasible.” HATC provides rental assistance to very low and

²² Tulare County 2009 Housing Element. Page 10.

moderate-income families, seniors and the handicapped throughout the county. HATC offers many different programs, including the conventional public housing program, the housing choice voucher program (Section 8), the farm labor program for families with farm labor income, senior housing programs, and other programs. They also own or manage some individual subsidized rental complexes that do not fall under the previous categories, and can provide information about other affordable housing that is available in Tulare County. All programs are handicap accessible. Almost all of the complexes have 55-year recorded affordability covenants.”²³

Tulare County General Plan Policies

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

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.

²³ 2009 Housing Element. Page 112.

Housing Policy 1.33 - Encourage and support a balance between housing and agricultural needs.

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 thorough 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 3.12 - 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 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 community.

Guiding Principle 4.1 - Support and encourage County ordinances, standards, practices and procedures that promote residential energy conservation.

Housing Policy 4.11 - Review residential projects for environmental impacts and impose conditions to reduce those impacts.

Housing Policy 4.12 - Facilitate land use policies and programs that meet housing and conservation objectives.

Housing Policy 4.13 - Promote energy efficiency and water conservation.

Housing Policy 4.14 - Enforce the requirements of County Ordinances regarding the disposal of construction and demolition debris.

Housing Policy 4.15 - Enforce energy Efficiency Standards for Residential and Non-Residential properties (Title 24).

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.

IMPACT EVALUATION

Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

Project Impact Analysis:

Less Than Significant Impact

Implementing the Community Plan update will have a direct, growth inducing impact on the community of Goshen. The proposed Community Plan update would not exclusively designate any land for residential development, but allows for highway commercial land uses with a mixed use zoning overlay. The expansion of new businesses within highway commercial areas along Betty Drive and Road 64 may be allowed in the future, subject to further environmental analysis under the Mixed Use Overlay Zoning District requirements (when these projects are proposed/approved under mixed use zoning regulations). At full build-out, the residentially designated land could accommodate the projected a population of approximately 1,000 persons, within the 1.3% growth rate per the Tulare County General Plan. As such, a ***Less Than Significant Impact*** 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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

The residential growth from these areas is envisioned by the Tulare County General Plan; therefore, they would not result in unanticipated population growth within the Project area. The Project itself also would not induce substantial population growth beyond anticipated levels. Therefore, ***Less Than Significant Program-specific and Cumulative Impacts*** related to this Checklist Item will occur.

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

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

As noted earlier, even combined with other cumulative projects, the Project would not accelerate unplanned population growth in the Goshen area. Therefore, population growth within the unincorporated community of Goshen would be consistent with the Tulare County General Plan. As such, ***Less Than Significant Program-specific and Cumulative Impacts*** related to this Checklist Item will occur.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

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

No residences are expected to be removed as a result of implementation of the proposed Community Plan update or due to the construction of the new residences. The proposed Community Plan update is seeking to expand the housing supply rather than reduce existing housing stock. Therefore, it is not anticipated that conversion of existing housing stock to non-residential uses would take place.

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, no residences are expected to be removed on the Project site and the proposed Project will not displace any housing units. ***Less Than Significant Program-specific and Cumulative Impacts*** related to this Checklist Item will occur.

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

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

As noted previously, there will be no impact related to the displacement of housing or people. Population growth as a result of the proposed Community Plan update will not exceed, and is consistent with, the projected growth rate contained in the Tulare County General Plan. Also, any growth will be accommodated by the policies outlined in the Plan. As such, ***Less Than Significant Program-specific and Cumulative Impacts*** related to this Checklist Item will occur.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

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

As discussed earlier, the Project will not displace or require the demolition of any residences, thereby necessitating the construction of replacement housing elsewhere. Accordingly, the Project will result in a ***Less Than Significant Impact***.

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.

The proposed Project will not convert housing on-site or off-site. ***Less Than Significant Program-specific and Cumulative Impacts*** related to this Checklist Item will occur.

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

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

There will be a ***Less Than Significant Impact*** related to the displacement of housing or people. Population growth as a result of the proposed Community Plan update will not

exceed, and is consistent with, the projected growth rate contained in the Tulare County General Plan. Also, any growth will be accommodated by the policies outlined in the Plan. The, *Less Than Significant Project-specific or Cumulative Impacts* related to this Checklist Item will occur.

REFERENCES

Tulare County 2030 General Plan, August 2012

Tulare County 2009 Housing Element Update, May 2012

HUD Website which can be accessed at:

<http://portal.hud.gov/hudportal/HUD?src=/about/mission>

HCD Website, which can be accessed at <http://www.hcd.ca.gov/mission.html>

Final Tulare County 2008 Regional Housing Needs Assessment Plan, Tulare County Association of Governments, July 2008

Tulare County Regional Blueprint, TCAG, May 2009

CEQA Guidelines

Public Services

Chapter 3.14

SUMMARY OF FINDINGS

The proposed Goshen Community Plan Update will result in a *Less Than Significant Impact* related to Public Services. No mitigation measures are necessary or will be required. The impact analyses and determinations in this chapter are based upon information obtained from the References listed at the end of this chapter. A detailed review of potential impacts is provided in the following analysis.

INTRODUCTION

California Environmental Quality Act (CEQA) Requirements

The environmental setting provides a description of the Public Services 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 Tulare County General Plan Revised DEIR incorporated by reference and summarized below. Additional documents 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

The thresholds of significance for this section are established by the CEQA Checklist Item questions. The following are potential thresholds for significance.

- Impact Fire Services
- Impact Police Services
- Impact Schools
- Impact Parks
- Impact Other Public Facilities

ENVIRONMENTAL SETTING

Fire Protection

“The [former] California Department of Forestry and Fire Protection/Tulare County Fire Department [now CalFire/TCFD] serve 145,128 of Tulare County’s population. As **Table 7-6** [of the General Plan Background document] shows, dispatchers reported 14,022 responses in 2002,

averaging 38.4 calls a day. Fire occurrence data generated by the department indicate a direct relationship between high use areas of the county and fire occurrence. The population increase in the mountain areas have caused increased wildland urban interface problems as well. Structures are being built throughout wildland areas wherein vegetation fires can spread rapidly. Providing adequate fire protection to those structures has become a major undertaking.”¹

“..[T]he Tulare County Fire Department responded to 14,022 calls for service in 2002... [A] majority of the calls were for medical emergencies (52 percent) followed by fire calls (20 percent). The remaining calls ranged from dispatch incidents (8.1 percent) to assisting other agencies (7.3 percent) to public assistance (3.4 percent).”²

Police Protection

“In 2007, the Tulare County Sheriff’s Department currently had 448 sworn officers serving its unincorporated population (145,128), and generates a level of service ratio of 3.2 officers per 1,000 residents. The ratio is above the accepted standard of 2.0 officers per 1,000 residents set by the Federal Bureau of Investigation. The Sheriff’s Department also has 186 non-sworn clerical and support staff amounting to a total Sheriffs Department staff personnel of 633 employees.”³

“Law enforcement protection for the unincorporated county is divided into 22 areas with four stations... [T]he Porterville substation serves the largest number of areas with 10 patrols, followed by the headquarters in Visalia with six, and Cutler-Orosi and Pixley, each with three areas.”⁴

Schools & Parks

“A combination community park and elementary school site is identified in the existing Goshen Community Plan for the northeastern sector of Goshen's Urban Development Boundary. A location in this sector would move the school out of the airport impact area. The plan recognizes that success or failure of the residential growth to the east and northeast depends to a certain degree upon the relocation of the elementary school. The timing for relocation of the school and the exact site for the new facility is undetermined at this time. A nearly nine acre community park / storm water detention basin (Peter Malloch Park) is located at the southwest corner of Road 72 and Avenue 310. Also, the recently approved subdivision (Goshen Village East) includes a future 0.56 acre park. There is also a corresponding park / sports field, located within the detention basin to the south east of the intersection of Robinson Road and Betty Drive.

There are a number of Federal, State, and local parks within Tulare County, including 13 park and recreational facilities operated by the County of Tulare. A list of these local park facilities is provided in **Table 3.14-1**.

¹ General Plan Background Report, page 7-73

² Ibid., page 7-74

³ General Plan Background Report, pages 7-71 and 7-72

⁴ Ibid.

Draft Environmental Impact Report
Goshen Community Plan Update

**Table 3.14-1
Recreational Areas in Tulare County**

ID	Recreation Area	Location	Acres	Type of Use/Features
1	Alpaugh Park	Located in Alpaugh on Road 40.	3	Reservations for picnic areas are taken. No entrance fee.
2	Balch Park Campgrounds	20 miles NE of Springville in the Sierras.	160	71 Campsites. No reservations taken; first come first serve basis. Entrance fee for vehicles.
3	Bartlett Park	8 miles east of Porterville on North Drive.	127.5	Reservations for picnic areas are taken. Entrance fee for vehicles.
4	Camp COTYAC	Near Ponderosa in Eastern Tulare County.	8	County of Tulare Youth Adventure Camp (Camp COTYAC). Cabins, lodge with kitchen, restrooms and showers.
5	Cutler Park	5 miles east of Visalia on Highway 216 to Ivanhoe.	50	Reservations for picnic areas are taken. Entrance fee for vehicles.
6	Elk Bayou Park	6 miles SE of Tulare on Avenue 200.	60	Reservations for picnic areas are taken. No fee for day use.
7	Kings River Nature Preserve	2 miles east of Highway 99 on Road 28	85	This park is only for school environmental programs.
8	Ledbetter Park	1 mile northwest of Cutler on Road 124/Hwy 63	11	Reservations for picnic areas are taken. No fee.
9	Mooney Grove Park	2 Miles south of Caldwell Avenue on Mooney Blvd. In South Visalia.	143	Reservations for picnic areas are taken. Paddle boats, playground, baseball diamonds. Home of the End Trail statue. One of the largest oak woodlands in Tulare County. Location of the Agriculture and Farm Labor Museum.
10	Pixley Park	1 mile NE of Pixley on Road 124.	22	Reservations for picnic areas are taken. No fee.
11	Tulare County Museum	In Mooney Grove Park, South Visalia.	8.5	Free admission with park fee. Museum is opened Thursday thru Monday (closed Tuesday and Wednesday).
12	Woodville Park	Located in Avenue 166 in Woodville.	10	Reservations for picnic areas are taken. Day use no entrance fee.
13	West Main Street Park	2 blocks west of County Courthouse on Main Street in Downtown Visalia.	5	Day use no entrance fee.

Source: General Plan Background Report

Additional discussion of recreational facilities is provided in Chapter 3.15.

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Library

“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.”⁵

**Table 3.14-2
Tulare County Libraries**

Branch	Address	Service Hours (2003)*
Alpaugh	3816 Avenue 54 Alpaugh, CA 93201-0069	Tuesday: 10 am - 1pm, 2 pm - 6 pm Wednesday: 10 am - 1 pm, 2 pm - 6 pm
Dinuba	150 South I Street Dinuba, CA 93618-2399	Tues. & Thurs.: 11 am - 5 pm, 6 pm - 8 pm Wed. & Fri.: 9 am - 1 pm, 2 pm - 6 pm
Earlimart	780 East Washington Earlimart, CA 93219-2153	Mon. – Fri.: 10 am - 1 pm, 2 pm - 6 pm
Exeter	230 East Chestnut Exeter, CA 93221-1712	Tues. & Wed.: 11 am - 5 pm; 6 pm - 8 pm Thurs. & Fri.: 9 am - 1 pm; 2 pm - 6 pm
Ivanhoe	15964 Heather Ivanhoe, CA 93235-1253	Tuesday 11 am - 5pm, 6 pm – 8 pm Wed. and Thurs.: 9am - 1 pm, 2 pm - 6 pm
Lindsay	165 North Gale Hill Street Lindsay, CA 93247-2507	Tues. & Thurs.: 11 pm - 5 pm; 6 pm - 8 pm Wed. & Fri.: 9 am - 1 pm; 2 pm - 6 pm
Cutler-Orosi	12646 Avenue 416 Orosi, CA 93647-2018	Wed. – Fri.: 9 am - 1 pm, 2 pm - 6 pm
Pixley	300 North School Pixley, CA 93256-1011	Mon, - Thurs.: 9:30 am - 6 pm Friday: 9:30 am - 2:30 pm Saturday: 8 am – 12:45 pm
Springville	35800 Highway 190 Springville, CA 93265-0257	Thursday: 11 am - 5 pm , 6 pm - 8 pm Friday: 9 am - 1 pm , 2 pm - 6 pm Saturday: 9 am - 1 pm, 2 pm - 5 pm Summer Hours: Mon-Fri. 8 am - 5 pm Saturday 9 am – 1 pm
Strathmore	19646 Road 230 Strathmore, CA 93267-0595	Tues. & Wed.: 9 am - 1 pm, 2 pm - 6 pm
Terra Bella	23825 Avenue 92 Terra Bella, CA 93270-0442	Mon.-Thurs.: 8:30 am - 11:30 am 12 pm – 2:30 pm
Three Rivers	42052 Eggers Drive 216 Three Rivers, CA 93271-0216	Tues. & Thurs.: 12 pm-5 pm, 6 pm-8 pm Wed. & Fri.: 10 pm - 1 pm, 2 pm - 6 pm Saturday: 10 pm - 1 pm, 2 pm - 5 pm
Tipton	301 East Woods Avenue Tipton, CA 93272-0039	Thurs. & Fri.: 9 am - 1 pm, 2 pm - 6 pm
Visalia	Main Branch 200 West Oak Avenue Visalia, CA 93291-4993	Tuesday – Thurs.: 9 am - 8 pm Friday: 12 pm - 6 pm Saturday: 9 am - 5 pm
Woodlake	400 West Whitney Woodlake, CA 93286-1298	Wed. – Fri.: 9 am - 1 pm, 2 pm - 6 pm

*Library hours as show on 12/05/14 at Tulare County Library website accessed at: <http://www.tularecountylibrary.org/#>
of February 2010
Source: General Plan Background Report

⁵General Plan Background Report, page 7-96

Electricity

The Goshen Community Plan area is currently served with electricity provided by Southern California Edison Company.

Natural Gas

Goshen Community Plan area is supplied with natural gas by The Gas Company.

Telephone

Telephone service in and around Goshen Community Plan area is provided by AT&T.

REGULATORY SETTING

Federal Agencies & Regulations

None that apply to the proposed Project.

State Agencies & Regulations

None that apply to the proposed Project.

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.

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-7.2 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-7.3 Visible Signage for Roads and Buildings - The County shall strive to ensure all roads are properly identified by name or number with clearly visible signs.

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.

Table 3.14-3
Fire Staffing and Responses 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 attack within 2 minutes, 90% of the time. (FF = Fire Fighters)*

Source: Tulare County 2030 General Plan

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-7.8 Law Enforcement Staffing Ratios - The County shall strive to achieve and maintain a staffing ratio of 3 sworn officers per 1,000 residents in unincorporated areas.

PFS-7.9 Sheriff Response Time - The County shall work with the Sheriff's Department to achieve and maintain a response time of:

- Less than 10 minutes for 90 percent of the calls in the valley region; and
- 15 minutes for 75 percent of the calls in the foothill and mountain regions.

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-8.1 Work with Local School Districts - The County shall work with local school districts to develop solutions for overcrowded schools and financial constraints of constructing new facilities.

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.

IMPACT EVALUATION

- a) **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:**

Fire protection?

Project Impact Analysis:

Less Than Significant Impact

“Fire protection in the Goshen Plan Area is provided by Tulare County which provides countywide fire services. The Betty Drive Interchange Project studies identify one (1) fire station in Goshen on Road 67 which includes two (2) fire engines, one (1) full time fireman, and ten (10) volunteers. Response time is approximately five (5) minutes and is affected by the railroad, SR 99, and the roadway network.”⁶

There are no specific federal or State regulations pertaining to fire or ambulance protection that would reduce environmental impacts associated with the proposed Project. The General Plan policies cited above are sufficient to ensure that new developments are not implemented or constructed until adequate fire protection services are available.

The Tulare County Fire Department’s 2013 Annual Report provides a summary of Incident Reports by major incident type as shown in **Table 3.14-4**. As shown in **Table 3.14-4**, the Tulare County Fire Department responded to 12,084 calls for service in 2012; a majority of the calls were for rescue and medical emergencies (approximately 60 percent) followed by fire calls (12.28 percent) and “good intent” (15.66 percent) as the top three incident types.

Table 3.14-4		
Tulare County Fire Department Incident Reports		
MAJOR INCIDENT TYPE	# INCIDENTS	% OF TOTAL
Fires	1,484	12.28
Overpressure, Rupture, ...	38	0.31
Rescue & Emergency Medical	7,234	59.88
Hazardous Conditions	325	2.69
Service Calls	666	5.51
Good Intent	1,892	15.66
False Alarm	358	2.96
Severe Weather	3	0.02
Special Type	84	0.70
Total	12,084	100%
<i>Source: Tulare County Fire Department Annual Report 2013. Page 9</i>		

Also, construction and operation of facilities will comply with the California fire code, local building codes (including requirements for fire suppression systems), and gas pipeline regulations. The Tulare County Fire Department will be responsible for enforcing provisions of the fire code. The California Public Utilities Code regulates the safety of gas transmission pipelines. Standard safety measures for anaerobic treatment facilities that will minimize the potential of biogas include safety flares to reduce excess gas capacity by burning in a controlled environment (that is, a pipe serving as a flue to confine the flame). If released to the environment, methane will disperse rapidly in the air, minimizing the hazards of exposure. Any calls for service will result in temporary impacts to fire service capabilities and impacts will not result in a noticeable increase in fire risk and service demand for the area. A **Less Than Significant Project-specific Impact** 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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR

The proposed Project will not significantly impact the fire department's response times. Therefore, ***Less Than Significant and Cumulative Impacts*** related to this Checklist Item will occur

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

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

Existing policies of the Tulare County General Plan would ensure that additional services and personnel are provided and that new development would not proceed until sufficient fire protection services are ensured. Therefore, ***Less Than Significant Project-specific and Cumulative Impact*** related to this Checklist Item will occur.

Police protection?

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

Based on the Tulare County General Plan 2030 General Plan Update Background Report, “[t]he Tulare County Sheriff’s Department currently had 448 sworn officers serving its unincorporated population (145,128), and generates a level of service ratio of 3.2 officers per 1,000 residents. The ratio is above the accepted standard of 2.0 officers per 1,000 residents set by the Federal Bureau of Investigation. The Sheriff’s Department also has 186 non-sworn clerical and support staff amounting to a total Sheriff’s Department staff personnel of 633 employees.”⁷

“Law enforcement protection for the unincorporated county is divided into 22 areas with four stations... [T]he Porterville substation serves the largest number of areas with 10 patrols, followed by the headquarters in Visalia with six, and Cutler-Orosi and Pixley, each with three areas.”⁸

“Police protection in the Goshen Plan Area is provided by the Tulare County Sheriff’s Department (patrol service only) which serves the unincorporated areas of Tulare County. Response time is approximately nine (9) to twelve (12) minutes. There is a community liaison office staffed part-time at the Goshen Community Service District Office.”⁹

⁷ Tulare County, 2010. General Plan Background Report. Pages 7-71 and 7-72.

⁸ <http://generalplan.co.tulare.ca.us/documents/GeneralPlan2010/BackgroundReport.pdf>

⁹ Ibid.

⁹ Goshen Community Plan. Page 25.

As indicated earlier in the fire protection services section, new development during the planning period will cumulatively increase the demand for Tulare County to hire additional Sheriff Personnel and purchase more equipment. Adherence to the general Plan policies and local regulations would ensure that adequate sheriff protection is provided to serve residents in the unincorporated areas of Tulare County. 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 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, the proposed Project will not impact Police Services. As such, ***Less Than Significant Program-specific and Cumulative Impacts*** related to this Checklist Item will occur.

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

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

As noted earlier, the proposed Project will not have a significant impact on policing services. ***Less Than Significant Program-specific and Cumulative Impacts*** related to this Checklist Item will occur.

Schools?

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

“The Goshen Community Plan Area is within the Visalia Unified School District with one (1) school located within its boundaries, Goshen Elementary School (K-6). In 2016-2017, there was a reported enrollment of 753 students according to the Betty Drive Interchange studies. Students in Junior High and High School are bused to schools in Visalia.”¹⁰ As such, ***Less Than Significant Impact*** 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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

As such, ***Less Than Significant Program-specific and Cumulative Impacts*** related to this Checklist Item will occur.

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

¹⁰ Ibid.

Conclusion:

Less Than Significant Impact

As noted because the proposed Community Plan update includes policies to plan for and build additional schools in conjunction with new development, existing mechanisms would also ensure that school facilities are adequate in the incorporated areas. SB 50 limits any further mitigation that may be imposed due to school impacts. Therefore, impact after payment of fees will result in ***Less Than Significant Program-specific and Cumulative Impacts*** related to this Checklist Item will occur.

Parks?

Project Impact Analysis:

Less Than Significant Impact

The Project site is not near any of the County's local parks. The nearest public park (Plaza Park in the City of Visalia), is approximately 1.75 miles southeast of the Project site. The nearest local park within the County of Tulare is Mooney Grove, located approximately seven miles southeast of the site. Implementation of the proposed Community Plan Update is anticipated to result in an increase in population by approximately 228 persons to a total of more than 1,001 persons upon full build-out in Year 2030 in Goshen. Therefore, ***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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

As noted earlier, the proposed Project will not impact Recreational Services. As such, ***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.

Other public facilities?

Project Impact Analysis:

Less Than Significant Impact

The proposed Project does not involve any development proposals that could contribute to the need for expanded electrical new development will increase the need for other public services, such as gas, electricity and phone. All future residential and non-residential development within the Project area would be subject to the latest adopted edition of the Title

24 energy efficiency standards, which are among the most stringent in the U.S. As such, implementation of the Community Plan would not result in the unnecessary, wasteful, or inefficient use of energy. The systems can be upgraded as needed for future growth. Therefore, ***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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

As noted earlier, the proposed Project ***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, proposed population growth on other public services, ***Less Than Significant Project-specific or Cumulative Impacts*** related to this Checklist Item will occur.

REFERENCES

Goshen Community Plan

Tulare County 2030 General Plan, August 2012

Tulare County 2030 General Plan Background Report, February 2010

CEQA Guidelines

Recreation

Chapter 3.15

SUMMARY OF FINDINGS

The proposed Goshen Community Plan Update (Project) will result in a ***Less Than Significant Impact*** related to Recreation. No mitigation measures will be required. The impact analyses and determinations in this chapter are based upon information obtained from the References listed at the end of this chapter. 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 Recreation. 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

¹CEQA Guidelines, Section 15126.2 (a)

Draft Environmental Impact Report for Goshen Community Plan Update

The environmental setting provides a description of the Recreational Resources 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 Tulare County 2030 General Plan EIR incorporated by reference and summarized below. Additional documents 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

The thresholds of significance for this section are established by the CEQA Checklist Item questions. The following are potential thresholds for significance.

- Increase use of existing recreational facilities
- Include or require additional recreational facilities

ENVIRONMENTAL SETTING

“Tulare County contains several county, state, and federal parks. Aside from parks in the county, there are many open space areas as well. This section will highlight these various parks and open space areas and identify recreational opportunities within them.”² In addition to the 13 parks and recreation facilities that are owned and operated by Tulare County, there are State Parks and Forests, National Parks and National Forests, trails, and recreational areas.

Recreational Facilities

Schools and Parks

The Goshen Community Plan Area is within the Visalia Unified School District with one (1) school (Goshen Elementary) located within its boundaries. “Goshen Elementary School served approximately 700 student in grades K-6 in 2015-2016.”³ Students in junior high and high school grade levels attend junior/high schools in Visalia.

A nearly nine-acre community park/storm water detention basin (Peter Malloch Park) is located at the southwest corner of Road 72 and Avenue 310. There is also a corresponding park/sports field, located within the detention basin southeast of the intersection of Robinson Road and Betty Drive. The recently approved subdivision (Goshen Village East) includes a future 0.56 acre park.

² Tulare County General Plan 2030 Update, Background Report, February 2010. Page 4-1

³ Information provided by Visalia Unified School District website accessed at <https://www.vusd.org/domain/342>; February, 2018.

Federal Recreation Areas

Lake Kaweah

“Lake Kaweah was formed after the construction of the Terminus Dam on the Kaweah River in 1962. The lake offers many recreational opportunities including fishing, camping, and boating. Lake Kaweah is located 20 miles east of Visalia on Highway 198 and was constructed by the U.S. Army Corps of Engineers for flood control and water conservation purposes. The lake has a maximum capacity to store 143,000 acre-feet of water. There are a total of 80 campsites at the lake’s Horse Creek Campground, which contains toilets, showers and a playground. Campfire programs are also available. Aside from camping, boat ramps are provided at the Lemon Hill and Kaweah Recreation Areas. Both Kaweah and Horse Creek provide picnic areas, barbecue grills and piped water. Swimming is allowed in designated areas. In addition, there is a one-mile hiking trail between Slick Rock and Cobble Knoll, which is ideal for bird watching.”⁴

Lake Success

“Lake Success was formed by construction of the Success Dam on the Tule River in 1961. The lake offers many recreational activities including fishing, boating, waterskiing, and picnicking. The U.S. Army Corps of Engineers (USACOE) constructed this reservoir for both flood control and irrigation purposes. The lake has a capacity of 85,000 acre-feet of water. The lake is located eight miles east of Porterville in the Sierra Nevada foothills area. Recreational opportunities include ranger programs, camping at the Tule campground, which provides 104 sites, boating, fishing, picnic sites, playgrounds and a softball field. Seasonal hunting is also permitted in the 1,400-acre Wildlife Management Area.”⁵

National Parks and National Forests

“Most of the recreational opportunities in the county are located in Sequoia National Forest, Giant Sequoia National Monument, and in Sequoia and Kings Canyon National Parks (SEKI). Although these parks span adjacent counties, they make a significant contribution to the recreational opportunities that Tulare County has to offer.”⁶

Sequoia National Forest

“Sequoia National Forest takes its name from the Giant Sequoia, which is the world’s largest tree. There are more than 30 groves of sequoias in the lower slopes of the park. The park includes over 1,500 miles of maintained roads, 1,000 miles of abandoned roads and 850 miles of trails for hikers, off-highway vehicle users and horseback riders. The Pacific Crest Trail connecting Canada and Mexico crosses a portion of the forest, 78 miles of the total 2,600 miles of the entire trail. It is estimated that 10 to 13 million people visit the forest each year.”⁷

⁴ Ibid.

⁵ General Plan Background Report. Page 4-7.

⁶ Ibid.

⁷ Tulare County Resource Management Agency, Parks and Recreation Branch, 2008; Automobile Club of Southern California, Tulare County General Plan Background Report. Page 4-9.

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Table 3.15-1 National Park and Forest Facilities		
Recreation Area	Location	Camping Sites
Sequoia National Forest		
Gray's Meadow	5 miles West of Independence on Onion Valley Road.	52 tent/RV sites
Oak Creek	4 ½ miles NW of Independence off Highway 395.	21 tent/RV sites
Onion Valley	14 miles West of Independence on Onion Valley Road.	29 tent/RV sites
Stony Creek	14 miles SE of Grant Grove on Generals Highway.	49 tent/RV sites
Whitney Portal	13 miles West of Lone Pine on Whitney Portal Road.	43 tent/RV sites
Total		194 sites
Kings Canyon and Sequoia National Park		
Atwell Mill	Sequoia, 19 miles from Highway 198 on Mineral King Road.	21 tent sites
Azalea	Kings Canyon, 3 ½ miles from Kings Canyon Park entrance.	110 tent sites
Buckeye Flat	Sequoia, 11 miles South of Giant Forest of Generals Highway.	28 tent sites
Canyon View	Cedar Grove in Kings Canyon	23 tent sites
Cold Springs	Sequoia, Mineral King Area.	25 tent sites
Crystal Springs	Kings Canyon, ½ mile North of Grant Grove.	67 tent/RV sites
Dorst Creek	Sequoia, 9 miles North of Lodgepole off Generals Highway.	210 tent/RV sites
Lodgepole	Sequoia, 4 miles NE of Cedar Grove.	203 tent/RV sites
Moraine	Kings Canyon, 1 mile East of Cedar Grove.	120 tent/RV sites
Potwisha	Sequoia, 4 miles NE of Ash Mountain entrance off Generals Highway.	42 tent/RV sites
Sentinel	In the Cedar Grove area near the Kings River.	82 tent sites
Sheep Creek	Kings Canyon, 1/2-mile West of Cedar Grove.	111 tent/RV sites
South Fork	Sequoia, 13 miles on South Fork from Highway 198.	10 tent sites
Sunset	In the Grant Grove area 3 miles from Kings Canyon park entrance.	157 tent sites
Total		1,209 sites
<i>Source: Tulare County Resource Management Agency, Parks and Recreation Branch, 2008; Automobile Club of Southern California, Tulare County Map.</i>		

Giant Sequoia National Monument

“The Giant Sequoia National Monument was created in 2000 by President Clinton in an effort to preserve 34 groves of ancient sequoias located in the Sequoia National Forest. The Monument includes a total of 327,769 acres of federal land, and provides various recreational opportunities, including camping, picnicking, fishing, and whitewater rafting. According to the Giant Sequoia National Monument Management Plan EIS, the Monument includes a total of 21 family campgrounds with 502 campsites and seven group campgrounds. In addition, there are approximately 160 miles of system trails, including 12 miles of the Summit National Recreation Trail.”⁸

⁸ Ibid.

Sequoia and Kings Canyon National Parks (SEKI)

“The U.S. Congress created the Kings Canyon National Park in 1940 and Sequoia National Park in 1890. Because they share many miles of common boundaries, they are managed as one park. The extreme large elevation ranges in the parks (from 1,500 to 14,491 feet above sea level), provide for a wide range of vegetative and wildlife habitats. This is witnessed from exploring Mt. Whitney, which rises to an elevation of 14,491 feet, and is the tallest mountain in the contiguous United States. During the summer months, park rangers lead walks through the parks, and tours of Crystal and Boyden Caves. During the winter, visitors explore the higher elevations of the parks via cross country skis or snowshoes, or hike the trails in the foothills. The SEKI also contains visitor lodges, the majority of which are open year round. According to the National Parks Conservation Association, a combined total of approximately 1.4 million people visit the two parks on an annual basis.”⁹

State Parks and Forests

Colonel Allensworth State Park

“The only State Park in Tulare County is Colonel Allensworth State Historic Park discussed in Section 9.3. The park contains a museum and a visitor center addressing the town’s history, as well as camping facilities. Allensworth is the only California town to be founded, financed and governed by African Americans. The small farming community was founded in 1908 by Colonel Allen Allensworth and a group of others dedicated to improving the economic and social status of African Americans. Uncontrollable circumstances, including a drop in the area’s water table, resulted in the town’s demise. With continuing restoration and special events, the town is coming back to life as a state historic park. The park’s visitor center features a film about the site. A yearly rededication ceremony reaffirms the vision of its pioneers.”¹⁰

Mountain Home State Forest

“The Mountain Home State Forest is a State Forest managed by the California Department of Forestry and Fire Protection (CDF). The Forest consists of 4,807 acres of parkland containing a number of Giant Sequoias, and is located just east of Porterville. The Forest is a Demonstration Forest, which is considered timberland that is managed for forestry education, research, and recreation. Fishing ponds, hiking trails, and campsites are some of the amenities that can be found in the Forest.”¹¹

Other Recreational Facilities

Other recreational resources available in Tulare County include portions of the Pacific Crest Trail, South Sierra Wilderness Area, Dome Land Wilderness Area, Golden Trout Wilderness Area, International Agri-Center, and the Tulare County Fairgrounds.¹²

⁹ Ibid.

¹⁰ Tulare County 203 General Plan Re-circulated RDEIR. Page 4-3.

¹¹ Ibid. 4-7.

¹² Ibid. 3.9-32.

Draft Environmental Impact Report for
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In addition, there are several nature preserves open to the public which are owned and operated by non-profit organizations, including the Kaweah Oaks Preserve and Dry Creek- Homer Ranch preserves, both owned and operated by Sequoia Riverlands Trust.

Table 3.15-2				
County and State Recreational Areas in Tulare County				
ID	Recreation Area	Location	Acres	Type of Use/Features
County				
1	Alpaugh Park	Located in Alpaugh on Road 40.	3	Reservations for picnic areas are taken. No entrance fee.
2	Balch Park Campgrounds	20 miles NE of Springville in the Sierras.	160	71 Campsites. No reservations taken; first come first serve basis. Entrance fee for vehicles.
3	Bartlett Park	8 miles east of Porterville on North Drive.	127.5	Reservations for picnic areas are taken. Entrance fee for vehicles.
4	Camp COTYAC	Near Ponderosa in Eastern Tulare County.	8	County of Tulare Youth Adventure Camp (Camp COTYAC). Cabins, lodge with kitchen, restrooms and showers.
5	Cutler Park	5 miles east of Visalia on Highway 216 to Ivanhoe.	50	Reservations for picnic areas are taken. Entrance fee for vehicles.
6	Elk Bayou Park	6 miles SE of Tulare on Avenue 200.	60	Reservations for picnic areas are taken. No fee for day use.
7	Kings River Nature Preserve	2 miles east of Highway 99 on Road 28	85	This park is only for school environmental programs.
8	Ledbetter Park	1 mile northwest of Cutler on Road 124/Hwy 63	11	Reservations for picnic areas are taken. No fee.
9	Mooney Grove Park	2 Miles south of Caldwell Avenue on Mooney Blvd. In South Visalia.	143	Reservations for picnic areas are taken. Paddle boats, playground, and baseball diamonds. Home of the End Trail statue. One of the largest oak woodlands in Tulare County. Location of the Agriculture and Farm Labor Museum.
10	Pixley Park	1 mile NE of Pixley on Road 124.	22	Reservations for picnic areas are taken. No fee.
11	Tulare County Museum	In Mooney Grove Park, South Visalia.	8.5	Free admission with park fee. Museum is opened Thursday thru Monday (closed Tuesday and Wednesday).
12	Woodville Park	Located in Avenue 166 in Woodville.	10	Reservations for picnic areas are taken. Day use no entrance fee.
13	West Main Street Park	2 blocks west of County Courthouse on Main Street in Downtown Visalia.	5	Day use no entrance fee.
State				
14	Colonel Allensworth State Historic Park	7 miles west of Earlimart on County Road J22.	na	15 campsites, open year round.
15	Mountain Home State Forest	Located in Sequoia National Forest	na	No reservations taken for campgrounds.
Total Acres			693	
<i>Source: Tulare County Resource Management Agency, Parks and Recreation Branch, 2008; Automobile Club of Southern California, Tulare County Map.</i>				

Incorporated cities in the County also have a number of recreational facilities including neighborhood parks, play lots, pocket parks and other recreation facilities."¹³ The City of Visalia has several small parks and recreational areas with the nearest to the proposed Project being Plaza Park which is located approximately two miles east.

REGULATORY SETTING

The following environmental regulatory settings were summarized, in part, from information contained in the *Tulare County General Plan 2010 Background Report*.

Federal Agencies & Regulations

United States National Park Service (NPS)

“The National Park Service (NPS) is a bureau of the U.S. Department of the Interior. The NPS manages the 397 units of the National Park System. The NPS also helps administer dozens of affiliated sites, the National Register of Historic Places, National Heritage Areas, National Wild and Scenic Rivers, National Historic Landmarks, and National Trails.”¹⁴

State Agencies & Regulations

California Department of Parks and Recreation

“California Department of Parks and Recreation manages more than 270 park units, which contain the finest and most diverse collection of natural, cultural, and recreational resources to be found within California. These treasures are as diverse as California: From the last stands of primeval redwood forests to vast expanses of fragile desert; from the lofty Sierra Nevada to the broad sandy beaches of our southern coast; and from the opulence of Hearst Castle to the vestiges of colonial Russia. California State Parks contains the largest and most diverse natural and cultural heritage holdings of any state agency in the nation. State park units include underwater preserves, reserves, and parks; redwood, rhododendron, and wildlife reserves; state beaches, recreation areas, wilderness areas, and reservoirs; state historic parks, historic homes, Spanish era adobe buildings, including museums, visitor centers, cultural reserves, and preserves; as well as lighthouses, ghost towns, waterslides, conference centers, and off-highway vehicle parks. These parks protect and preserve an unparalleled collection of culturally and environmentally sensitive structures and habitats, threatened plant and animal species, ancient Native American sites, historic structures and artifacts . . . the best of California's natural and cultural history.”¹⁵

Local Policy & Regulations

Tulare County General Plan Policies

¹³ Op. Cit. 3.9-29

¹⁴ National Park Service Overview Brochure, Updated May, 2011

¹⁵ California Dept. of Parks and Recreation, http://www.parks.ca.gov/?page_id=91

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

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-5.7 Public Water Access - The County shall give a high priority to the acquisition of public access rights to water courses. Acquisition of multi-purpose sites, such as the protection of drainage ways, wildlife habitats, and scenic assets, shall be encouraged. In the lakefront areas of Lake Success and Lake Kaweah, special consideration should be given to matching recreational needs of the community with lake access.

ERM-5.11 Cooperation with Federal and State Agencies - The County shall work with Federal and State agencies that manage land within the County, as appropriate.

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-5.15 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.

IMPACT EVALUATION

- 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?**

Project Impact Analysis:

Less Than Significant Impact

“A combination community park and elementary school site is identified in the existing Goshen Community Plan for the northeastern sector of Goshen's Urban Development Boundary. A location in this sector would move the school out of the airport impact area. The plan recognizes that success or failure of the residential growth to the east and northeast depends to a certain degree upon the relocation of the elementary school. A nearly nine acre community park/storm water detention basin (Peter Malloch Park) is located at the south-east corner of Road 72 and Avenue 310. Also, the recently approved subdivision (Goshen Village East) includes a future 0.56 acre park. There is also a corresponding park / sports field, located within the detention basin to the south east of the intersection of Robinson Road and Betty Drive.”¹⁶ Also, the recently approved subdivision (Goshen Village East) includes a future 0.56 acre park, which is adequate to meet the anticipated demand for recreation vehicle spaces in the area during the planning period. As such, ***Less Than Significant Impact*** 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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

As such, ***Less Than Significant Program-specific and Cumulative Impacts*** related to this Checklist Item will occur.

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

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

Therefore, ***Less Than Significant Program-specific and Cumulative Impacts*** related to this Checklist Item will occur.

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?

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

A nearly nine acre community park/storm water detention basin (Peter Malloch Park) is located at the southwest corner of Road 72 and Avenue 310. Also, the recently approved subdivision (Goshen Village East) includes a future 0.56 acre park. There is also a corresponding park / sports field, located within the detention basin to the south east of the intersection of Robinson Road and Betty Drive. “Future development densities will be influenced by the Regional Blueprint and SB 375 process, which provide for sustainable, mixed use and walkable community concepts, which promote more compact development

¹⁶ Goshen Community Plan Update,

patterns.”¹⁷ Therefore, a ***Less Than Significant Impact*** 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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

As such, ***Less Than Significant Program-specific and Cumulative Impacts*** related to this Checklist Item will occur.

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

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

Compliance with the policies of the Tulare County General Plan and proposed Goshen Community Plan Update will reduce recreational impacts to ***Less Than Significant Program-specific and Cumulative Impacts*** related to this Checklist Item will occur

¹⁷ Goshen Community Plan Update, Page 88.

REFERENCES

Automobile Club of Southern California, Tulare County Map.

California Dept. of Parks and Recreation, which can be accessed at
http://www.parks.ca.gov/?page_id=91

National Park Service Overview Brochure, Updated May, 2011

Tulare County General Plan 2030 Update, Background Report and Recirculated DEIR, February 2010

Tulare County Department of Parks and Recreation

United States Bureau of Labor Statistics, May 2014, which can be accessed at
http://www.calmis.ca.gov/file/1fmonth/1f_geomaps.pdf. Accessed June 2014.

CEQA Guidelines

Transportation/Traffic

Chapter 3.16

SUMMARY OF FINDINGS

The proposed Goshen Community Plan Update (Project) will result in ***Less Than Significant Impacts With Mitigation*** related to Transportation and Traffic. A Goshen Community Plan Update Traffic Impact Study (TIS) Report prepared by consultant VRPA Technologies which is included as Appendix “F” of this document, is used as the basis for these findings. 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 Transportation and Traffic. 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

¹ 2013 CEQA Guidelines, Section 15126.2 (a)

Draft Environmental Impact Report
Goshen Community Plan Update

The environmental setting provides a description of the Transportation and Traffic 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 Tulare County 2030 General Plan EIR incorporated by reference and summarized below. Additional documents 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

The thresholds of significance for this section are established by the CEQA Checklist item questions. The following are potential thresholds for significance.

- Result in a Level of Service (LOS) less than “D”
- Unsafe roadway/circulation design
- Impact Air Traffic
- Dangerous Site Design
- Inadequate Access
- Need for additional Public Transit
- Need for additional Bike Facilities
- Need for additional Pedestrian Facilities

Traffic Reports

“The following criterion is a starting point in determining when a TIS is needed. When a project:

1. Generates over 100 peak hour trips assigned to a State highway facility.
2. Generates 50 to 100 peak hour trips assigned to a State highway facility – and, affected State highway facilities are experiencing noticeable delay; approaching unstable traffic flow conditions (LOS “C” or “D”).
3. Generates 1 to 49 peak hour trips assigned to a State highway facility – the following are examples that may require a full TIS or some lesser analysis⁴ :
 - a. Affected State highway facilities experiencing significant delay; unstable or forced traffic flow conditions (LOS “E” or “F”).
 - b. The potential risk for a traffic incident is significantly increased (i.e., congestion related collisions, non-standard sight distance considerations, increase in traffic conflict points, etc.).
 - c. Change in local circulation networks that impact a State highway facility (i.e., direct access to State highway facility, a non-standard highway geometric design, etc.).”²

ENVIRONMENTAL SETTING

“Tulare County has two major regional highways, State Highway 99 and 198. State Highway 99

² Guide for the Preparation of Traffic Impact Studies. Page 2.

connects Tulare County to Fresno and Sacramento to the north and Bakersfield to the south. SR 198 connects from U.S. Highway 101 on the west and continues eastward to Tulare County, passing through the City of Visalia and into Sequoia National Park. The highway system in the County also includes State highways, County-maintained roads, and local streets within each of the eight cities.”³

“Tulare County’s transportation system is composed of several State Routes, including three freeways, multiple highways, as well as numerous county and city routes. The county’s public transit system also includes two common carriers (Greyhound and Orange Belt Stages), the AMTRAK Service Link, other local agency transit and paratransit services, general aviation, limited passenger air service and freight rail service.”⁴

“Some prominent county roadways include, but are not limited to, Alta Avenue (Road 80), Caldwell Avenue/Visalia Road (Avenue 280), Demaree Road/Hillman Street (Road 108), Tulare Avenue (Avenue 232), Olive Avenue (Avenue 152), Spruce Road (Road 204), El Monte Way (Avenue 416), Paige Avenue (Avenue 216), Farmersville Boulevard (Road 164), Road 192, and Road 152. Additionally, the highway system includes numerous county-maintained local roads, as well as local streets and highways within each of the eight cities and several unincorporated communities.”⁵

“Travel within Tulare County is a function of the size and spatial distribution of its population, economic activity, and the relationship to other major activity centers within the Central Valley (such as Fresno and Bakersfield) as well as more distant urban centers such as Los Angeles, Sacramento, and the Bay Area. In addition, there is considerable travel between the northwest portions of Tulare County and southern Fresno County and travel to/from Kings County to the west. Due to the interrelationship between urban and rural activities (employment, housing, services, etc.) and the low average density/ intensity of land uses, the private automobile is the dominant mode of travel for residents in Tulare County.”⁶

“According to the 2005 HCM, 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 (e.g., freeways, highways, and controlled access). Interrupted flow facilities have fixed elements that cause an interruption in the flow of traffic such as stop signs, signalized intersections, and arterial roads (Transportation Research Board). The difference between uninterrupted flow and interrupted LOS is defined in the following summary.”⁷

“While the private automobile is the dominant mode of travel within Goshen, as it is throughout Tulare County, other modes of transportation are important. The latest available Census survey data for Goshen indicates that about two-third of commuters drive alone to work, while one-third use other means: 14 percent carpool or vanpool, 9 percent walked, 6 percent used public transportation and 5 percent worked at home.¹ The Census bureau does not collect data on non-work trips, which represent a greater share of travel than work trips, but tend to be less concentrated

³ Tulare County 2030 General Plan. Page 13-2.

⁴ General Plan Background Report. Page 5-4.

⁵ Ibid. 5-7.

⁶ Op. Cit. 5-4.

⁷ 2011 TCAG Regional Transportation Plan. Page 3-17.

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in peak traffic periods. Offpeak trips also tend to have a greater proportion of shared ride and active (walk and bike) trips. ReportWhile congestion is not a major issue in Goshen, overreliance on automobiles creates other costs for both society and households, and means that many in the community who cannot drive (the young, the old, the disabled, the poor) must rely on those who can drive for their mobility. For this reason, it is important to encourage public transit systems and increased use of active modes of transportation, including bicycles and walking. The public transit system alternatives for Goshen include fixed route public transit systems, common bus carriers, and other local agency transit and paratransit services.⁸”

Table 3.16-1 Uninterrupted Traffic Flow Facilities LOS	
LOS A	Represents free flow. Individual vehicles are virtually unaffected by the presence of others in the traffic stream.
LOS B	Is in the range of stable flow, but the presence of other vehicles in the traffic stream begins to be noticeable. Freedom to select desired speeds is relatively unaffected, but there is a slight decline in the freedom to maneuver.
LOS C	Is in the range of stable flow, but marks the beginning of the range of flow in which the operation of individual vehicles becomes significantly affected by interactions with others vehicles in the traffic stream.
LOS D	Is a crowded segment of roadway with a large number of vehicles restricting mobility and a stable flow. Speed and freedom to maneuver are severely restricted and the driver experiences a generally poor level of comfort and convenience.
LOS E	Represents operating conditions at or near level capacity. All speeds are reduced to a low, but relatively uniform value. Small increases in flow will cause breakdowns in traffic movement.
LOS F	Is used to define forced or breakdown flow (stop and go gridlock). This condition exists wherever the amount of traffic approaches a point where the amount of traffic exceeds the amount that can travel to a destination. Operations within queues are characterized by stop and go waves and they are extremely unstable.
<i>Source: 2011 Regional Transportation Plan, Tulare County Association of Governments</i>	

⁸ Goshen Community Plan Update Traffic Impact Study Report. February 2018. Prepared by VRPA Technologies included as Appendix “F” in this DEIR.

Table 3.16-2
Interrupted Traffic Flow Facilities LOS

LOS A	Describes operations with average intersection stopped delay of ten seconds or less (how long a driver must wait at a signal before the vehicle can begin moving again).
LOS B	Describes operations with average intersection stopped delay in the range of 10.0 to 20.0 seconds per vehicle, and with reasonably unimpeded operations between intersections.
LOS C	Describes operations with higher average stopped delays at intersections (in the range of 20.0 to 35.0 seconds per vehicle). Stable operations between locations may be more restricted due to the ability to maneuver and change lanes at mid-block locations can be more restrictive than LOS B. Further, longer queues and/or adverse signal coordination may contribute to lower average speeds.
LOS D	Describes operations where the influence of delay is more noticeable (35.0 to 55.0 seconds per vehicle). Intersection stopped delay is longer and the range of travel speeds are about 40 percent below free flow speed. This is caused by inappropriate signal timing, high volumes and some combinations of these.
LOS E	Is characterized by significant approach stopped delay (55.0 to 80.0 seconds per vehicle), and average travel speeds of one-third the free flow speed or lower. These conditions are generally considered to represent the capacity of the intersection or arterial.
LOS F	Characterizes arterial flow at extremely low speeds, with high intersection stopped delay (greater than 80.0 seconds per vehicle). Poor progression, long cycle lengths and high traffic demand volumes may be major contributing factors to this condition. Traffic may be characterized by frequent stop-and-go conditions.

Source: 2011 Regional Transportation Plan, Tulare County Association of Governments

Existing Circulation and Traffic Conditions

“State Highways (which may be freeways, expressways or conventional 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 Highways: State Route 99 and State Route (SR) 198 are the principle state highways serving Goshen. SR 99 is the principal north-south state highway and serves most of the larger cities in the San Joaquin Valley. In the Goshen area, Highway 99 includes two travel lanes in each direction. There is a freeway interchange at Betty Drive in Goshen, as well as freeway ramps without an overcrossing at Avenue 304; these facilities provide access between the community and the freeway. The Betty Drive at SR 99 interchange is currently under construction and will entail a partial cloverleaf configuration upon completion.

State Route 198 is a major east-west highway that connects Sequoia National Park in the east with US 101 in San Luis Obispo county in the east. In the vicinity of Goshen and to the east SR 198 is an expressway, with two lanes in each direction.

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.

