PUBLIC REVIEW DRAFT

INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION

EAGLE MOUNTAIN INFRASTRUCTURE IMPROVEMENTS PROJECT

PORTERVILLE, CALIFORNIA

LSA

June 2019

This page intentionally left blank

PUBLIC REVIEW DRAFT

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

EAGLE MOUNTAIN INFRASTRUCTURE IMPROVEMENTS PROJECT

PORTERVILLE, CALIFORNIA

Submitted to:

Julie Phillips, AICP
Community Development Manager
City of Porterville
291 North Main Street
Porterville, California 93257

Prepared by:

LSA
7086 North Maple Avenue, Suite 104
Fresno, California 93720
559.490.1210

Project No. POR1801.06

June 2019

This page intentionally left blank

TABLE OF CONTENTS

FIGURES AND TABLES

FIGURES

TABLES

LIST OF ABBREVIATIONS AND ACRONYMS

AAQS	Ambient Air Quality Standards
AB	Assembly Bill
AC	Agricultural/Conservation
AF	acre-foot
BAU	Business-as-Usual
BMX	bicycle motocross
BMPs	best management practices
BPS	Best Performance Standards
CAL FIRE	California Department of Forestry and Fire Protection
CARB	California Air Resource Board
CBC	California Building Code
CCAP	Climate Change Action Plan
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CH_4	methane
City	City of Porterville
CNDDB	California Natural Diversity Data Base
CNE:	community noise equivalent level
CNPS	California Native Plant Society
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	CO_2 equivalents
COLT	City Operated Local Transit
CWA	Clean Water Act
cy	cubic yards
dB	decibel
dBA	A-weighted sound level
FEMA	Federal Emergency Management Agency

FESA	federal Endangered Species Act
FMMP	Farmland Monitoring and Mapping Program
GC	Government Code
GHG	greenhouse gas
gpd	gallons per day
gpm	gallons per minute
GWP	Global Warming Potential
HFCs	hydrofluorocarbons
IPCC	Intergovernmental Panel on Climate Change
kVA	kilovolt-amperes
L_{dn}	day-night average level
L_{eq}	equivalent continuous sound level
LOS	level of service
MBTA	Migratory Bird Treaty Act
N_2O	nitrous oxide
NAAQS	National Air Quality Standards
NAHC	Native American Heritage Commission
NO_2	nitrogen dioxide
NO_x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
O_3	ozone
OHV	Off-Highway Vehicle
OPR	California Office of Planning and Research
Ozone Plan	2013 Plan for the Revoked 1-Hour Ozone Standard
Pb	lead
PFCs	perfluorocarbons
PK	Parks and Public Recreation Facilities
PM	particulate matter
$PM_{2.5}$	particulate matter less than 2.5 microns in diameter
PM_{10}	particulate matter less than 10 microns in diameter
ppb	parts per billion

project	Eagle Mountain Infrastructure Improvements Project
PVC	polyvinyl chloride
ROG	reactive organic gases
RTP	Regional Transportation Plan
RWQCB	Central Valley Regional Water Quality Control Board
SB	Senate Bill
SCE	Southern California Edison
SCS	Sustainable Communities Strategy
SF_6	sulfur hexafluoride
SCE	Southern California Edison
SHPO	State Historic Preservation Officer
SJKF	San Joaquin Kit Fox
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SMARA	Surface Mining and Reclamation Act
SR	State Route
SO_2	sulfur dioxide
SO_x	sulfur oxides
State	State of California
SWPPP	Storm Water Pollution Prevention Plan
TAC	toxic air contaminant
TCAG	Tulare County Association of Governments
Tribe	Tule River Tribe
USACE	United States Army Corps of Engineers
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	vehicle miles traveled
WRF	Water Reclamation Facility
WWTP	wastewater treatment plant

This page intentionally left blank

1.0 PROJECT INFORMATION

1. **Project Title:**

   Eagle Mountain Infrastructure Improvements Project

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

   City of Porterville
   Community Development
   291 North Main Street
   Porterville, CA 93257

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

   Julie D. Phillips, AICP
   Community Development Manager
   (559) 782-7460

4. **Project Location:**

   The project site is located in the southwest corner of Porterville, west of the Porterville Municipal Airport, and south of West Scranton Avenue.

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

   City of Porterville
   Community Development
   291 North Main Street
   Porterville, CA 93257

6. **General Plan Designation:**

   The Porterville Sports Complex and 8-acre site are designated Parks and Recreation in the Porterville General Plan.

   The 40-acre site is designated Agriculture/Rural/Conservation in the Porterville General Plan.

7. **Zoning:**

   The Porterville Sports Complex and 8-acre site are zoned as Parks and Public Recreation Facilities (PK).

   The 40-acre site is zoned as Agricultural/Conservation (AC).

8. **Description of Project:**

   The proposed project includes several improvements to existing infrastructure and construction of a wastewater water reclamation facility (WRF) on one of two potential sites.

9. Surrounding Land Uses and Setting:

Agriculture uses are located to the west and south of the project site. The Porterville Sports Complex is located north of the project site. The Porterville Municipal Airport and a Southern California Edison (SCE) solar array site are located east of the project site.

10. Other Public Agencies Whose Approval is Required (e.g., permits, financial approval, or participation agreements):

The City of Porterville is the Lead Agency with discretionary authority over the project. No other agencies are anticipated to require discretionary approvals for the project.

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

The City of Porterville has been consulting with the Tule River Indian Tribe throughout the duration of this project.

2.0 PROJECT DESCRIPTION

The following describes the proposed Eagle Mountain Casino Infrastructure Improvements Project (project). This section includes a summary description of the project's location and existing characteristics of the project site and required approvals. The City of Porterville (City) is the lead agency for review of the project under the California Environmental Quality Act (CEQA).

2.1 PROJECT SITE

The Tule River Tribe (Tribe) is proposing to relocate the existing Eagle Mountain Casino from the Tribe's Reservation, approximately 15 miles east of Porterville, to a 40-acre property within the boundaries of the City of Porterville. In September 2018, the Bureau of Indian Affairs released a Draft Environmental Impact Statement for the Eagle Mountain Casino Relocation Project.[1] To support the relocation, the construction of several City-owned infrastructure and utility improvements would be required. The City would be responsible for approving, constructing, and operating the improvements.

The following section describes the locations and characteristics of the improvements, collectively referred to as the "project site," and provides a brief overview of the existing land uses within and in the vicinity of the project site.

2.1.1 Location

The project site is located in the southwest corner of Porterville, west of the Porterville Municipal Airport, and south of West Scranton Avenue and the Porterville Sports Complex. The location of the project site is shown in Figure 2-1, and aerial views of the project site are shown in Figure 2-2.

2.1.2 Site Characteristics and Current Site Conditions

The project site consists of the four distinct areas described below. These areas are currently owned by the City, and would continue to be owned by the City with implementation of the project.

- **Porterville Sports Complex.** The Porterville Sports Complex is a 95-acre recreational facility that consists of 62 acres for soccer fields and a dog park, 17 acres for the Off-Highway Vehicle (OHV) park, 2 acres for bicycle motocross (BMX) facilities, and 14 acres for vehicle parking. Existing buildings within the Sports Complex include restroom facilities and a maintenance shed. The City currently utilizes potable water to meet the irrigation demands of the Sports Complex. The OHV park also functions as the regional stormwater retention basin for the Airport System, a storm drain region identified in the City's Storm Drain Master Plan[2] that includes the Porterville Municipal Airport and surrounding areas south of Scranton Drive and east of West Street.

- **40-acre site.** The 40-acre site is located west of West Street, southwest of the casino site, and directly west of the intersection of West Edison Court and West Street. The 40-acre site is

[1] Bureau of Indian Affairs, 2018. *Draft Environmental Impact Statement, Tule River Indian Tribe Fee-to-Trust and Eagle Mountain Casino Relocation Project*. Sacramento, CA: U.S. Department of the Interior.

[2] Porterville, City of, 1994. *Storm Drain Master Plan 1994 Update*. Porterville, CA.

bounded to the north, west, and south by agricultural land, and to the east by West Street. A SCE solar array site is located east of the 40-acre site, north of West Edison Court. The 40-acre site is currently used as a dispersal field for biosolids generated at the City's wastewater treatment plant (WWTP), and is irrigated with potable well water to grow non-human consumption crops.

- **8-acre site.** The 8-acre site is located immediately adjacent to the southern portion of the casino site's eastern boundary. It is bordered to the north by the Porterville Sports Complex and OHV park, to the west by the casino site, to the south by the SCE solar array site, and to the east by Porterville Municipal Airport. The 8-acre site was formerly used as a shooting range for the City's police department, and an earthen berm associated with this use remains near the center of the property. The 8-acre site is otherwise undeveloped and is currently unused.

- **Lift Stations and Pipeline Improvement Areas.** This area includes the following components:

    - Lift Station No. 12, located north of the casino site at the border of the OHV park and Porterville Sports Complex, pumps the combined wastewater flows from the casino site, OHV park, and Porterville Sports Complex to Lift Station No. 7.

    - A 10-inch, approximately 803-foot long sewer pipeline, located east of the casino site and adjacent to the 8-acre site's eastern border, carries the combined flows from Lift Station No. 12 and Lift Station No. 23 to Lift Station No. 7.

    - Lift Station No. 7, located east of the casino site, collects and pumps the combined effluent flows from the Airport System immediately surrounding the casino site; and the 6-inch, approximately 20-foot long force main associated with Lift Station No. 7.

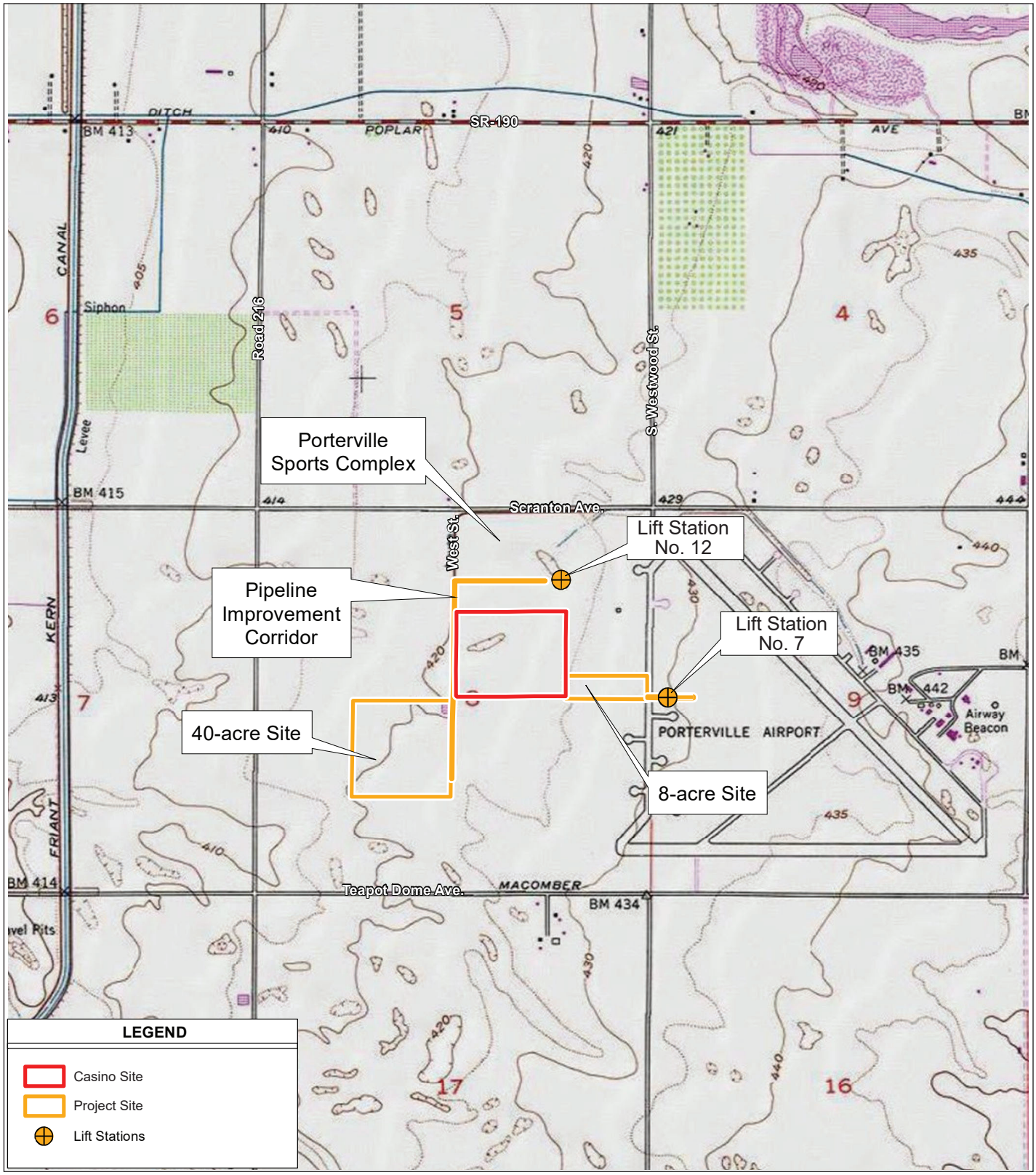
    - The Recycled Water Pipeline Area includes the location of pipelines that would be built to convey recycled water generated at the proposed Water Reclamation Facility (WRF) to be constructed at the 40-acre site, to the casino site and the Porterville Sports Complex. The pipeline route extends north along West Street from the southern portion of the 40-acre site, and then runs directly eastward along the border between the OHV park and Porterville Sports Complex, terminating just west of Lift Station No. 12.

2.1.3 Existing General Plan and Zoning

The Porterville Sports Complex is designated Parks and Recreation in the Porterville General Plan, and is zoned by the City as Parks and Public Recreation Facilities (PK).

The 40-acre site is designated Agriculture/Rural/Conservation in the Porterville General Plan, and is zoned by the City as Agricultural/Conservation (AC).

The 8-acre site is designated Parks and Recreation in the Porterville General Plan, and is zoned by the City as Parks and Public Recreation Facilities (PK).



LSA

FIGURE 2-1

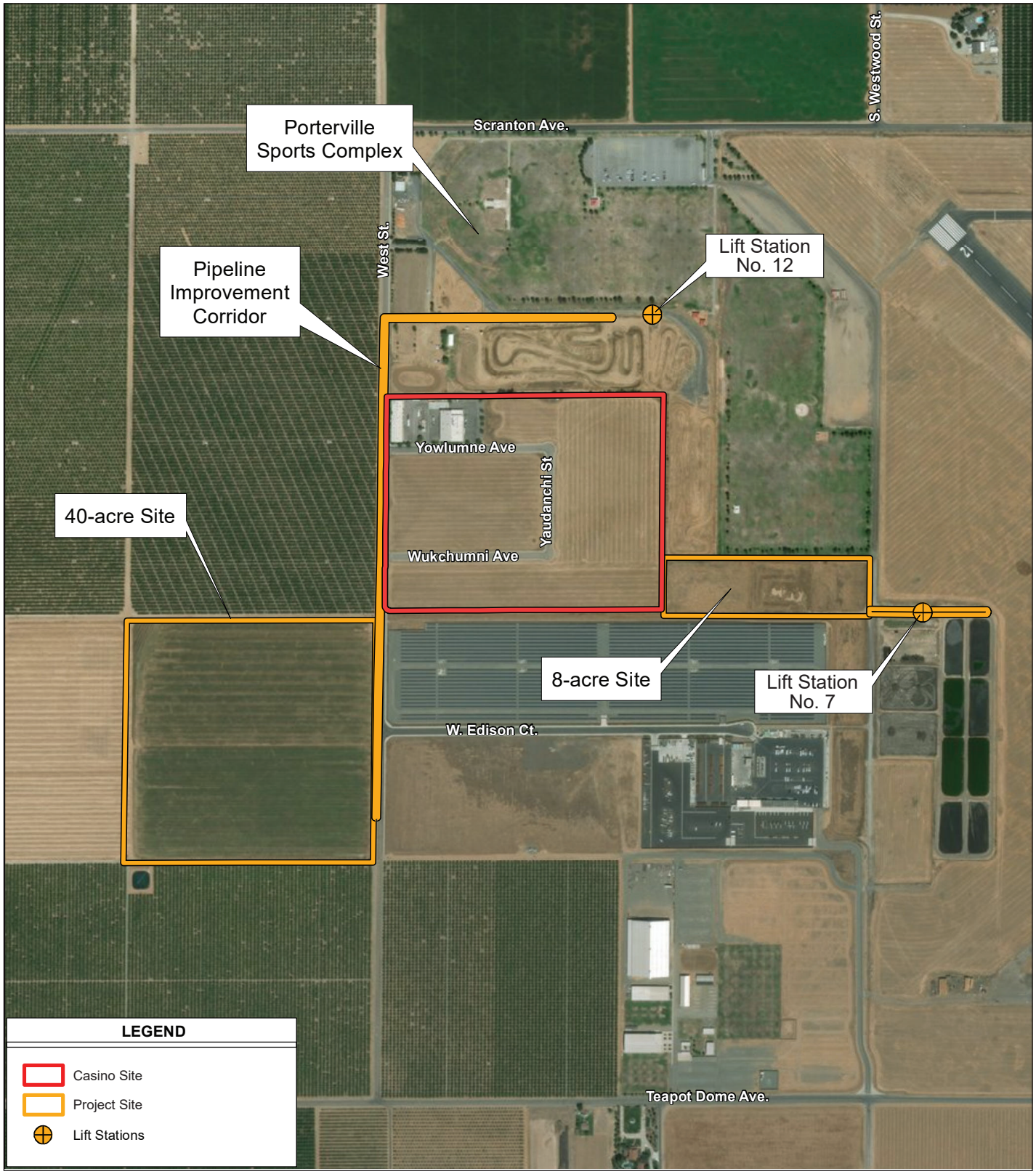
N

0 1000 2000
FEET

Eagle Mountain Infrastructure Improvements Project
Project Location and Regional Vicinity Map

SOURCE: BUREAU OF INDIAN AFFAIRS, 2018.

P:\POR1801.06 Eagle Mountain\PRODUCTS\Project Description\Figures\Figure 2-1.ai (6/14/19)



LSA

FIGURE 2-2

N

0 400 800
FEET

Eagle Mountain Infrastructure Improvements Project
Aerial Photograph of Project Site

SOURCE: BUREAU OF INDIAN AFFAIRS, 2018.

