HELIX Environmental Planning

Conditional Use Permit No. 19-09 (Sac Wireless-Verizon)

Initial Study/Mitigated Negative Declaration

June 2021 | 03330.00008.001

Prepared for:

Kings County Community Development Agency
Planning Division
1400 W. Lacey Boulevard, Building #6
Hanford, CA 93230

Prepared by:

HELIX Environmental Planning, Inc.
11 Natoma Street, Suite 155
Folsom, CA 95630

This page intentionally left blank

Conditional Use Permit No. 19-09 (Sac Wireless-Verizon)

Initial Study/Mitigated Negative Declaration

Prepared for:

Kings County Community Development Agency
Planning Division
1400 W. Lacey Boulevard, Building #6
Hanford, CA 93230

Prepared by:

HELIX Environmental Planning, Inc.
11 Natoma Street, Suite 150
Folsom, CA 95630

June 2021 | 03330.00008.001

This page intentionally left blank

TABLE OF CONTENTS

TABLE OF CONTENTS (cont.)

LIST OF APPENDICES

LIST OF FIGURES

ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
APE	Area of Potential Effects
APN	Assessor's Parcel Number
CAAQs	California Ambient Air Quality Standards
CAL FIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CH_4	methane
CNPS	California Native Plant Society
CO	Carbon monoxide
CO_2	carbon dioxide
CRHR	California Register of Historical Resources
EIR	Environmental Impact Report
EO	Executive Order
GHG	greenhouse gas
KWRA	Kings Waste and Recycling Authority
MLD	Most Likely Descendant
NAAQs	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NO_2	Nitrogen dioxide
NRHP	National Register of Historic Places
NWI	National Wetlands Inventory
O_2	Ozone
OHP	Office of Historic Preservation
OPR	Office of Planning and Research
Pb	Lead
PRC	Public Resources Code
SB	Senate Bill
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SO_2	Sulfur dioxide
SSJVIC	Southern San Joaquin Valley Information Center

ACRONYMS AND ABBREVIATIONS (cont.)

USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
VMT	Vehicle Miles Travelled

1.0 INTRODUCTION

1.1 INITIAL STUDY INFORMATION SHEET

1.	Project title:	Conditional Use Permit No. 19-09 (Sac Wireless - Verizon)
2.	Lead agency name and address:	Kings County Community Development Agency 1400 W. Lacey Blvd. Hanford, CA 93230
3.	Contact person and phone number:	Alex Hernandez Planner Kings County (559) 852-2679
4.	Project location:	9324 13½ Avenue, Hanford, CA 93230, Assessor's Parcel Number 009-070-040
5.	Project sponsor's name and address:	SAC Wireless, LLC 8880 Cal Center Drive, Suite 170 Sacramento, CA 95826
6.	General plan designation:	Limited Agriculture – 10 Acre Minimum
7.	Zoning:	Limited Agricultural – 10 Acre Minimum (AL – 10)

1.2 Project Background

On February 3, 2020, the Kings County Planning Commission considered SAC Wireless's application for a Conditional Use Permit No. 19-09 (Sac Wireless-Verizon), for a new 100-foot monopole telecommunications facility to be located at 9324 13½ Avenue in Kings County. Planner Alex Hernandez provided a summary of the proposed project and information about the zoning of the parcel within which the project would be located. During the meeting, members of the public raised concerns about whether the height of the monopole would disqualify the proposed project for a categorical exemption as a small project under CEQA. Members of the public also raised concerns about the quality of the road that would lead to the site and whether it would be further damaged during construction, concerns about electromagnetic emissions, and effects on property values. County Counsel Diane Freeman advised the Planning Commission that the County has previously allowed similar projects to be considered as a small structure and therefore qualify for a Categorical Exemption under CEQA, but the Commission has discretion to determine if CEQA is applicable. The Planning Commission then directed County staff to conduct a review of the project under CEQA and to prepare an Initial Study to determine the appropriate CEQA-compliance document for the project.

1.3 Project Location

The project site is an approximately 20-acre parcel located west of the City of Hanford in unincorporated Kings County at 9324 13½ Avenue. The project site consists of Assessor's Parcel Number (APN) 009-070-040, located on the west side of 13½ Avenue, approximately 300 feet south of the intersection of Liberty Drive with 13½ Avenue. The approximate center of the APN is at latitude -119.695498 and longitude 36.335873, NAD 83. The project site is located in Section 28, Township 18 North, Range 21 East of the U.S. Geological Survey (USGS) 7.5-minute Hanford quadrangle map. The project footprint would be an approximately 25-foot by 25-foot lease area in the northeastern corner of the APN, along with utility and access easements connecting to the northern and eastern edges of the APN, respectively. The project footprint, including both the lease area and the easements, totals approximately 0.05 acre.

Refer to Figure 1 for the project's location in the region, and Figure 2 for an aerial map depicting the project footprint within the project site.

1.4 Project Description

The proposed project consists of installing a 100-foot-high cellular tower in the northeastern portion of the project site. The tower would be in an approximately 25-foot by 25-foot lease area enclosed by an 8-foot-high chain link fence with slats and barbed wire. The lease area would be approximately 75 feet south of the northern property boundary and approximately 90 feet east of the western property boundary. Figure 3 shows the project site plan.

Cellular Tower and Equipment Layout

The cellular tower would be located near the center of the lease area. Three equipment cabinets and a standby diesel generator would be located to the south of the cellular tower on a 23-foot long, 10-foot wide, 2-foot-high concrete pad. The standby generator would be used in the event of a power outage. The concrete pad, equipment cabinets, and generator would be covered by a 12-foot high, 24-foot long, 11-foot-wide sunshade structure.

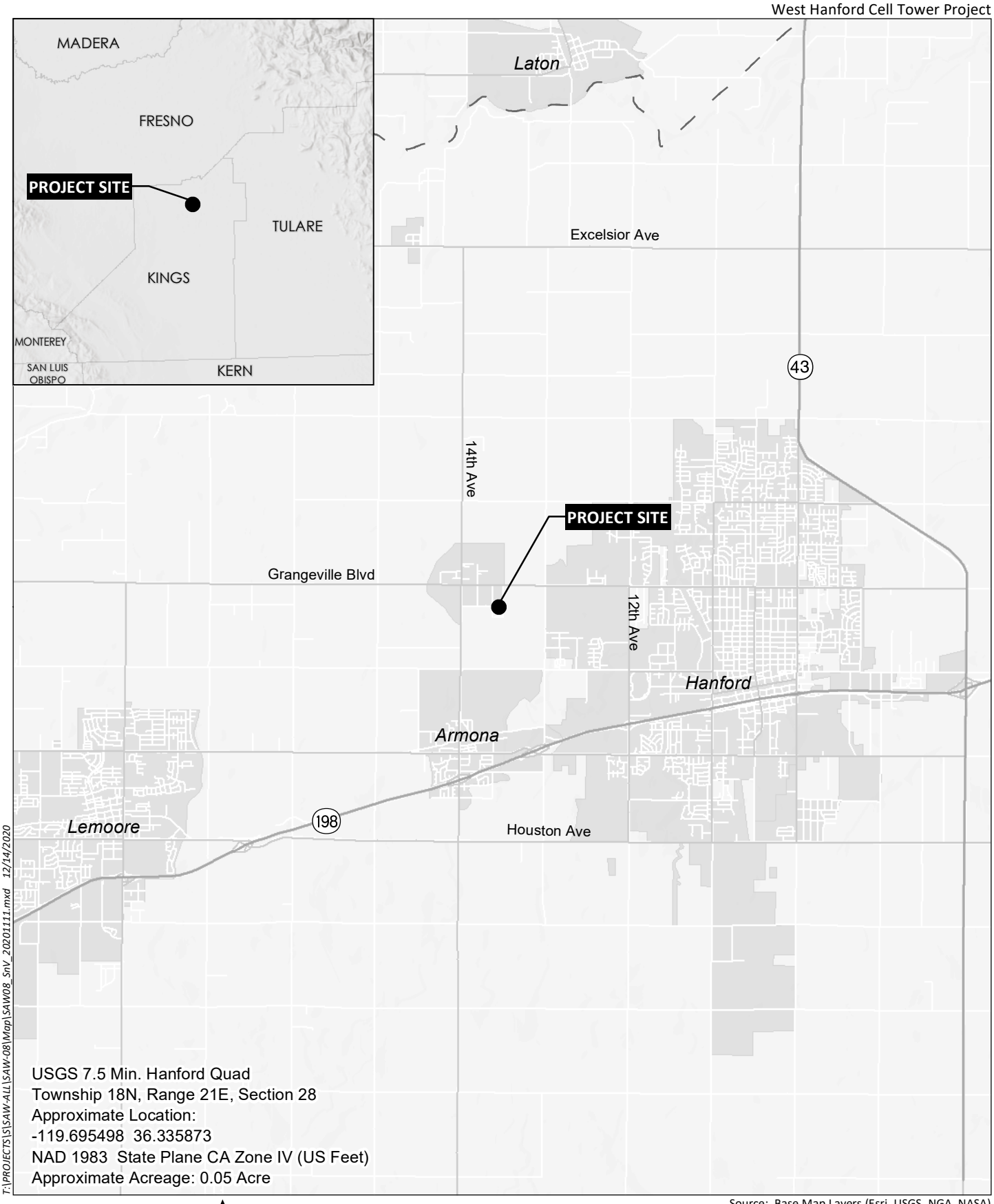
A wireless meter/pedestal would be installed at the northern property boundary, directly north of the cellular tower on a 3-foot by 6-foot concrete pad. A new fiber vault would be installed directly south of the concrete pad for the wireless meter/pedestal. A 5-foot-wide utility easement containing underground wireless fibers would extend approximately 75 feet between the cellular tower and the wireless meter/pedestal to the north with access along the northern property line controlled by installation of two new bollards.

Access

A new 90-foot-long, 12-foot-wide gravel driveway would provide access to the facility from 13½ Avenue. A new 10-foot-wide chain link access gate would control access to the equipment from the driveway.

Lighting

Lighting would be installed underneath the sunshade structure to illuminate the equipment boxes during any nighttime maintenance. The lighting would be downcast, shielded, and on a 6-hour timer to reduce unnecessary light pollution.



Source: Base Map Layers (Esri, USGS, NGA, NASA)

HELIX Environmental Planning

Vicinity Map

Figure 1

T:\PROJECTS\S\SAW-ALL\SAW-08\Map\SAW08_Aerial_20210422.mxd 4/22/2021

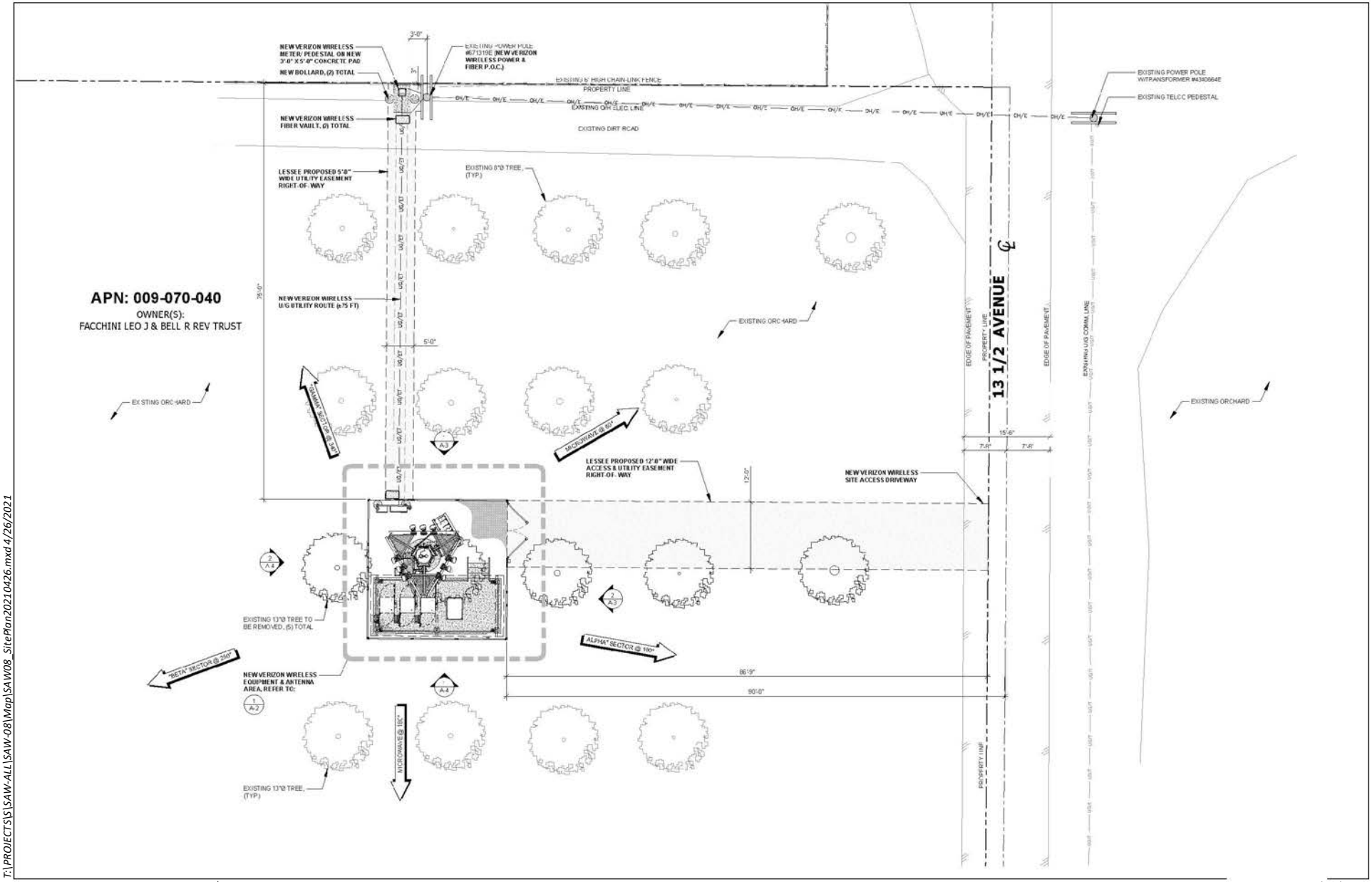
0 50 Feet

Source: Aerial (DigitalGlobe, 8/20/2019)

HELIX Environmental Planning

Aerial Map

Figure 2



T:\PROJECTS\S\SAW-ALL\SAW-08\Map\SAW08_SitePlan20210426.mxd 4/26/2021

0 25 Feet

Source: Verison; SAC AE Design Group, Inc 12/12/2019

HELIX Environmental Planning

Site Plan

Figure 3

This page intentionally left blank

Fencing

The lease area would be enclosed by a an 8-foot-high chain link fence with slats and barbed wire. The fence would include a 10-foot-wide gate of the same material on the eastern side to control access to the property from the driveway.

Trees

A total of five existing orchard trees would be removed from the footprint of the proposed project.

Construction Schedule

Construction activities would take place during daytime hours, occurring generally between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays. The project's construction would take between two and four weeks.

Operation and Workforce

No worker facilities are present on site, as the only time workers would be present during operations would be for routine maintenance, repairs, and meter reading.

1.5 Site Description

The *2035 Kings County* (County) *General Plan* designates the project site as being located within the Limited Agriculture 10-Acre Minimum (AL-10) Land Use designation and Zone District. This zone is intended as a buffer between communities and more intensive agricultural uses, and these areas are generally conducive to agricultural operations and compatible with nonagricultural uses. The project site is in an agricultural and rural residential area of the County and the project site is bordered to the east, south, and west by agricultural land uses. The project site is bordered by single-family homes to the north. An existing 6-foot-high fence with privacy slats follows the northern project site boundary. A church is located northeast of the project site, and the agricultural parcel southeast of the site includes a residence near 13½ Avenue. There are 40-foot tall utility poles along the northern edge boundary of the property, as well the eastern edge of the property along 13½ Avenue.

The terrain within and adjacent to the project site is flat with an elevation of approximately 249 feet (76 meters) above sea level.

The project site contains an existing operational English walnut (*Juglans regia*) orchard. The disturbance regime typically associated with an active orchard includes irrigation, pruning, possible herbicide and pesticide application, and fertilization application. Often commercially grown walnut trees are irrigated through flooding. A single-family home is located on the project site, approximately 266 feet south of the proposed development area.

1.6 Public Resources Code Section 21080.3.1 Consultation

Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014) establishes a formal consultation process for California tribes as part of California Environmental Quality Act (CEQA). Under AB 52, tribes requesting formal consultation with the lead agency are notified of the project prior to preparation of the CEQA

document. AB 52 consultation was undertaken for this project with the Santa Rosa Rancheria Tachi Yokut Tribe. The results of the consultations are summarized in Section 2.18, Tribal Cultural Resources.

1.7 CEQA Process

This document has been prepared to satisfy the requirements of CEQA (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (14 California Code of Regulations 15000 et seq.). CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before they approve or implement those projects.

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. In the case of the proposed project, Kings County is the lead agency and will use the Initial Study to determine whether the proposed project has a significant effect on the environment.

If the lead agency finds substantial evidence that any aspect of the proposed project, either alone or in combination with other projects, may have a significant effect on the environment, that agency is required to prepare an Environmental Impact Report (EIR), a supplement to a previously prepared EIR, or a subsequent EIR to analyze the proposed project at hand. If the agency finds no substantial evidence that the proposed project or any of its aspects may cause a significant impact on the environment, then a negative declaration may be prepared. If, over the course of the analysis, the proposed project is found to have a significant impact on the environment that, with specific mitigation measures, can be reduced to a less-than-significant level, then a mitigated negative declaration may be prepared. In the case of this proposed project, all significant or potentially significant impacts on the environment would be reduced to less-than-significant levels with incorporation of specific mitigation measures. Therefore, the County has determined that adoption of a mitigated negative declaration is the appropriate course of action for this project.

1.8 Incorporation by Reference

The following studies applicable to the proposed project are hereby incorporated by reference. These studies are included as appendices to the Initial Study.

- Biological Resources Evaluation Letter Report for West Hanford Cell Tower Project, prepared by HELIX (Appendix B).

- Cultural Resources Assessment Report for the West Hanford Cell Tower Project, prepared by HELIX (Appendix C).

1.9 Public Agency Approvals

A listing and brief description of the regulatory permits and approvals that may be required to implement the proposed project is provided below. Additional permits and approvals may also be

required. This environmental document is intended to address the environmental impacts associated with the following decision actions and approvals:

County of Kings

- **Conditional Use Permit.** Cellular telephone projects are a conditional use in the Limited Agriculture 10 Acre Minimum (AL – 10) Zone District, subject to approval by the Planning Commission.

- **Building Permits.** The County authorizes construction activities under the master Construction Permit, which includes building construction. Building Permits would be required for the erection, demolition, or conversion of any building or structure. Such permits are ministerial and would be secured prior to the commencement of construction.

- **Encroachment Permits.** The project may require encroachment permits for any work in County road rights-of-way and utility crossings under County roads. As part of the application for the Encroachment Permit, the applicant must submit construction drawings and a traffic control plan for any work that would take place in public right-of-way.

1.10 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" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

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

1.11 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 I) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
☐	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Alex Hernandez
Signature

6/30/21
Date

ALEX HERNANDEZ
Printed Name

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY
For

2.0 ENVIRONMENTAL INITIAL STUDY CHECKLIST

The lead agency has defined the column headings in the environmental checklist as follows:

A. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

B. "Less Than Significant with Mitigation Incorporated" applies where the inclusion of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." All mitigation measures are described, including a brief explanation of how the measures reduce the effect to a less than significant level. Mitigation measures from earlier analyses may be cross-referenced.

C. "Less Than Significant Impact" applies where the project does not create an impact that exceeds a stated significance threshold.

D. "No Impact" applies where a project does not create an impact in that category. "No Impact" answers do not require an explanation if they are adequately supported by the information sources cited by the lead agency which show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project specific screening analysis).

The explanation of each issue identifies the significance criteria or threshold used to evaluate each question; and the mitigation measure identified, if any, to reduce the impact to less than significance. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [State CEQA Guidelines Section 15063(c)(3)(D)]. Where appropriate, the discussion identifies the following:

a) Earlier Analyses Used. Identifies where earlier analyses are available for review.

b) Impacts Adequately Addressed. Identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Incorporated," describes the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

2.1 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 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?	☐	☐	☒	☐

Background and Setting

Agricultural land is the predominant open space landscape in Kings County, representing approximately 91 percent of all unincorporated land within the County (Kings County 2010). Land in the vicinity of the project site consists of relatively flat irrigated farmland and residential homes. Agricultural practices in the area consist largely of orchard cultivation and row crops. The project site is currently used as an English walnut orchard. Refer to Appendix A for photographs presenting views of the project site and surrounding areas. Sensitive viewers of the project site would be primarily motorists and pedestrians using 13½ Avenue.

California's Scenic Highway Program was created by the Legislature in 1963 to preserve and protect scenic highway corridors from change which would diminish the aesthetic value of lands adjacent to highways. A highway may be officially designated "scenic" depending on how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. The State Scenic Highway Systems includes a list of highways that are either eligible for designation as scenic highways or have been so designated. California Department of Transportation (Caltrans) maintains a list of California's scenic highways and map showing their locations. Caltrans has not identified any officially designated or eligible scenic highways in Kings County (Caltrans 2019), but a segment of SR 41 between its intersection with SR-33 and the County line is identified in the 2035 General Plan Open Space Element as eligible for designation as State scenic highways. The portion of SR 41 identified as an eligible scenic highway begins approximately 37 miles southwest of the project site.

The Open Space Element of the 2035 Kings County General Plan addresses scenic resources within the County. The Open Space Element identifies the portions of the Kings River and Cross Creek in the northern half of the County as scenic natural assets. These portions of these waterways are identified as Natural Resource Conservation in the Land Use Element of the General Plan. The Coast Ranges and Kettleman Hills in the southwestern portion of the County have also been identified as scenic resources, providing a distinctive visual backdrop (Kings County 2010). State Routes, I-5, and other County roadways enable outside and local travelers the opportunity to travel through the County within view of the region's natural scenic areas. As previously mentioned, segments of SR-41 and SR-33 are identified in the Open Space Element as eligible for designation as State scenic highways. At its nearest point, the project site is approximately 5 miles southeast of Kings River, approximately 9.5 miles west of Cross Creek at its closest point, and approximately 30 miles northeast of the Coast Ranges.

The Open Space Element includes goals, objectives, and policies to protect and preserve scenic resources and roadside landscapes within view of scenic highways (Kings County 2010). No state or locally designated or eligible scenic highways are located near the project site (Caltrans 2019). The following policies of the Open Space Element apply to the proposed project:

Policy B1.3.1 Require new development to be designed so that it does not significantly impact or block views of Kings County's natural landscape or other important scenic features. Discretionary permit applications will be evaluated against this requirement as part of the development review process. New developments may be required, as appropriate to:

- Minimize obstruction of view from public lands and rights-of-way.
- Reduce visual prominence by keeping development and structures below ridgelines.
- Limit the impact of new roadways and grading on natural settings. Such limits shall be within design safety guidelines.

Policy B1.3.2 Protect the visual access to Kings River and other prominent watercourses by locating and designing new development to minimize visual impacts and obstruction of views of scenic watercourses from public lands and rights-of-way.

Analysis

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

No impact. There are no designated scenic vistas in the project vicinity. The scenic vistas identified by the General Plan, the Kings River, and the Coast Ranges, are not within the viewshed of the project site. Further, neither the project site, nor views to or from the project site, have been designated as an important scenic resource by the County. Therefore, the proposed project would not interfere with or degrade a scenic vista, and no adverse impact would occur.

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

No impact. No state or locally designated scenic highways are located within Kings County. The project site is approximately 37 miles northeast of the portion of SR 41 that has been identified as eligible for listing as a scenic highway (Caltrans 2019). Implementation of the project would not adversely affect scenic resources within a designated scenic highway. No impact would occur, and no mitigation would be necessary.

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 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?

Less than significant impact. The project site is located in a rural area surrounded by privately owned properties and publicly accessible areas with views of the site include the surrounding roadways. Therefore, viewer sensitivity to the visual character or quality of the site would comprise primarily of motorists and pedestrians using 13½ Avenue.

The facility would be set back approximately 90 feet from 13½ Avenue and views of the facility would be shielded by the existing orchard trees which would remain between the roadway and the facility. Furthermore, the monopole and equipment cabinets for the proposed facility would be surrounded by an 8-foot-high chain link fence with slats which would further shield the equipment from view. The monopole and antennae structure will extend above the height of the existing, mature trees. However, as depicted in the photographs contained in Appendix A, the streets adjacent to the project site include utility poles that are approximately 40 feet high and which also extend above the height of the existing, mature trees. While the proposed monopole would extend higher than the surrounding utility poles, due to the set back and the existing orchard trees between the roadway and the facility, sensitive viewers using the roadway would continue to experience the rural, agricultural character along this stretch of roadway. The single monopole would be visible above the trees but would be consistent with other overhead utilities visible in the area. The proposed project would in keeping with the visual character of the site and its surroundings. Therefore, the effect would be less than significant.