Betty Drive is an arterial road that traverses SR 99 via an overcrossing, connecting parcels west of SR 99 with Riggins Avenue east of SR 99. It has two travel lanes west of SR 99 and at this overcrossing, widening to four lanes at Road 67. Riggins Avenue (also designated as Avenue 312) is the continuation of Betty Drive [east of Road 72]. In the study area it is a four-lane arterial.

Avenue 304/Goshen Avenue is an east-west arterial street that is bifurcated into two segments by SR 99; the segment east of SR 99 is called Goshen Avenue. Currently Avenue 308 has southbound on- and off-ramps with SR 99, and Goshen Avenue has a northbound off ramp from SR 99. All of the ramps will be removed in conjunction with Betty Drive/SR 99 interchange improvements, which is planned for the near future.

Road 64 is a two-lane mainly rural arterial that provides direct access between the community of Goshen and SR 198.

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.

Within Goshen, Avenue 308 is an east-west collector level street that, like Avenue 304, is bifurcated into two segments by SR 99. Its western segment, serves the Goshen Elementary School with approximately 530 students [approximately 753 in 2016-2017], which is part of the Visalia Unified School District.

Road 67 is a two-lane north-south collector street providing access to mainly industrial parcels just east of SR 99.

Road 68 is a two-lane north-south collector street bifurcated by SR 99; both segments provide access to several industrial parcels.

Robinson Road is a two-lane north-south collector street that provides access to industrial parcels north of Betty Drive and to a residential area south of Betty Drive.

Road 72 is a two-lane north-south collector street serving primarily residential areas of Goshen, It connects Riggins Avenue in the north with Rasmussen Avenue in the south.

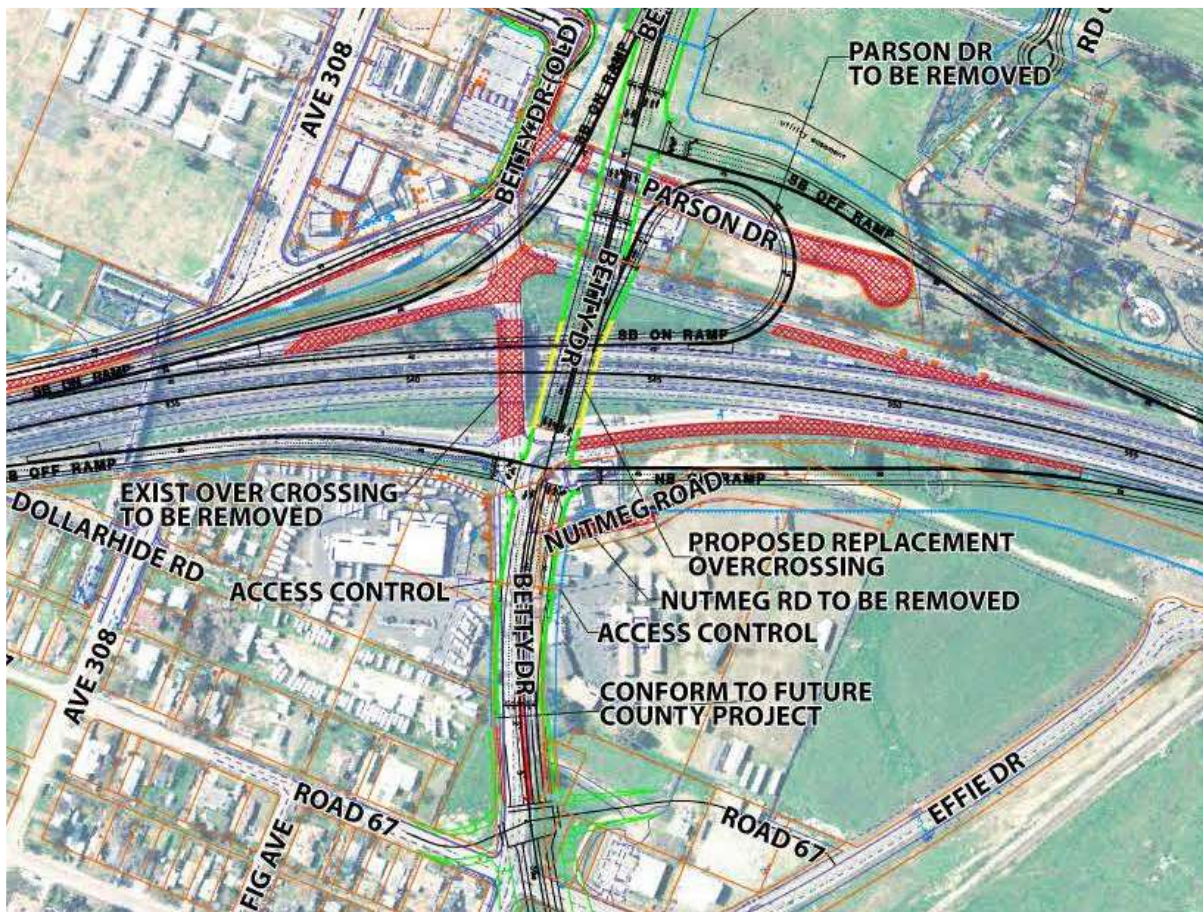
Road 76 is also a two-lane north-south collector street. It currently runs from West Goshen Avenue to Avenue 308. There are near-term plans to extend Road 76 north to Riggins Avenue.

Camp Drive is a two-lane industrial collector street that parallels the Union Pacific Railroad main line through much of the community of Goshen.

Local Streets – Provide for direct access to abutting properties and for very localized traffic movements within residential, commercial and industrial areas.

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 conditions⁹

Figure 3.16-1
Proposed Betty Drive/State Route 99 Interchange Reconstruction



To project future traffic roadway conditions to the horizon year of the plan (2032), a variety of sources were used. In the Betty Drive/Riggin Avenue Corridor, Caltrans traffic forecasts for the new Betty Drive/SR 99 interchange (as well as TCAG model forecasts) were used to develop an

⁹ Goshen Community Plan Update Traffic Impact Study Report. Pages 12 thru 14. Prepared by VRPA technologies and included as Appendix “F” of this DEIR.

annual traffic increase factor that was then applied to study intersections and roadway segments. Additionally, the County reviewed Visalia's Traffic Studies for their General Plan EIR and the Traffic Studies for the CMI Inc. (formerly Papich Construction) project at Road 68 and State Route 198 and Road 68/Avenue 308.

These forecasts were adjusted as appropriate for new and realigned roadways, and to reflect potential industrial development along Robinson Road north of Betty Drive and for a specific development proposal in the southwest quadrant of Riggins Avenue and Road 76. In addition to roadway changes in conjunction with the Betty Drive Interchange reconstruction, Road 76 is assumed to be extended from Avenue 308 north to Riggins Avenue.

For the remainder of the study area, an overall rate of traffic growth of one percent per year was determined to be a reasonable forecast assumption. This rate of growth was applied outside of the Betty Drive/Riggins Avenue corridor to existing traffic count data to create future year (2032) traffic levels. This annual rate results in an overall growth in peak hour traffic of approximately 20% for the period 2014-2032.

Public Transportation

"Public transportation provides an economical and efficient alternative for getting people to work, school and other chosen destinations. In Tulare County, buses are the primary mode of public transportation. Public transportation also takes the form of shared ride taxi, automobile and vanpools; dial-a-ride, and specialized handicapped accessible services. In Tulare County, social service transportation is provided by the following: local transit agencies, demand responsive operators and city/county special programs for senior citizens, mental health organizations and disabled citizens programs. These programs are funded and subsidized through State and federal grants, Local Transportation Funds (LTF), State Transit Assistance Funds (STAF), and local transportation sales tax revenues."¹⁰

Within Goshen, Visalia Transit (VT) provides a supplemental service to Fixed-Route service called Dial a Ride; a curb-to-curb para-transit service on a shared-ride / demand-response basis to locations within the city limits of Visalia, Goshen, Farmersville and to/from Exeter. Visalia Transit's Dial-A-Ride service designed to provide paratransit service for ADA (Americans with Disabilities Act) certified individuals with disabilities that prevent them from riding the VT fixed-route buses. In addition the Dial-A-Ride provides same day service to the general public (i.e., non-ADA-certified) passengers based on space availability. Services are operated on weekdays from 6:00 am - 9:30 pm and on weekends from 8:00 am 6:30 pm.

Airports

"There are nine public use airports in Tulare County (see Figure 3.16-2). These include six publicly owned and operated facilities (Porterville Municipal, Sequoia Field, Tulare Municipal [Mefford Field], Visalia Municipal, Woodlake, and Harmon Field [currently closed])...Badger Field is under consideration for Federal Aviation Administration (FAA) recertification as a restricted private

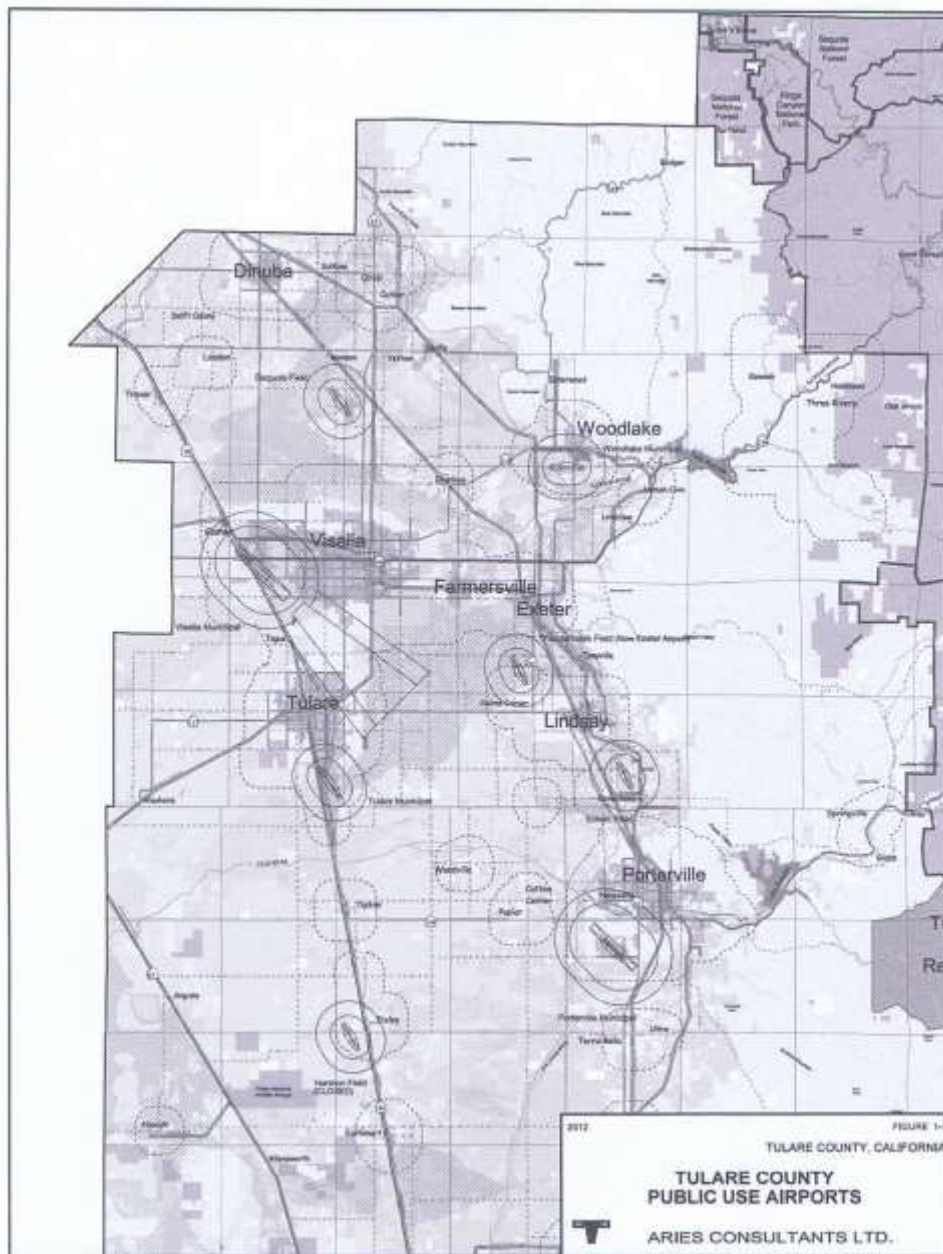
¹⁰ TCAG Transportation Plan, Page 1-14.

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airfield (as of August 2006).”¹¹

“Fresno Yosemite International Airport (FAT), 37 miles northwest of Goshen, is the principal passenger airfreight airport in the central San Joaquin Valley. Visalia Municipal Airport, [approximately] 3 miles southeast, offers passenger service to Los Angeles.”¹²

**Figure 3.16-2
Tulare County Public Use Airports**



¹¹ Tulare County General Plan Update 2030. Page 13-2.

¹² Goshen Community Plan Update Traffic Impact Analysis Report. Page 33. Prepared by VRPA technologies and included as Appendix “F” of this DEIR.

Visalia Airport

The Community Plan area is located approximately 1.5 miles north of the Visalia Municipal airport, with portions of the community situated within the airport approach and departure areas. According to the 2004 Airport Master Plan Initial Study/Mitigated Negative Declaration, there are agricultural, industrial and highway commercial uses to the north; and agricultural uses to the east, south, and west.

The Visalia Airport is classified as a General Aviation Airport in the Federal Aviation Administration (FAA) *National Plan of Integrated Airport Systems* (NPIAS). General Aviation Airports serve those communities that (i) do not receive scheduled commercial service; (ii) do not meet the criteria for classification as a commercial service airport, and account for enough aviation activity (usually at least ten locally-based aircraft); and (iii) are at least 20 miles from the nearest NPIAS airport. The Airport is designated an airport reference code (ARC) C-III by the FAA, and is classified as a Commercial Service-Primary Airport in the *California Aviation System Plan* (CASP). Commercial Service-Primary Airports provide scheduled passenger service for more than 10,000 passengers annually. However, there were only 2,455 passengers in 2009. The airport includes one runway (12-30), which is oriented northwest to southeast, and is 6,559 feet long and 150 feet wide. There is a 275-foot displaced landing threshold on runway 12, and left-hand traffic patterns for both runway ends. In addition to general aviation, as of May 2011, Great Lakes Airlines has been providing two passenger flights per day to and from Los Angeles International Airport, and one flight per day to and from Las Vegas McCarran International Airport, using Beechcraft 1900 aircraft. There are also small package services provided by Federal Express (FedEx) and United Parcel Service (UPS) using turboprop aircraft. According to the *Airport Master Plan* adopted June 2004, there were an estimated 26,000 annual aircraft operations at the Airport in 2001.

Design for Emergency Access

According to § 21060.3 and § 15359 of the CEQA Guidelines, an “Emergency” means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. “Emergency” includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage. A Proposed Project could potentially generate impacts through inadequate design for emergency access.

Future Conditions

In addition to the City of Visalia General Plan EIR and the Caltrans SR 99/Betty Drive Overpass Project, four additional Projects were analyzed under this EIR for their direct or cumulative impacts including:

- i. Self- Help Enterprises, Goshen Village East on Riggin Avenue/Avenue 312 and Road 76 (see **Figure 1-4** in Chapter 1)
- ii. Dollar General at Robinson and Betty Drive (see **Figure 1-5** in Chapter 1)

- iii. Thandi Commercial Development at Betty Drive and Road 76 (see **Figure 1-6** in Chapter 1)
- iv. CMI (formerly Papich Construction) permanent asphalt batch plant at Road 68 and Avenue 298.

The traffic studies for all of these projects have been incorporated into the analysis for this EIR.

Complete Streets and Alternative Transportation

The Board of Supervisors approved the Complete Streets Program on September 30, 2014 (see Appendix “H”). The Complete Streets Programs Policies, Objectives, and Standards are hereby incorporated by reference. Included in the plan were policies and implementation measures as provided in Figure 3.16-1 – Community of Goshen Complete Streets Bicycle, Bus and Pedestrian Plan.

Transit

“TCAT has been providing rural route service between various cities and towns in Tulare County since 1981. TCAT retains MV Transportation to provide all of its transit services, which includes fixed route and demand responsive services for inter-city and intra-city service in many small communities throughout the County. TCAT is the most extensive transit system in Tulare County and connects with Dinuba Area Regional Transit (DART), Visalia City Coach (VCC), Tulare InterModal Express (TIME), Porterville City Operated Local Transit (COLT), Kings Area Rural Transit (KART), Kern Regional Transit, Orange Belt and Greyhound bus.”¹³

“While the private automobile is the dominant mode of travel within Goshen, as it is throughout Tulare County, other modes of transportation are important. The latest available Census survey data for Goshen indicates that about two-third of commuters drive alone to work, while one third use other means: 14 percent carpool or vanpool, 9 percent walked, 6 percent used public transportation and 5 percent worked at home.¹ The Census bureau does not collect data on non-work trips, which represent a greater share of travel than work trips but tend to be less concentrated in peak traffic periods. Off-peak trips also tend to have a greater proportion of shared ride and active (walk and bike) trips

While congestion is not a major issue in Goshen, overreliance on automobiles creates other costs for both society and households, and means that many in the community who cannot drive (the young, the old, the disabled, the poor) must rely on those who can drive for their mobility. For this reason, it is important to encourage public transit systems and increased use of active modes of transportation, including bicycling and walking. The public transit system alternatives for Goshen include fixed route public transit systems, common bus carriers, and other local agency transit and paratransit services.

Visalia Transit Route 6 operates between Goshen Elementary School and the Visalia Transit Center in downtown Visalia. Route 6 provides 20 roundtrips to the Visalia Transit Center on weekdays and 14 roundtrips on Saturdays, all at 45-minute intervals. Transfers can be made to

¹³ TCAG Transportation Plan. Page 1-14.

connect to the remainder of Visalia, as well as the City of Tulare, and the smaller cities and communities in the County served by the TCaT fixed route transit system. Visalia transit vehicles are wheelchair accessible and all full size buses include bike racks.

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.

Within Goshen, Visalia Transit (VT) provides a supplemental service to Fixed-Route service called Dial-A-Ride; a curb-to-curb para-transit service on a shared-ride / demand-response basis to locations within the city limits of Visalia, Goshen, Farmersville and to/from Exeter. Visalia Transit's Dial-A-Ride service designed to provide paratransit service for ADA (Americans with Disabilities Act) certified individuals with disabilities that prevent them from riding the VT fixed route buses. In addition, the Dial-A-Ride provides same day service to the general public (i.e., non-ADA-certified) passengers based on space availability. Services are operated on weekdays from 6:00 am - 9:30 pm and on weekends from 8:00 am - 6:30 pm.

Goshen is also served by Greyhound intercity bus lines. Three northbound buses and three southbound buses serving destinations along SR 99 stop at the Goshen Arco Travel Center on the westside SR 99 frontage road, just north of Avenue 308. Orange Belt Stages also serves this location with one daily service eastbound to Las Vegas, and one westbound service to Hanford where connections can be made to San Luis Obispo. ”¹⁴

Bicycle and Pedestrian Facilities

“Investment in bikeways provides an inexpensive environment-friendly transportation opportunity. Bicycling is considered an effective alternative mode of transportation that can help to improve air quality and reduce the number of vehicles traveling along existing highways, especially within the cities and unincorporated communities. While the numbers of cyclists are small in comparison to the amount of auto traffic, the size of the community of Goshen means that most trips within the community can be as fast by bicycle as by car.

Pedestrian facilities include sidewalks, walkways, crosswalks, signals, lighting, and benches, among other items. Where such facilities exist, people will be much more likely to make shorter trips by walking rather than by vehicle. Pedestrian facilities serving the school and recreational facilities enhance the safety of those who choose to walk to and from these destinations.”¹⁵

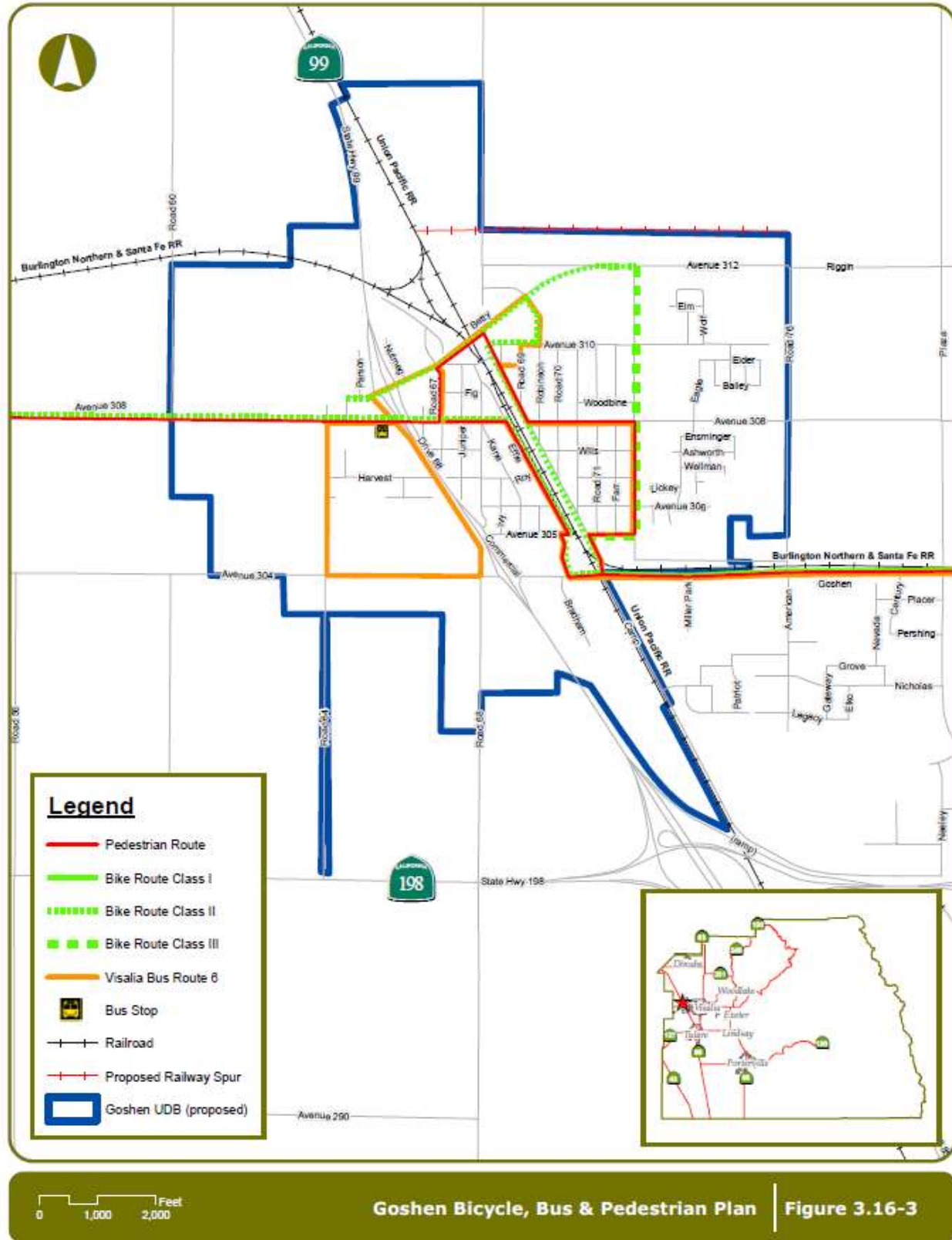
Multiuse Trails

Multiuse trails are facilities that can be used by bicycles, pedestrians, equestrians, and other recreational users. There are currently no multiuse trails in the Goshen Community. Future multiuse trails could be implemented and addressed along undeveloped areas of the community.

¹⁴ Goshen Community Plan Update Traffic Impact Analysis Report. Pages 32 and 33. Prepared by VRPA technologies and included as Appendix “F” of this DEIR.

¹⁵ Ibid. 33.

Figure 3.16 – 3
Community of Goshen Complete Streets Bicycle, Bus and Pedestrian Plan



Designated Truck Routes

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. Designate truck routes for use by heavy commercial and industrial traffic. According to the Goshen Complete Streets Program and Circulation Element, initially, the designated truck routes shall be:

- Betty Avenue
- Riffin Avenue
- West Goshen Avenue
- Camp Drive

When Road 76 is complete, this also will become a designated truck route.

REGULATORY SETTING

Federal Agencies & Regulations

Federal Aviation Regulations

Sec. 77.17 — Form and time of notice

- (a) Each person who is required to notify the Administrator under §77.13(a) shall send one executed form set (four copies) of FAA Form 7460–1, Notice of Proposed Construction or Alteration, to the Manager, Air Traffic Division, FAA Regional Office having jurisdiction over the area within which the construction or alteration will be located. Copies of FAA Form 7460–1 may be obtained from the headquarters of the Federal Aviation Administration and the regional offices.
- (b) The notice required under §77.13(a) (1) through (4) must be submitted at least 30 days before the earlier of the following dates:
 - (1) The date the proposed construction or alteration is to begin.
 - (2) The date an application for a construction permit is to be filed.However, a notice relating to proposed construction or alteration that is subject to the licensing requirements of the Federal Communications Act may be sent to FAA at the same time the application for construction is filed with the Federal Communications Commission, or at any time before that filing.
- (c) A proposed structure or an alteration to an existing structure that exceeds 2,000 feet in height above the ground will be presumed to be a hazard to air navigation and to result in an inefficient utilization of airspace and the applicant has the burden of overcoming that presumption. Each notice submitted under the pertinent provisions of this part 77 proposing a structure in excess of 2,000 feet above ground, or an alteration that will make an existing structure exceed that height, must contain a detailed showing, directed to meeting this burden. Only in exceptional cases, where the FAA concludes that a clear and compelling showing has been made that it would not result in an inefficient utilization of the airspace

and would not result in a hazard to air navigation, will a determination of no hazard be issued.

- (d) In the case of an emergency involving essential public services, public health, or public safety that requires immediate construction or alteration, the 30-day requirement in paragraph (b) of this section does not apply and the notice may be sent by telephone, telegraph, or other expeditious means, with an executed FAA Form 7460–1 submitted within 5 days thereafter. Outside normal business hours, emergency notices by telephone or telegraph may be submitted to the nearest FAA Flight Service Station.
- (e) Each person who is required to notify the Administrator by paragraph (b) or (c) of §77.13, or both, shall send an executed copy of FAA Form 117–1, Notice of Progress of Construction or Alteration, to the Manager, Air Traffic Division, FAA Regional Office having jurisdiction over the area involved.

State Agencies & Regulations

Caltrans: Transportation Concept Reports

Caltrans has prepared a number concept reports for State Routes, Interstate Routes, and U.S. Routes for each of its California Districts. Tulare County is located in Caltrans District 06. The concept reports that apply the proposed Project include SR 99. Concept LOS C is designated for SR 99; however, the concept LOS D is anticipated with improvements in 2035.

Caltrans Guide for the Preparation of Traffic Impact Studies

“The California Department of Transportation (Caltrans) has developed this "Guide for the Preparation of Traffic Impact Studies" in response to a survey of cities and counties in California. The purpose of that survey was to improve the Caltrans local development review process (also known as the Intergovernmental Review/California Environmental Quality Act or IGR/CEQA process). The survey indicated that approximately 30 percent of the respondents were not aware of what Caltrans required in a traffic impact study (TIS).”¹⁶

Local Policy & Regulations

Tulare County Transportation Control Measures (TCM)

“Transportation Control Measures (TCM) are designed to reduce vehicle miles traveled, vehicle idling, and/or traffic congestion in order to reduce vehicle emissions. Currently, Tulare County is a nonattainment region under the Federal Clean Air Act (CAA) and the California Clean Air Act (CCAA). Both of these acts require implementation of TCMs. These TCMs for Tulare County are as follows:

- Rideshare Programs;
- Park and Ride Lots;
- Alternate Work Schedules;
- Bicycle Facilities;

¹⁶ Caltrans Guide for the Preparation of Traffic Studies. Page ii.

- Public Transit;
- Traffic Flow Improvement; and
- Passenger Rail and Support Facilities.”¹⁷

Tulare County Association of Governments (TCAG)

“... [W]ith the passage of Assembly Bill (AB) 69 State law has required the preparation of Regional Transportation Plans (RTPs) to address transportation issues and assist local and state decision makers in shaping California’s transportation infrastructure.”¹⁸ The Tulare County Association of Government has prepared the 2011 Regional Transportation Plan. Specific policies that apply to the proposed Project are listed as follows:

TRANSPORTATION SYSTEM MANAGEMENT (TSM) Policy 5

Support installation of adequate left and right turning pockets to allow increased storage, as necessary.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) Policy 6

Encourage improvements in design of signalized intersections to improve turning for large vehicles and circulation flow.

Tulare County Comprehensive Airport Land Use Plan

The Tulare County Comprehensive Airport Land Use Plan (CALUP) has a number of policies that apply to projects within the County. The Visalia Municipal Airport is located approximately 1.5 miles southeast of the project site. The applicable CALUP policies specific to safety, noise, and airspace protection surfaces are listed below.

5.2.2.1 Safety Compatibility Zones

The proposed safety compatibility zones are illustrated on Figure 3.16-4 and are based upon existing Runway 12-30 being lengthened from 6,559 feet to 8,000 feet, as noted in the previous section. The safety compatibility zone dimensions are based on those for a long general aviation runway length of over 6,000 feet shown on Figure 3A of the 2011 Caltrans *Handbook*. The additional runway length will elongate the 1995 ALUC safety zones, airspace protection surfaces and aircraft overflight policies into agricultural areas further southeast of the Airport. The fee title and aviation easement land acquisitions recommended in the Airport Master Plan support the runway extension, but are not sufficient to protect public health and safety throughout the Airport Influence Area.

¹⁷ Tulare County 2030 General Plan Recirculated Draft Environmental Impact Report. Page 3.2-2.

¹⁸ TCAG Transportation Plan. Page 1-11.

5.2.2.2 Noise Compatibility

Aircraft operations at the Airport, estimated to total 26,000 annual aircraft operations in 2001, are forecast to increase to 33,000 annual aircraft operations by 2019. Almost 80 percent of these aircraft operations are estimated to be itinerant operations and the mix of aircraft types forecast suggests an increasing percentage of small business jet and turboprop aircraft. In combination with the runway length extension additional aircraft operations will extend the influence of aircraft noise further from the Airport. The 55, 60, and 65 CNEL aircraft noise exposure contours for 2019 for Visalia Municipal Airport are illustrated on Figure 3.16-5 and are based upon extending Runway 12-30 as noted above. The forecast 65 dB CNEL aircraft noise exposure contour extends beyond the northwestern boundary of the Airport over the State Highway 99/State Highway 198 interchange. The forecast 65 dB CNEL aircraft noise exposure contour extends over adjacent City Park property to the east and agricultural land to the south. No sensitive noise receptors (e.g., residences, schools, hospitals) are located within the 65 dB CNEL aircraft noise exposure contour. The forecast 60 dB CNEL aircraft noise exposure contour also does not extend over any sensitive noise receptors.

Figure 3.16-4
Visalia Municipal Airport Safety Zones

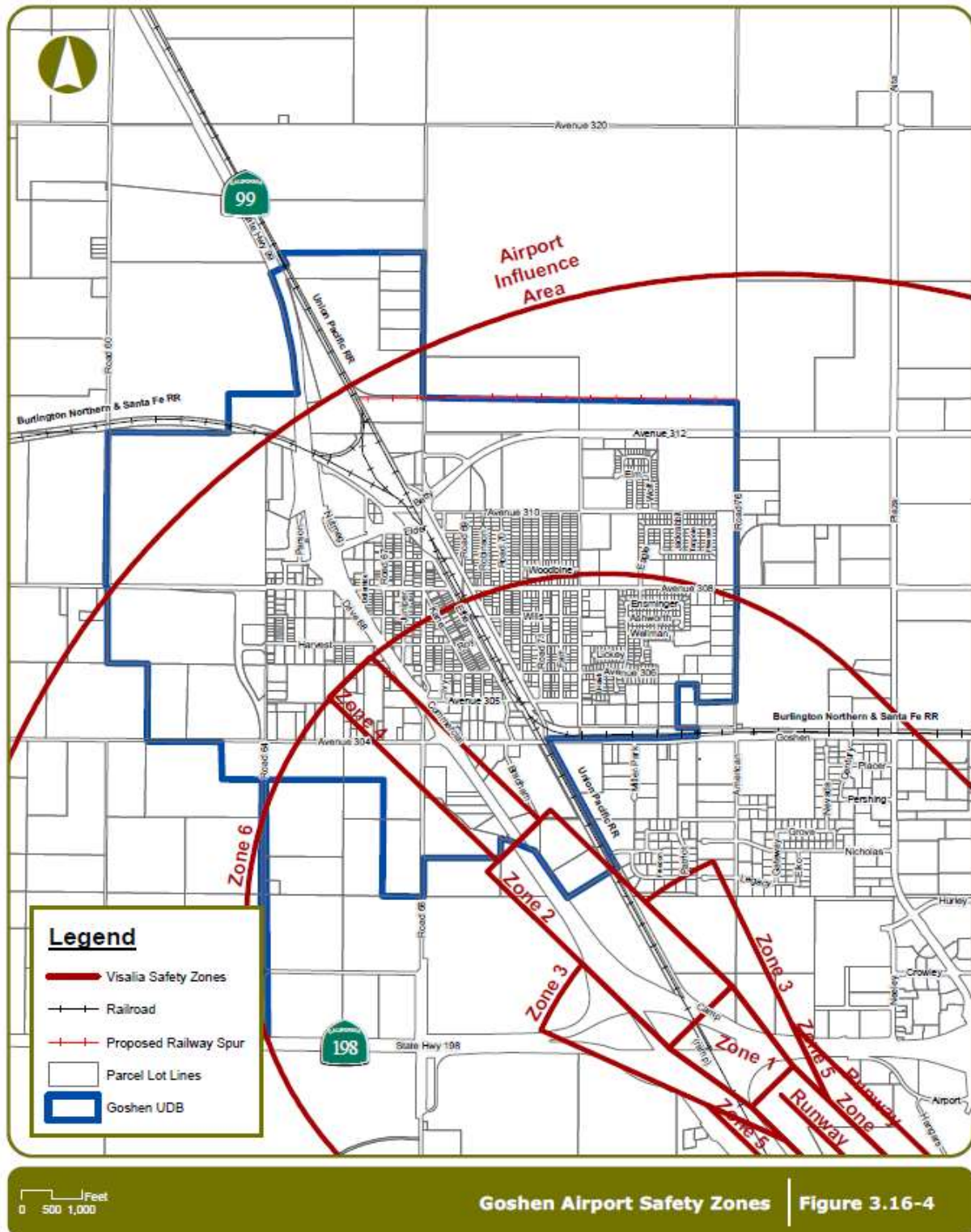
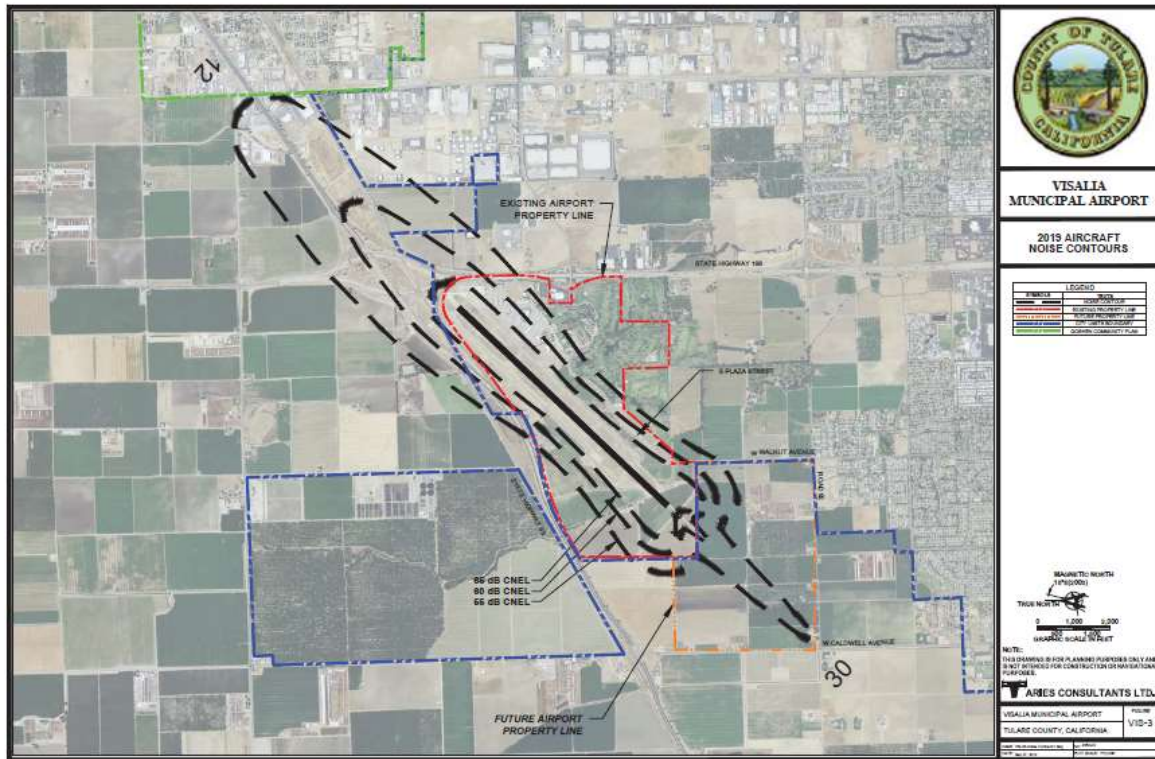


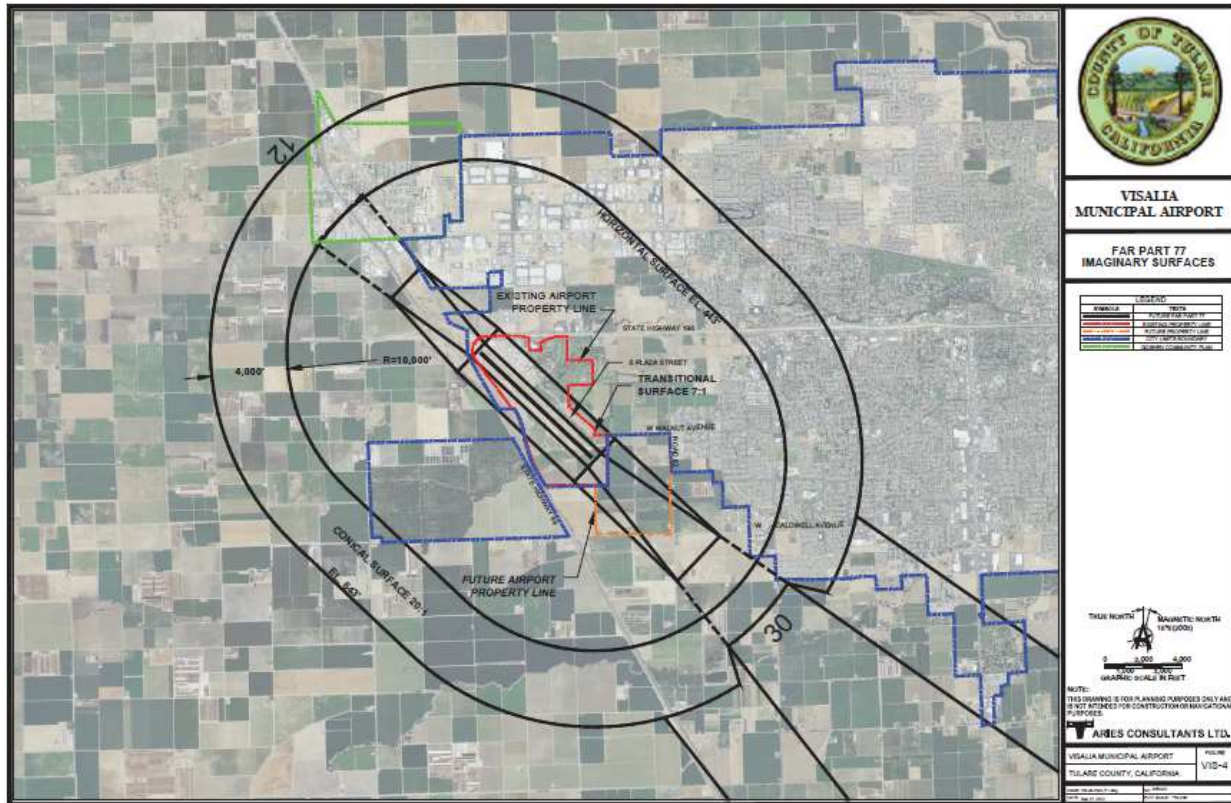
Figure 3.16-5
Visalia Municipal Airport Noise Contours



5.2.2.3 Airspace Protection Surfaces

The Airport Master Plan identifies a 50 to 1 approach surface to the end of Runway 30 for existing precision instrument approach procedures (ILS RWY 30) and a 34 to 1 approach surface to the end of Runway 12 for existing non-precision instrument approach procedures (RNAV GPS RWY 12). The FAR Part 77 imaginary surfaces at the Visalia Municipal Airport, based on the Airport Master Plan, are illustrated on Figure 3.16-6. Both the conical surface and the horizontal surface will extend further to the south than in the previous CALUP due to the proposed runway extension. The FAR Part 77 conical surface, which the Tulare County ALUC uses to define the Airport Influence Area, extends out 14,000 feet from the primary surface. The horizontal surface extends out 10,000 feet from the primary surface.

Figure 3.16-6
Visalia Municipal Airport Noise Contours
FAR Part 77 Imaginary Surfaces



Tulare County General Plan Policies

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

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-7.3 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-7.6 Screening - The County shall require landscaping to adequately screen new industrial uses to minimize visual impacts.

TC-1.14 Roadway Facilities - As part of the development review process, new development shall be conditioned to fund, through impact fees, tonnage fees, and/or other mechanism, the construction and maintenance of roadway facilities impacted by the project. As projects or locations warrant, construction or payment of pro-rata fees for planned road facilities may also be required as a condition of approval.

TC-1.15 Traffic Impact Study - The County shall require an analysis of traffic impacts for land development projects that may generate increased traffic on County roads. Typically, applicants of projects generating over 100 peak hour trips per day or where LOS “D” or worse occurs, will be required to prepare and submit this study. The traffic impact study will include impacts from all vehicles, including truck traffic.

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-3.3 Airport Enhancement - The County shall encourage and facilitate development of the County’s public airports in conformance with the Tulare County Comprehensive Airport Land Use Plan (CALUP).

TC-3.4 Airport Compatibility - Protect existing and future airport operations from encroachment by potentially incompatible land uses and require developers to file an aviation easement with the County if a proposed development or expansion of an existing use is located within the approach or approach transition zones designation in the Tulare County Comprehensive Airport Land Use Plan.

TC-3.6 Airport Encroachment - The County shall seek to avoid encroachment on airports by incompatible urban land uses.

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-5.8 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.

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.

Complete Streets Policies

Complete Street Goals

The purpose of the RMA Complete Streets Policy is to create a comprehensive and uniform Complete Streets vision and policy for Tulare County. This will allow the implementing entities to incorporate Complete Streets guidelines and standards into both development and redevelopment actions. The County's goals are:

- Tulare County's transportation network will be supported through a variety of feasible transportation choices, which allows for sustainable growth.
- The livability of neighborhoods and commercial centers located along the County's transportation corridors will be enhanced by a safe and inviting pedestrian environment.
- The design of multimodal roadway facilities will not compromise the needs of larger vehicles such as transit vehicles, fire trucks and freight delivery trucks.
- Inclusion of Complete Streets design elements will allow for design flexibility on different street functions and neighborhood contexts.
- Inclusion of Complete Streets design elements will improve the integration of land use and transportation, while encouraging economic revitalization through infrastructure improvements.
-

Complete Streets Objectives

- To create an integrated and connected transportation network that supports transportation choices and sustainable growth.
- To ensure that all transportation modes are accommodated to the extent possible in all public roadway facilities in the County.
- To develop and use the latest design standards and guidelines in the design of Complete Streets.
- To provide flexibility in the implementation of this policy so that streets chosen for implementation of Complete Streets elements can be developed to fit within the context of their principal purpose and surroundings without compromising the safety of users and needs of larger vehicles.

Complete Streets Policies

Tulare County General Plan Policies

The Tulare County General Plan Update (2030) in complying with AB 1358 calls for 4 Complete Streets related principles including:

Principle 1: County-wide Collaboration - Support countywide transportation plans that provide choices in travel modes.

Principle 2: Connectivity - Emphasize connectivity among cities, communities, and hamlets to ensure County residents have access to jobs and services.

Principle 3: Community Circulation - Anticipate and provide transit, traffic, and roadway connections that support the interconnectivity of all communities.

Principle 4: Pedestrian and Bicycle Facilities - Plan for the development and expansion of pedestrian paths and bicycle facilities that provide residents with alternative modes of travel. These principles are expressed mainly in following policies including:

- TC-1.6 Intermodal Connectivity
- TC-1.7 Intermodal Freight Villages
- TC-5.1 Bicycle/Pedestrian Trail System
- TC-5.2 Non-motorized Modes in Planning and Development

IMPACT EVALUATION

Would the project:

- a) **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?**

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

The Goshen Community Plan Traffic Impact Assessment (Goshen TIA) and Circulation Plan was prepared by VRPA Technologies initially in June 2014 and updated in February 2018, is included as Appendix “F” of this DEIR. An important component of the Goshen TIA was to assess existing traffic conditions, future traffic conditions, and cumulative traffic impacts as a result of the Project.

“The first step toward assessing Project traffic impacts is to assess existing traffic conditions. To identify current traffic conditions, AM and PM peak hour turning movement counts in the previous Goshen Community Plan Update (2014) were utilized. The traffic volumes were adjusted as necessary to reflect year 2017 conditions. Based upon these data and methodologies, traffic levels of service (LOS) were determined and the adequacy of the community’s road network for serving current and future traffic demand was assessed.”¹⁹

¹⁹ Goshen Community Plan Update Traffic Impact Study. Page 12. Prepared by VRPA Technologies, February 2018, and included as Appendix “F” of this DEIR.

The following intersections and adjoining roadway segments included in this TIS (and shown in **Figure 3.16-7**) were determined in consultation with Tulare County Resource Management Agency (RMA) staff and include:

Intersections

- | | |
|----------------------------------|--|
| 1. Avenue 308 at Road 60 | 10. Avenue 308 at Road 67 |
| 2. Betty Drive at Road 64 | 11. Road 72 at Avenue 308 |
| 3. Avenue 308 at Road 64 | 12. Betty Drive at Robinson Road |
| 4. Avenue 304 at Road 64 | 13. Avenue 312/Riggin Avenue at Road 72 |
| 5. SR 198 at Road 64 | 14. Avenue 310 at Road 72 |
| 6. Betty Drive at Frontage Road | 15. Avenue 308 at Road 72 |
| 7. Betty Drive at SR 99 SB Ramps | 16. Goshen Avenue at Camp Drive |
| 8. Betty Drive at SR 99 NB Ramps | 17. Avenue 312/Riggin Avenue at Road 76 |
| 9. Betty Drive at Road 67 | 18. Goshen Avenue at Road 76 ²⁰ |

“Roadway Segments

- 1 Betty Drive:
 - Road 64 to SR 99
 - SR 99 to Robinson Road
 - Robinson Road to Road 72
 - Road 72 to Road 76
 - East of Road 76
- 2 Avenue 308:
 - Road 60 to Road 64
 - Road 64 to Frontage Road
 - West of Road 72
 - Road 72 to Road 76
3. Avenue 304-Goshen Avenue:
 - East of Road 64
 - Road 64 to Road 68
 - SR 99 to Camp Drive
 - Camp Drive to Road 76
 - East of Road 76
4. Road 60:
 - North of Avenue 308
 - South of Avenue 308
5. Road 64:
 - Betty Drive to Avenue 308
 - Avenue 308 to Avenue 304
 - Avenue 304 to SR 198
6. SR 99:
 - North of Betty Drive
 - Betty Drive to Avenue 304
 - Avenue 304 to SR 198
 - South of SR 198

²⁰ Ibid. 1.

Figure 3.16-7
Study Area Intersections and Segments



7. Road 67:
 - North of Betty Drive
 - South of Betty Drive
8. Robinson Road:
 - North of Betty Drive
 - South of Betty Drive
9. Road 72:
 - Avenue 312-Riggin Avenue to Avenue 310
 - Avenue 310 to Avenue 308
 - South of Avenue 308
10. Road 76:
 - Avenue 312-Riggin Avenue to Avenue 308
 - Avenue 308 to Goshen Avenue
 - South of Goshen Avenue”²¹

“The existing lane geometry at key study area intersections and roadway segments is shown in Figures 2-1a and 2-1b [Figures 3.16-8a and -8b; respectively in this DEIR]. Two (2) of the existing study intersections are currently signalized and 16 of the study intersections are unsignalized. Figure 2-2a [Figure 3.16-9a in this DEIR], 2-2b [Figure 3.16-9b in this DEIR], 2-3a [Figure 3.16-9a in this DEIR], and 2-3b [Figure 3.16-9b in this DEIR] show existing peak hour traffic volumes in the study area. Existing ADT is presented in Figure 2-4 [Figure 3.16-10 in this DEIR].”²²

Level of Service

Intersection and Roadway Capacity Analyses

“All intersection LOS analyses were estimated using Synchro 9 Software. Various roadway geometrics, traffic volumes, and properties (peak hour factors, storage pocket length, etc.) were input into the Synchro 9 Software program in order to accurately determine the travel delay and LOS for each Study scenario. The intersection LOS and delays reported represent the 2010 HCM outputs.