P:\POR1801.06 Eagle Mountain\PRODUCTS\Project Description\Figures\Figure 2-2.ai (6/14/19)

2.2 PROPOSED PROJECT

The proposed project includes several improvements to existing infrastructure and utilities to support the casino relocation. At this time, the location of the proposed WRF has not been determined, and two alternatives are identified and described below. The following provides a description of the project components.

2.2.1 Water Reclamation Facilities and Infrastructure

The project includes the development of an approximately 308,000-gallons-per-day WRF at either the 40-acre site or the 8-acre site for the production of recycled water for beneficial reuse at the casino site and the Porterville Sports Complex. Although no specific site design plans or construction information are available at this time, Sections 2.2.1.1 and 2.2.1.2 below provide additional information regarding the 40-acre and 8-acre site alternatives, respectively.

Figure 2-3 shows the existing wastewater and secondary effluent facilities in the vicinity of the project site. Secondary effluent would be diverted as needed from an existing 24-inch effluent line to the WRF and then treated to Title 22 disinfected tertiary recycled water standards. A 335,000-gallon storage tank would be constructed at the WRF to provide operational and emergency storage for the WRF. Recycled water would be pumped via a pump station at the WRF with a peak hour capacity of 700 gallons per minute (gpm) through proposed pipelines that would be constructed from the WRF to the casino site and to the Porterville Sports Complex. The existing irrigation system at the Porterville Sports Complex would be retrofitted to meet applicable regulations for recycled water distribution, including measures to prevent cross-contamination with potable water lines. Retrofitting of the Porterville Sports Complex would involve minimal alterations to the existing pipeline system (i.e. retrofitting would not require all of the potable water irrigation pipelines be removed and replaced with new pipelines). Once constructed, the WRF and associated recycled water infrastructure would be operated and controlled by the City.

The proposed WRF would be sized to treat and supply the average irrigation water demand of the Porterville Sports Complex and the maximum-month recycled water demand of the casino.

2.2.1.1 40-Acre Site Alternative

Under this option, the proposed tertiary treatment facility would be located on the City-owned 40-acre site on the west side of West Street.

The estimated size of the initial tertiary treatment facility, including the tertiary treatment facility, pump station, storage tank, administrative office, and associated parking, would be approximately 5 acres. Access to the 40-acre site would be from West Street, requiring minimal grading. Remedial grading would be required to remove accumulated biosolid disposal waste that may not have been rendered inert.

Estimated earthwork quantities for this alternative would be to cut approximately 38,720 cubic yards (cy) of soil and import approximately 38,720 cy of soil to replace disposed material (approximately 6 acres with an average of 4 inches removed and replaced). The cut material would be disposed of at a commercial waste site if deemed contaminated. The import material could be

obtained from excavation of the proposed regional retention basin (described below in Section 2.2.3).

This 40-acre site would not form part of the Storm Drain Master Plan, and any development on this site would fully retain its runoff onsite.

2.2.1.2 8-Acre Site Alternative

Under this alternative, the proposed tertiary treatment facility would be located on the City-owned 8-acre site east of the casino site. Access to the 8-acre site would be from the Porterville Sports Complex.

The estimated size of the initial tertiary treatment facility would be approximately 5 acres and would include the tertiary treatment facility, pump station, seasonal storage reservoir, administrative office, and associated parking.

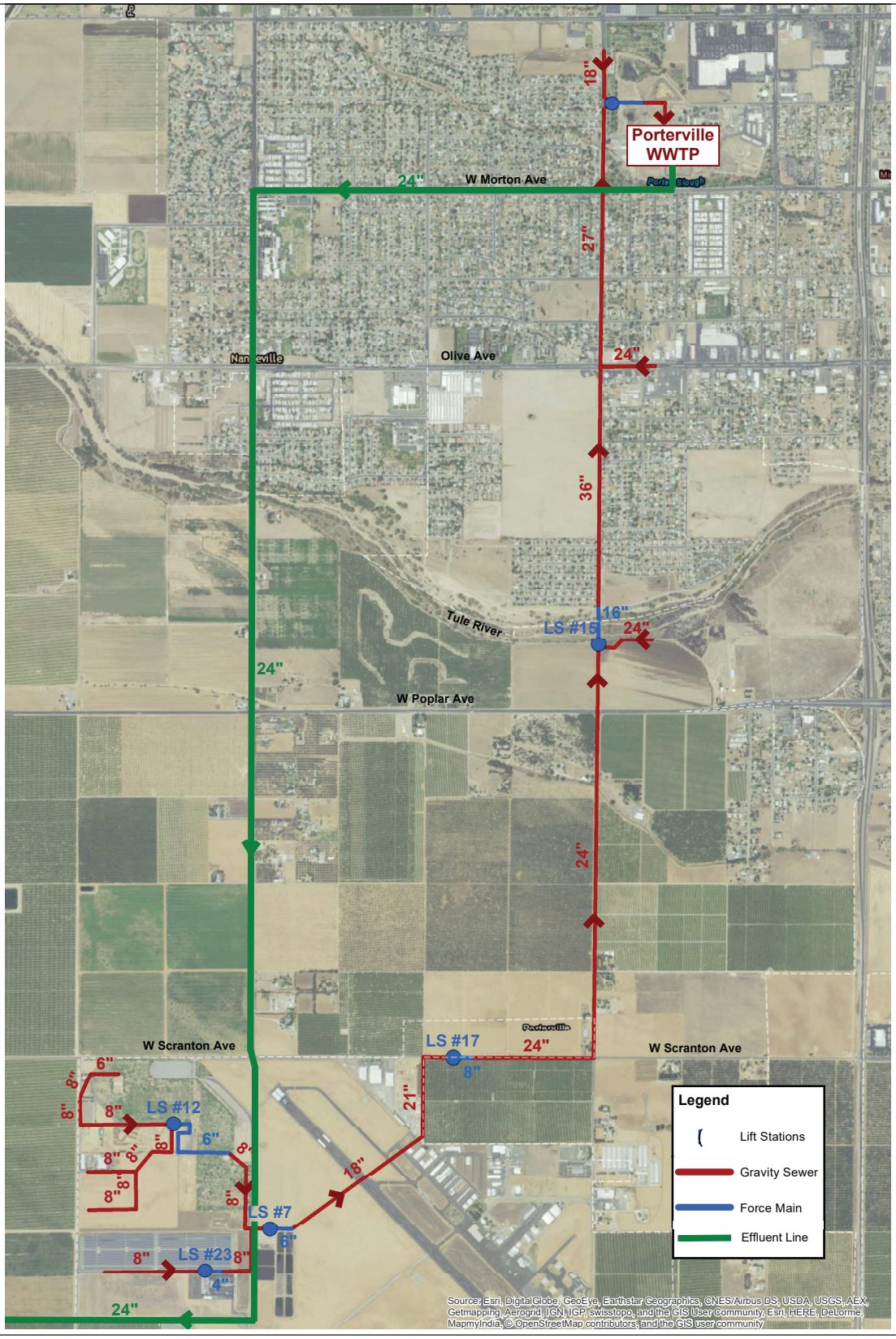
The 8-acre site was formally used as a shooting range for the City's police department, and soil remediation to account for lead deposits would be required. The 8-acre site is also depressed and functions as the overland drainage route for regional stormwater flowing towards the Porterville Sports Complex. As a result the 8-acre site would require significant grading to raise the elevation. A drainage route for overland stormwater runoff from the airport would be required to accommodate the 8-acre site.

Estimated earthwork quantities for the 8-acre site would be to cut approximately 19,360 cy of soil and import approximately 58,000 cy of soil (6 acres with an average of 2 inches removed and re-compacted, and 3 inches of fill).

2.2.2 Wastewater Treatment and Disposal

The casino is projected to generate an average of 77,606 gallons per day (gpd) of wastewater, with peak flows of 143 gpm. Wastewater service is currently provided to the casino site via a network of 8-inch municipal sewer lines. The sewer pipelines discharge wastewater generated at the casino site into Lift Station No. 12, from which the flows are pumped through four subsequent lift stations and approximately 5 miles of sewer pipeline to the City's WWTP, as shown in Figure 2-4. The casino site would continue to be serviced by the City's municipal wastewater system. While the City's WWTP has the capacity to handle flows generated by the casino, some components of the City's conveyance system are either currently deficient or would not be adequate to accommodate wastewater flows generated by the casino. Improvements needed to these components include the following:

- **Lift Station No. 12.** Lift Station No. 12 currently has one submersible pump, with a rated capacity of 236 gpm. The lift station is currently deficient in both operational and emergency storage, and the construction of a new submersible pump station housing the existing pump and an additional pump with a similar rated capacity would be necessary to increase storage capacity and reliably accommodate the effluent flows generated by the casino.



LSA

FIGURE 2-3

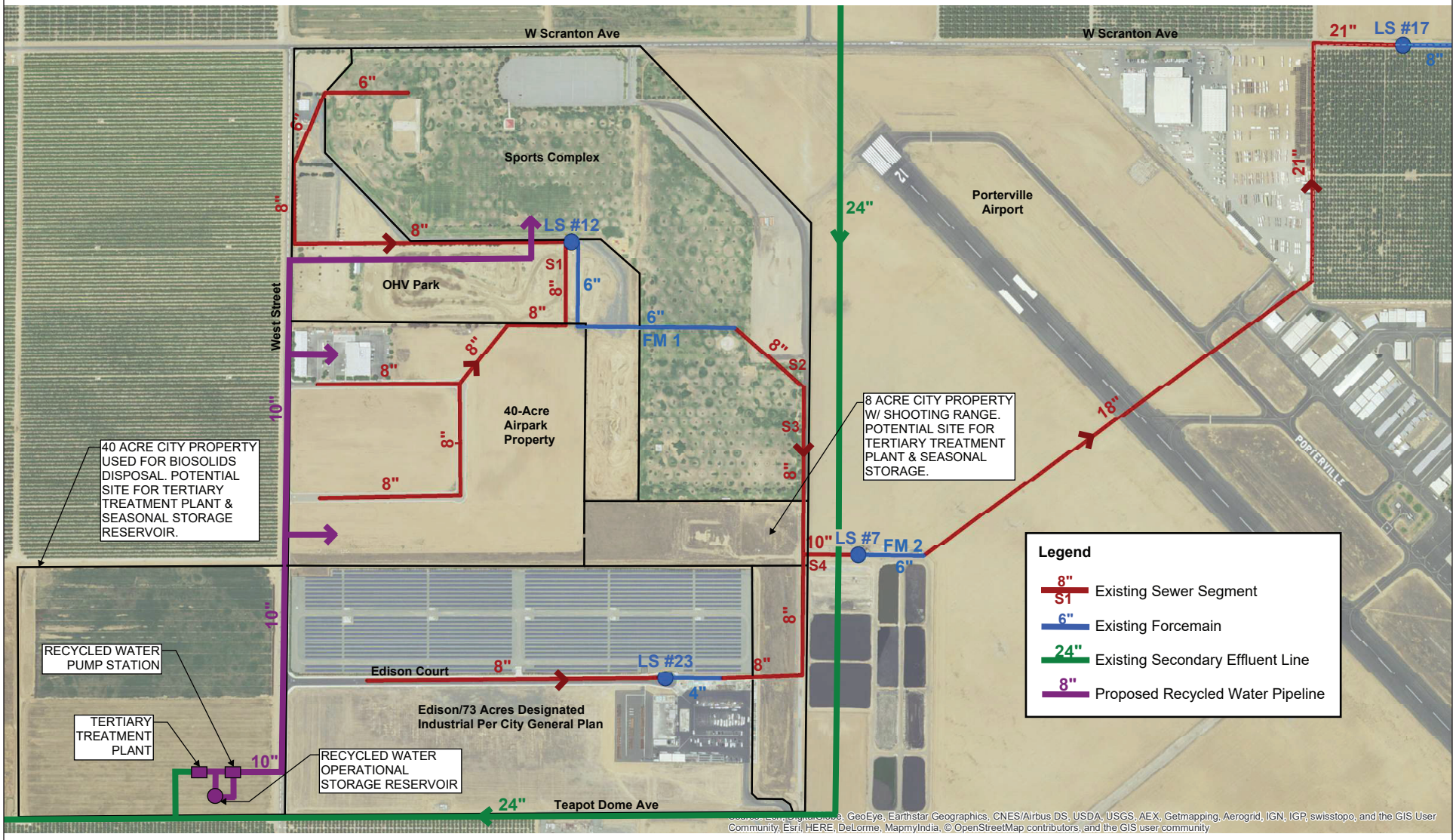
N

Eagle Mountain Infrastructure Improvements Project

Existing Wastewater Conveyance System

SOURCE: BUREAU OF INDIAN AFFAIRS, 2018.

P:\POR1801.06 Eagle Mountain\PRODUCTS\Project Description\Figures\Figure 2-3.ai (6/13/19)



LSA

FIGURE 2-4

Eagle Mountain Infrastructure Improvements Project

Conceptual Wastewater and Recycled Water Plan

SOURCE: BUREAU OF INDIAN AFFAIRS, 2018.

P:\POR1801.06 Eagle Mountain\PRODUCTS\Project Description\Figures\Figure 2-4.ai (6/13/19)

- **10-inch sewer pipeline that carries flows to Lift Station No. 7.** The approximately 803 linear foot, 10-inch sewer pipeline that carries the combined effluent flows pumped from Lift Station No. 12 and Lift Station No. 23 to Lift Station No. 7 is made of techite, a material no longer used for sewer pipelines because it loses its structural integrity over time. In addition, the pipeline would not have the capacity to carry the estimated peak flows generated by the casino. The existing sewer line would be replaced with a 12-inch pipe constructed of vitrified clay pipe or cement mortar-lined ductile iron pipe.

- **Lift Station No. 7.** Lift Station No. 7 houses two submersible pumps, neither of which appear to have been replaced since the lift station was constructed in 1971. The pumps would be replaced due to age and to accommodate the increased usage resulting from the casino. The lift station's wet well is also deficient in both operational and emergency storage, and would be replaced to provide the requisite storage capacity.

- **6-inch force main associated with Lift Station No. 7.** The 6-inch force main associated with Lift Station No. 7 is made of cast iron and appears to be constructed in 1971. Due to age and corrosion, the 6-inch force main would be replaced with a pipe that is the same size but made of a more corrosion-resistant material, such as polyvinyl chloride (PVC) or coated and lined ductile iron pipe.

2.2.3 Drainage and Stormwater

The existing drainage components within the casino site consist of catch basins along the paved streets within the casino site that are drained via a 30-inch buried stormwater drain that discharges to the OHV park. The OHV park functions as the regional stormwater retention basin for the Airport System, a region that includes the Porterville Municipal Airport and surrounding areas south of Scranton Drive, and east of West Street.

As part of the casino project, the existing storm drain facilities within the casino site, including existing pipes and minor structures adjacent to West Street that extend into the project boundaries, would be reconfigured as necessary to accommodate the project design. A 30-inch storm drain along Yowlumne Avenue within the casino site would be removed as part of the casino project, which would require alteration of the City's drains within West Street to maintain the integrity of the City's drainage system. The exiting 60-inch storm drain in West Street would be extended to connect to the OHV park stormwater retention area.

The project includes construction of a 200 acre-foot (AF) regional retention basin in the northern portion of the 40-acre site and a connection to the existing City-owned 60-inch storm drain running beneath West Street to this proposed basin. The proposed basin would be sized to retain stormwater flows from the entire Airport System during the 10-day/100-year storm, per the calculations in the City's Storm Drain Master Plan. Construction of the proposed regional retention basin would be completed prior to the opening of the casino, and would prevent the overflow of the OHV park and inundation of the casino site during severe precipitation events.

The expected earthwork export volume for the development of the 200 acre-feet basin is at least 200 acre-feet or 32,300 cy of soil and a portion of this material could be used as fill material. An

unknown portion of this material may be sent to a commercial waste facility due to potential biosolid contamination.

Chamber cistern units with a total volume of approximately 0.1 AF would be constructed within the 8-acre site if it is selected as the location of the WRF. Catch basin insert filters would be installed to filter surface runoff and provide stormwater quality control. If the 40-acre site is selected as the location of the WRF, the proposed regional retention basin located on the northern 20 acres of the 40-acre site would provide adequate retention and quality control for differential stormwater flows, and no chamber cistern units would be constructed on the 40-acre site.

2.2.4 Public Roadway Modifications

The project includes modifications to several public roads and intersections.

The following intersections would be modified as part of the project:

- West Scranton Avenue/West Street: A three-way traffic signal would be installed at this intersection, and the northbound approach to West Scranton Avenue would be widened to accommodate a left turn lane.
- West Scranton Avenue/Westwood Street (Road 224): A three-way traffic signal would be installed at this intersection.

As part of the casino project, three public streets within the casino site would abandoned by the City to allow for construction of the casino. The public streets include the following:

- Yowlumne Avenue
- Yaudanchi Street
- Wukchumni Avenue

Each of the existing streets include potable water, sanitary sewer, and storm drain facilities and utility infrastructure that would be abandoned by the City as a part of this project. The existing streets and utility infrastructure would be demolished as part of the casino project.

2.2.5 Demolition and Construction

Implementation of the project would result in the demolition and construction of various wastewater, stormwater and transportation facilities anticipated to occur over approximately 12 months, starting in 2020 and would be completed prior to the opening of the casino.

For construction of the WRF, one of two locations would be selected:

- If the 40-acre site is selected for the location of the WRF, approximately 38,720 cy of soil would be cut and approximately 38,720 cy of soil would be imported to replace disposed material (approximately 6 acres with an average of 4 inches removed and replaced). The cut material would be disposed of at a commercial waste site if the soil is determined to be contaminated during excavation.

- If the 8-acre site is selected for the location of the WRF, approximately 19,360 cy of soil would be cut, and approximately 58,000 cy of soil would be imported (6 acres with an average of 2 inches removed and re-compact, and 3 inches of fill).

The 200 acre-feet stormwater retention would require 32,300 cy of soil to be excavated. A portion of this material could be used as fill material for the construction of the WRF or the casino project. An unknown portion of this material may be sent to a commercial waste facility due to potential biosolid contamination.