CEQA evaluates the potential for impacts to the visual character or quality of an area from publicly accessible viewpoints; therefore, while the facility would be visible from adjacent residential properties north of the project site, the findings of significance is based on public views. It should be noted, however, that the facility would be set back approximately 75 feet from the northern property boundary and existing orchard trees would shield views of the facility from the adjacent residential properties. While the monopole would be visible from the properties, the most immediate views would be of the orchard. The wireless meter/pedestal located at the northern property boundary would not be visible from the residential property to the north of the project site because it would be shielded from view by an existing 6-foot-high fence along the property's edge.

d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Less than significant impact. The proposed project would involve new installation of lighting and structures which would create a new source of light and glare on the project site. However, lighting on the project site would be shielded and directed downward to minimize the potential for glare or light spillover onto adjacent property. In addition, lighting associated with the project would be minimized at night, partly through the timer installed on the lights which would shut off after six hours, which would reduce the impact of light pollution at night. Further, all lighting would conform to applicable Kings County rules and regulations for outdoor lighting. The cellular tower and associated structures would not be constructed of highly reflective material and would not introduce a significant new source of glare. Because the project would use shielded and downward-directed lighting, and because nighttime lighting would be minimized at the site, the project would result in a less than significant impact from the introducing of new sources of light or glare.

2.2 AGRICULTURE AND FORESTRY RESOURCES

		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?	☐	☐	☒	☐

Background and Setting

As mentioned in Section 1.4, the project site is designated Limited Agriculture – 10 Acre minimum in the County's 2035 General Plan (Kings County 2010) and is zoned Limited Agricultural – 10 Acre minimum(AL – 10).

FARMLAND MAPPING AND MONITORING PROGRAM

The California Department of Conservation (CDC) California Geological Survey (CGS) administers and maintains the statewide Farmland Mapping and Monitoring Program (FMMP). The California Division of Land Resource Protection FMMP and the Williamson Act programs intend to conserve agricultural land. For the FMMP, the U.S. Department of Agriculture collects soil surveys and uses existing land use observations to determine the nature and quality of farmland in 10-acre minimum units across the state.

The most recent Important Farmland Map published by CGS for the County shows the project site is mapped as Prime Farmland (CDC 2021).

WILLIAMSON ACT

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting the use of their lands to agricultural or compatible uses. There are two types of contracts available, including Land Conservation contracts, which have a term of 10 years, and Farmland Security Zone contracts, which have a term of 20 years. The Williamson Act stipulates that local governments adopt rules governing the administration of agricultural preserves, including rules related to compatible uses, provided the rules are consistent with the following principles of compatibility (Gov. Code Section 51231). The project site is under 10-year Williamson Act contract (Kings County 2013).

Gov. Code Section 51238.1 (a) sates that uses approved on contracted lands shall be consistent with all of the following principles of compatibility:

(1) The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserve.

(2) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.

(3) The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.

Analysis

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?

Less than significant impact. The project site is located on a parcel mapped as Prime Farmland (CDC 2021) and is currently used for agricultural land uses; however, the footprint of disturbance of the proposed project within the existing orchard would be less than 0.05 acre and the project itself would require the removal of five walnut trees. The construction of the proposed project would not impair the ability to continue current or future agricultural operations on the remainder of the parcel or on nearby parcels. Given the small area of disturbance and the fact that the operation of the project would not impair any further agricultural use of the area, the impacts would be less than significant.

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

Less than significant impact. The project does not conflict with existing zoning for agricultural use; wireless telecommunications facilities are permitted with the issuance of a conditional use permit in the AL – 10 Zone District. The project site is under 10-year Williamson Act contract (Kings County 2013). The project's footprint would be less than 0.05 acre of the 20-acre project site, and would require the removal of only five walnut trees. Therefore, the project would not impair the continuing use of the majority of the parcel for agriculture. Furthermore, the proposed wireless communications facility is

consistent with Section B.7 of the *Uniform Rules for Agricultural Preserves in Kings County,* which lists public service structures, including communications facilities, as a compatible use within an agricultural preserve. Therefore, any conflicts with existing Williamson Act contract and the parcel's zoning would be less than significant.

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))?

No impact. The project site is not zoned for forest land, timberland, or timber production. The project site currently supports an irrigated agricultural crop of walnut trees but is incapable of supporting timber species now or in the future due to climatic conditions of the area. Therefore, there would be no impact.

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

No impact. The project site is not zoned for forest land, timberland, or timber production. The project site currently supports an irrigated agricultural crop of walnut trees but is incapable of supporting timber species now or in the future due to climatic conditions of the area. Therefore, there would be no impact.

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?

Less than significant impact. Although the project would involve the conversion of a small area (less than 0.05 acre) of walnut orchard to non-agricultural use (HELIX 2021a), it would not have any further impacts regarding agriculture or forestry resources. It would not substantially increase traffic to the area, as visits would be limited only to occasional inspection and maintenance by authorized personnel. It would not directly or indirectly induce population growth. It would not require upgraded infrastructure to provide site access. The project would not involve other changes to the existing environment that could result in the conversion of farmland to non-agricultural use or forest land to non-forest use, and impacts would be less than significant.

2.3 AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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. 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?	☐	☐	☒	☐

Background and Setting

The project is located within the San Joaquin Valley Air Basin (SJVAB), which includes eight counties, and it is managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD). Within this air basin, National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone (O_2), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter (PM_{10} and $PM_{2.5}$), and lead (Pb). CAAQS have also been set for sulfates, hydrogen sulfide, and visibility (SJVAPCD 2021a).

Air pollution control districts use air quality plans or attainment plans to bring air basins into attainment with federal and state ambient air quality standards. Under the Federal Clean Air Act, areas are classified as being in either “attainment”, “non-attainment”, or “extreme non-attainment” for each criteria pollutant based on whether the NAAQS have been achieved. The California Air Resources Board (CARB) determines attainment relative to state standards. The SJVAB is categorized as being in extreme non-attainment for State and Federal standards for O_2, State and Federal non-attainment for $PM_{2.5}$, and non-attainment for State standards for PM_{10}. The SJVAB is in attainment for State and Federal standards for CO, SO_2, and NO_2, and in attainment for State standards for sulfates, vinyl chloride, and Pb (SJVAPCD 2021a).

Analysis

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less than significant impact. The SJVAPCD has adopted several attainment plans that outline the long-term strategies designed to achieve compliance with the NAAQS and CAAQS. According to SJVAPCD,

projects with emissions below the thresholds of significance for criteria pollutants would be determined not to conflict with or obstruct implementation of the District's air quality plan (SJVAPCD 2021b).

The proposed project consists of constructing a new wireless telecommunications facility. The only element of the proposed facility that has the potential to impact air quality during operations is the proposed diesel generator, which would be used only in emergency situations when electrical services are unavailable to run the facility. The generator would be tested periodically to ensure its ability to provide power should it be needed. The emissions produced by this periodic testing of the generator would be well below the SJVAPCD screening criteria for this type of development. Other potential impacts to air quality would be related to the construction portion of this project (e.g., use of equipment with internal combustion engines, dust related to construction activities) and would be temporary in nature, lasting only two to four weeks. Thus, due to the relatively small scope of this project, the proposed project would not be in conflict with the District's air quality plan or obstruct its implementation.

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?

Less than significant impact. As discussed above in the response to question (a), the only element of the proposed facility that has the potential to impact air quality during site operations is the proposed diesel generator. The generator will primarily be used in emergency situations and will be tested periodically to ensure that it continues to work properly. The emissions from generator operations and testing would be periodic and well below the criteria thresholds. The SJVAPCD categorizes the area including the project site to be in federal and/or Sate nonattainment for O_2, $PM_{2.5}$, and PM_{10}. Construction and operation of the proposed facility would not contribute significantly to these emissions levels. Other potential air quality impacts resulting from construction of the facility would be temporary, lasting only two to four weeks, and lessened by the implementation of typical construction best management practices. Therefore, the project would not cause a violation of any air quality standard and would not contribute substantially to any existing or projected air quality violation.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than significant impact with mitigation incorporated. Sensitive receptors are described as residences, schools, day-care centers, playgrounds, medical facilities, or other facilities that may house individuals with health conditions (medical patients or elderly persons/athletes/students/children) that may be adversely affected by changes in air quality. Impacts to sensitive receptors are typically analyzed for operational period CO hot spots and exposure to toxic air contaminants. Several single-family residences occur the vicinity of the proposed project, including one approximately 240 feet to the south on the same parcel, one approximately 190 feet northeast across 13½ Avenue, and several residences north of the project site, the closest of which is approximately 215 feet from the lease area.

Operation of the proposed project would not be expected to cause any localized emissions that could expose the nearby sensitive receptors to unhealthy long-term air pollutants. Construction emissions would result in localized emissions of dust and diesel exhaust that could result in temporary impacts to nearby residents.

Construction and grading activities would produce combustion emissions from various sources, including heavy equipment engines and motor vehicles used by the construction workers. Dust would be generated during site clearing, grading, and construction activities, with the most dust occurring during

grading activities. The amount of dust generated would be highly variable and would be dependent on the size of the area disturbed, amount of activity, soil conditions, and meteorological conditions. Construction activities would primarily take place within the 25-foot by 25-foot lease area. There will also be 75 linear feet of cable routing within a 5-foot-wide underground utility easement connecting the antenna site to existing utility lines along the northern edge of the project site. Additionally, a 90-foot long driveway will be constructed connecting the project site to 13½ Avenue. Construction activities would be temporary and would likely only last several weeks or months. In addition, given the small footprint of the project (less than 0.05 acre), only limited construction equipment would be necessary for the construction tasks. Therefore, construction of the proposed project would not expose sensitive receptors to substantial pollutant concentrations.

Construction of the proposed project would include ground-disturbing activities which may result in increased emissions of airborne particulate matter. The project would be required to comply with SJVAPCD Regulation VIII (Fugitive PM10 prohibitions). Mandatory compliance with SJVACPD Regulation VIII would reduce emissions of fugitive dust from the project site. As a result, localized emissions of airborne particulate matter emitted during construction would be less than significant.

Ground disturbing activities during construction and decommissioning have the potential to expose workers to Valley Fever, which would be a potentially significant impact. Although the applicant includes standard practices to reduce fugitive dust in all of their projects, implementation of Mitigation Measure AQ-1 would be required to reduce impacts to a level of *less than significant*.

The following measure is prescribed to reduce exposure to Valley Fever.

> **Mitigation Measure AQ-1: Reduce Valley Fever Exposure.** In order to reduce exposure of the public and workers from Valley Fever spores during ground disturbing activities, the following measures shall be implemented during project construction and decommissioning:
>
> - Implement the Dust Control Plan required to be approved for the project by the San Joaquin Valley Air Pollution District under District Rule 8021 prior to ground disturbing activity.
>
> - When exposure to dust is unavoidable for workers who will be disturbing the top 2-12 inches of soil, provide workers with National Institute for Occupational Safety and Health-approved respiratory protection with particulate filters rated as N95, N99, N100, P100, or HEPA, as recommended in the California Department of Public Health publication "Preventing Work-Related Coccidioidomycosis (Valley Fever)."

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less than significant impact. The proposed project consists of the construction and operation of a new wireless telecommunications facility. The proposed facility is located approximately 190 feet from the nearest residential structure. The only aspect of the project that has the potential to result in other emissions such as odors is the proposed diesel generator. This generator is intended for use only during emergency situations and in periodic tests to ensure its functionality. The resulting emissions from the periodic testing or infrequent emergency use, such as those resulting in odors, will be negligible and therefore will not adversely affect a substantial number of people and will have a less than significant impact.

2.4 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 Wildlife 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 Wildlife or US 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?	☐	☐	☒	☐

Background and Setting

A Biological Resources Evaluation was prepared for this project by HELIX Environmental Planning, Inc. (HELIX 2021a). The discussion of biological resources in this section is based on that report, which is included in full as Appendix B to this Initial Study. The area evaluated included the project footprint and an approximately 50-foot buffer (Study Area totaling 0.69 acres) and is shown in Figure 3 of Appendix B.

Special-Status Species Evaluation

In order to evaluate special-status species and/or their habitats with the potential to occur in the Study Area and/or be impacted by the proposed Project, HELIX obtained lists of special-status species known to occur and/or having the potential to occur in the Study Area and vicinity from the U.S. Fish and Wildlife Service (USFWS; USFWS 2020), the California Native Plant Society (CNPS; CNPS 2020), and the

California Natural Diversity Database (CDFW 2020), which are included in Appendix B. The potential for these regionally occurring special-status species to occur in the Study area is also analyzed in Appendix B.

Aquatic Resources Evaluation

The U.S. Fish and Wildlife Service's National Wetlands Inventory (NWI) online database[1] was reviewed to determine if there are any wetlands or other waters of the U.S. mapped by the USFWS in the vicinity of the proposed project The NWI provides reconnaissance level information on wetlands and deepwater habitats from analysis of high-altitude aerial imagery. Historic aerial imagery from National Environmental Title Research[2] was reviewed for information on past land uses and presence of aquatic features visible on aerial imagery.

Biological and Wetland Reconnaissance Survey

A biological and wetland reconnaissance survey was conducted on November 10, 2020 by HELIX biologist Marisa Brilts. For the biological portion of the survey, the Study Area was assessed to identify the habitat type(s) present on-site and the potential to support special-status plant and wildlife species, which is further analyzed in Appendix B.

Results

Habitat types/vegetation communities in the Study Area include orchard, ruderal, and urban areas. Aquatic habitats are not present in the Study Area. No wetland or non-wetland aquatic features that could qualify as waters of the U.S./State were observed in the Study Area and none were observed in existing NWI mapping.

Special-Status Species Evaluation

Seven regionally occurring special-status plant species and twenty-two regionally occurring special-status wildlife species were identified during the database queries and desktop review and were evaluated for their potential to occur in the Study Area. Based on the results of the evaluation, no special status plant species or special status wildlife species were determined to have the potential to occur in the Study Area or be impacted by the proposed project. The entire Study Area is comprised of disturbed habitat and there are no native or naturalized habitats present. However, it was determined that the Study Area and immediate vicinity provides suitable habitat for nesting migratory birds and raptors, which could be impacted by the proposed project and are discussed below.

Analysis

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 Wildlife or U.S. Fish and Wildlife Service?

Less than significant with mitigation incorporated. There is no suitable habitat in the Study Area for special-status wildlife species and none are expected to occur in the project site or be impacted by the

[1] https://www.fws.gov/wetlands/Data/Mapper.html
[2] https://www.historicaerials.com

proposed project. The entire Study Area is comprised of disturbed habitat and there are no native or naturalized habitats present. Wildlife species occurring in the site would be expected to be limited to disturbance-tolerant species typical of areas associated with regular human presence and moderate to high levels of disturbance. Of the twenty-two regionally occurring special-status wildlife species that were identified during the database searches and desktop review, the majority are associated with aquatic habitats, riparian habitat, require sandy soils for burrowing, or are bat species that roost in dense woodlands. None of these habitats occur within the Study Area. However, it was determined that the Study Area and immediate vicinity provide suitable habitat for nesting migratory birds and raptors, which could be impacted by the proposed project.

The Study Area and adjacent lands provide suitable nesting habitat for migratory birds and other nesting birds. Removal of vegetation or disturbance of bare ground containing active nests would potentially result in destruction of eggs and/or chicks; noise, dust, and other anthropogenic stressors in the vicinity of an active nest could lead to forced nest abandonment and mortality of eggs and/or chicks. Needless destruction of eggs or chicks would be a violation of the Fish and Game Code and a significant impact. Implementation of **Mitigation Measure BIO-1** would reduce any potential impacts to less than significant levels.

> **Mitigation Measure BIO-1: Nesting Migratory Birds:** To reduce any impacts to nesting migratory birds to less than significant levels, the following measures shall be implemented:
>
> - If construction activities are proposed to begin during the non-breeding season (September 1 through January 31), a survey is not required, and no mitigation measures are necessary.
>
> - If vegetation removal and grading activities begin during the nesting season (February 1 to August 31), a qualified biologist should conduct a pre-construction survey of the project footprint for active bird nests. Additionally, a 500-foot buffer surrounding the project footprint should be surveyed for active raptor nests where accessible. The pre-construction survey should be conducted within 14 days prior to commencement of ground-disturbing activities. If the pre-construction survey shows that there is no evidence of active nests, a letter report should be prepared to document the survey, and no additional measures are recommended. If construction does not commence within 14 days of the pre-construction survey, or halts for more than 14 days, an additional survey is required prior to starting work.
>
> - If nests are found and considered to be active, the project biologist should establish buffer zones to prohibit construction activities and minimize nest disturbance until the young have successfully fledged or until the biologist determines that the nest is no longer active. Buffer sizes will depend on the species in question, surrounding existing disturbances, and specific site characteristics, but may range from 20 feet for some songbirds to 500 feet for some raptors. If active nests are found within any trees slated for removal, then an appropriate buffer should be established around the trees and the trees should not be removed until a biologist determines that the nestlings have successfully fledged. In addition, a pre-construction worker awareness training should be conducted alerting workers to the presence of and protections for the active avian nests.

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

No impact. During both desktop and field surveys of the site, no sensitive or protected communities were identified in the Study Area. No impact would occur.

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?

No impact. During both desktop and field surveys of the site, no wetlands or jurisdictional waters were identified in the Study Area. No impact would occur.

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?

Less than significant impact. The project would include a disturbance footprint of less than one acre and would take place in an area already covered by orchards and bisected by roads. The value of the site to most wildlife as a migration corridor or nursery is low, and given the project's small footprint, any wildlife nearby could easily avoid it when foraging or migrating through the area. Any impacts would be less than significant.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less than significant impact. Though the project would include the removal of five English walnut trees, these trees are agricultural resources and are not native nor are they grown to provide other benefits, such as wind breaks. Kings County does not have a tree preservation policy or ordinance. The proposed project would not conflict with a local policy or ordinance protecting biological resources, and any impact would be less than significant.

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?

Less than significant impact. There is no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved plan that applies to the project site. The site does not contain any natural or sensitive habitats, and any impacts would be less than significant.

2.5 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 dedicated cemeteries?	☐	☒	☐	☐

The discussion below is based on a cultural report prepared by HELIX Environmental Planning, Inc. (HELIX 2021b), and the full report is attached to this Initial Study as Appendix C. The assessment included a record search at the Southern San Joaquin Valley Information Center (SSJVIC), California State University, Bakersfield; a search of the Native American Heritage Commission's Sacred Lands File and information request letters to six Native American representatives; a pedestrian field survey; and completion of California Department of Parks and Recreation (DPR) forms.

Background and Setting

RECORD SEARCHES AND ARCHIVAL RESEARCH

AREA OF POTENTIAL EFFECTS

The area of potential effects (APE) is defined as the geographic area or areas within which a project may directly or indirectly cause alterations in the character or use of significant archaeological or architectural resources. The APE is shown in Figure 3 of Attachment C. The APE for the proposed project includes the project footprint. A 50-foot buffer around the APE was also examined to allow for unanticipated disturbances or minor changes in project design during construction. Visual impacts to previously documented historical resources were also assessed for a secondary APE, which corresponds to a 0.5-mile buffer around the primary APE.

SOUTHERN SAN JOAQUIN VALLEY INFORMATION CENTER RECORD SEARCH RESULTS

On December 14, 2020, an archival records search in support of the proposed project was conducted at the SSJVIC. The records searches addressed all portions of the APE and a 0.5-mile radius around the APE (hereafter referred to as the Cultural Study Area). Sources of information included previous survey and cultural resources files; the National Register of Historic Places (NRHP); the CRHR; the Office of Historic Preservation (OHP) Archaeological Determination of Eligibility; the OHP Directory of Properties in the Historic Property Data File; historical topographic maps; and historical aerial photographs.

The records search identified two studies that have previously been conducted within the Cultural Study Area and that there is one previously recorded cultural resource within the Cultural Study Area.

Resource P-16-000128 represents the Last Chance Ditch, a historic water conveyance feature that was constructed by the Last Chance Ditch Water Company in 1873 and 1874. The Last Chance Ditch is comprised of multiple canals that operate as an integrated system to divert water from the south bank of the Kings River to agricultural communities in Kings County. The ditch is currently in use and has not been evaluated for eligibility to the NRHP or CRHR. P-16-000128 intersects the current Cultural Study Area approximately 0.3 mile south of the APE.

NATIVE AMERICAN OUTREACH

On December 1, 2020, HELIX requested that the Native American Heritage Commission (NAHC) conduct a search of their Sacred Lands File for the presence of Native American sacred sites or human remains in the vicinity of the proposed project area. A written response received from the NAHC on December 21, 2020, stated that the Sacred Lands File failed to indicate the presence of Native American cultural resources in the vicinity of the APE.

On December 28, 2020, HELIX sent letters to six Native American contacts that were recommended by the NAHC as potential sources of information related to cultural resources in the vicinity of the project area:

- Stan Alec, Kings River Choinumni Farm Tribe
- Leo Sisco, Chairperson, Santa Rosa Rancheria Tachi Yokut Tribe
- Brenda D. Lavell, Chairperson, Table Mountain Rancheria
- Bob Pennell, Cultural Resources Director, Table Mountain Rancheria
- Neil Peyron, Chairperson, Tule River Indian Tribe
- Kenneth Woodrow, Chairperson, Wuksache Indian Tribe/Eshom Valley Band

The letters advised the tribes and specific individuals of the proposed project and requested information regarding cultural resources in the immediate area, as well as any feedback or concerns related to the proposed project. As of the date of this report, no responses have been received.

INTENSIVE PEDESTRIAN SURVEY

On December 3, 2020, HELIX Staff Archaeologist Jentin Joe conducted a pedestrian survey to characterize any prehistoric or historic-era archaeological resources located within the APE. During the survey, the ground surface throughout the APE was examined for the presence of historic-era artifacts (e.g., metal, glass, ceramics), prehistoric artifacts (e.g., flaked stone tools, tool-making debris), and other features that might represent human activity that took place more than 50 years ago.

The terrain within and adjacent to the APE is flat with an elevation of approximately 249 feet (76 m) above sea level. The APE is located within an existing, active English walnut (*Juglans regia*) orchard. The disturbance regime typically associated with an active orchard includes irrigation, pruning, possible herbicide and pesticide application, and fertilization application. Five English walnut trees are proposed for removal by the project.

A thick layer of fallen leaves made ground visibility very poor during the survey. The margins of the APE are marked by flattened and/or graded dirt roads that appear to be used regularly. The few areas of exposed soil appear to be heavily disturbed by vehicles and farm equipment, and fresh vehicle tracks can be seen between and around the rows of walnut trees. The survey found no archaeological

resources on the surface of the APE. The few cultural materials seen during the survey were isolated pieces of trash that appear to be modern or cannot be attributed to a specific date range.

Analysis

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Less than significant impact with mitigation incorporated. Review of historic aerials and topographic maps indicate that no structures were present within the project site. In addition, no historic-age resources were found during the field survey. However, there is the possibility that previously unknown historical resources exist below the ground surface and may be inadvertently discovered during construction. Therefore, implementation of standard cultural resource construction mitigation (Mitigation Measure CUL-01) would ensure that this impact is less than significant.

> **Mitigation Measure CUL-1: Discovery of Previously Unknown Historical Resources.** In order to avoid the potential for impacts to historic and prehistoric archaeological resources, the following measures shall be implemented, as necessary, in conjunction with the construction of the Project:
>
> a. Cultural Resources Alert on Project Plans. The project proponent shall note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources.
>
> b. Pre-Construction Briefing. The project proponent shall retain Santa Rosa Rancheria Cultural Staff to provide a pre-construction Cultural Sensitivity Training to construction staff regarding the discovery of cultural resources and the potential for discovery during ground disturbing activities, which will include information on potential cultural material finds and on the procedures to be enacted if resources are found.
>
> c. Stop Work Near any Discovered Cultural Resources. The project proponent shall retain a professional archaeologist on an "on-call" basis during ground disturbing construction for the project to review, identify and evaluate cultural resources that may be inadvertently exposed during construction. Should previously unidentified cultural resources be discovered during construction of the project, the project proponent shall cease work within 100 feet of the resources, and Kings County Community Development Agency (CDA) shall be notified immediately. The archaeologist shall review and evaluate any discoveries to determine if they are historical resource(s) and/or unique archaeological resources under CEQA.
>
> d. Mitigation for Discovered Cultural Resources. If the professional archaeologist determines that any cultural resources exposed during construction constitute a historical resource and/or unique archaeological resource, he/she shall notify the project proponent and other appropriate parties of the evaluation and recommended mitigation measures to mitigate the impact to a less-than-significant level. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing and data recovery, among other options. Treatment of any significant cultural resources shall be undertaken with the approval of the Kings County CDA. The archaeologist shall document the resources using DPR 523 forms and file said forms with the California Historical Resources Information System, Southern San Joaquin Valley Information Center. The resources shall be

photo-documented and collected by the archaeologist for submittal to the Santa Rosa Rancheria's Cultural and Historical Preservation Department. The archaeologist shall be required to submit to the County for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken.

e. Native American Monitoring. Prior to any ground disturbance, the project proponent shall offer the Santa Rosa Rancheria Tachi Yokut Tribe the opportunity to provide a Native American Monitor during ground disturbing activities during both construction and decommissioning. Tribal participation would be dependent upon the availability and interest of the Tribe.

f. Disposition of Cultural Resources. Upon coordination with the Kings County Community Development Agency, any pre-historic archaeological artifacts recovered shall be donated to an appropriate Tribal custodian or a qualified scientific institution where they would be afforded applicable cultural resources laws and guidelines.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less than significant impact with mitigation incorporated. According to the record searches conducted for the project, no unique archaeological resources have been previously recorded within the project site or a 0.5-mile radius (HELIX 2021b). In addition, no unique archaeological resources were discovered during the field survey. Archaeological resources may be pre-contact or historic in age, and could consist of, but are not limited to, glass, stone, bone, wood, ceramics, features, lithic scatters, and historic dump sites. It is possible that subsurface excavation activities may encounter previously undiscovered unique archaeological resources, which would result in a potentially significant impact. Implementation of Mitigation Measure CUL-1 (above) during construction would reduce the impact to a level of less than significant.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less than significant impact with mitigation incorporated. No human remains are known to exist within the APE nor were there any indications of human remains found during the field survey. However, there is always the possibility that subsurface construction activities associated with the proposed project, such as grading, could potentially damage or destroy previously undiscovered human remains which would result in a potentially significant impact. Implementation of Mitigation Measure CUL-2 during construction activities would reduce that impact to a level of less than significant.

