**PUBLIC REVIEW DRAFT**

# INITIAL STUDY/
# MITIGATED NEGATIVE DECLARATION

**CASINO BASIN PROJECT**

**CITY OF PORTERVILLE, CALIFORNIA**

LSA

January 2022

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**PUBLIC REVIEW DRAFT**

# INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

## CASINO BASIN PROJECT

## CITY OF PORTERVILLE, CALIFORNIA

Submitted to:

City of Porterville
Jason Ridenour, Community Development Director
291 N. Main Street Porterville, California 93257

Prepared by:

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Project No. POR1801.24

LSA

January 2022

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B: BIOLOGICAL RESOURCES EVALUATION
C: CULTURAL RESOURCES SURVEY

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## FIGURES



## TABLES

# LIST OF ABBREVIATIONS AND ACRONYMS

| | |
|---|---|
| $\mu g/m^3$ | micrograms per cubic meter |
| AAQS | Ambient Air Quality Standards |
| AB | Assembly Bill |
| AC | Agricultural/Conservation |
| APN | Assessor's Parcel Number |
| BERD | Built Environment Resources Directory |
| BMPs | Best Management Practices |
| CAL FIRE | California Department of Forestry and Fire Protection |
| CalEEMod | California Emissions Estimator Model |
| California Register | California Register of Historical Resources |
| CARB | California Air Resources Board |
| CCAP | Climate Change Action Plan |
| CDFG | California Department of Fish and Game |
| CDFW | California Department of Fish and Wildlife |
| CEC | California Energy Commission |
| CEQA | California Environmental Quality Act |
| CESA | California Endangered Species Act |
| $CH_4$ | methane |
| CHRIS | California Historical Resources Information System |
| City | City of Porterville |
| CNDDB | California Natural Diversity Data Base information |
| CNEL | community noise equivalent level |
| CNPS | California Native Plant Society |
| CO | carbon monoxide |
| $CO_2$ | carbon dioxide |
| County | Tulare County |
| CRPR | California Rare Plant Rank |
| dB | decibel |
| dBA | A-weighted decibel |

| | |
|---|---|
| DTSC | Department of Toxic Substances Control |
| FCIR | Farmland Conversion Impact Rating |
| FEMA | Federal Emergency Management Agency |
| FESA | Federal Endangered Species Act |
| FHWA | Federal Highway Administration |
| FMMP | Farmland Monitoring and Mapping Program |
| GC | Government Code |
| GHGs | greenhouse gas |
| GWP | Global Warming Potential |
| IPaC | Information for Planning and Consultation |
| IPCC | Intergovernmental Panel on Climate Change |
| $L_{dn}$ | day-night average sound level |
| $L_{eq}$ | equivalent continuous sound level |
| $L_{max}$ | maximum instantaneous sound level |
| LOS | level of service |
| MBI | McCormick Biological, Inc. |
| MBTA | Migratory Bird Treaty Act |
| $N_2O$ | nitrous oxide |
| NAAQS | National Ambient Air Quality Standards |
| NAHC | Native American Heritage Commission |
| $NO_2$ | nitrogen dioxide |
| $NO_X$ | nitrogen oxide |
| NPDES | National Pollutant Discharge Elimination System |
| NWI | National Wetlands Inventory |
| $O_3$ | ozone |
| OHP | California Office of Historic Preservation |
| OPR | Office of Planning and Research |
| OSHA | Occupational Safety and Health Administration |
| Pb | lead |
| $PM_{10}$ | particulate matter less than 10 microns in size |
| $PM_{2.5}$ | particulate matter less than 2.5 microns in size |

| | |
|---|---|
| ppb | parts per billion |
| PRC | California Public Resources Code |
| Project | Casino Basin Project |
| ROG | reactive organic gas |
| RTP/SCS | Regional Transportation Plan/Sustainable Communities Strategy |
| RWQCB | Regional Water Quality Control Board |
| SB | Senate Bill |
| SJVAB | San Joaquin Valley Air Basin |
| SJVAPCD | San Joaquin Valley Air Pollution Control District |
| SMARA | Surface Mining and Reclamation Act |
| $SO_2$ | sulfur dioxide |
| SR | State Route |
| SSJVIC | Southern San Joaquin Valley Information Center |
| State | State of California |
| SWPPP | Storm Water Pollution Prevention Plan |
| TACs | toxic air contaminants |
| TCAG | Tulare County Association of Governments |
| Tribe | Tule River Tribe |
| USEPA | United States Environmental Protection Agency |
| USFWS | United States Fish and Wildlife Service |
| USGS | United States Geological Survey |
| VHFHSZ | Very High Fire Hazard Severity Zone |
| VMT | vehicle miles traveled |
| WBWG | Western Bat Working Group |
| WPCP | Water Pollution Control Preparation |

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# 1.0 PROJECT INFORMATION

1. **Project Title:**

   Casino Basin Project

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

   City of Porterville
   Community Development Department
   291 N. Main Street Porterville, California 93257

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

   Jason Ridenour | 559.782.7460

4. **Project Location:**

   The project site is the southerly 50 acres of an approximately 126-acre parcel, generally located at the northwest corner of Road 216 and Avenue 128 in the southwest portion of the City of Porterville (City), in Tulare County (County).

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

   City of Porterville
   Community Development Department
   291 N. Main Street
   Porterville, California 93257

6. **General Plan Designation:**

   Rural/Agricultural/Conservation

7. **Zoning:**

   Agricultural/Conservation (AC)

8. **Description of Project :**

   The proposed project includes development of a retention basin in the southwest portion of the City of Porterville, generally located at the northwest corner of Road 216 and Avenue 128. The project site is the southerly 50 acres of an approximately 126-acre parcel. The basin would have a depth of roughly 13 feet from original grade to the base (toe) of the slope, and the high water line is designed to be 5 feet above the basin floor. The basin has a proposed capacity of approximately 200.22 acre-feet.

9. **Surrounding Land Uses and Setting:**

   The project site is surrounded by agricultural land uses.

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

- City of Porterville (e.g., approval of Public Works Permit)
- Central Valley Regional Water Quality Control Board Storm Water Pollution Prevention Plan
- San Joaquin Valley Air Pollution Control District (e.g., Dust Control Plan Approval letter and compliance with Rule 9510 – Indirect Source Review)

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

California Native American tribes traditionally and culturally affiliated with the project site and area were notified of the proposed project on November 23, 2021. The Tule River Native American Tribe received written notification on December 1, 2021, and the Santa Rosa Rancheria Tachi Yokut Native American Tribe received notification on November 29, 2021. No tribes have requested consultation and the City has fulfilled its obligations pursuant to AB 52.

# 2.0 PROJECT DESCRIPTION

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

## 2.1 PROJECT SITE

The following discussion provides a description of the location, site characteristics, and existing zoning and General Plan land use designations of the project site.

### 2.1.1 Location

The project site is the southerly 50 acres of an approximately 126-acre parcel (Assessor's Parcel Number [APN]: 302-100-015, generally located at the northwest corner of Road 216 and Avenue 128 in the southwest portion of the City of Porterville, in Tulare County, California. Figure 1 provides the Regional Location.

### 2.1.2 Site Characteristics and Current Site Conditions

The project site is currently owned by the City of Porterville and is used for effluent irrigated farming. The project site is bound to the north by agricultural uses, to the east by Road 216, to the south by Avenue 128, and to the west by agricultural uses. The Friant Kern Canal is located approximately 400 feet west of the project site. Figure 2 shows an aerial photo of the project site.

### 2.1.3 Existing Zoning and General Plan Designation

The project site is located in the Agricultural/Conservation (AC) zoning district, and the General Plan Land Use designation is Rural/Agricultural/Conservation.

## 2.2 PROJECT BACKGROUND

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

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

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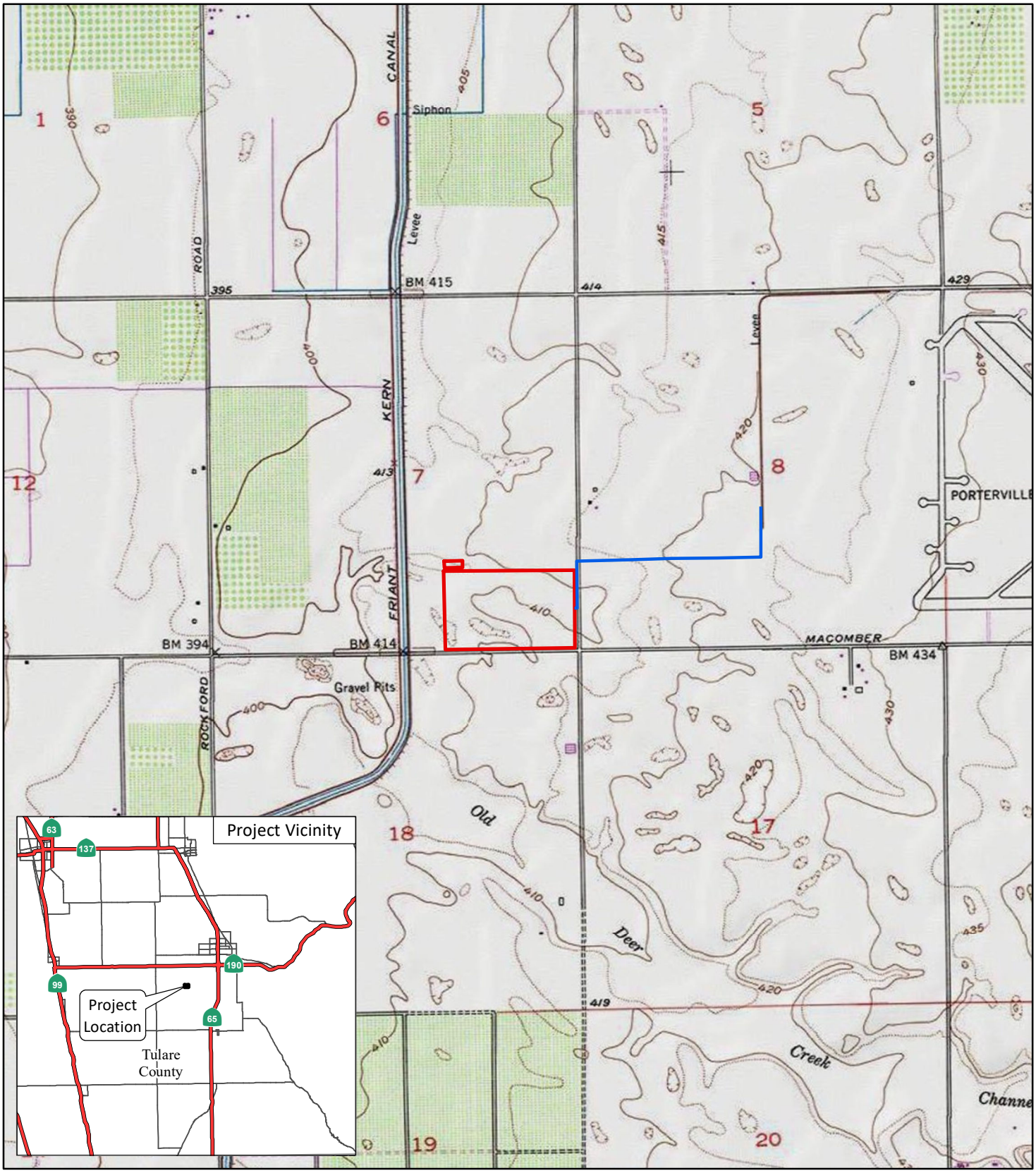


LSA

LEGEND

Storm Drain

Project Location

FIGURE 1

N

0 1000 2000

FEET

SOURCE: USGS 7.5' Quad.- *Porterville, CA* (1969)

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*Casino Basin Project*

Project Location and Vicinity

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LSA

LEGEND

Storm Drain

Project Location

FIGURE 2

N

0 500 1000

FEET

SOURCE: USGS 7.5' Quad.- *Porterville, CA* (1969)

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*Casino Basin Project*

Project Site

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## 2.3 PROPOSED PROJECT

The proposed project would include construction and operation of a new stormwater recharge basin to support the Eagle Mountain Casino. The basin would have a depth of roughly 13 feet from original grade to the base (toe) of the slope, and the high water line is designed to be 5 feet above the basin floor. Once constructed, the basin would have capacity of approximately 200.22 acre-feet. The basin would be surrounded by a 6-inch chain-link fence. In addition, the proposed project would include cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street. Installation of the storm drain pipe would require repaving and restriping of the centerline on Road 216 and West Street. The proposed project would also relocate an existing recirculation pond from its existing location west of the project site to north of the project site. The project site is currently owned by the City, and would continue to be owned by the City with implementation of the project. Figure 3 shows the proposed plans.

Once operational, the proposed project would bring in stormwater runoff from the airport area and casino development area. The proposed project would be utilized to recharge any available surface waters that the City is able to acquire. City staff would visit the project site on a weekly basis to ensure site security and would conduct monthly maintenance to maintain weed abatement and cleaning of the infrastructure.