2.3 APPROVALS/PERMITS

While the City is the CEQA Lead Agency for the project, other agencies also have discretionary authority related to the project and approvals, or serve as a responsible and/or trustee agency in connection to the project. A list of these agencies and potential permits and approvals that may be required is provided below.

- City of Porterville, adoption of the IS/MND

- City of Porterville, adoption of Memorandum(a) of Understanding with the Tule River Indian Tribe regarding construction, operation and maintenance of utility infrastructure

- City of Porterville, zoning amendments

- City of Porterville, abandon Yowlumne Avenue, Yaudanchi Street, and Wukchumni Avenue and associated utilities infrastructure

- City of Porterville, demolition, grading and public works and/or building permit approval

- City of Porterville approval for water, wastewater, and stormwater connections

- Central Valley Regional Water Quality Control Board (RWQCB), Stormwater Control Plan

This page intentionally left blank

3.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist in Chapter 3.0.

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

3.1 DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

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

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

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

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

Signature _____ Date _____

This page intentionally left blank

4.0 CEQA ENVIRONMENTAL CHECKLIST

4.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	☐	☐	☐	☒
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

a. Would the project have a substantial effect on a scenic vista?

The City of Porterville is located in the southern portion of the San Joaquin Valley at the base of the Sierra Nevada foothills and is surrounded by farmland. The Tule River flows from Lake Success and through the City in a westerly direction. Views extending along the river and of its heavily vegetated banks contribute to the scenic quality of the area. The agricultural foundation, topography and landscape are important not only for community identity and aesthetic value, but also for environmental quality, habitat protection, and recreation opportunities.[3]

The project site is located in the southwest corner of Porterville, west of the Porterville Municipal Airport, and south of West Scranton Avenue and the Porterville Sports Complex. The proposed project includes several improvements to existing infrastructure and utilities to support the casino relocation.

The proposed project would include infrastructure improvements. The height of the new utility structures buildings would be generally consistent with the height of the existing buildings, with a height of approximately 11 feet. The project site is not readily visible from any scenic vista, nor would the project block public views of a scenic vista. Therefore, the proposed project would have no impact.

[3] Porterville, City of, 2008. *Porterville 2030 General Plan*. March 4.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The proposed project is not located within a State Scenic Highway and would not damage scenic resources within such a highway. Therefore, the proposed project would have no impact.

c. In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

As discussed above, the project site is located in the southwest corner of Porterville which is a non-urbanized of the City and could impact views during construction and operation, as described below.

Construction Impacts. During construction of the proposed project, equipment and material staging would be visible, including material excavated during the construction of the regional retention basin, a portion of which would be temporarily stockpiled on the 40-acre site until it is used as fill material for other regional construction projects. Visual impacts from construction would be temporary in nature and would not result in obstructed views of scenic resources. Therefore, construction of the proposed project would result in a less-than-significant impact.

Operational Impacts. The proposed project includes several improvements to existing infrastructure and utilities to support the casino relocation.

40-Acre Site. Potential infrastructure improvements on the 40-acre site include the regional retention basin, the WRF, a recycled water pump station, and a recycled water operational holding tank. The 11-foot-high pump station and tertiary treatment plant would be located in the southeast corner of the 40-acre site while the regional retention basin would be located on the northern 20 acres of the site.

The 40-acre site is used as a dispersal field for biosolids produced at the City's wastewater treatment plant and is actively cultivated with non-human consumption crops. The site's designation of Agriculture/Conservation (AC) was created by the City to preserve agricultural and conservation areas, but it also allows septic systems as well as clustered development, which generally encompasses the types uses associated with the proposed project.

Although the proposed development would alter the colors, lines, and texture of the landscape on the 40-acre site, the changes would not affect any scenic resources, and would therefore have a less-than-significant impact.

8-Acre Site. Development of the proposed facilities on the 8-acre site would include a WRF, recycled water pump station, and a recycled water operational holding tank. The 8-acre site is currently undeveloped and consists of cleared fields. Development of the proposed facilities would increase the level of human-made elements on the existing landscape as well as alter the colors, lines, and texture of the of the of the 8-acre site. However, the current views of the site are extremely limited due to its remote location from the nearest roadways, and the changes would not affect any scenic

visual resources. Therefore visual impacts associated with infrastructure development on the 8-acre site would be less than significant.

Lift Station and Pipeline Improvement Areas and Porterville Sports Complex. The proposed project would result in improvements to off-site lift stations, the extension of recycled water pipelines, and upgrades to various sewer lines. Sewer and recycled water pipeline would be located underground and would not be visible. Lift Station No. 12 is located on the edge of the Porterville Sports Complex on the adjacent property north of the casino site; Lift Station No. 7 is located east of the 8-acre site. Improvements to the lift stations would not change the level of human-made elements on the existing landscape of the sites. The development would not alter the colors, lines, and texture of the landscape vegetation of the lift station improvement areas. Therefore, off-site lift station and pipeline improvements would not affect any sensitive visual resources, and would therefore have a less-than-significant impact.

As described above, implementation and operation of the project would not substantially degrade the existing visual character or quality of public views of the project site. This would be a less-than-significant impact.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Glare is the result of improperly aimed or blocked lighting sources that are visible against a dark background such as the night sky. Glare may also refer to the sensation experienced looking into an excessively bright light source that causes a reduction in the ability to see or causes discomfort. Glare generally does not result in illumination of off-site locations but results in a visible source of light viewable from a distance.

The proposed project would not result in significant changes to lighting, shadows, or glare. The WRF building would include some security lighting, but lighting would be shielded and downward directed in accordance with City policies and therefore light spillover into surrounding areas would be minimal.[4] Additionally, the WRF, recycled pump station, and storage tank would not include the use of glass panels and reflective ornamental detailing in the project design. There would be no increase the glare to aircraft operations, travelers on West Street, and adjacent properties. As a result, a less-than-significant impact would occur.

[4] Porterville, City of, 2010. *Porterville Development Ordinance*. Available online at: https://www.sterlingcodifiers.com/codebook/index.php?book_id=679 (accessed June 19, 2019).

4.2 AGRICULTURE AND FORESTRY RESOURCES

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☒	☐

a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The 40-acre site is classified as Farmland of Statewide Importance, while the rest of the project site is classified as Farmland of Local Importance and Urban and Built-Up Land.[5] In addition, the 40-acre site is classified as Farmland of Statewide Importance and is enrolled as Prime Farmland in a Williamson Act contract.[6]

[5] California Department of Conservation, 2016. *Tulare County Important Farmland 2016.*

[6] Ibid.

The 40-acre site is actively farmed for the production of non-human consumption crops and is designated Farmland of Statewide Importance by the Farmland Monitoring and Mapping Program (FMMP). The site received a Farmland Conversion Impact Rating (FCIR) score of 117, which is under the 160-point threshold for evaluation. In addition, the 40-acre site is currently under a Williamson Act Contract, restricting the land to agricultural use only. With implementation of the 40-acre site option, the City would withdraw from the Williamson Contract using the following cancellation process:

In order to find that the cancellation is consistent with the Williamson Act, the City Council must find the following:

1. That the cancellation is for land on which a notice of nonrenewal has been served;

2. That cancellation is not likely to result in the removal of adjacent lands from agricultural use;

3. That cancellation is for an alternative use which is consistent with the applicable provisions of the city or county general plan;

4. That cancellation will not result in discontiguous patterns of urban development; and

5. That there is no proximate, noncontracted land which is both available and suitable for the proposed use or that development of the contracted land would provide more contiguous patterns of urban development (Government Code [GC] §51282[b]).

In order to find that the cancellation is in the public interest, the City Council must additionally find the following:

1. That other public concerns substantially outweigh the objectives of the Williamson Act; and

2. That there is no proximate, non-contracted land which is both available and suitable for the proposed use, or, that development of the contracted land would provide more contiguous patterns of urban development (GC §51282[c]).

In addition to the required findings, the City must also pay a cancellation fee equal to 12.5 percent of the unrestricted fair market value of the property.

No project-related construction would take place on the parcel until after cancellation is complete. In addition, there are 1,239,000 acres of farmland in Tulare County[7] and since implementation of the proposed project would only result in a conversion of 0.003 percent of the farmland in the County, impacts would be considered less than significant.

The 8-acre site received a combined land evaluation and site assessment FCIR score of 63, which is under the 160-point threshold for evaluation. Additionally, there is no active agriculture occurring

[7] United States Department of Agriculture, 2012. *Census of Agriculture County Profile – Tulare County, California*. Available online at: www.nass.usda.gov/Publications/AgCensus/2012/Online_Resources/County_Profiles/California/cp06107.pdf (accessed June 13, 2019).

on the 8-acre site and the site is not designated for agricultural uses in the City's General Plan. Therefore, there would be no impact.

The Lift Station, pipeline improvement areas, and Porterville Sports Complex improvements would involve temporary construction work; however, after completion of construction, there would be no land use changes for any of the areas occupied by the pipelines and sewer lift stations, or the Sports Complex. Therefore impacts would be less than significant.

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

See Response 4.2.1.a. The 40-acre site is currently under a Williamson Act Contract, restricting the land to agricultural use only. With implementation of the 40-acre site option, the City would withdraw from the Williamson Contract using the cancellation process identified above. No project-related construction would take place on the parcel until after cancellation is complete. In addition, there are 1,239,000 acres of farmland in Tulare County[8] and since implementation of the proposed project would only result in a conversion of 0.003 percent of the farmland in the County, impacts would be considered less than significant. The other project sites are not enrolled in a Williamson Act contract. Therefore, this impact would be less than significant.

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

The project site is not zoned for, nor would it require the rezoning of, any existing parcels or land use designations, including forest land or timberland uses. In addition, there is no forest land or timberland subject to the Public Resources Code within the vicinity of the project site. Therefore, the proposed project would have no impact to forest land or timberland and no mitigation would be required.

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

See Response 4.2.1.c. The proposed project would not convert forest land to non-forest use and would not result in the loss or conversion of forest land to a non-forest use and no impact would occur.

e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

See Responses 4.2. a and 4.2. c. The 40-acre site is currently under a Williamson Act Contract, restricting the land to agricultural use only. With implementation of the 40-acre site option, the City would withdraw from the Williamson Contract using the cancellation process described above. No project-related construction would take place on the parcel until after cancellation is complete. In

8 Ibid.

addition, there are 1,239,000 acres of farmland in Tulare County[9] and since implementation of the proposed project would only result in a conversion of 0.003 percent of the farmland in the County, impacts would be considered less than significant. The other project sites are not enrolled in a Williamson Act contract. The proposed project would not convert forest land to non-forest use and would not result in the loss or conversion of forest land to a non-forest use and no mitigation would be required. Therefore, this impact would be less than significant.

9 Ibid.

4.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

The proposed project is located within the City of Porterville. Porterville is part of the San Joaquin Valley Air Basin (SJVAB), which is within the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAPCD is responsible for air quality regulation within the eight-county San Joaquin Valley region.

Both the State of California (State) and the federal government have established health-based Ambient Air Quality Standards (AAQS) for six criteria air pollutants: carbon monoxide (CO), Ozone (O_3), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), lead (Pb), and suspended particulate matter ($PM_{2.5}$ and PM_{10}). The SJVAB is designated as non-attainment for O_3 and $PM_{2.5}$ for federal standards and non-attainment for O_3, PM_{10}, and $PM_{2.5}$ for State standards.

Air quality monitoring stations are located throughout the nation and maintained by the local air districts and State air quality regulating agencies. Data collected at permanent monitoring stations are used by the United States Environmental Protection Agency (USEPA) to identify regions as "attainment" or "nonattainment" depending on whether the regions meet the requirements stated in the applicable National Air Quality Standards (NAAQS). Nonattainment areas are imposed with additional restrictions as required by the USEPA. In addition, different classifications of attainment, such as marginal, moderate, serious, severe, and extreme, are used to classify each air basin in the State on a pollutant-by-pollutant basis. The classifications are used as a foundation to create air quality management strategies to improve air quality and comply with the NAAQS. The SJVAB attainment statuses for each of the criteria pollutants are listed in Table 4.A**.**

Table 4.A: SJVAB Air Quality Attainment Status

Pollutant	State	Federal
Ozone (1-hour)	Severe/Nonattainment	Standard Revoked
Ozone (8-hour)	Nonattainment	Extreme Nonattainment
PM_{10}	Nonattainment	Attainment (Maintenance)
$PM_{2.5}$	Nonattainment	Nonattainment
Carbon Monoxide	Attainment	Attainment (Maintenance)
Nitrogen Dioxide	Attainment	Unclassified/Attainment
Lead	Attainment	Unclassified/Attainment
Sulfur Dioxide	Attainment	Unclassified
Sulfates	Attainment	No Federal Regulation
Hydrogen Sulfide	Unclassified	No Federal Regulation

Source: SJVAPCD (2016).

An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a non-attainment area. The main purpose of the air quality plan is to bring the area into compliance with the requirements of the federal and State air quality standards. To bring the San Joaquin Valley into attainment, the SJVAPCD adopted the 2016 Plan for the 2008 8-Hour Ozone Standard in June 2016 to satisfy Clean Air Act requirements and ensure attainment of the 75 parts per billion (ppb) 8-hour ozone standard.[10]

To assure the SJVAB's continued attainment of the USEPA PM_{10} standard, the SJVAPCD adopted the 2007 PM_{10} Maintenance Plan in September 2007.[11] The SJVAPCD adopted the 2018 Plan for the 1997, 2006, and 2012 $PM_{2.5}$ Standards in November 2018 to address the USEPA 1997 annual $PM_{2.5}$ standard of 15 µg/m^3 and 24-hour $PM_{2.5}$ standard of 65 µg/m^3, the 2006 24-hour $PM_{2.5}$ standard of 35 µg/m^3, and the 2012 annual $PM_{2.5}$ standard of 12 µg/m^3.[12]

CEQA requires that certain proposed projects be analyzed for consistency with the applicable air quality plan. For a project to be consistent with SJVAPCD air quality plans, the pollutants emitted from a project should not exceed the SJVAPCD emission thresholds or cause a significant impact on air quality. In addition, emission reductions achieved through implementation of offset requirements are a major component of the SJVAPCD air quality plans. As discussed below, the proposed project would not result in the generation of criteria air pollutants that would exceed SJVAPCD thresholds of significance. Therefore, the proposed project would not conflict with or obstruct implementation of SJVAPCD air quality plans and impacts would be less than significant.

---

10 San Joaquin Valley Air Pollution Control District, 2016. *2016 Plan for the 2008 8-Hour Ozone Standard*. June 16. Website: www.valleyair.org/Air_Quality_Plans/Ozone-Plan-2016.htm (accessed June 2019).

11 San Joaquin Valley Air Pollution Control District, 2007. *2007 PM_{10} Maintenance Plan and Request for Redesignation*. Available online at: www.valleyair.org/Air_Quality_Plans/docs/Maintenance%20Plan10-25-07.pdf (accessed June 2019).

12 San Joaquin Valley Air Pollution Control District, 2018. *2018 Plan for the 1997, 2006, and 2012 $PM_{2.5}$ Standards*. November 15. Website: http://valleyair.org/pmplans/documents/2018/pm-plan-adopted/2018-Plan-for-the-1997-2006-and-2012-PM2.5-Standards.pdf (accessed June 2019).

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

The proposed project would generate air emissions during project construction and operation. The following sections describe the proposed project's construction- and operation-related air quality impacts.

Construction. During construction, short-term degradation of air quality may occur due to the release of particulate matter emissions (i.e., fugitive dust) generated by grading, hauling, and other activities. Emissions from construction equipment are also anticipated and would include CO, NO_x, reactive organic gases (ROG), directly-emitted particulate matter ($PM_{2.5}$ and PM_{10}), and toxic air contaminants (TACs) such as diesel exhaust particulate matter.

Site preparation and project construction would involve grading, paving, and other activities. Construction-related effects on air quality from the proposed project would be greatest during the site preparation phase due to the disturbance of soils. If not properly controlled, these activities would temporarily generate particulate emissions. Sources of fugitive dust would include disturbed soils at the construction site. Unless properly controlled, vehicles leaving the site would deposit dirt and mud on local streets, which could be an additional source of airborne dust after it dries. PM_{10} emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM_{10} emissions would depend on soil moisture, silt content of soil, wind speed, and the amount of operating equipment. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site.

Water or other soil stabilizers can be used to control dust, resulting in emission reductions of 50 percent or more. SJVAPCD Regulation VIII (Fugitive PM_{10} Prohibitions) is designed to reduce PM_{10} emissions generated by human activity. The SJVAPCD has established Regulation VIII measures for reducing fugitive dust emissions (PM_{10}). With the implementation of Regulation VIII measures, fugitive dust emissions from construction activities would not result in adverse air quality impacts.

In addition to dust-related PM_{10} emissions, heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO_2, NO_x, ROGs and some soot particulate ($PM_{2.5}$ and PM_{10}) in exhaust emissions. If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase slightly while those vehicles are delayed. These emissions would be temporary and limited to the immediate area surrounding the construction site.

The proposed project would result in the construction of off-site recycled water, sewer, and stormwater infrastructure improvements. Construction of the proposed project is anticipated to begin in 2020 and last approximately 12 months. Construction emissions were estimated for the project using a construction equipment list in the EMFAC 2014 air model and default load factors and hours per normal work day in OFFROAD 2011. The construction emissions calculations estimated up to 167,820 cubic yards (cy) of material to be moved off-site, which is conservative as the proposed project would require approximately 38,720 cy of soil to be cut and approximately

38,720 cy of soil to be imported with if the 40-acre site is selected for the WRF and approximately 19,360 cy of soil to be cut and approximately 58,000 cy of soil to be imported if the 8-acre site is selected for the WRF. Estimated emissions resulting from construction of the WRF, regional retention basin, recycled water pipeline, and sewer and lift station upgrades are presented in Table 4.B.

Table 4.B: Project Construction Emissions in Tons Per Year

Project Construction	ROG	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
Average Daily Emissions	0.21	2.25	1.44	0.07	0.15	0.11
SJVAPCD Thresholds	10.0	10.0	100.0	27.0	15.0	15.0
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Bureau of Indian Affairs (2018).

As shown in Table 4.B, construction emissions would not exceed the SJVAPCD's threshold for annual construction emissions. The SJVAPCD has implemented Regulation VIII measures for dust control related to construction projects. These measures are intended to reduce the amount of PM_{10} emissions during the construction period. Construction activities associated with the project would be subject to Regulation VIII, which would reduce short-term construction period air quality impacts to a less-than-significant level.