Mitigation Measure CUL-2: Discovery of Human Remains. In order to avoid the potential for impacts to buried human remains, the following measures shall be implemented, as necessary, in conjunction with the construction of the Project:

a. Pursuant to State Health and Safety Code Section 7050.5(e) and Public Resources Code Section 5097.98, if human bone or bone of unknown origin is found at any time during on- or off-site construction, all work shall stop in the vicinity of the find and the Kings County Coroner shall be notified immediately. If the remains are determined to be Native American, the Coroner shall notify the California State Native American Heritage Commission (NAHC), who shall identify the person believed to be the Most Likely Descendant (MLD). The project

proponent and MLD, with the assistance of the archaeologist, shall make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines Sec. 15064.5(d)). The agreed upon treatment shall address the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. California Public Resources Code allows 48 hours for the MLD to make their wishes known to the landowner after being granted access to the site. If the MLD and the other parties do not agree on the reburial method, the project will follow Public Resources Code Section 5097.98(e) which states that ". . . the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."

b. Any findings shall be submitted by the archaeologist in a professional report submitted to the project applicant, the MLD, the Kings County Community Development Agency, and the California Historical Resources Information System, Southern San Joaquin Valley Information Center.

2.6 ENERGY

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

Background and Setting

Southern California Edison (SCE) is the primary electric provider in the project area and most of the energy consumed in Kings County is for non-residential purposes. The proposed telecommunications facility will utilize electricity for its power source. In the event of a power outage, the on-site diesel generator will be used to provide power to the facility.

Construction equipment and construction worker vehicles operated during project construction would use fossil fuels. The fuel energy use for this project would be temporary and short-term and would be incidental compared to annual consumption. The marginal increases in fossil fuel use resulting from project construction are not expected to have significant impacts on energy resources.

There are no federal, State, or local regulations, plans, programs, or guidelines associated with energy that are applicable to the proposed project.

Analysis

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less than significant impact. While construction of the proposed project would result in the temporary consumption of energy resources in the form of vehicle and equipment fuels (gasoline and diesel fuel) and electricity/natural gas (directly or indirectly), such consumption would be incidental and temporary and would not have the potential to result in wasteful, inefficient, or unnecessary consumption of energy resources. With regard to long-term operations, electricity to operate the wireless telecommunications facility would be provided through existing lines by SCE. In the event of a power outage, the on-site diesel generator would be used to power the facility. Fuel use for travel to the facility would be minimal and occur only for periodic maintenance. While the project would involve the use of energy, the level of energy use would not constitute a wasteful, inefficient, or unnecessary consumption of energy resources and impacts would be less than significant.

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

No impact. See the discussion under question a) above. The proposed project would not result in a substantial new demand for energy resources nor have any indirect effect on any state or local plan for renewable energy or energy efficiency. No impact would occur.

2.7 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?	☐	☐	☒	☐

Background and Setting

The project site is located in the Great Valley Geomorphic Province, a topographic and structural basin bounded on the east by the Sierra Nevada and on the west by the Coast Ranges. The Sierra Nevada Range is part of a fault block which dips gently to the southwest and forms the bedrock beneath the valley. This basement complex is composed of igneous and metamorphic rocks overlain by alluvium.

The project site is not located in or near an Alquist-Priolo Earthquake Fault Zone (California Geological Survey [CGS] 2021). However, there are several active faults in the Coast Ranges to the west, including the San Andreas Fault Zone and the Great Valley Fault System. The nearest segment of the San Andreas

fault is located about 35 miles southwest of the project site, and it is estimated to be capable of producing a magnitude 7.7 earthquake along the nearest segments to the project site. The Great Valley Fault System, which runs parallel to and east of the San Andreas Fault zone, is composed of blind thrust faults, which do not intersect with ground surface but can cause significant shaking and ground deformation. The nearest segment of this fault system is the Kettleman Hills segment which runs approximately 20 miles southwest of the project site at the nearest point. The 6.5 magnitude Coalinga earthquake in 1983 and the 6.1 Kettleman Hills earthquake in 1985 occurred within this fault complex (Kings County 2010).

Installation of the monopole tower and associated structures would be performed in accordance with the requirements of the California Building Code (CBC) to withstand the design basis ground motion, which is defined as earthquake ground motion (lateral dynamic displacement) with a two percent chance of being exceeded in 50 years. The Alquist-Priolo Act regulates development near active faults to mitigate the hazard of surface rupture. Faults identified as being located within an Alquist-Priolo Earthquake Fault Zone are typically active faults. The project site is not in an Alquist-Priolo Fault Zone, and the nearest active fault is approximately 35 miles from the project site.

The 2035 Kings County General Plan states that "Damage and injury resulting from geologic hazards can be reduced to acceptable levels through zoning and building permit review procedures and construction standards. New construction conforming to the standards of the CBC will provide adequate protection. Dams, schools, and hospitals are more stringently regulated by state and federal agencies for protection against such hazards. It should be noted that the purpose of the earthquake provisions in the CBC is to prevent loss of life, not to prevent structural damage" (p. HS-8, Kings County 2010).

In addition, the Resource Conservation Element of the 2035 Kings County General Plan (Kings County 2010) includes the following:

- RC Objective C2.2: Ensure that land use decisions are compatible with the control of soil erosion and the maintenance of soil quality.

- RC Policy C.2.2: Continue to require the application of construction related erosion control measures, including SWPPPs, for all new construction.

However, the Health and Safety Element of the 2035 Kings County General Plan states "[t]he risk and danger of liquefaction and subsidence occurring within the County is considered to be minimal" (Kings County 2010).

Analysis

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?

No impact. The project site is not included in an earthquake fault zone, and there are no known faults in the project site or in the vicinity (see Pub. Res. Code, Section 2621, et seq.; Div. of Mines and Geology, Spec. Pub. 42.). In addition, the Health and Safety Element of the 2035 Kings County General Plan states "[t]he County has no known major fault systems within its territory" (Kings County 2010). Since there are no known earthquake faults on or near the project site, there are no impacts associated with the project relative to surface rupture of an earthquake fault.

ii. Strong seismic ground shaking?

Less than significant impact. Seismic hazards would be minimized by implementing seismic requirements specified by the CBC. Therefore, with implementation of these requirements, impacts from strong seismic ground shaking would be less than significant and no mitigation would be required.

iii. Seismic-related ground failure, including liquefaction?

Less than significant impact. No regulatory mapping of liquefaction zones has been prepared by the CGS for the project site, with the nearest such mapping completed for Santa Clara County (CGS 2021). Soils at the project site consist of a single soil mapping unit, Nord complex, which is not considered to be at high risk for liquefaction (NRCS 2021). In addition, liquefaction hazards would be minimized by implementing seismic requirements specified by the CBC. Therefore, with implementation of these requirements, impacts from liquefaction would be less than significant and no mitigation would be required.

iv. Landslides?

No impact. No regulatory mapping of landslide zones has been prepared by the CGS for the project site, with the nearest such mapping completed for Santa Clara County (CGS 2021). The project site is not mapped as lying within a landslide hazard area by USGS landslide mapping which shows the nearest landslide areas in the foothills of the Coast Ranges to the west (USGS 1997). In addition, the Health and Safety Element of the 2035 Kings County General Plan indicates that site vicinity is defined as having a "low" susceptibility to landslides (Kings County 2010). The relatively flat terrain of the project site has a very low potential for landslides. Therefore, the project would have no impact relative to landslides.

b) Result in substantial soil erosion or the loss of topsoil?

Less than significant impact. The project would disturb approximately 0.05 acres and would include minor ground disturbance that would not result in substantial erosion or the loss of topsoil. Due to the small size of the proposed project and associated earthmoving activities, soil erosion impacts would be less than significant and no mitigation would be required.

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?

Less than significant impact. As discussed in response to questions a) and b), above, the project site is not located in an area that would be significantly exposed to landslides, liquefaction, or other geologic hazards. Lateral spreading (or liquefaction-induced lateral spreading) can occur with seismic ground shaking on slopes where saturated soils liquefy and flow towards the open slope face. The project site is relatively flat and does not include significant slopes; therefore, this would not be an issue on the

project site. Ground subsidence is typically caused when overdrafts of a groundwater basin reduce the upward hydraulic pressure that supports the overlying land surface, resulting in consolidation/settlement of the underlying soils. Large areas of the San Joaquin Valley, including the project site, have been subject to subsidence from groundwater use. From 2007 to 2011, the land at the project site subsided between 1.0 and 1.5 feet (CWF 2014). As previously described, the Health and Safety Element of the 2035 Kings County General Plan states that "[t]he risk and danger of liquefaction and subsidence occurring within the County is considered minimal" (Kings County 2010). As discussed in Section 2.10 Hydrology and Water Quality, groundwater pumping in the area can exceed the safe yield of the groundwater basin during years when severe curtailment of surface water deliveries from the CVP necessitates increased pumping of groundwater to make up for reductions in imported supplies. However, the proposed project would use minimal water during construction and would not require water during operations, and therefore would not contribute significantly to the demand for groundwater in the area and would not itself result in subsidence. In addition, geologic hazards would be minimized by implementing seismic requirements specified by the CBC. Impacts would be less than significant and no mitigation would be necessary.

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?

Less than significant impact. Soils on the project site have been identified as Nord complex, which is described as alluvium derived from igneous rock, well drained, with a depth of more than 8 inches to the water table, and depths greater than 80 inches to a restrictive layer. Figure HS-4 of the 2035 General Plan Health and Safety Element identifies the project site as having expansive soils (Kings County 2010). As such, there is a potential for soil expansion beneath the installed structures which may present risks to life or property that would be potentially significant. However, prior to the issuance of a building permit for the project, the applicant shall retain a qualified registered civil engineer to prepare a preliminary soils report, based on soil borings and excavations, to determine the potential for soils expansion and to prepare recommendations for corrective actions to mitigate potential damage to project structures due to potential soils expansion. The preliminary soils report shall be submitted to the Kings County Community Development Agency Building Division for review and approval. The potential damage from soils expansion can be reduced by one or more of several alternative engineering measures, as recommended by the registered civil engineer. The corrective measures specified by would be conditions of approval for the Building Permit and be subject to inspection and approval by the County Building Official and would reduce the potential risks to life or property due to potential soil expansion to a level of less than significant.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No impact. The proposed project would not require wastewater services and no on-site wastewater disposal would occur. No significant impacts from or to geophysical features or hazards would occur with implementation of the proposed project and no mitigation would be required.

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

Less than significant impact. None of the previous analyses of the area have identified the project site as sensitive for paleontological resources or other geologically sensitive resources, nor have testing or ground disturbing activities performed to date uncovered any paleontological resources or geologically sensitive resources (Kings County 2010). Because the likelihood of encountering paleontological resources and other geologically sensitive resources is considered low, the impact would be less than significant.

2.8 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?	☐	☐	☒	☐

Background and Setting

ENVIRONMENTAL SETTING

Climate change refers to any significant change in measures of climate, such as average temperature, precipitation, or wind patterns over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Significant changes in global climate patterns have recently been associated with global warming, which is an average increase in the temperature of the atmosphere near the Earth's surface; this is attributed to an accumulation of greenhouse gas (GHG) emissions in the atmosphere. GHGs trap heat in the atmosphere which, in turn, increases the Earth's surface temperature. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. The emission of GHGs through fossil fuel combustion in conjunction with other human activities appears to be closely associated with global warming.

GHGs, as defined under California's Assembly Bill 32 (AB 32), include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Of these, the gases most relevant to land use development projects are CO_2, CH_4, and N_2O. The following analysis focuses on these gases.

REGULATORY FRAMEWORK RELATING TO GREENHOUSE GAS EMISSIONS

The California Global Warming Solutions Act of 2006, widely known as AB 32, requires the CARB to develop and enforce regulations for the reporting and verification of statewide GHG emissions. CARB is directed to set a GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill requires CARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG reductions.

On April 29, 2015, Executive Order (EO) B-30-15 established a California GHG reduction target of 40 percent below 1990 levels by 2030. California is on track to meet or exceed the target of reducing GHG emissions to 1990 levels by 2020, as established in AB 32. California's new emission reduction

target of 40 percent below 1990 levels by 2030 will make it possible to reach the ultimate goal established by EO S-3-05 of reducing emissions 80 percent under 1990 levels by 2050. As a follow-up to AB 32 and in response to EO-B-30-15, Senate Bill (SB) 32 was passed by the California legislature in August 2016 to codify the EO's California GHG reduction target of 40 percent below 1990 levels by 2030.

Analysis

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than significant impact. The project involves the installation of a 100-foot monopole and supporting equipment shelter on a developed agricultural site. The amount of equipment would not generate substantial operational GHG emissions. The project would generate a negligible amount of GHG emissions during construction and as a result of infrequent maintenance vehicle trips and standby generator operations in the event of power outages. Therefore, the project would not generate significant GHG emissions. Impacts would be less than significant and no mitigation would be required.

b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less than significant impact. The project involves the installation of a 100-foot monopole and supporting equipment shelter on a developed agricultural site. The amount of equipment would not generate substantial operational GHG emissions. The project would generate a negligible amount of GHG emissions during construction and as a result of infrequent maintenance vehicle trips and standby generator operations in the event of power outages. Therefore, the project would not generate significant GHG emissions, conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions or result in significant global climate change impacts. Impacts would be less than significant and no mitigation would be required.

2.9 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 two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Background and Setting

The project site is currently developed as an agricultural area and has no past land uses associated with potentially hazardous sites. Two nearby hazardous sites were identified on the DTSC's Envirostor database (DTSC 2021). A voluntary cleanup of an agricultural pesticide/insecticide/rodenticide storage facility was completed in 1995. That site is located 0.8 miles east of the project site at 9431 13th Avenue, Hanford, CA 93230. The other nearby site was an investigation of soil at a former agricultural site to determine potential contamination in advance of a proposed school construction; this case had been resolved by 2007. This site is located approximately 0.7 mile northeast of the project site at 1854 N Mustang Dr, Hanford, CA 93230.

No potentially hazardous sites were found within one mile of the project site using the State Water Resources Control Board's GeoTracker tool (SWRCB 2021).

The school nearest the project site is Sierra Pacific High School, located approximately 0.5 miles east of the project site at 1259 13th Ave, Hanford, CA 93230. The nearest airport to the project site is the Hanford Municipal Airport, located approximately four miles due southeast of the project site at 954 Hanford Armona Road, Hanford, CA 93230.

Fire protection is provided by the Kings County Fire Department. The agency is fully professional (i.e., constantly staffed with paid members) and capable of responding to structure and wildland fire, along with hazardous materials incidents and other types of incidents (Kings County Fire Department 2021). The nearest Kings County fire station is Station 5, located three miles south of the site at 11235 14th Avenue, Armona, CA 93202. City of Hanford Fire Station 1 is located three miles east of the site at 350 W Grangeville Blvd, Hanford, CA 93230 and would be able to provide mutual aid to the project site if needed.

Analysis

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than significant impact. During construction, small amounts of some hazardous materials would be used, potentially including fuels, lubricants, dust suppressants, and materials for electricity conduction and storage. Following construction, the project would not involve the routine transport, use, or disposal of hazardous materials, as it would be largely self-sufficient and would require only occasional inspection and maintenance. The standby generator would be fueled as needed if power outages necessitated its use. The project would not substantially increase the routine transport, use, or disposal of hazardous materials, and any impacts would be less than significant.

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?

Less than significant impact. The project would be largely static once constructed, and would consist of a monopole with cellular antennae, a standby backup generator, and small amounts of other ancillary infrastructure. The project components would be secured with a fence to prevent vandalism or tampering. The project would not include any consistently occupied structures, and human use of the site would be limited to occasional inspections and maintenance. The project site would not contain large quantities of hazardous materials. Any potential incidents would be small in scale and could be quickly mitigated by nearby law enforcement, fire department, and utility personnel. Any impacts would be less than significant.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No impact. The project is not located within 0.25 mile of an existing or proposed school, therefore there would be no impact.

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?

Less than significant impact. As discussed above, the project is not located on or near any active hazardous materials sites. Two sites within one mile of the proposed project included a voluntary cleanup of agricultural hazards that was completed over 25 years ago, and a precautionary investigation of a site for a proposed school in 2007. No history of hazardous materials was found on the project site itself. Any impacts would be less than significant.

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

No impact. The project is not located within an airport land use plan or within two miles of a public or public use airport, therefore, there would be no impact.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than significant impact. The project would not consist of a structure designed for human occupancy, would not induce population growth, and would not impair travel on any public road. It would consist solely of a cellular tower and small ancillary infrastructure, would not significantly increase risks of fire or other hazards, and would not impair any evacuation routes. Any impacts would be less than significant.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less than significant impact. The project site is not located in or near a State Responsibility Area or a Very High Fire Hazard Severity Zone (CAL FIRE 2021). The project site is not located in a wildland urban interface and it is entirely surrounded by residential development and irrigated agricultural fields. The chances of either of these land uses carrying a wildfire is low, especially given the flat topography of the area and the distance away from significant areas of natural (i.e., non-irrigated) vegetation. Adequate professional fire protection resources exist to respond quickly to any incident at the project site. Any impact would be less than significant.

2.10 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 ground water 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 off- site?	☐	☐	☐	☒
	iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff?	☐	☐	☐	☒
	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?	☐	☐	☐	☒

Background and Setting

The project site and surrounding region is primarily flat agricultural land crossed by an extensive network of irrigation canals and drains.

The climate in Kings County can be classified as Mediterranean with an average rainfall of 7.6 inches annually, occurring primarily between November and April (Kings County 2010). Kings County is in the Tulare Lake Hydrologic Region, which includes all of the San Joaquin Valley south of the San Joaquin River totaling approximately 10.9 million acres (DWR 2003). This portion of the San Joaquin Valley drains southward through the Kings, Kaweah, Tule, and Kern rivers to the Tulare Lake Basin, which historically held the Tulare, Buena Vista, and Kern lakes. Flood control on the major rivers and draining of the

historic lakes and wetlands beginning in the late 19th century has converted the Tulare Lake Basin into an expanse of rich agricultural land. Hydrology in the region is now managed through a system of irrigation canals and drains that convey water obtained from the CVP, the State Water Project, local water projects, and groundwater.

California Department of Water Resources (DWR) has subdivided the Tulare Lake Hydrologic Region into 12 groundwater basins, one of which, the San Joaquin Basin, is further divided into seven subbasins. The project site lies within the Tulare Lake Subbasin of the San Joaquin Basin. The project site is within the Tulare-Buena Vista Lakes Watershed which covers portions of Kern and Kings County. The most prominent rivers and streams within the watershed are the Kings River and the Kaweah River. The alluvial fans of the Kings River and the Kaweah River dominate the landscape within the Kings County Water District. Other surface waters include the Saint Johns River and Cross Creek.

The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, FEMA has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes. FIRM were reviewed to determine the project's proximity to a flood hazard zone. The proposed project is on FEMA panel 06031C0180C effective 6/16/2009 (FEMA 2021). The project area is classified as Zone X and is outside the 500-year flood hazard zone.

The 2035 Kings County General Plan Health and Safety Element has the following goal and policies related to flood hazards:

- HS Goal A4: Prevent unnecessary exposure of people and property to flood damage.
- HS Policy A4.1.1: Review new development proposals against current Federal Emergency Management Agency (FEMA) digital flood insurance rate maps and California Department of Water Resources special flood hazard maps to determine project site susceptibility to flood hazard.
- HS Policy A4.1.5: Regulate development, water diversion, vegetation removal, and grading to minimize any increase in flood damage to people and property.
- HS Policy A4.1.7: Consider and identify all areas subject to flooding in the review of all land divisions and development projections.

Analysis

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less than significant impact. The project site is in an agricultural area. Implementation of the proposed project may alter the existing drainage patterns on the project site through the introduction of impervious surfaces such as the monopole, supporting equipment on concrete slabs, and driveway providing access to the site from 13½ Avenue. An increase in impervious surfaces may result in an increase in the total volume and peak discharges of stormwater runoff; however, due to the small nature of the site (approximately 0.05 acres) and the small area on which impervious surfaces would be developed, this would have a small effect on the overall drainage in the area. In addition, the slight

increase in runoff produced would not produce contamination or sediment conveyance that would violate water quality standards. Therefore, impacts to water quality, drainage, and runoff would be less than significant and no mitigation would be necessary.

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

Less than significant impact. Implementation of the proposed project would not require the routine use of any water sources, including groundwater. While the proposed project would result in additional impervious surfaces on the site, the project size and small developed space would have a minimal effect on the existing groundwater infiltration in the area of the project. Groundwater pumping in the area of the project site can exceed the safe yield of the groundwater basin during years when severe curtailment of surface water deliveries from the CVP necessitates increased pumping of groundwater to make up for reductions in imported supplies. However, the proposed project would use minimal water during construction and would not require water during operations, and therefore would not contribute significantly to the demand for groundwater in the area. Therefore, the proposed project would not substantially interfere with groundwater recharge. No significant impacts would occur, and no mitigation would be necessary.

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 off- site?

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

   iv. Impede or redirect flood flows?

No impact. The project would not alter the existing drainage patterns of the site area such that substantial erosion or siltation on- or off-site would result, nor would it alter the course of any streams or rivers as there are none in the immediate vicinity of the project site. The rate and amount of surface runoff from local storms may increase slightly due to the addition of the monopole and supporting equipment, however the additional impervious area would be minimal and would not result in flooding on- or off-site. The project would not contribute additional runoff water that would exceed the capacity of existing or planned stormwater drainage facilities. Additionally, the project would not impede or redirect flood flows. Therefore, the project would have no impact.

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

No impact. People or structures would not be exposed to hazards associated with seiche or tsunami, as there are no large bodies of water near the project site and the County is located inland of the Coast Ranges. FEMA has identified the project site as part of Zone X, an area of minimal flood hazard and would not be subject to flooding or risk of pollutants due to flooding. Therefore the project would have no impact and no mitigation would be required.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No impact. There are no water quality control plans or adopted sustainable groundwater management plans applicable to the project site. Therefore, the project would not conflict with or obstruct implementation of such plans. There would be no impact.

2.11 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 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?	☐	☐	☒	☐

Background and Setting

Land use in the project area is regulated by Kings County through the various plans and ordinances adopted by the County. These include the 2035 Kings County General Plan and the Kings County Development Code. The General Plan currently identifies the project site as Limited Agriculture – 10 Acre minimum and the current zoning is AL – 10 (Limited Agricultural – 10 acre minimum).

Analysis

a) Physically divide an established community?

No impact. The project site is currently developed as an English walnut orchard. Redevelopment of the area to a cellular facility would not physically divide an established community. Therefore, there would be no impact and no mitigation would be required.

b) Cause 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?

Less than significant impact. The Kings County Development Code identifies AL – 10 as a limited agricultural zone with a 10-acre minimum lot size intended as a buffer between various cities and communities and the more intensive agricultural zones. The use of the site for a cellular facility would require the County to issue a Conditional Use Permit to be consistent with the AL – 10 zoning. The Limited Agriculture land use described in the 2035 Kings County General Plan is intended for less intensive agricultural practices and operations that are considered more compatible with urban land uses. Land Use Policy B2.1.1 in the Land Use Element of the 2035 Kings County General Plan states that the primary use of land designated Limited Agriculture shall remain devoted to agricultural uses and related support services. The proposed project would affect a small portion (approximately 0.05 acres) of the 20-acre agricultural parcel on which it sits, and the majority of the parcel would remain in agricultural production, which would be consistent with the 2035 Kings County General Plan. As a result, potential impacts would be less than significant and no mitigation would be necessary.