Results of the analysis show that all of the study intersections are currently operating at acceptable levels of service, with the exception of the intersections of SR 198 at Road 64, Betty Drive at SR 99 SB Ramps and Betty Drive at SR 99 NB Ramps. Table 2-1 [Table 3.16-1 in this DEIR] shows the intersection LOS for the existing conditions. It should be noted that the SR 198 at Road 64 intersections does not meet the CA MUTCD peak hour signal warrant. Synchro 9 (HCM 2010) Worksheets are provided in Appendix B.”²³

“Results of the ADT segment analysis along the existing street and highway system are reflected in Table 2-2 [Table 3.16-2 in this DEIR]. Roadway segment analysis was based on the Florida Department of Transportation, Generalized Peak Hour Directional Volumes for Florida’s Urbanized Areas, which are commonly utilized in the Central Valley. Results of the analysis show that all of the study roadway segments are currently operating at acceptable levels of service.”²⁴

²¹ Op. Cit. 4 and 5.

²² Op. Cit. 15.

²³ Op. Cit. 24.

²⁴ Op. Cit. 25.

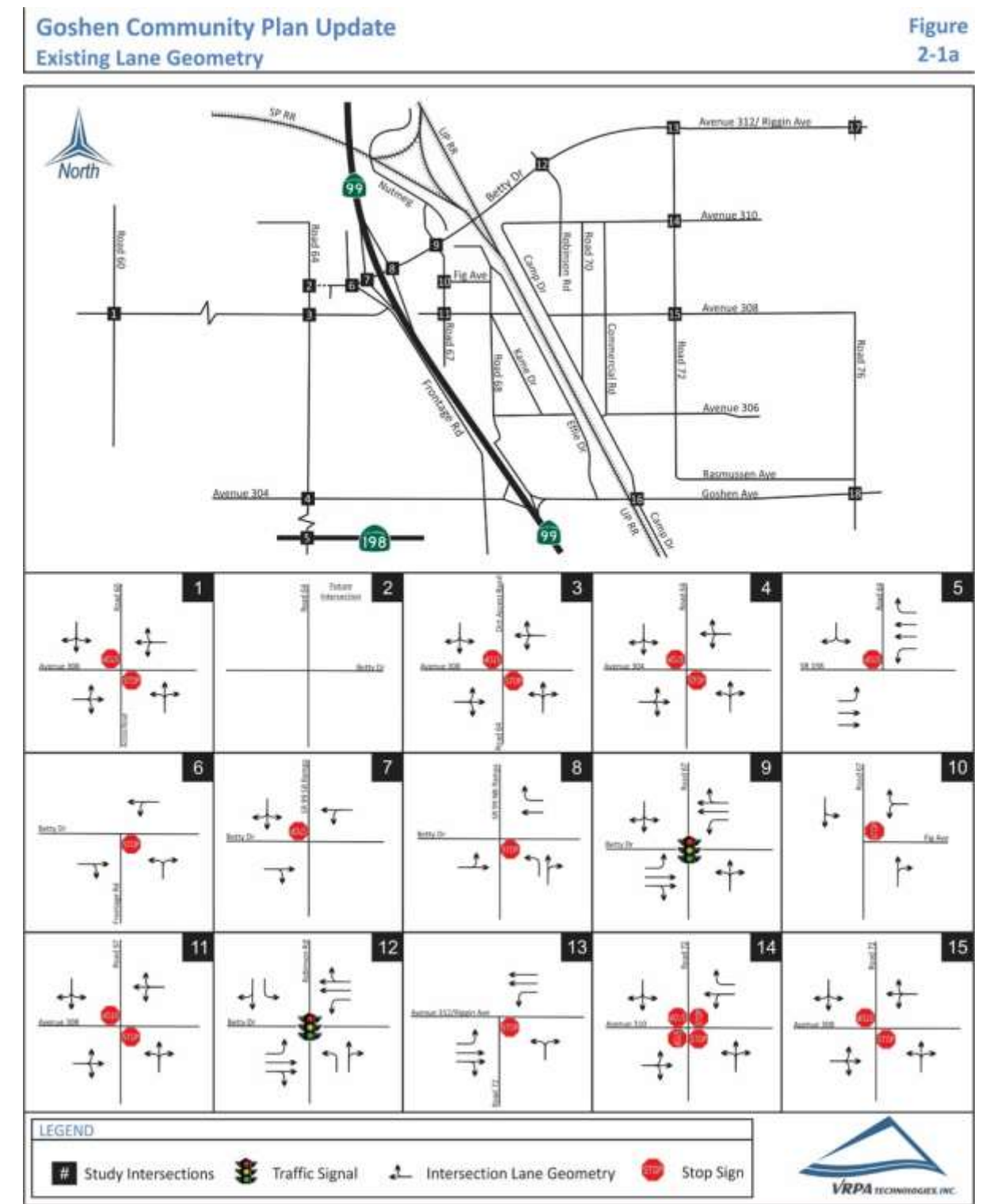
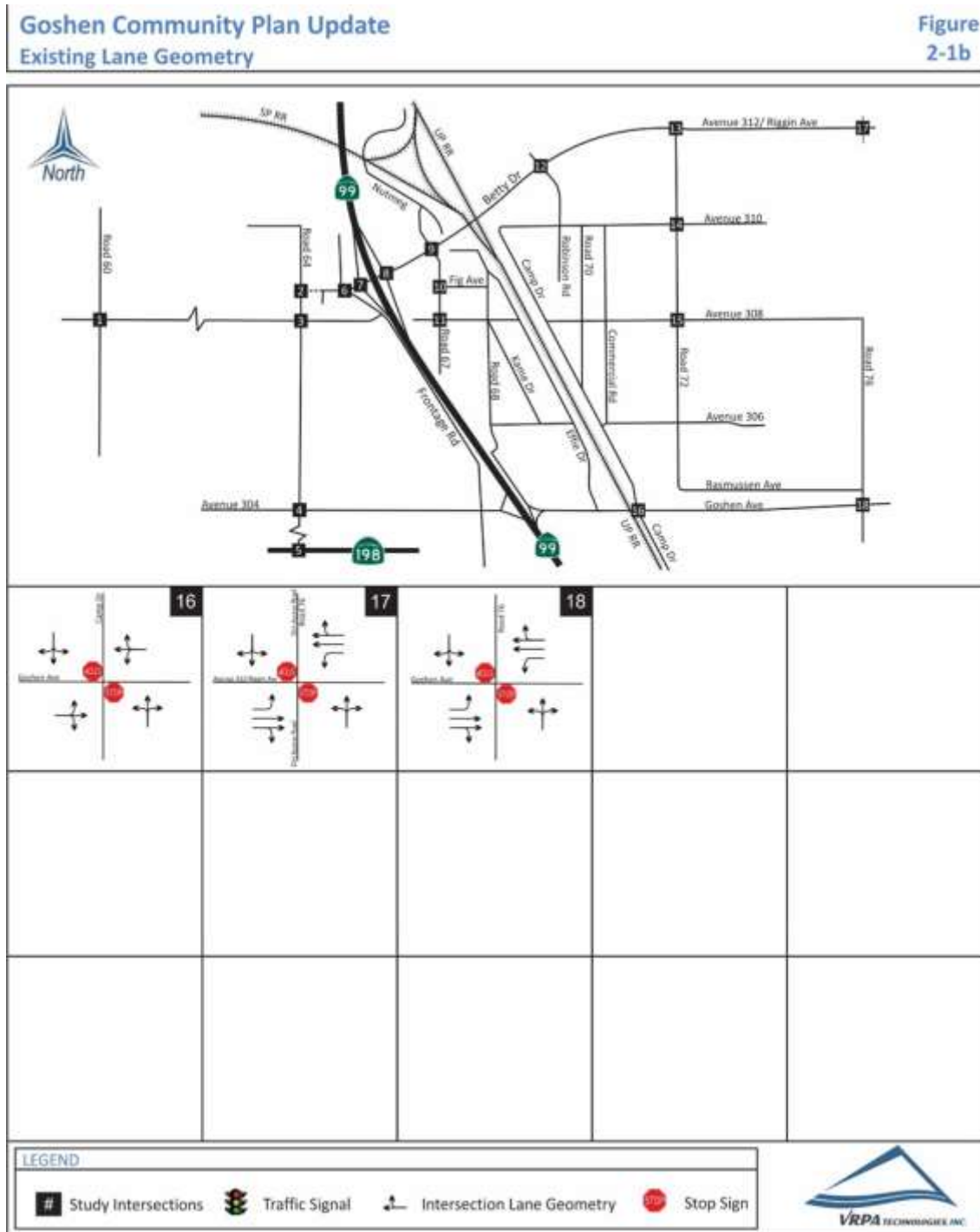


Figure 3.16-8b
Existing Lane Geometry Study Intersections



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Figure 3.16-9a
Existing AM Peak Hour Traffic

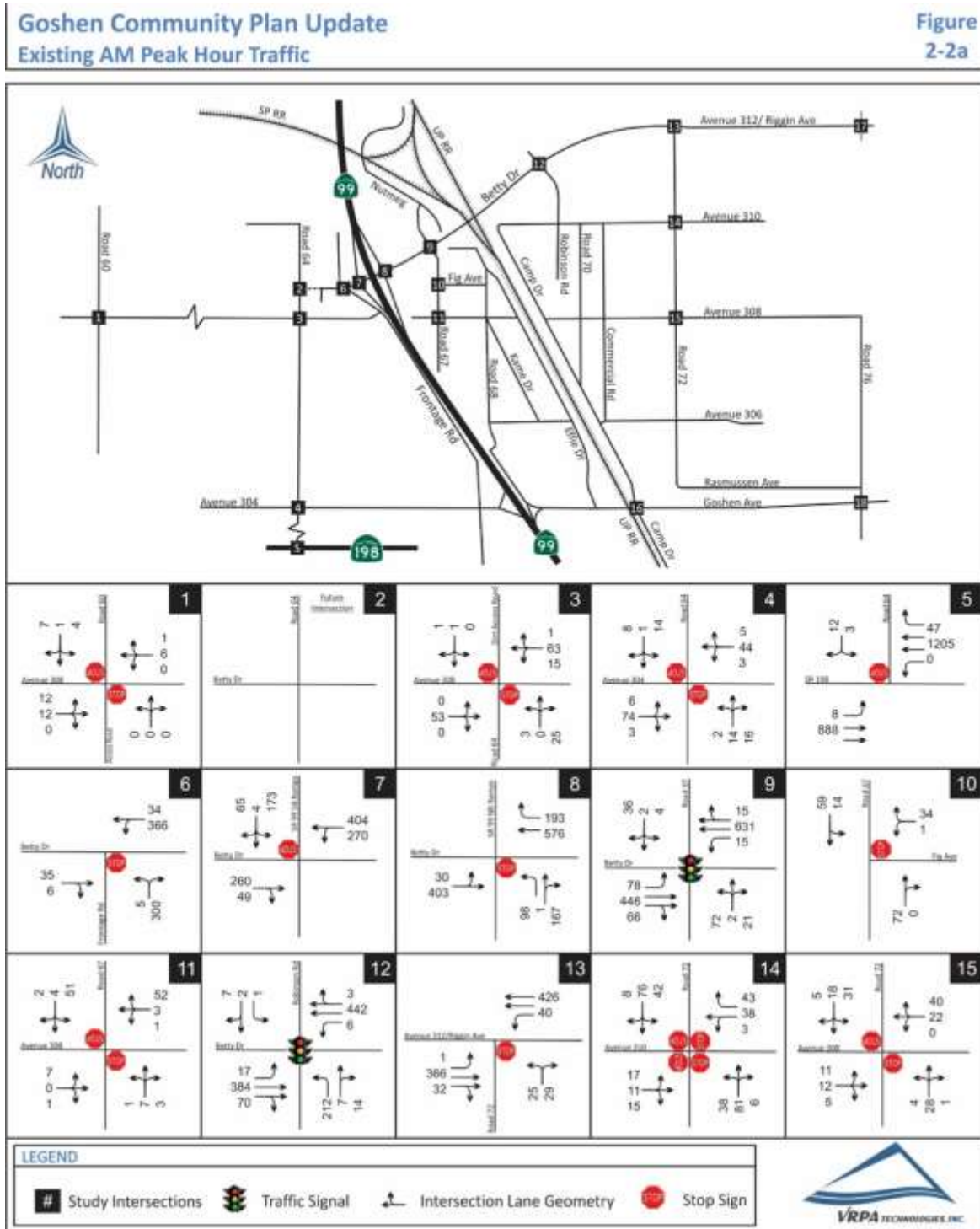


Figure 3.16-9b
Existing AM Peak Hour Traffic

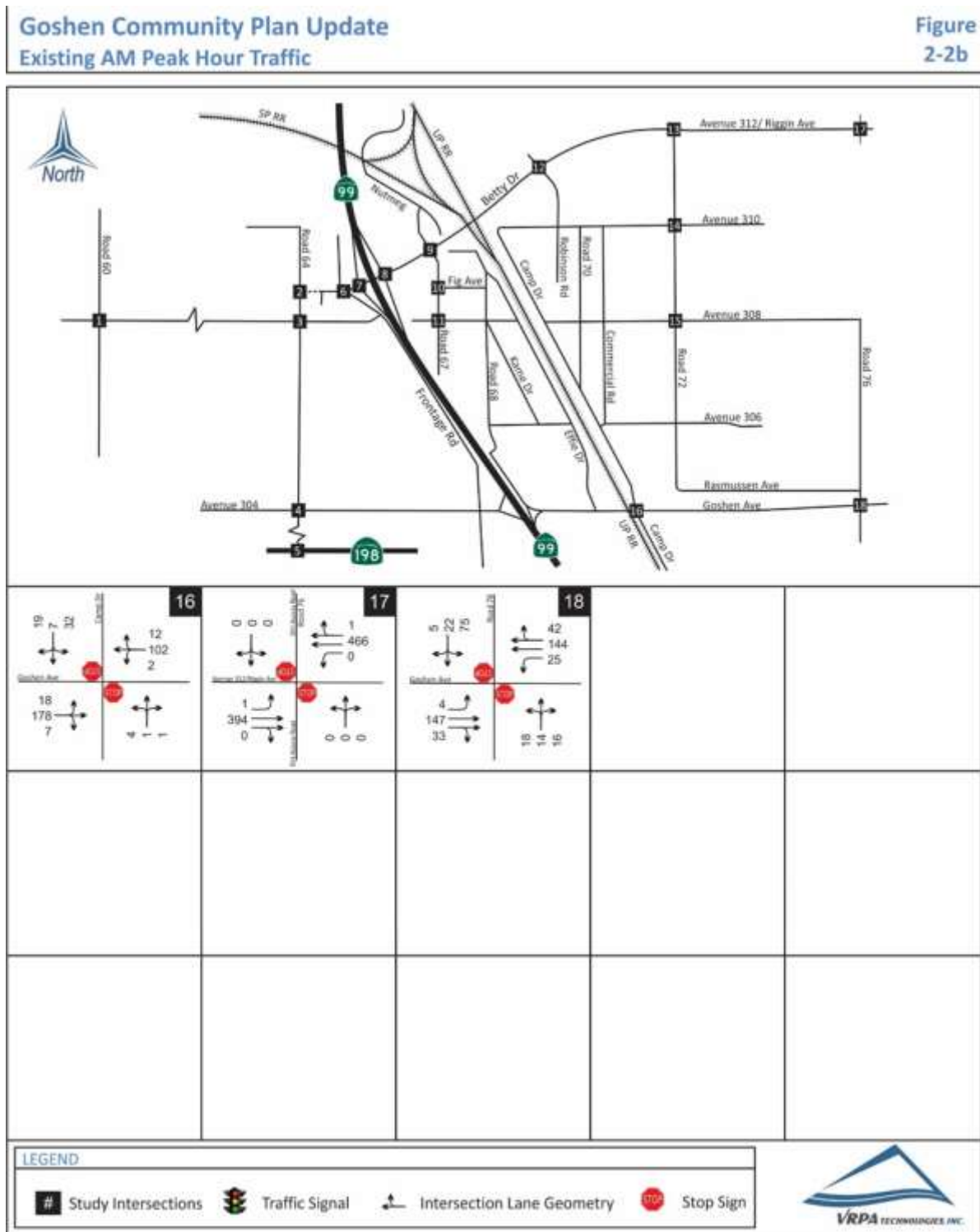
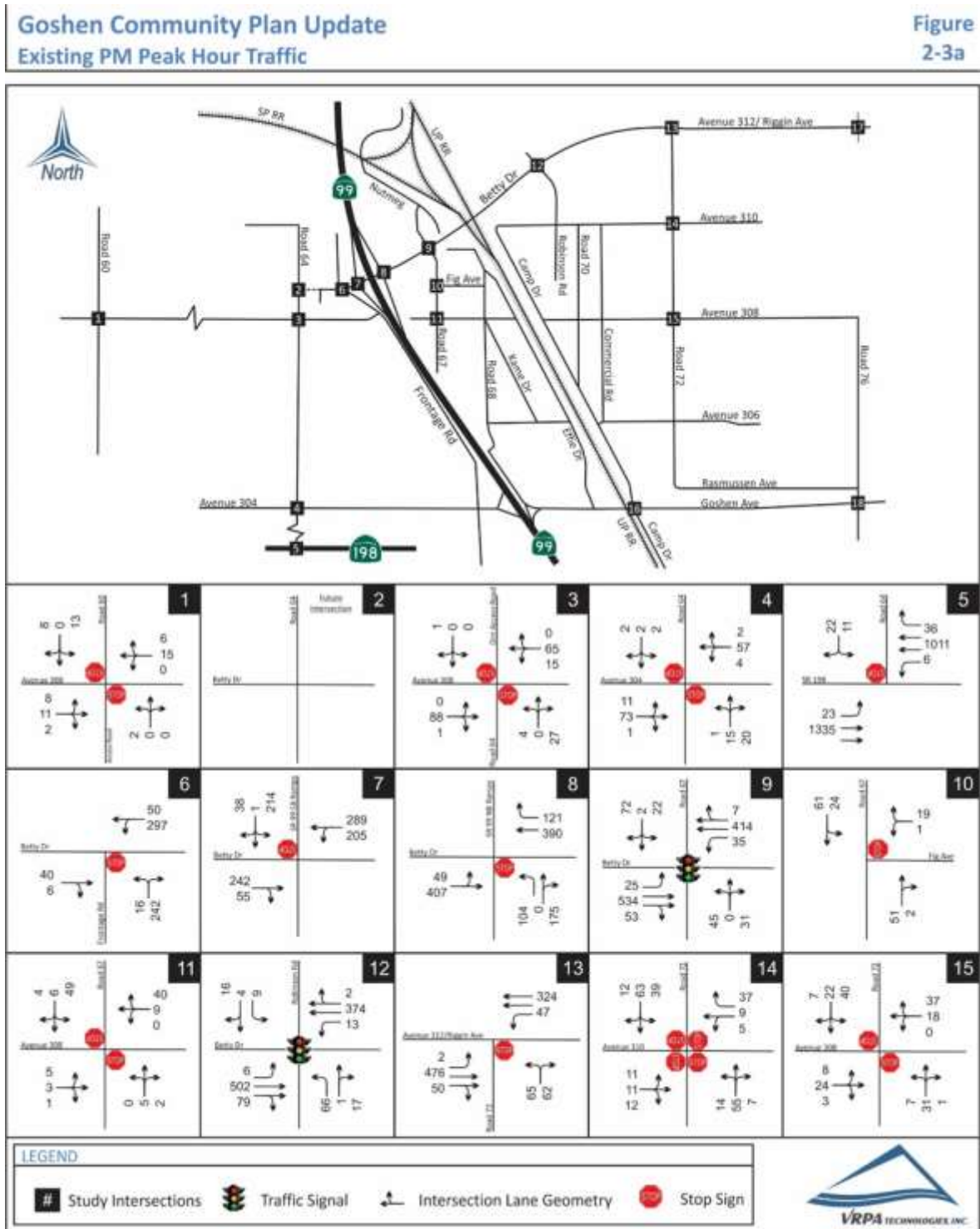
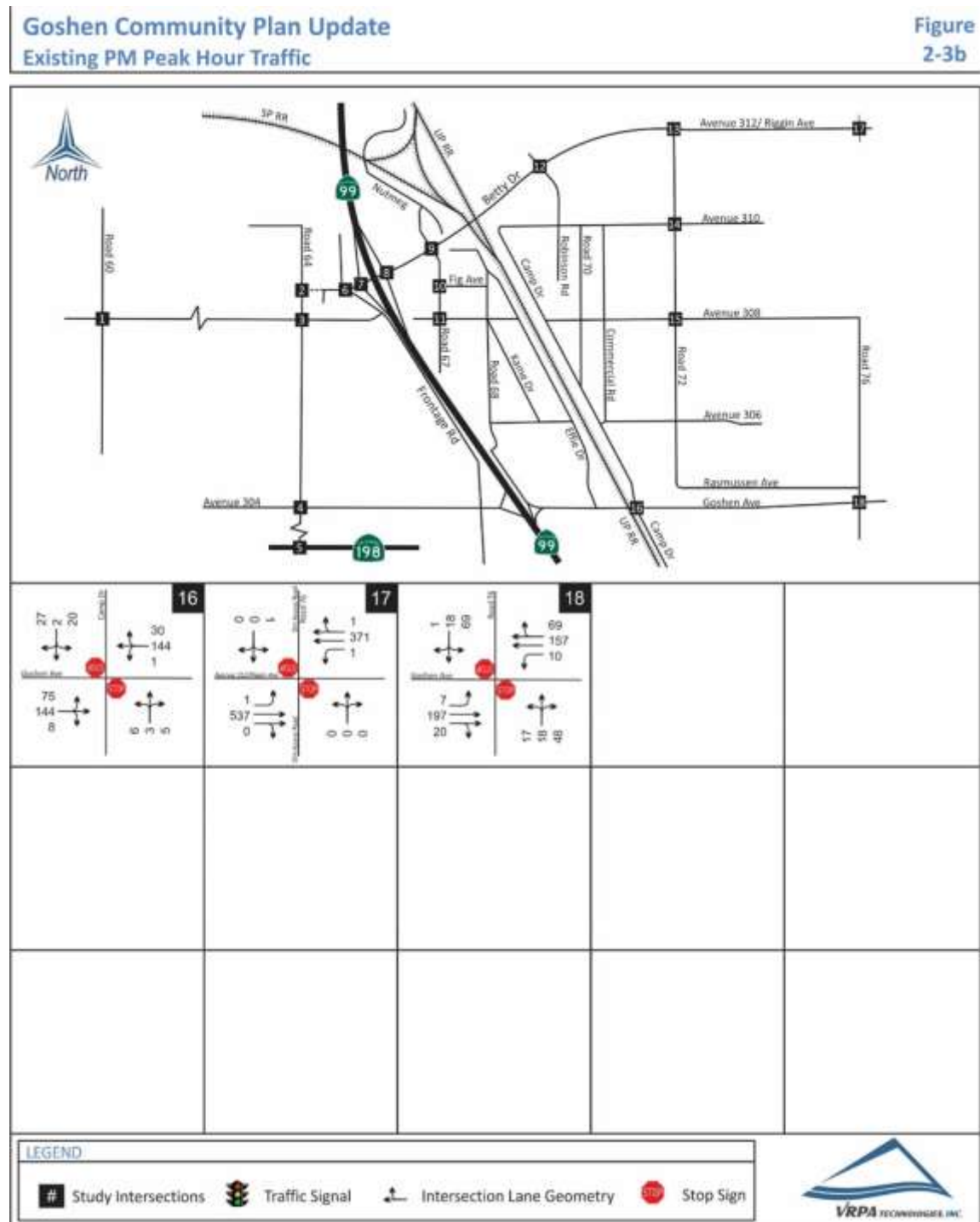


Figure 3.16-10a
Existing PM Peak Hour Traffic



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Figure 3.16-10b
Existing PM Peak Hour Traffic



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**Table 3.16-3
Existing Intersection Operations**

INTERSECTION	CONTROL	TARGET LOS	PEAK HOUR	EXISTING	
				DELAY	LOS
1. Avenue 308 / Road 60	Two-Way Stop Sign	D	AM	8.6	A
			PM	8.9	A
2. Betty Drive / Road 64 (Future Intersection)	Two-Way Stop Sign	D	AM		
			PM		
3. Avenue 308 / Road 64	Two-Way Stop Sign	D	AM	9.3	A
			PM	9.0	A
4. Avenue 304 / Road 64	Two-Way Stop Sign	D	AM	9.5	A
			PM	9.6	A
5. SR 198 / Road 64	One-Way Stop Sign	C	AM	24.2	C
			PM	38.7	E *
6. Betty Drive / Frontage Road	One-Way Stop Sign	D	AM	10.6	B
			PM	10.9	B
7. Betty Drive / SR 99 SB Ramps	One-Way Stop Sign	C	AM	> 50.0	F +
			PM	> 50.0	F *
8. Betty Drive / SR 99 NB Ramps	One-Way Stop Sign	C	AM	37.1	E +
			PM	28.9	D +
9. Betty Drive / Road 67	Signalized	D	AM	19.2	B
			PM	19.4	B
10. Fig Avenue / Road 67	One-Way Stop Sign	D	AM	8.8	A
			PM	8.7	A
11. Avenue 308 / Road 67	Two-Way Stop Sign	D	AM	9.2	A
			PM	9.1	A
12. Betty Drive / Robinson Road	Signalized	D	AM	30.3	C
			PM	23.4	C
13. Avenue 312-Riggin Avenue / Road 72	One-Way Stop Sign	D	AM	13.4	B
			PM	18.2	C
14. Avenue 310 / Road 72	All-Way Stop Sign	D	AM	8.2	A
			PM	7.8	A
15. Avenue 308 / Road 72	Two-Way Stop Sign	D	AM	9.8	A
			PM	9.8	A
16. Goshen Avenue / Camp Drive	Two-Way Stop Sign	D	AM	11.2	B
			PM	12.1	B
17. Avenue 312-Riggin Avenue / Access Road-Road 76 alignment	Two-Way Stop Sign	D	AM	8.4	A
			PM	16.1	C
18. Goshen Avenue / Road 76	Two-Way Stop Sign	D	AM	11.4	B
			PM	13.8	B

DELAY is measured in seconds

LOS = Level of Service / **BOLD** denotes LOS standard has been exceeded

For signalized and all-way stop controlled intersections, delay results show the average for the entire intersection. For one-way and two-way stop controlled intersections, delay results show the delay for the worst movement.

* Does not meet peak hour signal warrant

+ Meets Peak Hour Signal warrants

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**Table 3.16-4
Existing Segment Operations**

STREET SEGMENT	SEGMENT DESCRIPTION	TARGET LOS	CAPACITY ¹	EXISTING		
				VOLUME	v/c ²	LOS
1. Betty Drive						
Road 64 to SR 99	2 Lanes Undivided	D	15,930	5,600	0.35	C
SR 99 to Robinson Road	4 Lanes Divided	D	35,820	10,900	0.30	C
Robinson Road to Road 72	4 Lanes Divided	D	35,820	7,300	0.20	C
Road 72 to Road 76	4 Lanes Divided	D	35,820	7,200	0.20	C
East of Road 76	4 Lanes Divided	D	35,820	7,200	0.20	C
2. Avenue 308						
Road 60 to Road 64	2 Lanes Undivided	D	15,930	1,600	0.10	C
Road 64 to Frontage Road	2 Lanes Undivided	D	15,930	1,900	0.12	C
West of Road 72	2 Lanes Undivided	D	15,930	700	0.04	C
Road 72 to Road 76	2 Lanes Undivided	D	15,930	1,300	0.08	C
3. Avenue 304-Goshen Avenue						
East of Road 64	2 Lanes Undivided	D	15,930	1,500	0.09	C
Road 64 to Road 68	2 Lanes Undivided	D	15,930	1,600	0.10	C
SR 99 to Camp Drive	2 Lanes Undivided	D	15,930	4,000	0.25	C
Camp Drive to Road 76	2 Lanes Undivided	D	15,930	4,000	0.25	C
East of Road 76	4 Lanes Divided	D	35,820	5,500	0.15	C
4. Road 68						
North of Avenue 308	2 Lanes Undivided	D	15,930	400	0.03	C
South of Avenue 308	2 Lanes Undivided	D	15,930	100	0.01	C
5. Road 64						
Avenue 308 to Avenue 304	2 Lanes Undivided	D	15,930	400	0.03	C
Avenue 304 to SR 198	2 Lanes Undivided	D	15,930	1,000	0.06	C
6. SR 99						
North of Betty Drive	6 Lanes Divided	C	93,000	55,200	0.59	B
Betty Drive to Avenue 304	6 Lanes Divided	C	93,000	55,200	0.59	B
Avenue 304 to SR 198	6 Lanes Divided	C	93,000	57,900	0.62	B
South of SR 198	6 Lanes Divided	C	93,000	58,400	0.63	B
7. Road 67						
North of Betty Drive	2 Lanes Undivided	D	15,930	1,000	0.06	C
South of Betty Drive	2 Lanes Undivided	D	15,930	1,400	0.09	C
8. Robinson Road						
North of Betty Drive	2 Lanes Undivided	D	15,930	100	0.01	C
South of Betty Drive	2 Lanes Undivided	D	15,930	2,500	0.16	C
9. Road 72						
Avenue 312-Riggin Avenue to Avenue 310	2 Lanes Undivided	D	15,930	2,200	0.14	C
Avenue 310 to Avenue 308	2 Lanes Undivided	D	15,930	1,900	0.12	C
South of Avenue 308	2 Lanes Undivided	D	15,930	600	0.04	C
10. Road 76						
Avenue 308 to Goshen Avenue	2 Lanes Undivided	D	15,930	1,800	0.11	C
South of Goshen Avenue	2 Lanes Undivided	D	15,930	1,300	0.08	C

LOS = Level of Service / BOLD denotes LOS standard has been exceeded

1: Modified HCM-Based LOS Tables (Florida Tables)

2: Volume to Capacity Ratio

Queuing Analysis – Existing scenario

“Table 2-3 [Table 3.16-5 in this DEIR] provides a queue length summary for the study intersections for the Existing scenario. Traffic queue lengths at an intersection or along a roadway segment assist in the determination of a roadways overall performance. Excessive queuing at an intersection increases vehicle delay and reduces capacity. If a dedicated left turn lane doesn’t provide adequate storage, vehicles will queue beyond the left turn storage pocket and into other travel lanes, thus increasing vehicle delay and reducing capacity. The queuing analysis is based upon methodology presented in Chapter 400 of Caltrans’ Highway Design Manual (HDM). Appendix C includes Chapter 400 of Caltrans’ HDM. The queue results shown in Table 2-3 [Table 3.16-5 in this DEIR] represent the approximate queue lengths for the respective lane movements.”²⁵

**Table 3.16-5
Existing Queuing Operations**

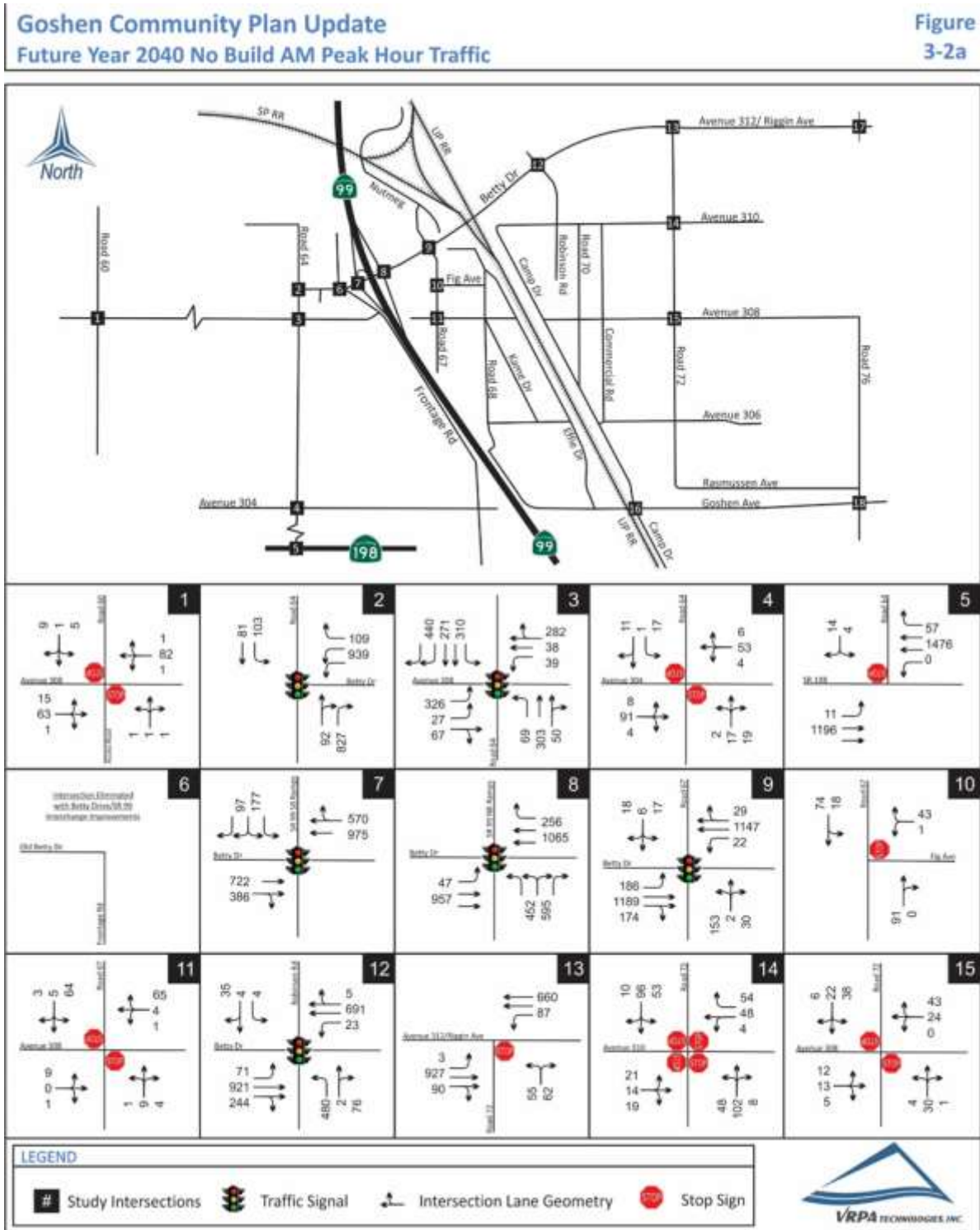
INTERSECTION	EXISTING QUEUE STORAGE LENGTH (ft)		EXISTING CONDITIONS	
			AM Queue	PM Queue
SR 198 / Road 64	EB Left	475	7	19
	WB Left	475	0	5
	WB Right	475	39	30
Betty Drive / SR 99 NB Ramps	NB Left	950	82	87
	NB Right	950	140	146
	WB Right	100	161	101
Betty Drive / Road 67	EB Left	250	65	21
	WB Left	225	13	29
Betty Drive / Robinson Road	NB Left	125	177	55
	SB Left	100	1	8
	EB Left	350	14	5
	WB Left	425	5	11
Avenue 312-Riggin Avenue / Road 72	EB Left	450	1	2
	WB Left	400	33	39
Avenue 310 / Road 72	WB Right	150	36	31
Avenue 312-Riggin Avenue / Road 76	EB Left	375	1	1
	WB Left	275	0	1
Goshen Avenue / Road 76	EB Left	100	3	6
	WB Left	200	21	8

Queue is measured in feet / **BOLD** denotes exceedance

²⁵ Op. Cit. 24.

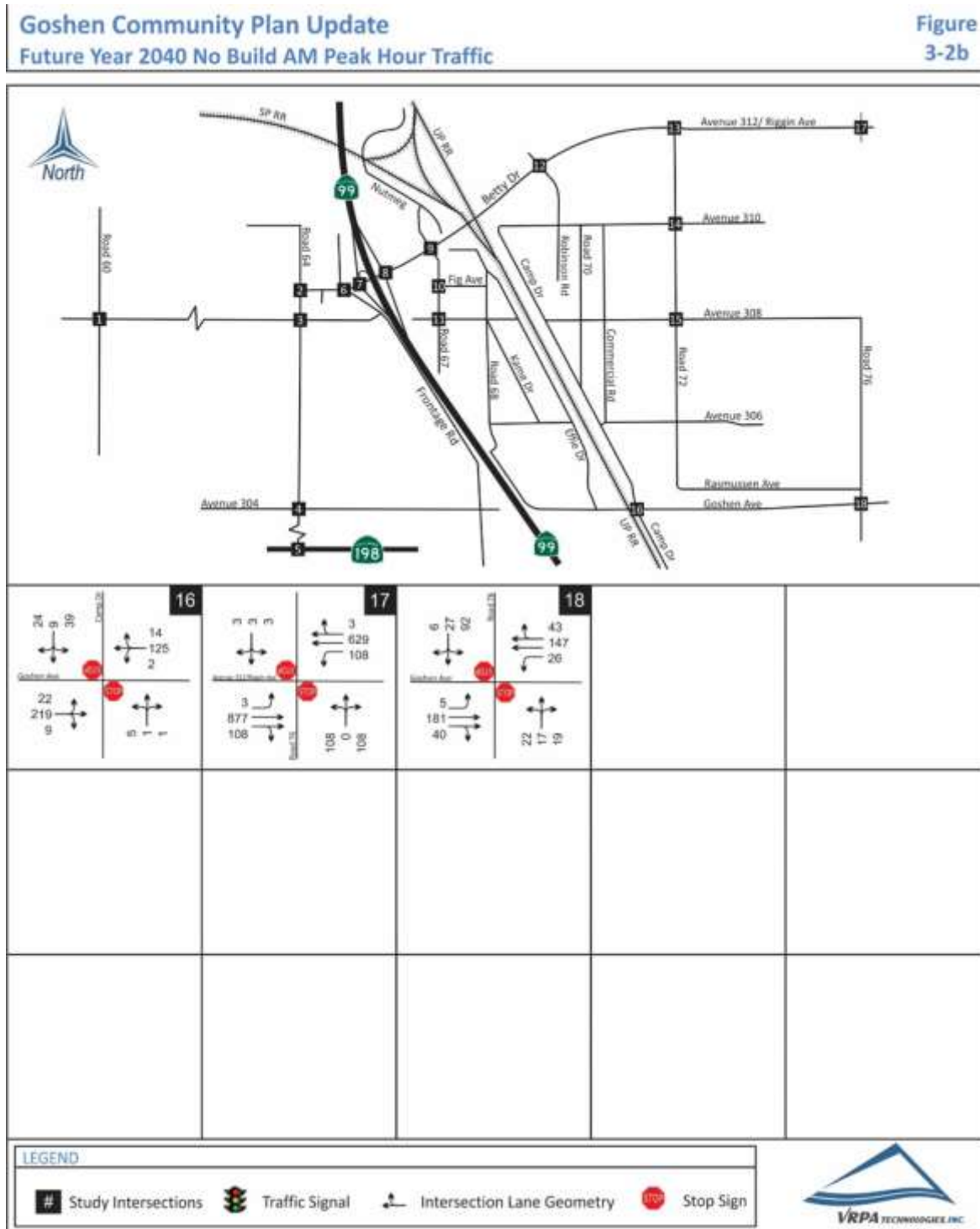
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Figure 3.16-12a
Future Year 2040 No Build AM Peak Hour Traffic



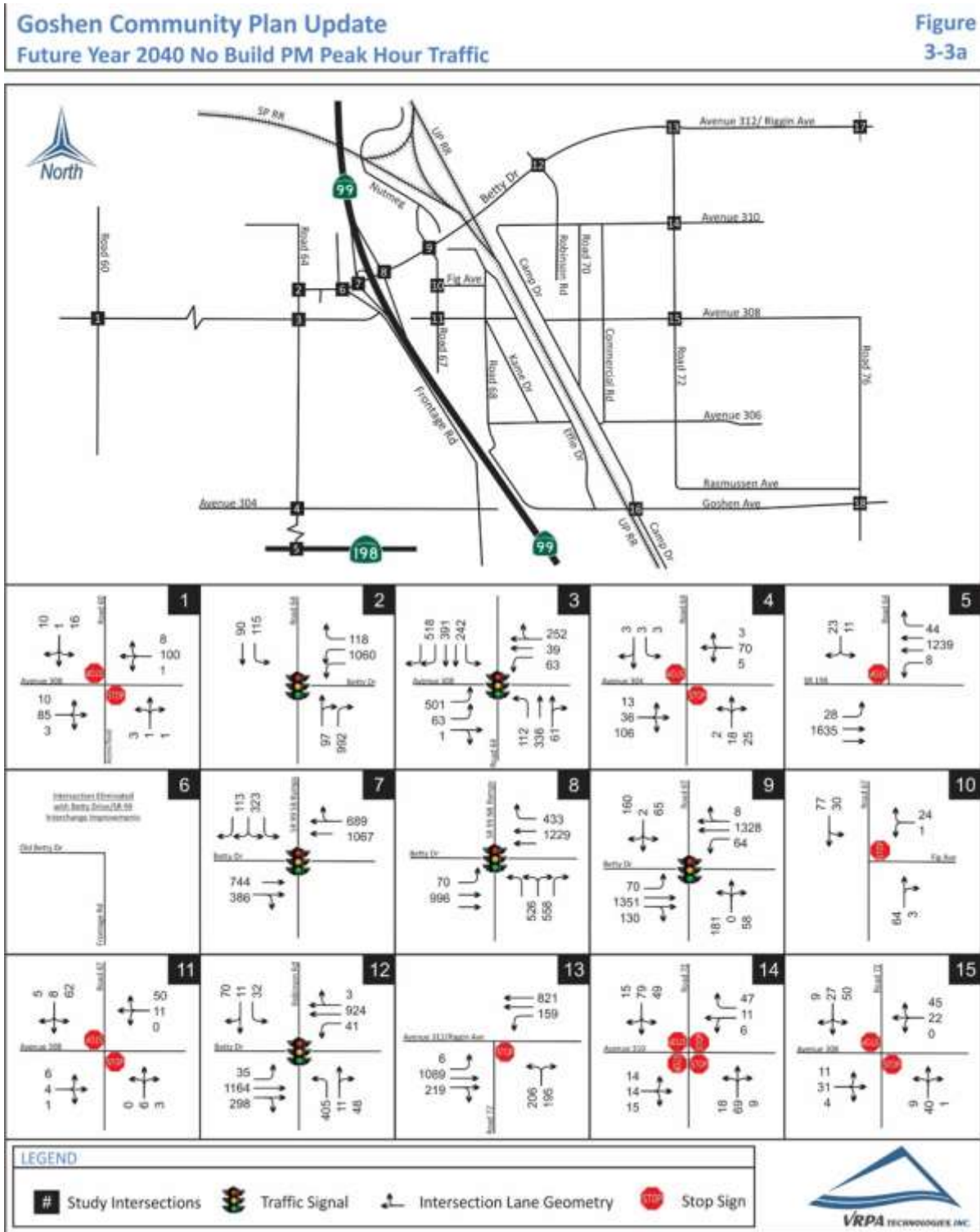
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Figure 3.16-12b
Future Year 2040 No Build AM Peak Hour Traffic



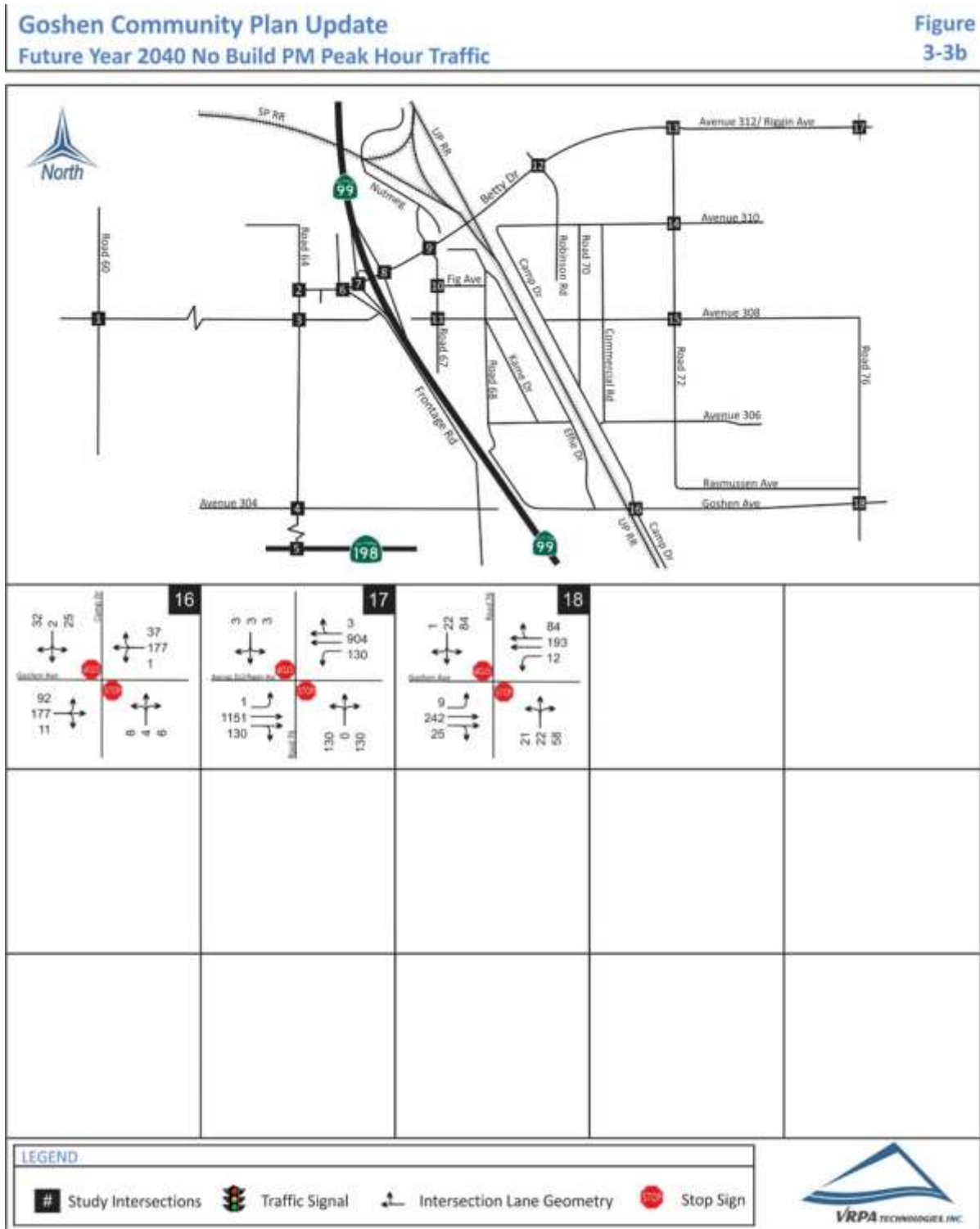
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Figure 3.16-13a
Future Year 2040 No Build PM Peak Hour Traffic



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Figure 3.16-13b
Future Year 2040 No Build PM Peak Hour Traffic



Traffic Impact and Circulation Analysis

Future Year Traffic Forecasts

“To assess the impacts that the Goshen Community Land Use Plan may have on the surrounding street and highway segments and intersections, the first step is to evaluate the variation in future year traffic model growth and the historic population growth within the community. The levels of traffic expected in the year 2040 relate to the cumulative effect of traffic increases resulting from the implementation of the General/Community Plans of local agencies. Traffic forecasts in the Goshen Community area for Future Year 2040 were provided by Tulare County Association of Government (TCAG) staff. TCAG manages public transportation, biking, streets, highways, air quality, rail, Measure R, congestion, and infrastructure plans & funding in Tulare County.” Future Year 2040 No Build”²⁶

Future Year 2040 No Build

“To project future traffic roadway conditions in the year 2040 considering the current Goshen Community land use plan, a variety of sources were used. Along the Betty Riggins Corridor, Caltrans traffic forecasts for the new Betty/SR 99 interchange (discussed below) as well as TCAG model forecasts were used to develop traffic volumes at study intersections and roadway segments. These forecasts were adjusted as appropriate for new and realigned roadways, and to reflect potential industrial development along Robinson Road north of Betty Drive and for a specific development proposal in the southwest quadrant of Riggins Avenue and Road 76. In addition to roadway changes associated with the Betty Interchange reconstruction, Road 76 is assumed to be extended from Avenue 308 north to Riggins Avenue.