Operation. Long-term air pollutant emission impacts are those associated with mobile sources (e.g., vehicle trips), energy sources (e.g., electricity and natural gas), and area sources (e.g., architectural coatings and the use of landscape maintenance equipment) related to the proposed project. Operation of the proposed WRF and recycled water pump station would result in operational emissions associated with worker trips and electricity usage from the equipment and pumps.

PM_{10} emissions result from running exhaust, tire and brake wear, and the entrainment of dust into the atmosphere from vehicles traveling on paved roadways. Entrainment of PM_{10} occurs when vehicle tires pulverize small rocks and pavement and the vehicle wakes generate airborne dust. The contribution of tire and brake wear is small compared to the other PM emission processes. Gasoline-powered engines have small rates of particulate matter emissions compared with diesel-powered vehicles.

Energy source emissions typically result from activities in buildings for which electricity and natural gas are used. The quantity of emissions is the product of usage intensity (i.e., the amount of electricity or natural gas) and the emission factor of the fuel source. Major sources of energy demand for the proposed project could include building mechanical systems, such as the equipment and pumps, lighting, and plug-in electronics.

Emission estimates for operation of the project were calculated using mobile emissions factors in EMFAC 2014. Model results are shown in Table 4.C.

Table 4.C: Project Operation Emissions in Tons Per Year

Project Operation	ROG	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
Project Operation Emissions	0.011	0.018	0.27	0.00	0.0006	0.0003
SJVAPCD Thresholds	10.0	10.0	100.0	27.0	15.0	15.0
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Bureau of Indian Affairs (2018).

The results shown in Table 4.C indicate the project would not exceed the significance criteria for annual ROG, NO_x, CO, SO_x, PM_{10} or $PM_{2.5}$ emissions; therefore, the proposed project would not have a significant effect on regional air quality and mitigation would not be required. This impact would be less than significant.

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

Certain land uses are considered more sensitive to noise than others. Examples of these land uses include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The closest sensitive receptors to the proposed project includes the single-family residence located approximately 1,100 feet west of the 40-acre site and the single-family residence located approximately 3,000 feet south of the 8-acre site.

Construction activities associated with the project would generate airborne particulates and fugitive dust, as well as a small quantity of pollutants associated with the use of construction equipment (e.g., diesel-fueled vehicles and equipment) on a short-term basis. However, construction contractors would be required to implement measures to reduce or eliminate emissions by following the Regulation VIII, Fugitive PM_{10} Prohibitions. Project construction emissions would be below the SJVAPCD's significance thresholds and once the project is constructed, the project would not be a source of substantial emissions. Therefore, sensitive receptors are not expected to be exposed to substantial pollutant concentrations during project construction or operation, and potential impacts would be considered less than significant.

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

During project construction, some odors may be present due to diesel exhaust. However, these odors would be temporary and limited to the construction period. Once operational, the WRF would treat secondary wastewater to tertiary levels and is not expected to result in any perceptible odors at off-site locations. Additionally, the elimination of biosolid dispersal at the 40-acre site would likely reduce the propensity for odors at the site. Therefore, impacts associated with odor from development of the proposed project would be less than significant.

4.4 BIOLOGICAL RESOURCES

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

A biological assessment of the project site was prepared in May 2018 as part of the Eagle Mountain Casino Relocation Project Draft Environmental Impact Statement.[13] The analysis in this Biological Resources section is based on the findings of the biological assessment.

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

The United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW) California Natural Diversity Data Base (CNDDB), and California Native Plant Society (CNPS) lists of regionally occurring federal and State special-status species were evaluated to determine which federal and State special-status species have the potential to occur within the project site. Habitat requirements for each species were assessed and compared to the type and quality of

[13] AES, 2018. *Biological Assessment for the Tule River Indian Tribe 40-Acre Airpark Site*. May.

habitats observed during the biological surveys. Special-status species with the potential to occur on each of the project areas are listed in Table 4.D.

Table 4.D: Potentially Occurring Special-Status Specific on the Project Site

Scientific Name **Common Name**	**Potential to Occur**
Plants	
Clarkia springvillensis Springville Clarkia	**No.** Suitable habitat and soils for this species is absent from the site.
Fritillaria striata Striped adobe lily	**No.** Suitable habitat and soils for this species is absent from the site.
Pseudobahia peirsonii San Joaquin adobe sunburst	**No.** Suitable habitat and soils for this species is absent from the site.
Sidalcea keckii Keck's checkerbloom	**No.** Suitable habitat and soils for this species is absent from the site.
Mimulus pictus Calico monkeyflower	**No.** Suitable habitat and soils for this species is absent from the site.
Animals	
Invertebrates	
Branchinecta lynchi Vernal pool fairy shrimp	**No.** Suitable habitat for this species is absent from the site.
Fish	
Hypomesus transpacificus Delta smelt	**No. S**uitable habitat for this species is absent from the site.
Amphibians	
Rana aurora draytonii California red-legged frog	**No. S**uitable habitat for this species is absent from the site.
Mammals	
Dipodomys nitratoides Tipton Kangaroo Rat	**No. S**uitable habitat for this species is absent from the site.
Vulpes macrotis mutica San Joaquin kit fox	**Unlikely.** Potential foraging areas and ground squirrel burrows are fragmented and disturbed. They would, at best, be considered marginal due to intensive surrounding agricultural and commercial uses. SJKF are not expected to breed or regularly forage on the site, but may pass through during dispersal movements.
Taxidea taxus American badger	**Possible.** Although the majority of the site offers only marginal habitat for this species due to past and ongoing disturbance, foraging habitat may be present on the site. Denning habitat is absent.
Reptiles	
Thamnophis gigas Giant garter snake	**No. S**uitable habitat for this species is absent from the site.
Gambelia sila Blunt-nosed leopard lizard	**No. S**uitable habitat for this species is absent from the site.

Source: Bureau of Indian Affairs (2018).

As shown in Table 4.D, with the exception of San Joaquin Kit Fox (SJKF) and American badger, regionally-occurring species do not have the potential to occur within the project site due to a lack of suitable habitat, elevation range, lack of suitable substrate/soils, and/or geographic distribution. As the SJKF and American badger have the potential to occur on the project site, Mitigation

Measures BIO-1 and BIO-2 would reduce potential impacts to these species to a less-than-significant level.

Mitigation Measure BIO-1: The following measures are required to avoid potential adverse effects to the San Joaquin kit fox (SJKF):

- Preconstruction 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 SJKF. These surveys will be conducted in all potential SJKF habitat on and within 200 feet of the project site. The primary objective is to identify SJKF habitat features (e.g., potential dens and refugia) within the project area and evaluate their use by SJKF. These surveys will include the maintenance of photo stations and track plates at burrows falling within the dimensional range of a SJKF burrow. If an active SJKF den is detected within or immediately adjacent to the project site, the United States Fish and Wildlife Service (USFWS) shall be contacted immediately to determine the best course of action.

- Should SJKF be found during preconstruction surveys, the Sacramento Field Office of the USFWS will be notified. A disturbance-free buffer will be established around the burrows in consultation with the USFWS, and shall be maintained until a qualified biologist has determined that the burrows have been abandoned.

- Permanent and temporary construction activities and other types of project-related activities should be carried out in a manner that minimizes disturbance to SJKF. Minimization measures shall include: 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 SJKF; and proper disposal of food items and trash.

- Prior to the start of construction, the City will retain a qualified biologist to conduct an informational meeting to educate all construction staff on the SJKF. This training will include a description of the SJKF and its habitat needs; a report of the occurrence of SJKF in the project area; an explanation of the status of the species and its protection under the federal Endangered Species Act (FESA); and a list of the measures being taken to reduce effects to the species during project construction and implementation. The training will include a

handout containing training information. The project manager will use this handout to train any additional construction personnel that were not in attendance at the first meeting, prior to starting work on the project.

Mitigation Measure BIO-2: The following measures are required to reduce potential impacts to the American Badger:

- Prior to construction activities within the project site, a qualified biologist shall conduct a preconstruction survey for American Badger concurrent with the preconstruction survey for SJKF recommended under Mitigation Measure BIO-1 to identify any active dens. If occupied dens are found during pre-construction surveys, the biologist would consult with California Department of Fish and Wildlife (CDFW) to determine whether the construction activities would adversely disrupt breeding behaviors of the badger. If it is determined that construction activities would disrupt breeding behaviors, then a 500-foot avoidance buffer shall be established around occupied burrow from March-August or until a qualified biologist can determine that juvenile badgers are self-sufficient enough to move from their natal burrow.

- A habitat sensitivity training shall be conducted for American badger. The same information would be provided to crew members for this species as was identified in the habitat sensitivity training for SJKF.

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

No riparian habitat is present on the project site. The 40-acre site consists of an active agricultural field and dominant vegetation observed included young barley (*Hordeum vulgare*) that was being grown in the southern portion. The middle and northern portions of the 40-acre site were being actively disked for future agricultural use at the time of survey. The only habitat type on the 8-acre site is non-native annual grassland. A 10-foot high U-shaped berm is also present in the middle of the 8-acre site and annual grassland species that were observed include black mustard, Russian thistle, shepherd's purse, crane's bill geranium, and wild radish, puncture vine, and weeping wood sorrel, among others. In addition, the Lift Station and Pipeline Improvement and Porterville Sports Complex sites include ruderal/developed habitat. The southern and northern portions of the lift station and pipeline improvement areas are primarily bare ground due to high levels of human use. The Porterville Sports Complex portion of the site consists of actively maintained grassland and small ornamental trees such as Peruvian pepper and red oak. Therefore, because no riparian habitat or other sensitive natural communities are present on the proposed project site, no impacts would occur.

c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Wetlands as defined by the United States Army Corps of Engineers (USACE) must possess hydrophytic vegetation, hydric soils, and wetland hydrology. The 40-acre site contains agricultural ditches along the north, west, and southern borders. None of the ditches are dominated by hydrophytic vegetation and none connect to jurisdictional Waters. Therefore, the agricultural ditches do not have the potential to be jurisdictional Waters of the U.S. No wetlands are present on the 40-acre site. The 8-acre site contains a vegetative swale running along its southern border. The swale is man-made, dominated by non-native grasses, contains no bed, and does not connect to any jurisdictional navigable Waters. Therefore, the swale does not have the potential to be a jurisdictional wetland or Water of the U.S. In addition, the Lift Station and Pipeline Improvement and Porterville Sports Complex sites do not contain any potential jurisdictional Waters. No evidence of hydrophytic vegetation, hydric soils, or wetland hydrology were observed anywhere in these areas. Therefore, because no State or federally protected wetlands are present on the proposed project site, no impacts would occur.

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Habitat fragmentation occurs when a proposed action results in a single, unified habitat area being divided into two or more areas, such that the division isolates the two new areas from each other. Isolation of habitat occurs when wildlife cannot move freely from one portion of the habitat to another or from one habitat type to another. An example is the fragmentation of habitats within and around clustered residential development. Habitat fragmentation may occur when a portion of one or more habitats is converted into another habitat, as when scrub habitats are converted into annual grassland habitat because of frequent burning.

Migratory birds and other birds of prey have the potential to nest within the agricultural field on the 40-acre site. Bird species, including killdeer, Brewer's blackbird, western meadowlark, mourning dove (*Zenaida macroura*), dark-eyed junco (*Junco hyemalis*), and various sparrow species (*Passeridae ssp*.) may nest within or adjacent to the 40-acre site and within the project site. The nesting season ranges from February 15 to September 15.

Mitigation Measure BIO-3: The following measures are required to reduce potential impacts to the nesting migratory, raptor and/or special-status bird species within the project site:

- If any construction activities (e.g., building, grading, ground disturbance, removal of vegetation) are scheduled to occur within the project site during the nesting season (February 15 to September 15), preconstruction nesting bird surveys shall be conducted. Preconstruction surveys for any nesting bird species shall be conducted by a qualified wildlife biologist throughout

all areas of suitable habitat that are within 500 feet of any proposed construction activity. The surveys shall occur no more than 14 days prior to the scheduled onset of construction. If construction is delayed or halted for more than 14 days, another preconstruction survey for nesting bird species shall be conducted. If no nesting birds are detected during the preconstruction surveys, no additional surveys or mitigation measures are required.

- If nesting bird species protected under the Migratory Bird Treaty Act (MBTA) are observed within 500 feet of construction areas during the surveys, appropriate "disturbance-free" buffers shall be established. The size and scale of nesting bird buffers shall be determined by a qualified wildlife biologist and shall be dependent upon the species observed and the location of the nest. Buffers shall be established around all active nest locations. The nesting bird buffers shall be completely avoided during construction activities. The qualified wildlife biologist shall also determine an appropriate monitoring plan and decide if construction monitoring is necessary during construction activities. Monitoring requirements are dependent upon the species observed, the location of the nests, and the number of nests observed. The buffers may be removed when the qualified wildlife biologist confirms that the nest(s) is no longer occupied and all birds have fledged.

- If impacts (i.e., take) to migratory nesting bird species are unavoidable, consultation with USFWS shall be initiated. Through consultation, an appropriate and acceptable course of action shall be established.

With implementation of Mitigation Measure BIO-3, the proposed project would not 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 and impacts would be less than significant with mitigation incorporated.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project would not conflict with any local policies or ordinances protecting biological resources, and the City does not currently have a tree preservation ordinance. However, the project site is within the City's General Plan area. Therefore, the project is subject to the following policies within the City of Porterville 2030 General Plan's Open Space and Conservation Element as they relate to the protection of biological resources:

- OSC-I-26: Adopt habitat conservation regulations, including requirements and incentives to incorporate natural wildlife habitat features into new development and public landscapes, parks, and other public facilities.

  The regulations will require adequate mitigation measures (e.g., selective preservation, replanting, sensitive site planning, etc.) for all development that will adversely impact significant biological resources, consistent with State and federal law.

- OSC-I-27: Protect and enhance the natural habitat features of the Tule River and open space corridors within the Planning Area.

- OSC-I-28: Require protection of sensitive habitat areas and special-status species in new development site designs in the following order: 1) avoidance, 2) on-site mitigation, 3) offsite mitigation, and 4) purchase of mitigation credits.

- OSC-I-29: Require assessments of biological resources prior to approval of any development within 300 feet of any creeks, sensitive habitat areas, or areas of potential sensitive status species.

- OSC-I-31: Require, as part of the proposed Tule River Corridor Plan, measures to protect and enhance riparian zones, natural areas and wildlife habitat qualities; and establish and maintain a buffer along the river where development shall not occur, except as part of the parkway enhancement (e.g., trails and bikeways).

- OSC-I-35: Consult with all responsible agencies about wetland and vernal pool habitat potentially affected by development.

- OSC-I-36: Establish a "no net loss" policy for wetlands and vernal pools, including credits for land banking and off-site mitigation, and maintain a protection zone around wetlands, riparian corridors, and identified habitat areas where development shall not occur, except as part of a parkway enhancement program (e.g., trails and bikeways).

As identified in the responses above, with implementation of Mitigation Measures BIO-1 through BIO-3, the proposed project would not have a significant impact on biological resources. Therefore, the project would not conflict with adopted polices, plans, or programs protecting biological resources. This impact would be less than significant with mitigation incorporated.

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The project site is not subject to any adopted habitat conservation plan and is therefore subject to regulation by local, State, and federal laws on a case-by-case basis. As there is no adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan applicable to the project, no impact would occur and no mitigation would be required.

4.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

A record search and an intensive archaeological field survey for the project site was completed by AES in early 2017 for the Tule River Indian Tribe Fee-To-Trust and Eagle Mountain Casino Relocation Project Draft Environmental Statement.[14] The record search indicated that the bulk of the project site has been surveyed previously; however, due to the passage of time, an additional field survey was conducted. The results of the survey are summarized below.

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

At the time of the survey, the 40-acre site was being used as an agricultural field. Half of the site had been recently planted in young barley (*Hordeum vulgare*), while the other half had been recently disked. In both cases, survey transects were spaced at 30-meter intervals, ground surface visibility was 100 percent, and no cultural resources were identified.

Since at least 1952, the 8-acre site has been used as a shooting range, though is no longer in active use. There was a vegetated swale running along the southern edge and a cleared 6-foot wide strip along the northern edge. Internally, the parcel was divided: in the west half, it was fenced and overgrown with a 10-foot high, U-shaped earthen berm shooting range backstop in the east half; beyond the berm, a large rectangular depression stretching to the edges of the parcel indicates the source of the backstop. Within the depression, there was a small dirt stockpile. The stockpile, the shooting range, and the strip running along the northern edge of the parcel averaged 80 percent ground surface visibility. The remainder of the 8-acre site was covered with thick weeds and grasses, offering less than 2 percent ground surface visibility. Survey transects were spaced 15 meters apart, and periodic boot scrapes were used to expose surface soils for investigation; rodent burrow soils were also examined. The only artifacts noted were fragments of modern debris, including shell casings, plastic, and bottle glass with the exception of one milk glass fragment seen on the berm surface. No cultural resources were identified.

Two transmission line corridors and lift stations are included within the project site. The first is a linear pipeline corridor running along the eastern edge of the 40-acre site and western edge of the casino site, then an additional 400 feet north on West Street, before turning east to run 1,200 feet

[14] Bureau of Indian Affairs, 2018, op. cit., pp. 3.6-7–3.6-9.

along the top of the Porterville Sports Complex to a lift station. The second is 600-foot sewer line that would carry effluent to a lift station east of the 8-acre site and to the extant wastewater treatment plant ponds. In both cases, the pipeline routes were either within disturbed road edges, the Porterville Sports Complex access road, or in disturbed lands on the north side of the extant wastewater treatment plant ponds. The road edges were grassy, offering poor visibility. The portion of the pipeline route along the north edge of the Porterville Sports Complex could not be surveyed due to lack of access; however, the area was highly disturbed and unlikely to contain cultural resources. That portion of the pipeline route extending from the southeast corner of the 8-acre site towards the extant WWTP ponds was in disturbed soils, but ground surface visibility was 100 percent. No cultural resources were identified along the pipeline routes or lift station locations.