2.12 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?	☐	☐	☐	☒

Background and Setting

Few commercial mining and mineral extraction activities occur in the County. Currently, only limited excavation of soil, sand, and some gravel is excavated for commercial use. According to the Resource Conservation element of the 2035 Kings County General Plan, as of 2009 the County only had one surface mining permit for an inactive gravel operation, and two agricultural reclamation sites that were fully reclaimed. Historical mines within the County include an open pit gypsum mine and a mercury mine; however these mines are now closed.

Analysis

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?

No impact. The proposed project is not located in a zone of known mineral or aggregate resources. No active mining operations are present on or near the site. Implementation of the project would not interfere with the extraction of any known mineral resources, nor would it result in the loss of availably of any known mineral resources. Thus, no impacts would result and no mitigation would be necessary.

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?

No impact. The proposed project is not located in a zone of known mineral or aggregate resources. No active mining operations are present on or near the site. Implementation of the project would not interfere with the extraction of any known mineral resources, nor would it result in the loss of availably of any known mineral resources. Thus, no impacts would result and no mitigation would be necessary.

2.13 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 two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Background and Setting

The predominant existing noise sources in the vicinity of the project site are vehicles on adjacent streets and equipment noise associated with agricultural operations. No commercial airports are located within two miles of the project site, though occasional overflights and associated noise occur from aircraft landing at Hanford Municipal Airport, located approximately 4 miles southeast of the project site.

The Noise Element of the 2035 Kings County General Plan serves as the primary policy statement for the unincorporated areas of the County to maintain and improve the noise environment in the County (Kings County 2010). The County does not have specific zoning or General Plan requirements related to vibration.

Analysis

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?

Less than significant impact. Implementation of the proposed project has the potential to result in short-term construction noise impacts to surrounding land uses due to construction activities. Construction noise represents a short-term impact on ambient noise levels. Although most types of exterior construction activities associated with the project will not generate continually high noise levels, occasional single-event disturbances from construction activities are possible. During the construction phase of the project, noise from construction will add to the ambient noise environment in the immediate area. Construction activities are expected to occur during normal daytime working hours

in compliance with the 2035 Kings County General Plan Noise Element. Construction activities associated with the project will be subject to N Policy B1.1.3 of 2035 Kings County General Plan Noise Element even though the anticipated noise levels at adjacent sensitive receptors will not exceed the maximum sound level from the Kings County Non-Transportation Noise Standard (Kings County 2010).

Operations of the monopole cellular tower would not generate additional noise that would contribute to the ambient noise levels in the vicinity of the proposed project. In the event of a power outage, the onsite generator would be used to maintain operations of the cellular tower. However, N Policy C1.2.2 from the Noise Element of the 2035 Kings County General Plan states that equipment operated in conjunction with emergency situations such as generators are exempt from the provisions of the Noise Element. Therefore, the project would not generate 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. The impact would be less than significant and no mitigation is required.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less than significant impact. The proposed project does not include components that would result in excessive groundborne vibration. While equipment used in construction may result in minimal amounts of groundborne vibration, these effects would be temporary and not excessive. Therefore, less than significant impacts associated with groundborne vibration would occur and no mitigation would be necessary.

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

No impact. The project site is not located in an area for which an Airport Land Use Compatibility Plan has been prepared and is not in the vicinity of a private airstrip or public airport. The closest airport to the project site is the Hanford Municipal Airport, located approximately 4 miles southeast of the project site. The proposed project would not expose people residing or working in the project area to excessive levels of noise. Therefore, no impact would occur and no mitigation would be necessary.

2.14 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?	☐	☐	☐	☒

Background and Setting

Since 1980, Kings County's population has increased at an average annual growth rate of 3.8 percent. However, much of this increase is due to the opening of Avenal State Prison (1987), Corcoran State Prison I and II (1988), the California Substance Abuse Treatment Facility (1997), and expansion of Naval Air Station Lemoore (NAS Lemoore). Discounting military and correctional institutions, countywide population has increased at an average annual growth rate of two percent since 1980 (Kings County 2010).

Analysis

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)?

No impact. The proposed project would install a cellular facility in an existing orchard. The project would not add new homes or businesses or extend existing roads or other infrastructure in a manner that promotes additional growth. The project would not directly or indirectly induce population growth and no impact would result, and no mitigation would be required.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No impact. The proposed project would develop a small portion of an existing orchard into a cellular facility. The existing residence on the project site is outside the project footprint and would not be displaced by project construction; therefore, neither housing units nor people would be displaced, and no replacement housing would be required. No impact would occur and no mitigation would be necessary.

2.15 PUBLIC SERVICES

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

Background and Setting

Fire protection is provided by the Kings County Fire Department. The nearest Kings County fire station is Station 5, located three (3) miles south of the site at 11235 14th Avenue, Armona, CA 93202. City of Hanford Fire Station 1 is located three miles east of the site at 350 W Grangeville Blvd, Hanford, CA 93230 and would be able to provide mutual aid to the project site if needed.

Given that the project is located in unincorporated Kings County, police protection would be provided by the Kings County Sheriff's Office. The nearest sheriff's station to the project site is located 3.1 miles southeast of the project site at 1444 W. Lacey Blvd. Hanford, CA 93230.

The school nearest the project site is Sierra Pacific High School, located approximately 0.5 miles east of the project site at 1259 13th Ave, Hanford, CA 93230. Pioneer Preschool is located 0.9 miles northwest of the project site at 8810 14th Ave, Hanford, CA. Pioneer Union Elementary School is located one mile northwest of the project site at 8810 14th Ave, Hanford, CA. Frontier Elementary School is located 1.1 miles northeast of the project site at 1854 N Mustang Dr, Hanford, CA 93230. Sierra Pacific High School is located 1.1 mile east of the project site 1259 13th Ave, Hanford, CA 93230.

The nearest parks to the project site are Silver Oaks Park, located 1.4 miles northeast of the project site on West Berkshire Lane in Hanford, and the Hanford Sports Complex, located 1.4 miles east of the project site on Centennial Drive in Hanford.

Analysis

a) Fire protection?

Less than significant impact. Fire protection is provided by the Kings County Fire Department, with the option for mutual aid from the City of Hanford Fire Department for major incidents. The nearest stations for both departments are approximately 3 miles away. The proposed project is in a relatively developed area of the County; the project is located in an area of residential and irrigated agricultural uses. Risks of wildfire either being ignited by the proposed project or threatening the proposed project would be low. The project would not be a consistently occupied structure, and calls for fire protection services would be limited to the unlikely event of site damage or failure. Existing fire services exist in the vicinity to respond to any potential incidents at the project site. The project would not require the construction of new or the expansion of existing fire protection services, and any impacts would be less than significant.

b) Police protection?

Less than significant impact. Police protection to the area is provided by the Kings County Sheriff's Office, whose nearest station is approximately 3.1 miles away. Calls to the project site would be limited to occasional property checks and occasional responses in the case of damage, equipment failure, or vandalism. The project would not be a consistently occupied structure and would not significantly increase use of, or visits to, the area. Adequate police protection exists, and any impacts would be less than significant.

c) Schools?

No impact. The project would not include population growth, either directly or indirectly, and would not increase demand for schools. There would be no impact.

d) Parks?

No impact. The project would not include population growth, either directly or indirectly, and would not increase demand for parks. There would be no impact.

e) Other public facilities?

No impact. The project would not include population growth, either directly or indirectly, and would not increase demand for other public services. There would be no impact.

2.16 RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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?	☐	☐	☐	☒

Background and Setting

The Kings County Parks and Grounds Department provides and maintains park facilities for the community. The nearby City of Hanford's Parks and Community Services Department also provides a full range of parks and recreational activities in the vicinity of the project site.

Analysis

a) 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?

No impact. The proposed project would not generate population that would increase demand for parks or recreational facilities. Thus, the proposed project would not affect use of existing facilities. Therefore, the proposed project would have no impact on recreational facilities.

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?

No impact. The proposed project would not generate population that would increase demand for parks or recreational facilities. Thus, the proposed project would not affect use of existing facilities, nor would it require the construction or expansion of existing recreational facilities. Therefore, the proposed project would have no impact on recreational facilities.

2.17 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)	Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d)	Result in inadequate emergency access?	☐	☐	☐	☒

Background and Setting

The project will be developed near the northeast corner of an existing orchard. Access to the site would be provided by a newly-constructed 90-foot long gravel driveway extending from 13½ Avenue east to the wireless facility. No sidewalks or bicycle lanes exist in the project area. There are no scheduled transit stops near the project site. Trips to the site during project operations would primarily be for periodic maintenance, during which time vehicles would park on the proposed driveway to allow workers access to the facility.

The Circulation Element of the 2035 Kings County General Plan has the following goals and objectives for traffic and circulation:

- Goal A1: Provide a coordinated countywide circulation system with a variety of safe and efficient transportation alternatives and modes that interconnect cities, community districts, adult education facilities, and adjoining cities in neighboring counties, and meets the growing needs of residents, visitors, and businesses.

- Objective A1.3: Maintain an adequate LOS for County roadways and ensure proper maintenance occurs along critical routes for emergency response vehicles.

- Goal C1: Integrate through the County's regional transportation system, an efficient and coordinated goods and people moving network of highways, railroads, public transit, and non-motorized options that reduce overall fuel consumption and associated air emissions.

Analysis

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less than significant impact. The project would not conflict with any adopted programs, plans, ordinances, or policies addressing transit, bicycle, or pedestrian facilities. The project is consistent with the level of service thresholds established in the County 2035 General Plan Circulation Element. Operation of the proposed facility would require periodic maintenance that would result in only occasional vehicle trips. Construction of the project would require additional truck trips during the construction period, but construction-related traffic would be temporary. As such, average daily trip additions to surrounding roadways would be negligible and would not exceed the level of service thresholds established in the General Plan.

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

Less than significant impact. Section 15064.3(b) establishes criteria for analyzing transportation impacts of proposed projects, as required under AB 734. This section states that "vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact." The establishment of specific significance thresholds is left up to each lead agency. As of April 2021, Kings County has not established VMT significance thresholds.

If a transportation project would likely lead to a measurable and substantial increase in vehicle travel (i.e., increase total VMT), it is presumed to be a significant impact and an analysis assessing the amount of vehicle travel the project would induce shall be conducted. However, the State of California Governor's Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA (OPR 2018) states that projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less than significant transportation impact. The proposed project would generate fewer trips than the threshold used by OPR because associated trips would be limited to infrequent maintenance trips during operation of the project. Therefore, the impact would be less than significant and no mitigation would be required.

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

No impact. The proposed project does not propose new roadways or reconfiguration of existing roadways. The proposed project does not include any design features that would create a hazard, such as sharp turns in the access road. Therefore, no impact would occur and no mitigation would be required.

d) Result in inadequate emergency access?

No impact. The proposed project would not interfere with emergency access routes. No impact would occur and no mitigation would be necessary.

2.18 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Background and Setting

Effective July 1, 2015, AB 52 amended CEQA to mandate consultation with California Native American tribes during the CEQA process to determine whether a proposed project may have a significant impact on a tribal cultural resource, and that this consideration be made separately from cultural and paleontological resources. Recognizing that California tribes are experts in their tribal cultural resources and heritage, AB 52 requires that CEQA lead agencies carry out consultation with tribes at the commencement of the CEQA process to identify tribal cultural resources. Furthermore, because a significant effect on a tribal cultural resource is considered a significant impact on the environment under CEQA, consultation is required to develop appropriate avoidance, impact minimization, and mitigation measures. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and tribal governments, public agencies, and project proponents would have information available to identify and address potential adverse impacts on tribal cultural resources.

A tribal cultural resource is a site, feature, place, cultural landscape, sacred place, or object which is of cultural value to the tribe. Tribal cultural resources are either listed in or eligible for the CRHR or a local historic register. Tribes may choose not to share information regarding these resources with the public, in accordance with state and/or local laws.

AB 52 TRIBAL CONSULTATION

On April 7, 2021, the County reached out to the Santa Rosa Rancheria Tachi Yokut Tribe pursuant to AB 52 advising the tribe of the proposed project and requesting information regarding cultural resources in the immediate area, as well as any feedback or concerns related to the proposed project. On April 7, 2021 Shana Powers, Cultural Director of the Santa Rosa Rancheria Tachi Yokut Tribe responded stating that due to the cultural sensitivity of the area, the tribe requests Native American monitoring during all ground-disturbing activities related to the project.

Analysis

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)?

   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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less than significant impact with mitigation incorporated. Consultation between the County and the Santa Rosa Rancheria Tachi Yokut Tribe pursuant to AB 52 did not reveal the presence of any known tribal cultural resources within the project site that could potentially be affected by the proposed project. Although the proposed project would not result in potentially significant impacts to known tribal cultural resources, there is always the possibility that previously undiscovered tribal cultural resources are present within the project site. Ground disturbing activities such as grading could damage or destroy previously undiscovered tribal cultural resources, which would result in a potentially significant impact. Implementation of Mitigation Measures CUL-1 and CUL-2 (see Section 2.5) during construction would reduce the impact to a level of less than significant.

2.19 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 storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

Background and Setting

Wastewater collection and treatment is not provided in the rural parts of Kings County, such as where the project site is located. Instead, development outside of incorporated cities and community service districts typically relies on individual septic systems for wastewater disposal and treatment. In rural parts of Kings County potable water is typically provided through groundwater wells. As a cellular facility, the project would not require wastewater treatment or water supplies and therefore would not need the installation of a septic system or groundwater well as part of the proposed project.

Electric power in the vicinity of the project site is provided by SCE Existing electrical service would be extended to the project site. No natural gas services would be required.

Solid waste collection and disposal service in the County is provided by Kings Waste and Recycling Authority (KWRA). The KWRA was formed in 1989 by agreement between the County and the cities of Lemoore, Hanford, and Corcoran. Solid waste from member jurisdictions is transported to KWRA Materials Recovery Facility in Hanford where wastes are separated for recycling, composting, or landfill disposal (Kings County 2010). Non-recyclable materials are transferred to the B-17 Landfill Unit at the Chemical Waste Management, Inc. Kettleman Hills Facility located on SR-41 in Kettleman Hills

approximately 32 miles southwest of the project site. The B-17 Landfill Unit has a maximum disposal rate of 2,000 tons per day, and currently accepts an average of 1,350 tons per day (Waste Management 2018). The total permitted capacity of B-17 Landfill Unit is 18.4 million cubic yards, with a remaining capacity of 17.5 million cubic yards, as of November 2010. The facility's estimated closure year is 2026-2030, with the actual closure date depending on the rate of fill (Waste Management 2018).

Analysis

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

No impact. The project would not require any water, wastewater or natural gas facilities and therefore would not require the construction or expansion of any such facilities. Electricity for the project would be provided through connection to the existing electrical grid, which would be connected to the cellular tower through the 75-foot utility easement which would extend from the cellular tower north to the existing electrical line on the northern edge of the property. No new electric power facilities would be required to support the project. The project would not displace any existing utility infrastructure and therefore would not require the construction of such infrastructure elsewhere. Therefore, there would be no impact.

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

No impact. The proposed project would not require any water service. Therefore, the project would not require any additional water supplies. No impact related to these utilities and service systems would occur and no mitigation would be required.

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?

No impact. The proposed project would not require any wastewater service. Therefore, the project would not affect wastewater treatment capacity. No impact related to these utilities and service systems would occur and no mitigation would be required.

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?

No Impact. The KWRA provides solid waste, recycling, and hazardous materials collection services in the area of the project site. The installation of a cellular facility would generate a minimal amount of construction waste and no ongoing operational waste. After processing, waste is taken to the B-17 Landfill Unit, the primary municipal solid waste disposal facility in Kings County. The B-17 Landfill Unit has sufficient capacity to accommodate the solid waste disposal needs of Kings County. Because the landfill serving the project area is of sufficient capacity to accommodate solid waste needs, there would be no impact and no mitigation would be necessary.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No Impact. The KWRA provides solid waste, recycling, and hazardous materials collection services in the area of the project site. The installation of a cellular facility would generate a minimal amount of construction waste and no ongoing operational waste. After processing, waste is taken to the B-17 Landfill Unit, the primary municipal solid waste disposal facility in Kings County. The B-17 Landfill Unit has sufficient capacity to accommodate the solid waste disposal needs of Kings County. Disposal of solid wastes associated with construction of the project would comply with applicable solid waste regulations. Because the landfill serving the project area is of sufficient capacity to accommodate solid waste needs, there would be no impact and no mitigation would be necessary.

2.20 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?	☐	☐	☐	☒

Background and Setting

The project is not located in or near state responsibility areas or very high fire hazard severity zones of local responsibility areas (CAL FIRE 2021).

Analysis

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No impact. The project site is not located in or near a state responsibility area or lands classified as very high fire hazard severity zones. Therefore, no impact would occur.

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?

No impact. The project site is not located in or near a state responsibility area or lands classified as very high fire hazard severity zones. Therefore, no impact would occur.

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?

No impact. The project site is not located in or near a state responsibility area or lands classified as very high fire hazard severity zones. Therefore, no impact would occur.

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?

No impact. The project site is not located in or near a state responsibility area or lands classified as very high fire hazard severity zones. Therefore, no impact would occur.

2.21 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 significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present, and probable future projects)?	☐	☐	☒	☐
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Analysis

a) 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?

Less than significant impact with mitigation incorporated. The project site consists of disturbed agricultural land and no sensitive biological resources are present onsite. However, Section 2.4 of this Initial Study determined that the project site and immediate surroundings may provide suitable habitat for nesting migratory birds and raptors. With implementation of Mitigation Measure BIO-01, potential impacts would be reduced to a less than significant level. Section 2.5 of this Initial Study indicates that the proposed project has the potential to adversely affect cultural resources if previously unknown resources are discovered during construction. However, with implementation of Mitigation Measures CUL-1 and CUL-2, impacts would be reduced to a less than significant level. No significant or potentially significant impacts would remain.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when

viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present, and probable future projects)?

Less than significant impact. State CEQA Guidelines Section 15064(i) states that a lead agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of cumulative effects of a project must be conducted in connection with the effects of past projects, other current projects, and probable future projects. The project will include construction of a wireless telecommunications facility. The project would not result in direct or indirect population growth. Therefore, implementation of the project would not result in significant cumulative impacts and all potential impacts would be reduced to less than significant through the implementation of mitigation measures and basic regulatory requirements incorporated into future project design.

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

Less than significant impact with mitigation incorporated. Section 2.3 of this Initial Study determined that ground-disturbing activities associated with project construction have the potential to expose workers to Valley Fever, which would be a potentially significant impact. With implementation of Mitigation Measure AQ-1, potential impacts from exposure to Valley Fever would be reduced to a less than significant level. No potentially significant impacts would remain.

3.0 REFERENCES

California Department of Conservation (CDC). 2021. California Important Farmland Finder. Accessed on March 3, 2021 from: https://maps.conservation.ca.gov/DLRP/CIFF/.

California Department of Fish and Wildlife (CDFW). 2020. RareFind 5.0, California Natural Diversity Database. Sacramento, California. Accessed October 28, 2020.

California Department of Forestry and Fire Protection (CAL FIRE). 2021. California Fire Hazard Severity Zone Viewer. Accessed on February 26, 2021 from: https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414.

California Department of Toxic Substances Control (DTSC). 2021. Envirostor. Accessed on March 4, 2021 from: https://envirostor.dtsc.ca.gov/public/map/?myaddress=Sacramento&tour=True.

California Department of Conservation, California Geological Survey (CGS). 2021. California Geological Survey Information Warehouse – Regulatory Maps. Accessed March 4, 2021 from: https://maps.conservation.ca.gov/cgs/informationwarehouse/.

California Department of Water Resources (DWR). 2003. "Tulare Lake Hydrologic Region." *California's Groundwater Update*. Bulletin 118: Chapter 7.

California Native Plant Society (CNPS). 2020. Inventory of Rare and Endangered Plants (online edition, v8-03 0.39). Accessed on October 28, 2020 from: http://www.rareplants.cnps.org.

California State Water Resources Control Board (SWRCB). 2021. GeoTracker. Accessed on March 4, 2021 from: https://geotracker.waterboards.ca.gov/.

California Water Foundation (CWF) 2014. Land Subsidence from Groundwater Use in California. Prepared by Luhdorff & Scalmanini Consulting Engineers, and Borchers and Carpenter. April 14. Available at: http://californiawaterfoundation.org/wp-content/uploads/PDF/1397858208-SUBSIDENCEFULLREPORT_FINAL.pdf.

Caltrans. 2019. California State Scenic Highway System Map. Accessed on February 26, 2020 from: https://www.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983.

Federal Emergency Management Agency (FEMA). 2021. FEMA Flood Map Service Center. Accessed February 26, 2021 from: https://msc.fema.gov/portal/search?AddressQuery=9324%2013%201%2F2%20avenue%20hanford%20ca#searchresultsanchor.

HELIX Environmental Planning, Inc. (HELIX). 2021a. Biological Resources Evaluation Letter Report for the West Hanford Cell Tower Project, Kings County, California. Included as Appendix B to this Initial Study.

2021b. Cultural Resources Assessment Letter Report for the West Hanford Cell Tower Project, Kings County, California. Included as Appendix C to this Initial Study.

Kings County 2013. Kings County Agricultural Preserves 2013: Williamson Act & Farmland Security Zone Properties. Accessed on March 4, 2021 from: https://www.countyofkings.com/home/showpublisheddocument?id=3168.

2010. 2035 Kings County General Plan. Accessed on March 4, 2021 from: https://www.countyofkings.com/departments/community-development-agency/information/2035-general-plan.

Kings County Fire Department. 2021. About Us. Accessed on March 4, 2021 from: https://www.countyofkings.com/departments/fire-department.

Office of Planning and Research (OPR). 2018. *Technical Advisory on Evaluating Transportation Impacts in CEQA.* Available at: https://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf. Accessed December 2020.

San Joaquin Valley Air Pollution Control District (SJVAPCD). 2021a. Ambient Air Quality Standards & Valley Attainment Status. Accessed February 26, 2021 and available at: http://www.valleyair.org/aqinfo/attainment.htm.

2021b. CEQA Project Analysis Levels. Accessed March 10, 2021 and available at: http://www.valleyair.org/transportation/ceqaanalysislevels.htm#small.

United States Department of Agriculture, Natural Resource Conservation Service (NRCS). 2021. Web Soil Survey. Accessed on February 26, 2021 from: https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm.

U.S. Geological Survey (USGS). 1997. Digital Compilation of "Landsliding Overview Map of the Coterminous United States," 1982. USGS Open-File Report 97-289. Accessed February 26, 2021 from: https://landslides.usgs.gov/hazards/nationalmap/.

U.S. Fish and Wildlife Service (USFWS). 2020. Information for Planning and Consultation (IPaC). List of threatened and endangered species that may occur in your proposed project location and/or be affected by your proposed project. Accessed October 26, 2020.

Waste Management. 2018. "Kettleman Hills Facility Overview." Accessed February 26, 2021 from: http://kettlemanhillslandfill.wm.com/fact-sheets/2011/facility-overview.jsp.

4.0 PREPARERS

County of Kings

Alex Hernandez, Planner

HELIX Environmental Planning, Inc.

Catherine Silvester, Quality Assurance/Quality Control
Erin Gustafson, AICP, Project Manager
David Ludwig, Environmental Planner

Appendix A

Site Photos

This page intentionally left blank

North edge of Property

View of Proposed tower location from NE corner of property

View from SE

Orchard

Facing East from Tower

Facing NE from Tower

This page intentionally left blank

Appendix B

Biological Resources Evaluation

This page intentionally left blank

HELIX Environmental Planning, Inc.
11 Natoma Street, Suite 155
Folsom, CA 95630
916.365.8700 tel
619.462.0552 fax
www.helixepi.com

January 29, 2021 Project # SAW-08

Mr. Philip Decker
Specialist Professional Services
SAC Wireless
888 Cal Center Drive, Suite 170
Sacramento, CA 95826

Subject: Biological Resources Evaluation Letter Report for the West Hanford Cell Tower Project, Kings County, California

Dear Mr. Decker:

HELIX Environmental Planning, Inc. (HELIX) has prepared this biological resource evaluation report for the West Hanford Cell Tower Project (Project). The purpose of our biological resources evaluation report was to evaluate the potential for regionally-occurring special-status plant and animal species, wetlands or other waters of the U.S. or waters of the State, and/or other sensitive biological habitats to occur within the area that the proposed cell tower would be constructed and/or be impacted by the proposed project activities. This letter report describes the methods and results of the biological and wetland resources evaluation, the potential impacts of the proposed project to biological resources and provides recommended mitigation measures to reduce impacts to biological resources.