The Future Year 2040 No Build traffic, resulting from the process described above, is shown in Figures 3-2a [**Figure 3.16-12a** in the DEIR], 3-2b [**Figure 3.16-12b** in the DEIR], 3-3a [**Figure 3.16-13a** in the DEIR], 3-3b [**Figure 3.16-13b** in the DEIR], and 3-4 [**Figure 3.16-14** in the DEIR].” Future Year 2040 Build”²⁷

Future Year 2040 Build

“Projected future traffic roadway conditions were updated using the Future Year 2040 traffic model results provided by TCAG staff. VRPA provided TCAG with the revised socioeconomic data (reflective of the proposed Community Plan Land Use Plan) and transportation network. Caltrans’ traffic forecasts for the new Betty/SR 99 interchange were also used to develop traffic volumes at study intersections and roadway segments for the Future Year 2040 Build condition.

The Future Year 2040 Build traffic, resulting from the process described above, is shown in Figures 3-5a [**Figure 16-15a** in the DEIR], 3-5b [**Figure 3.16-15b** in the DEIR], 3-6a [Figure

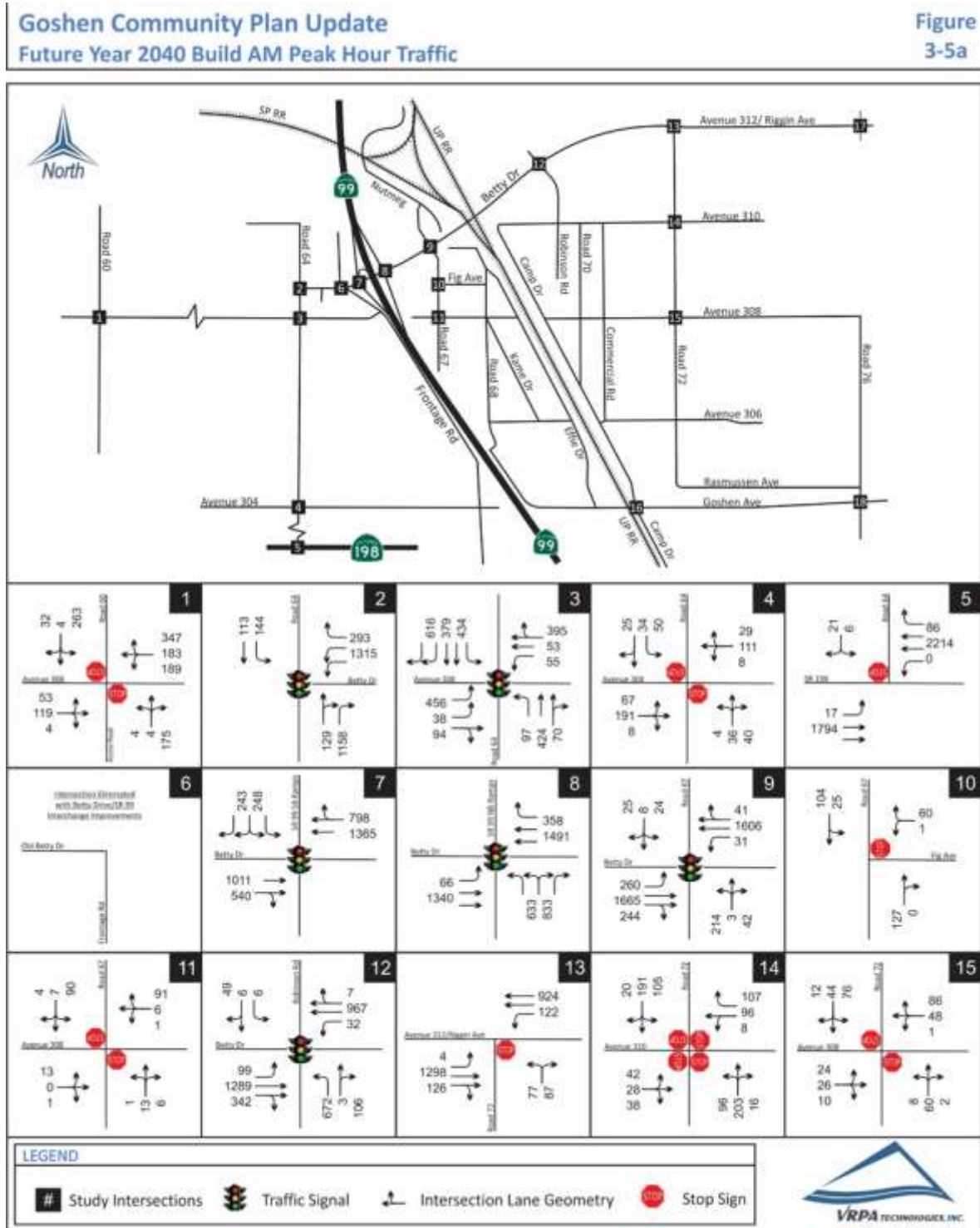
²⁶ Op. Cit. 34.

²⁷ Op. Cit.

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3.16-16a in the DEIR], 3-6b [Figure 3.16-16b in the DEIR], and 3-7 [Figure 3.16-17 in the DEIR].”²⁸

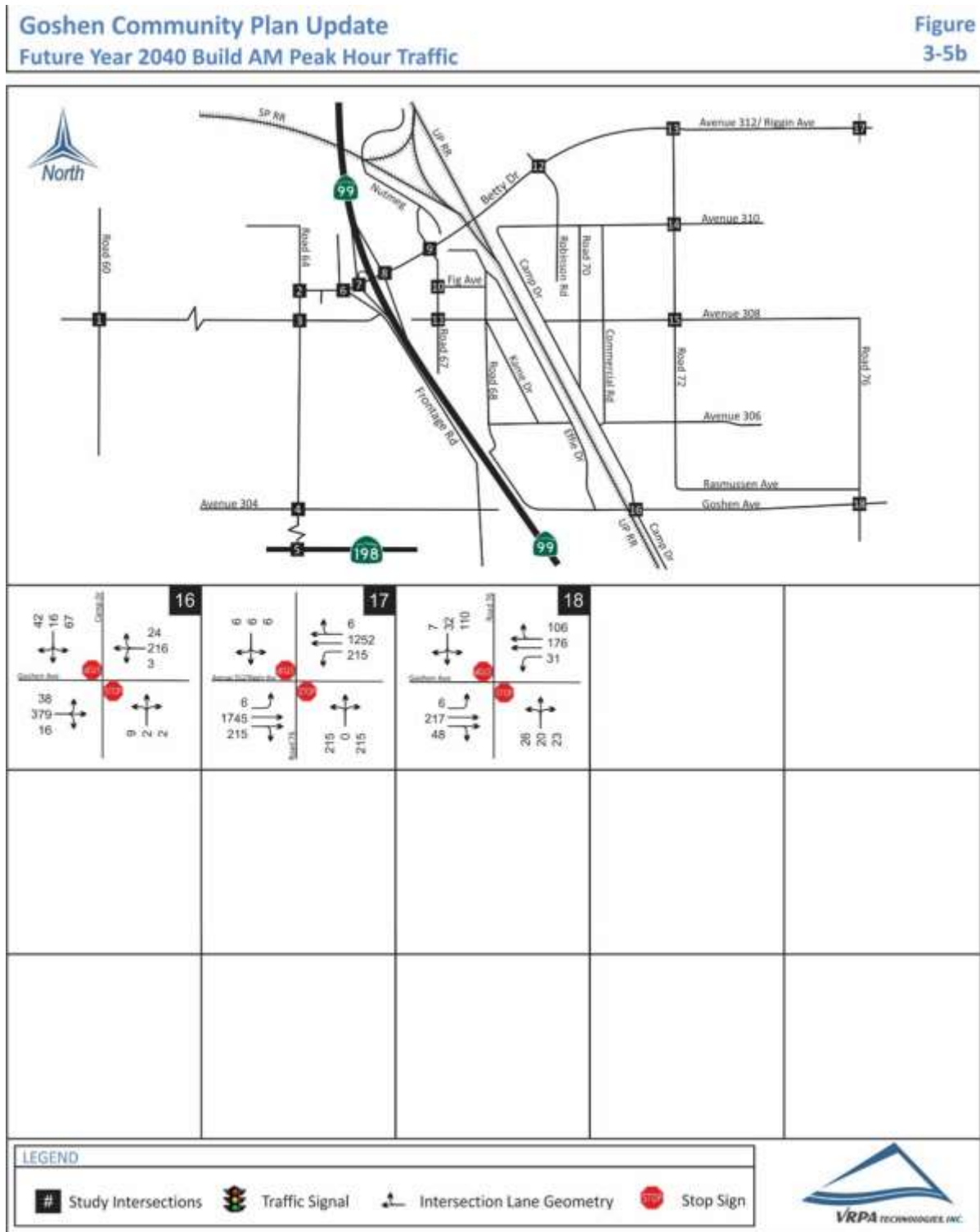
Figure 3.16-15a
Future Year 2040 Build AM Peak Hour Traffic



²⁸ Op. Cit.

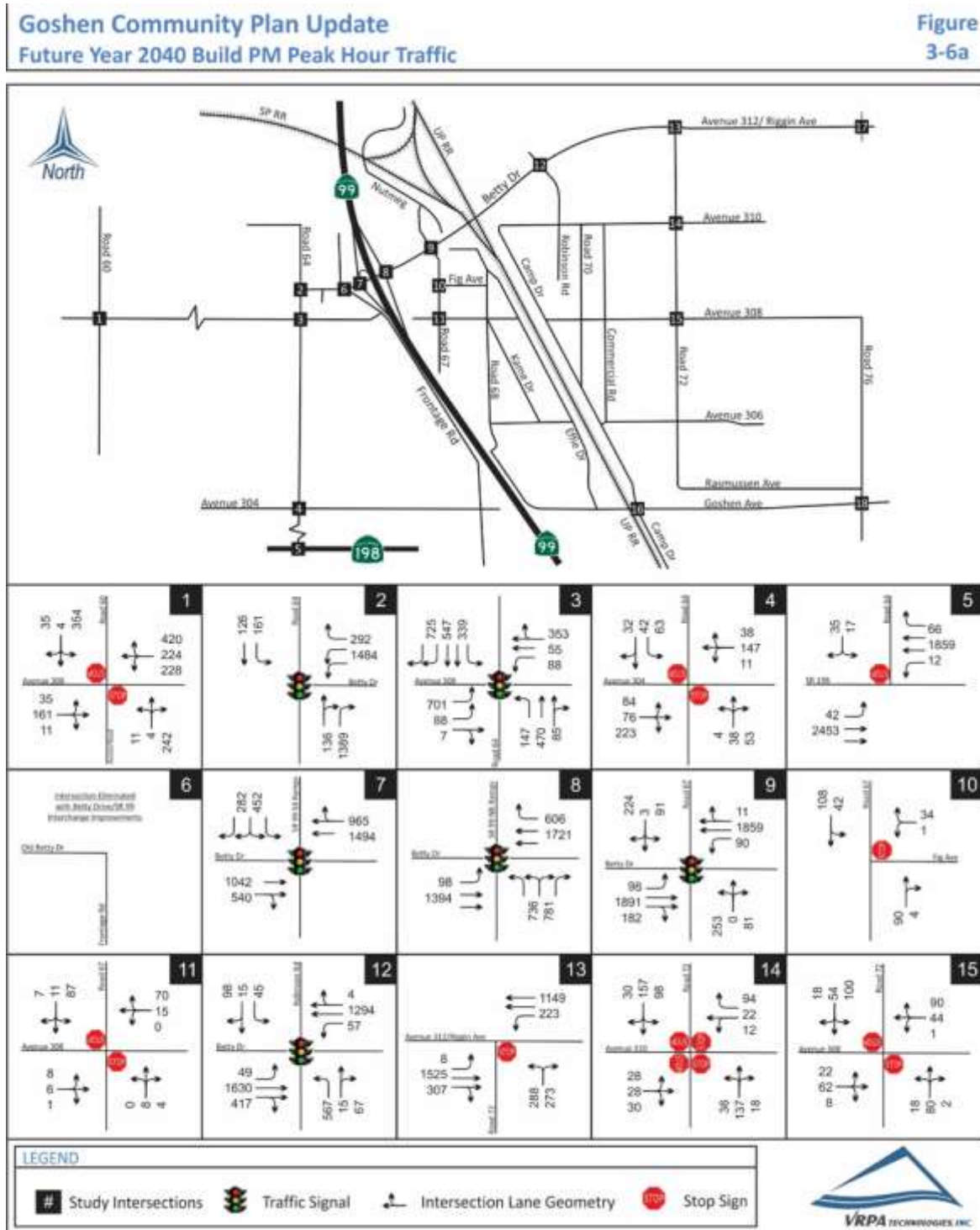
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Figure 3.16-15b
Future Year 2040 Build AM Peak Hour Traffic



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Figure 3.16-16a
Future Year 2040 Build PM Peak Hour Traffic



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Figure 3.16-16b
Future Year 2040 Build PM Peak Hour Traffic

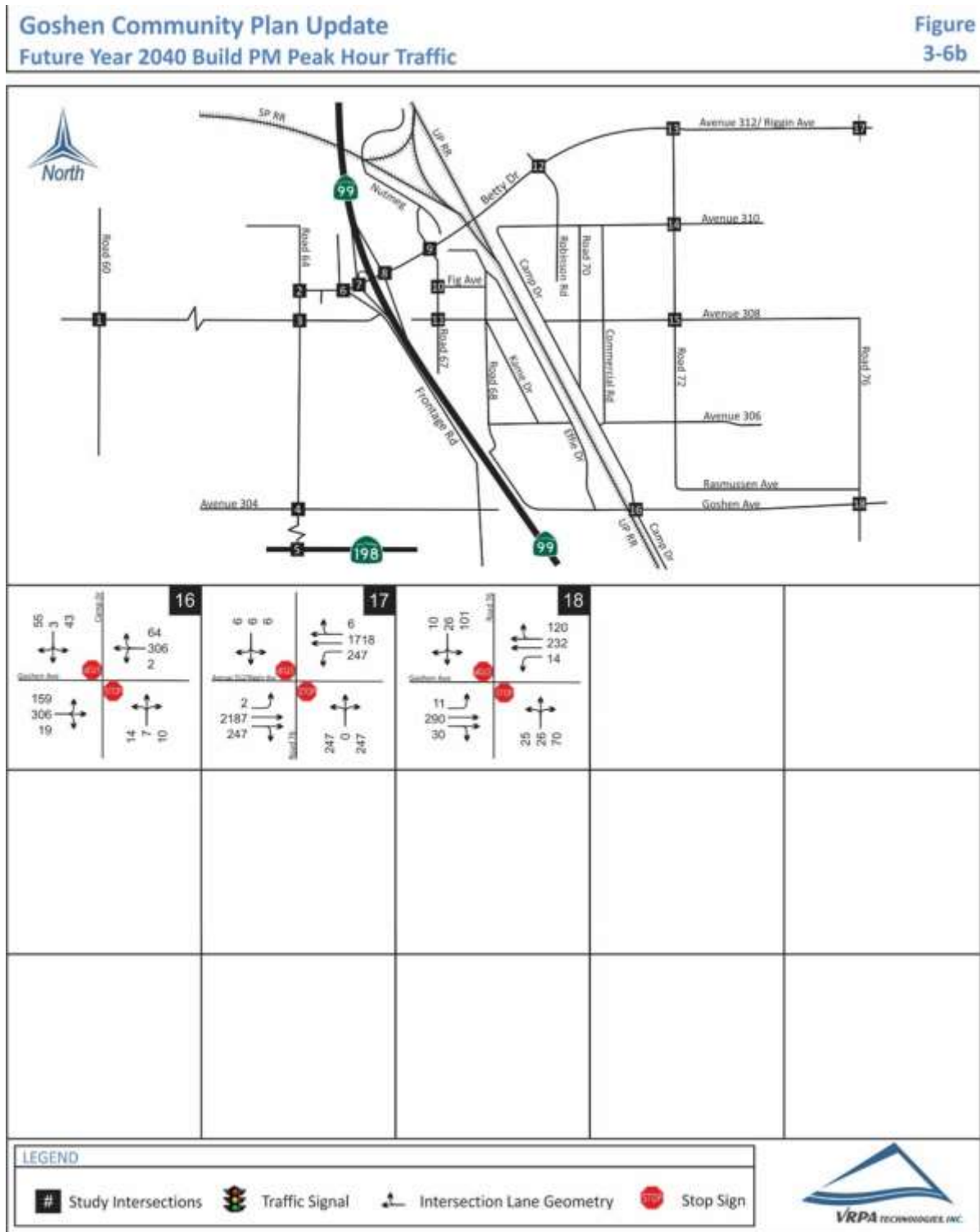
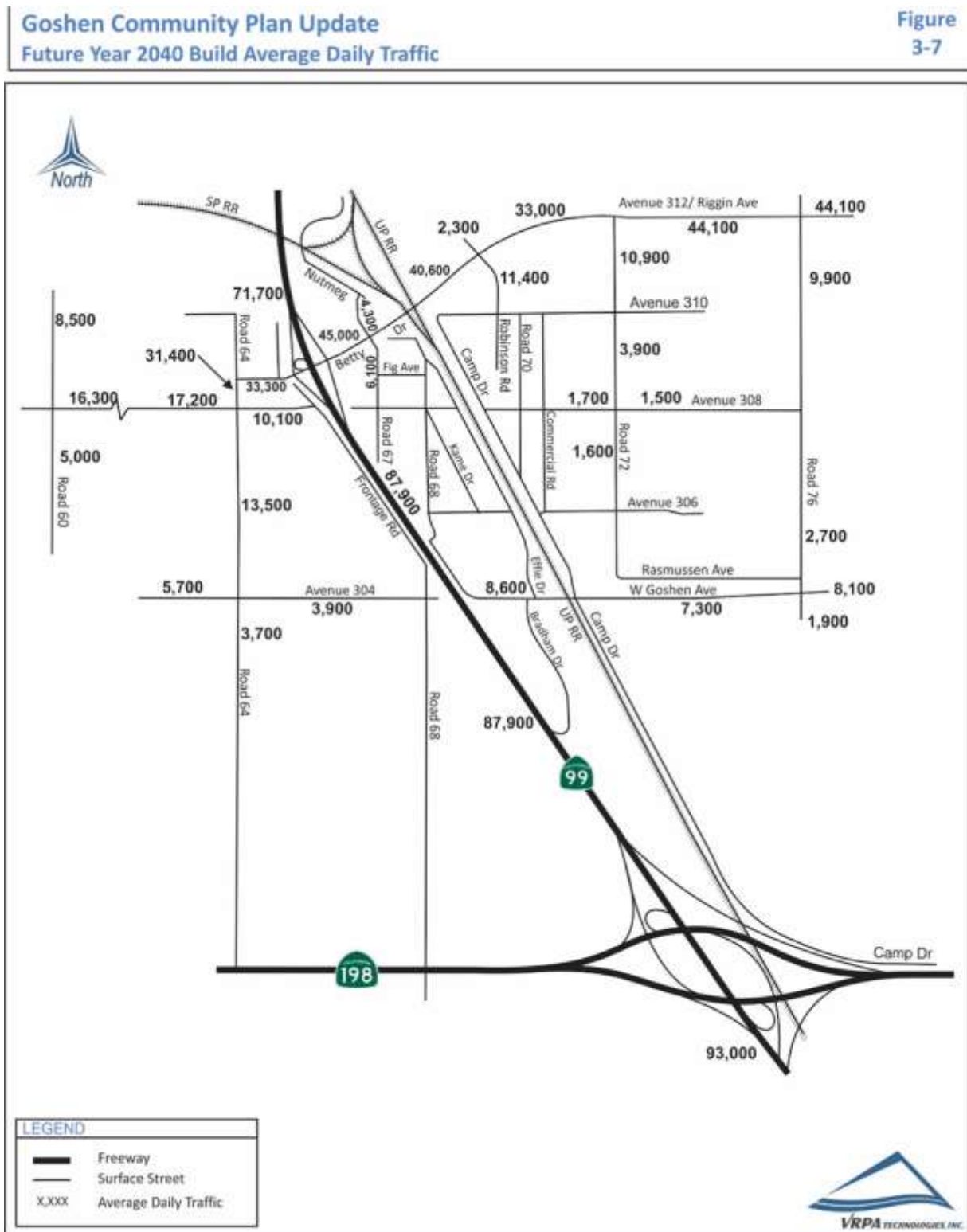


Figure 3.16-17
Future Year 2040 Build Average Daily Traffic



Future Year 2040 Build – Alternative 1

“TCAG staff also provided model files that included an Avenue 304 (Goshen Avenue) overcrossing of the UPRR and SR 99. The socioeconomic data used for the Future Year 2040 Alternative 1 condition was the same data used in the Future Year 2040 Build condition. The Avenue 304 overcrossing was identified in the Goshen Transportation and Community Plan approved February 4, 2014. The Future Year 2040 Build Alternative 1 traffic, resulting from the process described above, is shown in Figures 3-8a [Figure 3.16-18a in this DEIR], 3-8b [Figure 3.16-18b in this DEIR], 3-9a [Figure 3.16-19a in this DEIR], 3-9b [Figure 3.16-19b in this DEIR], and 3-10 [Figure 3.16-20 in this DEIR].”²⁹

Betty Drive Interchange Improvements

“In June 2012, Caltrans District 6 completed environmental documentation in the form of a Mitigated Negative Declaration (MND) for a project to reconstruct the Betty Drive/SR 99 Interchange in Goshen. With this project, Betty Drive will become a through road connecting Avenue 308 on the west side of the interchange with a realigned Riggins Avenue (also designated Avenue 312) on the east side of the interchange. The Betty Drive overcrossing structure will be replaced, and the Betty drive on- and off-ramps will be realigned, as shown below on Figure 3-11 [in the TIS]. Traffic signals will be installed at ramp intersections with Betty Drive. Several local roads will be closed and new access roads will be constructed on west side of SR 99. The existing ramps at Avenue 304 will also be closed to facilitate acceptable operations between the Betty Drive interchange and the major interchange at SR 99 and SR 198. All of the modeling scenarios described in Section 3.1 include the reconstructed Betty Drive and SR 99 interchange.”³⁰

Impacts

Intersection Capacity Analysis

“Table 3-1 [in the TIS] shows the anticipated level of service conditions at study intersections for the Future Year 2040 scenarios. Results of the analysis show that four (4) of the study intersections will exceed level of service standards under the Future Year 2040 No Build scenario. Results also show that nine (9) of the study intersections will exceed level of service standards under the Future Year 2040 Build scenario. Finally, results show that 11 of the study intersections will exceed level of service standards for the Future Year 2040 Build – Alternative 1 scenario. The improvement projects listed in Section 4.0 will alleviate level of service deficiencies at study intersections for all Future Year 2040 scenarios. It should be noted that the intersection of SR 198 and Road 64 does not meet the peak hour signal warrant. The minor roadway (Road 64) does not carry enough traffic to justify signalization.”³¹

²⁹ Op. Cit. 46.

³⁰ Op. Cit.

³¹ Op. Cit.

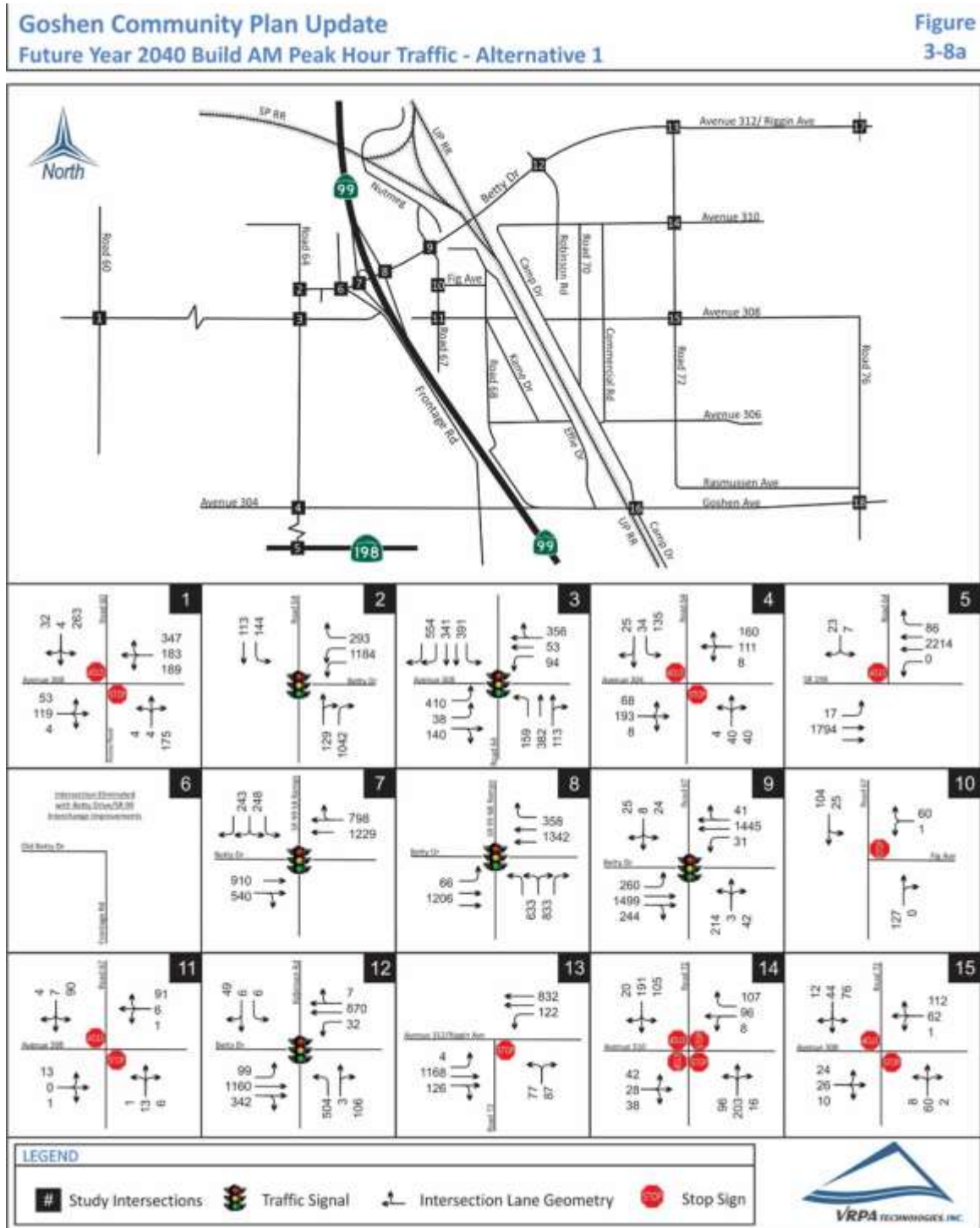
Roadway Segment Capacity Analysis

“Table 3-2 [in the TIS] shows the anticipated level of service conditions at study roadway segments for the Future Year 2040 scenarios. Results of the analysis show that four (4) of the study roadway segments will exceed level of service standards under the Future Year 2040 Build and Future Year Build – Alternative 1 scenarios. The improvement projects listed in Section 4.0 will alleviate level of service deficiencies at study roadway segments for all Future Year 2040 scenarios.”³²

³² Op. Cit.

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Figure 3.16-18a
Future Year 2040 Build AM Peak Hour Traffic – Alternative 1



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Goshen Community Plan Update

Figure 3.16-18b
Future Year 2040 Build AM Peak Hour Traffic – Alternative 1

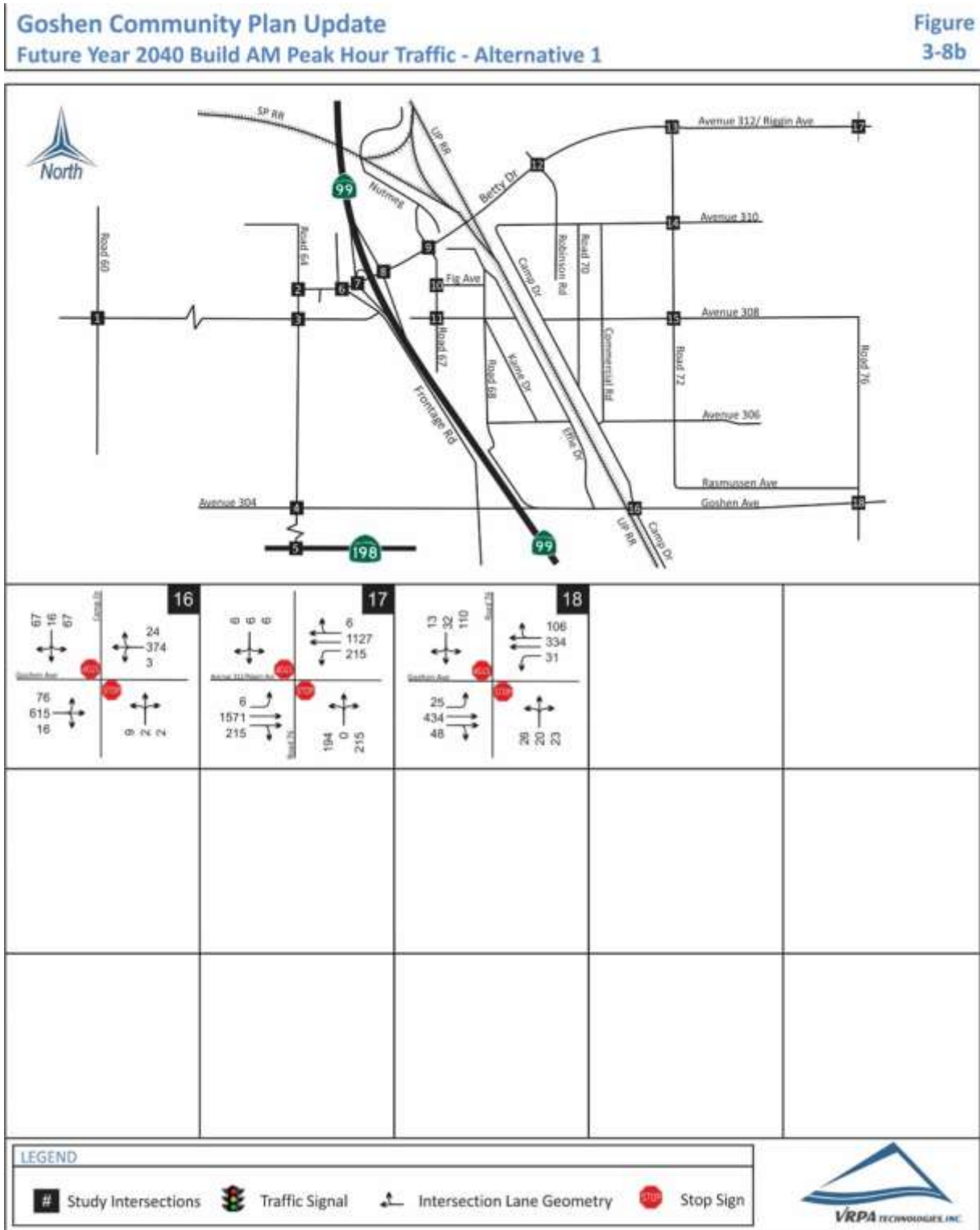


Figure 3.16-19b
Future Year 2040 Build PM Peak Hour Traffic – Alternative 1

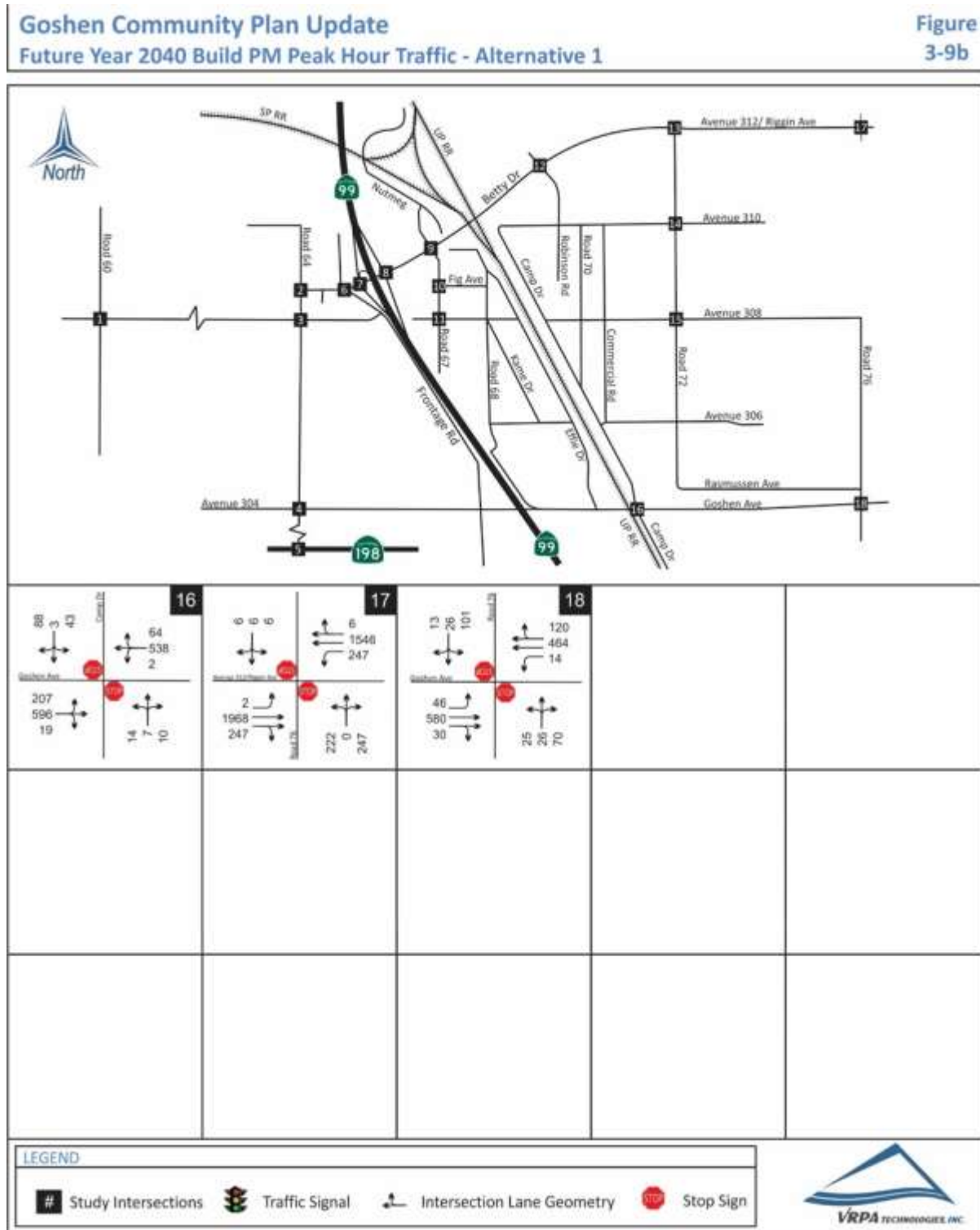
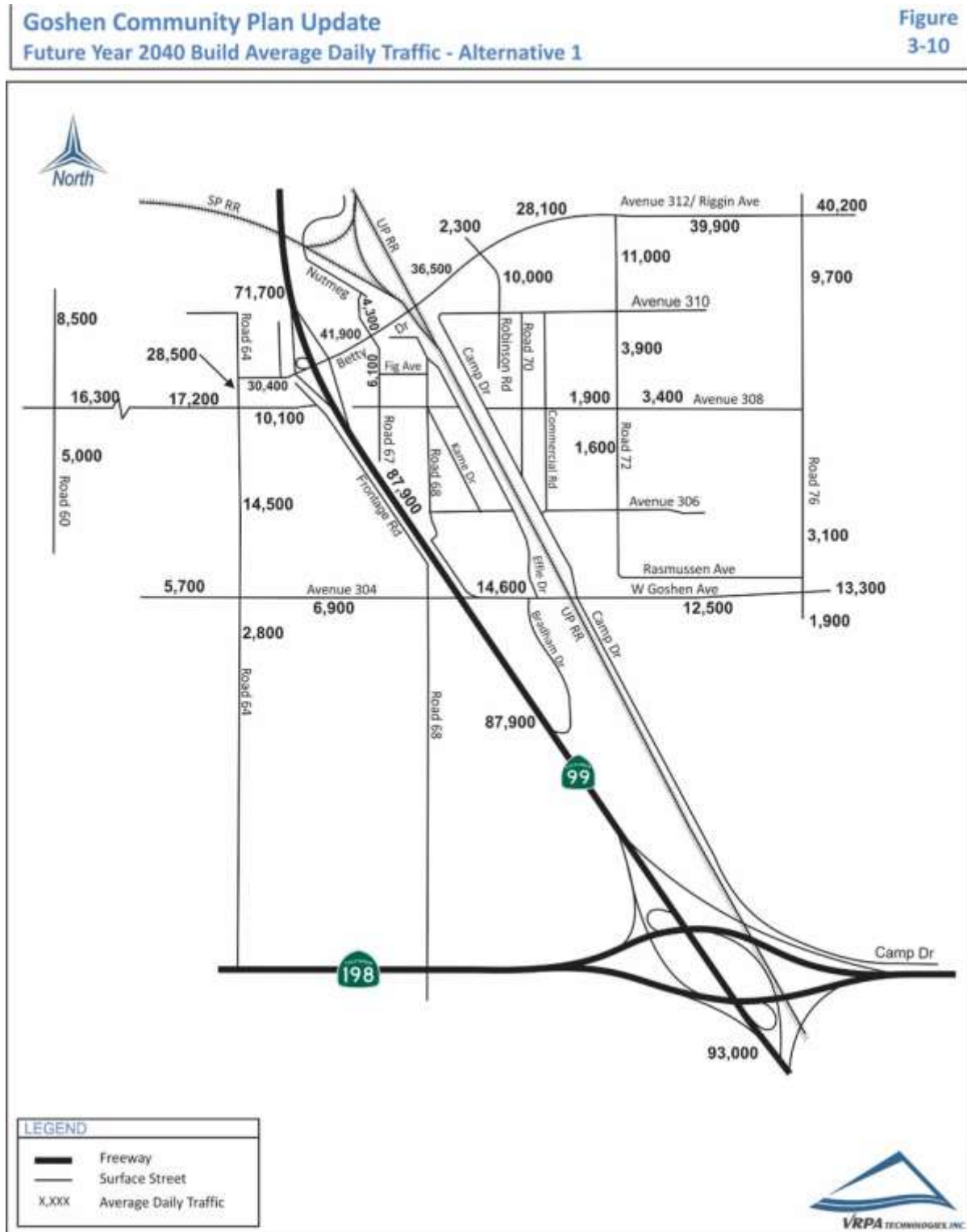


Figure 3.16-20
Future Year 2040 Build Average Daily Traffic – Alternative 1



Queuing Analysis – Future Year 2040 Scenario

“Table 3-3 [Table 3.16-6 in this DEIR] provides a queue length summary for the study intersections for the Future Year 2040 scenarios. The queuing analyses is based upon methodology presented in Chapter 400 of Caltrans’ Highway Design Manual (HDM). Appendix C includes Chapter 400 of Caltrans’ HDM. The queue results shown in Table 3-3 [Table 3.16-6 in this DEIR] represent the approximate queue lengths for the respective lane movements.”³³

Table 3.-16-6
Queuing Operations

INTERSECTION	QUEUE STORAGE LENGTH (ft)	FUTURE YEAR 2040 NO BUILD		FUTURE YEAR 2040 BUILD		FUTURE YEAR 2040 BUILD ALT 1	
		AM Queue	PM Queue	AM Queue	PM Queue	AM Queue	PM Queue
Betty Drive / Road 64	NB Right 2 @ 425	383	413	483	579	434	521
	SB Left 250	86	96	120	134	120	134
	WB Left 2 @ 500	391	442	548	618	493	557
	WB Right 500	91	98	244	243	244	243
Avenue 308 / Road 64	NB Left 300	58	93	81	123	133	183
	SB Left 425	258	202	362	283	326	254
	SB Right 2 @ 425	183	216	257	302	231	272
	EB Left 2 @ 400	136	209	190	292	171	263
	WB Left 250	33	53	46	73	78	103
Avenue 304 / Road 64	SB Left 100	14	3	42	53	113	179
SR 198 / Road 64	EB Left 475	9	23	14	35	14	35
	WB Left 475	0	7	0	10	0	10
	WB Right 475	48	37	72	55	72	55
Betty Drive / SR 99 SB Ramps	SB Right 450	81	94	203	235	203	235
Betty Drive / SR 99 NB Ramps	NB Right 450	298	279	417	391	417	391
	EB Left 400	39	58	55	82	55	82
	WB Right 400	213	353	298	505	298	505
Betty Drive / Road 67	EB Left 250	155	58	217	82	217	82
	WB Left 225	18	53	26	75	26	75
Betty Drive / Robinson Road	NB Left 125	400	338	560	473	420	354
	SB Left 100	3	27	5	38	5	38
	EB Left 350	59	29	83	41	83	41
	WB Left 425	19	34	27	48	27	48
Avenue 312-Rigg'n Avenue / Road 72	EB Left 450	3	5	3	7	3	7
	WB Left 400	73	133	102	186	102	186
Avenue 310 / Road 72	WB Right 150	45	39	89	78	89	78
Avenue 312-Rigg'n Avenue / Road 76	EB Left 375	3	1	5	2	5	2
	WB Left 275	90	108	179	206	179	206
Goshen Avenue / Road 76	EB Left 100	4	8	5	9	21	38
	WB Left 200	22	10	26	12	26	12

Queue is measured in feet / **BOLD** denotes exceedance

³³ Op. Cit. 55.

Road 76 Extension

“The Tulare County 2014 Regional Transportation Plan (RTP) identified the construction of a new roadway along Road 76 from Avenue 308 to Avenue 312-Riggin Avenue. RTP Project VI-RTP11-046 (Road 76 extension) is included on the list of Constrained Capacity Increasing Projects. The Road 76 extension is also identified in the adopted City of Visalia General Plan. The need for the Road 76 extension is essential given the planned closure of the SR 99 ramps at Avenue 304 and the continued industrial development in the northwest portion of the City of Visalia.

Roadway improvements currently underway at the Betty Drive and SR-99 Interchange will minimize congestion along Betty Drive and provide better access to commercial, industrial, and residential land uses in the Goshen Community and northwestern portion of the City of Visalia. Improvements at the Betty Drive and SR-99 Interchange also call for the elimination of the SR-99 ramps at Avenue 304 according to Caltrans’ Betty Drive Interchange Project Environmental Assessment. The existing ramps at Avenue 304 will be closed to facilitate acceptable operations between the Betty Drive interchange and the major interchange at SR-99 and SR-198. Without the Road 76 extension, closure of the Avenue 304 ramps at SR 99 will increase traffic through the Goshen Community along Effie Drive, Road 67, and Road 72. This also includes truck traffic from the industrial uses directly east of SR-99 since Betty Drive will serve as the sole means of accessing SR-99. The Road 76 extension will provide for safety improvements in the Goshen Community since the Road 76 extension would provide direct access to Avenue 312-Riggin Avenue.”³⁴

In addition, the Road 76 extension will be vital to the westward expansion of the City of Visalia general plan. As development occurs from industrial expansion in the northwestern portion of the City of Visalia, greater access to the Betty Drive and Avenue 312-Riggin Avenue corridor will be essential. As noted in Table 3-2 [in the TIS] above, Road 76 between Avenue 312-Riggin Avenue and Avenue 308 is projected to carry a considerable amount of traffic on a daily basis. Without the Road 76 extension, some industrial traffic would be forced to maneuver through Goshen which would decrease safety along roadways in the community. Therefore, the Road 76 extension is critical to the westward expansion of the City of Visalia general plan.”³⁵

Public Transit, Bikeways, and Pedestrian Circulation

“As noted previously [in the TIS], Goshen has limited transit service and pedestrian and bicycle facilities. Public transit is likely to remain a limited option due to fiscal constraints and the high cost of providing services to a relatively low-density community. Furthermore, the low level of auto congestion in Goshen, now and into the future suggests that driving will continue to be more convenient than public transit for those with access to a private car. For those without access to a car, the best approach for improving transit in Goshen will be to enhance

³⁴ Op. Cit. 56.

³⁵ Op. Cit. 5-18

rider information systems that give potential transit patrons precise arrival and departure times for transit and paratransit vehicles. Such real time information systems, by reducing the uncertainty and time spent waiting, can both increase demand for public transit and paratransit and improve riders' overall experience.

With respect to pedestrian and bicycle modes, the current and projected low levels of vehicular traffic in Goshen, together with short travel distances within the community, means that these modes can be very competitive for trips within Goshen, even with minimal facilities. A reasonably flat, safe surface on the side of a low traffic road can often suffice for pedestrians and bicycles, especially if signs alert drivers to the presence of non-motorized traffic.”³⁶

Based on the above analysis, it can reasonably be determined that the Project (a planned approach to anticipated growth in Goshen over time) will ultimately result in the need to complete various improvements to the traffic network (i.e., circulation system) to efficiently and efficiently move vehicles, persons, and goods within and through the community. As indicated in the TIS, “The proposed Goshen Community Plan Update traffic analysis provides a policy framework to address potential traffic impacts encountered in the planning process. Results of the traffic analysis shows that the Goshen Community Plan Update is in harmony with both the Tulare County General Plan and the TCAG Regional Transportation Plan. The General Plan currently calls for all intersections and roadway segments to be maintained at LOS “D” or better; this objective would be obtained given implementation of the Community Plan and the specific roadway improvements (mitigation measures) noted below. The Goshen Community Plan also meets Caltrans’ acceptable level of service criteria in the study area with the development of specific roadway improvements noted below. As a result, the Goshen Community Plan Update 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.

Described below are mitigation measures at study area intersections and segments for the Future Year 2040 scenarios that address future transportation and circulation issues in the Goshen community. The improvements identified would result in acceptable levels of service as shown in Tables 3-4 and 3-5 [Table 3.16-7 and 3.16-8 in this DEIR]. Improvements labeled with a double asterisk (**) were identified in the Goshen Transportation and Community Plan that was approved February 4, 2014.”³⁷

As a result, the Project would result in ***Less Than Significant Project-specific Impacts With Mitigation*** related to this Checklist Item. Please note, that the mitigation measures included in this section are taken for the TIS, but have been renumbered to maintain consistency with the numbering style used in this DEIR; for example MM-TR 1 is 16-1; MM-TR 2 is 16-2, etc.

³⁶ Op. Cit. 55 and 56.

³⁷ Op. cit. 59.

Mitigation Measure(s):

See Mitigation Measures 16-1 thru 16-29

Intersections – Future Year 2040 No Build Scenario:

- 16-1 Betty Drive/Robinson Road: Widen the eastbound approach to 1 left turn lane, 2 through lanes and 1 right turn lane (adding 1 right turn lane).**
- 16-2 Avenue 312-Riggin/Road 72: Install Traffic Signal**.**
- 16-3 Avenue 312-Riggin/Road 76: Install Traffic Signal**.**

Intersections – Future Year 2040 Build Scenario:

- 16-4 Avenue 308/Road 60: Install Traffic Signal; and Widen all approaches to 1 left turn lane and 1 through lane with a share right (adding 1 left turn lane)**
- 16-5 Betty Drive/Road 64: Install northbound right overlap phasing.**
- 16-6 Avenue 308/Road 64: Widen the westbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 right turn lane).**
- 16-7 Betty Drive/SR 99 NB Ramps: Widen the northbound approach to 2 left turn lanes and 2 right turn lanes (adding 1 right turn lane); and Widen the westbound approach to 3 through lanes and 2 right turn lanes (adding 1 through lane and 1 right turn lane).**
- 16-8 Betty Drive/Road 67: Widen the northbound approach to 1 left turn lane and 1 through lane with a shared right (adding 1 left turn lane); Widen the southbound approach to 1 left-through lane and 1 right turn lane with overlap phasing (adding 1 right turn lane); Widen the eastbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 right turn lane); and Widen the westbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 right turn lane).**
- 16-9 Betty Drive/Robinson Road: Widen the northbound approach to 2 left turn lanes and 1 through lane with a shared right (adding 1 left turn lane);**
- 16-10 Avenue 312-Riggin Avenue/Road 72: Install Traffic Signal**; and Widen the northbound approach to 1 left turn lane and 1 right turn lane (adding 1 right turn lane)**
- 16-11 Avenue 312-Riggin Avenue/Road 76: Install Traffic Signal**; Widen the northbound approach to 2 left turn lanes and 1 right turn lane with overlap phasing (adding 1 left turn lane and 1 right turn lane); Widen the eastbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 right turn lane); and Widen the eastbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 right turn lane) with a shared right (adding 1 left turn lane).**
- 16-12 Avenue 308/Road 60: Install Traffic Signal; and Widen all approaches to 1 left turn lane and 1 through lane with a shared right (adding 1 left turn lane).**
- 16-13 Avenue 308 / Road 64: Widen the westbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 right**

- turn lane).
- 16-14 Avenue 304/Road 64: Install Four-Way Stop.
- 16-15 Betty Drive/SR 99 NB Ramps: Widen the northbound approach to 2 left turn lanes and 2 right turn lanes (adding 1 right turn lane); and Widen the westbound approach to 3 through lanes and 2 right turn lanes (adding 1 through lane and 1 right turn lane).
- 16-16 Betty Drive/Road 67: Widen the northbound approach to 1 left turn lane and 1 through lane with a shared right (adding 1 left turn lane); and Widen the southbound approach to 1 left-through lane and 1 right turn lane with overlap phasing (adding 1 right turn lane).
- 16-17 Betty Drive/Robinson Road: Widen the northbound approach to 2 left turn lanes and 1 through lane with a shared right (adding 1 left turn lane); and Widen the eastbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 right turn lane).
- 16-18 Avenue 312-Riggin/Road 72: Install Traffic Signal**; and Widen the northbound approach to 1 left turn lane and 1 right turn lane (adding 1 right turn lane).
- 16-19 Goshen Avenue/Camp Drive: Install Traffic Signal.
- 16-20 Avenue 312-Riggin Avenue/Road 76: Install Traffic Signal**; Widen the northbound approach to 2 left turn lanes and 1 right turn lane (adding 1 left turn lane and 1 right turn lane); and Widen the eastbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 right turn lane).
- 16-21 Goshen Avenue/Road 76: Install Traffic Signal**.