### 2.3.1 Construction

Construction is estimated to start in March or April of 2022, and would occur over a duration of 200 days. The proposed project would be operational in October 2022. Construction activities would include grading, soil removal, and restriping activities. Approximately 555,310 cubic yards of soil would be excavated from the project site and would be transported to the Teapot Dome Landfill.

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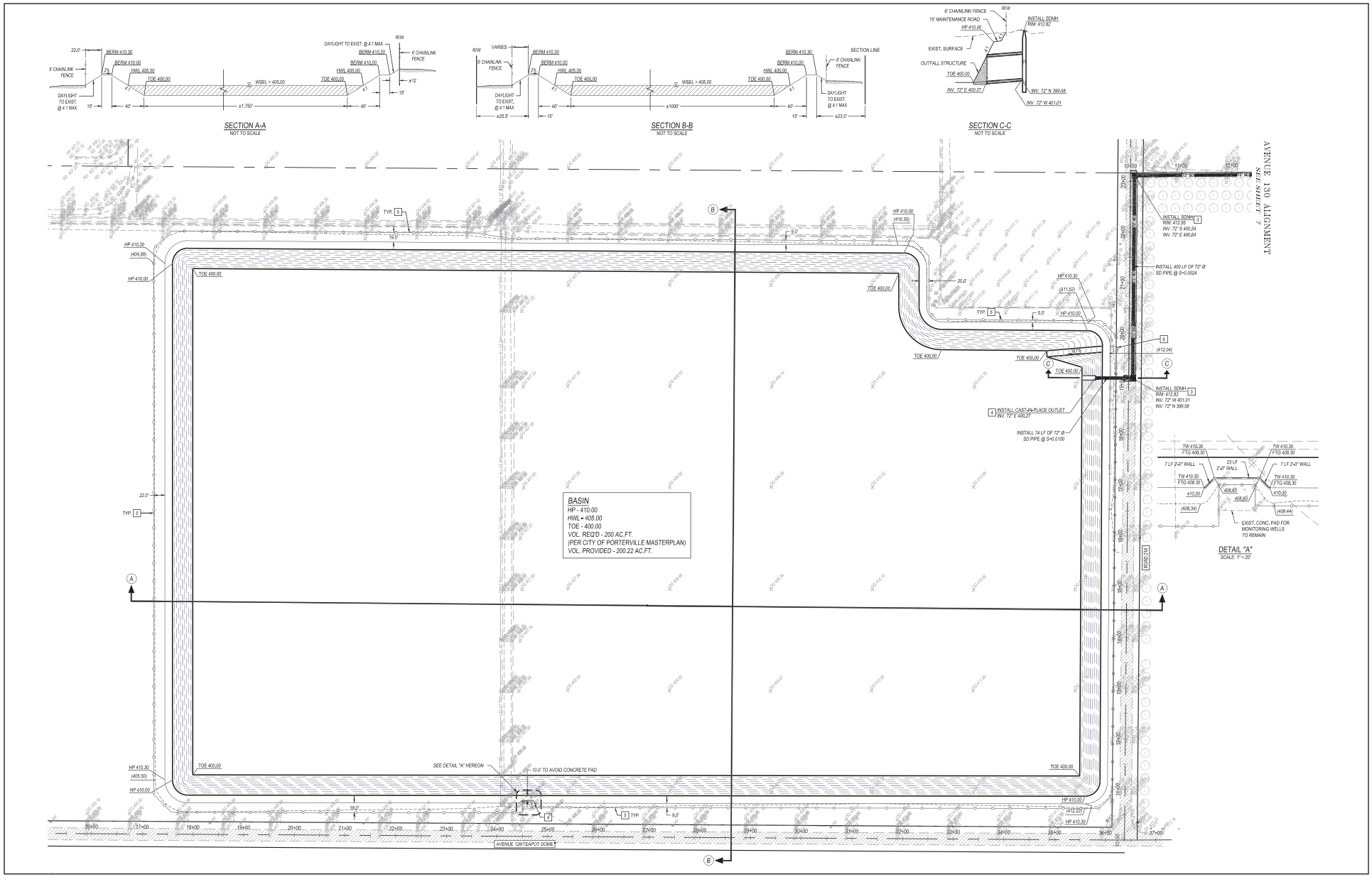


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FEET

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FIGURE 3a

*Casino Basin Project*
Site Plan

SOURCE: 4Creeks, 2021.

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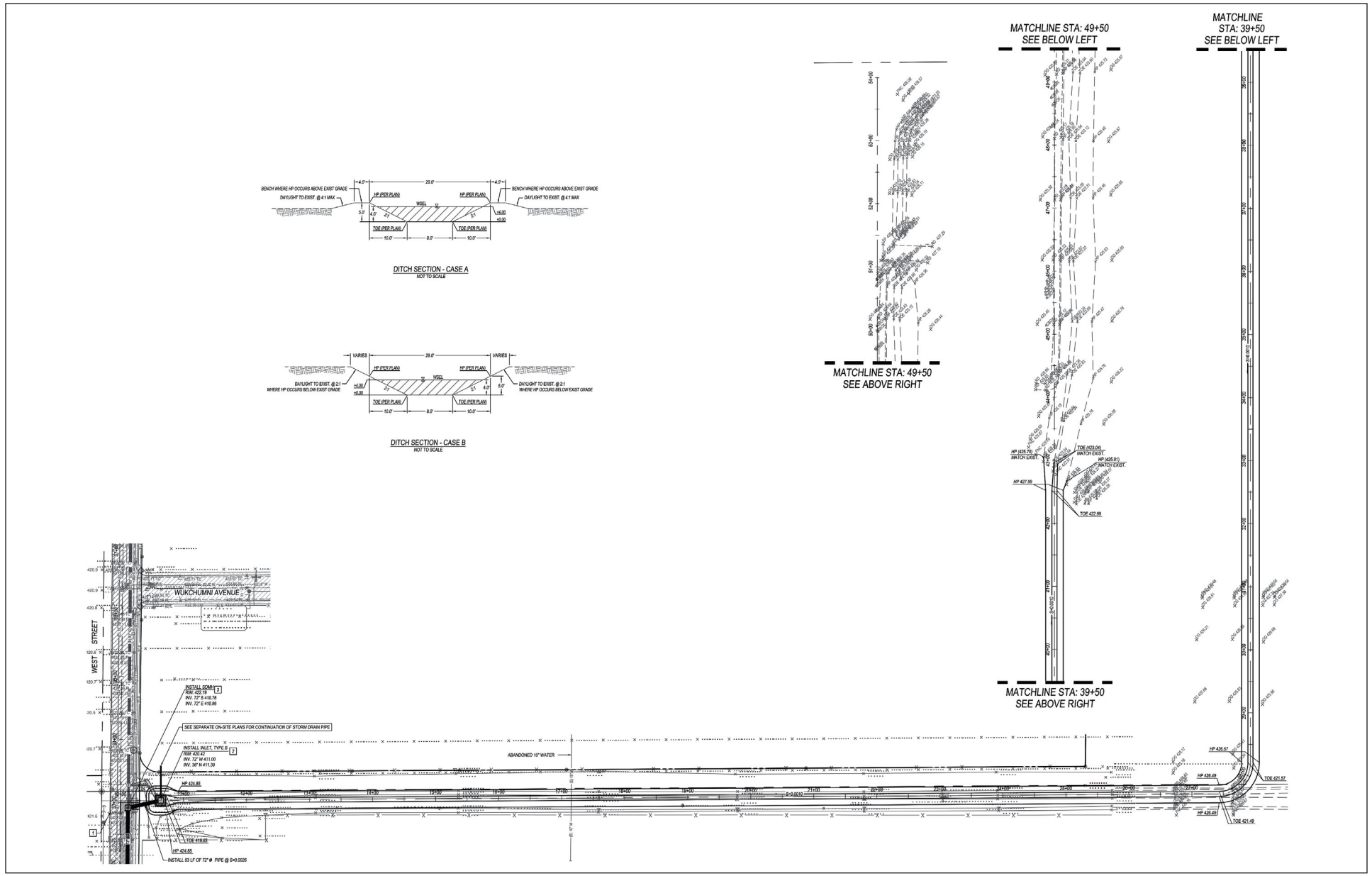


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0 60 120
FEET

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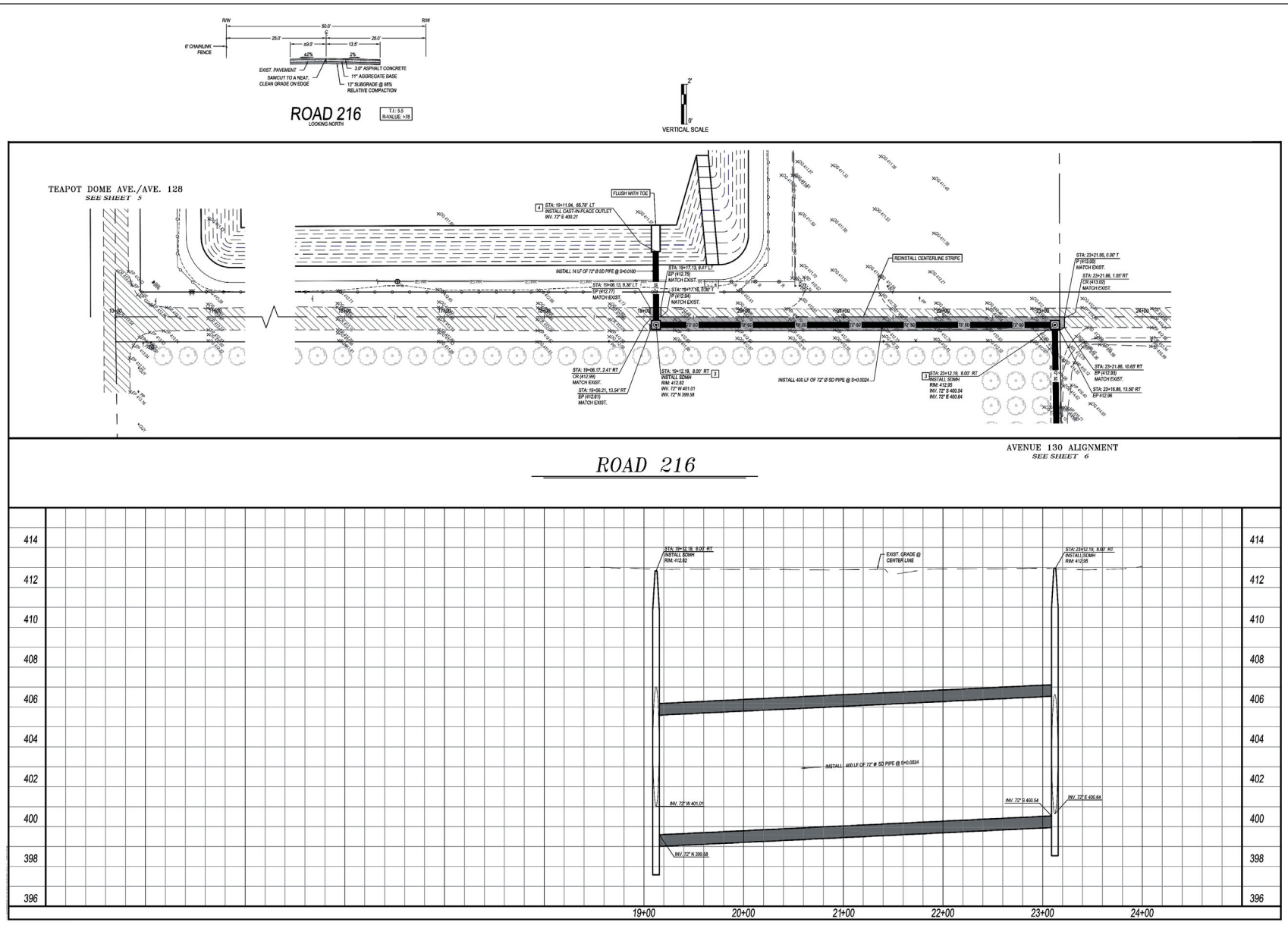
FIGURE 3b

*Casino Basin Project*
Site Plan

SOURCE: 4Creeks, 2021.