However, the possibility exists that additional subsurface cultural resources could be inadvertently discovered within the project site. Therefore, Mitigation Measure CUL-1 would be required to reduce the project's potential impacts to previously unidentified archaeological deposits that may be encountered during construction. Implementation of this mitigation measure would reduce potential impacts to these resources to less than significant.

Mitigation Measure CUL-1: In the event of inadvertent discovery of prehistoric or historic archaeological or paleontological resources during construction-related earth-moving activities, the appropriate agency shall be notified. All work within 50 feet of the find shall be halted until a professional archaeologist meeting the Secretary of the Interior's qualifications (36 CFR §61) can assess the significance of the find in consultation with the appropriate agency and the Tribe. If the find is determined to be significant by the archaeologist, then the archaeologist, in consultation with the appropriate agency and the Tribe, shall determine the appropriate course of action, including the development and implementation of a Treatment Plan, if necessary. All significant cultural materials recovered shall be subject to scientific analysis, professional curation, and a report prepared by the archaeologist according to current professional standards.

Implementation of Mitigation Measure CUL-1 would reduce potential impacts related to a substantial adverse change in the significance of historical or archaeological resources to a less-than-significant level.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

According to the CEQA Guidelines, "When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource" (CEQA Guidelines Section 15064.5(c)(1)). Those archaeological sites that do not qualify as historical resources shall be assessed to determine if these qualify as "unique archaeological resources" (California PRC Section 21083.2). No archaeological resources were identified in the project site. However, there is a potential for unknown archaeological resources to be discovered during construction. Mitigation

Measure CUL-1 requires that if unknown archaeological resources are discovered during construction, work in the area would halt and a qualified archaeologist would be contacted. Adherence to the requirements in Mitigation Measure CUL-1 would reduce potential impacts to archaeological resources to less than significant with mitigation. Therefore, the project would not cause a substantial adverse change in the significance of an archeological resource.

c. Would the project disturb any humans remains, including those interred outside of formal cemeteries?

Disturbance of human remains interred outside of formal cemeteries would result in a significant impact. If human remains are identified during project construction, Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code shall apply, as appropriate. Therefore, implementation of Mitigation Measure CUL-2 would reduce potential impacts to human remains to a less-than-significant level.

Mitigation Measure CUL-2: If human remains are discovered during ground-disturbing activities, all construction activities shall halt within 100 feet of the find. The Tribe, appropriate agency, and County Coroner shall be contacted immediately, and the County Coroner shall determine whether the remains are the result of criminal activity; if possible, a human osteologist shall be contacted as well. If Native American, the provisions of appropriate federal or state laws is required. Construction shall not resume in the vicinity until final disposition of the remains has been determined.

4.6 ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	☐	☐	☒	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

a. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?

The proposed project would result in infrastructure and roadway improvements and would demand energy during construction and operation of the project.

Construction-Period Energy Use. The anticipated construction schedule assumes that the proposed project would be built over 12 months. The proposed project would require grading, site preparation, and building activities during construction.

Construction of the proposed project would require energy for manufacturing and transporting building materials, preparation of the site for demolition and grading activities, and building construction. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for these activities. Energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to the State's available energy sources. Therefore, construction energy impacts would be less than significant, and no mitigation would be required.

Operational Energy Use. Operation of the proposed infrastructure and roadway improvements would demand electricity. The proposed project would have minimal to no effect on natural gas demand. The estimated electricity demand load for the WRF is projected to be 51.4 kilovolt-amperes (kVA), while the projected connected load is 102.8 kVA. Electricity would be obtained from SCE, which currently provides electricity to properties in the immediate vicinity of the project site. Due to the small electricity demand of the WRF, it is not anticipated that operation of this facility would significantly impact SCE's ability to provide electricity in the region subsequent to the above-described upgrades. SCE has indicated that because the 8-acre site is landlocked, it may be necessary to obtain an easement prior to extending electrical services to that location. Due to the small electricity demand associated with the proposed project, the proposed project would not result in the wasteful, inefficient or unnecessary consumption of fuel or energy and would incorporate renewable energy or energy efficiency measures into building design, equipment use, and transportation. Impacts would be less than significant, and no mitigation would be required.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The California Energy Commission (CEC) recently adopted the 2017 Integrated Energy Policy Report.[15] The 2017 Integrated Energy Policy Report provides the results of the CEC's assessments of a variety of energy issues facing California. Many of these issues will require action if the State is to meet its climate, energy, air quality, and other environmental goals while maintaining energy reliability and controlling costs. The 2017 Integrated Energy Policy Report covers a broad range of topics, including implementation of Senate Bill 350, integrated resource planning, distributed energy resources, transportation electrification, solutions to increase resiliency in the electricity sector, energy efficiency, transportation electrification, barriers faced by disadvantaged communities, demand response, transmission and landscape-scale planning, the California Energy Demand Preliminary Forecast, the preliminary transportation energy demand forecast, renewable gas (in response to Senate Bill 1383), updates on Southern California electricity reliability, natural gas outlook, and climate adaptation and resiliency.

As indicated above, energy usage on the project site during construction would be temporary in nature. In addition, energy usage associated with operation of the proposed project would be relatively small in comparison to the State's available energy sources and energy impacts would be negligible at the regional level. Because California's energy conservation planning actions are conducted at a regional level, and because the project's total impact to regional energy supplies would be minor, the proposed project would not conflict with California's energy conservation plans as described in the CEC's 2017 Integrated Energy Policy Report. Thus, as shown above, the project would avoid or reduce the inefficient, wasteful, and unnecessary consumption of energy and not result in any irreversible or irretrievable commitments of energy. Therefore, the proposed project would not result in the wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation. Impacts would be less than significant, and no mitigation measures would be required.

[15] California Energy Commission, 2017. *2017 Integrated Energy Policy Report. California Energy Commission. Publication Number: CEC-100-2017-001-CMF*.

4.7 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

a. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

The United States Geological Survey (USGS) defines a fault as "active" if it has moved one or more times in the last 10,000 years.[16] The San Joaquin Valley, like most of California, is a seismically active region; however, no known active faults occur in Tulare County.[17] No Alquist-Priolo earthquake

[16] United States Geological Survey, 2016. *Earthquake Glossary – Active Fault.* Website: earthquake.usgs.gov/learn/glossary/?term=active%20fault (accessed June 13, 2019).

[17] Tulare County, 2012. *Tulare County General Plan, 2030 Update*. Website: generalplan.co.tulare.ca.us (accessed June 13, 2019).

zones are mapped in the vicinity of the project site.[18] Several pre-Quaternary, inactive faults exist in the vicinity of the City. The nearest inactive fault to the project site is an unnamed fault that occurs approximately 3.73 miles to the southeast. The site does not fall within an Alquist-Priolo Fault Zone, and is therefore not subject to any building restrictions. The proposed project would be constructed to standards consistent with California Building Code (CBC) guidelines, particularly those pertaining to earthquake design, in order to safeguard against major structural failures and loss of life. Therefore, no people or structures would be exposed to potential substantial adverse effects, including the risk of loss, injury, or death from the rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As a result, a less-than-significant impact would occur.

ii. Strong seismic ground shaking?

As discussed above, due to the distance to the known faults, hazards due to ground shaking would be minimal. Therefore, impacts related to strong seismic ground shaking would be less than significant.

iii. Seismic-related ground failure, including liquefaction?

Soil liquefaction can occur in seismic conditions. Liquefaction is the temporary transformation of saturated, non-cohesive material from a relatively stable, solid condition to a liquefied state as a result of increased soil pore water pressure. Soil pore water pressure is the water pressure between soil particles. Liquefaction can occur if three factors are present: seismic activity, loose sand or silt, and shallow groundwater.

The City's General Plan does not identify specific areas prone to liquefaction; however, it notes that some zones within its planning area are at a moderate risk of liquefaction due to steep hillside topography, soil slumping, and proximity to the Tule River. The project site does not contain many of these qualities that would make an area susceptible to liquefaction; this, combined with the lack of active faults in the area, indicates that the probability of liquefaction occurring on the site is low. As such, the proposed project would not expose people or structures to potential substantial effects associated with seismic-related ground failure, including liquefaction. Therefore, this impact is less than significant.

v. Landslides?

The City's General Plan states that there is a moderate risk of landslides and liquefaction. Because the project site is generally level, the proposed project would not expose people or structures to potential substantial adverse effects associated with landslides. Therefore, impacts related to landslides would be less than significant.

[18] California Geological Survey, 2015. CGS Information Warehouse: Regulatory Maps. Website: maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps (accessed June 13, 2019).

b. Would the project result in substantial soil erosion or the loss of topsoil?

Development of the proposed project could impact soils by causing soil erosion during construction activities such as clearing, grading, trenching, stockpiling, and backfilling. These activities could reduce the integrity of the soil structures, thereby increasing the likelihood of erosion from wind and/or stormwater runoff. The primary soil type on the project site has a moderate erosion potential based on soil type and slope gradient. This is a potentially significant impact. Because the improvements would cover more than one acre, a site-specific Storm Water Pollution Prevention Plan (SWPPP) would need to be developed. Best management practices (BMPs) have been included in Mitigation Measures GEO-1 through GEO-4 that would be incorporated into the site-specific SWPPP(s) to prevent erosion and sedimentation to surface waters during construction.

Mitigation Measure GEO-1: The project shall comply with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the United States Environmental Protection Agency (USEPA) for all construction site runoff during the construction phase in compliance with the Clean Water Act (CWA). A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared, implemented, and maintained throughout the construction phase of the development, consistent with Construction General Permit requirements. The SWPPP shall detail the BMPs to be implemented during construction and post-construction operation of the selected project alternative to reduce impacts related to soil erosion and water quality. The BMPs shall include, but are not limited to, the following:

- Existing vegetation shall be retained where practicable. To the extent feasible, grading activities shall be limited to the immediate area required for construction and remediation.
- Temporary erosion control measures (such as silt fences, fiber rolls, vegetated swales, a velocity dissipation structure, staked straw bales, temporary re-vegetation, rock bag dams, erosion control blankets, and sediment traps) shall be employed for disturbed areas.
- To the maximum extent feasible, no disturbed surfaces shall be left without erosion control measures in place.
- Construction activities shall be scheduled to minimize land disturbance during peak runoff periods. Soil conservation practices shall be completed during the fall or late winter to reduce erosion during spring runoff.
- Creating construction zones and grading only one area or part of a construction zone at a time shall minimize exposed areas. If

practicable during the wet season, grading on a particular zone shall be delayed until protective cover is restored on the previously graded zone.

- Disturbed areas shall be re-vegetated following construction activities.
- Construction area entrances and exits shall be stabilized with large-diameter rock.
- Sediment shall be retained on site by a system of sediment basins, traps, or other appropriate measures.
- A spill prevention and countermeasure plan shall be developed which identifies proper storage, collection, and disposal measures for potential pollutants (such as fuel, fertilizers, pesticides, etc.) used on site.
- Petroleum products shall be stored, handled, used, and disposed of properly in accordance with provisions of the CWA (33 United States Code [USC] §1251 to 1387).
- Construction materials, including topsoil and chemicals, shall be stored, covered, and isolated to prevent runoff losses and contamination of surface and groundwater.
- Fuel and vehicle maintenance areas shall be established away from all drainage courses and designed to control runoff.
- Sanitary facilities shall be provided for construction workers.
- Disposal facilities shall be provided for soil wastes, including excess asphalt during construction and demolition.
- Other potential BMPs include use of wheel wash or rumble strips and sweeping of paved surfaces to remove any and all tracked soil.

Mitigation Measure GEO-2: Contractors involved in the project shall be trained on the potential environmental damage resulting from soil erosion prior to construction in a pre-construction meeting. Copies of the project's SWPPP shall be distributed at that time. Construction bid packages, contracts, plans, and specifications shall contain language that requires adherence to the SWPPP.

Mitigation Measure GEO-3: A SWPPP specific to the 40-acre site shall be prepared, implemented, and maintained throughout the construction phase of the development, consistent with Construction General Permit requirements. A SWPPP specific to the 8-acre site shall also be prepared, implemented, and maintained if the water reclamation facility (WRF) is constructed on the 8-acre site. The SWPPP(s) shall detail the BMPs to be implemented during construction and post-construction operation of the selected project alternative to reduce impacts related to soil erosion and water quality. The BMPs shall include, but are not limited to, the measures listed in Mitigation Measure GEO-1.

Mitigation Measure GEO-4: Materials that are excavated during the construction of the regional retention basin and stockpiled on the 40-acre site shall be covered by tarps or other appropriate materials and stabilized to prevent erosion until these materials are removed.

With incorporation of Mitigation Measures GEO-1 through GEO-4 construction of the proposed project would not result in substantial soil erosion or loss of topsoil. This impact would be less than significant with mitigation incorporated.

c. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

See Sections 4.7.1.a.iii and 4.7.1.a.iv above. The proposed project would not require a substantial grade change or change in topography. The project would not result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse. Therefore, this impact would be less than significant.

d. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Expansive soils can swell or shrink in response to changes in moisture, which can significantly damage infrastructure located on expansive soils. The project is not located in an area with high soil expansion potential. Therefore, the project would not create substantial risks to life or property due to expansive soils. Therefore, no impact would occur.

e. Would the project 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?

The proposed project would not require the use of septic tanks or other alternative wastewater disposal systems. Therefore, no impact would occur.

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

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

According to the City's General Plan, the University of California Museum of Paleontology lists 25 localities where fossils have been found in Tulare County. However, due to the sensitive nature of these sites, they are not mapped and therefore, potential paleontological resource may be encountered during construction. Identified fossil types in the County include prehistoric mammals, other vertebrates, invertebrates and plants.[19]

The following mitigation measure would reduce the paleontological resource impacts associated with the proposed project to a less-than-significant level.

Mitigation Measure GEO-5: The City shall inform its contractor(s) of the sensitivity of the project area for paleontological resources. Should paleontological resources be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If found to be significant, and project activities cannot avoid the paleontological resources, adverse effects to paleontological resources shall be mitigated. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, a final report, and accessioning the fossil material and technical report to a paleontological repository. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City of Porterville for review, and (if paleontological materials are recovered) a paleontological repository, such as the University of California Museum of Paleontology. The City shall verify that the above directive has been included in the appropriate contract documents.

[19] Porterville, City of, 2008, op. cit.

4.8 GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Greenhouse gas emissions (GHGs) are present in the atmosphere naturally, and are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. However, over the last 200 years, human activities have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, and enhancing the natural greenhouse effect, which is believed to be causing global climate change. The gases that are widely seen as the principal contributors to human-induced global climate change are:

- Carbon dioxide (CO_2)
- Methane (CH_4)
- Nitrous oxide (N_2O)
- Hydrofluorocarbons (HFCs)
- Perfluorocarbons (PFCs)
- Sulfur Hexafluoride (SF_6)

Certain gases, such as water vapor, are short-lived in the atmosphere. Others remain in the atmosphere for significant periods of time, contributing to climate change in the long term. Water vapor is excluded from the list of GHGs above because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

These gases vary considerably in terms of Global Warming Potential (GWP), which is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. GWP is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and the length of time that the gas remains in the atmosphere ("atmospheric lifetime"). The GWP of each gas is measured relative to CO_2, the most abundant GHG; the definition of GWP for a particular GHG is the ratio of heat trapped by one unit mass of the GHG to the ratio of heat

trapped by one unit mass of CO_2 over a specified time period. GHG emissions are typically measured in terms of pounds or tons of "CO_2 equivalents" (CO_2e).

The SJVAPCD's *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*[20] presents a tiered approach to analyzing project significance with respect to GHG emissions. Project GHG emissions are considered less than significant if they can meet any of the following conditions, evaluated in the order presented:

- Project is exempt from CEQA requirements;
- Project complies with an approved GHG emission reduction plan or GHG mitigation program;
- Project implements Best Performance Standards (BPS); or
- Project demonstrates that specific GHG emissions would be reduced or mitigated by at least 29 percent compared to Business-as-Usual (BAU), including GHG emission reductions achieved since the 2002-2004 baseline period.

The proposed project is not expected to be exempt from CEQA requirements and the City has not adopted a Climate Action Plan or GHG thresholds of significance; therefore, the first two GHG significance criteria would not apply. The SJVAPCD has adopted a Climate Change Action Plan (CCAP), which includes suggested BPS for proposed development projects. Projects implementing BPS in accordance with SJVAPCD guidance would be determined to have a less than significant individual and cumulative impact on greenhouse gas emissions and would not require project specific quantification of greenhouse gas emissions. Appendix J of the SJVAPCD Final Staff Report for the CCAP[21] contains GHG reduction measures; however these measures are intended for new commercial, residential, and mixed-use development projects and wouldn't be applicable to the proposed project as the project would result in infrastructure and roadway improvements.

Operation of the proposed WRF and recycled water pump station would result in operational emissions associated with worker trips and electricity usage from the equipment and pumps. Emission estimates for operation of the project were calculated using mobile emissions factors in EMFAC 2014. Based on the emissions estimates, operation of the proposed project would generate approximately 552.8 CO_2 per year of emissions. Emission estimates for operation of the project were calculated using mobile emissions factors in EMFAC 2014. The SJVAPCD has not established a numeric threshold for GHG emissions. The project would provide infrastructure and roadway improvements to support the casino relocation and would implement energy efficiency measures required under the Cal Green program (Title 24), as applicable. Based on the emission estimates, the

[20] San Joaquin Valley Air Pollution Control District, 2009. *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. December 17. Available online at: www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20-%20FINAL%20LU%20Guidance%20-%20Dec%2017%202009.pdf (accessed June 2019).

[21] San Joaquin Valley Air Pollution Control District, 2009. *Final Staff Report Appendix J: GHG Emission Reduction Measures – Development Projects*. December 17. Available online at: www.valleyair.org/Programs/CCAP/bps/Appendix%20J%20-%20Dec%2017%202009.pdf (accessed June 2019).

proposed project would not result in the generation of substantial GHG emissions and impacts would be less than significant.

b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Absent any other local or regional Climate Action Plan, the proposed project was analyzed for consistency with the goals of Assembly Bill (AB) 32 and the AB 32 Scoping Plan. The Scoping Plan has a range of GHG reduction actions, which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 implementation fee to fund the program.