Roadway Segments – Future Year 2040 Build Scenario

- 16-22 Betty Drive between SR 99 and Robinson Road: Widen from 2 to 3 travel lanes in both directions (adding 1 travel lane in each direction)**.
- 16-23 Betty Drive between Road 72 and Road 76: Widen from 2 to 3 travel lanes in both directions (adding 1 travel lane in each direction)**.
- 16-24 Betty Drive East of Road 76: Widen from 2 to 3 travel lanes in both directions (adding 1 travel lane in each direction)**.
- 16-25 Avenue 308 between Road 60 and Road 64: Widen from 1 to 2 travel lanes in both directions (adding 1 travel lane in each direction)**.

Roadway Segments – Future Year 2040 Build – Alternative 1 Scenario

- 16-26 Betty Drive between SR 99 and Robinson Road: Widen from 2 to 3 travel lanes in both directions (adding 1 travel lane in each direction)**.
- 16-27 Betty Drive between Road 72 and Road 76: Widen from 2 to 3 travel lanes in both directions (adding 1 travel lane in each direction)**.
- 16-28 Betty Drive East of Road 76: Widen from 2 to 3 travel lanes in both directions (adding 1 travel lane in each direction)**.
- 16-29 Avenue 308 between Road 60 and Road 64: Widen from 1 to 2 travel lanes in both directions (adding 1 travel lane in each direction).

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Table 3.16-7 shows the following results at intersection operations after implementation of applicable Mitigation Measures in regards to intersections. **Table 3.16-8** shows segment operations after implementation of applicable Mitigation Measures in regards to segments.

Table 3.16-7
Intersection Operations With Improvements

INTERSECTION	CONTROL	TARGET LOS	PEAK HOUR	FUTURE YEAR 2040 NO BUILD		FUTURE YEAR 2040 BUILD		FUTURE YEAR 2040 BUILD ALT 1	
				DELAY	LOS	DELAY	LOS	DELAY	LOS
1. Avenue 308 / Road 60	Signalized	D	AM			14.9	B	14.9	B
			PM			37.4	D	37.4	D
2. Betty Drive / Road 64	Signalized	D	AM			22.8	C		
			PM			46.4	D		
3. Avenue 308 / Road 64	Signalized	D	AM			38.5	D	36.7	D
			PM			48.8	D	45.6	D
4. Avenue 304 / Road 64	Four-Way Stop Sign	D	AM					11.6	B
			PM					17.8	C
8. Betty Drive / SR 99 NB Ramps	Signalized	C	AM			26.5	C	25.3	C
			PM			33.5	C	28.2	C
9. Betty Drive / Road 67	Signalized	D	AM			38.7	D	37.7	D
			PM			54.8	D	54.7	D
12. Betty Drive / Robinson Road	Signalized	D	AM	43.3	D	45.7	D	33.3	C
			PM	42.9	D	54.9	D	35.5	D
13. Avenue 312-Riggin Avenue / Road 72	Signalized	D	AM	8.5	A	10.6	B	9.9	A
			PM	33.0	C	53.2	D	43.2	D
16. Goshen Avenue / Camp Drive	Signalized	D	AM					6.7	A
			PM					8.2	A
17. Avenue 312-Riggin Avenue / Road 76	Signalized	D	AM	13.4	B	21.7	C	34.8	C
			PM	19.1	B	48.7	D	51.9	D
18. Goshen Avenue / Road 76	Signalized	D	AM					15.5	B
			PM					16.2	B

DELAY is measured in seconds

LOS = Level of Service / **BOLD** denotes LOS standard has been exceeded

For signalized and all-way stop controlled intersections, delay results show the average for the entire intersection.

Table 3.16-8
Segment Operations With Improvements

STREET SEGMENT	SEGMENT DESCRIPTION	TARGET LOS	CAPA CITY ¹	FUTURE YEAR 2040 BUILD			FUTURE YEAR 2040 BUILD ALT 1		
				VOLUME	V/C ²	LOS	VOLUME	V/C ²	LOS
1. Betty Drive									
SR 99 to Robinson on Road	6 Lanes Divided	D	53,910	45,000	0.83	C	41,900	0.78	C
Road 72 to Road 76	6 Lanes Divided	D	53,910	44,100	0.82	C	39,900	0.74	C
East of Road 76	6 Lanes Divided	D	53,910	44,100	0.82	C	40,200	0.75	C
2. Avenue 308									
Road 60 to Road 64	4 Lanes Undivided	D	33,830	17,200	0.51	C	17,200	0.51	C

LOS = Level of Service / **BOLD** denotes LOS standard has been exceeded

1: Modified HCM-Based LOS Tables (Florida Tables)

2: Volume to Capacity Ratio

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

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, and/or Tulare County 2030 General Plan EIR, City of Visalia General Plan EIR, Caltrans Betty Drive Interchange MND, and the Papich Project Traffic Impact Study.

Similar to Project-Specific Impacts, cumulative impacts would be ***Less Than Significant Cumulative Impacts With Mitigation*** as a result of the proposed Project.

Mitigation Measure(s): **See Mitigation Measures 16-1 thru 16-29**

Conclusion: ***Less Than Significant Impact With Mitigation***

Potential Project-specific and cumulative impacts related to this Checklist Item will be, as a result of mitigation, ***Less Than Significant With Mitigation***.

- b) 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?**

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

“TCAG recently developed a congestion management program for Tulare County jurisdictions via a Congestion Management Process Steering Committee comprised of County, City and transportation agency staff with knowledge of transportation performance measures. The Tulare County Congestion Management Process objectives focus on operational improvements and management of our transportation facilities, emphasize the importance of

sustainable land use development on congestion management, and promote the development of an integrated multi-modal transportation system. The General Plan currently calls for all intersections and roadway segments to be maintained at LOS “D” or better; this objective would be obtained given implementation of the Community Plan and the specific roadway improvements (mitigation measures) noted in Section 4.1.1 and 4.1.2 above [in the TIS]. As a result, the Project 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.”³⁸ Also, see Item a), above.

Therefore, there will be ***Less Than Significant Impact With Mitigation*** related to this Checklist Item.

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

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, and/or Tulare County 2030 General Plan EIR. There are no Congestion Management Programs in Tulare County or through the Tulare County Association of Governments. Therefore, there will be ***Less Than Significant Impact With Mitigation*** related to this Checklist Item.

Mitigation Measure(s): ***See Mitigation Measures 16-1 thru 16-29.***

Conclusion: ***Less Than Significant Impact With Mitigation***

Therefore, there will be ***Less Than Significant Impact With Mitigation*** related to this Checklist Item.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?

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

As noted in the response to Item 3.8 e), the Visalia Municipal Airport is nearest to the Project site and is located approximately 1.5 miles southeast. The applicable CALUP and General Plan policies have been reviewed, and it has been confirmed that the proposed Project does not involve air transit, will not result in a change in air traffic patterns, change in location, or an increase in traffic levels. As indicated in the TIS, “The Goshen Community Plan Update would not result in a significant increase in air traffic levels, nor would it result in any change in air traffic patterns. As a result, the Project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. Therefore, no mitigation is needed.”³⁹

³⁸ Op. Cit. 65.

³⁹ Op. Cit.

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 Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, Tulare County General Plan Background Report, and/or Tulare County 2030 General Plan EIR.

No Cumulative Impacts related to this Checklist Item will occur.

Mitigation Measure(s): ***Less Than Significant Impact***

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

As noted earlier, the Project will not cause any change in air traffic patterns, ***Less Than Significant Project-specific or Cumulative Impacts*** related to this Checklist item will occur.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

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

The existing roadway system has been designed in accordance with County of Tulare roadway standards to avoid roadway hazards and other traffic-related hazardous features. As future development occurs, Tulare County policies such as LU-7.3 Friendly Streets, TC-1.14 Roadway Facilities, and Tulare County General Plan Update (2030) compliance with AB 1358 which calls for four Complete Streets-related Principles including: Principle 1: County-wide Collaboration; Principle 2: Connectivity; Principle 3: Community Circulation ; and Principle 4: Pedestrian and Bicycle Facilities, will be implemented. Further, as indicated in the TIS, “The Goshen Community Plan Update would not result in hazards due to design features, since all proposed improvements would be built to County design standards. The proposed Community Plan land uses would not increase the use of farm equipment on streets and roads in the Goshen Community. As a result, the Project will not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Therefore, no mitigation is needed.”⁴⁰

Therefore, the Project will result in ***Less Than Significant 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, Tulare County General Plan Background Report, and/or Tulare County 2030 General Plan EIR.

⁴⁰ Op. Cit.

As noted earlier, no design changes that would cause a hazard are proposed as part of the Project. As such, ***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 and Cumulative Impacts*** related to this Checklist Item will occur.

e) Result in inadequate emergency access?

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

As indicated in the TIS, “The Goshen Community Plan Update would not result in any degradation of emergency access within the community. Congestion at an intersection or along a roadway can adversely impact emergency access. Results of the traffic analysis shows that all of the study intersections and roadway segments will meet acceptable levels of service with the development of specific roadway improvements. As a result, the Project will not result in inadequate emergency access. Therefore, no mitigation is needed.”⁴¹

As such, the Project would result in a ***Less Than Significant*** 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, Tulare County General Plan Background Report, and/or Tulare County 2030 General Plan EIR.

As noted in the response to Item 3.8 g) the proposed Project does not include alterations to an emergency plan and there is sufficient access for emergency vehicles. Therefore, ***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 and Cumulative Impacts*** related to this Checklist Item will occur.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

⁴¹ Op. Cit. 66.

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The Goshen TIS (included as Appendix “F” of this DEIR) analyzed public transit, bicycle and pedestrian facilities, rail, aviation, rail, goods movement, and transportation demand systems within the Project area.

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

“The Goshen Community Plan Update does not conflict with any applicable adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. Visalia Transit Route 6 operates between Goshen Elementary School and the Visalia Transit Center in downtown Visalia. Route 6 provides 20 roundtrips to the Visalia Transit Center on weekdays and 14 roundtrips on Saturdays, all at 45-minute intervals. Implementation of the Goshen Community Plan Update will not hinder the operation of Visalia Transit Route 6 in the Goshen Community.

The Community Plan does not conflict with any applicable adopted policies, plans, or programs regarding bicycle or pedestrian facilities. Moreover, implementation of Policies 3, 7, 9 and 11 as described in the Circulation Element will enhance the performance and safety of public transit, bicycle, and pedestrian facilities serving the community.

As a result, 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. Therefore, no mitigation is needed.”⁴²

Therefore, ***Less Than Significant 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 information provided in the Tulare County 2030 General Plan, Tulare County General Plan Background Report, and/or Tulare County 2030 General Plan EIR.

With No Impacts to alternative transportation facilities, ***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.

⁴² Op. Cit. 66.

REFERENCES

Tulare County 2030 General Plan, August 2012

Tulare County General Plan Background Report, February 2010

Guide for the Preparation of Traffic Impact Studies, California Department of Transportation (Caltrans), December 2002

2010 Tulare County Regional Bicycle Transportation Plan, Tulare County Association of Governments (TCAG)

2011 Regional Transportation Plan, Tulare County Association of Governments (TCAG), July 11, 2012

2014 Regional Transportation Plan, Tulare County Association of Governments (TCAG), July 2014

Tulare County 2030 General Plan, Recirculated Draft Environmental Impact Report (RDEIR), February 2010

Traffic Impact Study Papich Asphalt Batch Plant prepared by 4 Creeks, Inc. November 2014

Goshen Community Plan Update Traffic Impact Study Report. February 2018. Prepared by VRPA technologies and included as Appendix “F” of this DEIR.

Caltrans Concept Report for SR 99

CEQA Guidelines

Utilities and Service Systems

Chapter 3.17

SUMMARY OF FINDINGS

The proposed Goshen Community Plan Update (Project) will result in a ***Less Than Significant Impact with Mitigation*** 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 Tulare County 2030

¹ 2013 CEQA Guidelines, Section 15126.2 (a)

General Plan EIR incorporated by reference and summarized below. Additional documents 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; or
- Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

ENVIRONMENTAL SETTING

Wastewater

"The Goshen CSD is responsible for the planning and construction of a sewage collection system. The main sewer system for the Goshen community is comprised of a collection system that was constructed in the mid to late 1990s. The construction of the District's sewer system was funded through a United States Department of Agriculture Rural Economic and Community Development Grant and a Small Community Grant. Pursuant to obtaining funding for the Goshen Sewer Project, the Goshen CSD entered into a Wastewater Service Agreement with the City of Visalia for treatment of the District's wastewater.

Connection from the District's sewer system to the City of Visalia's sewer system is through a 24-inch gravity sewer under Camp Drive. The 24-inch line connects to the existing City SR198-Airport lift station. The District constructed the 24-inch line as a part of the Goshen Sewer Project, although the line is part of the City's Master Planned Sewer System. After the line was placed in operation, the City assumed responsibility for maintenance of the line as a part of the City conveyance system. The City is responsible for improvements to its lift station and conveyance facilities downstream of the point of connection. The 24-inch line is planned to provide full capacity for the ultimate build-out of the Goshen CSD SOI. The District is responsible for the costs of construction and installation of any and all sewer line(s) from the District's collection system, and for any flow meters, automated sampling, or odor control devices. Other key issues identified in the Wastewater Service Agreement, between the Goshen CSD and the City of Visalia, are identified below.

Table 3.17-1 Goshen Community Services District Flow Contributions For Year 2003	
MONTH	FLOW
January	8.1
February	7.5
March	8.2
April	7.8
May	7.8
June	7.9
July	7.9
August	8.3
September	7.9
October	8.3
November	8.4
December	8.1
Total Annual Flow	96.2
<i>Source: CA Yearly Report, Goshen CSD, 2003</i>	

- The District agrees to make a good faith effort to notify the City of any potential increases in effluent flow, biochemical oxygen demand, suspended solids and other potential pollutant levels indicated by any commercial and/or industrial development inquiries that would significantly affect the quantity and/or quality of the District's discharge to the City system as soon as such potential impacts are made known to the District.
- The City shall not contract, agree or otherwise create wastewater collection treatment and disposal service with any entity, corporation or individual which resides, does business within or requests service for any parcel, building, street or property within the boundary of the District.
- The Goshen Sewer Project included several 18-inch lines and the 24-inch line that are part of the City's Master Planned Sewer System. The City credited the District with the estimated cost of the lines as set forth in the City Master Plan.
- The City has identified areas of the City that sewer services may be provided by connection to the District facilities. The District agrees to consider such connections on a case by case basis. Such requests by the City shall be submitted in writing and shall indicate the point of proposed connection and the anticipated flows and pollutant loadings. Approval of such connections shall be at the sole discretion and decision of the District. The City shall make no connections to the District facilities without the prior written approval of the District.
- The District shall have the right to an amount of reclaimed water not to exceed the yearly total flow the District conveys to the City for treatment and disposal. The District shall be entitled to the reclaimed water without payment to the City other than the pro-rata share of the expense of transmission facilities and related operation and maintenance costs of the City facilities used to convey the reclaimed water. The District shall be responsible for the cost of

the connection to the City reclaimed water system and conveyance facilities from the City system to the District point of use.

The District's wastewater collection system dumps into a lift station (owned and operated by the District) near the intersection of Avenue 305 and Effie Drive, which in turn pumps the wastewater into the 24-inch line in Camp Drive. The sewer lift station operates with two pumps, and has a design capacity of 500,000 gallons per day (GPD). The Wastewater Service Agreement between City of Visalia and the Goshen Community Services District allows for a current contracted average daily discharge to the City's treatment plant of 335,000 GPD. The Wastewater Service Agreement does provide for the purchase of additional capacity to be charged on a percentage increase basis."²

Based upon the information in **Table 3.17-1**, "the District contributed an average daily flow of approximately 264,000 gallons per day of raw sewage to the wastewater treatment plant maintained and operated by the City of Visalia in 2003. Service data provided by the Goshen CSD included the following information:

- Current (2004) Demands: 270,000 gallons per day
- 2025 Demands: Study in Progress
- Current Facility Capacity: Estimated 500,000 gallons per day
- Maximum Service without Expansion: 500,000 gallons per day
- Maximum Facility Capacity at Master Plan Build-out: Study in Progress

As of November 2005, the District was contributing an average daily flow of approximately 315,000 GPD of raw sewage to the City's WWTF. Assuming the District can accommodate up to 500,000 GPD based upon the limitations of the lift station, it can be concluded that the District's sewer system is operating at approximately 65% of its capacity."³

Written Determinations

1. "The main sewer system for the Goshen community is comprised of a collection system which was constructed in the mid to late 1990s. The construction of the District's sewer system was funded through a United States Department of Agriculture, Rural Economic and Community Development Grant, and Small Community Grant.
2. Pursuant to obtaining funding for the Goshen Sewer Project, the Goshen CSD entered into a Wastewater Service Agreement with the City of Visalia for treatment of the District's wastewater.
3. The District's wastewater collection system dumps into a lift station (owned and operated by the District) near the intersection of Avenue 305 and Effie Drive, which in turn, pumps the wastewater into a 24-inch line in Camp Drive (that is owned and maintained by the City of Visalia). The sewer lift station operates with two pumps, and has a design capacity of 500,000 GPD.
4. The Wastewater Service Agreement between City of Visalia and the Goshen CSD allows for a current contracted average daily discharge to the City's treatment plant of 335,000

² Goshen Community Service District MSR. Page 4-11 to 4-12.

³ Ibid. 4-12.

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GPD. The Wastewater Service Agreement does provide for the purchase of additional capacity which would be charged on a percentage increase basis.

5. As of November 2005, the District was contributing an average daily flow of approximately 315,000 GPD of raw sewage to the City's WWTF. Assuming the District can accommodate up to 500,000 GPD based upon the limitations of the lift station, it can be concluded that the District's sewer system is operating at approximately 65% of its capacity.
6. The District is currently working towards the adoption of a Sewer System Master Plan, which will assist the District in expanding its collection system in line with development trends and the needs of the community. The Sewer System Master Plan should be consistent with and coordinated with the *Tulare County General Plan Update* and the *Goshen Community Plan* update to provide for a sound connection between land zoned for development and the sanitary sewer infrastructure that will serve such development. The Master Plan should also identify funding sources to construct future capital improvements.”⁴

Table 3.17-2 – Infrastructure Capacity			
	Water	Sewer	Storm drain
Current Capacity	• Adequate; however; larger pipelines and additional system looping is recommended.	• “The GCSD has a current average dry weather flow of 265,000 gpd. As of May 2005 the GCSD has a capacity of 335,000 gpd in the City system, this provides a reserve of 70,000 gpd.”	• Unknown. There are inlets and pipes that direct run-off to the “Goshen Ocean.” Drainage on the West side of Highway 99 is lacking.
Future Capacity	• Larger transmissions lines are recommended. • A 1.6 MG storage reservoir is recommended. • Another 12 inch connection to the Visalia Water system is recommended. • Three new wells will be required.	• “The GCSD agreement with the City gives the GCSD the right to purchase additional capacity as require by the GCSD.” • The existing pump station is adequate to provide for a design flow of 325,000 gdp. This will provide capacity for the equivalent of approximately 220 new residential units beyond the existing GCSD flows. Given the current level of proposed development expansion of the pump station capacity will be required in the near future. The capacity of the pump station can be increase to 790,000 gdp by replacing the two existing 7.5 HP pumps with new 15 HP pumps. This would provide capacity for the equivalent of an additional 1,860 residential units. The existing pipelines can accommodated this change without modification. The existing 8-inch force main is adequate to serve the increased flow. • Expansion beyond the 79,000 gdp to serve the ultimate design flow of 1,451,170 gpd will require replacement of the pump	• Added storm drainage to west side of SR99 to be added by Caltrans.

⁴ Goshen Community Service District MSR. Page 4-13.

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		station to an acceptable level. To make the necessary changes will require temporary pumping facilities to bypass the existing pump station. Concurrently with the expansion of the pump station capacity, a 12-inch force main will have to be constructed in parallel to the existing 8-inch force main.	
Estimated Cost	\$10,695,080	\$336,000	

Goshen Water Supply

“Tulare County, including the Goshen Community Plan Area is located within the Tulare Lake Basin. The County also has four (4) river watersheds providing water to the county. Goshen lies within the Kaweah Watershed and receives its local water supply primarily from the Kaweah River and operations of Terminus Reservoir/Lake Kaweah. The Tulare County General Plan states the groundwater quality is generally satisfactory for crop irrigation and urban uses. The domestic water service provider for the Goshen Community Plan Area is Cal Water with the source being groundwater.

“Goshen’s water supply system is owned, operated, and maintained by California Water Service Company (Cal Water). Cal Water operates and maintains the overall Visalia District (Visalia Water System), which included the City of Visalia, community of Goshen, and other private water systems that have been annexed to the Visalia District in recent years.”⁵

In 2000, depth to water ranged from 35 feet to 100 feet. “The general trend was for water levels to be deeper to the west and to the south, with increasing distance from the St. John River. Depth to water was greater than 80 feet beneath the west part of Visalia and beneath Goshen.”⁶

“Yields of Cal Water system wells in the Goshen area range from about 400 to 800 gpm. These wells are generally about 400 feet deep and generally have perforation below a depth of about 200 feet. These wells are perforated below the confining bed in the area, and most do not have annular seals extending opposite all of the strata above the confining bed.”⁷

In 2005, the yearly water consumption was approximately 279 million gallons or 856 Acre-feet.”⁸

A water supply needs forecast/analysis was prepared in a memorandum prepared by consultants for Provost & Pritchard (by Mr. D. McGlasson and Mr. J. Bowen, see Appendix “G” of this DEIR) Cal Water supplied “1,021 water services in Goshen, and another 80 or so residential services in West Goshen for a total of 1,101 services. Of the Goshen services, approximately 95% (or 970) are residential while the others (51) are small businesses, either commercial or

⁵ Goshen Municipal Water Supply Study. Page ES-1.

⁶ Ibid. 3-4.

⁷ Op. Cit.

⁸ Op. Cit. 16.

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industrial land uses. Applying the County's standard household formation rate of 3.1 persons per household (pph) to the 1050 residential services in both Goshen and West Goshen combined implies a population of 3,255 in the current year.

Assuming the current 3.1 pph remains constant, and using the 2010 General Plan Background Report population growth rate of 1.3% annually to project to 2030, Goshen (including West Goshen) could reach 4,613 persons in Year 2030, an increase of 1,358 persons (42%) from 2013. This population would imply a need for a total of 1,318 residential services at that time.”⁹

Recorded Water Usage

In order to estimate Goshen's current water demand and create future projections, a monthly demand curve was estimated using the shape of the Goshen demand curve, and overall water use was pro-rated up to include the 80 additional residences in West Goshen. Peaking factors observed in the community of Goshen were used to produce the following table.

Table 3.17-3 Estimated Current Goshen/West Goshen Water Usage And Demand - 2013				
Year	Lowest Month (MG)	Highest Month (MG)	Peaking Factor Low to High	Yearly Total (MG)
2013	7.38	43.12	5.85	253.2

Projected Water Usage

The community's 1,101 connections used 253.2 million gallons of water in 2013, or about 229,000 gallons per year per connection. This is approximately 0.70 AF/year, which is modest usage in the Central Valley. Projecting this usage to the future 1,318 connection results in a projected annual water demand of (1,318 x 229,000 = 301,822,000 gallons) in 2030. (see Table 3.17-4)

Table 3.17-4 Goshen/West Goshen Projected Water Usage - 2030				
	Year	Growth Rate (%)	Usage Increase (Million Gal)	Total Usage (Million Gal)
	2013	-	-	253.2
1	2014	1.30%	3.29	256.5
2	2015	1.30%	3.33	259.8
3	2016	1.30%	3.38	263.2
4	2017	1.30%	3.42	266.6
5	2018	1.30%	3.47	270.1
6	2019	1.30%	3.51	273.6
7	2020	1.30%	3.56	277.2
8	2021	1.30%	3.60	280.8
9	2022	1.30%	3.65	284.4
10	2023	1.30%	3.70	288.1

⁹ Memorandum prepared by Mr. David McGlasson and Mr. Jan Bowen, Provost & Pritchard, November 23, 2014

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Table 3.17-4 Goshen/West Goshen Projected Water Usage - 2030				
	Year	Growth Rate (%)	Usage Increase (Million Gal)	Total Usage (Million Gal)
11	2024	1.30%	3.75	291.9
12	2025	1.30%	3.79	295.6
13	2026	1.30%	3.84	299.5
14	2027	1.30%	3.89	303.4
15	2028	1.30%	3.94	307.3
16	2029	1.30%	4.00	311.3
17	2030	1.30%	4.05	315.4

Between 2013 and 2030, water consumption is projected to increase by 48.6 mg/y, an increase of 42% in accordance with the projected population increase.

Mr. McGlasson further indicated that mitigation measures can be implemented to off-set the potential growth of water consumption as summarized below:

The following are feasible mitigation measures that could allow the impact to be reduced to less than significance. Each of these is currently in use in one or more California communities:

1. Install water meters and adopt a use-weighted rate schedule to encourage reduced usage by the rate-payers.
2. Retrofit homes with water-efficient faucets, showers and toilets.
3. Limit permissible landscape area for each residence to 2,500 square feet or less.
4. Adopt limited outdoor watering days and hours (now in force statewide, as of August 1, 2014, by order of the Department of Water Resources).
5. Mandate use of native and drought-tolerant species for all landscaping.
6. Acquire a new surface water supply that could be shown to benefit the basin and offset the pumping that comes with growth.

The first five of these measures could reduce per-unit water consumption by 25-30 percent, which is good but not enough to offset 30 years of 1.3-percent growth.”¹⁰

Goshen Community Services District

“The Goshen CSD is responsible for the planning and construction of a sewage collection system. The main sewer system for the Goshen community is comprised of a collection system that was constructed in the mid to late 1990s. The construction of the District’s sewer system was funded through a United States Department of Agriculture Rural Economic and Community Development Grant and a Small Community Grant. Pursuant to obtaining funding for the

¹⁰ Memorandum prepared by Mr. David McGlasson and Mr. Jan Bowen, Provost & Pritchard, November 2014.

Goshen Sewer Project, the Goshen CSD entered into a Wastewater Service Agreement with the City of Visalia for treatment of the District's wastewater.

Connection from the District's sewer system to the City of Visalia's sewer system is through a 24-inch gravity sewer under Camp Drive. The 24-inch line connects to the existing City SR198-Airport lift station. The District constructed the 24-inch line as a part of the Goshen Sewer Project, although the line is part of the City's Master Planned Sewer System. After the line was placed in operation, the City assumed responsibility for maintenance of the line as a part of the City conveyance system. The City is responsible for improvements to its lift station and conveyance facilities downstream of the point of connection. The 24-inch line is planned to provide full capacity for the ultimate build-out of the Goshen CSD SOI. The District is responsible for the costs of construction and installation of any and all sewer line(s) from the District's collection system, and for any flow meters, automated sampling, or odor control devices. Other key issues identified in the Wastewater Service Agreement, between the Goshen CSD and the City of Visalia, are identified below.

- The District agrees to make a good faith effort to notify the City of any potential increases in effluent flow, biochemical oxygen demand, suspended solids and other potential pollutant levels indicated by any commercial and/or industrial development inquiries that would significantly affect the quantity and/or quality of the District's discharge to the City system as soon as such potential impacts are made known to the District.
- The City shall not contract, agree or otherwise create wastewater collection treatment and disposal service with any entity, corporation or individual which resides, does business within or requests service for any parcel, building, street or property within the boundary of the District.
- The Goshen Sewer Project included several 18-inch lines and the 24-inch line that are part of the City's Master Planned Sewer System. The City credited the District with the estimated cost of the lines as set forth in the City Master Plan.
- The City has identified areas of the City that sewer services may be provided by connection to the District facilities. The District agrees to consider such connections on a case by case basis. Such requests by the City shall be submitted in writing and shall indicate the point of proposed connection and the anticipated flows and pollutant loadings. Approval of such connections shall be at the sole discretion and decision of the District. The City shall make no connections to the District facilities without the prior written approval of the District.
- The District shall have the right to an amount of reclaimed water not to exceed the yearly total flow the District conveys to the City for treatment and disposal. The District shall be entitled to the reclaimed water without payment to the City other than the pro-rata share of the expense of transmission facilities and related operation and maintenance costs of the City facilities used to convey the reclaimed water. The District shall be responsible for the cost of the connection to the City reclaimed water system and conveyance facilities from the City system to the District point of use.

The District's wastewater collection system dumps into a lift station (owned and operated by the District) near the intersection of Avenue 305 and Effie Drive, which in turn pumps the

wastewater into the 24-inch line in Camp Drive. The sewer lift station operates with two pumps, and has a design capacity of 500,000 gallons per day (GPD). The Wastewater Service Agreement between City of Visalia and the Goshen Community Services District allows for a current contracted average daily discharge to the City's treatment plant of 335,000 GPD. The Wastewater Service Agreement does provide for the purchase of additional capacity to be charged on a percentage increase basis."¹¹ Also, see earlier discussion regarding wastewater and the information in **Table 3.17-1**,

The District is currently working towards the adoption of a Sewer System Master Plan, which will assist the District in expanding its collection system in line with development trends and the needs of the community. The Sewer System Master Plan should be consistent with and coordinated with the *Tulare County General Plan Update* and the *Goshen Community Plan* update to provide for a sound connection between land zoned for development and the sanitary sewer infrastructure that will serve such development. The Master Plan should also identify funding sources to construct future capital improvements.¹² See **Table 3.17-2**.

Drainage

The entire County of Tulare is under the jurisdiction of the Tulare County Flood Control District which has the authority to address local drainage, flooding, and related issues. According to the Tulare County General Plan Update, localized drainage issues do occur throughout the County but they are generally in proximity to floodplains. There are two (2) levees built near Goshen, but the Goshen Community Plan Area is not located within the levee districts.

Most of the Drainage is directed via surface flow. There are a number of inlets and pipes on either side of the railroad that carry runoff to the drainage basin commonly referred to by locals as "the Goshen Ocean" (APN 073-160-001). The area west of SR 99 has very little drainage improvements.

County of Tulare Solid Waste Services

Solid waste disposal is provided privately by the Mid Valley Disposal for weekly solid waste collection. Solid waste collected in Goshen is deposited at the Visalia Land Fill. The Tulare County Solid Waste Department (communication with Mr. Scott Pfanstiel), states aerial usage rate shows 140 years remaining landfill capacity. No constraints to growth have been identified.

Tulare County Environmental Health Agency holds two biannual hazardous material drop off events in which residents of Tulare County can drop off their household recyclable and disposable hazardous materials.

¹¹ Goshen Community Service District MSR. Page 4-11 to 4-12.

¹² Goshen Community Service District MSR. Page 4-13.

REGULATORY SETTING

Federal Agencies & Regulations

None that apply to this project.

State Agencies & Regulations

State Water Quality Control Board

“The State Water Resources Control Board (State Water Board) was created by the Legislature in 1967. The joint authority of water allocation and water quality protection enables the State Water Board to provide comprehensive protection for California’s waters. The State Water Board consists of five full-time salaried members, each filling a different specialty position. Board members are appointed to four-year terms by the Governor and confirmed by the Senate.”¹³

Regional Water Quality Control Board (RWQCB)

“There are nine Regional Water Quality Control Boards (Regional Boards). The mission of the Regional Boards is to develop and enforce water quality objectives and implementation plans that will best protect the State’s waters, recognizing local differences in climate, topography, geology and hydrology. Each Regional Board has seven part-time members appointed by the Governor and confirmed by the Senate. Regional Boards develop “basin plans” for their hydrologic areas, issue waste discharge requirements, take enforcement action against violators, and monitor water quality.”¹⁴

State NPDES General Construction Permit

The State NPDES General Construction Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that uses storm water “Best Management Practices” to control runoff, erosion and sedimentation from the site both during and after construction. The SWPPP has two major objectives: (1) to help identify the sources of sediments and other pollutants that affect the quality of storm water discharges; and (2) to describe and ensure the implementation of practices to reduce sediment and other pollutants in storm water discharges.

Local Policy & Regulations

County of Tulare Solid Waste Services

Solid waste collection in the Goshen area is provided by Mid-Valley Disposal (a private vendor), which has a license with County of Tulare. Tulare County operates two active landfills: Visalia

¹³ State Water Board Website, http://www.waterboards.ca.gov/about_us/water_boards_structure/mission.shtml

¹⁴ Ibid.

and Teapot Dome. The Visalia landfill has enough capacity to provide at least 140 years (2014-2154) of disposal capacity (Scott Pfanstiel, Solid Waste Department).

Assembly Bill 939 requires cities and counties to reduce their solid waste volumes by 25 percent by 1995 and 50 percent by the year 2000. To achieve this reduction in volume, AB 939 requires local entities to devise a materials recovery facility by composting organic materials; recycling paper, metal, glass, and plastic; and by diverting household hazardous waste to the Kettleman Hills waste facility.

Tulare County General Plan Policies

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

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-2.3 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-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-3.4 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-4.1 Stormwater Management Plans - The County shall oversee, as per Community Plan Content Table PF-2.1 and Specific Plan Content, Hamlet Plans Policy PF-3.3, and Table LU-4.3, the preparation and adoption of stormwater management plans for communities and hamlets to reduce flood risk, protect soils from erosion, control stormwater, and minimize impacts on existing drainage facilities, and develop funding mechanisms as a part of the Community Plan and Hamlet Plan process.

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-5.3 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.

PFS-5.9 Agricultural Waste -The County shall investigate waste disposal and reuse needs for agricultural wastes for energy and other beneficial uses and shall change County plans accordingly

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 With Mitigation*

See discussion at Item b). *Less Than Significant Project-specific Impacts With Mitigation* related to this Checklist item will occur.

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

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, the Goshen CSD regulates waste water treatment for the Goshen area in fulfillment of the Central Valley Regional Water Quality Control Board's requirements. As the Project will result in *Less Than Significant Project-specific and Cumulative Impacts With Mitigation* to this resource.

Mitigation Measure(s): *None Required*

Conclusion: *Less Than Significant Impact*

As noted earlier, *Less Than Significant Project-specific and Cumulative Impacts* related to this Checklist item 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 With Mitigation*

According to the CSD, the Project is limited to northerly and easterly expansion; any expansion to the west will require, at a minimum, two pump lift stations. The existing gravity fed lines have exceeded capacity and cannot transport additional sewerage to the WWTP. In addition, there are some plans to add sewer piping to the Betty Drive Overpass that may increase capacity volume of the CSD to serve businesses and residents west of SR 99. As such, **Mitigation Measure 17-1** is required. Therefore, ***Less Than Significant Project-specific Impacts With Mitigation*** related to this Checklist item will occur.

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

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, will result in ***Less Than Significant Project-specific and Cumulative Impacts*** to water quality.

Mitigation Measure(s):

17-1 Subject to CSD approval and consultation, new lift stations, or their equivalent volume capacity, shall be added to the CSD's sewer pipe collection network prior to implementation of projects west of SR 99.

Conclusion: ***Less Than Significant Impact With Mitigation***

As noted earlier, ***Less Than Significant Project-specific and Cumulative Impacts With Mitigation*** 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***

It will be the responsibility of new development to comply with typical County standards regarding storm water drainage facilities. As such, ***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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

As noted earlier, the Project will result in ***Less Than Significant Project-specific and Cumulative Impacts*** to this resource.

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

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

As noted earlier, ***Less Than Significant Project-specific and 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***

As noted in the Response to Item 3.17 b), ***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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

Although there will some water usage during construction, the digester will not require the use of water. The proposed Project will result in ***Less Than Significant Cumulative Impacts*** to the water supply.

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

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

The proposed Project will result in ***Less Than Significant Project-specific and Cumulative Impacts*** related to this Checklist item.

e) 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?

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

As described in response to Item 3.17 a. ***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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

As noted earlier,. As the Project will result in ***Less Than Significant Project-specific and Cumulative Impacts*** to water quality.

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

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

As noted earlier, ***Less Than Significant Project-specific and 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***

Solid waste collection in the Goshen area is provided by Mid-Valley Disposal (a private vendor) which has a license with County of Tulare. Tulare County operates two active landfills: Visalia and Teapot Dome. The Visalia landfill has enough capacity to provide at least 140 years (2014- 2154) of disposal capacity (Scott Pfanstiel, Solid Waste Department). Due to its proximity (approximately _ miles northeast), solid waste is transported to Visalia landfill.

Assembly Bill 939 requires cities and counties to reduce their solid waste volumes by 25 percent by 1995 and 50 percent by the year 2000. To achieve this reduction in volume, AB 939 requires local entities to devise a materials recovery facility by composting organic materials; recycling paper, metal, glass, and plastic; and by diverting household hazardous waste to the Kettleman Hills waste facility. Therefore, based on the capacity of nearby Visalia landfill to meet solid waste from Goshen, ***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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

Less Than Significant Cumulative Impacts will occur 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 and 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: ***Less Than Significant Impact***

Solid waste disposal must comply with the requirements of the contracted waste hauler, which follows federal, state, and local statutes and regulations related to the collection of solid waste. The proposed Project will comply with all state and local waste diversion requirements regarding trash and recycling areas. As such, a ***Less Than Significant Project-specific Impact*** 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 information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

The proposed Project will result in ***Less Than Significant Project-specific Impacts*** and thus will result in ***Less Than Significant Cumulative Impacts***.

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

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

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

REFERENCES

Tulare County 2030 General Plan, August 2012

EPA's Summary of the Resource Conservation and Recovery Act, which can be accessed at
<http://www.epa.gov/epawaste/laws-regs/rcrahistory.htm>

CEQA Guidelines

Mandatory Findings of Significance

Chapter 3.18

SUMMARY OF FINDINGS

The proposed Goshen Community Plan Update (Projects) will result in **Less Than Significant Impacts With Mitigation**. Cumulative impacts are summarized in Chapter 4 Summary of Cumulative Impacts. The analyses contained in this environmental document demonstrate that there are no other impacts that will substantially degrade the quality of the environment, or impact sensitive species, or have significant cultural impacts, or impact human beings requiring a mandatory finding of significance.

INTRODUCTION

California Environmental Quality Act (CEQA) Requirements

CEQA Guidelines “Mandatory Findings of Significance” (Section 15065(a)) lists the following potential impacts that need to be addressed by a lead agency:

15065(a): *“A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur:*

(1) The project has 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 an endangered, rare or threatened species; or eliminate important examples of the major periods of California history or prehistory.

(2) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

(3) The project has possible environmental effects that are individually limited but cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

(4) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.”

Under the California Environmental Quality Act (CEQA), an EIR must be prepared when certain specified impacts may result from construction or implementation/operation of a project. An EIR has been prepared for the proposed Project, which fully addresses all of the Mandatory Findings of Significance, as described below.

Under Section 15065(a) of the CEQA Guidelines, a finding of significance is required if a project “has the potential to substantially degrade the quality of the environment.” In practice, this is the same standard as a significant effect on the environment, which is defined in Section 15382 of the CEQA Guidelines as “a substantial or potentially substantial adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.” This EIR, in its entirety, addresses and discloses potential environmental affects associated with construction- and operations-related activities of the proposed Project, including direct, indirect, and cumulative impacts in the following resource areas:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Service Systems

As summarized in Project Requirements/Mitigation Measures Section, this EIR discusses potential environmental resource impacts, the level of significance prior to mitigation, project requirements that are otherwise required by law or are incorporated as part of the project description, feasible mitigation measures, and the level of significance after the incorporation of mitigation measures.

This section of the Draft Environmental Impact Report (DEIR) meets CEQA requirements by making Mandatory Findings of Significance relative to impacts of the proposed Project site, located in the San Joaquin Valley portion of Tulare County. The “Environmental Setting” section summarizes environmental resources in the region, with special emphasis on the proposed Project site and vicinity. The “Regulatory Setting” provides a description of applicable State and local regulatory policies. A description of the potential impacts of the proposed Project is also provided and includes the identification of feasible mitigation to avoid or lessen the impacts.

Long Term Impacts

As described in Section 15065(a)(2), a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals. This document addresses the short-term and irretrievable commitment of natural resources to ensure that the consumption is justified on a long-term basis.

Cumulative Impacts

Under Section 15065(a)(1) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to (1) substantially reduce the habitat of a fish or wildlife species; (2) cause a fish or wildlife population to drop below self-sustaining levels; or (3) substantially reduce the number or restrict the range of an endangered, rare, or threatened species. Section 4.3 (Biological Resources) of the EIR fully addresses impacts related to the reduction of the fish or wildlife habitat, the reduction of fish or wildlife populations, and the reduction or restriction of the range of special-status species.

Impacts to Species

Section 15065(a)(1) of the CEQA Guidelines states that a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to eliminate important examples of a major period of California history or prehistory. Section 15065(a)(1) amplifies Public Resources Code 21001(c) requiring that major periods of California history are preserved for future generations. It also reflects the provisions of Public Resource Code Section 21084.1 requiring a finding of significance for substantial adverse changes to historical resources.

Impacts to Historical Resources

Section 15064.5 of the CEQA Guidelines establishes standards for determining the significance of impacts to historical resources and archaeological sites that are an historical resource. Section 4.4 (Cultural Resources) of this EIR (which is supported by a Cultural Resources Technical Report) fully addresses impacts related to California history and prehistory, historic resources, archaeological resources, and paleontological resources.

Impacts on Human Beings

Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people will be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings will be represented by all of the designated CEQA issue areas, those that could directly affect human beings include air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, population and housing, public services, transportation/traffic, and utilities, which are addressed in this EIR.

Thresholds of Significance

The geographical area may be countywide, statewide, or nationwide, depending on the nature of the impact. Thresholds of Significance for impacts to biological resources are addressed in detail in Chapter 3.4 of this document. Thresholds of Significance for impacts to cultural resources, including impacts to historic and prehistoric resources, are addressed in Chapter 3.5 of this EIR.

ENVIRONMENTAL SETTING

The community of Goshen is square in shape, and bisected in a northwest-southeasterly direction by SR 99 and the Union Pacific Railroad, which divides the community into approximately three similar sized areas. Goshen is an agricultural services community and is surrounded by agricultural production lands to the north, south, and west, and scattered residential, light industrial, agricultural, and vacant land to the east.

The topography is generally level with a slight slope from the northeast to the southwest. The elevation drops about seven feet across the community, a diagonal distance of not quite two miles. Average elevation for Goshen is approximately 282 feet above sea level.

Native Vegetation

The native vegetation of the Valley is predominately characterized by the purple needlegrass series, valley oak series, vernal pools and wetland communities, and blue oak series. Fauna associated with this section include mule deer (*Odocoileus hemionus*), black-tailed deer (*Odocoileus hemionus columbianus*), coyotes (*Canis latrans*), white-tailed jackrabbits (*Lepus townsendii*), kangaroo rats (*Dipodomys ingens*), kit fox (*Vulpes macrotis*), and muskrats (*Ondatra zibethicus*). Birds include waterfowl, hawks, golden eagles (*Aquila chrysaetos*), owls, white-tailed kites (*Elanus leucurus*), herons, western meadowlark (*Sturnella neglecta*) and California quail (*Callipepla californica*).¹

¹ General Plan Background Report, page 9-10

BIOLOGICAL RESOURCES

As indicated in the Goshen Community Plan Update Biological Evaluation (Appendix “B” of this EIR) prepared by consultants Live Oak Associates Inc; “. . . 11 Special Status plant species and 18 Special Status animal species are known to occur in the general proposed Project vicinity. Field surveys were conducted by LOA in April of 2014 and it was determined that of the 29 Special Status species, there was only the possibility of 11 species to actually be in the area, due to the disturbance on the site and the quality of habitat on and around the proposed Project site.

Impacts associated with future development of PPSA would be less than significant, as defined by the California Environmental Quality Act (CEQA), for special status plant species, wildlife movement corridors, riparian or other sensitive habitats, designated critical habitat, downstream water quality, and local policies and habitat conservation plans. Loss of habitat for most special status animal species would also be considered less than significant under CEQA.

Potentially significant impacts associated with future development of the PPSA include construction mortality of the Swainson’s hawk, San Joaquin kit fox, burrowing owl, American badger, nesting raptors and migratory birds including the white-tailed kite, loggerhead shrike, and tricolored blackbird, and colonially roosting bats. Project avoidance of active nests, dens, and roost sites identified during preconstruction surveys and implementation of minimization measures consistent with the USFWS *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* will ensure that impacts to all special status animal species from construction mortality or disturbance are reduced to a less than significant level under CEQA.

Future development of the PPSA also has the potential to result in a significant loss of foraging habitat for the Swainson’s hawk. This impact will be mitigated through the provision of compensatory mitigation for project-related loss of suitable foraging habitat within ½ mile of any active Swainson’s hawk nest. Swainson’s hawk nests will be identified by conducting nesting surveys consistent with *Recommended Timing and Methodology for Nesting Swainson’s Hawk Surveys in California’s Central Valley* (SHTAC 2000).

Project impacts will also potentially be significant for waters of the U.S, should these impacts exceed 0.5 acre. Impacts of more than 0.5 acre to the Mill Creek Ditch or the unnamed ditch can be mitigated through on-site or off site preservation or creation, through payment into an in-lieu fee program (if one is available), purchase of credits from an approved mitigation bank in the vicinity, or some combination of one or more of these options.

CULTURAL RESOURCES

As indicated in Chapter 3.5 Cultural Resources, consultants Sierra Valley Cultural Planning, conducted a Windshield Survey of the Goshen Community Planning Area on June 18, 2014. Numerous structures appear to date to the period prior to 1960, although many of these have been modified. A number of structures (older than 50 years in age) were identified as historic resources, but have not been formally recorded. Canal features are present within the study area including the Modoc Ditch and Mill Creek Ditch.

The Southern San Joaquin Valley Information Center, Bakersfield (Center) conducted a cultural resources record search. The Center records search in August 2014 identified three non-Native American historic-era resource sites located within the Goshen Planning study area, and five additional historic-period sites within one-half mile of the study area. Thirteen previous cultural resources surveys have been completed within the study area; and eight previous studies have been completed within one-mile of the study area.

The records search included historic sites listed on the National Register of Historic Places, California Register of Historic Resources, and California Points of Historical Interest, State Historic Landmarks, and California Inventory of Historic Resources. The Center staff noted “No Native American Resources have been identified within or in close proximity to the study area.”² The Center recommended that the Goshen Community Plan include i) the identification and management of potentially sensitive prehistoric and historic-period resources, ii) the local Native American communities in all planning and development activities, and iii) a requirement to conduct intensive cultural resources field inventory prior to development of specific projects that could disturb or destroy sensitive and significant cultural resources.

As noted earlier, the Native American Heritage Commission (NAHC) was contacted in June of 2014. The NAHC indicated in a letter dated June 30, 2014, (see Appendix C) that a records search of the NAHC Sacred Lands Inventory failed to indicate the presence of Native American traditional sites/places within the Project area.

The Project does not include any immediate development proposals however, “Very little of the area within the Goshen Planning Area has been surveyed, and documented resources likely exist. Utilization of the available data is integral to planning for future uses and activities and to determine the best management strategy for such resources at this phase of the planning process. All actions taken pursuant to the Goshen Community Plan shall be planned and implemented in coordination with provisions and implementing guidelines of the California Environmental Quality Act (CEQA), as amended March 18, 2010, which states that identification and evaluation of historical resources is required for any action that may result in a potential adverse effect on the significance of such resources, which includes archaeological resources. Once specific projects are planned, targeted studies can be conducted to avoid or minimize impacts to significant cultural resources.”³

Despite the absence of documented cultural resources within the project area, undiscovered potentially significant resources might still exist in the area. Based on this analysis, implementation of Mitigation Measures 5-1 through 5-3 will reduce potential Project-specific impacts related to Cultural Resources to a level considered ***Less Than Significant***.