FRE Projects:\POR1801.24 Casino Basic\PRODUCTS\Figures\Figure 3b.ai (7/19/2021)




LSA

FIGURE 3c

0 40 80
FEET

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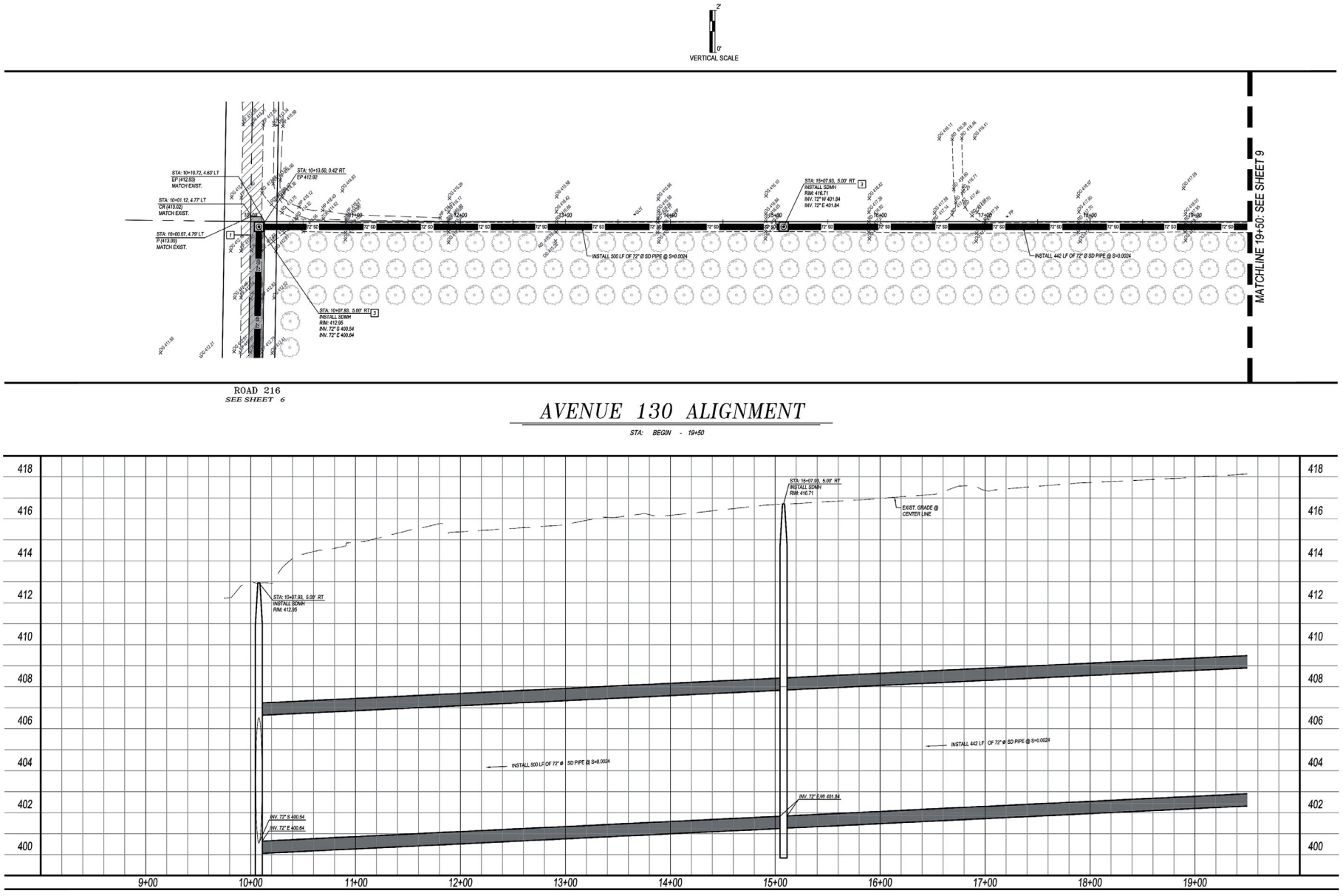
*Casino Basin Project*
Site Plan

SOURCE: 4Creeks, 2021.

FRE Projects:\POR1801.24 Casino Basic\PRODUCTS\Figures\Figure 3c.ai (7/19/2021)

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FEET

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FIGURE 3d

*Casino Basin Project*
Site Plan

SOURCE: 4Creeks, 2021.

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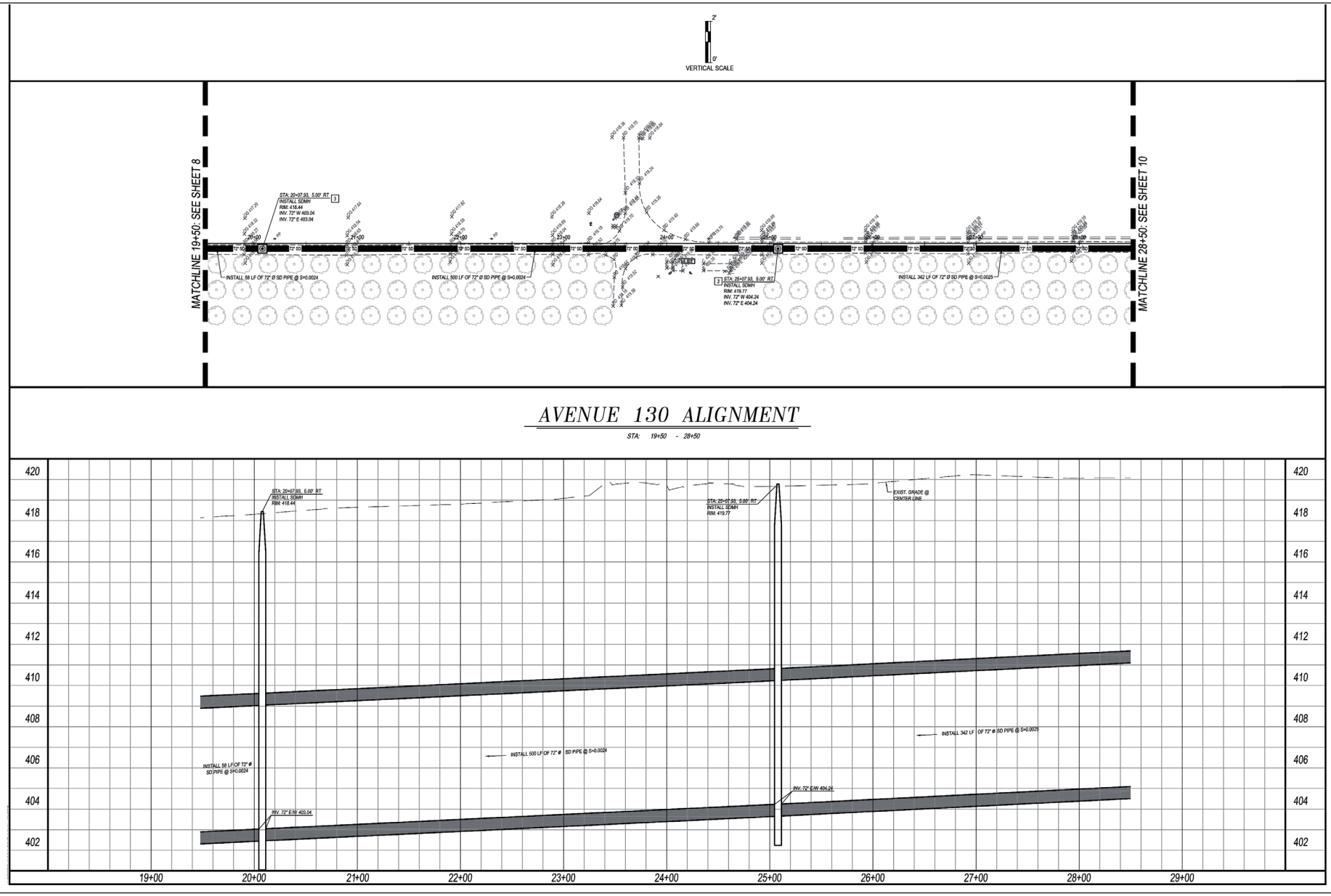


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0 40 80
FEET

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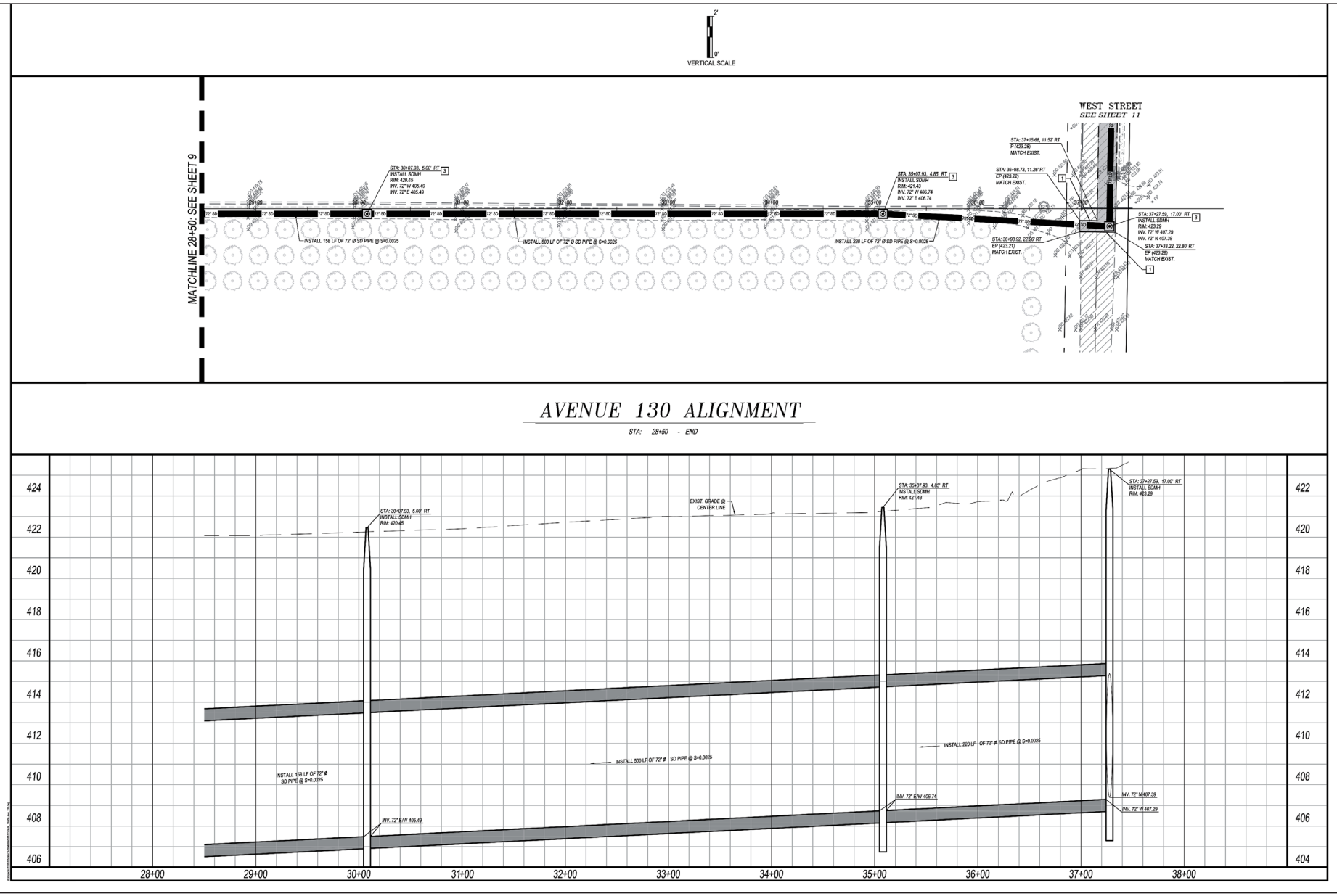
FIGURE 3e

*Casino Basin Project*
Site Plan

SOURCE: 4Creeks, 2021.

FRE Projects:\POR1801.24 Casino Basic\PRODUCTS\Figures\Figure 3e.ai (7/20/2021)

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0 40 80
FEET

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FIGURE 3f

*Casino Basin Project*
Site Plan

SOURCE: 4Creeks, 2021.