In addition, Senate Bill (SB) 32 affirms the importance of addressing climate change by codifying into statute the GHG emissions reductions target of at least 40 percent below 1990 levels by 2030 contained in Executive Order B-30-15. SB 32 builds on AB 32 and keeps us on the path toward achieving the State's 2050 objective of reducing emissions to 80 percent below 1990 levels, consistent with an Intergovernmental Panel on Climate Change (IPCC) analysis of the global emissions trajectory that would stabilize atmospheric GHG concentrations at 450 parts per million CO_2e and reduce the likelihood of catastrophic impacts from climate change.

The companion bill to SB 32, AB 197, provides additional direction to the California Air Resource Board (CARB) in the following areas related to the adoption of strategies to reduce GHG emissions. Additional direction in AB 197 intended to provide easier public access to air emissions data that are collected by CARB was posted in December 2016. The measures applicable to the proposed project include energy efficiency measures, water conservation and efficiency measures, and transportation and motor vehicle measures, as discussed below.

Energy efficient measures are intended to maximize energy efficiency building and appliance standards, pursue additional efficiency efforts including new technologies and new policy and implementation mechanisms, and pursue comparable investment in energy efficiency from all retail providers of electricity in California. In addition, these measures are designed to expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings. The proposed pump station and WTP would be required to comply with the latest Title 24 standards of the California Code of Regulations, established by the CEC and the City's current building code, regarding energy conservation and green building standards. Therefore, the proposed project would comply with applicable energy measures.

Water conservation and efficiency measures are intended to continue efficiency programs and use cleaner energy sources to move and treat water. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. As noted above, the project would be required to comply with the latest Title 24 standards of the California Code of Regulations, which includes a variety of different measures, including reduction of wastewater and water use. Therefore, the proposed project would not conflict with any of the water conservation and efficiency measures.

The goal of transportation and motor vehicle measures is to develop regional GHG emissions reduction targets for passenger vehicles. The second phase of Pavley standards will reduce GHG

emissions from new cars by 34 percent from 2016 levels by 2025, resulting in a 3 percent decrease in average vehicle emissions for all vehicles by 2020. Specific regional emission targets for transportation emissions would not directly apply to the proposed project. Therefore, the proposed project would not conflict with the identified transportation and motor vehicle measures.

Therefore, the proposed project would comply with existing State regulations adopted to achieve the overall GHG emissions reduction goals identified in AB 32 and would be consistent with applicable plans and programs designed to reduce GHG emissions. Therefore, the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. This impact would be less than significant.

4.9 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The proposed project would include infrastructure and roadway improvements, including construction of a WRF on either the 40-acre site or 8-acre site, and a regional retention basin on the 40-acre site. The lift station and pipeline improvement area would remain in their current uses. Construction personnel could encounter contamination during construction-related earth moving activities due to previous agricultural chemical use on the 40-acre site and the 8-acre site's past use as a shooting range. Implementation of Mitigation Measure HAZ-1 would ensure that any potential hazardous materials impacts during construction activity would be reduced to a less-than-significant level. Additionally, the proposed project may result in the use and disposal of hazardous materials during the construction phase. Implementation of Mitigation Measure HAZ-2 would include several best management practices (BMPs) to reduce the potential for incidents/spills involving the hazardous materials.

Mitigation Measure HAZ-1: If the 40-acre site is selected as the location of the WRF, soil sampling shall occur on the site to ensure agricultural chemical contamination is not present. If sampling and testing indicates hazardous materials contamination, the contaminated soils and/or groundwater shall be properly removed and/or remediated by qualified professionals consistent with an approved remediation plan. If the 8-acre site is selected as the location of the WRF, soil sampling for lead shall be conducted on the site. Contaminated soils that are determined to be hazardous shall be properly removed and/or remediated by qualified professionals consistent with an approved remediation plan.

In the event that contaminated soil and/or groundwater is encountered during construction-related earth-moving activities, all work shall be halted until a professional hazardous materials specialist or other qualified individual assesses the extent of contamination. If contamination is determined to be hazardous, the City shall consult with the USEPA to determine the appropriate course of action, including development of a Sampling and Remediation Plan, if necessary. Contaminated soils that are determined to be hazardous shall be disposed of in accordance with federal regulations.

Mitigation Measure HAZ-2: Personnel shall follow best management practices (BMPs) for filling and servicing construction equipment and vehicles. BMPs that are designed to reduce the potential for incidents/spills involving the hazardous materials include the following:

- To reduce the potential for accidental release, fuel, oil, and hydraulic fluids shall be transferred directly from a service truck to construction equipment.
- Catch-pans shall be placed under equipment to catch potential spills during servicing.
- Refueling shall be conducted only with approved pumps, hoses, and nozzles.
- All disconnected hoses shall be placed in containers to collect residual fuel from the hose.
- Vehicle engines shall be shut down during refueling.
- No smoking, open flames, or welding shall be allowed in refueling or service areas.

- Refueling shall be performed away from bodies of water to prevent contamination of water in the event of a leak or spill.
- Service trucks shall be provided with fire extinguishers and spill containment equipment, such as absorbents.
- Should a spill contaminate soil, the soil shall be put into containers and disposed of in accordance with local, state, and federal regulations.
- All containers used to store hazardous materials shall be inspected at least once per week for signs of leaking or failure.

In the event that contaminated soil and/or groundwater is encountered during construction related earth-moving activities, all work shall be halted until a professional hazardous materials specialist or other qualified individual assesses the extent of contamination. If contamination is determined to be hazardous, the City shall consult with the USEPA to determine the appropriate course of action, including development of a Sampling and Remediation Plan if necessary. Contaminated soils that are determined to be hazardous shall be disposed of in accordance with federal regulations.

Implementation of Mitigation Measures HAZ-1 and HAZ-2 would minimize the risk of inadvertent release during construction and would reduce potential hazardous materials impacts during construction to less than significant with mitigation incorporated.

With development of a WRF on either the 40-acre site or the 8-acre site, the delivery, storage, and use of hazardous materials, including chlorine for disinfection, would occur. With proper handling and storage of chemicals in accordance with regulatory requirements, significant impacts are not anticipated as a result of the proposed WTP. However, Mitigation Measure HAZ-2 includes BMPs for the storage and handling of hazardous materials in order to further reduce impacts resulting from hazardous materials. With implementation of Mitigation Measures HAZ-1 and HAZ-2, potential hazardous materials impacts would be less than significant with mitigation incorporated.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

See Response 4.9.1.a, above. With implementation of Mitigation Measures HAZ-1 and HAZ-2, the proposed project would not result in a significant hazard to the public or the environment through a reasonably foreseeable upset or accident condition related to the release of hazardous materials. This impact would be less than significant with mitigation incorporated.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The project site is not located within 0.25 miles of an existing school. However, with implementation of Mitigation Measures HAZ-1 and HAZ-2, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. This impact would be less than significant with mitigation incorporated.

d. Would the project 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?

As discussed above, the proposed project would include infrastructure and roadway improvements, including a WRF on either the 40-acre site or 8-acre site and a regional retention basin on the 40-acre site. The lift station and pipeline improvement area would remain in their current uses. Construction personnel could encounter contamination during construction-related earth moving activities due to previous agricultural chemical use on the 40-acre site and the 8-acre site's previous use as a shooting range. However, according to the DTSC EnviroStor database,[22] the project site is not located on a federal superfund site, State response site, voluntary cleanup site, school cleanup site, evaluation site, school investigation site, military evaluation site, tiered permit site, or corrective action site. The project site is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.[23] As a result, no impacts would occur.

e. Would the project be located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

The project site is located within Porterville Municipal Airport Influence Area as defined by the Tulare County Comprehensive Airport Use Plan. However, the proposed project would include infrastructure and roadway improvements and would not result in a safety hazard or excessive noise for people residing or working in the project area. As a result, a less-than-significant impact would occur.

---

22 California Department of Toxic Substances Control, 2019. *EnviroStor*. Website: www.envirostor.dtsc.ca.gov/public (accessed June 2019).

23 California Environmental Protection Agency, 2019. *Government Code Section 65962.5(a).* Website: www.calepa.ca.gov/sitecleanup/corteselist/SectionA.htm (accessed June 2019).

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The City of Porterville lists State Route (SR) 65, SR 190, and Olive Avenue as evacuation routes. The proposed project would include new internal access roads for the WRF but would not include any changes to any other public or private roadways that would interfere with the evacuation routes or shelters identified by the City's General Plan.

The City adopted the Porterville Emergency Operations Plan in 2004. The Porterville Emergency Operations Plan includes planning and response scenarios for seismic hazards, extreme weather conditions, landslides, dam failure and other flooding, wildland fires, hazardous materials incidents, transportation emergencies, civil disturbance, and terrorist attacks. Porterville's Emergency Operations Plan is intended to work in conjunction with the Tulare County Emergency Operations Plan and the State Emergency Plan. The Emergency Council of the Tulare County Operational Area meets at least four times per year. In addition, the City Fire Department has specific procedures for hazardous materials emergency response.

The proposed project consists of infrastructure and roadway improvements. As a result, project implementation would not physically interfere with the County's emergency planning program or the City Fire Department access to and from the project site. Therefore, no impacts would occur as a result of project implementation and no mitigation would be required.

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

The Public Health and Safety Element of the City of Porterville's General Plan describes areas of the City that would pose a wildland fire risk to people, including wooded, undeveloped areas that have trees and unkempt vegetation as a greater source of fuel. Based on Figure 7-4 of the City's General Plan, the project site is considered to have a moderate to high risk for fire hazard.[24] However, implementation of the proposed project would include infrastructure and roadway improvements and would not expose people to significant risk of loss, injury, or death due to wildland fires. As a result, no impact would occur.

[24] Porterville, City of, 2008, op. cit.

4.10 HYDROLOGY AND WATER QUALITY

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

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Surface Water. Construction activities associated with the proposed project would include ground-disturbing activities such as clearing and grubbing, mass grading, and excavation, which could lead to erosion of topsoil. Erosion from construction could increase sediment discharge to surface waters during storm events, thereby degrading downstream water quality. Construction activities would also include the routine use of potentially hazardous construction materials such as concrete washings, solvents, paint, oil, and grease, which may spill onto the ground and be picked up by stormwater. Discharges of pollutants to surface waters from construction activities and accidents would therefore result in a potentially significant impact.

However, erosion control measures would be employed in compliance with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit for construction activities. A SWPPP would be developed prior to any ground disturbance that would exceed one acre and would include BMPs to reduce potential surface water contamination during storm events. Implementation of Mitigation Measures GEO-1 through GEO-4 would reduce potential impacts to the local and regional watershed from construction activities to a less-than-significant level. Therefore, with the

implementation of Mitigation Measures GEO-1 through GEO-4, the proposed project would result in less than significant with mitigation incorporated impacts to water quality.

If the 8-acre site is selected as the location of the WRF, chamber cistern units with a total volume of approximately 0.1 AF would be constructed at the 8-acre site, which would fully retain all differential runoff resulting from development of the 8-acre site. Catch basin insert filters would be installed, which would provide sufficient stormwater quality control. Retained water would need to be pumped from these units for use in irrigation. If the WRF is constructed on the 40-acre site, the 200-AF regional retention basin located immediately to the north of the WRF would retain all runoff and provide sufficient stormwater quality control. In addition, Mitigation Measures GEO-1 through GEO-4, would ensure that the impacts to regional stormwater runoff and surface water quality would be less than significant with mitigation incorporated.

Groundwater. Development of the proposed project would not require new connections to the municipal potable water supply or the drilling of any wells. Thus, development of the proposed project would result in a less than significant impact to regional groundwater levels.

The construction of the WRF would introduce approximately 5 acres of impermeable surfaces to either the 40-acre or 8-acre site, which has the potential to reduce groundwater discharge in areas where surface percolation accounts for a large percentage of natural recharge. However, the operation of the regional retention basin on the 40-acre site would allow stormwater to percolate into the groundwater table. Development of the regional retention basin and of the lift station and pipeline improvement areas would not introduce significant amounts of new impervious surfaces. Therefore, the introduction of impermeable surfaces to the proposed project would result in a less than significant impact to groundwater recharge.

Construction of the proposed project would include the routine use of potentially hazardous construction materials such as concrete washings, solvents, paint, oil, and grease, which may spill onto the ground and enter stormwater. These pollutants may percolate to shallow groundwater from construction activities and cause a potentially significant impact. Implementation of Mitigation Measures GEO-1 through GEO-4 would prevent groundwater pollution during construction and reduce potential impacts to groundwater quality from construction to a less-than-significant level.

During project operation, runoff from the potential WRF could flush trash, debris, oil, sediment, and grease that accumulate on pavement and other impervious surfaces into stormwater runoff. As indicated above, chamber cistern units would be constructed at the 8-acre site if it is selected as the location of the WRF. Catch basin insert filters would be installed, which would filter surface runoff and provide sufficient stormwater runoff quality control. The proposed regional retention basin would filter surface runoff and provide stormwater runoff quality control for any stormwater flows resulting from the construction of a WRF on the 40-acre site. Therefore, given the project design, the impacts to groundwater quality resulting from stormwater runoff at the 40-acre and 8-acre site would be less than significant. Because the lift station and pipeline improvement areas and regional retention basin would not include permanent aboveground development and would not introduce a significant amount of new impervious surfaces, development of these areas would result in a less than significant impact to groundwater quality due to stormwater runoff.

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

As discussed above, development of the proposed project would not require new connections to the municipal potable water supply or the drilling of any wells. Thus, development of the proposed project would result in a less than significant impact to regional groundwater levels.

In addition, the construction of the WRF would introduce approximately 5 acres of impermeable surfaces to either the 40-acre or 8-acre site, which has the potential to reduce groundwater discharge in areas where surface percolation accounts for a large percentage of natural recharge. However, the operation of the regional retention basin on the 40-acre site would allow stormwater to percolate into the groundwater table. Development of the regional retention basin and of the lift station and pipeline improvement areas would not introduce significant amounts of new impervious surfaces. Therefore, the introduction of impermeable surfaces to the proposed project would result in a less-than-significant impact to groundwater recharge.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site;

Implementation of the proposed project would result in grading and landform alteration on the site that would expose native soils that could be subject to the effects associated with wind and water erosion unless adequate measures are taken to limit the transport of soils in surface water from the site to downstream locations. As discussed under Section 4.10.1.a above, Mitigation Measures GEO-1 through GEO-4 would require the implementation of a SWPPP that would identify specific measures to address erosion and siltation resulting from grading and construction to reduce potential water quality impacts to a less-than-significant level.

In addition, the construction of the WRF would introduce approximately five acres of impermeable surfaces to either the 40-acre or 8-acre site, increasing impermeable surface area which is not prone to erosion or siltation. However, the operation of the regional retention basin on the 40-acre site would allow stormwater to percolate into the groundwater table. Development of the regional retention basin and of the lift station and pipeline improvement areas would not introduce significant amounts of new impervious surfaces. The storm water collection system design would be subject to review and approval by the City Public Works Department. In addition, no streams or rivers would be altered. Therefore, on-site flooding, erosion, and siltation would not occur. This impact would be less than significant.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

As discussed above, implementation of the proposed project would not substantially increase the rate or amount of surface runoff that would result in flooding on or off site. This impact would be less than significant and no mitigation would be required.

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

The construction of the WRF would introduce approximately five acres of impermeable surfaces to either the 40-acre or 8-acre site, which has the potential to reduce groundwater discharge in areas where surface percolation accounts for a large percentage of natural recharge. However, the operation of the regional retention basin on the 40-acre site would allow stormwater to percolate into the groundwater table. Development of the regional retention basin and of the lift station and pipeline improvement areas would not introduce significant amounts of new impervious surfaces. Therefore, the introduction of impermeable surfaces to the proposed project would result in a less-than-significant impact to groundwater recharge.

iv. Impede or redirect flood flows?

According to Federal Emergency Management Agency (FEMA), the project site is not located within an area designated 100-year or 500-year floodplain. In addition, the project site is generally level and is not immediately adjacent to any hillsides. As such, the risk from flooding would be low. Therefore, implementation of the proposed project would not impede or redirect flood flows, and a less-than-significant impact would occur.

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

As indicated above, the project site is not located within a FEMA designated 100-year or 500-year floodplain. In addition, the project site is generally level and is not immediately adjacent to any hillsides. As such, the risk from flooding would be low. Furthermore, no enclosed bodies of water are in close enough proximity that would create a potential risk for seiche or a tsunami at the project site. Therefore, there would be no impact related to potential hazards from inundation from food, tsunami, or seiche.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

As discussed above, the construction of the WRF would introduce approximately five acres of impermeable surfaces to either the 40-acre or 8-acre site, which has the potential to reduce groundwater discharge in areas where surface percolation accounts for a large percentage of natural recharge. However, the operation of the regional retention basin on the 40-acre site would allow stormwater to percolate into the groundwater table. Development of the regional retention basin and of the lift station and pipeline improvement areas would not introduce significant

amounts of new impervious surfaces. Therefore, the introduction of impermeable surfaces to the proposed project would result in a less than significant impact to groundwater recharge.

Construction of the proposed project would include the routine use of potentially hazardous construction materials such as concrete washings, solvents, paint, oil, and grease, which may spill onto the ground and enter stormwater. These pollutants may percolate to shallow groundwater from construction activities and cause a potentially significant impact. Implementation of Mitigation Measures GEO-1 through GEO-4 would prevent groundwater pollution during construction and reduce potential impacts to groundwater quality to a less-than-significant level.

During project operation, runoff from the potential WRF could flush trash, debris, oil, sediment, and grease that accumulate on pavement and other impervious surfaces into stormwater runoff. As noted above, chamber cistern units would be constructed at the 8-acre site if it is selected as the location of the WRF. Catch basin insert filters would be installed, which would filter surface runoff and provide sufficient stormwater runoff quality control. The proposed regional retention basin would filter surface runoff and provide stormwater runoff quality control for any stormwater flows resulting from the construction of a WRF on the 40-acre site. Therefore, given the project design, the impacts to groundwater quality resulting from stormwater runoff at the 40-acre and 8-acre site would be less than significant. Because the lift station and pipeline improvement areas and regional retention basin include no permanent aboveground development and would not introduce a significant amount of new impervious surfaces, development of these areas would result in a less than significant impact to groundwater quality due to stormwater runoff. As such, the proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan and impacts would be less than significant.

4.11 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☒	☐
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

a. Would the project physically divide an established community?

The project site is located in the southwest corner of Porterville, west of the Porterville Municipal Airport, and south of West Scranton Avenue. The proposed project would involve infrastructure and roadway improvements and would not encroach upon or divide an established community. This impact would be less than significant.