² Goshen Community Plan Update Cultural Resources Assessment Tulare County, California, prepared by Sierra Valley cultural Planning Inc. August 2014. Page 10

³ Ibid. 16

REGULATORY SETTING

Federal Agencies & Regulations

See Chapters 3.4, 3.5, 3.8, 3.9, 3.12, and 3.16 of this document for federal regulations related to Biological and Cultural Resources Hazards & Hazardous Materials, Hydrology & Water Quality, Noise, and Transportation Traffic

State Agencies & Regulations

See Chapters 3.4, 3.5, 3.8, 3.9, 3.12, and 3.16 of this document for state regulations related to Biological and Cultural Resources Hazards & Hazardous Materials, Hydrology & Water Quality, Noise, and Transportation Traffic

Local Policy & Regulations

See Chapters 3.4, 3.5, 3.8, 3.9, 3.12, and 3.16 of this document for local regulations related to Biological and Cultural Resources Hazards & Hazardous Materials, Hydrology & Water Quality, Noise, and Transportation Traffic.

IMPACT EVALUATION

Would the project:

- a) **Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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?**

FINDINGS: IMPACTS TO BIOLOGICAL RESOURCES

Project Impact Analysis:

Less Than Significant Impact With Mitigation

Chapter 3.4, Biological Resources, addresses potential impacts to biological resources. A biological evaluation of the Project site was conducted by consultants Live Oak Associates, Inc. involving the proposed Project area. The evaluations in their entirety can be found in Appendix B. The biological assessment is based upon database and literature searches, as well as a site visit. The Biological Evaluation determined that impacts on Biological Resources due to the proposed Project are potentially significant. Implementation of the Mitigation Measures will reduce any impacts to ***Less Than Significant***.

Cumulative Impact Analysis:

Less Than Significant Impact With Mitigation

The geographic area of this cumulative analysis is the San Joaquin Valley, the State of California, and the Western United States. As noted in Chapter 3.4, there will be Less Than

Significant Cumulative Impacts related to biological resources with the implementation of Mitigation Measures.

Mitigation Measures:

See Mitigation Measures outlined in Chapter 3.4 (4-1 through 4-24)

Conclusion: ***Less Than Significant Impact With Mitigation***

Less Than Significant impacts to Biological Resources would result from the proposed Project with the implementation of Mitigation Measures.

FINDINGS: IMPACTS TO EXAMPLES OF THE MAJOR PERIODS OF CALIFORNIA HISTORY OR PREHISTORY

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

Chapter 3.5, Cultural Resources, discusses impacts to historic and prehistoric resources in depth. Mitigation Measures have been included to address the potential of cultural resources being unearthed as a result of Project-related ground excavation activities. Consultants Sierra Valley Cultural Planning completed a cultural resources assessment, including a records search and survey. The evaluation in their entirety can be found in Appendix C. In addition, Mitigation Measures were added in the unlikely event that human remains are unearthed during Project-related ground excavation. Implementation of these Mitigation Measures, will reduce any significant impacts to ***Less Than Significant***.

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

The geographic area of this cumulative analysis is Tulare County. 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 will be mitigated to a ***Less Than Significant*** level and ***Less Than Significant Cumulative Impacts*** with Mitigation Measures.

Mitigation Measure(s):

See Mitigation Measures outlined in Chapter 3.5 (5-1 through 5-3)

Conclusion: ***Less Than Significant Impact With Mitigation***

Less Than Significant Impacts to Cultural Resources would result from the proposed Project with the implementation of Mitigation Measures.

- 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)?**

Project Impact Analysis:

See Chapter 4

Cumulative impacts are discussed within the analysis of each Checklist Item. In addition, cumulative impacts are summarized in Chapter 4.

“CEQA Guidelines Section 15130(a) requires that an EIR discuss the cumulative impacts of a project when the project’s incremental effect is “cumulatively considerable,” meaning that the project’s incremental effects are considerable when viewed in connection with the effects of past, current, and probable future projects. A consideration of actions included as part of a cumulative impact scenario can vary by geographic extent, time frame, and scale. They are defined according to environmental resource issue and the specific significance level associated with potential impacts. CEQA Guidelines 15130(b) requires that discussions of cumulative impacts reflect the severity of the impacts and their likelihood of occurrence. The CEQA Guidelines note that the cumulative impacts discussion does not need to provide as much detail as is provided in the analysis of project-only impacts and should be guided by the standards of practicality and reasonableness and focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impacts.”⁴

Cumulative Analysis:

See Chapter 4

Cumulative impacts are discussed within the analysis of each Checklist Item. In addition, cumulative impacts are summarized in Chapter 4.

Conclusion for Cumulative Impacts to Biological Resources (Chapter 3.4): ***Less Than Significant Impact With Mitigation***

With the implementation of Mitigation Measures of 3.4-1 through 3.4-24, potential Project specifics and cumulative impacts related to this Checklist Item will be reduced a ***Less Than Significant***. Cumulative impacts are discussed within the analysis of each Checklist item. In addition, cumulative impacts are summarized in Chapter 3.4.

Conclusion for Cumulative Impacts to Cultural Resources (Chapter 3.5): ***Less Than Significant Impact With Mitigation***.

With implementation of Mitigation Measures 3.5-1 through 3.5-3, potential Project specifics and cumulative impacts related to this Checklist Item will be reduced to a ***Less Than Significant***. Cumulative impacts are discussed within the analysis of each Checklist item. In addition, cumulative impacts are summarized in Chapter 3.5.

Conclusion for Cumulative Impacts to Noise (Chapter 3.12): ***Significant and Unavoidable Impact*** would occur as a result of the Project-specific impacts related to the Noise Resource.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

⁴ Tulare County 2030 General Plan RDEIR, pages 5-3 to 5-4

Project Impact Analysis:

Less Than Significant Impact With Mitigation

The proposed Project will result in potential impacts to Hazards & Hazardous Materials, Hydrology & Water Quality, Noise, and Transportation Traffic which could adversely affect human beings. However, the implementation of Mitigation Measures 8-1 (Hazards & Hazardous Material), 9-1 through 9-6 (Hydrology & Water Quality), 12-1 (Noise), 16-1 (Transportation Traffic) will reduce the proposed Project's potential impacts to a less than significant level.

Conclusion for adverse effects on human beings, either directly or indirectly to Hazards & Hazardous Materials (Chapter 3.8): ***Less Than Significant Impact With Mitigation.***

Conclusion for adverse effects on human beings, either directly or indirectly to Hydrology & Water Quality (Chapter 3.9): The proposed Project will result in ***Less Than Significant Project-specific and Cumulative Impacts With Mitigation Measures*** 9-1 through 9-6 related to this Checklist item.

Conclusion for adverse effects on human beings, either directly or indirectly to Transportation Traffic (Chapter 3.16): A Traffic Impact Study Report prepared by consultant VRPA Technologies is included as Appendix "F" "The current street system functions adequately and barring major unforeseen development in Goshen will continue to do so through the year 2032. Nonetheless, there are some areas of concern, such as the poor pavement condition of many local residential streets, and the lack of sidewalks, curbs and gutters throughout the community. The County is currently addressing these issues through a community Complete Streets Program. Therefore, ***Less Than Significant Impact With Mitigation.***

Mitigation Measure(s):

See Mitigation Measures outlined in Chapter 8

Conclusion:

Less Than Significant Impact With Mitigation

As noted in Chapter 3.12 Noise, a Noise Study Report was prepared by VRPA Technologies (VRPA) Appendix "E" to determine if significant noise impacts would be expected to occur as a result of the Project, and to describe mitigation. Existing noise levels shows traffic impacts to receptors for the 2032 buildout scenario. Even without the Project, receptors 1 and 4 are, and will remain, above Tulare County General Plan noise thresholds while receptor 7 [single-family residence] will become exposed to increased noise levels as a result of cumulative growth of Tulare County in general, including the Project area. Future, temporary, short-term construction-related noise will result in a ***Less Than Significant Impact*** through implementation of Mitigation Measure 12-1.

Unavoidable Cumulative Impacts

The proposed Project, Goshen Community Plan Update, at complete build-out is not anticipated to have substantial adverse effects on human beings. The proposed Project, as conditioned, will not cause substantial adverse effects on human beings either directly or indirectly.

Cumulative Impact Analysis:

Significant and Unavoidable Cumulative Impacts

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 indicated in the Noise Study Report prepared by consultants VRPA Technologies “Table 5 [Table 3.12-5 of the DEIR] shows the predicted noise levels at the 15 sensitive receptors evaluated in this noise element. Results of the analysis show that Receptors 1, 4, and 7 will exceed Tulare County’s Land Use Compatibility for Community Noise Environments for the Future Year 2032 scenario. Receptors 1 and 4 are located adjacent to Betty Drive and Road 64, which are projected to experience a significant increase in traffic volumes as a result of roadway improvements that are planned in the study area. The SR 99 on and off ramps at Avenue 304/Goshen Avenue will be closed in the future, which will force nearly all traffic in the Goshen community to use the SR 99 at Betty Avenue interchange. The traffic volumes along Harvest Avenue and Road 64, which are nearest to Receptor 4, are projected to increase by 273% and 1,920% respectively. The traffic volume along Betty Drive, which has an impact on Receptor 1, is projected to increase by 205%. Receptor 7 is located adjacent to SR 99, which is projected to accommodate approximately 6,200 trips during the PM peak hour. As noted in the existing conditions analysis, Receptor 7 currently experiences noise levels that exceed Tulare County’s Land Use Compatibility for Community Noise Environments.

VRPA provided a comparison in Table 5 [Table 3.12-5 of this DEIR] of existing noise levels to the estimated future year noise levels. Results show that the greatest increase between existing conditions and future conditions is 8.0 dB’s, which occurs at Receptor 4. The significant increase in traffic volumes near the SR 99 at Betty Drive interchange is the reason for the substantial increase in noise levels at Receptors 1 and 4. A change in level of at least 5 dB is required before any noticeable change in community response would be expected and a 10 dB change is subjectively heard as approximately a doubling in loudness. Therefore, the increase in traffic volumes as a result of population and employment increase in the Tulare County General Plan will cause potentially significant impacts at Receptors 1 and 4.”⁵

Further, the Betty Drive Interchange MND states; “To achieve a 5-decibel reduction, a 12-foot noise wall would be needed. If the total cost of the wall at this location is less than the total cost allowance, then the wall would likely be incorporated into the project. The total cost allowance, calculated in accordance with Caltrans’ *Traffic Noise Analysis Protocol*, is

⁵ Goshen NSR. Pages 23-24 13. Prepared by VRPA Technologies (and included as Appendix “E” of this DEIR)

\$175,000. The current estimated cost of the wall is \$218,000.”⁶ At the time the Betty Drive Interchange MND was prepared, Caltrans determined; “The current estimated cost of a sound or noise wall for receptor R6 is \$218,000, which exceeds the total cost allowance of \$175,000 calculated in accordance with Caltrans’ *Traffic Noise Analysis Protocol*. Because the cost of the wall does not meet the reasonableness criteria set out in the protocol, the preliminary noise abatement decision is that a soundwall is not recommended or proposed for this project.”⁷

Figure 3.12-2 shows noise receptor locations, **Table 3.12-3** shows existing noise levels at the receptors shown on **Figure 3.12-2**, and **Table 3.12.5**, shows traffic impacts to receptors for the 2032 build-out scenario. Even without the Project, receptors 1 and 4 are, and will remain, above Tulare County General Plan noise thresholds while receptor 7 [single-family residence] will become exposed to increased noise levels as a result of cumulative growth of Tulare County in general, including the Project area.

As such, there is the potential of a ***Significant and Unavoidable Impact*** as mitigation (specifically, a soundwall) would not be economically reasonable.

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

Conclusion: ***Significant and Unavoidable Cumulative Impacts***

There will be ***Significant and Unavoidable Cumulative Impacts*** from this Project, which will affect human beings either directly or indirectly.

⁶ Ibid. 76

⁷ Op. Cit. 77

DEFINITIONS/ACRONYMS

Definitions

See Chapters 3.4, 3.5, 3.8, 3.9, 3.12, and 3.16 of this document for definitions related to Biological and Cultural Resources, Hazards & Hazardous Materials, Hydrology & Water Quality, Noise, and Transportation Traffic

Acronyms

See Chapters 3.4, 3.5, 3.8, 3.9, 3.12, and 3.16 to Biological and Cultural Resources, Hazards & Hazardous Materials, Hydrology & Water Quality, Noise, and Transportation Traffic

REFERENCES

Tulare County 2030 General Plan, August 2012

Tulare County 2030 General Plan: Recirculated Draft EIR, February 2010

See Chapter 3 (Sections 3.4, 3.5, 3.8, 3.9, 3.12, 3.16), Chapter 4, and Chapter 8.

CEQA Guidelines

Summary of Cumulative Impacts

Chapter 4

Each resource section of Chapter 3 contains a Cumulative Impacts discussion to provide the reader with an assessment of how the Program/Projects will affect each particular resource. The discussion below considers additional evaluation criteria to determine the potential cumulative impacts by the Program/Projects on all resources. Geographic region(s); past, present, and probable future projects; regional population growth; projections contained in an adopted local, regional or statewide plan, or related planning document; and mitigated impacts and unmitigable impacts were evaluated. Based on these CEQA criteria to determine cumulative impacts, it has been determined that the Projects will result in ***Less Than Significant Cumulative Impacts*** for all Resources except the Noise Resource which is more thoroughly discussed in Chapter 7 of this DEIR.

CUMULATIVE IMPACTS ANALYSIS UNDER CEQA

Section 15355 Cumulative Impacts

““Cumulative impacts” refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

- (a) The individual effects may be changes resulting from a single project or a number of separate projects.
- (b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”¹

Section 15130 Discussion of Cumulative Impacts

- “(a) An EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in section 15065(a) (3). Where a lead agency is examining a project with an incremental effect that is not “cumulatively considerable,” a lead agency need not consider that effect significant, but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable.
- (1) As defined in Section 15355, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. An EIR should not discuss impacts which do not result in part from the project evaluated in the EIR.
 - (2) When the combined cumulative impact associated with the project's incremental effect and the effects of other projects is not significant, the EIR shall briefly indicate why the cumulative impact is not significant and is not discussed in further detail in the EIR. A lead agency shall identify facts and analysis

¹ CEQA Guidelines, Section 15355.

- supporting the lead agency's conclusion that the cumulative impact is less than significant.
- (3) An EIR may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The lead agency shall identify facts and analysis supporting its conclusion that the contribution will be rendered less than cumulatively considerable.
- (b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact. The following elements are necessary to an adequate discussion of significant cumulative impacts:
- (1) Either:
- (A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or
- (B) A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projections may be supplemented with additional information such as a regional modeling program. Any such document shall be referenced and made available to the public at a location specified by the lead agency.
- (2) When utilizing a list, as suggested in paragraph (1) of subdivision (b), factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined, the location of the project and its type. Location may be important, for example, when water quality impacts are at issue since projects outside the watershed would probably not contribute to a cumulative effect. Project type may be important, for example, when the impact is specialized, such as a particular air pollutant or mode of traffic.
- (3) Lead agencies should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used.
- (4) A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available, and

- (5) A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects.
- (c) With some projects, the only feasible mitigation for cumulative impacts may involve the adoption of ordinances or regulations rather than the imposition of conditions on a project-by-project basis.
- (d) Previously approved land use documents, including, but not limited to, general plans, specific plans, regional transportation plans, plans for the reduction of greenhouse gas emissions, and local coastal plans may be used in cumulative impact analysis. A pertinent discussion of cumulative impacts contained in one or more previously certified EIRs may be incorporated by reference pursuant to the provisions for tiering and program EIRs. No further cumulative impacts analysis is required when a project is consistent with a general, specific, master or comparable programmatic plan where the lead agency determines that the regional or area wide cumulative impacts of the proposed project have already been adequately addressed, as defined in section 15152(f), in a certified EIR for that plan.
- (e) If a cumulative impact was adequately addressed in a prior EIR for a community plan, zoning action, or general plan, and the project is consistent with that plan or action, then an EIR for such a project should not further analyze that cumulative impact, as provided in Section 15183(j).”²

Tulare County is the geographic extent for most impact analysis. This geographic area is the appropriate extent because of the following reasons:

1. The proposed Project is physically located in Tulare County and the County of Tulare is the Lead Agency;
2. Tulare County General Plan policies applies to the proposed Project.
3. Goshen is an unincorporated area of the County, and as such planning staff considers all County projects and policies when evaluating projects within the County boundaries.

The basis for other resource specific cumulative impact analysis includes:

- Land Use Impacts are based on the County of Tulare 2030 General Plan, the Goshen Community Plan, (GPA 78-3A), August 9, 1978.
- For Air Quality and Green House Gas Emissions, the San Joaquin Valley Air Basin is the geographic extent.
- For Biological Resources, the geographic extent is the San Joaquin Valley floor.
- For Hydrology, the geographic extent is the Tulare Lake Basin, Tule Lake Sub-basin aquifer.

² Ibid., Section 15130 (e)

PAST, PRESENT, PROBABLE FUTURE PROJECTS

Tulare County Association of Governments (TCAG) Blueprint Scenario

Under the Tulare County Regional Blueprint Preferred Growth Scenario, TCAG suggested a 25% increase over the status quo scenario to overall density by 2050. The preferred growth scenario principles included directing growth towards incorporated cities and communities where urban development exists and where comprehensive services and infrastructure are/or will be provided. Another relevant preferred scenario is the creation of urban separators around cities. The project location is outside incorporated areas and would be consistent with the goal of separating urban boundaries.³

Tulare County 2030 General Plan

The Cumulative Analysis outlined in the Tulare County General Plan Update 2030 Recirculated Draft EIR notes regional population growth (which impact was developed by the Tulare County Association of Governments) and a number major projects. Regional population projections are provided in the table below.⁴

Table 4-1 Regional Population Projections and Planning Efforts			
Jurisdiction	General Plan Planning Timeframe	General Plan Buildout Population	Significant Environmental Impacts
City of Dinuba	2006-2026	33,750	Farmland conversion; conflicts with agricultural zoning and Williamson Act contracts; conversion of agricultural soils to non-agricultural use; regional air quality impacts; and climate change-greenhouse gases.
City of Woodlake			Unavailable.
City of Visalia	1991-2020	165,000	Air quality; biological resources; land use conflicts; noise; transportation/traffic; mass transit; agricultural resources; water supply; and visual resources.
City of Tulare	2007-2030	134,910	Farmland conversion; aesthetics; water supply; traffic; air quality; global climate change; noise; flooding from levee or dam failure; biological resources; and cultural resources.
City of Farmersville	2002-2025	12,160	Agricultural resources; agricultural land use conflicts; air quality; and traffic circulation.
City of Exeter			Information unavailable at time of analysis.
City of Lindsay	1990-2010	17,500	Air quality and farmland land conversion.
City of Porterville	2006-2030	107,300	Farmland conversion; air quality; noise; and biological resources.

³ TGAG Blueprint 2050, Preferred Scenario (2009)

⁴ Tulare County 2030 General Plan Recirculated Draft EIR. Pages 5-4 to 5-5.

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Table 4-1 Regional Population Projections and Planning Efforts			
Jurisdiction	General Plan Planning Timeframe	General Plan Buildout Population	Significant Environmental Impacts
City of Kingsburg	1992-2012	16,740	Farmland conversion and air quality.
City of Delano	2005-2020	62,850	Air quality; noise; farmland conversion; disruption of agricultural production; and conversion of agricultural soils to non-agricultural use.
County of Fresno	2000-2020	1,113,790	Farmland conversion; reduction in agricultural production; cancellation of Williamson Act Contracts; traffic; transit; bicycle facilities; wastewater treatment facilities; storm drainage facilities; flooding; police protection; fire protection; emergency response services; park and recreation facilities; library services; public services; unidentified cultural resources; water supply; groundwater; water quality; biological resources; mineral resources; air quality; hazardous materials; noise; and visual quality.
County of Kern	2004-2020	1,142,000	Air quality; biological resources; noise; farmland conversion; and traffic.
County of Kings*	1993-2005	149,100 (low) 228,000 (high)	Biological resources; wildlife movement; and special status species.
* The adopted Kings County General Plan did not identify a projected population for 2005. The General Plan does include population projections for 2010, which is included in this table. SOURCE: City of Delano, 1999; City of Dinuba, 2008; City of Farmersville, 2003; City of Kingsburg, 1992; City of Lindsay, 1989; City of Porterville, 2007; City of Visalia, 2001, 1991; County of Fresno, 2000; County of Kern, 2004; County of Kings, 2009; DOF, 2007; TCAG, 2008.			

In addition to the Regional Growth Projections used for the cumulative impact analysis, the Tulare County General Plan Update 2030 Recirculated Draft EIR noted the following Major Projects

- **Traver Community Plan:** Status – GPA approved. On December 16, 2014 the Tulare County Board of Supervisors (BOS) approved an update to the Traver Community Plan. The Traver Community Plan Update is consistent with the approval of the General Plan 2030 Update, and includes primary goals and objectives for future development for the Community.
- **Pixley Community Plan:** Status – GPA approved. On June 17, 2015 the Tulare County Board of Supervisors (BOS) approved an update to the Pixley Community Plan. The Pixley Community Plan Update is consistent with the approval of the General Plan 2030 Update, and includes primary goals and objectives for future development for the Community.
- **Strathmore Community Plan:** Status – GPA approved. On June 17, 2015 the Tulare County Board of Supervisors (BOS) approved an update to the Strathmore Community Plan. The Strathmore Community Plan Update is consistent with the approval of the

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General Plan 2030 Update, and includes primary goals and objectives for future development of the Community.

- **Tipton Community Plan:** Status – GPA approved. On June 17, 2015 the Tulare County Board of Supervisors (BOS) approved the Tipton Community Plan. The Tipton Community Plan is consistent with the approval of the General Plan 2030 Update, and includes primary goals and objectives for future development of the Community.
- **Ducor:** Status – GPA approved. On November 3, 2015 the Tulare County Board of Supervisors (BOS) approved an update to the Ducor Community Plan. The Ducor Community Plan Update is consistent with the approval of the General Plan 2030 Update, and includes primary goals and objectives for future development of the Community.
- **Terra Bella:** Status – GPA approved. On November 3, 2015 the Tulare County Board of Supervisors (BOS) approved an update to the Terra Bella Community Plan. The Terra Bella Community Plan Update is consistent with the approval of the General Plan 2030 Update, and includes primary goals and objectives for future development of the Community.
- **Earlimart Community Plan:** Status – GPA approved. On October 17, 2017 the County Board of Supervisors (BOS) approved the Earlimart Community Plan. The Earlimart Community Plan is consistent with the approval of the General Plan 2030 Update, and includes primary goals and objectives for future development of the Community.
- **Three Rivers Community Plan:** Status – Notice of Availability (NOA) for the Draft Environmental Impact Report (DEIR) was released for a 45-day review period starting on December 29, 2017 and ending February 12, 2018. The review period for the DEIR has been extended 30-days, from February 12, 2018 and ending March 14, 2018, which has been approved by the State of California, Office of Planning and Research.
- **Rancho Sierra:** Status – GPA approved. The project site consists of 114.6 acres. The site was a golf course facility located on both sides of Liberty Avenue (Avenue 264), east of Road 124, south of the city of Visalia. There are 30 existing homes within the golf course area but not a part of this application. The intended use is to subdivide the site into 175 single family residential lots. The project has been approved.

In addition to the Major Projects outlined in the Tulare County General Plan Update 2030 Recirculated Draft EIR, there are a number of other projects that may produce cumulative impacts. These projects are briefly described below.

- **Peña's:** Status – Approved. Peña's Material Recovery Facility (MRF) and Transfer Station (TS)' which currently sits on 18.01 acres that were rezoned from AE 30 to M1 Light Industrial Zoning, and rezoned 6.7 acres and 11.3 acres from residential and industrial reserve zoning to industrial zoning. The land is currently operated by Peña's Disposal, Inc. and has a previously permitted peak processing capacity of 500 tons per

day (TPD). This existing facility serves the unincorporated northern portions of Tulare County and the unincorporated southern portions of Fresno County, and the City of Orange Cove in Fresno County. Within the County of Tulare, the facility serves the cities of Dinuba and Porterville, the communities of Cutler, Orosi, London, Sultana, Traver, Seville and other smaller communities in the area that may need to utilize the facility for the recycling of source-separated recyclables, commingled recyclables, commercial and industrial rubbish, green material and wood wastes, construction and demolition wastes, and inert debris to assist in reaching the diversion goals of the California Integrated Waste Management Act of 1989 (AB 939).

- **Harvest Power:** Status – Approved. The Project is for a Composting Expansion and Anaerobic Digester. The Project allows a maximum total tonnage for the composting to increase from 156,000 tons per year to a potential 216,000 tons per year. An additional 60,000 tons will be allowed at the approved anaerobic digester facility. The facility will produce transportation fuel through a compressed natural gas (CNG) refueling station.
- **South County Correctional Detention Facility in Porterville:** Status – Approved. The approved Project sits on two parcels, one is in the County and the second is within the City of Porterville's jurisdiction. The facility will be constructed within the City of Porterville while the County's parcel will be used for agricultural purposes. The proposed project contains a build-out "footprint" for the proposed facility of approximately 15.0 acres with a new maximum security Type II facility as the primary structure. The proposed Project will consist of 250-cell double occupancy units (500 beds) and 14 special use beds for a total of 514 beds. In addition to the main detention facility, the proposed Project will also include support service components.

As the site is currently under agricultural production, the Project will require new utilities infrastructure (such as electrical, gas, phone, etc.). It will also require streets/roads improvements, potable water systems, wastewater systems, and storm water drainage infrastructure. These will be constructed or expanded to meet facility demands. Where feasible, the Project will be extended to connect with existing potable water, wastewater, and storm water drainage infrastructure provided by City of Porterville. However, possible new construction of the above mentioned infrastructure may be necessary, and as such, will be evaluated.

- **Orosi Rock:** Status – Approved. The Project resulted in an amendment to a Surface Mining Permit and Reclamation Plan to allow for expanded operations at this site. The Applicant received approval to modify their permit conditions to include allowing year-round instead of seasonal operations and allow mining equipment to remain onsite throughout the year. The Project also includes received approval to increase the excavation depth, increase annual maximum shipment, and increase annual truck trips.

Production will be increased by 6.8 million tons of rock. The total production of aggregate will be increased to 14.3 million tons over the existing 25 year period of the existing permit. Annual production will be a maximum of 800,000 tons of aggregate. The Project will result in 10 additional employees.

- **Colony Power Project (City of Tulare)**: Status – Approved. The Project is for a co-digester project. The proposed SWFP would allow a new anaerobic co-digester operation in the unincorporated area of Tulare, California near dairy farms and the City of Tulare's waste water treatment plant. The project would utilize a variety of organic feedstocks: pre-consumer and post-consumer food waste, compostable materials, dairy manure, food processing waste, liquids wastes, and FOG (fats, oils, and grease). This process would allow for the production of biogas that may be used for utility pipeline injection and/or converted on-site to electrical and heat-energy in bio-gas fueled engine-generators to provide on-site energy. The property is owned by the City of Tulare and leased to the operator, Colony Energy Partners, an energy company based in Newport Beach, California. Approximately 500 tons of feedstock will be delivered daily to the site by truck from various sources. Digester supernatant will be piped to the City of Tulare's wastewater facility for disposal. Dewatered digestate, approximately 50 tons per day, will be trucked to permitted composting facilities.
- **Pixley Biogas**: Status - Approved. The Project is for development of a biogas facility on a 2.75 acre portion of an 8.0 acre parcel. The digester will extract methane gas via an anaerobic manure digester. The facility will be used to produce 266 MMBTUS per day of biogas via anaerobic digestion of manure feedstock from a nearby dairy. The biogas produced will be used to fuel the Calgren bio-refinery facility, located adjacent to and south of the Project site. Providing biogas to the Calgren facility will reduce Calgren's consumption of natural gas.
- **Deer Creek Mine**: Status – Approved. The approved Project amended a Surface Mining Permit and Reclamation Plan to allow expanded operations at this site. The Applicant currently operates a rock and gravel surface mining operation on 98 acres. The Project will result in no increase in the maximum depth of the mine, as expansion will occur laterally within the existing mining footprint. The approval includes an increase in production by 450,000 tons per year (from a maximum of 500,000 tons per year to a maximum of 950,000 tons per year). Increase truck hauling by 176 round trips per day (from a maximum of 200 round trips per day to a maximum of 376 round trips per day). The Project will not result in any change to the estimated total rock production of 15,000,000 tons of rock material during the estimated 50 years of operation nor would it result in any change to the approved reclamation plan.
- **CMI Inc. (formerly Papich)**: Status – Approved. This project is located at the southwest corner of Avenue 298 and Road 68. The Applicant previously operated a temporary asphalt batch on the project site under a County-issued Special Use Permit (PSP 13-005 issued February 19, 2013). This project consists of the establishment of a permanent asphalt batch plant on the existing ±32-acre site; expansion of the existing operation from 3,700 tons/day to 8,000 tons/day of asphalt; and on-site retail/commercial sales of asphalt. Project-specific impacts were assessed in the Environmental Impact Report (EIR) prepared for the project State Clearinghouse Number 2014071069. The County Board of Supervisors approved the Special Use Permit (PSP 14-041) on July 21, 2015.

- **Goshen Village West:** - Status- Approved. The County Board of Supervisors on October 13, 2015, approved a Change of Zone (No. PZ-15-019), and Tentative Subdivision Tract Map No. 835. This Activity involves the phased development of single- and multiple-family residences, a public park, and various infrastructure improvements located in the unincorporated community of Goshen, Tulare County, California (Exhibits 1 and 2, respectively). The Project will include one hundred percent (100%) single- and multiple-family dwelling units (89 single-family lots as part of Phases 2 and 3, and up to 140 multiple-family units as part of Phase 1) on an approximately 29 acre area. Also, an approximately 9.4 acre remainder parcel will retain its current zoning. Infrastructure improvements, such as a storm water detention basin (2.36 acres as part of Phase 1), streets, curbs, gutters, sidewalks, and water and sewer systems will also be constructed. A Class I bicycle lane, a pedestrian trail (in Phase 1), a possible transit stop, a public park (0.56 acre as part of Phase 3), and bio-swales are also part of the project. The Project site is located on an approximately 29 acre site, which will be subdivided to accommodate the uses described above.
- **Dollar General:** - Status- Approved. The County Board of Supervisors on July 11, 2017, approved a Zone Change (PZC 16-003) on approximately 4.97 acres from A-1 (Agricultural) to “C-3” (Service Commercial) on property located at the intersection of Betty Drive and Robinson Avenue, in the Community of Goshen.
- **Derrel’s Mini Storage:** – Status- Approved. The Project included a General Plan Amendment (No. GPA 14-007) and Change of Zone (No. PZ 14-001). GPA 14-007 amended the Tulare County Land Use Element of the General Plan by changing the land use designation on the 19.33-acre parcel from “Agriculture” to “Commercial or Light Industrial”. PZ 14-001 is a proposed to re-zone the AE-20 (Exclusive Agricultural-20 acre minimum) Zone to C-3 (Service Commercial) Zone on the same 19.33 acres. The proposed zone change would allow, as noted in the Tulare County Zoning Ordinance, Mini-Warehouses – “Storage or warehousing service within a building or buildings primarily for individuals to store personal effects”⁵

The proposal for the site consists of the phased construction of 19.33 acre mini- storage facility. Phase 1 consists of 129,550 square feet; Phase 2 consists of 148,950 square feet, and Phase 3 consists of 96,600 square feet. RV storage will be used on the Phase 2 portion of the site, moving to Phase 3 as the earlier phases are constructed with the eventuality of the entire site constructed as mini storage units if necessary to meet market demands. It is possible that Phase 3 will remain as RV storage. The applicant approximates a ten year full build-out of the entire proposed Project site. It should be noted that the entire Project site perimeter will include a wall around the entire site as part of Phase 1.

⁵ Tulare County Zoning Ordinance, page 13

SUMMARY OF CUMULATIVE IMPACTS

In this summary section, mitigated impacts and immitigable impacts will be discussed. Checklist item criteria that would result in No Impacts or Less Than Significant Impacts are discussed in Chapter 3 and are not reiterated here.

Unavoidable Impacts

Cumulative Impacts to Noise is the only significant and unavoidable impact and is discussed in Chapter 7: Unmitigable Impacts.

Noise 3.12 a) and 3.12 c) **A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

There are a number of cumulative impacts which can be effectively mitigated as listed in the Table 4-3.

See Chapter 8 Mitigation Monitoring and Reporting Program for a complete list of Mitigation Measures to be implemented as part of the proposed Project.

Table 4-2		
Checklist Items with Significant Unavoidable Impacts		
Impact Section	Checklist Item #	Checklist Criteria
Noise	3.12 a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
Noise	3.12 c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impacts with Mitigation

Table 4-3		
Checklist Items with Less than Significant Impacts with Mitigation		
Impact Section	Checklist Item #	Checklist Criteria
Biological Resources	3.4 a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
Biological Resources	3.4 c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

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Table 4-3 Checklist Items with Less than Significant Impacts with Mitigation		
Impact Section	Checklist Item #	Checklist Criteria
Cultural Resources	3.5 a)	Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?
Cultural Resources	3.5 b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?
Cultural Resources	3.5 c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
Cultural Resources	3.5 d)	Disturb any human remains, including those interred outside of formal cemeteries?
Hazards & Hazardous Materials	3.8 a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
Hazards & Hazardous Materials	3.8 b)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
Hydrology & Water Quality	3.9 a)	Violate any water quality standards or waste discharge requirements?
Hydrology & Water Quality	3.9 b)	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 (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
Hydrology & Water Quality	3.9 g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
Hydrology & Water Quality	3.9 h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
Land Use	3.10 b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
Noise	3.12 d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
Traffic	3.16 a)	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?
Utilities	3.17 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?
Mandatory	3.18 a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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

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Table 4-3		
Checklist Items with Less than Significant Impacts with Mitigation		
Impact Section	Checklist Item #	Checklist Criteria
		prehistory?
Mandatory	3.18 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)?
Mandatory	3.18 c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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Less Than Significant Impacts

Table 4-4 Checklist Items with Less Than Significant Impacts		
Impact Section	Checklist Item #	Checklist Criteria
Agricultural & Forestry	3.2 a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to non-agricultural uses?
Agricultural & Forestry	3.2 b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?
Aesthetics	3.1 c)	Substantially degrade the existing visual character or quality of the site and its surroundings?
Aesthetics	3.1 d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
Air Quality	3.3 a)	Conflict with or obstruct implementation of the applicable air quality plan?
Air Quality	3.5 b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
Air Quality	3.4 c)	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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
Air Quality	3.3 d)	Expose sensitive receptors to substantial pollutant concentrations?
Biological Resources	3.4 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 US Fish and Wildlife Service?
Biological Resources	3.4 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?
Biological Resources	3.4 e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
Biological Resources	3.4 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?
Geology and Soils	3.6 i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42
Geology and Soils	3.6 ii)	Strong seismic ground shaking?
Geology and Soils	3.6 b)	Result in substantial soil erosion or the loss of topsoil?
Geology and Soils	3.6 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?
Geology and Soils	3.6 d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
Geology and	3.6 e)	Have soils incapable of adequately supporting the use of septic tanks or

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Table 4-4 Checklist Items with Less Than Significant Impacts		
Impact Section	Checklist Item #	Checklist Criteria
Soils		alternative waste water disposal systems where sewers are not available for the disposal of waste water?
Hazards & Hazardous Materials	3.8 c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
Hazards & Hazardous Materials	3.8 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?
Hazards & Hazardous Materials	3.8 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 for people residing or working in the project area?
Hazards & Hazardous Materials	3.8 f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
Hazards & Hazardous Materials	3.8 g)	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 for people residing or working in the project area?
Hydrology & Water Quality	3.9 c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
Hydrology & Water Quality	3.9 d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
Hydrology & Water Quality	3.9 e)	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?
Hydrology & Water Quality	3.9 f)	Otherwise substantially degrade water quality?
Land Use	3.10 a)	Physically divide an established community?
Land Use	3.10 c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?
Noise	3.12 b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
Population & Housing	3.13 a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
Population & Housing	3.13 b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
Population & Housing	3.13 c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?
Public Services	3.14 a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental

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Table 4-4 Checklist Items with Less Than Significant Impacts		
Impact Section	Checklist Item #	Checklist Criteria
		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:
Public Services	3.14	Fire Protection?
Public Services	3.14	Police Protection?
Public Services	3.14	Schools?
Public Services	3.14	Parks?
Public Services	3.14	Other public facilities?
Recreation	3.15 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?
Recreation	3.15 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?
Traffic	3.16 d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
Traffic	3.16 e)	Result in inadequate emergency access?
Utilities	3.17 a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
Utilities	3.17 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?
Utilities	3.17 d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
Utilities	3.17 e)	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?
Utilities	3.17 f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
Utilities	3.17 g)	Comply with federal, state, and local statutes and regulations related to solid waste?

No Impacts

Table 4-5 Checklist Items with No Impacts		
Impact Section	Checklist Item #	Checklist Criteria
Aesthetics	3.1 a)	Have a substantial adverse effect on a scenic vista?
Aesthetics	3.1 b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
Agricultural & Forestry	3.2 c)	Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code § 12220(q), timberland (as defined by Public Resources Code § 4526), or timberland zoned Timberland

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Table 4-5
Checklist Items with No Impacts

Impact Section	Checklist Item #	Checklist Criteria
		Production (as defined by Government Code § 51104(g))?
Agricultural & Forestry	3.2 d)	Result in the loss of forest land or conversion of forest land to non-forest use?
Geological	3.6 iii)	Seismic-related ground failure, including liquefaction?
Geological	3.6 iv)	Landslides?
Greenhouse Gas Emission		Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
Greenhouse Gas Emission		Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?
Hazards & Hazardous Materials	3.8 h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?
Hydrology & Water Quality	3.9 i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
Hydrology & Water Quality	3.9 j)	Inundation by seiche, tsunami, or mudflow?
Land Use	3.10 c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?
Mineral Resources	3.11 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?
Mineral Resources	3.11 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?
Noise	3.12 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 expose people residing or working in the project area to excessive noise levels?
Noise	3.12 f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?
Traffic	3.16 b)	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?
Traffic	3.16 c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
Traffic	3.16 f)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

REFERENCES

CEQA Guidelines

ALTERNATIVES

Chapter 5

INTRODUCTION

The purpose of the alternatives analysis in an EIR is to describe a range of reasonable alternatives to the project, or to the location of the project, that could 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 to evaluate the comparative merits of the alternatives (CEQA Guidelines, Section 15126.6[a]). Additionally, Section 15126.6(b) of the CEQA Guidelines requires consideration of alternatives that could reduce to a less-than-significant level or eliminate any significant adverse environmental effects of the proposed project, including alternatives that may be costlier or could otherwise impede to some degree the attainment of the proposed project's objectives.

It is important to understand, however, that the inclusion of an alternative in an EIR does not constitute definitive evidence that the alternative is in fact "feasible." The ultimate decision regarding the feasibility of alternatives lies with the ultimate decision-maker for a project, which in this case is the County of Tulare Board of Supervisors. Such determinations are to be made in statutorily mandated findings addressing potentially feasible means of reducing the severity of significant environmental effects. One finding that is permissible, if supported by substantial evidence, is that "specific economic, legal, social, technological, or other considerations . . . make infeasible the . . . alternatives identified" in the EIR (Pub. Resources Code, § 21081, subd. [a]; see also CEQA Guidelines, § 15901, subd. [a]). CEQA Guidelines section 15364 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." In deciding whether an alternative is feasible or infeasible, a decision-making body may consider the stated project objectives in an EIR, and may balance any relevant economic, environmental, social, and technological factors. (See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

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

“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

EIR Contents: Energy Consumption Analysis

“Potentially significant energy implications of a project shall be considered in an EIR to the extent relevant and applicable to the project... Where items listed below are applicable or relevant to the project, they should be considered in the EIR... Alternatives should be compared

¹ CEQA Guidelines, Section 15021.

in terms of overall energy consumption and in terms of reducing wasteful, inefficient and unnecessary consumption of energy.”²

FACTORS CONSIDERED IN SELECTION OF ALTERNATIVES

The CEQA Guidelines recommend that an EIR should briefly describe the rationale for selecting the alternatives to be discussed, identify any alternatives that were considered by the lead agency but were rejected as infeasible, and briefly explain the reasons underlying the lead agency’s determination [CEQA Guidelines, Section 15126.6(c)]. This section describes the process used in selection of the alternatives. The alternatives addressed in this draft Environmental Impact Report (DEIR) were selected in consideration of one or more of the following factors:

- The extent to which the alternative would accomplish most of the basic goals and objectives of the proposed project;
- The extent to which the alternative would avoid or lessen any of the identified significant environmental effects of the project;
- The potential feasibility of the alternative, taking into account site suitability, economic viability, availability of infrastructure, and consistency with various applicable plans and regulatory limitations;
- The appropriateness of the alternative in contributing to a “reasonable range” of alternatives necessary to permit a reasoned choice; and
- The requirement of the CEQA Guidelines to consider a “no project” alternative and, where the “no project” alternative is the environmentally superior alternative, to identify an “environmentally superior” alternative in addition to the no-project alternative [CEQA guidelines, Section 15126.6(e)].

The significant environmental impacts that the County, in identifying alternatives, seeks to eliminate or reduce are:

- Transportation and circulation impacts resulting from substantial increases in vehicular traffic.
- Air quality impacts resulting from increased development and vehicular traffic.
- Noise and nuisance effects on adjacent sensitive receptor locations.
- Loss of agricultural land.
- Biological resources impacts resulting from a loss of habitat.
- Viewshed impacts resulting from increased development.
- Groundwater impacts and availability of adequate water supply resulting from increased development.

Alternatives Selection Process

The proposed Project and the Alternatives addressed in this chapter of the EIR are based on several ideas and concepts developed over the last two years (2015-2017). Staff developed the following land plans (see discussion below) in consultation with the Goshen Community, affected land owners, developers, and agencies (i.e., the City of Visalia, Tulare County Association of Governments, and Caltrans), in-depth CEQA, and infrastructure-related considerations/analyses

² 2013 CEQA Guidelines, CEQA Appendix F; Energy Consumption.

from staff's public outreach process. As part of this process, several alternative land use scenarios were considered including the following:

- *Alternative A. No Project Alternative* – (Assumes that land use designations in the existing adopted Goshen Community Plan will be maintained). Previous residential development interests located along north side of Riggin Avenue (Avenue 312) would be maintained consistent with the adopted plan. This scenario directs residential growth away from Visalia Municipal Airport traffic pattern and aircraft noise by promoting a majority of the new proposed development east of State Route 99. Infrastructure services are adequate for existing uses and proposed uses east of Road 64 and south of Riggin Avenue. North and east growth focus is advocated by residents located on the east side (that is, east of SR 99) of the community. Compacted growth within the existing UDB would require less capital for infrastructure improvements.
- *Alternative B. Existing Adopted Land Use Plan Alternative* – (Assumes that land use designations in the existing adopted Goshen Community Plan will be maintained). Previous residential development interests located along north side of Riggin Avenue (Avenue 312) would be maintained consistent with the adopted plan. This scenario directs residential growth away from Visalia Municipal Airport traffic pattern and aircraft noise by promoting a majority of the new proposed development east of State Route 99. Infrastructure services are adequate for existing uses and proposed uses east of Road 64 and south of Riggin Avenue. North and east growth focus is advocated by residents located on the east side (that is, east of SR 99) of the community. Compacted growth within the existing UDB would require less capital for infrastructure improvements.
- *Alternative C. Proposed Land Use Plan Alternative* – (No UDB Expansion and north growth focus with mixed land use proposed north and south of the Riggin Avenue corridor). Under this scenario, the proposed plan recommends mixed land uses around Self-Help residential development (Goshen Village East at the intersection of Riggin Avenue and Road 76/Avenue 312) and Family Health Care network sites south of Riggin Avenue, east of Road 72. This scenario also directs residential growth away from Visalia Municipal Airport traffic pattern and aircraft noise by promoting a majority of the new proposed development east of State Route 99. Community residents east of SR 99 advocate growth toward the north and east.
- *Alternative D. Proposed Land Use Plan (UDB Expansion & Future City Annexation* north of proposed Union Pacific railroad stub line north of Riggin Ave; an increase of approximately 516 additional acres) – under this scenario an expansion of the UDB with a western direction (west of SR 99) growth focus with mixed land use proposed along Road 64 and light industrial land uses to the north of Riggin Ave. This scenario allows residential uses (through mixed use zoning overlay) on Commercial designated land closer to the school, west of SR 99. Industrial land uses to the northwest would be compatible with Visalia Industrial Park expansion and allows for future utilization of the Union Pacific rail line. Mixed Use land use designations proposed south of Riggin Avenue would compliment proposed mixed use projects such as the previously approved Self-Help Enterprises Development; which are supported by the community. Rather, this

Alternative would entirely remedy LAFCo boundary and General Plan (UDB / SOI) overlaps and gaps along Road 76. Land use and zoning inconsistencies are addressed and remedied, and the Alternative is supported by residents, Caltrans, City of Visalia, and staff.

The Alternative selection process was complemented with background information from identification of community issues of concern presented by the residents of the community, and in the development of several Project objectives. The community outreach process was conducted to incorporate stakeholder input (in the form of workshops and meetings) at numerous public and agency outreach events. Consistent with CEQA requirements (CEQA Guidelines Section 15126.6(a)), the EIR process reviewed these scenarios and developed a range of alternatives designed to feasibly attain most of the project objectives but also avoid or lessen several significant effects associated with the proposed project.

Alternatives Eliminated from Further Consideration

The following alternative(s) were originally considered during the planning and scoping process (See Alternative A-D in the Community Plan (from previous workshop process) pages 196 through 206) for the proposed Project, but were determined to not be viable for continued evaluation and were eliminated from further consideration.

- **North Growth Alternative with Town Center South of Riggin Avenue.** This alternative featured a North Growth emphasis with a Town Center proposed south of Riggin Avenue between Robinson Road and Road 72 with Commercial, Civic Center, and Business Park Uses proposed along the north and south sides of Riggin Avenue. This alternative was eliminated from further consideration because the growth trend was considered infeasible as a result of impacts on Riggin Avenue and the assumed land use patterns would not contribute to the elimination or reduction of potentially significant environmental impacts associated with residential components of the proposed Project which are directly adjacent (west of) the Visalia Industrial Park area.
- **Alternative Project Location.** None of the alternatives includes consideration of an alternative location. The CEQA Guidelines (Section 15126.6(3) (f) (2)) recommend considering an alternative location to reduce potential impacts of a project. However, the goals and policies of the proposed Project are specific and unique to the geographic context of the Goshen planning area. Build-out consistent with the goals and policies of the proposed Project at another location does not make sense for a community plan that applies only to selected properties under the County's jurisdiction within the Goshen Planning area. Thus, this EIR does not evaluate an Alternative Project Location.

Alternatives Selected for Further Consideration

The following section provides a general description of the four Alternatives considered in this analysis. Acting upon the community workshop input identified above, these four Alternatives were developed and have been determined to represent a reasonable range of alternatives which (with the exception of "No Project" and "Existing Plan") have the potential to feasibly attain a number of the basic Project objectives.

Section 15126.6(e) of the CEQA Guidelines requires that an EIR evaluate and analyze the environmental impacts of the “No-Project” Alternative. Under this Alternative current development patterns are assumed to occur in accordance with the existing General Plan, Zoning Ordinance, and the adopted Goshen Community Plan.

Alternative A: No Project Alternative

When the project is the revision of an existing land use or regulatory plan or policy, the No-Project Alternative will be the continuation of the existing plan or policy into the future. Therefore, Alternative A (No-Project) analyzes the effects of continued implementation of the County’s existing Goshen Community Plan (with some features not having been updated since its original adoption in 1978). The existing Goshen Community Plan would remain as the adopted long-range planning policy document for the Goshen Community. Consequently, current development patterns would continue to occur in accordance with the existing General Plan, Zoning Ordinance, and adopted Goshen Community Plan.

Previous residential development interests located along the north side of Riggin Avenue (Avenue 312) would be maintained consistent with the adopted plan (Residential Reserve Designation). This scenario directs residential growth away from Visalia Municipal Airport traffic pattern (and accompanying aircraft noise) by promoting a majority of the new proposed development east of State Route 99. Infrastructure services are adequate for existing uses and proposed uses east of Road 64 and south of Riggin Avenue. Community residents east of SR 99 advocate growth toward the north and east. Compacted growth within the existing UDB would require less capital for infrastructure improvements.