PROJECT LOCATION AND DESCRIPTION

The Study Area, which is approximately 0.69 acer is comprised of the Project footprint plus a 50-foot buffer, is located at 9324 13½ Avenue near the City of Hanford in unincorporated Kings County (County), California. The approximate center of the property is at latitude -119.695498 and longitude 36.335873, NAD 83. Figure 1 is a project vicinity map, Figure 2 is a soils map, and Figure 3 depicts the biological communities and project impacts within the Study Area, with project elements depicted on aerial imagery. Figures are included in Attachment A.

The West Hanford Cell Tower Project consists of installing a 100-foot-high cellular tower in the northeastern portion of APN 009-070-040. The tower will be in an approximately 26-foot by 25-foot lease area enclosed by a fence. A standby generator will be located in the fenced area for use during power outages. A 90-foot long, 12-foot wide driveway will provide access to the facility from 13½ Avenue. A wireless meter/pedestal will be installed at the northern property boundary, directly north of the cellular tower on a 3-foot by 6-foot concrete pad. A new fiber vault will be installed directly south of the concrete pad for the wireless meter/pedestal. A 5-foot-wide utility easement containing underground wireless fibers will extend between the cellular tower and the wireless meter/pedestal to the north with access along the northern property line controlled by installation of two new bollards.

A total of five (5) existing orchard trees would be removed in the location of the access route from 13½ Avenue and the new tower.

METHODS

Regulations pertaining to the protection of biological resources at the project site are summarized in Attachment B.

Special-Status Species Evaluation

For the purposes of this report, special-status species are those that fall into one or more of the following categories, including those:

- listed as endangered or threatened under the Federal Endangered Species Act (FESA; including candidates and species proposed for listing);
- listed as endangered or threatened under the California Endangered Species Act (CESA; including candidates and species proposed for listing);
- Designated as rare, protected, or fully protected pursuant to California Fish and Game Code;
- Designated a Species of Special Concern (SSC) by the California Department of Fish and Wildlife (CDFW);
- Considered by CDFW to be a Watch List species with potential to become an SSC;
- Defined as rare or endangered under Section 15380 of the California Environmental Quality Act (CEQA); or
- Having a California Rare Plant Rank (CRPR) of 1A, 1B, 2A, 2B, or 3.

In order to evaluate special-status species and/or their habitats with the potential to occur in the Study Area and/or be impacted by the proposed Project, HELIX obtained lists of special-status species known to occur and/or having the potential to occur in the Study Area and vicinity from the U.S. Fish and Wildlife Service (USFWS; USFWS 2020), the California Native Plant Society (CNPS; CNPS 2020), and the California Natural Diversity Database (CNDDB; CDFW 2020), which are included as Attachment C. The potential for these regionally occurring special-status species to occur in the Study area is analyzed in Attachment D.

Aquatic Resources Evaluation

The U.S. Fish and Wildlife Service's National Wetlands Inventory (NWI) online database[1] was reviewed to determine if there are any wetlands or other waters of the U.S. mapped by the USFWS in the Study Area. The NWI provides reconnaissance level information on wetlands and deepwater habitats from analysis of high-altitude aerial imagery. Historic aerial imagery from National Environmental Title

[1] https://www.fws.gov/wetlands/Data/Mapper.html

Research (NETR)[2] was reviewed for information on past land uses and presence of aquatic features visible on aerial imagery. NETR provides aerial imagery covering the study area at irregular intervals from 1956 to 2016.

Biological and Wetland Reconnaissance Survey

A biological and wetland reconnaissance survey was conducted on November 10, 2020 by HELIX biologist Marisa Brilts. For the biological portion of the survey, the Study Area was assessed to identify the habitat type(s) present on-site and the potential to support special-status plant and wildlife species, which is further analyzed in Attachment D. The Study Area was systematically surveyed on foot, using binoculars to identify birds and other animal species to ensure total search coverage, with special attention given to identifying those portions of the Study Area with the potential for supporting special-status species and sensitive habitats. During the field surveys, plant and animal species observed were recorded (Attachment E), and biological communities occurring onsite were characterized. Biological features, such as trees, or active nests were mapped using a hand-held GPS unit with sub-meter accuracy. Following the site survey, the potential for each species identified in the database search to occur in the Study Area was determined based on the site surveys, soils, and species-specific information, as described in Attachment D.

Additionally, the Study Area was surveyed for the presence of potential wetlands or other aquatic resources that could qualify as waters of the U.S. and/or waters of the State. The presence/absence of wetlands was assessed by searching for the presence of areas that exhibit hydrophytic vegetation or are unvegetated, hydric soils, and wetland hydrology according to the *Corps of Engineers Wetlands Delineation Manual* (USACE 1987), the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (Version 2.0; USACE 2008), *A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (Lichvar and McColley 2008), and the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* prepared by the State Water Resources Control Board and which became effective May 28, 2020. The presence/absence of other non-wetland aquatic resources was determined by searching for the presence of an ordinary high water mark and bed and bank.

RESULTS

Environmental Setting

The Study Area is located at 9324 13½ Avenue near the City of Hanford in unincorporated Kings County (County), California. In the vicinity of the Study Area there is a church and rural homes, and the surrounding area is dominated by orchards, row crops, or ruderal/fallowed fields. The Study Area is bound to the north by single family residential development, and to the east, west, and south by orchards.

Site Conditions

The proposed project site is located within an existing active walnut orchard. Regular disturbance regime associated with an active orchard includes irrigation, pruning, possible herbicide and pesticide

[2] https://www.historicaerials.com

application, and fertilization application. Often commercially grown walnut trees are irrigated through flooding.

Habitat Types/Vegetation Communities

Habitat types/vegetation communities in the Study Area include orchard, ruderal, and urban areas. Aquatic habitats are not present in the Study Area. Table 1 at the end of this section summarizes the biological communities and expected impacts from the proposed project. Proposed Project impacts are also shown in Figure 3. Representative site photographs are included as Attachment F.

Orchard

The orchard, which totals approximately 0.395 acre within the Study Area, consists of English walnut (*Juglans regia*) trees which belong to the genus Juglans. The English walnut, also known as Persian walnut, is the most commonly grown walnut for nut production within the region. The Northern California black walnut (*Juglans hindsii*) and the hybrid 'Paradox' (*J. hindsii x J. regia*) are used primarily as a rootstock for the English scion (Lesley and McGranahan 1998). Refer to Attachment F for representative photographs of the walnut trees within the Study Area. Wildlife observed in this community include American crow (*Corvus brachyrhynchos*), scrub jay (*Aphelocoma californica*), and norther flicker (*Colaptes auratus*).

As stated in the introductory, five English walnut trees are proposed for removal. Kings County does not have a tree ordinance and the City of Hanford does not consider English walnuts as regulated trees; therefore, no mitigation would be required for their removal.

Ruderal

The ruderal habitat, which totals approximately 0.113 acre within the Study Area, occurs in areas directly adjacent to the orchard that are heavily disturbed by past or ongoing human activities but retain a soil substrate. Ruderal areas may be sparsely to densely vegetated, but do not support a recognizable community or species assemblage. Vegetative cover is usually herbaceous and dominated by a wide variety of weedy non-native species or a few ruderal native species. Wildlife observed or evidence in this community include domestic cat (*Felis catus*), western fence lizard (*Sceloporus occidentalis*), and racoon (*Procyon lotor*).

Urban

Urban areas, which total approximately 0.184 acre within the Study Area, consist of areas that have been improved such as paved roads or buildings. Where vegetation is present, the dominant vegetation includes tumbleweed (*Salsola tragus*), while the rest of the developed area consists of bare ground or structures.

Topography

The Study Area is located in the south-central portion of the San Joaquin Valley near the City of Hanford in unincorporated Kings County (County), which is located just east of the project site, is 28 miles (45 km) south-southeast of the city of Fresno and 18 miles (29 km) west of the city of Visalia. The terrain within the Study Area is flat with an elevation of approximately 249 feet (76 m) above sea level.

Soils

Soils in the Study Area include a single soil mapping unit (NRCS 2020): Nord complex. This soil is described as alluvium derived from igneous rock, well drained, with a depth of more than 8 inches to the water table, and depths of greater than 80 inches to a restrictive layer. Kings County does not classify this soil unit as hydric; however, three components of this soil unit are considered hydric (NRCS 2020).

Special-Status Species Evaluation

A total of seven regionally occurring special-status plant species and twenty-two regionally occurring special-status wildlife species were identified during the database queries and desktop review and are evaluated in Attachment D for their potential to occur in the Study Area. Species determined to have no potential to occur in the Study Area or be impacted by the proposed project are not discussed further in this report.

Special-Status Plant Species

No special-status plant species were determined to have the potential to occur in the Study Area or be impacted by the proposed project. The entire Study Area is comprised of disturbed habitat and there are no native or naturalized habitats present. Of the seven regionally occurring special-status plant species that were identified during the database queries and desktop review, the majority of the species occur in wetland or aquatic habitats such as vernal pools, lake margins, riverbanks, marshes and swamps or seeps; others occur in woodland or grassland habitats. None of these habitats are present in the Study Area.

Special-Status Wildlife Species

There is no suitable habitat in the Study Area for special-status wildlife species and none are expected to occur in the project site or be impacted by the proposed project. The entire Study Area is comprised of disturbed habitat and there are no native or naturalized habitats present. Wildlife species occurring in the site would be expected to be limited to disturbance-tolerant species typical of areas associated with regular human presence and moderate to high levels of disturbance. Of the twenty-two regionally occurring special-status wildlife species that were identified during the database searches and desktop review, the majority are associated with aquatic habitats, riparian habitat, require sandy soils for burrowing or are bat species that roosting in dense woodlands. None of these habitats occur within the Study Area. However, it was determined that the Study Area and immediate vicinity provides suitable habitat for nesting migratory birds and raptors, which could be impacted by the proposed project and are discussed below.

Migratory Birds and Raptors

As noted in Attachment B, migratory and non-game birds are protected during the nesting season by California Fish and Game Code. The Study Area and immediate vicinity provides nesting and foraging habitat for a variety of native birds common to developed and ruderal areas. Nests were not observed during surveys; however, a variety of migratory birds have the potential to nest in and adjacent to the site, in trees, shrubs and on the ground in vegetation.

Project activities such as clearing and grubbing during the avian breeding season (February 1 through August 31) could result in injury or mortality of eggs and chicks directly through destruction or indirectly

through forced nest abandonment due to noise and other disturbance. In addition, vegetation clearing operations, including pruning or removal of trees and shrubs, could impact nesting birds if these activities occur during the nesting season (February 1 to August 31). Needless destruction of nests, eggs, and chicks would be a violation of the Fish and Game Code and a significant impact. All vegetation clearing including removal of trees and shrubs should be completed between September 1 and January 31, if feasible.

The recommended mitigation measures for nesting migratory birds and raptors in the following section would reduce potential impacts to these species to less than significant.

Aquatic Resources Evaluation

The Study Area is in the Mussel Slough hydrologic unit (HUC12: 180300122003). NWI mapping based on 1984 aerial imagery and historic aerial imagery on NETR shows no aquatic features in the Study Area. No wetland or non-wetland aquatic resources that could qualify as potential waters of the U.S. and/or State were observed on the site during the biological and wetland reconnaissance survey. The proposed project will not impact waters of the U.S. or waters of the State.

Sensitive Natural Communities

There are no natural communities in the Study Area that are considered sensitive or are otherwise regulated. The proposed project will not impact any sensitive natural communities.

RECOMMENDED MITIGATION MEASURES

Migratory Birds and Raptors

The Study Area and adjacent lands provide suitable nesting habitat for migratory birds and other nesting birds. Removal of vegetation or disturbance of bare ground containing active nests would potentially result in destruction of eggs and/or chicks; noise, dust, and other anthropogenic stressors in the vicinity of an active nest could lead to forced nest abandonment and mortality of eggs and/or chicks. Needless destruction of eggs or chicks would be a violation of the Fish and Game Code and a significant impact. Pre-construction surveys should be conducted prior to project implementation to determine if nesting birds are present on or adjacent to the site, so that measures could be implemented if needed to avoid harming nesting birds as described below.

- If construction activities are proposed to begin during the non-breeding season (September 1 through January 31), a survey is not required, and no mitigation measures are necessary.

- If vegetation removal and grading activities begin during the nesting season (February 1 to August 31), a qualified biologist should conduct a pre-construction survey of the project footprint for active bird nests. Additionally, a 500-foot buffer surrounding the project footprint should be surveyed for active raptor nests where accessible. The pre-construction survey should be conducted within 14 days prior to commencement of ground-disturbing activities. If the pre-construction survey shows that there is no evidence of active nests, a letter report should be prepared to document the survey, and no additional measures are recommended. If construction does not commence within 14 days of the pre-construction survey, or halts for more than 14 days, an additional survey is required prior to starting work.

- If nests are found and considered to be active, the project biologist should establish buffer zones to prohibit construction activities and minimize nest disturbance until the young have successfully fledged or until the biologist determines that the nest is no longer active. Buffer sizes will depend on the species in question, surrounding existing disturbances, and specific site characteristics, but may range from 20 feet for some songbirds to 500 feet for some raptors. If active nests are found within any trees slated for removal, then an appropriate buffer should be established around the trees and the trees should not be removed until a biologist determines that the nestlings have successfully fledged. In addition, a pre-construction worker awareness training should be conducted alerting workers to the presence of and protections for the active avian nests.

CONCLUSION

Special-Status Species

The Study Area does not provide suitable habitat for any of the regionally-occurring special-status plant or animal species, and no special-status species have the potential to occur in the Study Area or be impacted by the proposed project. No mitigation measures are necessary for special-status species.

Migratory Birds

There is a potential for common native raptors and other migratory birds to nest in the Study Area or on adjacent properties and be impacted by the proposed project. Implementation of the recommended mitigation measure for nesting bird surveys would reduce the potential for project impacts to nesting birds to less than significant.

Aquatic Resources

The site does not contain any wetlands or other aquatic resources; therefore, there are no potential waters of the U.S. or State on the site. No mitigation measures are required.

We appreciate the opportunity to assist you on this project. Feel free to contact me with any questions at (559) 779-1368.

Sincerely,

M. Brilts

Marisa Brilts
Biologist

Attachments:

A – Figures
B – Regulatory Context
C – Database Query Results
D – Potential for Regionally-Occurring Special-status Species to Occur on the Property
E – Plant and Animal Species Observed or Detected
F – Representative Site Photos

REFERENCES

California Department of Fish and Wildlife (CDFW). 2020. RareFind 5.0, California Natural Diversity Database. Sacramento, California. Accessed October 28, 2020. Information expires 11/30/2020.

California Native Plant Society (CNPS). 2020. Inventory of Rare and Endangered Plants (online edition, v8-03 0.39). Website http://www.rareplants.cnps.org. [Accessed 28 October 2020].

Leslie, C. A. and G. H. McGranahan. 1998. The Origin of Walnut. Pages 3-7. Walnut Production Manual. University of California Agriculture and Natural Resources Publication 3373, Oakland.

Lichvar, Robert W. and Shawn McColley. 2008. A Field Guide to the Identification of the Ordinary High-Water Mark (OHWM) in the Arid West Region of the Western United States. Vicksburg, MS: U.S. Army Corps of Engineers Research and Development Center.

U.S. Army Corps of Engineers (USACE). 1987. Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, MS.

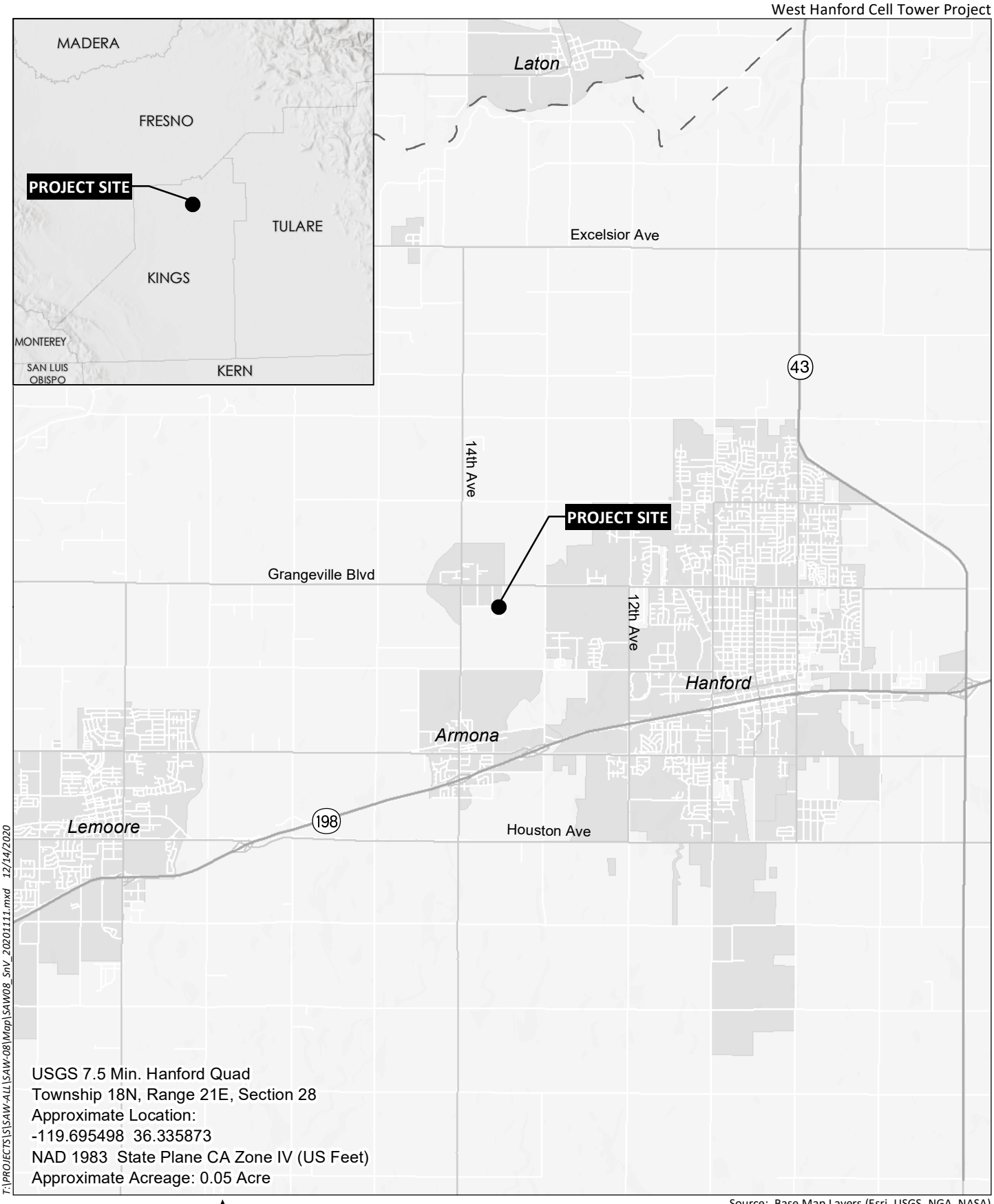
2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0). J.S. Wakeley, R.W. Lichvar, and C.V. Noble, eds., Technical Report prepared for the U.S. Army Engineer Research and Development Center, Vicksburg, MS.

U.S. Fish and Wildlife Service (USFWS). 2020. Information for Planning and Consultation (IPaC). List of threatened and endangered species that may occur in your proposed project location and/or be affected by your proposed project. [Accessed 26 October 2020].

Attachment A

Figures

This page intentionally left blank

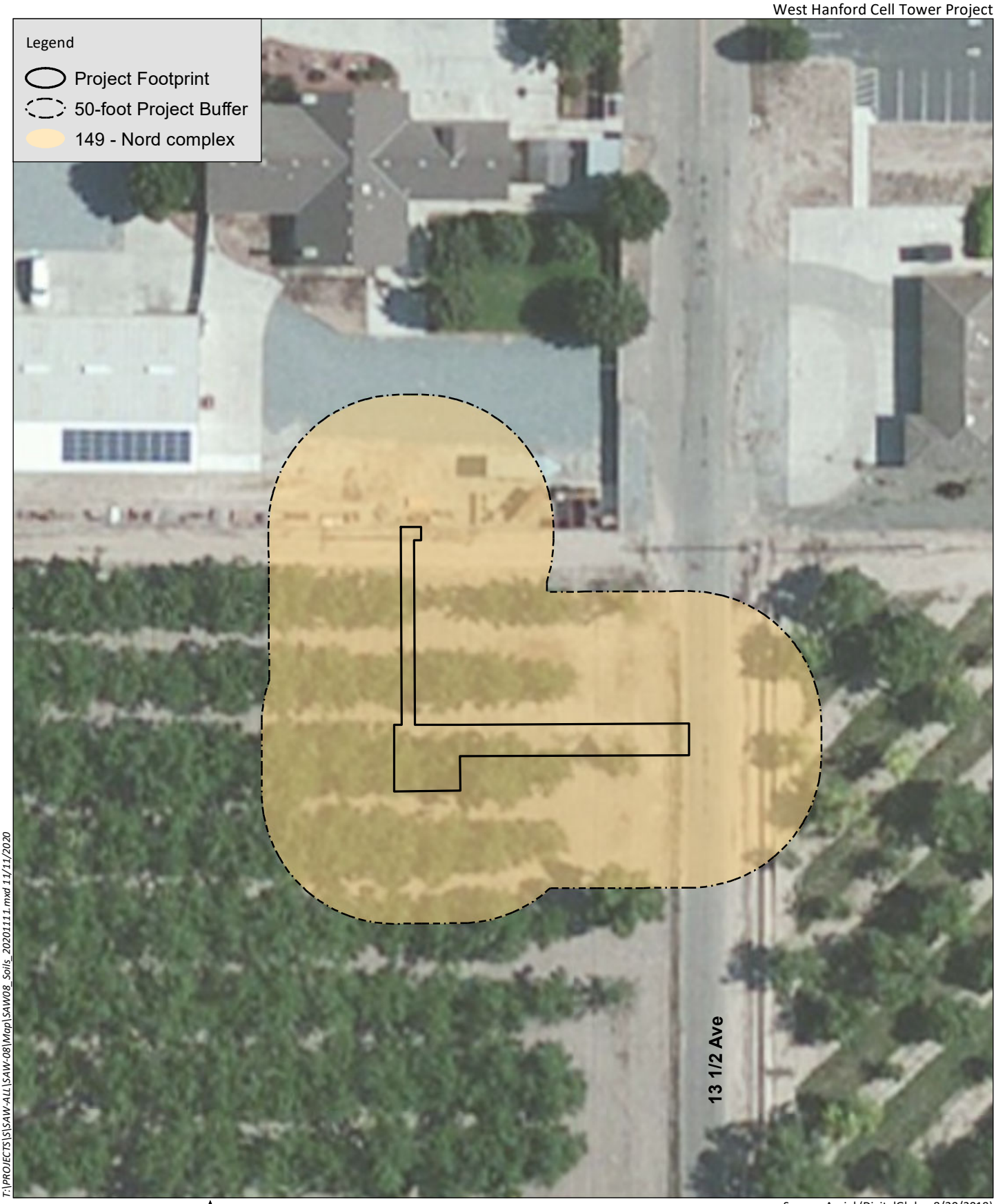


Source: Base Map Layers (Esri, USGS, NGA, NASA)

HELIX Environmental Planning

Vicinity Map

Figure 1



Source: Aerial (DigitalGlobe, 8/20/2019)

HELIX Environmental Planning

Soils Map

Figure 2

Biological Community	Impacted Acreage*	Avoided Acreage*	Total Acres*
Orchard	0.037	0.358	0.395
Ruderal	0.009	0.104	0.113
Urban	0.001	0.183	0.184
TOTAL ACRES	**0.05**	**0.64**	**0.69**

*Acreages calculated at 6 significant figures and subsequently rounded.

Other Features
- Project Design
- Project Footprint
- 50-foot Project Buffer

13 1/2 Ave

T:\PROJECTS\S\SAW-ALL\SAW-08\Map\SAW08_BioComms_20201111.mxd 12/14/2020

0 50 Feet

Source: Aerial (DigitalGlobe, 8/20/2019)

HELIX Environmental Planning

Biological Communities

Figure 3

This page intentionally left blank

Attachment B

Regulatory Context

This page intentionally left blank

Attachment B
Regulatory Context

Regulatory Setting

Policies, regulations, and plans pertaining to the protection of biological resources on the project site are summarized in the following sections.