FRE Projects:\POR1801.24 Casino Basic\PRODUCTS\Figures\Figure 3f.ai (7/20/2021)

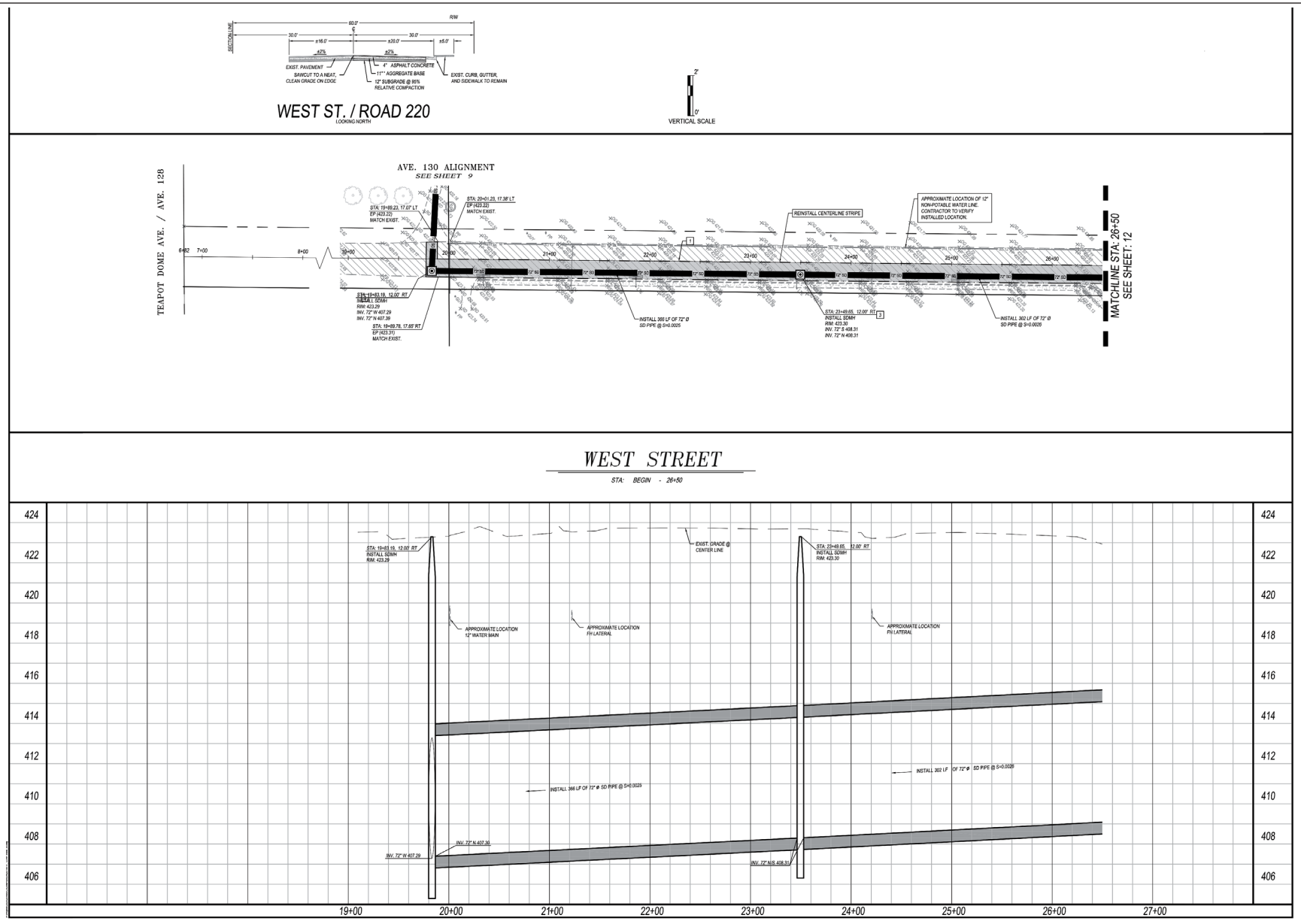


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FIGURE 3g

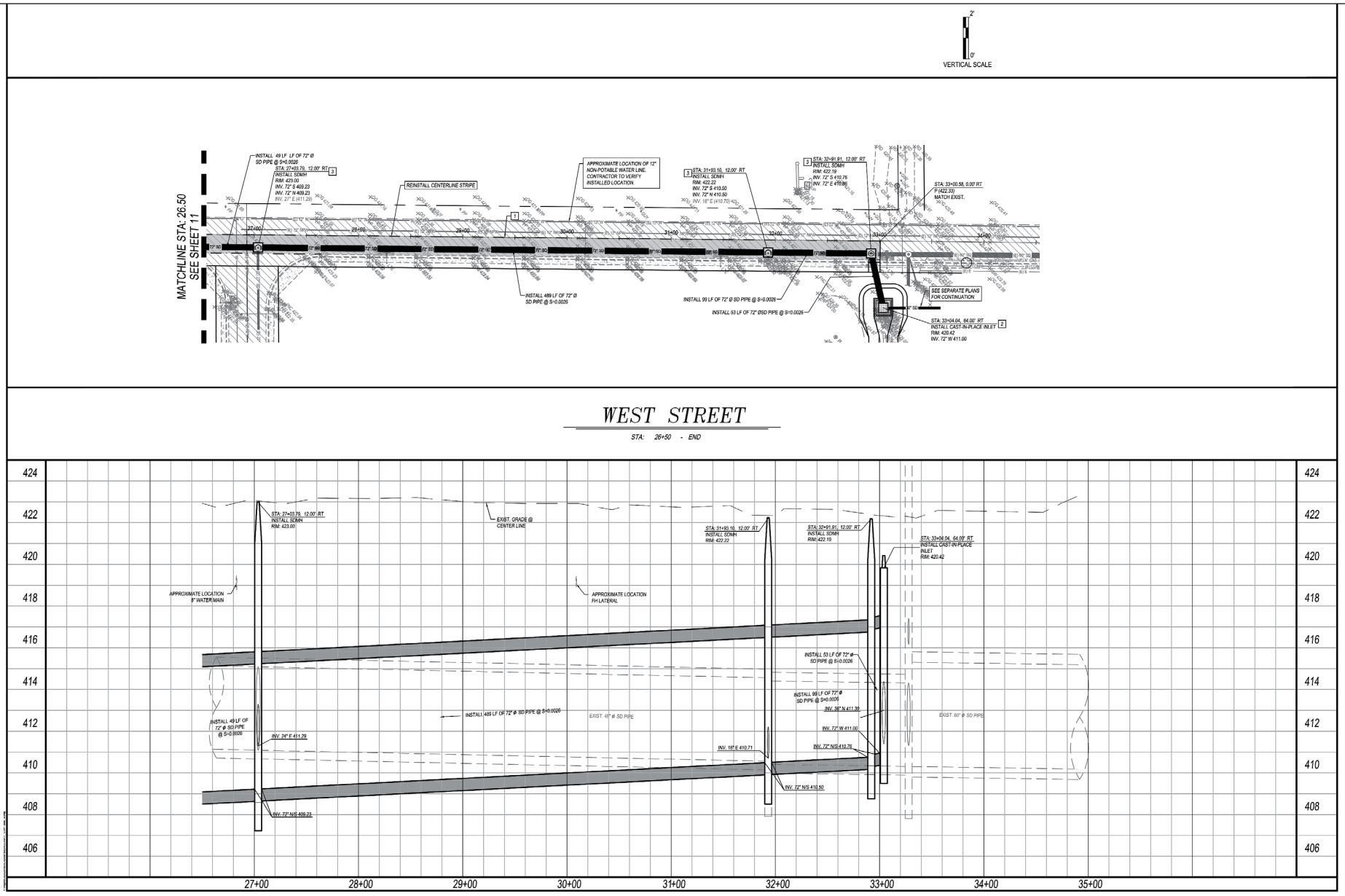
0 40 80
FEET

N

*Casino Basin Project*
Site Plan

SOURCE: 4Creeks, 2021.

FRE Projects:\POR1801.24 Casino Basic\PRODUCTS\Figures\Figure 3g.ai (7/20/2021)




LSA

FIGURE 3h

0 40 80
FEET

N

*Casino Basin Project*
Site Plan

SOURCE: 4Creeks, 2021.

FRE Projects:\POR1801.24 Casino Basic\PRODUCTS\Figures\Figure 3h.ai (7/20/2021)

# 3.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

## 3.1 DETERMINATION

On the basis of this initial evaluation:

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

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

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

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

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

Signature

1-17-2022
Date

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# 4.0 CEQA ENVIRONMENTAL CHECKLIST

## 4.1 AESTHETICS

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

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

The City of Porterville is located in the southern portion of the San Joaquin Valley at the base of the Sierra Nevada foothills and is surrounded by farmland. The Tule River flows from Lake Success and through the City in a westerly direction. Views extending along the river and of its heavily vegetated banks contribute to the scenic quality of the area. The agricultural foundation, topography and landscape are important not only for community identity and aesthetic value, but also for environmental quality, habitat protection, and recreation opportunities.[2]

The vacant, undeveloped project site is currently used for effluent irrigated farming and is bound to the north by agricultural uses, to the east by Road 216, to the south by Avenue 128, and to the west by agricultural uses. The proposed project would include a new stormwater recharge basin and associated improvements, including cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street. The project site is not readily visible from any scenic vista, nor would the project block public views of a scenic vista. Therefore, the proposed project would have no impact.

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

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

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

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

The proposed project would include construction and operation of a new stormwater recharge basin. The basin would have a depth of roughly 13 feet from original grade to the base (toe) of the slope and the high water line is designed to be 5 feet above the basin floor. Once constructed, the basin would have capacity of approximately 200.22 acre-feet. The basin would be surrounded by a 6-inch chain link fence. In addition, the proposed project would include cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street. Installation of the storm drain pipe would require repaving and restriping of the centerline on Road 216 and West Street. The proposed project would also relocate an existing recirculation pond from its existing location west of the project site to north of the project site. None of these changes would substantially degrade the existing visual character of the site or the surrounding area. This impact would be less than significant.

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

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

The proposed project includes the construction of a new stormwater recharge basin and would not result in significant changes to lighting, shadows, or glare. In addition, there would be no increase the glare to aircraft operations, travelers on Road 216, Avenue 130, or West Street, or adjacent properties. As a result, no impact would occur.

## 4.2 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? | ☐ | ☐ | ☒ | ☐ |

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

The project site is owned by the City of Porterville and is actively used for effluent irrigated farming and is designated Farmland of Statewide Importance by the Farmland Monitoring and Mapping Program (FMMP).[3] In addition, the project site is currently under a Williamson Act Contract, restricting the land to agricultural use only[4]. The project site is currently zoned as Agricultural/Conservation (AC), which preserves agricultural and resource conservation areas. As identified in the City's Development Code, minor utilities are permitted in this zoning district. The proposed project includes a new stormwater recharge basin on the southerly 50 acres of the approximately 126-acre parcel. The proposed stormwater recharge basin is considered a permitted use under the Agricultural/Conservation (AC) zone and would not conflict with the FMMP designation or Williamson Act Contract per State of California Government Code Section 51238. In addition, the remaining 62 acres would continue to be used for agricultural purposes. As such, impacts would be considered less than significant.

[3] California Department of Conservation, 2018. *California Important Farmland Finder.* Website: https://maps.conservation.ca.gov/DLRP/CIFF/ (accessed August 2021).

[4] Conservation Biology Institute, 2021. *Tulare County Williamson Act and Agricultural Preserve Lands.* Website: https://databasin.org/maps/new/#datasets=ed5964cbafe54ffeb9f70a6bc6d38263 (accessed August 2021).

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

See Response 4.2.a. The project site is currently under a Williamson Act Contract, restricting the land to agricultural use only. The project site is currently zoned as Agricultural/Conservation (AC), and, as identified in the City's Development Code, minor utilities are permitted in this zoning district. Therefore, the proposed stormwater recharge basin would not conflict with existing zoning or Williamson Act Contract per State of California Government Code Section 51238. In addition, the remaining 62 acres would continue to be used for agricultural purposes. As such, impacts would be considered less than significant.

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

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

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

See Response 4.2.c. The proposed project would not convert forest land to non-forest use and would not result in the loss or conversion of forest land to a non-forest use and no impact would occur.

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

See Responses 4.2.a and 4.2.c. The project site is currently under a Williamson Act Contract, restricting the land to agricultural use only. The project site is currently zoned as Agricultural/Conservation (AC), and as identified in the City's Development Code, minor utilities are permitted in this zoning district. Therefore, the proposed stormwater recharge basin would not conflict with existing zoning or Williamson Act Contract per State of California Government Code Section 51238. In addition, the remaining 62 acres would continue to be used for agricultural purposes. As such, impacts would be considered less than significant. The proposed project would not convert forest land to non-forest use and would not result in the loss or conversion of forest land to a non-forest use, and no mitigation would be required. Therefore, this impact would be less than significant.

## 4.3 AIR QUALITY

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

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

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

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

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

An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a non-attainment area. The main purpose of the air quality plan is to bring the area into compliance with the requirements of the federal and State air quality standards.

## Table 4.A: SJVAB Air Quality Attainment Status

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

Source: SJVAPCD (2016).

To bring the San Joaquin Valley into attainment, the SJVAPCD adopted the 2016 Plan for the 2008 8-Hour Ozone Standard in June 2016 to satisfy Clean Air Act requirements and ensure attainment of the 75 parts per billion (ppb) 8-hour ozone standard.[5]

To assure the SJVAB's continued attainment of the USEPA $PM_{10}$ standard, the SJVAPCD adopted the 2007 $PM_{10}$ Maintenance Plan in September 2007.[6] The SJVAPCD adopted the 2018 Plan for the 1997, 2006, and 2012 $PM_{2.5}$ Standards in November 2018 to address the USEPA 1997 annual $PM_{2.5}$ standard of 15 micrograms per cubic meter ($\mu g/m^3$) and 24-hour $PM_{2.5}$ standard of 65 $\mu g/m^3$, the 2006 24-hour $PM_{2.5}$ standard of 35 $\mu g/m^3$, and the 2012 annual $PM_{2.5}$ standard of 12 $\mu g/m^3$.[7]

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

5 San Joaquin Valley Air Pollution Control District, 2016. *2016 Plan for the 2008 8-Hour Ozone Standard*. June 16. Website: www.valleyair.org/Air_Quality_Plans/Ozone-Plan-2016.htm (accessed July 2021).