Planning

Pros: Adequate land uses for industrial and residential uses and,

- Previous development interests located north of Riggin (Ave. 312) – Proposed Specific Plan - consistent with the adopted plan (Residential Reserve).
- Self-Help and Family Health Care network located along Riggin Avenue.

Cons: SR 99/Union Pacific Railroad bisect the community requiring adding costs for infrastructure improvements/ heightening safety considerations and;

- East side new residential development farther away from existing school.
- Limited variability for uses requires zoning and land use changes.
- Creates LAFCo boundary differences at Road 76 and with the Goshen Community Services District.
- Does not address land use and zoning inconsistencies in the community.

Environmental

Pros: Directs residential growth away from Visalia Municipal Airport traffic pattern and aircraft noise.

Cons: Growth in Residential land uses along Riggin Avenue will adversely impact traffic

- Possible residential land use conflicts with Visalia Industrial Park expansion.

Engineering

Pros: Infrastructure services adequate for existing uses

Cons: Expanded development (industrial, commercial or residential) will affect traffic along Riggin Avenue (currently residential reserve) and,

- Sewer lift stations required for new development north of Riggin Avenue, and west of SR 99 estimated to cost in the hundreds of thousands of dollars.
- West side expansion requires expansion of limited access to water.
- Residential development to the east of SR 99 would exacerbate safe routes to school issues.

Community Support

Pros: Addressed the north growth focus advocated by residents located on the east side (that is, east of SR 99) of the community. However, this would become irrelevant if the area becomes part of the City of Visalia Sphere of Influence (SOI).

Cons: Community/economic development would require an updated land use plan.

Economic Development

Pros: Compacted growth within the existing UDB would require less capital for infrastructure improvements.

Cons: Limits the opportunity for Highway Commercial Development on the west side (that is, west of SR 99) of the Community.

Alternative B: Existing Adopted Land Use Plan Alternative

Alternative B (Assumes that land use designations in the existing adopted Goshen Community Plan will be maintained). Previous residential development interests located along north side of Riggin Avenue (Ave. 312) would be maintained consistent with the adopted plan. This scenario directs residential growth away from Visalia Municipal Airport traffic pattern and aircraft noise by promoting a majority of the new proposed development east of State Route 99. Infrastructure services are adequate for existing uses and proposed uses east of Road 64 and south of Riggin Avenue. North and east growth focus is advocated by residents located on the east side (that is, east of SR 99) of the community. Compacted growth within the existing UDB would require less capital for infrastructure improvements.

Planning

Pros: Adequate land uses for industrial and residential uses and,

- Previous development interests located north of Riggin Avenue (Avenue 312) consistent with the adopted plan.
- Self-Help and Family Health Care network located along Riggin Avenue, east of Road 76.

Cons: SR 99/Union Pacific Railroad bisect the community requiring additional costs for infrastructure improvements heightening safety considerations and;

- New residential development east of SR 99 would be farther away from the existing school.
- Limited variability for uses requires zoning and land use changes.
- Creates LAFCo boundary differences at Road 76 and with the Goshen Community Services District.
- Does not address land use and zoning inconsistencies in the community.

Environmental

Pros: Directs residential growth away from Visalia Municipal Airport traffic pattern and aircraft noise.

Cons: Growth in Residential land uses along Riggin Avenue will adversely impact traffic

- Increases the potential for residential land use conflicts with Visalia Industrial Park expansion.

Engineering

Pros: Infrastructure services adequate for existing uses

Cons: Expanded development (industrial, commercial or residential) will has the potential to adversely affect traffic along Riggin Avenue (currently residential reserve) and,

- Sewer lift stations required for new development north of Riggin Avenue and west of SR 99 estimated to cost in the hundreds of thousands of dollars.
- West side expansion requires expansion of limited access to water.
- Residential development east of SR 99 would exacerbate safe routes to school issues.

Community Support

Pros: Addressed the north growth focus advocated by residents located on the east side (that is, east of SR 99) of the community. However, this would become irrelevant if area becomes part of City of Visalia SOI.

Cons: Community/economic development would require an updated land use plan.

Economic Development

Pros: Compacted growth within the existing UDB would require less capital for infrastructure improvements.

Cons: Limits the opportunity for Highway Commercial Development west of SR 99.

Alternative C: Proposed Land Use Plan Alternative

This scenario does not propose a UDB Expansion. There is a north growth focus with mixed land use proposed north and south of the Riggin Avenue corridor. Under this scenario, the proposed plan recommends mixed land uses around Self-Help residential development and Family Health Care network sites south of Riggin Avenue. This scenario also directs residential growth away from the Visalia Municipal Airport traffic pattern and aircraft noise by promoting a majority of the new proposed development east of SR 99. Residents located east of SR 99 advocate a north and east growth focus.

Planning

Pros: No Change to UDB and,

- North growths focus with mixed use (residential uses (1 to 30 units/acre) commercial, or light industrial)
- Consistent with adopted Goshen Community Plan directing residential growth north of Riggin Avenue.
- Fills in mixed uses constructed around Self-Help and Family Health Care network sites south of Riggin Avenue.

Cons: Land owners west of Road 64 have expressed a desire to be in UDB and have requested being rezoned to Highway Commercial as Caltrans is realigning Road 64 west and,

- Guides new residential development farther away from school
- Partially address LAFCo boundary overlap/gaps along Road 76 corridor.

Environmental

Pros: Directs residential growth away from Visalia Municipal Airport traffic pattern and aircraft noise.

Cons: Less agricultural land conversion is considered in this alternative. The residential uses / traffic volumes along Riggin Avenue in either scenario mitigation measures by 2032 (would require signalization at Road 72 and 76) and will better manage the flow of traffic along Riggin through increasing Level of Service.

Engineering

Pros: Increases County jurisdiction over Riggin Avenue.

Cons: Sewer lift stations required and Safe Routes to School exacerbated.

Community Support

Pros: Addresses the “north growth focus” advocated by residents living east of SR 99.

Cons: Not supported by community residents/land owners on the west of SR 99.

Economic Development

Pros: Mixed Use Opportunities along Riggin Avenue

Cons: Requires build out of Road 76 and,

- Limits the opportunity for Highway Commercial Development on west of SR 99 which would promote economic development and would generate increased sales tax revenue opportunity for the County.

Alternative D (Preferred Alternative and Environmentally Superior Alternative): UDB Expansion & Accommodation of Land Owner Requests to Annex into the City of Visalia and Consistency with the General Plan)

This scenario proposes an expansion of the UDB by approximately 500 acres in a westerly growth focus and to the south along SR 99, with mixed land use proposed to the south side of the Riggin Avenue corridor and industrial to the north of the corridor. It would allow new residential uses (through a mixed-use zoning overlay) on Commercial designated land closer to the existing elementary school west of SR 99. Industrial land use to northwest would be compatible with potential Visalia Industrial Park expansion and could utilize the Union Pacific rail line. Mixed Use land use designations proposed south of Riggin Avenue would support proposed mixed-use projects such as Self-Help Enterprises; which are supported by the community. This Alternative would entirely remedy LAFCo boundary and General Plan (UDB / SOI) overlaps and gaps along Road 76. Land use and zoning inconsistencies are addressed and remedied, and the Alternative is supported by residents, Caltrans, city of Visalia, and staff.

Planning

Pros: Growth located farther away from Riggin Avenue and

- Allows new residential uses (through mixed use zoning overlay) on Highway Commercial designated land closer to school west of SR 99.
- Industrial land use to the northwest would be compatible with Visalia Industrial Park expansion and could utilize the existing rail line.
- Mixed Use land use designations proposed along Riggin Avenue could support proposed mixed-use projects such as Self-Help Enterprises; which are supported by the community.
- LAFCo boundary overlap and gaps are remedied entirely.
- Land use and zoning inconsistencies are addressed and remedied.
- Supported by residents, Caltrans, city of Visalia, and staff.

Cons: Changes UDB and

- Directs new community growth west of SR 99 versus north of Riggin Avenue (which may, at some future time, lie within in the City of Visalia SOI).
- Commercial development directed away from a majority of the Goshen population located on the east side of SR 99 However; it is noted that there are currently three proposed commercial projects west of SR 99.

Environmental

Pros: Limiting residential land uses along Riggin Avenue will have lesser impacts and conflicts created by high traffic volumes and

- Fewer residential land use conflicts with potential Visalia Industrial Park expansion.
- Updated policies proposed in the Community Plan Update are compatible with the 2012 Comprehensive Airport Land Use Plan.
- Decreases the demand for development (and preserves more viable agricultural land) along more rural areas of the County along SR 99 to the South between communities.

Cons: Directs growth toward Visalia Municipal Airport traffic pattern and aircraft noise and

- Larger amounts of agricultural land conversion and increased traffic west of SR 99 would require additional environmental studies as this Alternative would result in a higher than projected 1.3% annual growth rate.

Engineering

Pros: New development will benefit from the new Betty Drive Interchange and

- Reduces future Safe Routes to School concerns with most of residential development located east of SR 99.
- Allows County to reclassify Road 64 as a major collector.

Cons: Would require additional environmental analysis in the future and

- Increases the need to improve Road 64.
- Requires sewer lift stations to accommodate development west of realigned Road 64.

Community Support

Pros: Advocated by land owners and many residents located west of SR 99.

Cons: Unless build out of mixed uses east of SR 99, the Community residents located east of SR 99 would not support the alternative.

Economic Development

Pros: Proposed Highway Commercial development west of SR 99 promotes economic development and has the potential to generate increased sales tax revenues for the County.

- Expands economic development and job creation with flexibility for uses.

Cons: Requires substantial additional infrastructure costs and environmental analysis and

- Requires sewer lift stations to accommodate new development west of Road 64.

FACTORS CONSIDERED IN ANALYSIS OF ALTERNATIVES

In this Alternatives analysis the following criteria will be used:

Evaluation Criteria 1: Land Use and Environmental Planning

The primary purpose of this objective is to promote development within planning areas next to the Regional State Route 99 Corridor in order to implement the land use and environmental planning goals of the General Plan 2030 Update.

- 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.

Evaluation Criteria 2: Improvements for a “disadvantaged community”

Community planning areas will be improved with faster project processing, increased housing grant awards, and enhanced infrastructure grant awards.

- 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 (August 2012) 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.

Evaluation Criteria 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.

POTENTIAL IMPACTS OF ALTERNATIVES

Alternatives A and B have similar impacts as no UDB expansion is proposed under those scenarios and the proposed land use and circulation plans are comparable. The impacts associated with an expanded UDB as proposed in Alternatives C & D are greater in all impact areas except for Cultural Resources and Mineral Resources which are not found to be significant over the entire study area. However, Alternative C imposes more development pressure on other areas of the County instead of within the UDB because it limits the potential within the UDB for increased commercial and residential interests, and would be inconsistent with the General Plan while having similar impacts to the environment. **Table 5-1** is a generalized comparative assessment of potential impacts of the alternatives.

Table 5-1 Alternatives Potential Impact Analysis				
	Alternative A No Project	Alternative B Existing Plan	Alternative C (Limited Expansion – Higher Density)	Alternative D UDB Expansion (Preferred Alternative and Proposed Community Plan)
Aesthetics	Similar	Similar	More	More
Agriculture and Forestry Resources	Similar	Similar	More	More
Air Quality	Similar	Similar	More	More
Biological Resources	Similar	Similar	More	More
Cultural Resources	Similar	Similar	Similar	Similar
Geology and Soils	Similar	Similar	More	More
Greenhouse Gas Emissions	Similar	Similar	More	More
Hazards and Hazardous Materials	Similar	Similar	More	More
Hydrology and Water Quality	Similar	Similar	More	More
Land Use and Planning	Similar	Similar	More	More
Mineral Resources	Similar	Similar	Similar	Similar
Noise	Similar	Similar	More	More
Population and Housing	Similar	Similar	More	More
Public Services	Similar	Similar	More	More
Recreation	Similar	Similar	More	More

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Table 5-1 Alternatives Potential Impact Analysis				
Transportation and Traffic	Similar	Similar	More	More
Utilities and Service Systems	Similar	Similar	More	More
Mandatory Findings of Significance	Similar	Similar	More	More
Cumulative Impacts	Similar	Similar	More	More
Impact Reduction	No	No	Yes	Yes

ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Table 5-1 provides a summary of the anticipated impacts resulting from implementation of the Alternatives compared to those identified for the proposed Project. As shown in **Table 5-1**, the Environmentally Superior Alternative for this Project is Alternative D (Proposed Plan). Other than the No Project Alternative, this is the only Alternative that would reduce the severity of most environmental impacts associated with the proposed Project. As described earlier, build-out of Alternative C would convert less open space and prime agricultural farmland within the UDB than Alternative D; however it would put growth pressures along other areas of the SR 99 Corridor that may not have the infrastructure, demographics or access that Goshen Community Plan Proposed Land Use Plan can provide. This Alternative would result in fewer impacts to scenic resources but only slightly as densification could still result in taller and more urban type of development. As such, the proposed Project (Alternative D) is the Environmentally Superior Alternative.

ALTERNATIVES ANALYSIS

The proposed Alternatives were analyzed based on the three evaluation criteria listed earlier. Three of the Alternatives considered would not meet all or some of the objectives of the proposed Project. The evaluation of each of the Alternatives is shown in **Table 5-2**.

Table 5-2 Summary of the Alternatives Ability to Meet the Proposed Project Objectives				
	Alternative A No Project	Alternative B Existing Plan	Alternative C (Limited Expansion)	Alternative D Proposed Plan
1. Land Use and Environmental Planning	No	No	No	Yes
2. Improvements for a “disadvantaged community”	No	No	Yes	Yes
3. Strengthening Relationship with TCAG	No	No	Yes	Yes

Table 5-2 provides a summary of the No-Project (Alternative A) and Existing Plan (Alternative B) abilities to meet each of the Project objectives. Under Alternatives A and B, the County would continue with implementation of its existing Goshen Community Plan as adopted; which

would remain as the adopted long-range planning policy document for the Goshen Community. Current development patterns would continue to occur in accordance with the existing General Plan, Zoning Ordinance, and the adopted Goshen Community Plan. Consequently, these Alternatives would fundamentally fail to meet the Project Objectives described earlier because failure to update the County's existing Goshen Community Plan will not result in a comprehensive update to the Goshen Community Plan's existing goals and policies to help incorporate current planning, environmental, and regulatory trends and objectives. Failure to incorporate these updated goals and policies could make it more difficult to provide the necessary planning framework that would set standards for the protection of habitats, agricultural areas, scenic landscapes and promotion of economic development opportunities. The absence of updated economic development policies or programs would not be conducive to promoting the desired level of reinvestment within existing communities and hamlets. However, it is assumed that the County would still continue to coordinate and cooperate with other local agencies and organizations on a variety of relevant land management issues regardless of whether the Goshen Community Plan is updated or not.

A summary of Alternative C's (Proposed Land Use Alternative/No UDB Expansion) is capable of meeting each of the proposed Project objectives as provided in **Table 5-2**. Under Alternative C, the County would adopt a comprehensive update of the Goshen Community Plan that includes updated goals and policies to help incorporate current planning, environmental, and regulatory trends and objectives. Alternative C; however, as no UDB or limited UDB expansion is proposed, would not meet all of the Project objectives identified in **Table 5-2**. Lower levels of anticipated growth and development associated with this Alternative would not be conducive to promoting or achieving the desired level of reinvestment within the existing Goshen Community area. This would create development pressures in other areas of the County. Consequently, Alternative C would not fully meet Project objectives that encourage additional opportunities for small unincorporated communities like Goshen to grow, address public health and safety concerns, and improve their quality of life as compared to Alternative D. With the absence of an expanded UDB, more growth is more likely to be directed toward the Visalia CACUDB. As with all the Alternatives, it is assumed that the County would continue to coordinate and cooperate with other local agencies and organizations on a variety of relevant land management issues regardless of whether the Goshen Community Plan is updated or not.

A summary of Alternative D's ability to meet each of the proposed project objectives is provided in **Table 5-2**. Under Alternative D, the County would adopt the Goshen Community Plan Update that would focus growth within an expanded UDB in the Goshen area. Because this Alternative would include adoption of a comprehensive Community Plan Update that includes updated goals and policies to help incorporate current planning, environmental, and regulatory trends and objectives; Alternative D would meet all Project objectives identified in **Table 5-2**. Additionally, higher levels of anticipated growth and development would help to promote and would be conducive to achieving the desired level of reinvestment within the existing Goshen Community area. Alternative D fully meets all of the Project objectives and provides additional opportunities for small unincorporated communities like Goshen to grow, address public health and safety concerns, and improve their quality of life as compared to Alternative C. As with all the Alternatives, it is assumed that the County would continue to coordinate and cooperate with

other local agencies and organizations on a variety of relevant land management issues regardless of whether the Goshen Community Plan is updated or not.

After this full, substantial, and deliberate analysis the recommended Project and Preferred Alternative is Alternative D (the Proposed Goshen Community Land Use Plan).

Economic, Social & Growth Inducing Effects Chapter 6

INTRODUCTION

This Chapter discusses economic, social and growth inducing effects of the Project. **Table 6-1** provides the CEQA requirements and a summary of the impact analysis.

The Goshen Community Plan was originally adopted in 1978. Conditions in Goshen have changed and policies and implementation strategies should be updated to address existing conditions. This Community Plan Update will be used to foster economic development by identifying opportunities for development. This Community Plan is also a part of the implementation of the San Joaquin Valley Regional Blueprint, Tulare County Regional Blueprint, Sustainable Highway 99 Corridor Plan, and the Tulare County 2030 General Plan.

To comply with CEQA, an Environmental Impact Report (EIR) must discuss the ways in which the proposed project could affect economic or population growth in the vicinity of the project and how the characteristics of the project could result in other activities with adverse impacts to the environment [CEQA Guidelines Section 15126.2(d)].

Specifically, CEQA Guidelines Section 15126.2 (d) states that an EIR must:

“Growth-Inducing Impact of the Proposed Project. Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.”¹

Economic growth refers to the extent to which a proposed project could cause increased activity in the local or regional economy. Economic and population growth can be induced in a number of ways, including through the elimination of obstacles to growth, or through the stimulation of economic activity. Elimination of obstacles to growth refers to the extent to which a proposed project removes infrastructure limitations or removes regulatory constraints that could result in growth. For example, an increase in the capacity of utility or road infrastructure that is installed as part of the proposed project could allow either new or additional development in the

¹ CEQA Guidelines Section 15126.2(d).

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surrounding areas. Increases in the population may tax existing community service facilities, requiring new facilities, the construction of which could cause potentially significant environmental impacts.

“The San Joaquin Valley faces major challenges. One concerns 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 population². This population growth will place increasing pressure on our Tulare County’s unique and fragile environment along with our transportation system.”³

Table 6-1		
Summary of Economic, Social and Growth Inducing Impacts		
Topic	Summary of Impact	CEQA Requirement
Economic Impact	The proposed Project will not result in negative impacts to the region. It will result in increases in economic benefits to the region over time (i.e., the 2032 planning period). Accounting for the four development proposals described in Chapter 3.10 (Land Use & Planning), the Project will result in temporary construction-related jobs and permanent jobs in retail, highway commercial, services, and light industrial sectors. Overall, the proposed Project will result in employment of additional persons.	CEQA does not have specific requirements for evaluating the economic impacts of a proposed project. Section 15131 of CEQA Guidelines states that “Economic or social information may be included in an EIR or may be presented in whatever form the agency desires.”
Social Impact	The proposed Project will not result in a disproportionate effect on minority populations, low income populations, or Native Americans. The proposed Project does not pose any adverse environmental justice issues that would require mitigation.	The social impacts of a Project include environmental justice considerations. California Government Code Section 65040.12 defines Environmental Justice as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies.”
Growth Inducing Effect	The proposed Project will not result in significant growth inducing impacts. The intent of the Project is to provide opportunities, such as Mixed-Use land use designations, to stimulate economic development to meet the needs of existing and future community and nearby residents. Development along the State Route 99 Corridor is anticipated to capture pass through traffic. As such, the Project will not result in new housing. Growth inducing impacts will be Less Than Significant.	CEQA Guidelines § 15126 (d) makes recommendations for analyzing impacts due to growth inducement, including discussing ways in which the project could foster economic or population growth, the construction of additional housing, or other factors which could remove obstacles to population growth or encourage and facilitate other activities which could impact the environment individually or cumulatively.

² Tulare County Regional Blue Print, May 2009. Page 7.

³ Ibid.

Therefore, implementation of the proposed Project will result in a ***Less Than Significant Impact***, either individually or cumulatively, caused by either economic, social, or growth inducing effects.

ENVIRONMENTAL SETTING

“Tulare County has one of the highest rates of unemployment in California and the nation, due in large part to the seasonal nature of agricultural employment. Employment figures for Tulare County are released by the California Employment Development Department (EDD) in the monthly Labor Force Report. The most recent unemployment figures available (December 2008) reveal a national unemployment rate of 7.2%, 9.3% for California, and 14.3% for Tulare County.”⁴

“Approximately 25 percent of the County’s population lives under the poverty level. A comparison between poverty levels from 1990 and 2000 (Table 3-K) shows overall the County’s poverty level has remained constant. However, upon closer investigation there appears to be improvement in some specific communities; London has improved from 64 percent to 45 percent and Tipton from 35 percent to 20 percent. Other communities have gotten worse; Pixley has slipped from 30 percent to 43 percent and Woodville has gone from 26 percent to 37 percent. Tulare County’s rural communities continue to have lower incomes and a higher level of poverty.”⁵

Severely Disadvantaged Community

“Public Resources Code 75005, subsection (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.”

Goshen’s median household income was \$39,360 in 2016. The State of California’s median household income in 2016 was \$63,783.

Goshen’s median household income was 61.7% of the State of California’s median household income. Goshen is considered a severely disadvantaged community.”⁶

As indicated in the Draft Goshen Community Plan, according to the California Department of Finance, the 2012-2016 American Community Survey indicated that 33.2% of families in Goshen lived below the poverty line. This percentage was higher for married couples, single moms, and persons under 18. Goshen had a higher level of poverty overall at 33.2% compared to Tulare County at 23.5% and the State of California at 11.8%.⁷

Goshen’s occupation distribution is shown in Table 6-2. Agricultural-related occupations make up almost 20%, while Service occupations (almost 20%), Sales and office occupations (23%),

⁴ 2009 Tulare County Housing Element, page 30

⁵ Ibid. 35

⁶ Draft Goshen Community Plan. Page 7.

⁷ Ibid. 76

and Production, transportation, and /material moving occupations (almost 26%) make up the balance of the civilian employed population 16 years and over.

Table 6-2
Goshen's Occupation Distribution

Occupation	Goshen CDP, California	
	Number	Percent
Management, professional, and related occupations	161	12.68
Service occupations	251	19.77
Sales and office occupations	292	23.01
Natural resources, construction, and maintenance (includes faming-related)	252	19.85
Production, transportation, and material moving	313	25.66
<i>Source: 2010 U.S. Census American FactFinder which can be accessed at: http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CE</i>		

The lack of economic opportunities can have significant land use implications. Low incomes are a major source reason for the depressing housing conditions in the area and a primary cause for the number of second and third dwelling units in the single family residential areas. The lack of economic opportunity is also a reason for the deteriorating conditions of rural commercial areas.

The Goshen Community Plan includes a comprehensive economic development strategy intended to reduce barriers to economic development (that is, infrastructure, use permits, education, and home occupation barriers) and marketing strategy which includes place, price, product, promotion, and a development suitability analysis. To improve incomes and to provide greater stability in its economic base, nonagricultural industries, or less seasonal agricultural support industries that provide higher wages and year-round employment are needed.

“The existing Urban Development Boundary contains approximately 1,232.5 acres. The additional projected need of 165 acres added to the existing UDB yields a forecasted total land demand for housing of 1,398 acres for 2030. Of the 380 vacant acres that are proposed for new development, approximately 30% of those parcels are proposed for Mixed Use, High Density or Medium Density Residential uses, therefore, 422 acres x .30=127 acres, which will most likely be built out in the more immediate future.”⁸

As County Policies require contiguous development and an orderly extension of services, the recommendation not to amend the location of the existing UDB not only satisfies development suitability requirements, but also provides the requisite area needed to meet forecast land demand in the Goshen Community.⁹

⁸ Op. Cit. 197

⁹ Op. Cit. 198

ECONOMIC IMPACTS

Under CEQA Guidelines 15131, “[e]conomic or social information may be included in an EIR or may be presented in whatever form the agency desires.

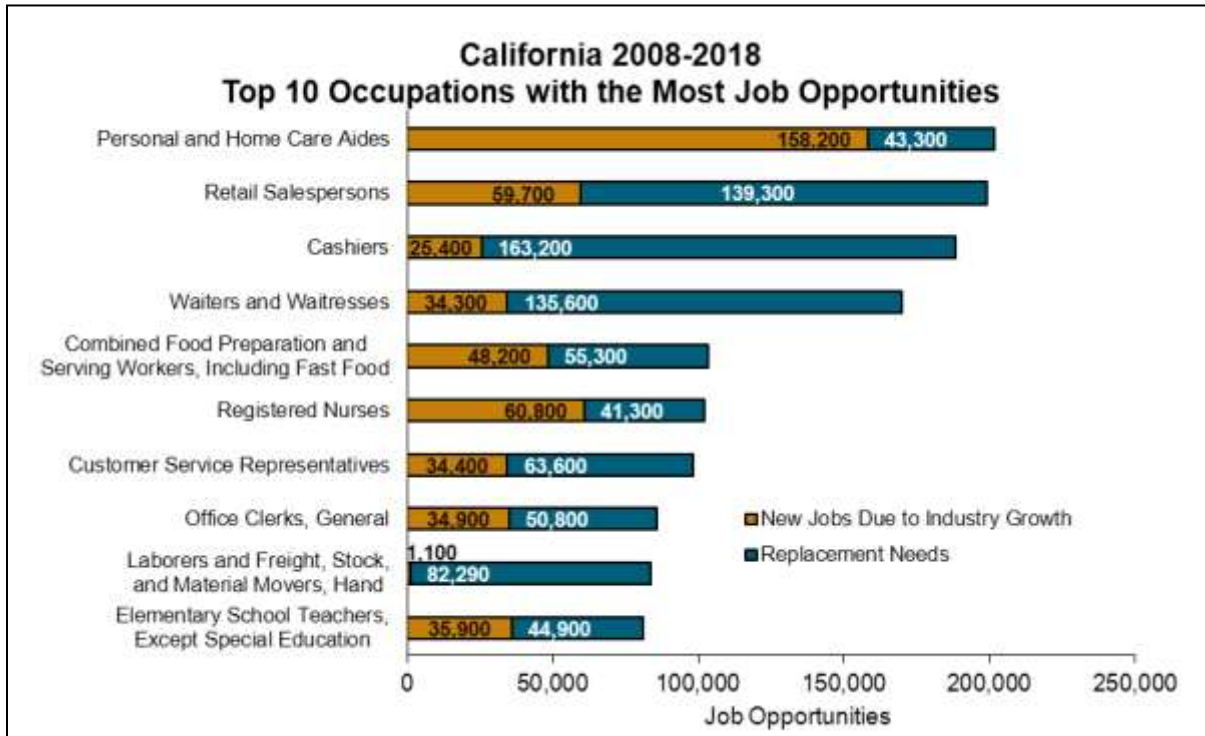
- (a) Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.
- (b) Economic or social effects of a project may be used to determine the significance of physical changes caused by the project. For example, if the construction of a new freeway or rail line divides an existing community, the construction would be the physical change, but the social effect on the community would be the basis for determining that the effect would be significant. As an additional example, if the construction of a road and the resulting increase in noise in an area disturbed existing religious practices in the area, the disturbance of the religious practices could be used to determine that the construction and use of the road and the resulting noise would be significant effects on the environment. The religious practices would need to be analyzed only to the extent to show that the increase in traffic and noise would conflict with the religious practices. Where an EIR uses economic or social effects to determine that a physical change is significant, the EIR shall explain the reason for determining that the effect is significant.
- (c) Economic, social, and particularly housing factors shall be considered by public agencies together with technological and environmental factors in deciding whether changes in a project are feasible to reduce or avoid the significant effects on the environment identified in the EIR. If information on these factors is not contained in the EIR, the information must be added to the record in some other manner to allow the agency to consider the factors in reaching a decision on the project.”¹⁰

ECONOMIC BENEFITS OF PROPOSED PROJECT

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.

¹⁰ CEQA Guidelines, Section 15131



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.”¹¹

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 \$5 billion in commodities in 2008 with the County considered one of the largest milk producers in the United States.

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.

¹¹ California Labor and Market and Economic Analysis, 2012. Page 27.

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Table 6-3 Number of Establishments in Goshen by Employment-size class					
Industry Description	Total	1-4 Employees	5-9 Employees	10-19 Employees	20-49 Employees
Total for all sectors	26	12	8	3	3
Forestry, fishing, hunting, and Agriculture Support	1	0	1	0	0
Construction	2	0	1	1	0
Manufacturing	6	4	0	1	1
Wholesale trade	3	1	2	0	0
Retail trade	3	1	2	0	0
Transportation and warehousing	4	2	0	1	1
Finance and insurance	1	0	1	0	0
Real estate and rental and leasing	1	1	0	0	0
Management of companies and enterprises	1	1	0	0	0
Health care and social assistance	1	0	1	0	0
Accommodation and food services	3	2	0	0	1
<i>Source: 2011 County Business Patterns, U.S. Census</i>					

The county's major employers are Tulare County government, Porterville Development Center, 2 Kaweah Delta Healthcare, and Ruiz Food Products, as shown in Table 3-14. 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."¹²

“Employment in Goshen

Table 6-4 2012-2016 American Community Survey: Unemployment [Table 12 in the Goshen Community Plan]			
Geography	Population	Total Civilian Labor Force	Unemployment Rate Percent
California	30,565,746	19,260,868	5.5
Tulare County	327,552	191,401	6.2
Goshen CDP	3,789	1466	7.4
<i>State of California Department of Finance.</i>			

¹² Visalia General Plan Update: Existing Conditions Report, page 3-16

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According to the US Census, Goshen had 26 businesses in 2011. The size of these businesses ranged from 1 to 49 employees.

Employment Projections Tulare County

Table 13 [Table 6-5 in this DEIR] presents a summary of the employment projections for Goshen for 2040 which were provided by TCAG. The projected annual employment growth rate is 5%.¹³

**Table 6-5
Employment Projections from TCAG**

Employment in Goshen 2012 to 2040				
			Change	
	2012	2040	Number	Annual Growth
Retail	375	1,420	1,045	4.9%
Office	30	398	368	9.7%
Service	617	3,373	2,759	6.3%
Education	62	386	324	6.7%
Government	57	620	563	8.9%
Agriculture	62	47	(15)	-1.0%
Industrial	1,315	3,611	2,296	3.7%
Total	2,518	9,855	7,337	5.00%

Source: Goshen Community Revitalization Study

SOCIAL EFFECTS

Environmental Justice

On February 11, 1994, President Clinton signed Executive Order (E.O.) 12898, titled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.” The executive order followed a 1992 report by the U.S. Environmental Protection Agency (U.S. EPA) indicating that “[r]acial minority and low-income populations experience higher than average exposures to selected air pollutants, hazardous waste facilities, and other forms of environmental pollution.” Among other things, E.O. 12898 directed federal agencies to incorporate environmental justice into their missions.¹⁴ The basis for environmental justice lies in the Equal Protection Clause of the U.S. Constitution, wherein, the Fourteenth Amendment expressly states the following: “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”¹⁵

¹³ Draft Goshen Community Plan. Page 75

¹⁴ State of California General Plan Guidelines, Governor’s Office of Planning and Research, 2003. Page 23.

¹⁵ U.S. Constitution, Amendment XIV, §1

Low-income and Minority Populations

The draft Goshen Community Plan update contains various demographic information that was considered in order to develop a plan that addresses all segments of the community. As noted in the Community Plan; “In 2010, 39 % of the Goshen’s population was white, 2.5% was African American, 3% was Native American, 0.4% was Asian, and 4.8% was two races or more. Approximately 83% was Hispanic (of any race).”¹⁶ As evident, the Hispanic community represents the largest of any ethnic/racial group in Goshen. Further, “[the] Mean and Median income in Goshen is very low compared to Tulare County and the State of California. Goshen’s median household income was \$33,750, compared to \$43,550 for Tulare County and \$61,632 for the State of California. Goshen’s mean family income was \$ 36,694, compared to \$62,360 for Tulare County and \$94,747 for the State of California. Goshen’s per capita income was also low at \$9,295 compared to \$17,986 for Tulare County and \$29,634 for the State of California.”¹⁷

The Project site is located within a disadvantaged community (as defined by E.O. 12898). The existing uses surrounding the Project area include agricultural uses (to the north, west, and southwest), commercial and light industrial uses to the west and southeast, one large industrial use to the north (however; that site is located between SR 99 and the Union Pacific railroad), and light industrial uses to the east (with the City of Visalia). There are no known housing for migrant farm workers is located within a mile of the site.

The Goshen Community Plan Update contains many policies that are intended to provide opportunities for affordable housing, some of which are noted on pages 6-12 thru 6-13 of this Chapter. The policies would minimize land use conflicts; pursue an equitable distribution of future regional housing needs allocations; 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; preparation of new and/or updated community plans that provide adequate sites for a variety of types of housing within the development boundaries of community; etc. Therefore, updating the Goshen Community Plan will not adversely impact low-income and/or minority populations.

“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 Goshen is agriculturally related according to the Tulare County Housing Element. However, due to the presence of SR 99 and the railroad through the Goshen Plan Area, it has also become a substantial packing/shipping operations point in the San Joaquin Valley (Betty Drive Interchange Studies). Despite this, the Tulare County unemployment rate has remained consistently higher than the State average, which can be largely attributed to the seasonal nature of agricultural production.

¹⁶ Draft Goshen Community Plan Update. Page 71

¹⁷ Ibid. 76

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According to the California Department of Finance, the 2012-2016 American Community Survey indicated that the unemployment rate in Goshen had an unemployment rate of 12.1% while Tulare County's unemployment rate was 6.2%. The State of California's unemployment rate was 5.5%. This is significantly lower than other unincorporated communities in the County which have historical double-digit unemployment.¹⁸

Income

Mean and Median income in Goshen [as (Table 12 in The Goshen Community Plan)] is very low compared to Tulare County and shown in **Table 6-6** the State of California. Goshen's median household income was \$39,360, compared to \$42,789 for Tulare County and \$63,783 for the State of California. Goshen's mean family income was \$ 46,264, compared to \$59,859 for Tulare County and \$91,149 for the State of California. Goshen's per capita income was also low at \$11,947 compared to \$18,257 for Tulare County and \$31,459 for the State of California.

Table 6-6					
2012-2016 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	\$63,783	\$91,149	\$72,952	\$101,373	\$31,458
Tulare County	\$42,789	\$59,859	\$45,629	\$63,575	\$18,257
Goshen CDP	\$39,360	\$46,264	\$34,795	\$37,878	\$11,947
<i>Source: California Department of Finance</i>					

Poverty

According to the California Department of Finance, the 2012-2016 American Community Survey indicated that 33.2% of families in Goshen lived below the poverty line [as shown in **Table 6-7** (Table 13 in The Goshen Community Plan)]. This percentage was higher for married couples, single moms, and persons under 18. Goshen had a higher level of poverty overall at 33.2% compared to Tulare County at 23.5% and the State of California at 11.8%. The highest differential was the poverty rate of families with female householder, no husband present. Goshen's poverty rate for families with female householder, no husband present was 75.4% compared to 39.40% for Tulare County and 27.3 % for the State of California.¹⁹

¹⁸ Op. Cit. 45

¹⁹ Ibid. 76-77

Table 6-7					
2012-2016 American Community Survey: Poverty					
Geography	All families	Married couple families	Families with female householder, no husband present	All people	Persons under 18 years
California	11.8%	7.0%	27.3%	15.8%	21.9%
Tulare County	23.5%	15.8%	39.40%	28.3%	38.3%
Goshen CDP	33.2%	13.4%	75.4%	31.7%	37.9%

Source: California Department of Finance

Affordable Housing

As County Policies require contiguous development and an orderly extension of services, the recommendation not to amend the location of the existing UDB not only satisfies development suitability requirements, but also provides the requisite area needed to meet forecast land demand in the Goshen Community.

“Affordability problems occur when housing costs become so high in relation to income that households have to pay an excessive proportion of their income for housing, or are unable to afford any housing and are homeless. A household is considered to be overpaying (or cost burdened) if it spends more than 30 percent of its gross income on housing. Severe overpayment occurs when a household spends more than 50 percent of income on housing. Housing costs depend upon many variables, including the type, size, value and/or location of the housing units, the intended tenure of the unit (whether it is to be occupied by owners or renters), and the inclusion or exclusion of one or more utilities, services, property taxes, insurance, and maintenance.

The 2000 Census indicates that overpayment remains a critical problem for low and moderate-income households, who are disproportionately affected by this burden compared to other households. Data for the unincorporated areas of Tulare County for the table below was calculated using 2000 Census figures for renters from Census Table H73 “Household Income in 1999 by Gross Rent as a Percentage of Households” and for homeowners from Census Table H97 “Household Income in 1999 by Selected Monthly Owner Costs as a Percentage of Household Income in 1999”. Household information for the incorporated cities was subtracted from information for the total county to obtain results for the unincorporated area. Households in the unincorporated area of Tulare County that overpay for housing are shown by tenure in Table 3-M.²⁰”

“In general overpayment disproportionately affects lower income households, as shown in Table 3-O. While some higher income households may choose to spend greater portions of their income for housing, the cost burden for lower income households reflect choices

²⁰ 2009 Tulare County Housing Element. Pages 36-37.

limited by a lack of sufficient affordable housing opportunities. These households have a higher percentage of housing problems and a greater cost burden than other households. As noted below, the housing cost burden increases as income decreases - 37% of low income households (with income between 50% and 80% median family income), 60.8% of very low income households (with income between 30% and 50%) and 75% of extremely low income households (with income less than 30% of median family income) spend more than 30% of household income for housing in Tulare County as a whole. Many have never lived in a sound housing unit and securing affordable shelter of any condition is a major task, unless they inherit a dwelling or receive financial assistance. Lower income households who are overpaying for housing frequently have insufficient resources for other critical essentials, such as food and medicine. This is a significant hardship for too many workers, families and seniors, but also impacts local economies, since money that might otherwise be spent in local stores generating sales tax revenues is being spent on housing.”²¹

The community of Goshen has a median income of \$39,360 which is considerably less than 61.7% of the State median income of \$63,783. Approximately 55% of the households in Goshen spend 30% or more of their income on housing.²² As such, there is a demonstrated need for affordable housing.

Moreover, 59.2% of renters spent 35% or more of their income on rent. As 39% of the households include singles parents with children and Goshen’s average household size of 4.01 for renters and 3.78 for owner-occupied units, it is likely that many children in Goshen share bedrooms.

As shown on in Table 3-QQ of the Tulare County Housing Element (page 68), there is no publicly owned farmworker housing (2008) within the community of Goshen. Further, throughout the County; “The supply of farmworker housing remains inadequate, largely because area growers only offer limited housing facilities and supportive services to employees. Historically, many migrant agricultural workers resided in farm labor camps throughout the County. However, similar to areas throughout the State, many farm operators have shifted away from hiring their own workers, and instead use farm labor contractors to provide needed agricultural labor, particularly for migrant or seasonal labor. The majority of farm operators is therefore not directly involved with employing their workforce, and has also removed themselves from providing housing for the workers. However, it is difficult to quantify this trend because additional housing for up to nine farmworkers is permitted by right in all Tulare County’s AE (Exclusive Agriculture) zones and data on these housing units is limited. Farms that are providing housing for ten or more employees are detailed in the Table 3-SS [of the Housing Element].”²³

The Goshen Community Plan update (page 176-177) contains many policies that are intended to provide opportunities for affordable housing such as:

Housing Guiding Principle 1.1 - Endeavor to improve opportunities for affordable housing

²¹ Ibid. 37.

²² Op. Cit. 176

²³ 2009 Tulare county Housing element. Page 69.

in a wide range of housing types in the communities throughout the unincorporated area of the County.

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 1.16 - Review community plans and zoning to ensure they provide for adequate affordable residential development.

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 2.14 - Create and maintain a matrix of Infrastructure Development Priorities for Disadvantaged Unincorporated Communities in Tulare County thorough 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 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 community.

Affordable housing can be accommodated based on the land use designations contained in the Goshen Community Plan. In terms of affordable housing, there is a potential site in along Betty Drive between Road 76 and Road 72. There are also a number of vacant sites zoned R-3 which would allow for affordable housing. Also, Goshen also is served by a transit system that circulates within the community and provides service to nearby Visalia. As noted in Chapter 3.16 Transportation and Traffic, Goshen is served by Visalia City Coach (VCC) via 20 round-trips per day on Route 6 during weekdays and 14 round-trips during Saturday service. VCC then connects to Tulare County Area Transit (TCaT) for intera-County Service, inter-city service, Kings [County] Area Transit, Kern Regional Transit, and private providers Orange Belt and Greyhound bus.

In terms of siting, medium-to-high density housing should be located along collector streets and/or arterials. Due to existing Airport safety zones, there are limitations on where higher

density housing can be placed within the east side of Goshen. There are fewer restrictions on parcels located to generally to the north and the west.

Inappropriateness of Affordable Housing

The 2008 Regional Housing Needs Assessment (RHNA) allocated a total 7,035 units to unincorporated areas of the County to meet the January 1, 2007 - June 30, 2014 existing and projected housing need. The allocation included 2,294 units for extremely low income households; 1,147 units for very low income; 2,132 units for low income, 2,138 units for moderate income; and 471 units for above moderate income.²⁴ The Tulare County Housing Element was certified by the State Department of Housing and Community Development (HCD) in June 2012.

Overall, the Project site is suitable for affordable housing as a result of the current and proposed land use patterns which contains adequate residential site locations. Typically, affordable housing projects require high-densities to maintain economic and financial viability. Low-income and high density affordable housing does not result in sufficient income volume to pay for the cost of construction (without subsidies) and farm worker housing would likely require additional subsidies to recapture cost.

The Project site is located adjacent to farmland, industrial uses, major streets/highways, and railroad tracks which, without adequate buffers, could result in land use incompatibility with affordable housing. For example, AG-1.11 Agricultural Buffers states that: 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, railroads, canals, power lines, etc.), and unique site conditions. Also, Policy HS-8.8 Adjacent Uses states that: 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; and Policy HS-8.15 Noise **Buffering** states that: The County shall require noise buffering or insulation in new development along major streets, highways, and railroad tracks.

GROWTH INDUCEMENT

As outlined in the CEQA Guidelines § 15126.2 (d), growth-inducing impacts of the proposed Project should “[d]iscuss the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant

²⁴ 2008 Regional Housing Needs Assessment (RHNA), Table II-20. Page II-35.

environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.”²⁵

GROWTH IMPACTS

Tulare County recognizes that land use and other policies must continue to maintain and encourage a diverse and entrepreneurial economy to ensure that the community thrives. The Goshen Community Plan is intended to implement Tulare County’s vision for a long-range economic growth, sets forth the policy framework supportive of that vision, and identifies actions that Tulare County leaders will take to achieve these goals. In particular, this Chapter identifies growing economic sectors that the City looks to accommodate and outlines economic development strategies that will match local residents with the job skills required by employers. As shown in the Table 6-5, the Community of Goshen has lost businesses and jobs. Between 2004 and 2011 the number of businesses decreased from 33 to 26. The number of jobs also declined from 299 to 235.

The Goshen Community Plan update is intended to accommodate projected community growth with policies (e.g., the mixed-use zone) that encourage development within the existing Urban Development Boundary. No mitigation measures are necessary nor needed to accommodate unanticipated growth impacts.

Population Growth Forecast

As shown in **Table 6-8** (Table 34 in the Goshen Community Plan), Goshen population is projected to increase by a modest 228 persons.

Table 6-8				
Goshen Population Projections				
Growth Rate	2010	2014	2020	2030
0.013	773	814	880	1,001

Demand Forecast

"Based on the data and analysis contained above, [Tables Table 47, 48, and 49 of the Goshen Community Plan or **Tables 6-9, 6-10, and 6-11** in this DEIR] includes the year 2030 square footage and residential unit demand forecast for the Goshen planning area.”²⁶

²⁵ CEQA Guidelines, Section 15126.2 (d)

²⁶ Goshen Community Plan. Page 97

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Table 6-9 Goshen Housing Development Projections			
Housing Type	% of Total	2020	2030
Single Family Homes	96.6		
Increase from 2014		117	249
Multi-Family Homes	0.03	4	9
<i>Source: Residential percentages from 2007-2011 Census</i>			

Table 6-10 Goshen Commercial Development Projections			
Commercial (Acres)		2020	2030
Commercial Construction 1992-2002 in square feet	65,517		
Increase from 2014		23,177	66,031

Table 6-11 Goshen Industrial Development Projections			
Industrial (Acres)		2020	2030
Industrial Construction 1992-2002 in square feet	258,631		
Increase from 2014		93,585	266,617

Generally, growth inducing impacts are a result of very large businesses or very large housing developments. A large influx of jobs or people would require additional services which could potentially induce growth related impacts. In addition, changes to a General Plan could also induce growth. The General Plan Background Report notes that the Tulare County population will grow from 429,000 in 2007 to 742,970 in 2030. This anticipated growth scenario has already been identified and addressed in the Tulare County 2030 General Plan EIR.

The proposed Project will not result in a substantial increase in employment, and correspondingly, will not result in a substantial increase in population and associated demand for housing in the area. For these reasons, the project is not anticipated to result in substantial growth inducement. Without an increase to the number of employees, the proposed Project will have a minimal effect on employment, public services and facilities, and growth in the overall region. Given Tulare County's housing vacancy rates combined with the limited permanent workforce needed to support the Project, it is anticipated that adequate housing would be available without exceeding the demands of Tulare County's existing housing supply. Therefore, the operation of the proposed Project will not result in new growth in the area relating to the potential population increase.

All of these issues, to a greater or lesser extent, are subject to analysis in Chapter 3 of this EIR. Some of the effects of growth can be viewed as "good" and others as "bad". Some of the effects would occur without adoption and implementation of the Goshen Community Plan 2030 Update; they would occur, however, to a greater or lesser degree. The CEQA Guidelines state:

“It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment”²⁷

As indicated in **Table 6-12**, the proposed Project does not have the potential to induce significant growth in Tulare County.

Table 6-12 Discussion of Potential Growth Inducing Impacts	
Potential Growth Inducing Impacts	Discussion
Foster Economic or Population Growth	The proposed expansion of the Project will not require new employees and thus will not result in significant economic growth. Although the proposed Project will result in an economic benefit for Tulare County, the proposed Project will not induce substantial growth.
Construction of Additional Housing – Either Directly or Indirectly	The proposed Project would not increase the demand for housing beyond the existing housing supply. Therefore, the Project will not result in a need for additional housing.
Other Growth Actions	The proposed Project will would not remove obstacles to population growth and will not induce other growth-related activities.

CONCLUSION

The adoption and implementation of the Goshen Community Plan Update will result in some indirect growth inducing impacts on the local environment. Growth will have both beneficial and adverse (harmful) impacts on the physical environment of the Community. The overall benefits derived from having a Plan for the orderly development of the Goshen Community outweighs potential harmful effects that may be indirectly induced from plan adoption and implementation.

REFERENCES

2009 Housing Element, Tulare County

Tulare County Regional Blueprint May 2009; Tulare County Association of Governments

State of California General Plan Guidelines, Governor’s Office of Planning and Research, 2003

Amendments to the Constitution of the United States of America, which can be accessed at <http://www.gpo.gov/fdsys/pkg/GPO-CONAN-1992/pdf/GPO-CONAN-1992-7.pdf>

CEQA Guidelines

²⁷ CEQA Guidelines section 15126.2(d).

Immitigable Impacts

Chapter 7

ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED

This Project is anticipated to result in a significant and unavoidable cumulative impact to the **Noise Resource**. As such, the cumulative impact from this Project may have the potential to adversely impact nearby humans and will result in a Mandatory Finding of Significance. All other impacts have been found to be less than significant, or have been mitigated to a level considered less than significant.

Under CEQA Guidelines Section 15126.2 (b), “[w]here there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the Project is being proposed, notwithstanding their effect, should be described.”¹ This analysis should include a description of any significant impacts, including those which can be mitigated but not reduced to a level of insignificance.