Federal Requirements

Federal Endangered Species Act

The U.S. Fish and Wildlife Service (USFWS) enforces the provisions stipulated within the Federal Endangered Species Act of 1973 (FESA; 16 USC 1531 et seq.). Species identified as federally threatened or endangered (50 CFR 17.11, and 17.12) are protected from take, defined as direct or indirect harm, unless a Section 10 permit is granted to an entity other than a federal agency or a Biological Opinion with incidental take provisions is rendered to a federal lead agency via a Section 7 consultation. Pursuant to the requirements of FESA, an agency reviewing a proposed project within its jurisdiction must determine whether any federally-listed species may be present in the study area and determine whether the proposed project will jeopardize the continued existence of or result in the destruction or adverse modification of critical habitat of such species (16 USC 1536 (a)[3], [4]). Other federal agencies designate species of concern (species that have the potential to become listed), which are evaluated during environmental review under the National Environmental Protection Act (NEPA) or California Environmental Quality Act (CEQA) although they are not otherwise protected under FESA.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 established federal responsibilities for the protection of nearly all species of birds, their eggs, and nests. The Migratory Bird Treaty Reform Act of 2004 further defined species protected under the act and excluded all non-native species. Section 16 U.S.C. 703–712 of the Act states “unless and except as permitted by regulations, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill” a migratory bird. A migratory bird is any species or family of birds that live, reproduce or migrate within or across international borders at some point during their annual life cycle. Currently, there are 836 migratory birds protected nationwide by the Migratory Bird Treaty Act, of which 58 are legal to hunt. The U.S. Court of Appeals for the 9th Circuit (with jurisdiction over California) has ruled that the MBTA does not prohibit incidental take (952 F 2d 297 – Court of Appeals, 9th Circuit 1991).

Clean Water Act

Whenever a project requires a federal Clean Water Act (CWA) Section 404 permit or a Rivers and Harbors Act Section 10 permit, it must first obtain a CWA Section 401 Water Quality Certification. The Regional Water Quality Control Board (RWQCB) administers the 401 Certification program. Federal CWA Section 401 requires that every applicant for a Section 404 permit must request a Water Quality Certification that the proposed activity will not violate state and federal water quality standards.

Attachment B (cont.)
Regulatory Context

State Requirements

California Endangered Species Act

The California Endangered Species Act (CESA) (California Fish and Game Code Sections 2050 to 2097) is similar to the FESA. The California Fish and Wildlife Commission is responsible for maintaining lists of threatened and endangered species under CESA. CESA prohibits the take of listed and candidate (petitioned to be listed) species. "Take" under California law means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch capture, or kill (California Fish and Game Code, Section 86). The California Department of Fish and Wildlife (CDFW) can authorize take of a state-listed species under Section 2081 of the California Fish and Game Code if the take is incidental to an otherwise lawful activity, the impacts are minimized and fully mitigated, funding is ensured to implement and monitor mitigation measures, and CDFW determines that issuance would not jeopardize the continued existence of the species. A CESA permit must be obtained if a project will result in the "take" of listed species, either during construction or over the life of the project. For species listed under both FESA and CESA requiring a Biological Opinion under Section 7 of the FESA, CDFW may also authorize impacts to CESA species by issuing a Consistency Determination under Section 2080.1 of the Fish and Game Code.

California Code of Regulations Title 14 and California Fish and Game Code

The official listing of endangered and threatened animals and plants is contained in the California Code of Regulations Title 14 §670.5. A state candidate species is one that the California Fish and Game Code has formally noticed as being under review by CDFW to include in the state list pursuant to Sections 2074.2 and 2075.5 of the California Fish and Game Code.

Legal protection is also provided for wildlife species in California that are identified as "fully protected animals." These species are protected under Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) of the California Fish and Game Code. These statutes prohibit take or possession of fully protected species at any time. CDFW is unable to authorize incidental take of fully protected species unless any such take authorization is issued in conjunction with the approval of a Natural Community Conservation Plan that covers the fully protected species (California Fish and Game Code Section 2835).

California Environmental Quality Act

Under the California Environmental Quality Act of 1970 (CEQA; Public Resources Code Section 21000 et seq.), lead agencies analyze whether projects would have a substantial adverse effect on a candidate, sensitive, or special-status species (Public Resources Code Section 21001(c)). These "special-status" species generally include those listed under FESA and CESA, and species that are not currently protected by statute or regulation, but would be considered rare, threatened, or endangered under the criteria included CEQA Guidelines Section 15380. Therefore, species that are considered rare are addressed under CEQA regardless of whether they are afforded protection through any other statute or regulation. The California Native Plant Society (CNPS) inventories the native flora of California and ranks species

Attachment B (cont.)
Regulatory Context

according to rarity; plants ranked as 1A, 1B, 2A, 2B, and 3 are generally considered special-status species under CEQA.[1]

Although threatened and endangered species are protected by specific federal and state statutes, CEQA Guidelines Section 15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare if it can be shown to meet certain specified criteria. These criteria have been modeled after the definition in FESA and the section of the California Fish and Game Code dealing with rare or endangered plants and animals. Section 15380(d) allows a public agency to undertake a review to determine if a significant effect on species that have not yet been listed by either the USFWS or CDFW (i.e., candidate species) would occur.

California Native Plant Protection Act

The California Native Plant Protection Act of 1977 (California Fish and Game Code Sections 1900-1913) empowers the Fish and Game Commission to list native plant species, subspecies, or varieties as endangered or rare following a public hearing. To the extent that the location of such plants is known, CDFW must notify property owners that a listed plant is known to occur on their property. Where a property owner has been so notified by CDFW, the owner must notify CDFW at least 10 days in advance of any change in land use (other than changing from one agricultural use to another), in order that CDFW may salvage listed plants that would otherwise be destroyed. Currently, 64 taxa of native plants have been listed as rare under the act.

Nesting Birds

California Fish and Game Code Subsections 3503 and 3800 prohibit the possession, take, or needless destruction of birds, their nests, and eggs, and the salvage of dead nongame birds. California Fish and Game Code Subsection 3503.5 protects all birds in the orders of Falconiformes and Strigiformes (birds of prey). Fish and Game Code Subsection 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act. The Attorney General of California has released an opinion that the Fish and Game Code prohibits incidental take.

Porter-Cologne Act

The State Water Resource Control Board (SWRCB) and the RWQCB regulate the discharge of waste to waters of the State via the 1969 Porter-Cologne Water Quality Control Act (Porter-Cologne) as described in the California Water Code (SWRCB 2017). The California Water Code is the State's version of the federal CWA. Waste, according to the California Water Code, includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal. State waters that are not federal waters may be regulated under Porter-Cologne. A Report of Waste Discharge must be filed with the RWQCB for projects that result in discharge of waste into waters of the State. The RWQCB will issue

[1] The California Rare Plant Rank system can be found online at: < http://www.cnps.org/cnps/rareplants/ranking.php>

Attachment B (cont.)
Regulatory Context

Waste Discharge Requirements (WDRs) or a waiver. The WDRs are the Porter-Cologne version of a CWA 401 Water Quality Certification.

California Fish and Game Code Section 1602 – Lake and Streambed Alteration Program

Diversions or obstructions of the natural flow of, or substantial changes or use of material from the bed, channel, or bank of any river, stream, or lake in California that supports wildlife resources are subject to regulation by CDFW, pursuant to Section 1602 of the California Fish and Game Code. The CDFW requires notification prior to commencement of any such activities, and a Streambed Alteration Agreement (SAA) pursuant to Fish and Game Code Sections 1601-1603, if the activity may substantially adversely affect an existing fish or wildlife resource. A lake under CDFW jurisdiction is defined as "a permanent natural body of water of any size or an artificially impounded body of water of at least one acre, isolated from the sea, and having an area of open water of sufficient depth and permanency to prevent complete coverage by rooted aquatic plants" (CCR Vol. 18 Title 14, Section 1562.1). Streambeds within CDFW jurisdiction are based on the definition of a stream as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supporting fish or other aquatic life" (CCR Vol. 18 Title 14, Section 1.72).

Local Requirements

Trees

There is no tree ordinance for Kings County.

Attachment C

Database Query Results

This page intentionally left blank

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713

In Reply Refer To: October 26, 2020
Consultation Code: 08ESMF00-2021-SLI-0207
Event Code: 08ESMF00-2021-E-00544
Project Name: West Hanford Cell Tower

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
(916) 414-6600

Project Summary

Consultation Code: 08ESMF00-2021-SLI-0207

Event Code: 08ESMF00-2021-E-00544

Project Name: West Hanford Cell Tower

Project Type: DEVELOPMENT

Project Description: cell tower

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/36.33910267390644N119.70093466999921W

Counties: Kings, CA

Endangered Species Act Species

There is a total of 9 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Fresno Kangaroo Rat *Dipodomys nitratoides exilis* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5150 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/37/office/11420.pdf	Endangered
San Joaquin Kit Fox *Vulpes macrotis mutica* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2873	Endangered
Tipton Kangaroo Rat *Dipodomys nitratoides nitratoides* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7247 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/40/office/11420.pdf	Endangered

Reptiles

NAME	STATUS
Blunt-nosed Leopard Lizard *Gambelia silus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/625	Endangered
Giant Garter Snake *Thamnophis gigas* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4482	Threatened

Amphibians

NAME	STATUS
California Red-legged Frog *Rana draytonii* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2891 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/205/office/11420.pdf	Threatened

Fishes

NAME	STATUS
Delta Smelt *Hypomesus transpacificus* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/321	Threatened

Crustaceans

NAME	STATUS
Vernal Pool Fairy Shrimp *Branchinecta lynchi* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened
Vernal Pool Tadpole Shrimp *Lepidurus packardi* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2246	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

CNPS California Native Plant Society

*The database used to provide updates to the Online Inventory is under construction. View updates and changes made since May 2019 here.

Plant List

6 matches found. *Click on scientific name for details*

Search Criteria

Found in Quads 3611948, 3611947, 3611946, 3611938, 3611937, 3611936, 3611928 3611927 and 3611926;

Modify Search Criteria | Export to Excel | Modify Columns | Modify Sort | Display Photos

Scientific Name	Common Name	Family	Lifeform	Blooming Period	CA Rare Plant Rank	State Rank	Global Rank
Atriplex depressa	brittlescale	Chenopodiaceae	annual herb	Apr-Oct	1B.2	S2	G2
Delphinium recurvatum	recurved larkspur	Ranunculaceae	perennial herb	Mar-Jun	1B.2	S2?	G2?
Hordeum intercedens	vernal barley	Poaceae	annual herb	Mar-Jun	3.2	S3S4	G3G4
Lepidium jaredii ssp. album	Panoche pepper-grass	Brassicaceae	annual herb	Feb-Jun	1B.2	S2S3	G2G3T2T3
Nama stenocarpa	mud nama	Namaceae	annual / perennial herb	Jan-Jul	2B.2	S1S2	G4G5
Puccinellia simplex	California alkali grass	Poaceae	annual herb	Mar-May	1B.2	S2	G3

Suggested Citation

California Native Plant Society, Rare Plant Program. 2020. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website http://www.rareplants.cnps.org [accessed 28 October 2020].

Search the Inventory
Simple Search
Advanced Search
Glossary

Information
About the Inventory
About the Rare Plant Program
CNPS Home Page
About CNPS
Join CNPS

Contributors
The Calflora Database
The California Lichen Society
California Natural Diversity Database
The Jepson Flora Project
The Consortium of California Herbaria
CalPhotos

Questions and Comments
rareplants@cnps.org

Selected Elements by Element Code

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Lemoore (3611937) OR Hanford (3611936) OR Burrel (3611948) OR Riverdale (3611947) OR Laton (3611946) OR Vanguard (3611938) OR Westhaven (3611928) OR Stratford (3611927) OR Guernsey (3611926))

Element Code	Species	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
AAABF02020	***Spea hammondii*** western spadefoot	None	None	G3	S3	SSC
ABNGA11010	***Nycticorax nycticorax*** black-crowned night heron	None	None	G5	S4	
ABNKC19070	***Buteo swainsoni*** Swainson's hawk	None	Threatened	G5	S3	
ABNNB03031	***Charadrius alexandrinus nivosus*** western snowy plover	Threatened	None	G3T3	S2S3	SSC
ABNSB10010	***Athene cunicularia*** burrowing owl	None	None	G4	S3	SSC
ABPBXB0020	***Agelaius tricolor*** tricolored blackbird	None	Threatened	G2G3	S1S2	SSC
ABPBXB3010	***Xanthocephalus xanthocephalus*** yellow-headed blackbird	None	None	G5	S3	SSC
AMACC05030	***Lasiurus cinereus*** hoary bat	None	None	G5	S4	
AMAFD03151	***Dipodomys nitratoides exilis*** Fresno kangaroo rat	Endangered	Endangered	G3TH	SH	
AMAFD03152	***Dipodomys nitratoides nitratoides*** Tipton kangaroo rat	Endangered	Endangered	G3T1T2	S1S2	
AMAJA03041	***Vulpes macrotis mutica*** San Joaquin kit fox	Endangered	Threatened	G4T2	S2	
ARAAD02030	***Emys marmorata*** western pond turtle	None	None	G3G4	S3	SSC
ARACF07010	***Gambelia sila*** blunt-nosed leopard lizard	Endangered	Endangered	G1	S1	FP
ARADB01017	***Arizona elegans occidentalis*** California glossy snake	None	None	G5T2	S2	SSC
ARADB36150	***Thamnophis gigas*** giant gartersnake	Threatened	Threatened	G2	S2	
CTT36210CA	***Valley Sink Scrub*** Valley Sink Scrub	None	None	G1	S1.1	
IICOL0220E	***Cicindela tranquebarica ssp.*** San Joaquin tiger beetle	None	None	G5T1	S1	
IICOL48011	***Desmocerus californicus dimorphus*** valley elderberry longhorn beetle	Threatened	None	G3T2	S3	
IMBIV19010	***Gonidea angulata*** western ridged mussel	None	None	G3	S1S2	

Selected Elements by Element Code

California Department of Fish and Wildlife

California Natural Diversity Database

Element Code	Species	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
PDAST5L030	***Lasthenia chrysantha*** alkali-sink goldfields	None	None	G2	S2	1B.1
PDBRA1M0G2	***Lepidium jaredii ssp. album*** Panoche pepper-grass	None	None	G2G3T2T3	S2S3	1B.2
PDCHE042L0	***Atriplex depressa*** brittlescale	None	None	G2	S2	1B.2
PDHYD0A0H0	***Nama stenocarpa*** mud nama	None	None	G4G5	S1S2	2B.2
PDRAN0B1J0	***Delphinium recurvatum*** recurved larkspur	None	None	G2?	S2?	1B.2
PMPOA53110	***Puccinellia simplex*** California alkali grass	None	None	G3	S2	1B.2

Record Count: 25

Attachment D

Potential for Regionally-Occurring Special-status Species to Occur on the Property

This page intentionally left blank

Attachment D
Potential for Regionally-Occurring Special-status Species to Occur on the Property

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur[3]
Plants			
Atriplex depressa brittlescale	--/--/1B.2	An annual herb found in alkaline and clay soils and occurs in chenopod scrub, meadows and seeps, playas, valley and foothill grassland, and vernal pools. Blooms April – October (CNPS 2020).	**Will Not Occur.** There is no suitable habitat within the Study Area.
Delphinium recurvatum recurved larkspur	--/--/1B.2	A perennial herb found in alkaline soils and occurs in chenopod scrub, cismontane woodland, and valley and foothill grassland. Blooms March – June (CNPS 2020).	**Will Not Occur.** There is no suitable habitat within the Study Area.
Hordeum intercedens vernal barley	--/--/3.2	An annual herb that occurs in coastal dunes, coastal scrub, saline flats and depressions in valley and foothill grasslands, and vernal pools. Blooms March – June (CNPS 2020).	**Will Not Occur.** There is no suitable habitat within the Study Area.
Lepidium jaredii ssp. *album* Panoche pepper-grass	--/--/1B.2	An annual herb that occurs in steep slopes, clay, and sometimes alkaline valley and foothill grasslands. Blooms February – June (CNPS 2020).	**Will Not Occur.** There is no suitable habitat within the Study Area.
Lasthenia chrysantha alkali-sink goldfields	--/--/1B.1	An annual herb that found in vernal pools and alkali flats. Blooms February – April (CNPS 2020).	**Will Not Occur.** There is no suitable habitat within the Study Area.
Nama stenocarpa mud nama	--/--/2B.2	An annual/perennial herb found in lake margins and riverbanks of marshes and swamps. Blooms January – July (CNPS 2020).	**Will Not Occur.** There is no suitable habitat within the Study Area.
Puccinella simplex California alkali grass	--/--/1B.2	An annual herb found in alkaline, vernally-mesic sinks, flats, and lake margins and occurs in chenopod scrub, meadows and seeps, valley and foothill grassland, and vernal pool (CNPS 2020).	**Will Not Occur.** There is no suitable habitat within the Study Area.

Attachment D (cont.)
Potential for Regionally-Occurring Special-status Species to Occur on the Property

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur[3]
Animals`			
Invertebrates			
Branchinecta lynchi vernal pool fairy shrimp	FT/--/--	The range of the vernal pool fairy shrimp (VPFS) within California includes the Central Valley and southern CaliforniaPopulations are known from Stillwater Plain in Shasta County through most of the length of the Central Valley to Pixley in Tulare County (additional disjunct populations exist at various locations throughout state). VPFS occurs mostly in vernal pools, however it is also found in a variety of both natural and artificial wetland habitats, such as alkali pools, ephemeral drainages, stock ponds, roadside ditches, vernal swales, and rock outcrop pools (Helm 1998). Occupied wetlands are typically small (ranging from 0.1 to 0.05 acres in size), and pond for a relatively short duration (3-4 weeks) (Eriksen and Belk 1999). Soil types associated with VPFS vary greatly with geography and influence the ecology of the species. This fairy shrimp occurs in pools with 48 to 481 ppm salinity, and pH from 6.3 to 8.5 (Eriksen and Belk 1999).	**Will Not Occur.** There are no vernal pools within the Study Area.
Cicindela tranquebarica ssp. San Joaquin tiger beetle	--/--/--	Inhabits sand dunes, salt flats, river edges, and ocean beaches. Adult tiger beetles are diurnal predators that bask in open sunlit habitat patches in order to attain high body temperatures to be able to hunt. Larval tiger beetles are burrow dwelling sit-and-wait predators that typically occur in the same microhabitats as adults.	**Will not Occur.** There is no suitable habitat within the Study Area.

Attachment D (cont.)
Potential for Regionally-Occurring Special-status Species to Occur on the Property

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur[3]
Desmocerus californicus dimorphus valley elderberry longhorn beetle	FT/--/--	Endemic to elderberry shrubs (*Sambucus* spp.) occurring in riparian habitat in the Sacramento and San Joaquin Valleys, riparian habitats in the Sacramento and San Joaquin Valleys, and less common throughout riparian forests of the Central Valley from Redding to Fresno County typically below 152 m amsl (USFWS 2017).	**Will Not Occur.** There are no elderberry shrubs within the Study Area.
Gonidea angulata western ridged mussel	--/--/--	Freshwater mussels that are filter feeders that consume phytoplankton and zooplankton suspended in the water. Relatively slow growing and long lived species perhaps living 20 to 30 years. The presence of glochidial host fish is necessary for the reproduction of mussel species (Spring Rivers 2007).	**Will Not Occur.** There is no aquatic habitat within the Study Area.
Lepidurus packardi vernal pool tadpole shrimp	FE/--/--	The vernal pool tadpole shrimp (VPTS) occurs within the Central Valley of California and in the San Francisco Bay area (USFWS 2005), with the majority of the populations occurring in the Sacramento Valley. This species has also been reported from the Sacramento River Delta to the east side of San Francisco Bay, and from a few scattered localities in the San Joaquin Valley from San Joaquin County to Madera County (Rogers 2001). Suitable habitats vary considerably, including vernal pools, clay flats, alkaline pools, ephemeral stock tanks, roadside ditches, and road ruts (Rogers 2001). Vernal pools may range in size from small, clear, and well-vegetated to highly turbid, alkali scald pools to large winter lakes (Rogers 2001) ranging in size from 54 square feet to 89 acres (USFWS 2005), containing clear- to highly-turbid water. They may be seasonal or ephemeral and may exhibit a wide range of salinity levels. However,	**Will Not Occur.** There are no vernal pools within the Study Area.

Attachment D (cont.)
Potential for Regionally-Occurring Special-status Species to Occur on the Property

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur[3]
		VPTS survival requires that water bodies be deeper than 5 inches, pond for 40 days or more, and not experience wide daily temperature fluctuations (Rogers 2001). VPTS cysts (resting eggs) also must have the opportunity to dry out before they can hatch.	
Fishes			
Hypomesus transpacificus Delta smelt	FT/SE/--	Delta smelt are tolerant of a wide salinity range. For a large part of their one-year life span, delta smelt live along the freshwater edge of the mixing zone (saltwater-freshwater interface). Shortly before spawning, adults migrate upstream from the brackish-water habitat associated with the mixing zone and disperse into river channels and tidally-influenced backwater sloughs. They spawn in shallow, fresh or slightly brackish water upstream of the mixing zone. Most spawning happens in tidally-influenced backwater sloughs and channel edgewaters. Although spawning has not been observed in the wild, the eggs are thought to attach to substrates such as cattails, tules, tree roots and submerged branches. Delta smelt are found only from Suisun Bay upstream through the Delta in Contra Costa, Sacramento, San Joaquin, Solano and Yolo counties (USFWS 1995).	**Will Not Occur.** There is no aquatic habitat within the Study Area.
Amphibians			
Rana draytonii California red-legged frog	FT/--/SSC	The California red-legged frog occupies a fairly distinct habitat, combining both specific aquatic and riparian components. The adults require dense, shrubby or emergent riparian vegetation closely associated with deep (greater than 2 1/3-foot deep) still or slow-moving water. The largest densities of California red-legged frogs	**Will Not Occur.** There is no aquatic habitat within the Study Area.

Attachment D (cont.)
Potential for Regionally-Occurring Special-status Species to Occur on the Property

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur[3]
		are associated with deep-water pools with dense stands of overhanging willows (*Salix* spp.) and an intermixed fringe of cattails (*Typha latifolia*). Well-vegetated terrestrial areas within the riparian corridor may provide important sheltering habitat during winter. California red-legged frogs aestivate (enter a dormant state during summer or dry weather) in small mammal burrows and moist leaf litter. They have been found up to 100 feet from water in adjacent dense riparian vegetation. Studies have indicated that this species cannot inhabit water bodies that exceed 70° F, especially if there are no cool, deep portions (USFWS 2001).	
Spea hammondii western spadefoot	--/--/SSC	Amphibian that breeds in vernal pools and seasonal ponds or slow portions of streams in grasslands and woodlands. Adults spend most of their time in underground burrows in grasslands surrounding breeding pools (Jennings and Hayes 1994). Breeding is typically finished by the end of March. Tadpoles mature through late-spring and disperse as pools dry (Zeiner et al. 1990).	**Will Not Occur.** There is no aquatic habitat within the Study Area.
Reptiles			
Arizona elegans occidentalis California glossy snake	--/--/SSC	Suitable habitats include barren to sparse shrubby desert, sagebrush flats, grassland, sandhills, coastal scrub, chaparral slopes, oak-hickory woodland. The species occurs in generally open areas with sandy or loamy soil, though rocks may be present (Brown 1997).	**Will Not Occur.** There is no suitable barren to sparse shrubby habitats with sandy or loamy soil within the Study Area.

Attachment D (cont.)
Potential for Regionally-Occurring Special-status Species to Occur on the Property

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur[3]
Emys marmorata western pond turtle	--/--/SSC	Turtle that inhabits slow-moving water with dense submerged vegetation, abundant basking sites, gently sloping banks, and dry clay or silt soils in nearby uplands. Turtles will lay eggs up to 0.25-mile from water, but typically go no more than 600 feet (Jennings and Hayes 1994).	**Will Not Occur.** There is no aquatic habitat within the Study Area.
Gambelia silus blunt-nosed leopard lizard	FE/SE/FP	Blunt-nosed leopard lizard is endemic to the southern Coast Ranges and Central Valley, from Santa Clara and Merced Counties south to Ventura and Los Angeles Counties. Occurs in alkali sink, playa, and saltbush scrub habitats in the Central Valley, and grassland habitats in the foothills. The principal threat to the species is loss of habitat to agriculture and urban development (USFWS 2010).	**Will Not Occur.** There is no alkali sinks, playa, or saltbush scrub within the Study Area.
Thamnophis gigas giant garter snake	FT/ST/--	Endemic to the San Joaquin and Sacramento Valley floors. Inhabits agricultural wetlands and other waterways such as irrigation and drainage canals, sloughs, ponds, small lakes, low gradient streams, and adjacent uplands. Requires adequate water during its active season (early spring through mid-fall) to provide food and cover, emergent, herbaceous wetland vegetation for foraging and cover, grassy banks and openings in waterside vegetation for basking, and higher elevation uplands for cover and refuge from flood waters during its dormant season (winter). Inhabits small mammal burrows and other soil crevices with sunny exposure along south and west facing slopes, above prevailing flood elevations when dormant. Primarily found in marshes and sloughs as well as slow-moving creeks but absent from large rivers	**Will Not Occur.** There is no aquatic habitat with adjacent uplands within the Study Area.