6 San Joaquin Valley Air Pollution Control District, 2007. *2007 $PM_{10}$ Maintenance Plan and Request for Redesignation*. Available online at: www.valleyair.org/Air_Quality_Plans/docs/Maintenance%20Plan10-25-07.pdf (accessed July 2021).

7 San Joaquin Valley Air Pollution Control District, 2018. *2018 Plan for the 1997, 2006, and 2012 $PM_{2.5}$ Standards*. November 15. Website: http://valleyair.org/pmplans/documents/2018/pm-plan-adopted/2018-Plan-for-the-1997-2006-and-2012-PM2.5-Standards.pdf (accessed July 2021).

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

As identified above, the SJVAB is designated as non-attainment for $O_3$ and $PM_{2.5}$ for federal standards and non-attainment for $O_3$, $PM_{10}$, and $PM_{2.5}$ for State standards. The SJVAPCD's nonattainment status is attributed to the region's development history. Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of AAQS. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

In developing thresholds of significance for air pollutants, the SJVAPCD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Therefore, additional analysis to assess cumulative impacts is not necessary. The following analysis assesses the potential project-level air quality impacts associated with construction and operation of the proposed project.

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

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

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

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

The California Emissions Estimator Model (CalEEMod), Version 2020.4.0, was used to estimate construction emissions associated with the proposed project. Construction is estimated to occur over a duration of 200 days. The proposed project would be operational in October 2022. Construction activities would include grading, soil removal, and restriping activities. Approximately 555,310 cubic yards of soil would be excavated from the project site and would be transported to the Teapot Dome Landfill, which was included in the CalEEMod analysis. Results, summarized in Table 4.B, were compared to SJVAPCD thresholds of significance for construction impacts. CalEEMod output sheets are included in Appendix A.

### Table 4.B: Project Construction Emissions (Tons)

| | CO | $NO_x$ | ROG | $SO_x$ | $PM_{10}$ | $PM_{2.5}$ |
|---|---|---|---|---|---|---|
| Project Construction Emissions | 2.6 | 3.5 | 3.9 | <0.1 | 1.3 | 0.7 |
| SJVAPCD Significance Threshold | 100.0 | 10.0 | 10.0 | 27.0 | 15.0 | 15.0 |
| **Exceed Threshold?** | **No** | **No** | **No** | **No** | **No** | **No** |

Source: LSA (September 2021).

In addition to the construction period thresholds of significance, the SJVAPCD has implemented Regulation VIII measures for dust control during construction. These control measures are intended to reduce the amount of $PM_{10}$ emissions during the construction period. Implementation of Mitigation Measure AIR-1 would ensure that the proposed project complies with Regulation VIII and further reduces the short-term construction period air quality impacts.

**Mitigation Measure AIR-1** Consistent with SJVAPCD Regulation VIII (Fugitive $PM_{10}$ Prohibitions), the following controls are required to be included as specifications for the proposed project and implemented at the construction site:

- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/ suppressant, covered with a tarp or other suitable cover or vegetative ground cover.
- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively

controlled of fugitive dust emissions utilizing application of water or by presoaking.

- When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least 6 inches of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.)
- Following the addition of materials to, or the removal of materials from, the surface of out-door storage piles, said piles shall be effectively stabilized of fugitive dust emission utilizing sufficient water or chemical stabilizer/suppressant.

As shown in Table 3.B, construction emissions associated with the project would be less than significant with implementation of Mitigation Measure AIR-1. Therefore, construction of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State AAQS and impacts would be less than significant with mitigation incorporated.

**Long-Term (Operational) Emissions.** Long-term air pollutant emission impacts are those associated with mobile sources (e.g., vehicle trips), energy sources (e.g., electricity), and area sources (e.g., landscape maintenance equipment use) related to the proposed project. The proposed project would construction and operation of a new stormwater recharge basin. Once operational, City staff would visit the project site on a weekly basis to ensure site security and would conduct monthly maintenance to maintain weed abatement and cleaning of the infrastructure. As such, the project would not result in a significant increase in the generation of vehicle trips or vehicle miles traveled (VMT) that would increase air pollutant emissions. The project would not be a substantial source of energy or area source emissions. Therefore, operation of the proposed project would not result in a cumulatively considerable net increase of $PM_{10}$ or any criteria pollutant for which the project region is non-attainment under an applicable federal or State AAQS and impacts would be less than significant.

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

Sensitive receptors are defined as residential uses, schools, daycare centers, nursing homes, and medical centers. Individuals particularly vulnerable to diesel particulate matter are children, whose lung tissue is still developing, and the elderly, who may have serious health problems that can be aggravated by exposure to diesel particulate matter. Exposure from diesel exhaust associated with construction activity contributes to both cancer and chronic non-cancer health risks.

The closest sensitive receptor includes the single-family residence located north of the project site boundary along Road 216. Construction of the proposed project may expose surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement SJVAPCD Regulation VIII measures, as required by Mitigation Measure AIR-1 above. With implementation of Mitigation Measure AIR-1, project construction emissions would be below SJVAPCD significance thresholds. Once the project is constructed, the project would not be a source of substantial emissions. Therefore, sensitive receptors are not expected to be exposed to substantial pollutant concentrations during project construction or operation, and potential impacts would be considered less than significant.

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

During construction, the various diesel-powered vehicles and equipment in use on-site would create localized odors. These odors would be temporary and are not likely to be noticeable for extended periods of time beyond the project site. The potential for diesel odor impacts is therefore considered less than significant. In addition, the proposed uses that would be developed within the project site are not expected to produce any offensive odors that would result in frequent odor complaints. Therefore, this impact would be less than significant.

## 4.4 BIOLOGICAL RESOURCES

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

McCormick Biological, Inc. (MBI) prepared a Biological Resources Evaluation for the proposed project (Appendix B), which contains an evaluation of special-status biological resources that may be affected by the project.[8] The Biological Resources Evaluation documents biological resources identified during the literature review and reconnaissance survey conducted for the proposed project and recommends avoidance and minimization measures for implementation prior to and during project activities. The Biological Resources Evaluation also includes an evaluation of the potential for special-status biological resources to occur on the project based on the habitat conditions observed. The analysis in this Biological Resources section is based on the results of the Biological Resources Evaluation.

"Special-status" or "sensitive" species considered in this evaluation include those that may occur in the project vicinity that have statutory protections, such as federal- and State-listed (rare, threatened, or endangered; fully protected) species and candidates for listing under the respective endangered species acts. In addition, species that are of "concern" to either the United States Fish and Wildlife Service (USFWS) or California Department of Fish and Wildlife (CDFW) have been

[8] McCormick Biological, Inc., 2021. *Biological Resources Report Casino Basin Project*. September.

included in the evaluation if the project site or vicinity (generally, 10-mile radius) includes habitat that may be occupied by such species. Bird species that are not listed as threatened or endangered have been included if the project site or observed vicinity includes potential nesting habitat or the species was observed during biological survey activities.

In addition, potential impacts to special-status bird species have been considered if habitat that may be important to the species outside of breeding season was observed. Species may meet the criteria for inclusion on the lists consulted during the literature review of a special interest group, such as the California Native Plant Society (CNPS), has concluded through published data that the species is declining and warrants concern and potential habitat is present on the project site or vicinity. Species evaluated in this biological resource assessment have been collectively referred to as "special-status species."

The Biological Resources Evaluation includes a literature review including the following:

- **California Natural Diversity Data Base information (CNDDB – RareFind 5)**, which is administered by the California Department of Fish and Wildlife (CDFW), formerly known as the California Department of Fish and Game (CDFG). This database covers sensitive plant and animal species as well as sensitive natural communities that occur in California. Records from nine United States Geological Survey (USGS) quadrangles surrounding the project site (*Rosedale, Wasco, Famoso, North of Oildale, Rio Bravo, Oildale, Tupman, Stevens,* and *Gosford)* were obtained from this database to inform the field survey. For the purposes of this report, the term "historic" records refer to those occurrences that are more than 20 years old. Observations recorded in CNDDB noted in this report as "recent" are less than 20 years old.

- **California Native Plant Society's (CNPS) Electronic Inventory of Rare and Endangered Vascular Plants**, which utilizes four specific categories or "lists" of sensitive plant species to assist with the conservation of rare or endangered botanical resources. Records from the nine USGS quadrangles surrounding the project site were obtained from this database to inform the field survey.

- **United States Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) Online System**, which lists all proposed, candidate, threatened, and endangered species managed by the Endangered Species Program of the USFWS that have the potential to occur on or near a particular site. This database also lists all known critical habitats, national wildlife refuges, and migratory birds that could potentially be impacted by activities from a proposed project. An IPaC Trust Resource Report was generated for the project area.

- **Designated and Proposed USFWS Critical Habitat Polygons** were reviewed to determine whether critical habitat has been designated or proposed within or in the vicinity of the project site.

- **The USFWS National Wetlands Inventory** was reviewed to determine whether any wetlands or surface waters of the United States have been previously-identified in the survey area.

- **The USFWS Information for Planning and Consultation (IPaC) Database** was reviewed to determine federal listed plant and wildlife species, as well as critical habitats that occur in in the vicinity of the project.

- **The Western Bat Working Group (WBWG) Bat Species Regional Priority Matrix** was reviewed to determine whether any bat species which hold a high level of conservation concern that may occur in the vicinity.

In addition to the databases listed above, historic and current aerial imagery, existing environmental reports for developments in the project vicinity, and local land use policies related to biological resources were reviewed.

A reconnaissance-level survey of the basin portion of the project was conducted on August 18, 2021, by Randi McCormick, MBI Principal Biologist. The stormwater drain pipe route was surveyed on August 19, 2021 by Daniel Hall, MBI Staff Biologist. Field notes included documentation of all plant and wildlife species observed. Supporting documentation regarding species findings included direct observations and/or significant species sign (e.g., scat, tracks, feather/fur, prey remains, nests/burrows or any other indication of wildlife presence) deemed necessary to document potential occupation.

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

As discussed above, special-status plant and wildlife species and the corresponding status of each that were identified as potentially occurring in the vicinity of the project were evaluated based on the literature review and a reconnaissance level survey of the project site. The proposed project has the potential to affect several State and federally listed or species proposed for State and/or federal listing occurring within the vicinity of the project site. Potential impacts to these special status species are described below.

**Special-Status Plant Species.** The CNDDB, USFWS, and CNPS Rare and Endangered Plant Inventory queries returned a total of 26 special-status plants that have been documented as potentially occurring in the vicinity of the proposed project site. Based on a habitat suitability analysis, none of the special-status plant species had the potential to occur within the project site. During the survey a total of 12 plant species were observed, seven of which are non-native species. No listed or California Rare Plant Rank (CRPR) species were identified on the project site during the field survey and the site does not represent suitable habitat for any of the special-status plants evaluated. Therefore, there is no potential for direct or indirect impacts to special-status plant species within the project site. In addition, the project site has undergone frequent disturbance, was historically intensive agriculture and is surrounded by urban, agricultural, and previously disturbed lands. No special-status plant species have potential to occur on site; therefore, a less-than-significant impact to special-status plants would occur.

**Special-Status Wildlife Species.** Potential impacts to special-status wildlife species are discussed below.

***Tricolored Blackbird*** The tricolored blackbird is State listed as a threatened species. This species is a year-long resident of California, its range extending from Shasta County south to Kern County, and along the coast from Sonoma County to the Mexican border. Colonies located within the Sacramento-San Joaquin drainage system are somewhat migratory in the winter. In the fall, birds tend to be nomadic and venture outside the vicinity of the nesting colonies.

Tricolored blackbird colonies have been reported to the CNDDB several miles east-northeast and west-southwest of the project. The colony to the west-southwest is thought to be extirpated. No tricolored blackbirds or potentially suitable nesting habitat were observed during the reconnaissance surveys. The project site is planted in alfalfa and contains a fallow field, which are both suitable foraging habitat for this species. Based on the high mobility of this species and plentiful similar foraging habitat in the vicinity and region, the proposed project would result in a less-than-significant impact to tricolored blackbirds.

***Burrowing Owl.*** The burrowing owl is a California species of special concern, and documented population declines have occurred in the state since at least the 1970s. It has no federal listing but is protected by the Migratory Bird Treaty Act (MBTA). In California, the species is typically found in close association with California ground squirrels. The squirrels create burrows that are used by burrowing owls as year-round shelter and seasonal nesting habitat; however, burrowing owls may also use human-made structures such as culverts, corrugated metal pipes, debris piles, or openings beneath pavement as shelter and nesting habitat. Within California, it is found throughout the Central Valley, in the San Francisco Bay Area, Carrizo Plain, and Imperial Valley. The Central Valley population is a year-round resident in annual and perennial grasslands or other vegetation communities that support little to no tree or shrub cover. The State of California is considered an important wintering ground for migrants, whose burrowing owl population is augmented during the winter season.