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided by the Noise Impact Assessment for the Goshen Community Plan Update, the Noise Study Report (included as Appendix “E” of this document) for the Goshen Community Plan Update, the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

Noise

In future conditions (2032), traffic-related noise is above 60dBA within the road segments studied in the environmental noise assessment. “Table 5 [Table 3.12-5 of the DEIR] shows the predicted noise levels at the 15 sensitive receptors evaluated in this noise element. Results of the analysis show that Receptors 1, 4, and 7 will exceed Tulare County’s Land Use Compatibility for Community Noise Environments for the Future Year 2032 scenario. Receptors 1 and 4 are located adjacent to Betty Drive and Road 64, which are projected to experience a significant increase in traffic volumes as a result of roadway improvements that are planned in the study area. The SR 99 on and off ramps at Avenue 304/Goshen Avenue will be closed in the future, which will force nearly all traffic in the Goshen community to use the SR 99 at Betty Avenue interchange. The traffic volumes along Harvest Avenue and Road 64, which are nearest to Receptor 4, are projected to increase by 273% and 1,920% respectively. The traffic volume along Betty Drive, which has an impact on Receptor 1, is projected to increase by 205%. Receptor 7 is located adjacent to SR 99, which is projected to accommodate approximately 6,200 trips during the PM peak hour. As noted in the existing conditions analysis, Receptor 7 currently experiences noise levels that exceed Tulare County’s Land Use Compatibility for Community Noise Environments.

¹ 2013 CEQA Guidelines, Section 15126.2 (b).

Table 5 [Table 3.12-5 of this DEIR] also provides a comparison of existing noise levels to the estimated future year noise levels. Results show that the greatest increase between existing conditions and future conditions is 8.0 dB's, which occurs at Receptor 4. The significant increase in traffic volumes near the SR 99 at Betty Drive interchange is the reason for the substantial increase in noise levels at Receptors 1 and 4. A change in level of at least 5 dB is required before any noticeable change in community response would be expected and a 10 dB change is subjectively heard as approximately a doubling in loudness. Therefore, the increase in traffic volumes as a result of population and employment increase in the Tulare County General Plan will cause potentially significant impacts at Receptors 1 and 4."² Despite the noise increases, there will be no- to just-perceivable differences as a result of the Project to Receptors 1 and 4; respectively.

Based upon the information contained in this draft environmental impact report and supporting conclusions contained in studies and/or other referenced information, it is the RMA's conclusion that the public benefits of the Project, including benefits to Greenhouse Gas emission, reduction in solid waste, improve circulation, promote development within planning areas, encourage infill development, reduce development pressure on agriculture, and increased employment, outweigh the negligible traffic noise impact to the environment.

IRREVERSIBLE IMPACTS

Under CEQA Guidelines Section 15126.2 (c), "[u]ses of nonrenewable resources during the initial and continued phases of the Project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the Project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified. (See Public Resources Code section 21100.1 and Title 14, California Code of Regulations, section 15127 for limitations to applicability of this requirement.)"³

STATEMENT OF OVERRIDING CONSIDERATIONS

Authority to Approve Project Despite Significant Effects

As contained in CEQA Guidelines Section 15043, "[a] public agency may approve a Project even though the Project would cause a significant effect on the environment, if the agency makes a fully informed and publicly disclosed decision that:

- (a) There is no feasible way to lessen or avoid the significant effect (see Section 15091); and
- (b) Specifically identified expected benefits from the Project outweigh the policy of reducing or avoiding significant environmental impacts of the Project."³

² Goshen NSR. Pages 23-24 13. Prepared by VRPA Technologies (and included as Appendix "E" of this DEIR).

³ CEQA Guidelines, Section 15126.2 (c).

An agency may prepare a statement of overriding considerations. As noted in CEQA Guidelines Section 15093, “CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed Project against its unavoidable environmental risks when determining whether to approve the Project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”⁴

“When the lead agency approves a Project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.”⁵

“If an agency makes a statement of overriding considerations, the statement should be included in the record of the Project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.”⁶

Overriding Considerations for the proposed Project

The findings above show that the cumulative traffic-related noise environmental effects will remain significant and effective mitigation is not practicably feasible. Tulare County concludes that there are no feasible alternatives that can reduce this potentially significant and unavoidable impact to a less than significant level and that all feasible alternatives have some significant and unavoidable impacts.

Finding of No Feasible Alternatives

CEQA section 21061.1 defines “feasibility” as involving a balancing of various economic, environmental, social, and technological factors.⁴

The primary purpose of the proposed Project is being updated to implement the 2030 Tulare County General Plan (2012). Discuss entitlements including General Plan amendment and changes to Zoning District Boundaries, and Zoning Code Ordinance creating a New Mixed Use Zoning District only for the Goshen Community. Consistent with the General Plan and the Study Area Boundary the land uses and alternative land use patterns were considered based on expansion to the Urban Development Boundary and their impacts to the environment. In addition, a Complete Streets Program was approved by the Board of Supervisors in September for inclusion in the Circulation Element of this Community Plan Update. The Goshen Complete Streets Program has thoroughly analyzed the alternative forms of transportation, including

⁴ Pub. Resources Code, § 21081(a)(3); CEQA Guidelines, § 15091(a)(3).

transit, bicycle ways, pedestrian circulation. In addition, the plan proposes truck routes and build out of roadway projects on Road 76 and Road 64.

As such, there is the potential of a ***Significant and Unavoidable Impact*** as mitigation (specifically, a soundwall) would not be economically reasonable.

None Available in regard to Receptor 7 as the feasible and reasonable mitigation (a soundwall) is economically non-viable due to costs. As noted earlier, the impacts to Receptors 1 and 4 are no- to just-perceivable differences in noise levels.

INFEASIBLE ALTERNATIVE MITIGATION MEASURES

Alternative Mitigation Measures

Infeasible Alternative Mitigation Measure:

Noise: As a result of population and employment a significant increase in traffic volumes near the SR 99 at Betty Drive interchange is the reason for the substantial increase in noise levels at Receptors 1 [Neighborhood Park] and 4 [single-family residence]. Traffic impacts to receptors for the 2032 buildout scenario even without the Project, Receptors 1 and 4 are, and will remain, above Tulare County General Plan noise thresholds while Receptor 7 [single-family residence] will become exposed to increased noise levels as a result of cumulative growth of the Tulare County in general, including the Project area.

Infeasible Alternative Mitigation Measure 1: Install a 12 foot noise wall would be needed. However, the current estimated cost of the wall is \$218,000, and for impacts far into the future when costs are not foreseeable and difficult to ascertain under current economic conditions.

This mitigation has been determined to be infeasible and is economically non-viable due to costs. As noted earlier, the impacts to Receptors 1 and 4 are no- to just-perceivable differences in noise levels.

PROJECT BENEFIT STATEMENTS

On December 10, 2013, the Tulare County Board of Supervisors (BOS) approved the Planning Branch proposal to update the Goshen Community Plan. The project Study Area Boundary will assess the potential project impacts from the proposed land use changes, for the areas north of Riggins Drive and Ave 320 to the North, Road 60 to the East, Avenue 304 to the South, and into the City of Visalia to the East (See Figure 2-2). The project EIR 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 Goshen Community Plan Update 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 99 Corridor in order to implement the following General Plan goals:
 - b) 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;
 - c) Encourage infill development within Urban Development Boundaries, thereby discouraging leapfrog development within Tulare County;
 - d) Reduce development pressure on agriculturally-designated lands within the Valley Floor, thereby encouraging agricultural production to flourish;
 - e) Reduce vehicle miles travelled throughout the County, thereby positively affecting air quality and greenhouse gas reduction; and
 - f) 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 (August 2013) 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.

Project Benefit # 1 – Implementation of AB 32

AB 32 has defined plans and programs for Year 2020, with the vision of Year 2050 that sets a goal to have an 80% reduction of greenhouse gas (GHG) emissions compared to the 1990 base year. AB 32 resulted in the adoption of the AB 32 Scoping Plan in 2008 that included a series of measures adopted by the California Air Resources Board (CARB). The key components of AB 32 are a reduction of (GHG) emission to 1997 models by the year 2020 and implements the objectives for the Year 2050 goal.

Project Benefit # 2: Sustainability

Tulare County Climate Action Plan (CAP). In light of AB 32, the County of Tulare Board of Supervisors adopted its General Plan 2030 Update on August 28, 2012 and included a Climate Action Plan (or CAP). This Climate Action Plan identifies specific General Plan policies that encourage solid waste reduction. The proposed Project was developed to support and implement the efforts made by Tulare County to address climate change through its General Plan and Climate Action Plan.

The Tulare County General Plan has a number of policies that apply to projects within County of Tulare. Nine (9) General Plan policies that relate to Sustainability; below is a summary of some of those policies.

PF-3.4	Mixed Use Opportunities
LU-1.1	Smart Growth and Healthy Communities
LU-1.8	Encourage Infill Development
LU-7.15	Energy Conservation
LU-7.16	Water Conservation
LU-7.17	Shared Parking Facilities
AQ-3.3	Street Design
AQ-3.5	Alternative Energy Design
AQ-3.6	Mixed Land Uses

TCAG Sustainable Communities Strategy (2014 Regional Transportation Plan)

AB 32 requires the California Air Resources Board to set greenhouse gas emission targets. Under SB 375 Metropolitan Planning Organizations like TCAG are required to create a Sustainable Communities Strategy consistent with AB 32 to regulate development in relation to vehicle miles traveled. TCAG included this strategy in the 2014 Regional Transportation Plan. A highlight of the implementation strategies include:

- Encourage jurisdictions in Tulare County to consider bicycle lanes, public transit, transit-oriented and mixed-use development, pedestrian networks, rain 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.

Project Benefit # 3 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 creations of additional buildings require the use of additional resources, which on a cumulative basis would increase impacts to environment in general.)

Project Benefit # 4 Physical Feasibility (Land Size and Configuration Constraints)

Physical feasibility is required because if a 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.

Project Benefit # 5 Project Specific Elements

Overall all elements (including Project's, Rezoning of Properties within the Study Area were studied

- a) The County is proposing over 20 land use and rezoning designations. These changes are reflective of updating the designations to be consistent with the land uses within the General Plan and to bring existing non-compliant properties into conformity with the Tulare County Zoning Code. This required looking at the existing properties, meetings with the Community, and review of aerial maps and County records to analyze and decide on which properties were updated.
- b) Mixed Use Zone. The Goshen Community Plan includes a mixed use zone. This Community Plan Update requires the updating the Tulare County Zoning Code to reflect a mixed use zoning district specifically within the Goshen Community in compliance with the mixed use designation in the 2030 General Plan.
- c) Complete Streets. The Goshen Complete Streets Program was approved by the Board of Supervisors on September 9, 2014 for inclusion in the Circulation Element of this Community Plan Update. The Goshen Complete Streets Program has thoroughly analyzed the alternative forms of transportation, including transit, bicycle ways, and pedestrian circulation. The Complete Streets Program also contemplates use of alternative transportation and facilities for all users from the elderly to children and will be useful in proposing Safe Routes to School and other Public Benefit Projects in the Community. In addition, the plan proposes truck routes and build out of roadway projects on Road 76 and Road 64.
- d) State Highway 99/Betty Drive Overpass. Incorporation of the SR 99/Betty Drive overpass is a major component of the process and Community Plan Update. This Caltrans Improvement was analyzed in the Caltrans IS/MND for the overpass. Some of the major components of the Community Plan Update are based on Caltrans improving the overpass at Betty Drive and SR 99 in the Community of Goshen, and closing the off and on ramps ("hook ramps") at Road 304. This Project is scheduled to began construction in 2017 and to be completed in 2019.
- e) Residential and Commercial Projects. The direct projects that are being analyzed under this EIR (See **Figures 1-4** thru **1-6**) include:
 - i. Goshen Village East on Riggin Ave and Road 76/Avenue 312 (see **Figure 1-4**), Self Help Enterprises is developing the corner of Road 76 and Avenue 312 which includes single family homes, multifamily units, two clubhouses, a bioswale, a pedestrian/bike trail, and six (6) acres of commercial. This mixed use development implements both Tulare County and TCAG's Sustainable Communities Strategy with mixed uses, conservation measures, alternative transportation facilities, and increased housing supply for disadvantaged citizens.

- ii. Dollar General, a general merchandise store at Robinson Road and Betty Drive (see **Figure 1-5**), located adjacent to the eastern portion of the Community west of the park/detention basin and east of the Union Pacific Railroad tracks overcrossing.
 - iii. Thandi Commercial Development at Betty Drive and Road 67 (see **Figure 1-6**). The proposed project is the development of a 6.57 acre infill site located at 6615 W. Betty Drive in the community of Goshen in Tulare County. The proposed project includes the remodeling of the existing 10,000 square foot building into a convenience store/gas station/travel stop with associated food services and a second pad site that is anticipated to be developed to accommodate a sit-down restaurant and coffee house with a drive-thru to service the traveling public. The gas station/convenience store will operate 24-hours a day/7 days per week and includes interior space for fast food tenants. The facility will also include showers and a lounge area to accommodate truck drivers. There will be 12 fueling stations for gasoline and seven fueling stations for diesel to accommodate large trucks.
- f) Mitigating Cumulative/Alternative Land Use Project Impacts. Two acres of agricultural land (west of Road 64 and south of the railroad tracks, and south to Avenue 304) are also included in the analysis. This re-designation is within the Study Area and is being proposed as a direct response to Caltrans' Road 64 improvements. This alternative land use is being studied and contemplated under this EIR but will require additional studies in the future for to determine level of impacts to agriculture, water, and transportation resources. This would require both re-designating and re-zoning of the land use for this area from Agricultural to a Highway Commercial use/zone. Cumulatively, the only other active project in the vicinity is the former Papich Asphalt Batch Plant located west of Road 68, north of SR 198, which operates under a temporary use permit, but is seeking approval of a Special Use Permit to allow a permanent operation.
- g) As provided in greater detail in Chapter 5 Alternatives, the preferred Project Alternative is Alternative D. This scenario proposes an expansion of the UDB by 500 acres in a westerly growth focus and to the south along SR 99, with mixed land use proposed to the south side of the Riggins Avenue corridor and industrial to the north of the corridor. It would allow new residential uses (through a mixed-use zoning overlay) on Commercial designated land uses closer to the existing elementary school (west of SR 99). Industrial land uses to northwest would be compatible with potential Visalia Industrial Park expansion and could utilize the Union Pacific rail line. Mixed Use land use designations proposed south of Riggins Avenue would support proposed mixed-use projects (such as Self-Help Enterprises) which are supported by the community. This Alternative would also entirely remedy LAFCo boundary overlaps and gaps along Road 76.

Project Benefit # 6: Implementation of Countywide General Plan Policies

Tulare County's General Plan Policies that are in with the Project's purpose and objectives are included in each CEQA Checklist Resource chapter contained in Chapters 3-1 thru 3-17. Two

hundred twenty (220) General Policies apply to this Project; below is a listing of applicable policies:

I. AESTHETICS – 14 Policies

LU-5.3	Storage Screening
LU-5.6	Industrial Use Buffer
LU-7.6	Screening
LU-7.14	Contextual and Compatible Design
LU-7.19	Minimize Lighting Impacts
SL-1.1	Natural Landscapes
SL-1.2	Working Landscapes
SL-2.1	Designated Scenic Routes and Highways
ERM-1.4	Protect Riparian Areas
ERM-1.5	Riparian Management Plans and Mining Reclamation Plans
ERM-1.6	Management of Wetlands
ERM-1.8	Open Space Buffers
ERM-5.19	Night Sky Protection
ERM-1.15	Minimize Lighting Impacts

II. AGRICULTURAL LANDS & FORESTRY RESOURCES – 12 Policies

AG-1.1	Primary Land Use
AG-1.3	Williamson Act
AG-1.4	Williamson Act in UDBs and HDBs
AG-1.6	Conservation Easements
AG-1.7	Preservation of Agricultural Lands
AG-1.8	Agriculture within Urban Boundaries
AG-1.9	Agricultural Preserves Outside Urban Boundaries
AG-1.10	Extension of Infrastructure into Agricultural Areas
AG-1.11	Agricultural Buffers
AG-1.17	Agricultural Water Resources
LU-2.3	Open Space Character
LU-2.6	Industrial Development

III. AIR QUALITY – 33 Policies

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-1.7	Support Statewide Climate Change Solutions
AQ-1.8	Greenhouse Gas Emissions Reduction Plan/Climate Action Plan
AQ-1.9	Support Off-Site Measures to Reduce Greenhouse Gas Emissions

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AQ-1.10	Alternative Fuel Vehicle Infrastructure
AQ-2.1	Transportation Demand Management Programs
AQ-2.2	Indirect Source Review
AQ-2.3	Transportation and Air Quality
AQ-2.4	Transportation Management Associations
AQ-2.5	Ridesharing
AQ-3.1	Location of Support
AQ-3.2	Infill near Employment
AQ-3.3	Street Design
AQ-3.4	Landscape
AQ-3.5	Alternative Energy Design
AQ-3.6	Mixed Land Uses
AQ-4.1	Air Pollution Control Technology
AQ-4.2	Dust Suppression Measures
AQ-4.3	Paving or Treatment of Roadways for Reduced Air Emissions
AQ-4.4	Wood Burning Devices
AQ-4.5	Public Awareness
AQ-4.6	Asbestos Airborne Toxic Control and Dust Protection
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	High-Density Residential Locations
TC-5.1	Bicycle/Pedestrian Trail System
TC-5.2	Consider Non-Motorized Modes in Planning and Development

IV. BIOLOGICAL RESOURCES – 11 Policies

ERM-1.1	Protection of Rare and Endangered Species
ERM-1.2	Development in Environmentally Sensitive Areas
ERM-1.4	Protect Riparian Areas
ERM-1.5	Riparian Management Plans and Mining Reclamation Plans
ERM-1.6	Management of Wetlands
ERM-1.7	Planting of Native Vegetation
ERM-1.12	Management of Oak Woodland Communities
ERM-1.14	Mitigation and Conservation Banking Program
ERM-1.16	Cooperate with Wildlife Agencies
ERM-1.17	Conservation Plan Coordination
ERM-2.7	Minimize Adverse Impacts

V. CULTURAL RESOURCES – 6 Policies

ERM-6.1	Evaluation of Cultural and Archaeological Resources
ERM-6.2	Protection of Resources with Potential State or Federal Designations
ERM-6.3	Alteration of Sites with Identified Cultural Resources

- ERM-6.4 Mitigation
- ERM-6.9 Confidentiality of Archaeological Sites
- ERM-6.10 Grading Cultural Resources Sites

VI. GEOLOGY AND SOILS – 6 Policies

- ERM-7.2 Soil Productivity
- ERM-7.3 Protection of Soils on Slopes
- HS-2.1 Continued Evaluation of Earthquake Risks
- HS-2.4 Structure Siting
- HS-2.7 Subsidence
- HS-2.8 Alquist-Priolo Act Compliance

VII GREENHOUSE GAS EMISSIONS – 6 Policies

- AQ-1.7 Support Statewide Climate Change Solutions
- AQ-1.8 Greenhouse Gas Emissions Reduction Plan/Climate Action Plan
- AQ-1.9 Support Off-Site Measures to Reduce Greenhouse Gas Emissions
- AQ-1.10 Alternative Fuel Vehicle Infrastructure
- AQ-3.5 Alternative Energy Design
- LU-1.1 Smart Growth and Healthy Communities

VIII. HAZARDS AND HAZARDOUS MATERIALS – 5 Policies

- HS-4.1 Hazardous Materials
- HS-4.3 Incompatible Land Uses
- HS-4.4 Contamination Prevention
- HS-4.6 Pesticide Control
- ERM-3.1 Environmental Contamination

IX. HYDROLOGY AND WATER QUALITY - 24 Policies

- PF-4.1 Compatible Project Design
- AG-1.17 Agricultural Water Resources
- HS-4.4 Contamination Prevention
- HS-5.1 Development Compliance with Federal, State, and Local Regulations
- HS-5.2 Development in Floodplain Zones
- HS-5.4 Multi-Purpose Flood Control Measures
- HS-5.6 Impacts to Downstream Properties
- HS-5.9 Floodplain Development Restrictions
- HS-5.10 Flood Control Design
- HS-5.11 Natural Design
- WR-1.1 Groundwater Withdrawal
- WR-1.5 Expand Use of Reclaimed Wastewater
- WR-1.6 Expand Use of Reclaimed Water

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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-2.5	Major Drainage Management
WR-2.6	Degraded Water Resources
WR-2.8	Point Source Control
WR-3.3	Adequate Water Availability
WR-3.5	Use of Native and Drought Tolerant Landscaping
WR-3.6	Water Use Efficiency
WR-3.10	Diversion of Surface Water

X. LAND USE AND PLANNING - 24 Policies

ED-2.2	Land Requirements
ED-2.11	Industrial Parks
ED-3.1	Diverse Economic Base
ERM-2.9	Compatibility
PF-1.1	Maintain Urban Edges
PF-1.2	Location of Urban Development
PF-1.3	Land Uses in UDBs/HDBs
PF-1.4	Available Infrastructure
PF-2.1	Urban Development Boundaries – Communities
PF-2.4	Community Plans
PF-2.7	Improvement Standards in Communities
PF-2.8	Inappropriate Land Use
LU-1.2	Innovative Development
LU-2.3	Open Space Character
LU-3.1	Residential Developments
LU-3.2	Cluster Development
LU-3.3	High-Density Residential Locations
LU-5.1	Industrial Developments
LU-5.4	Compatibility with Surrounding Land Use
LU-5.7	Industrial Uses Allowed on Resource Land
LU-6.2	Buffers
LU-7.2	Integrate Natural Features
ED-2.3	New Industries
HS-3.1	Airport Land Use Compatibility Plan

XI. MINERAL RESOURCES – 12 Policies

ERM-2.1	Conserve Mineral Deposits
ERM-2.2	Recognize Mineral Deposits
ERM-2.3	Future Resource
ERM-2.5	Resources Development

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ERM-2.7	Minimize Adverse Impacts
ERM-2.8	Minimize Hazards and Nuisances
ERM-2.9	Compatibility
ERM-2.10	Incompatible Development
ERM-2.11	Conditions of Approval
ERM-2.12	Approved Limits
ERM-2.13	SMARA Requirements
ERM-3.1	Environmental Contamination
HS-8.1	Economic Base Protection

XII NOISE – 13 Policies

HS-8.2	Noise Impacted Areas
HS-8.3	Noise Sensitive Land Uses
HS-8.4	Airport Noise
HS-8.6	Noise Level Criteria
HS-8.8	Adjacent Uses
HS-8.10	Automobile Noise Enforcement
HS-8.11	Peak Noise Generators
HS-8.13	Noise Analysis
HS-8.14	Sound Attenuation Features
HS-8.15	Noise Buffering
HS-8.16	State Noise Insulation
HS-8.18	Construction Noise
HS-8.19	Construction Noise Control

XIII. POPULATION AND HOUSING – 7 Policies

Guiding Principle 4.1
Housing Policy 1.11
Housing Policy 1.14
Housing Policy 1.33
Housing Policy 3.11
Housing Policy 4.13
Housing Policy 4.14

XIV PUBLIC SERVICES – 10 Policies

PFS-7.1	Fire Protection
PFS-7.2	Fire Protection Standards
PFS-7.3	Visible Signage for Roads and Buildings
PFS-7.5	Fire Staffing and Response Time Standards
PFS-7.6	Provision of Station Facilities and Equipment
PFS-7.8	Law Enforcement Staffing Ratios
PFS-7.9	Sheriff Response Time

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- PFS-7.12 Design Features for Crime Prevention and Reduction
- PFS-8.1 Work with Local School Districts
- PFS-8.4 Library Facilities and Services

XV. RECREATION – 7 Policies

- ERM-5.2 Park Amenities
- ERM-5.3 Park Dedication Requirements
- ERM-5.5 Collocated Facilities
- ERM-5.7 Public Water Access
- ERM-5.11 Cooperation with Federal and State Agencies
- ERM-5.12 Meet Changing Recreational Needs
- ERM-5.15 Open Space Preservation

XVI TRANSPORTATION/TRAFFIC – 13 Policies

- LU-7.4 Streetscape Continuity
- LU-7.3 Friendly Streets
- LU-7.6 Screening
- TC-1.14 Roadway Facilities
- TC-1.15 Traffic Impact Study
- TC-1.16 County Level of Service (LOS) Standards
- TC-3.3 Airport Enhancement
- TC-3.4 Airport Compatibility
- TC-3.6 Airport Encroachment
- TC-5.3 Provisions for Bicycle Use
- TC-5.4 Design Standards for Bicycle Routes
- TC-5.8 Multi-Use Trails
- HS-1.9 Emergency Access

XVII. UTILITIES AND SERVICE SYSTEMS - 19 Policies

- PFS-2.1 Water Supply
- PFS-2.3 Well Testing
- PFS-2.4 Water Connections
- PFS-2.5 New Systems or Individual Wells
- PFS-3.1 Private Sewage Disposal Standards
- PFS-3.2 Adequate Capacity
- PFS-3.4 Alternative Rural Wastewater Systems
- PFS-4.1 Stormwater Management Plans
- PFS-4.2 Site Improvements
- PFS-4.3 Development
- PFS-4.4 Stormwater Retention Facilities
- PFS-4.5 Detention/Retention Basins Design
- PFS-4.6 Agency Coordination

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PFS-4.7	NPDES Enforcement.
PFS-5.1	Land Use Compatibility with Solid Waste Facilities
PFS-5.3	Solid Waste Reduction
S-5.4	County Usage of Recycled Materials and Products
PFS-5.8	Hazardous Waste Disposal Capabilities
PFS-5.9	Agricultural Waste

Acronyms

ARB	California Air Resources Board
BOS	Board of Superiors
CAP	Climate Action Plan
CARB	California Air Board
GHG	Greenhouse Gas
RMA	Resource Management Agency
SOI	Sphere of Influence
TCAG	Tulare County Association of Governments
UDB	Urban Development Boundary

REFERENCES

Tulare County 2030 General Plan, August 2012

Tulare County 2030 General Plan Background Report, February 2010

CEQA Guidelines

Mitigation Monitoring and Reporting Program Chapter 8

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in compliance with State law and the Environmental Impact Report (EIR) (State Clearinghouse No. 2014021057) prepared for the project by the County of Tulare.

The California Environmental Quality Act (CEQA) Section 21081.6 requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment.¹ The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation. The Mitigation Monitoring and Reporting Program contains the following elements:

- **Action and Procedure.** The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
- **Compliance and Verification.** A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
- **Flexibility.** The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the Mitigation Monitoring and Reporting Program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

¹ Public Resource Code §21081.6

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Table 8-1 - Mitigation Monitoring Reporting Program

Table 8-1 - Mitigation Monitoring Reporting Program							
Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initial s	Date	Remarks
Agricultural Resources							
2-1	Prior to the start of construction of any project within an “FMMP area” of the Project area, as applicable, the Applicant shall demonstrate compliance with the Tulare County <i>Agricultural Conservation Easement Program</i> (ACEP). The Applicant shall implement one (1) of the five (5) options below: Option 1 (Mitigation Fees): Applicant(s) may submit in-lieu mitigation fees to Tulare County for the purpose of procuring agricultural lands for farmland conservation easement(s). These fees will be used by Tulare County to purchase farmland easement(s) at a minimum ratio of one to one (1:1) or its functional equivalent to the loss of define agricultural lands, on behalf of the Applicant. These easements must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement shall protect the designated farmland in perpetuity. Option 2 (On-site Easements): Applicant(s) may enter into a Farmland Conservation Easement Agreement with Tulare County. The on-site land placed under the easement(s) must be at a minimum of a one to one (1:1) ratio, with no less than its functional equivalent of the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or combination thereof, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The easement(s) shall be located in Tulare County, within the boundaries of the project site/property. The easement(s) must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement shall protect the designated farmland in perpetuity.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initial s	Date	Remarks
	Option 3 (Off-site Easements): Applicant(s) may enter into a Farmland Conservation Easement Agreement with Tulare County. The land placed under the easement(s) must be at a minimum of a one to one (1:1) ratio, with no less than its functional equivalent of the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or combination thereof, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The easement(s) shall be located in Tulare County, unless otherwise agreed upon by all parties involved, including the Applicant(s), Tulare County, and/or selling Land Owner(s). The easement(s) must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement(s) shall protect the designated farmland in perpetuity. Option 4 (Combined On- and Off-site Easements): Applicant(s) may enter into a Farmland Conservation Easement Agreement with Tulare County. The land placed under the easement(s) must be at a minimum of a one to one (1:1) ratio, with no less than its functional equivalent of the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or combination thereof, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The easement(s) shall be located in Tulare County, unless otherwise agreed upon by all parties involved, including the Applicant(s), Tulare County, and/or selling Land Owner(s). The easement(s) must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement(s) shall protect the designated farmland in perpetuity.						

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	Option 5 (Planned Development Overlay): The Applicant(s) can enter into a Planned Development Agreement with Tulare County to establish a Planned Development Overlay for the project area. This agreement will include conditions that require all future developments to undergo a Site Plan Review, which will include mandatory mitigation, including farmland easements, for the conversion of agricultural lands.						
2-2	Prior to the start of construction of any project within an “FMMP area” of the Project, as applicable, the Applicant shall demonstrate compliance with the Tulare County Agricultural Conservation Easement Program (ACEP). The Applicant shall enter into a Farmland Conservation Easement Agreement with Tulare County pursuant to the provisions and administrative protocols of the ACEP. If the Farmland Conservation Easement Agreement is approved by the Board of Supervisors, these properties shall be protected in perpetuity.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department			
Biological Resources							
Swainson's Hawk							
4-1	(Nesting Surveys). Surveys consistent with <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley</i> (SHTAC 2000) will be conducted to determine whether Swainson's hawks nest within the immediate vicinity of an individual project site. The guidelines call for three surveys during each of the two survey periods immediately prior to a project's initiation, regardless of whether or not construction starts in the nesting season, where the survey periods are defined as: Period I (January-March 20), Period II (March 20-April 5), Period III (April 5-April 20), Period IV (April 21-June 10), and Period V (June 10-July 30). It is recommended that surveys be completed in Periods II, III, and/or V, but not be conducted during Period IV. All suitable trees within ½ mile of the individual project	Prior to a project's initiation	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	site will be inspected for evidence of nesting by Swainson's hawks.						
4-2	(Avoidance). If feasible, construction activities will occur outside the nesting season, or between September 16 th and January 31 st , to avoid potential construction related mortality.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-3	(Establish Buffers). If it is not feasible to construct an individual project outside of the nesting season, any active Swainson's hawk nests discovered in the survey area defined in Mitigation Measure 3.3.1a will be avoided by an appropriate distance arranged in consultation with CDFW. Disturbance-free buffers will be identified on the ground with flagging, fencing, or by other easily visible means, and will be maintained until a qualified biologist has determined that the young have fledged.	Prior to a project's initiation	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-4	(Compensatory Mitigation). If Swainson's hawks are determined to be nesting within ½ mile of alfalfa fields, wheat fields, or other high-quality foraging habitat on an individual project site, as determined by nesting surveys conducted during the nesting season immediately prior to the start of construction (<i>Mitigation Measure 3.3.1a</i>), loss of foraging habitat will be compensated through the purchase of credits from an approved mitigation bank, the preservation of on-site habitats, or the acquisition and preservation of off-site habitats. Habitat suitable for the Swainson's hawk will be preserved at a ratio of one acre of habitat preserved for each acre of habitat permanently disturbed by project construction within ½ mile of the nest. The preservation lands will be protected in perpetuity by conservation easement.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
San Joaquin Kit Fox:							

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Table 8-1 - Mitigation Monitoring Reporting Program

Table 8-1 - Mitigation Monitoring Reporting Program							
Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initial s	Date	Remarks
Prior to the construction of any projects within the PPSA, the following measures adapted from the U.S. Fish and Wildlife Service 2011 <i>Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance</i> will be implemented.							
4-5	(Pre-construction Surveys). Pre-construction surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance, construction activities, and/or any Project activity likely to impact the San Joaquin kit fox. These surveys will be conducted in accordance with the USFWS <i>Standard Recommendations</i> . The primary objective is to identify kit fox habitat features (e.g. potential dens and refugia) on the Project site and evaluate their use by kit foxes through use of remote monitoring techniques such as motion-triggered cameras and tracking medium. If an active kit fox den is detected within or immediately adjacent to the area of work, the USFWS and CDFW shall be contacted immediately.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-6	(Avoidance). Should an active kit fox den be detected within or immediately adjacent to the area of work, a disturbance-free buffer will be established around the den in consultation with the USFWS and CDFW, to be maintained until a qualified biologist has determined that the den is no longer occupied. Known kit fox dens may not be destroyed until they have been vacant for a period of at least three days, as demonstrated by use of motion-triggered cameras or tracking medium, and then only after obtaining take authorization from the USFWS.	Prior to and during construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-7	(Minimization). Construction activities shall be carried out in a manner that minimizes disturbance to kit foxes. Minimization measures include, but are not limited to: restriction of Project-related vehicle traffic to established roads, construction areas, and other designated areas; inspection and covering of structures (e.g., pipes), as well as installation of escape structures, to prevent the inadvertent entrapment of kit foxes; restriction of rodenticide and herbicide use; and proper disposal of food items and trash.	Prior to and during construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
4-8	(Employee Education Program). Prior to the start of construction the applicant will retain a qualified biologist to conduct a tailgate meeting to train all construction staff that will be involved with the Project on the San Joaquin kit fox. This training will include a description of the kit fox and its habitat needs; a report of the occurrence of kit fox in the Project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of the measures being taken to reduce impacts to the species during Project construction and implementation.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-9	(Mortality Reporting). The Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW will be notified in writing within three working days in case of the accidental death or injury of a San Joaquin kit fox during Project-related activities. Notification must include the date, time, location of the incident or of the finding of a dead or injured animal, and any other pertinent information.	During construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
Burrowing Owl: Prior to the initiation of project-related activities involving ground disturbance or heavy equipment use on those portions of the PPSA that contain suitable burrowing owl habitat, the following measures will be implemented, adapted from the California Department of Fish and Game 1995 and 2012 <i>Staff Report on Burrowing Owl Mitigation</i> .							
4-10	(Pre-construction Surveys). A pre-construction survey for burrowing owls will be conducted by a qualified biologist within 30 days of the onset of Project-related activities involving ground disturbance or heavy equipment use. The survey area will include all suitable habitat on and within 500 feet of Project impact areas, where accessible.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-11	(Avoidance of Active Nests). If pre-construction surveys and subsequent Project activities are undertaken during the breeding season (February 1-August 31) and active nest burrows are located within or near Project impact areas, a 250-foot construction setback will be established around active owl nests, or alternate avoidance measures will be	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	implemented in consultation with CDFW. The buffer areas will be enclosed with temporary fencing to prevent construction equipment and workers from entering the setback area. Buffers will remain in place for the duration of the breeding season, unless otherwise arranged with CDFW. After the breeding season (i.e. once all young have left the nest), passive relocation of any remaining owls may take place as described below.			Cal Fish and Wildlife Service			
4-12	(Passive Relocation of Resident Owls). During the non-breeding season (September 1-January 31), resident owls occupying burrows in Project impact areas may be passively relocated to alternative habitat in accordance with a relocation plan prepared by a qualified biologist. Passive relocation may include one or more of the following elements: 1) establishing a minimum 50 foot buffer around all active burrowing owl burrows, 2) removing all suitable burrows outside the 50 foot buffer and up to 160 feet outside of the impact areas as necessary, 3) installing one-way doors on all potential owl burrows within the 50 foot buffer, 4) leaving one-way doors in place for 48 hours to ensure owls have vacated the burrows, and 5) removing the doors and excavating the remaining burrows within the 50 foot buffer.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
American Badger: The following measures will be implemented to avoid and minimize the potential for project-related mortality of American badgers.							
4-13	(Preconstruction Surveys). A preconstruction survey for American badgers will be conducted by a qualified biologist within 30 days of the onset of Project-related activities involving ground disturbance or heavy equipment use. Preconstruction surveys will be conducted in all suitable denning habitat of the Project area.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-14	(Avoidance). Should an active natal den be identified during the preconstruction surveys, a disturbance-free buffer will be established around the den and maintained until a qualified	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	biologist has determined that the cubs have dispersed or the den has been abandoned.			Works Department and Cal Fish and Wildlife Service			
<i>Nesting Raptors and Migratory Birds (Including Swainson's Hawk, White-tailed Kite, and Loggerhead Shrike):</i> The following measures will be implemented prior to the start of Project activities within the PPSA.							
4-15	(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 1 st and January 31 st).	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-16	(Preconstruction Surveys). If Project activities must occur during the nesting season (February 1-August 31), a qualified biologist will conduct preconstruction surveys for active raptor and migratory bird nests within 30 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.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-17	(Establish Buffers). Should any active nests be discovered near proposed work areas, the biologist will determine appropriate construction setback distances based on applicable CDFW guidelines and/or the biology of the affected species. 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.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
<i>Roosting Bats:</i> The following measures will be implemented for construction activities involving the removal of buildings or mature trees.							

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
4-18	(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.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-19	(Preconstruction 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 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.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-20	(Minimization). If a non-breeding bat colony is detected during preconstruction surveys, the individuals will be humanely evicted via partial dismantlement of trees prior to full removal and/or installation of exclusion devices on buildings prior to demolition under the direction of a qualified biologist to ensure that no harm or “take” of any bats occurs as a result of construction activities.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
4-21	(Avoidance of Maternity Roosts). If a maternity colony is detected during preconstruction 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 50 to 100 feet as determined by the biologist.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department and Cal Fish and Wildlife Service			
<i>Waters of the U.S.</i> The state of California and the federal government have both adopted a no-net-loss policy for wetlands and other jurisdictional waters. Mitigation measures will be implemented that are in conformance with that policy. These measures would be as follows:							

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
4-22	(Avoidance). Individual projects within the PPSA will be designed to avoid and/or minimize impacts to waters of the U.S. to the maximum extent practicable while still achieving its goal of expanding the planning area.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department			
4-23	(Minimization). If the Mill Creek Ditch or unnamed ditch is determined to be a water of the U.S. by the USACE, then the applicant will be required to follow the permit requirements which may include an employee education program, implementation of Best Management Practices, placement of protective fencing between nearby unaffected waters and construction areas during construction, removal of temporary fills, and restoring temporarily disturbed areas to pre-project conditions, among others.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department			
4-24	(Compensatory Mitigation). If the ditches are determined to be waters of the U.S., then compensatory mitigation will be provided at a minimum of 1:1 for all losses of waters that exceed 0.5 acre. Compensatory mitigation will be provided in the form of either on-site or off site preservation or creation, through payment into an in-lieu fee program (if one is available), purchase of credits from an approved Mitigation Bank in the vicinity, or some combination of one or more of these options. Preserved and/or created waters would have to be placed under conservation easement held by a third party and managed in perpetuity with an approved endowment fund. If losses are 0.5 acre or less.	Prior to initiation of construction	Issuance of building permit	County of Tulare Planning and Public Works Department			
Cultural Resources							
5-1	In the event that historical, archaeological or paleontological resources are discovered during site excavation, the County shall require that grading and construction work on the Project site be immediately suspended until the significance of the features can be determined by a qualified archaeologist or paleontologist. In this event, the property owner shall retain a qualified archaeologist/paleontologist to	Prior to issuance of grading permits Ongoing monitoring during	Retention of professional paleontologist/ ongoing monitoring/ submittal of Report of	County of Tulare Planning and Public Works Department			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	provide recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recover, excavation analysis, and curation of archaeological or paleontological materials. County staff shall consider such recommendations and implement them where they are feasible in light of Project design as previously approved by the County.	subsurface excavation	Findings, if applicable				
5-2	The property owner shall avoid and minimize impacts to paleontological resources. If a potentially significant paleontological resource is encountered during ground disturbing activities, all construction within a 100-foot radius of the find shall immediately cease until a qualified paleontologist determines whether the resources requires further study. The owner shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The paleontologist shall notify the Tulare County Resource Management Agency and the Project proponent of the procedures that must be followed before construction is allowed to resume at the location of the find. If the find is determined to be significant and the Tulare County Resource Management Agency determines avoidance is not feasible, the paleontologist shall design and implement a data recovery plan consistent with applicable standards. The plan shall be submitted to the Tulare County Resource Management Agency for review and approval. Upon approval, the plan shall be incorporated into the Project.	Prior to issuance of grading permits Ongoing monitoring during subsurface excavation	Retention of professional paleontologist/ ongoing monitoring/ submittal of Report of Findings, if applicable	County of Tulare Planning and Public Works Department			
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	Prior to issuance of grading permits	Retention of professional paleontologist/ ongoing	County of Tulare Planning and Public			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initial s	Date	Remarks
	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 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.	Ongoing monitoring during subsurface excavation	monitoring/ submittal of Report of Findings, if applicable	Works Department			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initial s	Date	Remarks
	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. b. The descendant fails to make a recommendation; or c. The landowner or his authorized representative rejects the recommendation of the descendent.						
Hazards & Hazardous Material							
8-1	Prior to issuance of building permits for any new use within the Project area that proposes to use large quantities of hazardous materials, the County of Tulare shall review the project application for compatibility with existing and planned land uses. The review process shall focus on the location of existing and planned sensitive receptors (e.g., residential uses and schools) and whether the proposed hazardous material usage would expose such uses to unacceptable safety risks. If necessary, the County of Tulare will condition the proposed hazardous materials user to incorporate appropriate protection measures (e.g., containment facilities)	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
Hydrology & Water Quality							
9-1	Install water meters and adopt a use-weighted rate schedule to encourage reduced usage by the rate-payers.	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
9-2	Retrofit homes with water-efficient faucets, showers and toilets.	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
9-3	Limit permissible landscape area for each residence to 2,500 square feet or less.	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
9-4	Adopt limited outdoor watering days and hours (now in force statewide, as of August 1, 2014, by order of the Department of Water Resources).	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
9-5	Mandate use of native and drought-tolerant species for all landscaping.	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
9-6	Acquire a new surface water supply that could be shown to benefit the basin and offset the pumping that comes with growth	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
9-7	An elevation certificate and associated flood hazard mitigation measures is required on all proposed buildings with the FEMA Zone AE.	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
9-8	All new construction of buildings with a shaded Zone AE shall have finished floor levels elevated one (1) foot above the adjacent natural ground.	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public Works Department			
9-9	An elevation certificate and associated flood hazard mitigation measures will be required on all proposed buildings within the special flood hazard area. The finished	Prior to issuance of grading permits.	Issuance of building permit.	County of Tulare Planning and Public			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	floor elevations of all structures shall be elevated to at least the established base flood elevation resulting from the flood hazard study.			Works Department			
Noise							
12-1	The hours of future construction shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday or weekends (if allowed by the County) where residential uses are within 200 feet of where the activity is taking place. If residential uses are beyond 300 feet limited work hours are not required.	Prior to issuance of grading permits Ongoing monitoring during subsurface excavation	Retention of professional paleontologist/ ongoing monitoring/ submittal of Report of Findings, if applicable	County of Tulare Planning and Public Works Department			
Transportation							
Future Year 2014 No Build Scenario - Intersections							
16-1	Betty Drive / Robinson Road Widen the eastbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 right turn lane)	To Be Determined (TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-2	Avenue 312-Riggin Avenue / Road 72 Install Traffic Signal	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-3	Avenue 312-Riggin Avenue / Road 76 Install Traffic Signal	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
Future Year 2040 Build Scenario							

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
16-4	Avenue 308 / Road 60 Install Traffic Signal Widen all approaches to 1 left turn lane and 1 through lane with a shared right (adding 1 left turn lane)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-5	Betty Drive / Road 64 Install northbound right overlap phasing	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-6	Avenue 308 / Road 64 Widen the westbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 right turn lane)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-7	Betty Drive / SR 99 NB Ramps Widen the northbound approach to 2 left turn lanes and 2 right turn lanes (adding 1 right turn lane) Widen the westbound approach to 3 through lanes and 2 right turn lanes (adding 1 through lane and 1 right turn lane)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-8	Betty Drive / Road 67 Widen the northbound approach to 1 left turn lane and 1 through lane with a shared right (adding 1 left turn lane) Widen the southbound approach to 1 left-through lane and 1 right turn lane with overlap phasing (adding 1 right turn lane) Widen the eastbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 right turn lane) Widen the westbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 right turn lane)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-9	Betty Drive / Robinson Road Widen the northbound approach to 2 left turn lanes and 1 through lane with a shared right (adding 1 left turn lane) Widen the eastbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	right turn lane)Widen the westbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 right turn lane)						
16-10	Avenue 312-Riggin Avenue / Road 72 Install Traffic Signal o Widen the northbound approach to 1 left turn lane and 1 right turn lane (adding 1 right turn lane)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-11	Avenue 312-Riggin Avenue / Road 76 Install Traffic Signal** Widen the northbound approach to 2 left turn lanes and 1 right turn lane with overlap phasing (adding 1 left turn lane and 1 right turn lane) Widen the eastbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 right turn lane) Widen the westbound approach to 2 left turn lanes and 2 through lanes with a shared right (adding 1 left turn lane)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
Future Year 2040 Build – Alternative 1 Scenario							
16-12	Avenue 308 / Road 60 Install Traffic Signal Widen all approaches to 1 left turn lane and 1 through lane with a shared right (adding 1 left turn lane)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-13	Avenue 308 / Road 64 Widen the westbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 right turn lane)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
16-14	Avenue 304 / Road 64 Install Four-Way Stop	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-15	Betty Drive / SR 99 NB Ramps Widen the northbound approach to 2 left turn lanes and 2 right turn lanes (adding 1 right turn lane) Widen the westbound approach to 3 through lanes and 2 right turn lanes (adding 1 through lane and 1 right turn lane)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-16	Betty Drive / Road 67 Widen the northbound approach to 1 left turn lane and 1 through lane with a shared right (adding 1 left turn lane) Widen the southbound approach to 1 left-through lane and 1 right turn lane with overlap phasing (adding 1 right turn lane)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-17	Betty Drive / Robinson Road Widen the northbound approach to 2 left turn lanes and 1 through lane with a shared right (adding 1 left turn lane) Widen the eastbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 right turn lane)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-18	Avenue 312-Riggin Avenue / Road 72 Install Traffic Signal Widen the northbound approach to 1 left turn lane and 1 right turn lane (adding 1 right turn lane)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-19	Goshen Avenue / Camp Drive Install Traffic Signal	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
16-20	Avenue 312-Riggin Avenue / Road 76 Install Traffic Signal Widen the northbound approach to 2 left turn lanes and 1 right turn lane (adding 1 left turn lane and 1 right turn lane) Widen the eastbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 right turn lane)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-21	Goshen Avenue / Road 76 Install Traffic Signal	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
Future Year 2040 Build Scenario – Roadway Segments							
16-22	Betty Drive between SR 99 and Robinson Road: Widen from 2 to 3 travel lanes in both directions (adding 1 travel lane in each direction)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-23	Betty Drive between Road 72 and Road 76: Widen from 2 to 3 travel lanes in both directions (adding 1 travel lane in each direction)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-24	Betty Drive East of Road 76: Widen from 2 to 3 travel lanes in both directions (adding 1 travel lane in each direction)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-25	Avenue 308 between Road 60 and Road 64: Widen from 1 to 2 travel lanes in both directions (adding 1 travel lane in each direction)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
Future Year 2040 Build – Alternative 1 Scenario							

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Table 8-1 - Mitigation Monitoring Reporting Program

Mitigation Measure		Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initial s	Date	Remarks
16-26	Betty Drive between SR 99 and Robinson Road: Widen from 2 to 3 travel lanes in both directions (adding 1 travel lane in each direction)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-27	Betty Drive between Road 72 and Road 76: Widen from 2 to 3 travel lanes in both directions (adding 1 travel lane in each direction)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-28	Betty Drive East of Road 76: Widen from 2 to 3 travel lanes in both directions (adding 1 travel lane in each direction)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
16-29	Avenue 308 between Road 60 and Road 64: Widen from 1 to 2 travel lanes in both directions (adding 1 travel lane in each direction)	(TBD)	(TBD)	County of Tulare Planning and Public Works Department			
Utilities and Service Systems							
17-1	Subject to CSD approval and consultation, new lift stations or there equivalent volume capacity shall be added to the CSD's sewer piping network prior to project on the west side of SR 99.	(TBD)	(TBD)	County of Tulare Planning and Public Works Department & Goshen CSD			

Report Preparation

Chapter 9

Key persons from the County of Tulare that contributed to preparation of the Draft Environmental Impact Report (Draft EIR) are identified below:

THE COUNTY OF TULARE

This EIR has been prepared for:

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- Pete Vander Poel - District 2
- Amy Shuklian - District 3
- J. Steven Worthley - District 4 (Chairman)
- Mike Ennis - District 5

COUNTY ADMINISTRATIVE OFFICE

- Michael C. Spata, County Administrative Officer

TULARE COUNTY PLANNING COMMISSIONERS:

- John F. Elliott – District 1
- Gil Aguilar – District 2 (Chairman)
- Nancy Pitigliano – District 2
- Bill Whitlatch – District 3
- Melvin K. Gong – District 4
- Wayne O. Millies – At Large (Vice-Chairman)
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Greenhouse Gas Analysis Report

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- Rebekah Jensen, Wildlife Biologist
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Sierra Valley Cultural Planning

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Noise Study Report and Noise Element

Traffic Impact Assessment and Circulation Element

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