Attachment D (cont.)
Potential for Regionally-Occurring Special-status Species to Occur on the Property

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur[3]
Birds			
Agelaius tricolor tricolored blackbird	--/ST/SSC	Common locally throughout central California. Nests and seeks cover in emergent wetland vegetation and thorny vegetation such as Himalayan blackberry (*Rubus armeniacus*) as well as cattails and tules. Nesting area must be large enough to support a minimum colony of 50 pairs as they are a highly colonial species. Forages on ground in croplands, grassy fields, flooded land, and edges of ponds for insects (Shuford and Gardali 2008).	**Will Not Occur.** Suitable nesting and foraging habitat are not present within the Study Area.
Athene cunicularia burrowing owl	--/--/SSC	Forages in grasslands, agricultural fields, and disturbed places where burrowing mammals are abundant with low and sparse vegetation. Nests in burrows, especially those of California ground squirrel, but will use other refuge sites (*Otospermophilus beecheyi*; Shuford and Gardali 2008). In the Central Valley of California, most foraging occurs within a 600-m radius of the nest (Gervais et al. 2003).	**Will Not Occur.** Suitable burrowing and foraging habitat are not present within the Study Area.
Buteo swainsoni Swainson's hawk	--/ST/--	Forages in grasslands, suitable grain or alfalfa fields, or livestock pastures adjacent to nesting habitat. Nests on large trees in open riparian habitat, scattered trees or small groves of trees in open areas.	**Will Not Occur.** Suitable nesting and foraging habitat are not present within the Study Area.
Charadrius alexandrius nivosus western snowy plover	FT/--/SSC	Federal listing applies only to coastal populations that nest on sand beaches above the high tide line. Interior populations nest on barren to sparsely vegetated flats along the shores of lakes, braided river systems, salt ponds, and agricultural sumps. Adults feed on insects and brine shrimp (Shuford and Garaldi 2008).	**Will Not Occur.** Suitable nesting and foraging habitat are not present within the Study Area.

Attachment D (cont.)
Potential for Regionally-Occurring Special-status Species to Occur on the Property

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur[3]
Nycticorax nycticorax black-crowned night heron	--/--/--	Roosts in trees around fresh- and salt-water habitats including marshes, swamps, rivers, ponds, canals, and rice fields. Common year-round in the Central Valley. Once threatened by DDT, populations are recovering and considered stable (Telfair 2007).	**Will Not Occur.** Suitable roosting and foraging habitat are not present within the Study Area.
Xanthocephalus xanthocephalus yellow-headed blackbird	--/--/SSC	Occurs in California mainly as a summer migrant, but small numbers over-winter in the southern San Joaquin Valley and deserts. Breeds in marshes with tall emergent vegetation, generally along edges over deep water. Usually forages on seeds and aquatic insects within individual territories but may use nearby agricultural fields if resources are scarce (Shuford and Gardali 2008).	**Will Not Occur.** Suitable nesting and foraging habitat are not present within the Study Area.
Mammals			
Dipodomys nitratoides exilis Fresno kangaroo rat	FE/SE/--	Historically found in the Tulare Lake basin, this subspecies of Fresno kangaroo rat inhabits areas with friable, sandy soils that are free of seasonal flooding. It digs shallow burrow systems around the bases of shrubs, and feeds mainly on seeds (USFWS 1998).	**Will Not Occur.** Suitable soils for burrows are not present within the Study Area.
Dipodomys nitratoides nitratoides Tipton kangaroo rat	FE/SE/--	Historically found in the Tulare Lake basin, this subspecies of Fresno kangaroo rat inhabits areas with friable, sandy soils that are free of seasonal flooding. It digs shallow burrow systems around the bases of shrubs, and feeds mainly on seeds (USFWS 1998).	**Will Not Occur.** Suitable soils for burrows are not present within the Study Area.

Attachment D (cont.)
Potential for Regionally-Occurring Special-status Species to Occur on the Property

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur[3]
Lasiurus cinerus hoary bat	--/--/--	Insectivorous bat, roosts in dense foliage of medium to large trees. Suitable breeding habitats include woodlands and forests with medium to large trees and dense foliage. Winters along the coasts and in southern California and breeds inland and north of the winter range. Breeds from May through August (Zeiner et al. 1990).	**Not Expected.** Suitable roosting and foraging habitat are absent within the Study Area. Trees within the orchard are deciduous losing foliage during the winter. There is one reported occurrence of this species within 5 miles of the Study Area (CDFW 2020: occurrence number 37). However, the specimens were collected in 1990 and 1991 and there are no other more recent reported occurrences of this species in the area.
Vulpes macrotis mutica San Joaquin kit fox	FE/ST/--	San Joaquin kit fox inhabits a wide range of open and shrubby habitats, including grassland, scrublands, agricultural areas where dens are available (e.g., unplowed fields, row crops, vineyards, or orchards), non-irrigated pastures, vernal pool grasslands, playas, and alkali meadows. San Joaquin kit fox dens are typically located on slopes less than 40 degrees, and pupping dens are usually on level ground; den entrances are typically 8 – 10 inches in diameter. San Joaquin kit foxes use many dens in a season, and occupied dens often show no signs of use. Common signs of use include a dirt ramp leading to the entrance, flattened grass around the entrance, scat, tracks, and prey remains. The largest extant populations of San Joaquin kit fox are at the western margins of the Central Valley and the eastern Coast Ranges. Population centers occur in western Kern County (Elk Hills and Pixley National Wildlife Refuge), eastern San Luis Obispo County (Carrizo Plain), western Fresno County and eastern San Benito County	**Not Expected.** The Study Area does not provide suitable denning habitat for this species and no potential dens were observed during the biological reconnaissance. There are multiple reported occurrences of this species within 5 miles of the Study Area, with the closest record being approximately 2 miles east where an individual was seen within an approximately 15-acre undeveloped field in 2006 (CDFW 2020; occurrence number 1,101). However, San Joaquin kit fox are considered to be largely eliminated from the region and there have been no reported occurrences since 2006.

Attachment D (cont.)
Potential for Regionally-Occurring Special-status Species to Occur on the Property

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur[3]
		(Ciervo – Panoche Natural Area), Southern Monterey County (Fort Hunter-Liggett and Camp Roberts), western Merced County, and eastern Contra Costa County. These population centers generally form a metapopulation lying west of Interstate 5 and/or south of Allensworth, with only isolated occurrences in the remainder of the valley. By 2006, San Joaquin kit fox was determined to be largely eliminated from the central San Joaquin Valley (USFWS 2010).	

[1] Sensitive species reported in CNDDB or CNPS on the Lemoore, Hanford, Burrel, Riverdale, Laton, Vanguard, Westhaven Stratford and Guernsey USGS quads, or in USFWS lists for the project site.

[2] Status is as follows: Federal (ESA) listing/State (CESA) listing/other CDFW status or CRPR. F = Federal; S = State of California; E = Endangered; T = Threatened; C = Candidate; FP=Fully Protected; SSC=Species of Special Concern; WL=Watch List.

[3] Status in the Project site is assessed as follows. **Will Not Occur**: Species is either sessile (i.e. plants) or so limited to a particular habitat that it cannot disperse on its own and/or habitat suitable for its establishment and survival does not occur on the project site; **Not Expected**: Species moves freely and might disperse through or across the project site, but suitable habitat for residence or breeding does not occur on the project site, potential for an individual of the species to disperse through or forage in the site cannot be excluded with 100% certainty; **Presumed Absent:** Habitat suitable for residence and breeding occurs on the project site; however, focused surveys conducted for the current project were negative; **May Occur**: Species was not observed on the site and breeding habitat is not present but the species has the potential to utilize the site for dispersal, **High**: Habitat suitable for residence and breeding occurs on the project site and the species has been recorded recently on or near the project site, but was not observed during surveys for the current project; **Present**: The species was observed during biological surveys for the current project and is assumed to occupy the project site or utilize the project site during some portion of its life cycle.

CRPR = California Rare Plant Rank: 1B – rare, threatened, or endangered in California and elsewhere; 2B – rare, threatened, or endangered in California but more common elsewhere. Extension codes: .1 – seriously endangered; .2 – moderately endangered.

Attachment D
Potential for Regionally-Occurring Special-status Species to Occur on the Property

REFERENCES

Brown, Philip R. A Field Guide to Snakes of California. Gulf Publishing Co., 1997

California Department of Fish and Wildlife (CDFW). 2020. RareFind 5.0, California Natural Diversity Database. Sacramento, California. Accessed October 28, 2020. Information expires 11/30/2020.

California Native Plant Society (CNPS). 2020. Inventory of Rare and Endangered Plants (online edition, v8-03 0.39). Website http://www.rareplants.cnps.org. [Accessed 28 October 2020].

Fairy Shrimp of California's Puddles, Pools, and Playas. 1999. Clyde Ericksen and Denton Belk. Mad River Press, Arcata, California).

Gervais, J.A., D.K. Rosenberg, and R.G. Anthony. 2003. Space use and pesticide risk of male burrowing owls in an agricultural landscape. J. of Wildlife Management 67:155-164.

Helm, B. 1998. Biogeography of eight large branchiopods endemic to California. Pages 124-139. In Ecology, conservation, and management of vernal pool ecosystems – proceedings from a 1996 conference, C. W. Witham, E.T. Bauder, D. Belk, W.R. Ferren, Jr., and R. Ornduff, eds. California Native Plant Society, Sacramento, California. 285 pp.

Jennings, M. R., and M. Hayes. 1994. Amphibian and reptile species of special concern in California. Sacramento. California Department of Fish and Game.

Rogers, D. 2001. Revision of the nearctic *Lepidurus* (Notostraca). *Journal of Crustacean Biology*, 21: 991-1006.

Shuford, W. D., and T. Gardali, eds. 2008. California Bird Species of Special Concern 2006: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento

Telfair II, R. C. 2007. Black-crowned Night-Heron. The Texas Breeding Bird Atlas. Texas A&M University System, College Station and Corpus Christi, TX.

Attachment D (cont.)
Potential for Regionally-Occurring Special-status Species to Occur on the Property

U.S. Fish and Wildlife Service (USFWS). 2010. San Joaquin Kit Fox (*Vulpes macrotus mutica*) 5-Year Review: Summary and Evaluation. Prepared by the Sacramento Fish and Wildlife Office.

1995. Working paper on restoration needs: habitat restoration actions to double natural production of anadromous fish in the Central Valley of California. Volumes 1, 2, 3. Prepared for the U.S. Fish and Wildlife Service under the direction of the Anadromous Fish Restoration Program Core Group. Stockton, CA.

1998. Endangered and threatened wildlife and plants: Emergency rule to list the San Bernardino kangaroo rat as endangered. (63 FR 3835).

2001. Final determination of critical habitat for the California red-legged frog. Federal Register 66(49):14626-14758.

2010. Revised blunt-nosed leopard lizard recovery plan. United States Fish and Wildlife Service. Region 1,Portland, OR. 85 pp

2017. Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (Desmocerus californicus dimorphus). U.S. Fish and Wildlife Service; Sacramento, California. 28 pp.

Attachment E

Plant and Animal Species Observed or Detected

This page intentionally left blank

Attachment E
Plant Species Observed

Family	Scientific Name*,†	Common Name
Monocots		
Amaranthaceae	*Amaranthus retroflexus**	rough pigweed
Asteraceae	*Lactuca serriola**	prickly lettuce
Boraginaceae	*Amsinckia menziesii*	small flowered fiddleneck
Brassicaceae	*Brassica rapa**	common mustard
Brassicaceae	*Capsella bursa-pastoris**	shepherd's purse
Chenopodiaceae	*Chenopodium album**	lamb's quarters
Juglandaceae	*Juglans regia**	English walnut
Malvaceae	*Malva parviflora*	cheeseweed mallow
Dicots		
Poaceae	*Avena barbata**	slender oat
Poaceae	*Bromus hordeaceus**	soft brome
Poaceae	*Cynodon dactylon**	Bermuda grass
Poaceae	*Dactylis glomerate**	orchard grass

* Non-native

† Sensitive

Attachment E (cont.)
Animal Species Observed or Detected

Family	Species Name	Common Name
Birds		
Columbidae	*Zenaida macroura*	mourning dove
Corvidae	*Aphelocoma californica*	California scrub jay
Corvidae	*Corvus brachyrhynchos*	American crow
	Colaptes auratus	norther flicker
Reptiles		
Phrynosomatidae	*Sceloporus occidentalis*	western fence lizard
Mammals		
Procyonidae	*Procyon lotor*	racoon
Felidae	*Felis catus*	domestic cat

Attachment F

Representative Site Photos

This page intentionally left blank

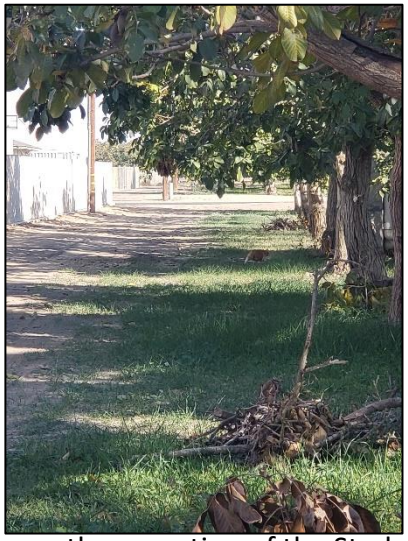


Photo taken from the southern portion of the Study Area facing north.

Photo taken from the northern portion of the Study Area facing south.

Photo taken from the center of the Study Area.

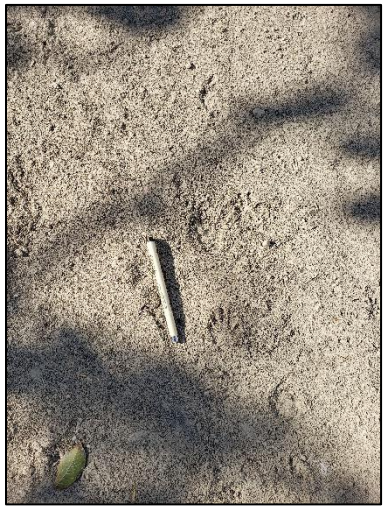


Photo taken of raccoon prints observed within the ruderal habitat.

This page intentionally left blank

Appendix C

Cultural Resources Assessment

This page intentionally left blank

HELIX Environmental Planning, Inc.
11 Natoma Street, Suite 155
Folsom, CA 95630
916.365.8700 tel
619.462.0552 fax
www.helixepi.com

January 29, 2021 Project # SAW-08

Mr. Philip Decker
Specialist Professional Services
SAC Wireless
888 Cal Center Drive, Suite 170
Sacramento, CA 95826

Subject: Cultural Resource Assessment Letter Report for the West Hanford Cell Tower Project, Kings County, California

Dear Mr. Decker,

HELIX Environmental Planning, Inc. (HELIX) has prepared this cultural resource assessment letter report for the West Hanford Cell Tower Project (project) in Kings County (County), California. This assessment is intended to evaluate the potential for the proposed project to significantly impact historical resources (i.e., prehistoric or historic-era archaeological or architectural resources that meet the criteria for listing in the California Register of Historical Resources [CRHR]). The conclusions and recommendations presented here are based on data from an archival records search, Native American outreach, and an intensive pedestrian survey of the project's Area of Potential Effects (APE).

PROJECT LOCATION AND DESCRIPTION

The 0.69-acre project area is located at 9324 13 1/2 Avenue near the City of Hanford in unincorporated Kings County, California. The project area is located on parcel APN 009-070-040, near the southwest corner of the intersection of 13 1/2 Avenue and Liberty Lane. In the vicinity of the project area there is a church and rural homes, and the surrounding area is dominated by orchards, row crops, or ruderal/fallowed fields. The project area is bound on the north by single family residential development, and on the east, west, and south by orchards. Figure 1 is a project vicinity map and Figure 2 shows the project area on a topographic map; figures are included in Attachment A.

The West Hanford Cell Tower Project would install a 100-foot-high cellular tower in the northeastern portion of the parcel. The tower will be constructed within an approximately 26- by 25-foot lease area enclosed by a fence. A standby generator will be located in the fenced area for use during power outages. A 90-foot long, 12-foot wide driveway will provide access to the facility from 13 1/2 Avenue. A wireless meter/pedestal will be installed at the northern property boundary, directly north of the cellular tower on a 3-foot by 6-foot concrete pad. A new fiber vault will be installed directly south of the concrete pad for the wireless meter/pedestal. A 5-foot-wide utility easement containing underground wireless fibers will extend between the cellular tower and the wireless meter/pedestal to the north with access along the northern property line controlled by installation of two new bollards. A total of

5 existing orchard trees would be removed in the location of the access route from 13 1/2 Avenue and the new tower.

Area of Potential Effects

The APE is defined as the geographic area or areas within which a project may directly or indirectly cause alterations in the character or use of significant archaeological or architectural resources. The APE is influenced by the scale and nature of the project as well as by the types of cultural resources in the vicinity. For the purposes of this analysis, the project's primary APE is understood to be the area that would be subjected to ground disturbance during construction and implementation of the proposed project (Figure 3). The APE for the proposed project includes the 26- by 25-foot lease area, driveway, and utility easement described above; a 50 foot buffer around the APE was also examined to allow for unanticipated disturbances or minor changes in project design during construction. The APE's vertical dimension has not yet been determined. Visual impacts to previously documented historical resources were also assessed for a secondary APE, which corresponds to a 0.5-mile buffer around the primary APE.

ARCHIVAL RECORDS SEARCH

On December 14, 2020, an archival records search in support of the proposed project was conducted at the Southern San Joaquin Valley Information Center (SSJVIC) of the California Historical Resources Information System, located at California State University, Bakersfield. The records searches addressed all portions of the APE and a 0.5-mile radius around the APE (hereafter referred to as the study area). Sources of information included previous survey and cultural resources files; the National Register of Historic Places (NRHP); the CRHR; the Office of Historic Preservation (OHP) Archaeological Determinations of Eligibility; the OHP Directory of Properties in the Historic Property Data File; historical topographic maps; and historical aerial photographs.

The records search identified two studies that have previously been conducted within the study area (Table 1).

Table 1
PREVIOUS STUDIES CONDUCTED WITHIN THE STUDY AREA

Report	Year	Author(s)	Title	Affiliation
KI-00004	1979	Beck, Allen	Archaeological Reconnaissance for the Grangeville Boulevard Reconstruction Environmental Impact Report	Environmental Science Associates, Inc.
KI-00106	1979	Smith, E. K., and W. E. Patnaude	Historic and Architectural Resources in Public Project No. 48 Grangeville Boulevard Reconstruction	California State University, Fresno

Reports KI-00004 and KI-00106 were both conducted in 1979 in support of the Grangeville Boulevard Reconstruction Project, and both addressed a narrow east-west trending corridor located approximately 0.3 mile north of the current APE. Neither study determined that cultural resources are located within the current study area.

The records search also determined that there is one previously recorded cultural resource within the study area (Table 2).

Table 2
PREVIOUSLY DOCUMENTED RESOURCES WITHIN THE STUDY AREA

Primary	Trinomial	Description	Year	Author(s)	Affiliation
P-16-000128	CA-KIN-000191H	Historic canal/aqueduct	2001	Tang, B. T., and D. Ballester	CRM Tech

Resource P-16-000128 represents the Last Chance Ditch, a historic water conveyance feature that was constructed by the Last Chance Ditch Water Company in 1873 and 1874. The Last Chance Ditch is comprised of multiple canals that operate as an integrated system to divert water from the south bank of the Kings River to agricultural communities in Kings County. The ditch is currently in use and has not been evaluated for eligibility to the NRHP or CRHR. P-16-000128 intersects the current study area approximately 0.3 mile south of the APE.

NATIVE AMERICAN OUTREACH

On December 1, 2020, HELIX requested that the Native American Heritage Commission (NAHC) conduct a search of their Sacred Lands File for the presence of Native American sacred sites or human remains in the vicinity of the proposed project area. A written response received from the NAHC on December 21, 2020, stated that the Sacred Lands File failed to indicate the presence of Native American cultural resources in the vicinity of the APE.

On December 28, 2020, HELIX sent letters to six Native American contacts that were recommended by the NAHC as potential sources of information related to cultural resources in the vicinity of the project area:

- Stan Alec, Kings River Choinumni Farm Tribe
- Leo Sisco, Chairperson, Santa Rosa Rancheria Tachi Yokut Tribe
- Brenda D. Lavell, Chairperson, Table Mountain Rancheria
- Bob Pennell, Cultural Resources Director, Table Mountain Rancheria
- Neil Peyron, Chairperson, Tule River Indian Tribe
- Kenneth Woodrow, Chairperson, Wuksache Indian Tribe/Eshom Valley Band

The letters advised the tribes and specific individuals of the proposed project and requested information regarding cultural resources in the immediate area, as well as any feedback or concerns related to the proposed project. As of the date of this report, no responses have been received. Documentation related to Native American coordination is included as Attachment B.

INTENSIVE PEDESTRIAN SURVEY

On December 3, 2020, HELIX Staff Archaeologist Jentin Joe conducted a pedestrian survey to characterize any prehistoric or historic-era archaeological resources located within the APE. During the survey the ground surface throughout the APE was examined for the presence of historic-era artifacts (e.g., metal, glass, ceramics), prehistoric artifacts (e.g., flaked stone tools, tool-making debris), and other features that might represent human activity that took place more than 50 years ago. Survey photographs are presented in Attachment C.

The terrain within and adjacent to the APE is flat with an elevation of approximately 249 feet (76 m) above sea level (Photo 1). The APE is located within an existing, active English walnut (*Juglans regia*) orchard (Photo 2). The disturbance regime typically associated with an active orchard includes irrigation, pruning, possible herbicide and pesticide application, and fertilization application. Often commercially grown walnut trees are irrigated through flooding. Five English walnut trees are proposed for removal by the project.

Soils in the Study Area include a single soil mapping unit, the Nord complex. This soil is described as alluvium derived from igneous rock, well drained, with a depth of more than 8 inches to the water table, and depths of greater than 80 inches to a restrictive layer. Kings County does not classify this soil unit as hydric; however, three components of this soil unit are considered hydric (NRCS 2020).

A thick layer of fallen leaves made ground visibility very poor during the survey (Photo 3). The margins of the APE are marked by flattened and/or graded dirt roads that appear to be used regularly (Photo 4). The few areas of exposed soil appear to be heavily disturbed by vehicles and farm equipment, and fresh vehicle tracks can be seen between and around the rows of walnut trees. The survey found no archaeological resources are present on the surface of the APE. The few cultural materials seen during the survey were isolated pieces of trash that appear to be modern or cannot be attributed to a specific date range.

CONCLUSIONS AND RECOMMENDATIONS

The records search determined that only a narrow corridor in the northern portion of the study area has previously been surveyed for cultural resources, and one previously documented resource, the Last Chance Ditch (P-16-000128), is located approximately 0.5 mile or more from the APE. None of the previous surveys or previously documented resources intersect the APE itself. The results of HELIX's Native American outreach remain inconclusive – a search of the Sacred Lands File by the NAHC did not indicate that sensitive Native American resources are located in the area, although none of the tribes or individuals contacted by HELIX have responded with specific information about the area.

No cultural resources were found during the survey, suggesting that the likelihood of encountering surficial or shallowly buried archaeological materials during project implementation is low. Given these findings the APE should be considered to have a low sensitivity for cultural resources at shallow grading and excavation depths. Because ground visibility was poor during the survey, HELIX has provided the recommendations below to minimize the potential for buried cultural resources, if they exist, to be significantly impacted during project implementation.

Inadvertent Discoveries

In the event that cultural resources are exposed during ground-disturbing activities, construction activities should be halted in the immediate vicinity of the discovery. If the site cannot be avoided during the remainder of construction, an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards should then be retained to evaluate the find's significance under the California Environmental Quality Act (CEQA). If the discovery proves to be significant, additional work, such as data

recovery excavation, may be warranted and should be discussed in consultation with the CEQA Lead Agency.

Treatment of Human Remains

Although there is no evidence to suggest the presence of human remains, their discovery is always a possibility during a project. If such an event did occur, the specific procedures outlined by the NAHC, in accordance with Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code, will be followed:

1. All excavation activities within 60-feet of the remains will immediately stop, and the area will be protected with flagging or by posting a monitor or construction worker to ensure that no additional disturbance occurs.

2. The project owner or their authorized representative will contact the County Coroner.

3. The coroner will have two working days to examine the remains after being notified in accordance with HSC 7050.5. If the coroner determines that the remains are Native American and are not subject to the coroner's authority, the coroner will notify NAHC of the discovery within 24 hours.

4. NAHC will immediately notify the Most Likely Descendant (MLD), who will have 48 hours after being granted access to the location of the remains to inspect them and make recommendations for treatment of them. Work will be suspended in the area of the find until the senior archaeologist approves the proposed treatment of human remains.

5. If the coroner determines that the human remains are neither subject to the coroner's authority nor of Native American origin, then the senior archaeologist will determine mitigation measures appropriate to the discovery.

Should you have any questions regarding our approach, methodology, results, or conclusions, please do not hesitate to contact me.

Sincerely,

Clarus J. Backes, Jr., RPA
Senior Archaeologist
HELIX Environmental Planning, Inc.