No burrowing owl records have been reported within 10 miles of the project; however, several records have been reported from just west of the search area. No burrowing owls or sign of species presence were observed during the reconnaissance surveys and no California ground squirrel burrows, which are frequently used by burrowing owls for nesting and shelter, were observed. The project site is likely to support insects, small rodents, birds, amphibians, and reptiles that are potential prey items in the diet of burrowing owl. Therefore, there is a potential for foraging by this species. Although no potential burrows or burrow surrogates were observed, if the fallow field on the western portion of the proposed basin were to become occupied by California ground squirrels, burrowing owls may be provided with burrowing opportunities. If the site were subsequently occupied by this species, burrowing owl burrows could be crushed or destroyed by vehicles during construction activities. Therefore, implementation of Mitigation Measures BIO-1 through BIO-18 would be required to reduce these potential impacts to a less-than-significant level.

***Swainson's Hawk.*** Swainson's hawk is State listed as a threatened species. Swainson's hawks are an uncommon resident and migrant in the Central Valley, Klamath Basin, Northeastern

Plateau, Lassen County and Mojave Desert, although their breeding range and frequency has increased in the San Joaquin Valley over the last 20 years. Most of the State's breeding sites are in two disjunct populations in the Great Basin and Central Valley. In the Central Valley, nest sites have been strongly associated with riparian forest vegetation, whereas in the Great Basin nest sites are widely distributed in upland habitats. Typical habitat is open desert, grassland, or cropland containing scattered, large trees or small groves. High use foraging habitat in the southern San Joaquin Valley is typically actively harvested alfalfa and irrigated grain fields. Migrating individuals move south through the southern and central interior of California in September and October and move north from March through May.

The only Swainson's hawk nest reported to the CNDDB within the 10-mile search radius is from a location 3.7 miles north of the project in 2017. No Swainson's hawks were observed during the reconnaissance survey nor were any potential nest trees present on the project site. Potentially suitable nesting habitat is present at a residence just north of the northeastern corner of the proposed basin location and approximately 800 feet north-northeast of the northeastern corner on the east side of Road 216. The trees adjacent to the basin location were visually evaluated for presence of possible raptor nests and no nesting material or remnants of raptor nests were present.

No nesting opportunities for these species were present on the project site. Alfalfa and the fallow portion of the project site are suitable foraging habitat for this species. Although noise, dust, and general disturbance from construction activities could indirectly affect foraging raptors such as Swainson's hawk, these species are highly mobile and able to access other high quality foraging opportunities in the vicinity of the project site. Disturbance to this relatively small amount of foraging habitat (approximately 50 acres) would not be significant. In addition, no direct impacts to individuals are anticipated. Therefore, impacts to Swainson's hawk would be less than significant.

***American Badger.*** The American badger is a California species of special concern. The historic range of American badgers in California was throughout the state with the exception of the humid coastal forests in Del Norte and Humboldt Counties. Their modern distribution in the lower San Joaquin Valley is restricted to the limited, often isolated tracts of grassland and shrubland habitats. Cultivated lands have been reported to provide little usable habitat for this species.

An American badger was collected in an unknown year from the vicinity of the Porterville Airport, which is located less than one mile from the project. Although badgers can be tolerant of human disturbance, the intensity and frequency of disturbance on this site and in adjacent areas reduces the potential for occurrence of this species. Therefore, there is a low potential for American badger foraging associated with the project site. However, implementation of Mitigation Measures BIO-1 through BIO-18 would be required to reduce these potential impacts to a less-than-significant level.

***San Joaquin Kit Fox.*** The San Joaquin kit fox is currently federal-listed as endangered and State-listed as threatened. San Joaquin kit fox occur in a variety of open grassland, oak savannah, and shrub vegetation types/habitats as well as agricultural and urban areas in Kern County. In the

southern San Joaquin Valley portion of the range, San Joaquin kit fox are generally found in sparse, annual grassland and scrub communities (e.g., valley sink scrub, saltbush scrub). Potential site occupation is determined based on observation of canid scat within a size range appropriate for this species, and presence of dens that meet the criteria for classification as known or natal/pupping per the USFWS guidelines.

Although there have been numerous reports of San Joaquin kit fox occurrence within the 10-mile search radius of the project, all but one of these records are greater than 40 years old. A record from the Tulare County Landfill, located on the south side of Avenue 128 approximately 700 feet west of the project, reports the sighting of 4 individuals in 1992.

No evidence of San Joaquin kit fox was observed during the reconnaissance survey. San Joaquin kit fox frequently use California ground squirrel burrows and enlarge them for use as den sites. No California ground squirrel activity was observed during the reconnaissance survey nor were any other burrows or atypical structures observed that may be used by San Joaquin kit fox. San Joaquin kit fox are known to forage in many open habitat types, including agricultural lands occasionally if suitable denning habitat is present nearby. The annual grassland east of the stormwater drain pipe route east of West Street represents suitable foraging habitat and could potentially support San Joaquin kit fox dens. In addition, several records of San Joaquin kit fox have been reported in the vicinity.

Given the lack of observation of potential den sites or San Joaquin kit fox sign and current agricultural activity, it is not likely that San Joaquin kit fox currently occupy the project. However, San Joaquin kit fox may occasionally forage on or near the project given that there is potentially suitable denning habitat in the vicinity. Therefore, implementation of Mitigation Measures BIO-1 through BIO-18 would be required to reduce these potential impacts to a less-than-significant level.

**Nesting and Migratory Birds.** The project site does not contain any trees or shrubs that could potentially support nesting birds. The alfalfa and fallow field present are suitable for ground nesting birds, but frequent disturbance reduces that suitability. Birds nesting on or in the immediate vicinity of the project site could be disturbed if the project is conducted during nesting season when active nests are present. If these nests are disturbed to the extent that eggs are destroyed, young are injured or killed, or adults abandon the nests, a violation of the MBTA and California Fish and Game Code could result. Therefore, implementation of Mitigation Measures BIO-1 through BIO-18 would be required to reduce these potential impacts to a less-than-significant level.

**Critical Habitat.** There is no USFWS-designated Critical Habitat within a 10-mile radius of the project site.

**Summary.** As described above, the proposed project would not impact special-status plants as the entire site has had and continues to have disturbance. Ruderal weedy species dominate the project site and no special-status plant species were observed during the reconnaissance survey.

While no nesting birds were observed during the field surveys, conducting pre-activity nesting bird surveys and implementing Measures BIO-1 through BIO-18 would reduce potential impacts to nesting birds to less than significant.

In addition, while no San Joaquin kit fox or American badger or evidence of site occupation were observed, both of these species may forage in the vicinity and CNDDB records are reported from the area. Implementation of Mitigation Measures BIO-1 through BIO-18 would reduce potential impacts to San Joaquin kit fox and American badger to a less-than-significant level.

**Mitigation Measure BIO-1** If project activities occur during nesting season (February 1 to August 31) a qualified avian biologist shall conduct a nesting bird survey to identify any active nests present within or adjacent to the proposed work area. If active nests are found, initial ground disturbance shall be postponed or halted within a buffer area, established by the qualified avian biologist, that is suitable to the particular bird species and location of the nest, until juveniles have fledged or the nest has been abandoned, as determined by the biologist. The construction avoidance area shall be clearly demarcated in the field with highly visible construction fencing or flagging, and construction personnel shall be instructed on the sensitivity of nest areas.

**Mitigation Measure BIO-2** If any previously unidentified protected species that is not addressed in this document, or any previously unreported protected species is found to be present, occupied areas shall be avoided and a qualified biologist shall. Notify the United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) of any previously unreported protected species. Any take of protected wildlife shall be reported immediately to USFWS and CDFW.

**Mitigation Measure BIO-3** Perimeter or security fence design should incorporate features that will avoid entrapment of San Joaquin kit fox. Openings should be small enough that San Joaquin kit fox cannot pass through or become entrapped (less than three feet). If chain link is used, it should be raised at least 3 inches above ground level to allow kit fox to pass underneath.

**Mitigation Measure BIO-4** Traffic restraints and signs should be established to minimize temporary disturbances during construction. All construction traffic should be restricted to designated access roads and routes, Project site, storage areas, and staging and parking areas. Off-road traffic outside designated project boundaries should be prohibited. A 15 mph speed limit should be observed in all project construction areas, except as otherwise posted on county roads and State and federal highways.

**Mitigation Measure BIO-5** All equipment storage and parking during construction activities should be confined to the designated construction area or to previously disturbed offsite areas that are not habitat for listed species.

**Mitigation Measure BIO-6** Project construction activities involving initial surface disturbance should be limited to daylight hours.

**Mitigation Measure BIO-7** Trenches and excavations should have an escape ramp at least every 1,000 feet at no more than 2:1 slope. Trenches or excavations that cannot include a ramp should be covered if left overnight. All such trenches and excavations should be inspected for entrapped wildlife each morning prior to the onset of construction. Before such holes or trenches are filled, they should be thoroughly inspected for entrapped animals. Any wildlife so discovered should be allowed to escape voluntarily, without harassment, before construction activities resume. A qualified biologist may remove wildlife from a trench, hole or other entrapment out of harm's way if the immediate welfare of the individual is in jeopardy. State or federal listed species may not be handled. Should any State or federal listed species become entrapped, CDFW and USFWS should be contacted as appropriate.

**Mitigation Measure BIO-8** Material and equipment should be thoroughly inspected prior to use. All exposed pipes, culverts, and other similar structures with a diameter 3 inches or greater should be capped in order to prevent entry by San Joaquin kit fox or other wildlife. Any of these materials or structures that are left overnight and are not capped shall be inspected prior to being moved, buried, or closed in order to ensure that San Joaquin kit fox or other wildlife are not present. If a listed species is found within pipe, culverts or similar structures, the animal will be allowed to escape that section of its own accord prior to moving or utilizing that segment. If a listed species does not leave of its own accord, CDFW and/or USFWS (as appropriate) should be contacted for further guidance.

**Mitigation Measure BIO-9** All food-related trash items such as wrappers, cans, bottles and food scraps generated by project activities should be disposed of in closed containers and removed at least once each week from the site. Deliberate feeding of wildlife should be prohibited.

**Mitigation Measure BIO-10** To prevent harassment of special-status species, construction personnel shall not be allowed to have firearms or pets on the project site.

**Mitigation Measure BIO-11** All equipment and work-related materials shall be contained in closed containers either in the work area or on vehicles. Loose items (e.g. rags, hose, etc.) shall be stored within closed containers or enclosed in vehicles when on the work site.

**Mitigation Measure BIO-12** All liquids shall be in closed, covered containers. Any spills of hazardous liquids shall not be left unattended until clean-up has been completed.

**Mitigation Measure BIO-13** If used, rodenticides and herbicides shall follow label restrictions and other restrictions imposed by the United States Environmental Protection Agency, the California Department of Food and Agricultural, and other State and federal legislation. If rodent control must be conducted, zinc phosphide should be used because of its proven lower risk to San Joaquin kit fox.

**Mitigation Measure BIO-14** Any employee who inadvertently kills or injures a listed species, or who finds any such wildlife dead, injured, or entrapped, shall be required to report the incident immediately to a designated site representative (e.g., foreman, project manager, environmental inspector, etc.), except animals killed on State and county roads when such mortality is not associated with project traffic.

**Mitigation Measure BIO-15** In the case of injured special-status wildlife, the CDFW shall be notified immediately. During business hours Monday through Friday, the phone number is (559) 243-4017. For non-business hours, report to (800) 952-5400. Notification shall include the date, time, location, and circumstances of the incident. Instructions provided by the CDFW for the care of the injured animal shall be followed by the contractor onsite.

**Mitigation Measure BIO-16** In the case of dead wildlife that are listed as threatened or endangered, the USFWS and the CDFW shall be immediately (within 24 hours) notified by phone or in person, and should document the initial notification in writing within 2 working days of the findings of any such wildlife. Notification shall include the date, time, location, and circumstances of the incident.

**Mitigation Measure BIO-17** Prior to commencement of construction on any phase of work, work areas should be clearly marked with fencing, stakes with rope or cord, or other means of delineating the work area boundaries.

**Mitigation Measure BIO-18** All personnel entering the project location shall attend a worker orientation program. The worker orientation program shall present measures required to avoid, minimize, and mitigate impacts to biological resources and shall include, at a minimum, the following

subjects: A summary of the Federal Endangered Species Act (FESA), California Endangered Species Act (CESA), and the Migratory Bird Treaty Act (MBTA); biological survey results for the current construction area; life history information for the species of concern; biological resource avoidance, minimization, and mitigation requirements; consequences for failure to successfully implement requirements; and procedures to be followed if dead or injured wildlife area located during project activities. Upon completion of the orientation, employees shall sign a form stating that they attended the program and understand all biological resource mitigation measures and receive a hardhat sticker or other means of identifying that they have attended the worker orientation. Forms verifying worker attendance shall be filed at the applicant's office and be accessible to County, USFWS and CDFW staff. No untrained personnel shall be allowed to work onsite with the exception of delivery trucks that are only onsite for 1 day or less and are under the supervision of a trained employee.

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

No riparian habitat or other sensitive natural communities are present at the project site. Therefore, implementation of the proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community. As a result, no impact would occur.