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The Porterville Sports Complex is designated Parks and Recreation in the Porterville General Plan, and is zoned by the City as Parks and Public Recreation Facilities (PK). The 40-acre site is designated Agriculture/Rural/Conservation in the Porterville General Plan, and is zoned by the City as Agricultural/Conservation (AC). The 8-acre site is designated Parks and Recreation in the Porterville General Plan, and is zoned by the City as Parks and Public Recreation Facilities (PK).

The proposed project may result in the construction of a WRF on the 40-acre site. As identified above, the 40-acre site is zoned for AC by the City; this designation does not explicitly allow major utilities. If the 40-acre site were to be selected as the location for the proposed WRF, the City would process any approvals and permits necessary to allow the WRF through actions that may include either issuance of a special use permit or a zoning map amendment to allow major utilities. The proposed WRF would be generally compatible with the AC designation, and would not generate significant noise, odor, or other concerns that would interfere with adjacent land uses. The proposed project would also result in the construction of a regional retention basin on the 40-acre site. The regional retention basin, like the WRF, is generally compatible with the AC designation, and would not generate significant noise, odor, or other concerns that would interfere with adjacent land uses. Therefore, development of proposed infrastructure improvements on the 40-acre site would result in a less-than-significant impact on land use.

The proposed project may result in the construction of a WRF on the 8-acre site. As noted above, the 8-acre site is currently zoned PK; major utilities are not specifically permitted within this designation. If the 8-acre site were to be selected as the location for the proposed WRF, the City would process any approvals and permits necessary to allow the WRF through actions that may include either issuance of a special use permit or a zoning map amendment to allow major utilities.

The proposed WRF is generally compatible with the PK designation, and would not generate significant noise, odor, or other concerns that would interfere with adjacent land uses. Therefore, development of proposed infrastructure improvements on the 8-acre site would result in a less-than-significant impact on land use.

The proposed project would also include upgrades and improvements to sewer mains and lift stations, as well as the construction of recycled water pipelines and storm drains along West Street and the border between the OHV park and Porterville Sports Complex. The proposed recycled water, stormwater, and sewer pipelines and lift station improvements would be located within road right-of-ways and existing utility easements. These improvements would involve temporary construction work; however, after completion of construction, there would be no changes to land use for any of the areas occupied by the pipelines and sewer lift stations. Therefore, development of proposed infrastructure improvements on the lift station and pipeline improvement areas and Porterville Sports Complex would result in a less-than-significant impact on land use.

4.12 MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The Surface Mining and Reclamation Act (SMARA) regulates surface mining in California. SMARA was adopted in 1975 to protect the State's need for a continuing supply of mineral resources and to protect the public and environmental health. SMARA requires that all cities incorporate mapped mineral resource designations approved by the State Mining and Geology Board into their General Plans. There are no known or recorded mineral resources within the project site; therefore construction and operation of the proposed project could not adversely affect known or recorded mineral resources. Therefore this impact would be less than significant.

b. Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The project site is not located within an area known to contain locally important mineral resources. No impacts related to the loss of availability of a locally important mineral resource recovery site as delineated on a local general plan, specific plan, or other land use plan would occur as a result of project implementation.

4.13 NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 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?	☐	☐	☒	☐

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Several noise measurement scales exist that are used to describe noise in a particular location. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound. Sound levels in dB are calculated on a logarithmic basis. An increase of 10 dB represents a 10-fold increase in acoustic energy, while 20 dB is 100 times more intense and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness; and similarly, each 10 dB decrease in sound level is perceived as half as loud. Sound intensity is normally measured through the A-weighted sound level (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for 24-hour sound measurements that better represent human sensitivity to sound at night.

As noise spreads from a source, it loses energy so that the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dB reduction in the noise level for each doubling of distance from a single point source of noise to the noise sensitive receptor of concern.

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. Equivalent continuous sound level (L_{eq}) is the total sound energy of time varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq}, the community noise equivalent level (CNEL), and the day-night average level (L_{dn}) based on dBA. CNEL is the time varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours).

L_{dn} is similar to the CNEL scale, but without the adjustment for events occurring during the evening relaxation hours. CNEL and L_{dn} are within one dBA of each other and are normally exchangeable. The noise adjustments are added to the noise events occurring during the more sensitive hours.

A project would have a significant noise effect if it would substantially increase the ambient noise levels for adjoining areas or conflict with adopted environmental plans and goals of applicable regulatory agencies, including, as appropriate, the City of Porterville.

The City of Porterville addresses noise in the Noise Element of the General Plan[25] and in Article IX of the City's City Code.[26] The Noise Element provides policies that work to minimize vehicular and stationary noise levels and noise from temporary activities and ensure that new development is compatible with the noise environment. Article IX of the City's City Code states that construction noise is exempt from the noise level standards provided that construction activities are limited to between the hours of 6:00 a.m. and 9:00 p.m. Monday through Friday and between the hours of 7:00 a.m. and 5:00 p.m. on Saturday and Sunday.

Certain land uses are considered more sensitive to noise than others. Examples of these land uses include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The closest sensitive receptors to the proposed project includes the single-family residence located approximately 1,100 feet west of the 40-acre site and the single-family residence located approximately 3,000 feet south of the 8-acre site.

The following section describes how the short-term construction and long-term operational noise impacts of the proposed project would be less than significant with mitigation.

Short-Term (Construction) Noise Impacts. The proposed project would result in the construction of off-site recycled water, sewer, and stormwater infrastructure. Table 4.E lists typical construction equipment noise levels (L_{max}) recommended for noise impact assessments, based on a distance of 50 feet between the equipment and a noise receptor, obtained from the Federal Highway Administration (FHWA) Roadway Construction Noise Model. Construction-related short-term noise levels would be higher than existing ambient noise levels currently in the project area but would no longer occur once construction of the project is completed.

Two types of short-term noise impacts could occur during construction of the proposed project. The first type involves construction crew commutes and the transport of construction equipment and materials to the site, which would incrementally increase noise levels on roads leading to the site. As shown in Table 4.E, there would be a relatively high single-event noise exposure potential at a maximum level of 84 dBA L_{max} with trucks passing at 50 feet.

The second type of short-term noise impact is related to noise generated during grading and construction on the project site. Construction is performed in discrete steps, or phases, each with its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on-site. Therefore, the noise levels vary as

25 Porterville, City of, 2008, op. cit.

26 Porterville, City of, 2018. *Porterville, California City Code*. August 7.

construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase.

Table 4.E lists maximum noise levels recommended for noise impact assessments for typical construction equipment, based on a distance of 50 feet between the equipment and a noise receptor. Typical noise levels range up to 88 dBA L_{max} at 50 feet during the noisiest construction phases. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders.

Table 4.E: Typical Construction Equipment Noise Levels

Equipment Description	Acoustical Usage Factor (%)	Maximum Noise Level (L_{max}) at 50 Feet[1]
Backhoes	40	80
Compactor (ground)	20	80
Compressor	40	80
Cranes	16	85
Dozers	40	85
Dump Trucks	40	84
Excavators	40	85
Flat Bed Trucks	40	84
Forklift	20	85
Front-end Loaders	40	80
Graders	40	85
Impact Pile Drivers	20	95
Jackhammers	20	85
Pick-up Truck	40	55
Pneumatic Tools	50	85
Pumps	50	77
Rock Drills	20	85
Rollers	20	85
Scrapers	40	85
Tractors	40	84
Welder	40	73

Source: Roadway Construction Noise Model (FHWA 2006).
Note: Noise levels reported in this table are rounded to the nearest whole number.
[1] Maximum noise levels were developed based on Spec 721.560 from the Central Artery/Tunnel (CA/T) program to be consistent with the City of Boston's Noise Code for the "Big Dig" project.
L_{max} = maximum instantaneous sound level

Project construction is expected to require the use of scrapers, bulldozers, and water trucks/pickup trucks. Noise associated with the use of construction equipment is estimated to be between 55 dBA L_{max} and 85 dBA L_{max} at a distance of 50 feet from the active construction area for the site preparation phase. As shown in Table 4.E, the maximum noise level generated by each scraper is assumed to be approximately 85 dBA L_{max} at 50 feet. Each dozer would generate approximately 85

dBA L_{max} at 50 feet. The maximum noise level generated by water trucks/pickup trucks is approximately 55 dBA L_{max} at 50 feet from these vehicles. Each doubling of the sound sources with equal strength increases the noise level by 3 dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, the worst-case combined noise level during this phase of construction would be 88 dBA L_{max} at a distance of 50 feet from the active construction area. Based on a usage factor of 40 percent, the worst-case combined noise level during this phase of construction would be 84 dBA L_{eq} at a distance of 50 feet from the active construction area.

Using an attenuation factor of 6.0 dBA per doubling of distance, the single-family residence located approximately 1,100 feet west of the 40-acre site would be subject to a noise level of approximately 61 dBA L_{max} and 57 dBA L_{eq} and the single-family residence located approximately 3,000 feet south of the 8-acre site would be subject to a noise level of approximately 52 dBA L_{max} and 48 dBA L_{eq}. However, construction equipment would operate at various locations within the project site and would only generate maximum noise levels when operations occur closest to the receptor.

Construction noise is permitted by the City of Porterville when activities occur between the hours of 6:00 a.m. and 9:00 p.m. Monday through Friday and between the hours of 7:00 a.m. and 5:00 p.m. on Saturday and Sunday. In addition, Mitigation Measure NOI-1 would be required to limit construction activities to the permitted hours and would reduce potential construction period noise impacts for the indicated sensitive receptors to less-than-significant levels.

Mitigation Measure NOI-1: In accordance with the City's noise ordinance, construction activities shall not take place on the project site before 6:00 a.m. or after 9:00 p.m. on any day except Saturday or Sunday, or before 7:00 a.m. or after 5:00 p.m. on Saturday or Sunday.

Operational Noise. The proposed project includes the construction of roadway, recycled water, sewer, and storm water infrastructure improvements. Improvements to the lift stations would update and replace old pumps and equipment with newer state of the art equipment that will likely result in lower noise levels. Of the infrastructure improvements associated with the proposed project, only operation of the proposed WRF has the potential to generate an increase in the ambient noise environment. The components of this facility that would generate the most noise would be the pumps located on either the 40-acre site or the 8-acre site. The proposed WRF would utilize one pump, which is conservatively anticipated to generate 81 dBA L_{max} at 50 feet from the pump. Using a 6 dBA attenuation factor, the noise level at the nearest sensitive noise receptor would be 49.5 dBA L_{max}, which would not exceed the City's exterior noise level standards of 70 dBA L_{max} during the daytime (7:00 a.m. to 10:00 p.m.) or 65 dBA during the nighttime (10:00 p.m. to 7:00 a.m.). Therefore, noise from operation of proposed project would result in less than significant operational nose impacts.

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Construction of the proposed project would involve ground clearing, excavation, foundations, erection, and finishing activities but would not involve the use of construction equipment that

would result in substantial ground-borne vibration or ground-borne noise on properties adjacent to the project site. No pile driving, blasting, or significant grading activities are proposed. Furthermore, project operation associated with roadway, recycled water, sewer, and storm water infrastructure improvements would not generate substantial ground-borne noise and vibration. Therefore, the project would not result in the exposure of persons to or generation of excessive ground-borne noise and vibration impacts are considered less than significant, and no mitigation would be required.

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The project site is located within Porterville Municipal Airport Influence Area as defined by the Tulare County Comprehensive Airport Use Plan. However, the proposed project would include infrastructure and roadway improvements and would not expose people residing or working in the project area to excessive noise levels. As a result, a less-than-significant impact would occur.

4.14 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a. Would the project induce substantial unplanned 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)?

The proposed project would include infrastructure and roadway improvements. The proposed project would not result in direct population growth as the use proposed is not residential and would not contribute to permanent residency on site. Improvements to existing infrastructure and roadways is intended to address improvements needed to facilitate the construction of the casino and would not generate growth beyond that anticipated in the General Plan. Therefore, the proposed project would not directly or indirectly induce population growth and this impact would be considered less than significant.

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The project site is located in rural and industrial area of Porterville and does not include housing. Therefore, the project would not displace existing housing or require the construction of replacement housing and would result in no impact.

4.15 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☒

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:

i. Fire protection?
ii. Police protection?
iii. Schools?
iv. Parks?
v. Other public facilities?

The project site is located in an area that is already served by public service systems. Police protection services are provided to the City by the Porterville Police Department. Fire protection and emergency response services for the project site are provided by the City of Porterville Fire Department. Four school districts serve the Porterville area, including Porterville Unified School District, Burton Elementary School District, Alta Vista School District, and Tulare County Office of Education. In addition, the City provides several types of parks and other public facilities.

The proposed project would include infrastructure and roadway improvements. Retrofitting the irrigation system of the Porterville Sports Complex to meet applicable regulations for recycled water distribution would result in minimal temporary construction impacts that would not result in adverse changes to the operation of the facilities. The proposed project would not result in an increase in population or facilities that would require the provision of new or additional fire or police services, schools, parks, or other public facilities, or result in the need for physically altered facilities. Therefore, the project would have no impacts associated with public services.

4.16 RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

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?

The proposed project would include infrastructure and roadway improvements and would not generate population growth that would result in an increase in the use of existing neighborhood and regional parks or other recreational facilities. Therefore, there would be no impact to parks or recreational facilities that would occur as a result of the proposed project.

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?

The proposed project would not result in a substantial increase in the use of parks or other recreational facilities, and the proposed project would not require the construction or expansion of existing recreational facilities. Retrofitting the irrigation system of the Porterville Sports Complex to meet applicable regulations for recycled water distribution would result in minimal temporary construction impacts that would not result in adverse physical effect on the environment. Therefore, the project would result in a less-than-significant impact on recreational facilities.

4.17 TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b. Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d. Result in inadequate emergency access?	☐	☐	☒	☐

a. Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

The City of Porterville is served by SR 65 and SR 190 as well as a network of arterial collector and local streets. Traffic data was collected from the City of Porterville General Plan and the Tulare County Association of Governments 2018 (TCAG) Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Both the General Plan and the 2018 RTP/SCS establish a level of service (LOS) threshold of D or better at roadway segments and intersections in the City. General Plan Policy C-I-10 requires traffic impact studies for all General Plan Amendments that will generate more than 100 peak hour trips.

The City's General Plan Circulation Element includes goals and policies to encourage alternative modes of transportation and to create a balanced transportation system that serves public transit, bicyclists, and pedestrians, as well as motor vehicles. The Circulation Element also describes the City's existing modes of transportation, including public transit, bicycling, and walking.

Public transit is provided by Porterville Transit and Tulare County Area Transit. Porterville Transit consists of nine fixed-routes that run Monday through Friday 6:00 a.m. to 11:00 p.m., Saturday from 8:00 a.m. to 11:00 p.m., Sunday from 8:00 a.m. to 6:00 p.m., and a demand-response "Dial-A-Ride" service called Porterville City Operated Local Transit (COLT). The frequency between buses is approximately every 40 minutes. The Porterville Transit Center is located on D Street at Oak Avenue and serves as the transfer node for each of the nine bus routes. Tulare County Area Transit provides regional bus service from the City of Porterville to surrounding communities via eight routes seven days a week.

The pedestrian circulation in Porterville is mainly comprised of sidewalks. Currently, the street environment is mostly auto-oriented with roadways and discontinuous sidewalks. The General Plan states that all streets should be designed to accommodate pedestrians and bicyclists and new neighborhoods should be designed to be "pedestrian friendly", with wide sidewalks. The east side of

West Street is lined with approximately 3,900 feet of sidewalk, including a 600-foot stretch from Edison Court to Scranton Avenue.

The proposed project would include infrastructure and roadway improvements, including modifications to several public roads and intersections.

The following intersections would be modified as part of the project:

- West Scranton Avenue/West Street: A three-way traffic signal would be installed at this intersection, and the northbound approach to West Scranton Avenue would be widened to accommodate a left turn lane.

- West Scranton Avenue/Westwood Street (Road 224): A three-way traffic signal would be installed at this intersection.

As part of the casino project, three public streets within the casino site would abandoned by the City. The public streets include the following:

- Yowlumne Avenue

- Yaudanchi Street

- Wukchumni Avenue

Construction of the proposed project is anticipated to generate a maximum of 25 construction trips per day to the project site for the location of water and wastewater infrastructure. This minimal addition of construction traffic would not result in significant traffic impacts.

As the proposed project would only include infrastructure and roadway improvements, operation of the proposed project is not anticipated to generate a significant number of trips that would result in the deficiency of existing intersections within the project vicinity. As such, the addition of project traffic is not anticipated to exceed the City's level of significance threshold of LOS (LOS D or better). In addition, implementation of the proposed project would not disrupt or otherwise prevent roadway improvements, including the addition of bike paths or sidewalks in the vicinity of the project site. The project would also not disrupt existing transit services. Therefore, the proposed project would not conflict with any plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system or congestion management program. This impact would be less than significant and no mitigation would be required.

b. Would the project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?

On September 27, 2013, Governor Jerry Brown signed SB 743 into law and started a process that changes the methodology of a transportation impact analysis as part of CEQA requirements. SB 743 directed the California Office of Planning and Research (OPR) to establish new CEQA guidance for jurisdictions that removes the LOS method, which focuses on automobile vehicle delay and other similar measures of vehicular capacity or traffic congestion, from CEQA transportation analysis.

Rather, vehicle miles traveled (VMT), or other measures that promote "the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses," are now be used as the basis for determining significant transportation impacts in the State.

As the proposed project would only include infrastructure and roadway improvements, operation of the proposed project is not anticipated to generate a significant number of trips that would result in the deficiency of existing intersections within the project vicinity. The addition of project traffic is not anticipated to exceed the City's level of significance threshold of LOS (LOS D or better). In addition, implementation of the proposed project would not disrupt or otherwise prevent roadway improvements, including the addition of bike paths or sidewalks in the vicinity of the project site. The project would also not disrupt existing transit services. As such, implementation of the proposed project is not anticipated to generate a substantial increase in VMT and would not conflict with goals related to the reduction of VMT and compliance with SB 743. Therefore, the project would be consistent with State CEQA Guidelines Section 15064.3. Implementation of the proposed project would result in less-than-significant VMT impacts, and no mitigation would be required.