Attachments:

Attachment A: Figures
Attachment B: Native American Correspondence
Attachment C: Representative Site Photos

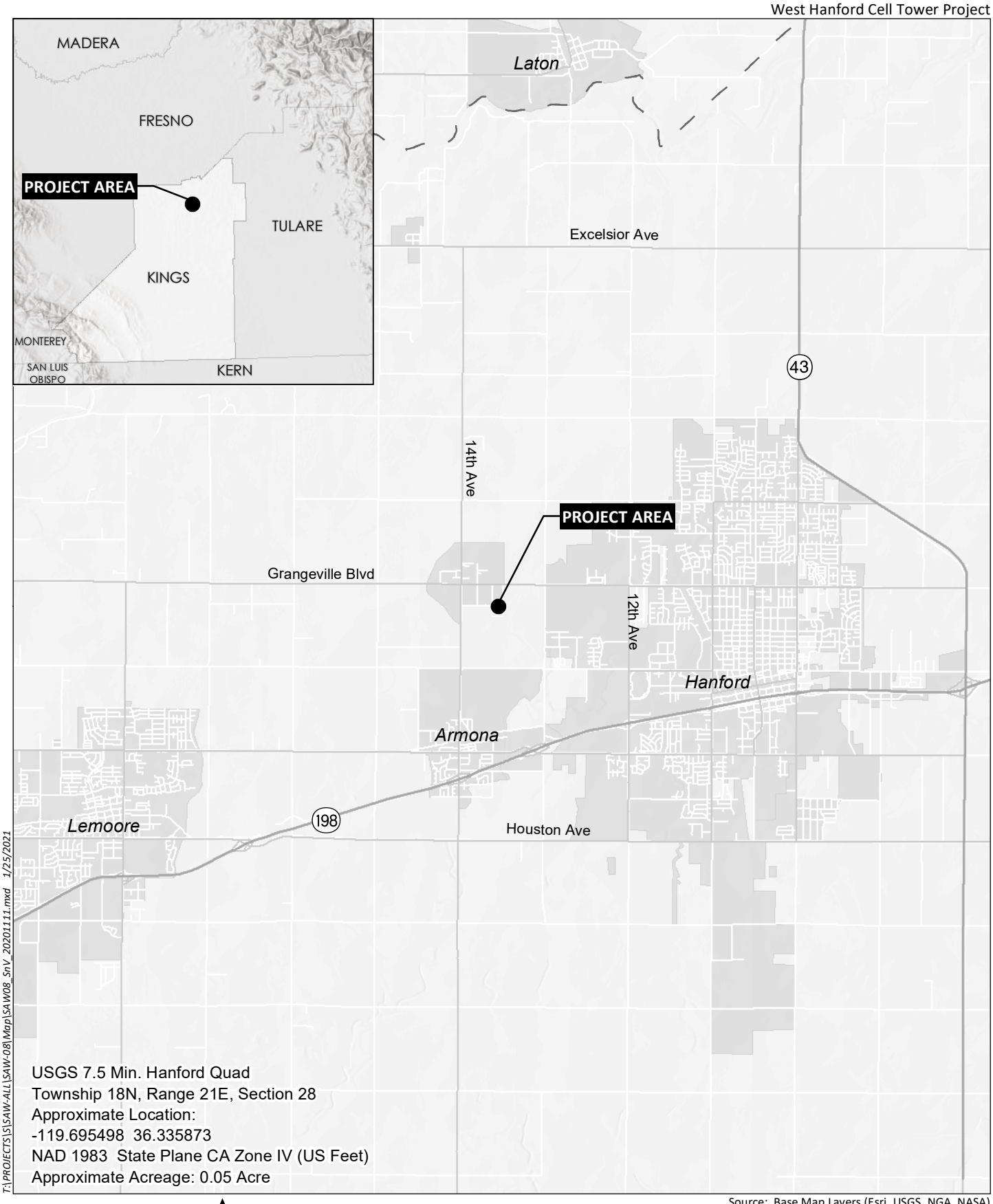
REFERENCES

Natural Resources Conservation Service (NRCS). 2020. 2018 National Hydric Soils List. Available on-line at: https://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/use/hydric/.

Attachment A

Figures

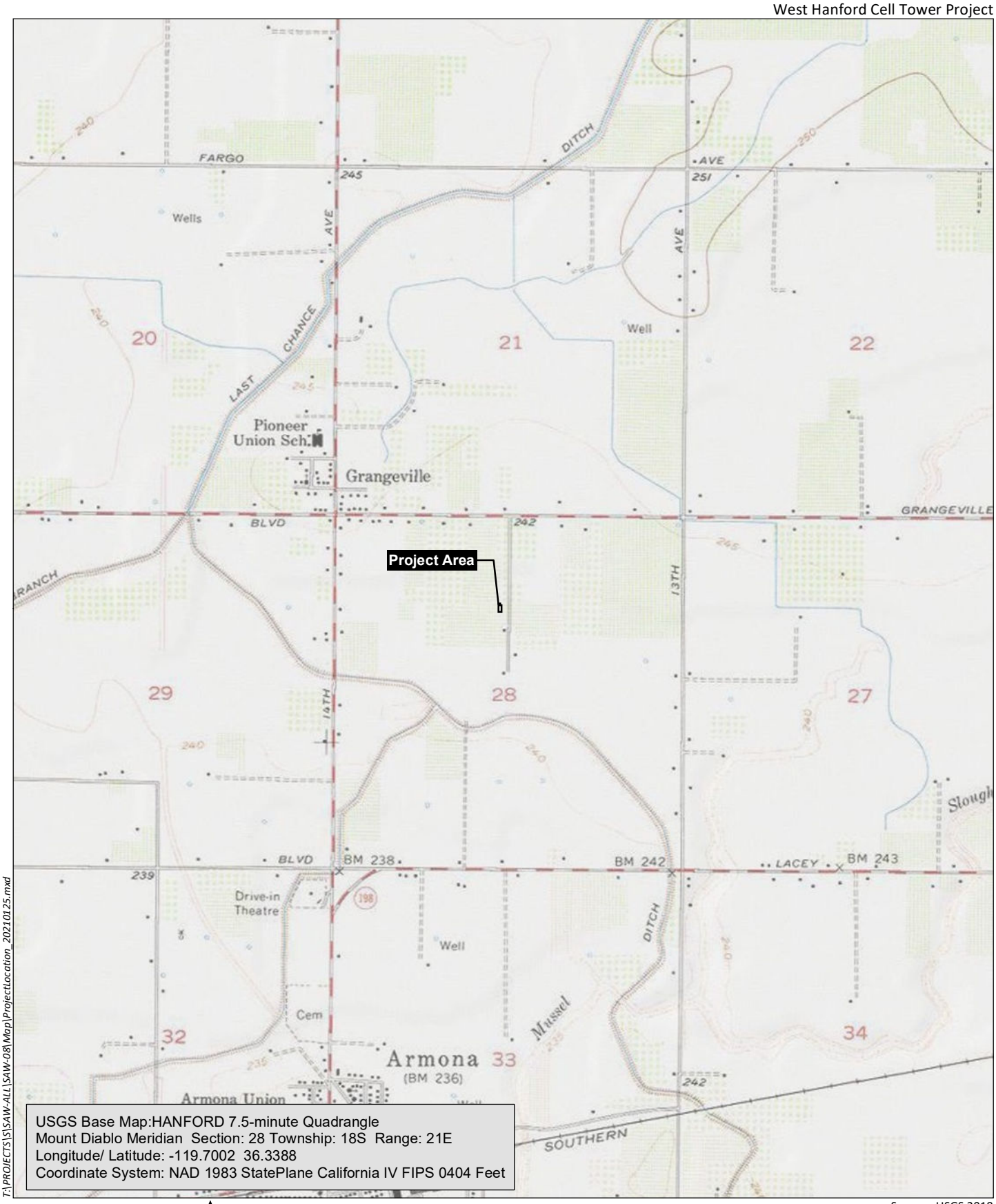
This page intentionally left blank



HELIX Environmental Planning

Vicinity Map

Figure 1



USGS Base Map:HANFORD 7.5-minute Quadrangle
Mount Diablo Meridian Section: 28 Township: 18S Range: 21E
Longitude/ Latitude: -119.7002 36.3388
Coordinate System: NAD 1983 StatePlane California IV FIPS 0404 Feet

Source: USGS 2018

T:\PROJECTS\S\SAW-ALL\SAW-08\Map\ProjectLocation_20210125.mxd

HELIX Environmental Planning

Project Location Map

Figure 2

T:\PROJECTS\S\SAW-ALL\SAW-08\Map\SAW08_APE_20210125.mxd 1/25/2021

0 50 Feet

Source: Aerial (DigitalGlobe, 8/20/2019)

HELIX Environmental Planning

Area of Potential Effects

Figure 3

This page intentionally left blank

Attachment B

Native American Correspondence

This page intentionally left blank

NATIVE AMERICAN HERITAGE COMMISSION

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

December 21, 2020

Clarus Backes

HELIX Environmental Planning

Via Email to:clarusb@helixepi.com

Re: SAW-08 West Hanford Cell Tower, Kings County

Dear Mr. Backes:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Nancy.Gonzalez-Lopez@nahc.ca.gov.

Sincerely,

Nancy Gonzalez-Lopez
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Native American Contacts List
December 21, 2020

Kings River Choinumni Farm Tribe
Stan Alec
3515 East Fedora Avenue
Fresno ,CA 93726
(559) 647-3227 Cell

Foothill Yokuts
Choinumni

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas ,CA 93906
kwood8934@aol.com
(831) 443-9702

Foothill Yokuts
Mono
Wuksache

Santa Rosa Rancheria Tachi Yokut Tribe
Leo Sisco, Chairperson
P.O. Box 8
Lemoore ,CA 93245
(559) 924-1278
(559) 924-3583 Fax

Tache
Tachi
Yokut

Table Mountain Rancheria
Brenda D. Lavell, Chairperson
P.O. Box 410
Friant ,CA 93626
rpennell@tmr.org
(559) 822-2587
(559) 822-2693 Fax

Yokuts

Table Mountain Rancheria
Bob Pennell, Cultural Resources Director
P.O. Box 410
Friant ,CA 93626
rpennell@tmr.org
(559) 325-0351
(559) 325-0394 Fax

Yokuts

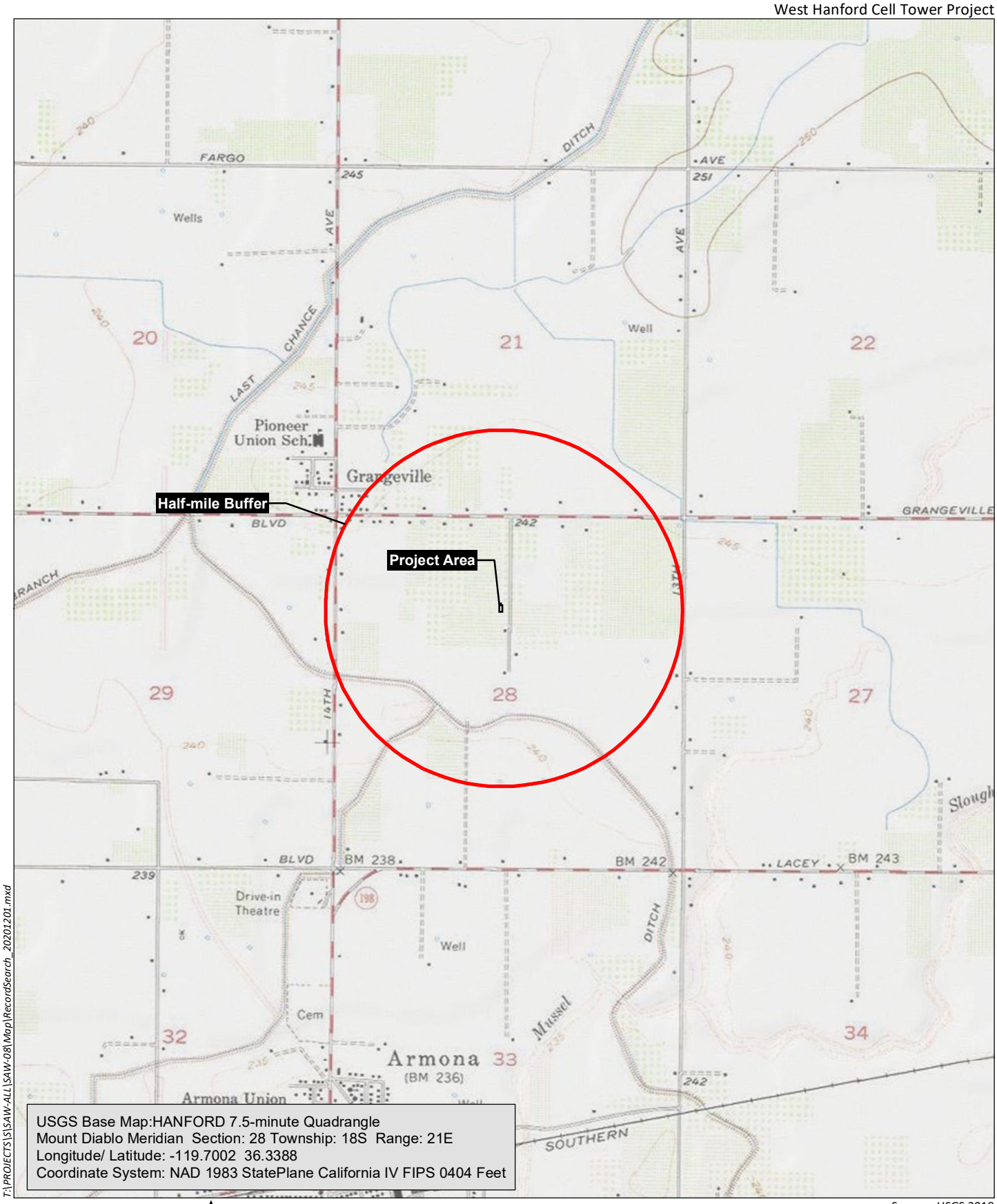
Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville ,CA 93258
neil.peyron@tulerivertribe-nsn.gov
(559) 781-4271
(559) 781-4610 Fax

Yokuts

This list is current as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code,Section 5097.94 of the Public Resources Code, or Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans Tribes for the proposed:
SAW-08 West Hanford Cell Tower, Kings County.



USGS Base Map:HANFORD 7.5-minute Quadrangle
Mount Diablo Meridian Section: 28 Township: 18S Range: 21E
Longitude/ Latitude: -119.7002 36.3388
Coordinate System: NAD 1983 StatePlane California IV FIPS 0404 Feet

T:\PROJECTS\S\SAW-ALL\SAW-08\Map\RecordSearch_20201201.mxd

0 2,000 Feet

Source: USGS 2018

HELIX Environmental Planning

Half-mile Record Search Map

Exhibit A

HELIX Environmental Planning, Inc.
11 Natoma Street
Suite 155
Folsom, CA 9530
916.365.8700 **tel**
619.462.0552 **fax**
www.**helixepi**.com

December 29, 2020

Stan Alec
Kings River Choinumni Farm Tribe
3515 East Fedora Avenue
Fresno, CA 93726

Subject: SAW-08, West Hanford Cell Tower Project

Dear Mr. Alec,

HELIX Environmental Planning, Inc. (HELIX) has contracted with Sac Wireless, LLC (applicant) to provide a Cultural Resources Assessment in support of the proposed West Hanford Cell Tower Project (project) located in Kings County, California. A search of the Native American Heritage Commission's (NAHC) Sacred Lands File yielded a negative result for the project, and the NAHC has suggested we contact you for information regarding Native American resources in or near the project area.

The applicant proposes to establish a new 100-foot monopole telecommunications facility with 4 foot and 6-foot microwave antennas at 75-feet, nine 8-foot panel antennas at 96-feet and a standby generator with a 96 gallon diesel tank all within a fenced leased area located at 9324 13 ½ Ave, Hanford, Assessor's Parcel Number 009-070-040. The attached topographic map depicts the project area, which is located in Township 18S, Range 21E, Section 28, as shown on the Hanford, CA 7.5' USGS quadrangle.

If there are sensitive resources on or near the proposed project location that could be impacted by construction activities please advise us accordingly. If you have any information, questions, or concerns regarding the proposed project, please feel free to contact me directly at (916) 365-8700 or clarusb@helixepi.com.

Sincerely,

Clarus J. Backes Jr., M.A., RPA
Cultural Resources Group Manager
HELIX Environmental Planning, Inc.

HELIX Environmental Planning, Inc.
11 Natoma Street
Suite 155
Folsom, CA 9530
916.365.8700 **tel**
619.462.0552 **fax**
www.**helixepi**.com

December 29, 2020

Brenda D. Lavell, Chairperson
Table Mountain Rancheria
P.O. Box 410
Friant, CA 93626

Subject: SAW-08, West Hanford Cell Tower Project

Dear Chairperson Lavell,

HELIX Environmental Planning, Inc. (HELIX) has contracted with Sac Wireless, LLC (applicant) to provide a Cultural Resources Assessment in support of the proposed West Hanford Cell Tower Project (project) located in Kings County, California. A search of the Native American Heritage Commission's (NAHC) Sacred Lands File yielded a negative result for the project, and the NAHC has suggested we contact you for information regarding Native American resources in or near the project area.

The applicant proposes to establish a new 100-foot monopole telecommunications facility with 4 foot and 6-foot microwave antennas at 75-feet, nine 8-foot panel antennas at 96-feet and a standby generator with a 96 gallon diesel tank all within a fenced leased area located at 9324 13 ½ Ave, Hanford, Assessor's Parcel Number 009-070-040. The attached topographic map depicts the project area, which is located in Township 18S, Range 21E, Section 28, as shown on the Hanford, CA 7.5' USGS quadrangle.

If there are sensitive resources on or near the proposed project location that could be impacted by construction activities please advise us accordingly. If you have any information, questions, or concerns regarding the proposed project, please feel free to contact me directly at (916) 365-8700 or clarusb@helixepi.com.

Sincerely,

Clarus J. Backes Jr., M.A., RPA
Cultural Resources Group Manager
HELIX Environmental Planning, Inc.

HELIX Environmental Planning, Inc.
11 Natoma Street
Suite 155
Folsom, CA 9530
916.365.8700 **tel**
619.462.0552 **fax**
www.**helixepi**.com

December 29, 2020

Bob Pennell, Cultural Resources Director
Table Mountain Rancheria
P.O. Box 410
Friant, CA 93626

Subject: SAW-08, West Hanford Cell Tower Project

Dear Mr. Pennell,

HELIX Environmental Planning, Inc. (HELIX) has contracted with Sac Wireless, LLC (applicant) to provide a Cultural Resources Assessment in support of the proposed West Hanford Cell Tower Project (project) located in Kings County, California. A search of the Native American Heritage Commission's (NAHC) Sacred Lands File yielded a negative result for the project, and the NAHC has suggested we contact you for information regarding Native American resources in or near the project area.

The applicant proposes to establish a new 100-foot monopole telecommunications facility with 4 foot and 6-foot microwave antennas at 75-feet, nine 8-foot panel antennas at 96-feet and a standby generator with a 96 gallon diesel tank all within a fenced leased area located at 9324 13 ½ Ave, Hanford, Assessor's Parcel Number 009-070-040. The attached topographic map depicts the project area, which is located in Township 18S, Range 21E, Section 28, as shown on the Hanford, CA 7.5' USGS quadrangle.

If there are sensitive resources on or near the proposed project location that could be impacted by construction activities please advise us accordingly. If you have any information, questions, or concerns regarding the proposed project, please feel free to contact me directly at (916) 365-8700 or clarusb@helixepi.com.

Sincerely,

Clarus J. Backes Jr., M.A., RPA
Cultural Resources Group Manager
HELIX Environmental Planning, Inc.

HELIX Environmental Planning, Inc.
11 Natoma Street
Suite 155
Folsom, CA 9530
916.365.8700 **tel**
619.462.0552 **fax**
www.**helixepi**.com

December 29, 2020

Neil Peyron, Chairperson
Tule River Indian Tribe
P.O. Box 589
Porterville, CA 93258

Subject: SAW-08, West Hanford Cell Tower Project

Dear Chairperson Peyron,

HELIX Environmental Planning, Inc. (HELIX) has contracted with Sac Wireless, LLC (applicant) to provide a Cultural Resources Assessment in support of the proposed West Hanford Cell Tower Project (project) located in Kings County, California. A search of the Native American Heritage Commission's (NAHC) Sacred Lands File yielded a negative result for the project, and the NAHC has suggested we contact you for information regarding Native American resources in or near the project area.

The applicant proposes to establish a new 100-foot monopole telecommunications facility with 4 foot and 6-foot microwave antennas at 75-feet, nine 8-foot panel antennas at 96-feet and a standby generator with a 96 gallon diesel tank all within a fenced leased area located at 9324 13 ½ Ave, Hanford, Assessor's Parcel Number 009-070-040. The attached topographic map depicts the project area, which is located in Township 18S, Range 21E, Section 28, as shown on the Hanford, CA 7.5' USGS quadrangle.

If there are sensitive resources on or near the proposed project location that could be impacted by construction activities please advise us accordingly. If you have any information, questions, or concerns regarding the proposed project, please feel free to contact me directly at (916) 365-8700 or clarusb@helixepi.com.

Sincerely,

Clarus J. Backes Jr., M.A., RPA
Cultural Resources Group Manager
HELIX Environmental Planning, Inc.

HELIX Environmental Planning, Inc.
11 Natoma Street
Suite 155
Folsom, CA 9530
916.365.8700 **tel**
619.462.0552 **fax**
www.**helixepi**.com

December 29, 2020

Leo Sisco, Chairperson
Santa Rosa Rancheria Tachi Yokut Tribe
P.O. Box 8
Lemoore, CA 93245

Subject: SAW-08, West Hanford Cell Tower Project

Dear Chairperson Sisco,

HELIX Environmental Planning, Inc. (HELIX) has contracted with Sac Wireless, LLC (applicant) to provide a Cultural Resources Assessment in support of the proposed West Hanford Cell Tower Project (project) located in Kings County, California. A search of the Native American Heritage Commission's (NAHC) Sacred Lands File yielded a negative result for the project, and the NAHC has suggested we contact you for information regarding Native American resources in or near the project area.

The applicant proposes to establish a new 100-foot monopole telecommunications facility with 4 foot and 6-foot microwave antennas at 75-feet, nine 8-foot panel antennas at 96-feet and a standby generator with a 96 gallon diesel tank all within a fenced leased area located at 9324 13 ½ Ave, Hanford, Assessor's Parcel Number 009-070-040. The attached topographic map depicts the project area, which is located in Township 18S, Range 21E, Section 28, as shown on the Hanford, CA 7.5' USGS quadrangle.

If there are sensitive resources on or near the proposed project location that could be impacted by construction activities please advise us accordingly. If you have any information, questions, or concerns regarding the proposed project, please feel free to contact me directly at (916) 365-8700 or clarusb@helixepi.com.

Sincerely,

Clarus J. Backes Jr., M.A., RPA
Cultural Resources Group Manager
HELIX Environmental Planning, Inc.

HELIX Environmental Planning, Inc.
11 Natoma Street
Suite 155
Folsom, CA 9530
916.365.8700 **tel**
619.462.0552 **fax**
www.**helixepi**.com

December 29, 2020

Kenneth Woodrow, Chairperson
Wuksache Indian Tribe/Eshom Valley Band
1179 Rock Haven Ct.
Salinas, CA 93906

Subject: SAW-08, West Hanford Cell Tower Project

Dear Chairperson Woodrow,

HELIX Environmental Planning, Inc. (HELIX) has contracted with Sac Wireless, LLC (applicant) to provide a Cultural Resources Assessment in support of the proposed West Hanford Cell Tower Project (project) located in Kings County, California. A search of the Native American Heritage Commission's (NAHC) Sacred Lands File yielded a negative result for the project, and the NAHC has suggested we contact you for information regarding Native American resources in or near the project area.

The applicant proposes to establish a new 100-foot monopole telecommunications facility with 4 foot and 6-foot microwave antennas at 75-feet, nine 8-foot panel antennas at 96-feet and a standby generator with a 96 gallon diesel tank all within a fenced leased area located at 9324 13 ½ Ave, Hanford, Assessor's Parcel Number 009-070-040. The attached topographic map depicts the project area, which is located in Township 18S, Range 21E, Section 28, as shown on the Hanford, CA 7.5' USGS quadrangle.

If there are sensitive resources on or near the proposed project location that could be impacted by construction activities please advise us accordingly. If you have any information, questions, or concerns regarding the proposed project, please feel free to contact me directly at (916) 365-8700 or clarusb@helixepi.com.

Sincerely,

Clarus J. Backes Jr., M.A., RPA
Cultural Resources Group Manager
HELIX Environmental Planning, Inc.

This page intentionally left blank

Attachment C

Representative Site Photos

This page intentionally left blank

Photo 1. Overview of proposed cellular tower location, looking southwest.

Photo 2. Overview of walnut orchard from the proposed tower location, looking west.

Photo 3. Poor ground visibility due to a thick cover of fallen leaves.

Photo 4. Dirt road along western edge of APE, looking south.