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

A search of the USFWS National Wetlands Inventory (NWI) resulted in no wetlands mapped on the project site. A riverine feature, the Friant-Kern canal, was present west of the project site, and the existing recirculation pond which is located outside of the project boundaries to the west, was shown on the NWI as a freshwater pond. These results are consistent with the observed conditions within and adjacent to the project site. There was water present in earthen irrigation ditches that ran along the western and northern boundaries of the alfalfa field on the project site, and just south of the proposed recirculation pond location. There was no visible natural water source for this irrigation water. As a result, no impact would occur.

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

Wildlife are known to commonly enter open pipes, materials stockpiles and storage containers as well as get on, under, or in vehicles and equipment. In addition, terrestrial wildlife may fall into open excavations. Closing or moving pipes with wildlife inside could lead to direct mortality of individuals.

If present under pallets, wildlife could be killed or injured by equipment when moving materials. If present in, on, or under equipment or vehicles when started or moving, wildlife could be crushed by tires, injured or killed by moving parts, or threatened through harassment by workers needing to access the vehicles. If deep enough in comparison to the animal size, wildlife falling into open excavations could be injured by the fall or otherwise become entrapped thereby increasing risks to the individual.

Implementation of Mitigation Measures BIO-1 through BIO-18 would reduce the potential for these effects to occur as a result of work activities. These mitigation measures are also intended to result in compliance with applicable State and federal statutes and regulations protecting biological resources. In some cases, if the applicability of mitigation measures cannot be definitively determined based on the reconnaissance-level survey, additional surveys are recommended to determine the level of mitigation required. In addition, if it is determined that the effects to these species cannot be avoided, State and/or federal permits may be warranted to obtain the appropriate authorization for such project effects. However, implementation of Mitigation Measures BIO-1 through BIO-18 would be required to reduce these potential impacts to a less-than-significant level.

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

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

- OSC-G-7: Protect habitat for special status species, designated under State and federal law.

As identified in the responses above, with implementation of Mitigation Measures BIO-1 through BIO-18, the proposed project would not have a significant impact on biological resources. Therefore, the project would not conflict with adopted polices, plans, or programs protecting biological resources. This impact would be less than significant with mitigation incorporated.

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

The project site is not within the boundaries of a habitat conservation plan or natural community conservation plan. This condition precludes the possibility that implementation of the proposed project would conflict with the provisions of such a plan, and no impact would occur.

## 4.5 CULTURAL RESOURCES

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

LSA conducted a Cultural Resource Survey[9] for the proposed project to (1) identify archaeological deposits that may meet the CEQA definition of a historical resource (California Public Resources Code [PRC] §21084.1) or a unique archaeological resource (PRC §21083.2), and that may be affected by the proposed project; and (2) to recommend procedures for avoiding or mitigating impacts to such deposits, as warranted. The study consisted of background research and a field survey and was conducted by LSA Cultural Resources Manager Kerrie Collison, M.A., Registered Professional Archaeologist No. 28731436. The analysis in this Cultural Resources section is based on the results of the Cultural Resource Survey. The Cultural Resource Survey is included as Appendix C.

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

**Records Search Results.** A record search of the project site and a 0.5-mile radius was conducted on May 24, 2021, by staff at the Southern San Joaquin Valley Information Center (SSJVIC) of the California Historical Resources Information System (CHRIS) at California State University, Bakersfield. The SSJVIC, an affiliate of the California Office of Historic Preservation (OHP), is the official repository of cultural resources records and reports for Tulare County. Background research also included a review of the following State and federal inventories: Built Environment Resources Directory (BERD), California Historical Landmarks; California Points of Historical Interest; Five Views: An Ethnic Historic Site Survey for California; and California Inventory of Historic Resources.

The record search results indicate that three previous cultural resources studies have included a portion of the project site and that an additional nine previous cultural resources studies have included a portion of the 0.5-mile radius. One of the previous studies was published in 2003 and consisted of a 700-acre cultural resources survey that included the entire main project site. Portions of the proposed storm drain alignment were included in two previous studies, both of which were cultural resources surveys. No cultural resources have been recorded in the project site or within a 0.5 mile radius as a result of previous cultural resources studies. No resources listed in the BERD are within the project site.

[9] LSA, 2021. *Phase I Cultural Resources Survey for the Casino Basin Project in Porterville, Tulare County, California (LSA Project No. POR1801.24)*. August 23.

**Aerial Photographs and Historic Maps.** Additional background research included a review of aerial photographs and historic-period maps that include the project site.[10] The purpose of this review was to assess the potential for historic-period archaeological deposits in the project site. The oldest available aerial photograph that includes the project site dates to 1956, at which time the main project site was being used for agricultural purposes. The project site usage has remained unchanged since that time. The earliest available topographic quadrangle reviewed by LSA dates to 1929 and depicts Road 216 and Avenue 128 as already developed adjacent to the main project site. The Friant Kern Canal (located west of the main project site) is first depicted on a map that dates to 1952. No additional noticeable changes are depicted in or near the project site after 1952.

**Field Survey Results.** On August 4, 2021, LSA Archaeologist Kerrie Collison, RPA, conducted a limited field survey and spot-checked sediments in the basin site. The limited field survey method of spot-checking was utilized due to active agricultural use of the project site and the need to not disturb or destroy crops. The proposed storm drain alignment follows existing paved roads and was not surveyed. Sediments along the edges of the main project site (away from crops) were examined, and a trowel was used to expose subsurface sediments to check subsurface sediment characteristics. Rodent burrowing holes and backdirt piles were also examined for indications of archaeological deposits and/or human remains.

The field survey did not identify any cultural resources in the project site. Observed surficial sediments were uniform throughout the project site and were a very dry, light-brown, fine-grained material. Examined subsurface sediments were similar in composition (likely due to tilling of sediments during agricultural activities) and contained no evidence indicating the presence of midden deposits.

**Summary.** This study, consisting of background research and a field survey, did not identify archaeological deposits or human remains in the project site. The nearest natural water source (the Tule River) is 2.75 miles from the project site. Surficial and near-surface deposits have been disturbed as a result of the use of the project site for agricultural purposes for more than 65 years, and deeper deposits date to a time that does not include human occupation of the region.

For the above reasons, it is unlikely that ground-disturbing work associated with project implementation will impact subsurface cultural resources, and no additional cultural resources studies are recommended for this proposed project. However, there is always the potential that construction activities could uncover unanticipated subsurface cultural resources. Any impacts to such resources would be significant under CEQA. Therefore, implementation of Mitigation Measure CULT-1 would be required to reduce the project's potential impacts to previous unidentified historical resources that may be encountered during construction. Implementation of this mitigation measure would reduce potential impacts to less than significant.

[10] National Environmental Title Research. n.d. Historic Aerials. Website: http://www.historicaerials.com (accessed August 22, 2021).

**Mitigation Measure CULT-1** In the unlikely event that cultural resources are encountered during project activities, contractors should stop work in the immediate area of the find and contact a qualified professional archaeologist to assess the nature and significance of the find and determine if any additional study or treatment of the find is warranted. Upon completion of any monitoring activities, the archaeologist should prepare a report to document the methods and results of monitoring activities. The final version of this report should be submitted to the Southern San Joaquin Valley Information Center (SSJVIC).

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

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

Mitigation Measure CULT-1, as presented above, would ensure that potential impacts to archaeological resources would be reduced to a less-than-significant level. Therefore, the project would not cause a substantial adverse change in the significance of an archeological resource.

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

Although no such remains have been identified within the project site, there is a possibility of encountering such remains, either in isolation or with prehistoric archaeological deposits. Such remains could be uncovered during project ground-disturbing activities. Based on the significance criteria identified above, the project would have a significant effect on the environment if it would disturb human remains, including those interred outside of formal cemeteries.

Implementation of Mitigation Measure CULT-2 would reduce potential impacts to human remains to a less-than-significant level by ensuring compliance with California Health and Safety Code Section 7050.5 in the event that any human remains are encountered during project-related ground-disturbing activities.

**Mitigation Measure CULT-2** Any human remains encountered during project-related ground-disturbing activities shall be treated in accordance with California Health and Safety Code Section 7050.5. The project sponsor shall inform all contractor(s) performing excavation of the sensitivity of the project site for human remains and include the following directive in the appropriate contract documents:

If human remains are uncovered, all work within 50 feet of the discovery shall be halted and the Tulare County Coroner notified immediately. At the same time, the on-site monitoring archaeologist shall assess the situation and consult with agencies as

appropriate. Project personnel shall not collect or move any human remains or associated materials. If the human remains are of Native American origin, the Coroner must notify the California State Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC will formally identify a Native American Most Likely Descendant—if one is not already on-site—to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Such recommendations shall be carried out to the satisfaction of the NAHC prior to work resuming within 50 feet of the discovered remains.

## 4.6 ENERGY

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

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

This analysis evaluates energy consumption for both construction and operation of the proposed project, including diesel fuel use for construction off-road equipment.

**Construction.** Construction of the proposed project would require the use of energy to fuel construction equipment and vehicles. All or most of this energy would be derived from non-renewable resources. Construction activities are not anticipated to result in an inefficient use of energy as gasoline and diesel fuel would be supplied by construction contractors who would conserve the use of their supplies to minimize their costs on the project. Energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to the State's available energy sources. As such, construction energy usage would be less than significant.

**Operation.** Typically, energy consumption is associated with fuel used for vehicle trips and electricity and natural gas use. The proposed project would include construction and operation of a new stormwater recharge basin. Once operational, City staff would visit the project site on a weekly basis to ensure site security and would conduct monthly maintenance to maintain weed abatement and cleaning of the infrastructure. As such, the project would result in a minimal increase in fuel usage. In addition, implementation of the proposed project would not include lighting or features that could contribute to a significant new source of electricity and natural gas usage. Therefore, implementation of the proposed project would not result in a long-term demand for electricity and natural gas nor would the project require new service connections or construction of new off-site service lines or substations to serve the project. The nature of proposed improvements would not require substantial amounts of energy for either construction or maintenance purposes. Therefore, the proposed project would not use non-renewable resources in a wasteful or inefficient manner. Therefore, operational energy impacts would be less than significant.

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

The California Energy Commission (CEC) approved the *2020 Integrated Energy Policy Report* in March 2021.[11] The *2020 Integrated Energy Policy Report* provides the results of the CEC's assessments of a variety of energy issues facing California. As indicated above, energy usage on the project site during construction would be temporary in nature. In addition, once operational, the proposed project would not generate energy usage. Because California's energy conservation planning actions are conducted at a regional level, and because the project's total impact on regional energy supplies would be minor, the proposed project would not conflict with or obstruct California's energy conservation plans as described in the CEC's *2020 Integrated Energy Policy Report*. Additionally, as demonstrated above, the proposed project would not result in the inefficient, wasteful, and unnecessary consumption of energy. Potential impacts related to conflict with or obstruction of a State or local plan for renewable energy or energy efficiency would be less than significant, and no mitigation is required.

[11] California Energy Commission (CEC). 2020. *2020 Integrated Energy Policy Report*. Docket No. 20-IEPR-01.

## 4.7 GEOLOGY AND SOILS

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

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

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

The United States Geological Survey (USGS) defines a fault as "active" if it has moved one or more times in the last 10,000 years.[12] The San Joaquin Valley, like most of California, is a seismically active region; however, no known active faults occur in Tulare County.[13] No Alquist-Priolo earthquake

[12] United States Geological Survey, 2016. *Earthquake Glossary – Active Fault.* Website: earthquake.usgs.gov/learn/glossary/?term=active%20fault (accessed July 2021).

[13] Tulare County, 2012. *Tulare County General Plan, 2030 Update*. Website: generalplan.co.tulare.ca.us (accessed July 2021).

zones are mapped in the vicinity of the project site.[14] Several pre-Quaternary, inactive faults exist in the vicinity of the City. The nearest inactive fault to the project site is an unnamed fault that occurs approximately 3.8 miles to the southeast. The site does not fall within an Alquist-Priolo Fault Zone, and is therefore not subject to any restrictions. Therefore, no people or structures would be exposed to potential substantial adverse effects, including the risk of loss, injury, or death from the rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As a result, a less-than-significant impact would occur.

#### *ii. Strong seismic ground shaking?*

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

#### *iii. Seismic-related ground failure, including liquefaction?*

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

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

#### *iv. Landslides?*

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

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

Soil erodibility can be identified by a specific soil's "K-Factor." Values of K range from 0.02 to 0.69, with the higher the value, the more susceptible the soil is to erosion. Soils with K factors above 0.40

[14] California Geological Survey, 2015. CGS Information Warehouse: Regulatory Maps. Website: maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps (accessed July 2021).

are considered to be the most susceptible to erosion.[15] Figure 7-1 of the City's General Plan maps soil erosion potential in the City. Based on this mapping, the project site is primarily classified as 0.32 – 0.43 – High.