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The proposed project would include infrastructure and roadway improvements, including modifications to several public roads and intersections. The proposed project design features would be required to comply with standards set by the City's General Plan and City Engineer. In addition, the proposed project would also be required to submit plans to the City Fire Department for review and approval prior to the issuance of building permits to ensure there are no substantial hazards associated with the project design. Therefore, the proposed project would result in a less-than-significant impact related to hazards associated with a design feature and no mitigation would be required.

d. Would the project result in inadequate emergency access?

The proposed project would include infrastructure and roadway improvements, including modifications to several public roads and intersections. Further, the proposed project's site plans would be subject to review and approval by the City Fire Department to ensure the project includes adequate emergency access. In addition, as discussed in Section 4.9.1.f, the project would not interfere with the Porterville Emergency Operations Plan. Therefore, the proposed project would result in less-than-significant impacts related to emergency access and no mitigation would be required.

4.18 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? Or	☐	☐	☒	☐
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? Or

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Assembly Bill 52, which became law on January 1, 2015, provides for consultation with California Native American tribes during the CEQA environmental review process, and equates significant impacts to "tribal cultural resources" with significant environmental impacts. PRC Section 21074 states that "tribal cultural resources" are:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe and are one of the following:
    - Included or determined to be eligible for inclusion in the California Register of Historical Resources.
    - Included in a local register of historical resources as defined in subdivision (k) of PRC Section 5020.1.
    - A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

A "historical resource" (PRC Section 21084.1), a "unique archaeological resource" (PRC Section 21083.2(g)), or a "nonunique archaeological resource" (PRC Section 21083.2 (h)) may also be a tribal cultural resource if it is included or determined to be eligible for inclusion in the California Register. The consultation provisions of the law require that a public agency consult with local Native American tribes that have requested placement on that agency's notification list for CEQA projects. Within 14 days of determining that a project application is complete, or a decision by a public agency to undertake a project, the lead agency must notify tribes of the opportunity to consult on the project, should a tribe have previously requested to be on the agency's notification list. California Native American tribes must be recognized by the NAHC as traditionally and culturally affiliated with the project site, and must have previously requested that the lead agency notify them of projects. Tribes have 30 days following notification of a project to request consultation with the lead agency.

The purpose of consultation is to inform the lead agency in its identification and determination of the significance of tribal cultural resources. If a project is determined to result in a significant impact on an identified tribal cultural resource, the consultation process must occur and conclude prior to adoption of a Negative Declaration or Mitigated Negative Declaration, or certification of an Environmental Impact Report (PRC Sections 21080.3.1, 21080.3.2, 21082.3).

As discussed in the Project Description, the Tule River Tribe is proposing to relocate the existing Eagle Mountain Casino from the Tribe's Reservation, approximately 15 miles east of Porterville, to a 40-acre property within the boundaries of the City of Porterville. In September 2018, the Bureau of Indian Affairs released a Draft Environmental Impact Statement for the Eagle Mountain Casino Relocation Project.[27] To support the relocation, the proposed project includes the construction of several City-owned infrastructure and utility improvements. Consultation with the Tribe has been ongoing throughout the duration of this project. As a result, a less-than-significant impact would occur.

[27] Bureau of Indian Affairs, 2018, op. cit.

4.19 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

The proposed project would include infrastructure and roadway improvements. Construction and operation of the proposed WRF, regional retention basin, recycled water pipelines, lift stations, and wastewater force mains would have minimal to no effect on water supply, natural gas, and telecommunications facilities. Therefore, no exceedance of the capacities of these services would occur that would result in a significant environmental effect. Development of the proposed project has the potential to impact solid waste services due to the need to remove existing soil prior to construction on the 40-acre site and the 8-acre site, municipal wastewater services due to the loss of the 40-acre site as a biosolid dispersal location, and electrical services due to the need to extend distribution lines to the 40-acre site or the 8-acre site.

As identified in the Project Description, the 40-acre site is currently used as a dispersal field for biosolid waste generated at the City's WWTP. The City would no longer be able to use it as a biosolid dispersal field due to the development of the regional retention basin. The loss of the 40-acre site as a disposal field would be accommodated through adjustments in the farming and dispersal practices at the City's other biosolid application fields. Therefore, development of the 40-acre site would not result in a significant impact on municipal wastewater treatment and disposal services.

As discussed above in Section 4.6.1.a, the estimated electricity demand load for the WRF is projected to be 51.4 kVA, while the projected connected load is 102.8 kVA. Electricity would be

obtained from SCE, which currently provides electricity to properties in the immediate project vicinity. Multiple upgrades of SCE's existing distribution infrastructure would be required to provide electricity to the proposed project and casino project. However, due to the small electricity demand of the WRF, it is not anticipated that operation of this facility would significantly impact SCE's ability to provide electricity in the region subsequent to the above-described upgrades. Because the 8-acre site is landlocked and does not currently have electrical service, it may be necessary to obtain an easement prior to extending electrical services to that location. Due to the small electricity demand associated with the proposed project, the proposed project would not result in construction of facilities that would result in significant environmental effects. Therefore, impacts would be less than significant, and no mitigation would be required.

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

See Section 4.19.1.a above. The proposed project would include infrastructure and roadway improvements. Construction and operation of the proposed WRF, regional retention basin, recycled water pipelines, lift stations, and wastewater force mains would have minimal to no effect on water supply. Therefore, no exceedance of the capacities of these services would occur that would result in a significant environmental effect. Therefore, the proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years and impacts would be less than significant.

c. Would the project 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?

As previously stated, the 40-acre site is currently used as a dispersal field for biosolid waste generated at the City's WWTP. The City would no longer be able to use it as a biosolid dispersal field due to the development of the regional retention basin. The loss of the 40-acre site as a disposal field would be accommodated through adjustments in the farming and dispersal practices at the City's other biosolid application fields. Therefore, development of the 40-acre site would not result in a significant impact on municipal wastewater treatment and disposal services. Development of the 8-acre site and other project improvements would not affect wastewater treatment and disposal services. Therefore, the wastewater treatment providers would have adequate capacity to serve the project's projected demand in addition to the providers' existing commitments. Impacts related to wastewater generation would be less than significant, and no mitigation would be required.

d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Disposal services in the City are provided by the City of Porterville. As of 2004, the City's solid waste was disposed at Teapot Dome landfill, located approximately 5 miles southwest of City limits. Teapot Dome is a County-operated Class III landfill permitted to discharge up to 600 tons per day. According to the City's General Plan, once the Teapot Dome landfill reaches capacity, the City

anticipates using its transfer facility to divert waste to the either the Woodville landfill or Visalia landfill.

The Woodville Disposal Site, located approximately 15 miles northwest of City limits, is a County-operated Class III landfill permitted to discharge up to 1,078 tons per day. As of 2006, the Woodville landfill was at 41.5 percent capacity with a remaining capacity of 4,954,270 cubic yards and an anticipated closure date of 2026. The Visalia Disposal Site, located approximately 35 miles northwest of the City limits, is a County-operated Class III landfill permitted to discharge up to 2,000 tons a day. As of 2006, the Visalia landfill was at 13.3 percent capacity with a remaining capacity of 16,145,600 cubic yards and an anticipated closure date of 2024. The estimated closure date for this landfill is considered to be worst case scenarios, where diversion goals are not met. Therefore, the County anticipates that the available landfill capacity will be sufficient through the planning horizon of 2030.[28]

Pena Disposal accepts all the recyclables for the City. This processing and transfer facility is approximately 35 miles from City limits and it is permitted for unlimited recycling, 2,000 tons per day of mixed solid waste, 100 tons per day of yard waste, and 175 tons per day of construction and demolition waste. Most household hazardous wastes, including e-waste, must be taken to various sites in Visalia, except on the biannual clean-up days when the County sets up a drop-off site in Porterville.[29]

Construction on the 40-acre site and 8-acre site would require remedial grading to remove accumulated waste product within the existing soil that may not have been rendered inert. Soil removed as part of this process would be collected by a hauling company and disposed of at Visalia Landfill, which is the closest landfill to the 40-acre site and 8-acre site permitted to accept biosolid waste.[30] This impact would be temporary and Visalia Landfill has an adequate capacity to accommodate the temporary increase in waste generated by the development of the 40-acre site and 8-acre site.[31] Once operational, the project would not generate solid waste. Therefore, the proposed project would be served by landfills with sufficient permitted capacity to accommodate the solid waste disposal needs. Therefore, the proposed project would result in a less-than-significant impact to solid waste and landfill facilities.

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The proposed project would be required to comply with all federal, State, and local regulations related to solid waste. Furthermore, the proposed project would be required to comply with all standards related to solid waste diversion, reduction, and recycling during project construction and

28 Porterville, City of, 2008, op. cit.

29 Ibid.

30 Central Valley Regional Water Quality Control Board. *Central Valley Regional Water Quality Control Board (5) Waste Acceptance List*. Available online at: www.waterboards.ca.gov/water_issues/programs/land_disposal/docs/wal_r5.pdf (accessed June 13, 2019).

31 CalRecycle, 2019. *Facility/Site Summary Details: Visalia Disposal Site (54-AA-0009)*. Website: www2.calrecycle.ca.gov/swfacilities/Directory/54-AA-0009 (accessed June 13, 2019).

operation. The proposed project would comply with all federal, State and local statutes and regulations related to solid waste. As such, any impacts would be less than significant.

4.20 WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Wildland fires occur in geographic areas that contain the types and conditions of vegetation, topography, weather, and structure density susceptible to risks associated with uncontrolled fires that can be started by lightning, improperly managed camp fires, cigarettes, sparks from automobiles, and other ignition sources. According to the California Department of Forestry and Fire Protection (CAL FIRE) Very High Fire Hazard Severity Zone (VHFHSZ) Map for Tulare County, the project site is not located within a Very High Fire Hazard Severity Zone.[32] In addition, based on Figure 7-4 of the City's General Plan, the project site is considered to have a moderate to high risk for fire hazard.[33]

As discussed in Section 4.9.1.f, the City of Porterville lists SR 65 and SR 190 and Olive Avenue as evacuation routes. The proposed project would include new internal access roads to the WRF but does not include any changes to any other public or private roadways that would interfere with the evacuation routes or shelters identified by the City's General Plan.

The City adopted the Porterville Emergency Operations Plan in 2004. The Porterville Emergency Operations Plan includes planning and response scenarios for seismic hazards, extreme weather conditions, landslides, dam failure and other flooding, wildland fires, hazardous materials incidents, transportation emergencies, civil disturbance, and terrorist attacks. Porterville's Emergency

32 California Department of Forestry and Fire Protection. *Wildland Hazard & Building Codes, Tulare County, FHSZ Map. State and Local Responsibility Areas*. Website: www.fire.ca.gov/fire_prevention/fhsz_maps_tulare (accessed June 2019).

33 Porterville, City of, 2008, op. cit.

Operations Plan is intended to work in conjunction with the Tulare County Emergency Operations Plan and the State Emergency Plan. The Emergency Council of the Tulare County Operational Area meets at least four times per year. In addition, the City Fire Department has specific procedures for hazardous materials emergency response.

The proposed project would involve infrastructure and roadway improvements and would not physically interfere with the County's emergency planning program or the City Fire Department access to and from the project site. Further, the proposed project's site plans would be subject to review and approval by the City Fire Department to ensure the project includes adequate emergency access. Moreover, since the project site is not located in or near a VHFHSZ nor is it located in or near a State Responsibility Area, potential impacts associated with emergency access described above would not pertain to wildfire and would more likely be associated with an urban fire or other emergency situations. Therefore, operation of the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan. As a result, a less-than-significant impact would occur, and no mitigation would be required.

b. Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

As stated previously, the project site is not located in or near a VHFHSZ nor is it located in or near a State Responsibility Area. Therefore, the proposed project would not exacerbate wildfire risks due to slope and prevailing winds, thereby exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. As a result, a less-than-significant impact would occur, and no mitigation would be required.

c. Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The proposed project would involve infrastructure and roadway improvements. However, the project site is not located in or near a VHFHSZ nor is it located in or near a State Responsibility Area. The infrastructure and roadway improvements would not exacerbate fire risk due to the location of the project site in an urban area outside of a designated fire hazard zone. Therefore, the proposed project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that would exacerbate fire risk or result in temporary or ongoing impacts to the environment. As a result, a less-than-significant impact would occur, and no mitigation would be required.

d. Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Landslides and other forms of mass wasting, including mud flows, debris flows, and soil slips, occur as soil moves downslope under the influence of gravity. Landslides are frequently triggered by intense rainfall or seismic shaking but can also occur as a result of erosion and downslope runoff

caused by rain following a fire. As previously discussed in Section 4.7.1.a.i, the City's General Plan states that there is a moderate risk of landslides and liquefaction. Because the project site is generally level, the proposed project would not expose people or structures to potential substantial adverse effects associated with landslides. Further, as stated previously, the project site is not located in or near a VHFHSZ nor is it located in or near a State Responsibility Area. Therefore, the proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. As a result, a less-than-significant impact would occur, and no mitigation would be required.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☒	☐	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

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

Implementation of the mitigation measures recommended in this Initial Study would ensure that construction and operation of the proposed project would not substantially degrade the quality of the environment; reduce the habitat, population, or range of a plant or animal species; or eliminate important examples of California history or prehistory.

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

The potential impacts of the project are individually limited and are not cumulatively considerable. Implementation of mitigation measures recommended in this report would reduce potentially significant impacts that could become cumulatively considerable.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The proposed project would be constructed and operated in accordance with all applicable regulations governing hazardous materials, noise, and geotechnical considerations. Because all

potentially significant impacts of the proposed project are expected to be mitigated to less-than-significant levels, it is unlikely that implementation of the proposed project would cause substantial adverse effects on human beings. As a result, less-than-significant impacts would occur with implementation of the recommended mitigation measures.

This page intentionally left blank

5.0 LIST OF PREPARERS

LSA
7086 North Maple Avenue, Suite 104
Fresno, California 93720
Amy Fischer, Principal-in-Charge
Kyle Simpson, Project Manager
Cara Carlucci, Planner

157 Park Place
Pt. Richmond, California 94801
Patty Linder, Graphics/Document Production
Charis Hanshaw, Document Management

This page intentionally left blank

6.0 REFERENCES

AES, 2018. *Biological Assessment for the Tule River Indian Tribe 40-Acre Airpark Site*. May.

Bureau of Indian Affairs, 2018. *Draft Environmental Impact Statement, Tule River Indian Tribe Fee-to-Trust and Eagle Mountain Casino Relocation Project.* Sacramento, CA: U.S. Department of the Interior.

California Department of Conservation, 2016. *Tulare County Important Farmland 2016.*

California Department of Forestry and Fire Protection. *Wildland Hazard & Building Codes, Tulare County, FHSZ Map. State and Local Responsibility Areas*. Website: www.fire.ca.gov/fire_prevention/fhsz_maps_tulare (accessed June 2019).

California Department of Toxic Substances Control, 2019. *EnviroStor*. Website: www.envirostor.dtsc.ca.gov/public (accessed June 2019).

California Energy Commission, 2017. *2017 Integrated Energy Policy Report. California Energy Commission. Publication Number: CEC-100-2017-001-CMF*.

California Environmental Protection Agency, 2019. *Government Code Section 65962.5(a).* Website: www.calepa.ca.gov/sitecleanup/corteselist/SectionA.htm (accessed June 2019).

California Geological Survey, 2015. CGS Information Warehouse: Regulatory Maps. Website: maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps (accessed June 13, 2019).

CalRecycle, 2017. Facility/Site Summary Details: Visalia Disposal Site (54-AA-0009). Website: www2.calrecycle.ca.gov/swfacilities/Directory/54-AA-0009 (accessed June 13, 2019).

Central Valley Regional Water Quality Control Board. *Central Valley Regional Water Quality Control Board (5) Waste Acceptance List*. Available online at: www.waterboards.ca.gov/water_issues/programs/land_disposal/docs/wal_r5.pdf (accessed June 13, 2019).

Porterville, City of, 1994. *Storm Drain Master Plan 1994 Update*. Porterville, CA.

Porterville, City of, 2008. *Porterville 2030 General Plan*. March 4.

Porterville, City of, 2010. *Porterville Development Ordinance*. Available online at: https://www.sterlingcodifiers.com/codebook/index.php?book_id=679 (accessed June 19, 2019).

Porterville, City of, 2018. *Porterville, California City Code*. August 7.

San Joaquin Valley Air Pollution Control District, 2007. *2007 PM_{10} Maintenance Plan and Request for Redesignation*. Available online at: www.valleyair.org/Air_Quality_Plans/docs/Maintenance%20Plan10-25-07.pdf (accessed June 2019).

San Joaquin Valley Air Pollution Control District, 2009. *Final Staff Report Appendix J: GHG Emission Reduction Measures – Development Projects*. December 17. Available online at: www.valleyair.org/Programs/CCAP/bps/Appendix%20J%20-%20Dec%2017%202009.pdf (accessed June 2019).

San Joaquin Valley Air Pollution Control District, 2009. *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. December 17. Available online at: www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20-%20FINAL%20LU%20Guidance%20-%20Dec%2017%202009.pdf (accessed June 2019).

San Joaquin Valley Air Pollution Control District, 2016. *2016 Plan for the 2008 8-Hour Ozone Standard*. June 16. Website: www.valleyair.org/Air_Quality_Plans/Ozone-Plan-2016.htm (accessed June 2019).

San Joaquin Valley Air Pollution Control District, 2018. *2018 Plan for the 1997, 2006, and 2012 $PM_{2.5}$ Standards*. November 15. Website: http://valleyair.org/pmplans/documents/2018/pm-plan-adopted/2018-Plan-for-the-1997-2006-and-2012-PM2.5-Standards.pdf (accessed June 2019).

Tulare County, 2012. *Tulare County General Plan, 2030 Update*. Website: generalplan.co.tulare.ca.us (accessed June 13, 2019).

United States Department of Agriculture, 2012. *Census of Agriculture County Profile – Tulare County, California*. Available online at: www.nass.usda.gov/Publications/AgCensus/2012/Online_Resources/County_Profiles/California/cp06107.pdf (accessed June 13, 2019).

United States Geological Survey, 2016. *Earthquake Glossary – Active Fault.* Website: earthquake.usgs.gov/learn/glossary/?term=active%20fault (accessed June 13, 2019).