Implementation of the proposed project would include grading activities that could result in short-term soil erosion during the construction period. Exposed soils are considered erodible when subjected to concentrated surface flow or wind. As such, the proposed project would be required to implement an Erosion Control Plan in conformance with the California Stormwater Quality Association Best Management Practice Handbook.[16] Mitigation Measure GEO-1, described below, would require implementation of the Erosion Control Plan and would reduce the potential for soil erosion.

**Mitigation Measure GEO-1** To reduce the potential for soil erosion during construction of the proposed project, an Erosion Control Plan shall be prepared for the project in conformance with the California Stormwater Quality Association Best Management Practice Handbook for Construction Activity, prior to the start of grading.

In addition, soil erosion and loss of topsoil would be minimized through implementation of SVJAPCD Regulation VIII fugitive dust control measures and compliance with the National Pollutant Discharge Elimination System (NPDES) permit requirements (Mitigation Measure HYDRO-1). With incorporation of Mitigation Measure GEO-1 and compliance with NPDES permit requirements, construction of the proposed project would not result in substantial soil erosion or loss of topsoil. This impact would be less than significant with mitigation incorporated.

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

See Sections 3.7.a.iii and 3.7.a.iv above. The proposed project would not require a substantial grade change or change in topography. The project would not result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse. Therefore, this impact would be less than significant.

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

Expansive soils can swell or shrink in response to changes in moisture, which can significantly damage infrastructure located on expansive soils. According to the City's General Plan, the project is not located in an area with high soil expansion potential. Therefore, the project would not create substantial risks to life or property due to expansive soils. Therefore, this impact would be less than significant.

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

[16] California Stormwater Quality Association, 2019. *California Stormwater Quality Association Best Management Practices Handbook*.

*e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

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

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

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

According to the City's General Plan, the University of California Museum of Paleontology lists 25 localities where fossils have been found in Tulare County. However, due to the sensitive nature of these sites, they are not mapped. Identified fossil types in the County include prehistoric mammals, other vertebrates, invertebrates and plants.[17]

Implementation of the proposed project would require ground disturbing construction activities that may inadvertently encounter and damage paleontological resources. Should this occur, project construction at both well sites may result in the destruction of a unique paleontological site, resulting in a potentially significant impact. Mitigation Measure GEO-2 would reduce this impact to less than significant by redirecting ground-disturbing activities, consulting with agencies as appropriate, and making recommendations for the treatment of the discovery in the event that any paleontological materials are encountered during project-related ground-disturbing activities.

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

**Mitigation Measure GEO-2** The City shall inform its contractor(s) of the sensitivity of the project area for paleontological resources. Should paleontological resources be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If found to be significant, and project activities cannot avoid the paleontological resources, adverse effects to paleontological resources shall be mitigated. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, a final report, and accessioning the fossil material and

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

technical report to a paleontological repository. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City of Porterville for review, and (if paleontological materials are recovered) a paleontological repository, such as the University of California Museum of Paleontology. The City shall verify that the above directive has been included in the appropriate contract documents.

## 4.8 GREENHOUSE GAS EMISSIONS

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

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

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

- Carbon dioxide ($CO_2$)
- Methane ($CH_4$)
- Nitrous oxide ($N_2O$)
- Hydrofluorocarbons
- Perfluorocarbons
- Sulfur Hexafluoride

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

These gases vary considerably in terms of Global Warming Potential (GWP), which is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. GWP is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and the length of time that the gas remains in the atmosphere ("atmospheric lifetime").

The GWP of each gas is measured relative to $CO_2$, the most abundant GHG; the definition of GWP for a particular GHG is the ratio of heat trapped by one unit mass of the GHG to the ratio of heat

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

This section discusses the proposed project's potential impacts related to the release of GHG emissions for both construction and project operation.

**Construction Greenhouse Gas Emissions.** Construction activities associated with the proposed project, such as site preparation, site grading, on-site construction vehicles, equipment hauling materials to and from the project site, and motor vehicles transporting the construction crew would produce combustion emissions from various sources. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as $CO_2$, $CH_4$, and $N_2O$. Furthermore, $CH_4$ is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

The SJVAPCD does not have an adopted threshold of significance for construction-related GHG emissions. However, lead agencies are encouraged to quantify and disclose GHG emissions that would occur during construction. Using CalEEMod, it is estimated that construction of the proposed project would generate a total of approximately 488.7 metric tons of $CO_2e$. When considered over the 30-year life of the project, the total amortized construction emissions would be 16.3 metric tons of $CO_2e$ per year. As such, construction of the proposed project would not generate GHG emissions that would have a significant impact on the environment and construction-related impacts would be less than significant.

**Operational Greenhouse Gas Emissions.** Long-term GHG emissions are typically generated from mobile, area, waste, and water sources as well as indirect emissions from sources associated with energy consumption. Mobile-source GHG emissions would include project-generated trips to and from the project site. Area-source emissions would be associated with activities such as landscaping and maintenance on the project site. Energy source emissions are typically generated at off-site utility providers as a result of increased electricity demand generated by a project. Stationary source emissions would be associated with the emergency backup generator. Waste source emissions generated by the proposed project include energy generated by land filling and other methods of disposal related to transporting and managing project generated waste. In addition, water source emissions associated with the proposed project are generated by pumping of water, water treatment, water distribution, and wastewater treatment.

The proposed project would construction and operation of a new stormwater recharge basin and associated improvements, including cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street. Once operational, City staff would visit the project site on a weekly basis to ensure site security and would conduct monthly maintenance to maintain weed abatement and cleaning of the infrastructure. As such, the project would not result in a significant increase in the generation of vehicle trips or VMT that would increase air pollutant emissions. The project would not be a substantial source of energy, area, water, or waste source emissions. Therefore, operation of the proposed project would not

generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Impacts would be less than significant.

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

The SJVAPCD has adopted a Climate Change Action Plan (CCAP), which includes suggested Best Performance Standards for proposed development projects. Appendix J of the SJVAPCD Final Staff Report for the CCAP contains GHG reduction measures; however these measures are intended for commercial, residential, and mixed-use projects and wouldn't be applicable to the proposed project.

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

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

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

Energy efficient measures are intended to maximize energy efficiency building and appliance standards, pursue additional efficiency efforts including new technologies and new policy and implementation mechanisms, and pursue comparable investment in energy efficiency from all retail providers of electricity in California. In addition, these measures are designed to expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings. The proposed project would not require energy demand; therefore, the proposed project would not conflict with energy efficient measures.

Water conservation and efficiency measures are intended to continue efficiency programs and use cleaner energy sources to move and treat water. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. The proposed project includes the construction of a new stormwater recharge basin and would not conflict with water conservation and efficiency measures.

The goal of transportation and motor vehicle measures is to develop regional GHG emissions reduction targets for passenger vehicles. The second phase of Pavley standards will reduce GHG emissions from new cars by 34 percent from 2016 levels by 2025, resulting in a 3 percent decrease in average vehicle emissions for all vehicles by 2020. Specific regional emission targets for transportation emissions would not directly apply to the proposed project. However, vehicles traveling to the project site would comply with the Pavley II (LEV III) Advanced Clean Cars Program. Therefore, the proposed project would not conflict with transportation and motor vehicle measures.

The proposed project would comply with existing State regulations adopted to achieve the overall GHG emissions reduction goals identified in AB 32, the AB 32 Scoping Plan, Executive Order B-30-15, SB 32, and AB 197 and would be consistent with applicable State plans and programs designed to reduce GHG emissions. Therefore, the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs and impacts would be less than significant.

## 4.9 HAZARDS AND HAZARDOUS MATERIALS

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

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

Construction activities associated with the proposed project would involve the use of limited amounts of potentially hazardous materials, including but not limited to, solvents, paints, fuels, oils, and transmission fluids. However, all materials used during construction would be contained, stored, and handled in compliance with applicable standards and regulations established by the Department of Toxic Substances Control (DTSC), the U.S. Environmental Protection Agency (USEPA), and the Occupational Safety and Health Administration (OSHA). No manufacturing, industrial, or other uses utilizing large amounts of hazardous materials would occur within the project site. Project operation could involve the use of common hazardous materials (i.e., cleaning products, fertilizers, pesticides, herbicides, etc.) that could be potentially hazardous if handled improperly or ingested. However, these products are not considered acutely hazardous and are not generally considered unsafe. All storage, handling, and disposal of hazardous materials during project construction and operation would comply with applicable standards and regulations. The proposed residential uses would not generate significant amounts of any hazardous materials. Therefore, the

proposed project would have a less-than-significant impact associated with the routine transport, use, or disposal of hazardous materials.

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

See Response 3.9.a, above. The proposed project would not result in a significant hazard to the public or the environment through a reasonably foreseeable upset or accident condition related to the release of hazardous materials. This impact would be less than significant.

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

No schools are located within one-quarter mile of an existing or proposed school. In addition, as previously stated, the proposed project would not result in the use or emission of substantial quantities of hazardous materials that would pose a human or environmental health risk. In addition, all materials would be handled, stored, and disposed of in accordance with applicable standards and regulations. Therefore, because the proposed project does not involve activities that would result in the emission of hazardous materials or acutely hazardous substances, implementation of the proposed project would result in no impact related to the use or emission of hazardous materials that would adversely affect an existing school.

*d. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

According to the DTSC EnviroStor database,[18] the project site is not located on a federal superfund site, State response site, voluntary cleanup site, school cleanup site, evaluation site, school investigation site, military evaluation site, tiered permit site, or corrective action site. The project site is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.[19] As a result, no impacts related to this issue are anticipated.

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

The Porterville Municipal Airport is located approximately 1.3 miles northeast of the project site. However, the proposed project would include construction and operation of a new stormwater recharge basin and associated improvements and would not increase the residential or working

[18] California Department of Toxic Substances Control, 2021. EnviroStor. Website: www.envirostor.dtsc.ca.gov/public (accessed July 2021).

[19] California Environmental Protection Agency, 2021. Government Code Section 65962.5(a). Website: www.calepa.ca.gov/sitecleanup/corteselist/SectionA.htm (accessed July 2021).

population at the project sites. Therefore, the proposed project would not expose people to safety hazards related to airports and a less-than-significant impact would occur.

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

The City of Porterville lists State Routes (SR) 65, SR 190, and Olive Avenue as evacuation routes. Once operational, the proposed project would not include any changes to any public or private roadways that would interfere with the evacuation routes or shelters identified by the City's General Plan.

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

The proposed project consists of a new stormwater recharge basin and associated improvements, including cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street. As a result, project implementation would not physically interfere with the County's emergency planning program or the City Fire Department access to and from the project site. Therefore, no impacts would occur as a result of project implementation and no mitigation would be required.

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

The Public Health and Safety Element of the City of Porterville's General Plan describes areas of the City that would pose a wildland fire risk to people, including wooded, undeveloped areas that have trees and unkempt vegetation as a greater source of fuel. Based on Figure 7-4 of the City's General Plan, the project site is considered to have a moderate to high risk for fire hazard.[20] However, implementation of the proposed project would include a stormwater recharge basin and associated improvements and would not expose people to significant risk of loss, injury, or death due to wildland fires. As a result, no impact would occur.

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

## 4.10 HYDROLOGY AND WATER QUALITY

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

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

The proposed project is located in the City of Porterville and Tulare County, which is within the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB).

Pollutants of concern during construction include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. During construction activities, excavated soil would be exposed with an increased potential to expose soils to wind and water erosion, which could result in temporary minimal increases in sediment load in nearby water bodies, including the adjacent Friant Kern Canal. Any potential short-term water quality effects from project related construction activities can be minimized and reduced through implementation of Mitigation Measure HYDRO-1, as follows.

**Mitigation Measure HYDRO-1** To minimize any potential short-term water quality effects from project-related construction activities, the project contractor shall implement Best Management Practices (BMPs) in conformance with the California Storm Water Best Management Practice Handbook for

Construction Activity. In addition, the proposed project shall be in compliance with existing regulatory requirements, including the Water Pollution Control Preparation (WPCP) Manual. In addition, implementation of a Storm Water Pollution Prevention Plan (SWPPP) would be required under the National Pollutant Discharge Elimination System (NPDES) to regulate water quality associated with construction activities.

Once operational, the proposed project would include a new stormwater recharge basin and associated improvements, including cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street. The proposed project would bring in stormwater runoff from the airport area and casino development area. The proposed project would be utilized to recharge any available surface waters that the City is able to acquire. In addition, the proposed project would store stormwater runoff and would release at least a portion of that runoff by infiltrating the water into the ground. The recharge volume would be stored and allowed to infiltrate into the underlying soils over a period of time. As a result, stormwater would continue to percolate into the groundwater table to allow for natural recharge. Therefore, impacts associated with water quality standards and waste discharge would be less than significant with mitigation incorporated.

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

As discussed in Response 4.10.a above, the proposed project would include a new stormwater recharge basin and associated improvements, which would store stormwater runoff and would release at least a portion of that runoff by infiltrating the water into the ground. The recharge volume would be stored and allowed to infiltrate into the underlying soils over a period of time. In addition, development of the proposed project would not require new connections to the municipal potable water supply or the drilling of any wells. Thus, development of the proposed project would result in a less than significant impact to regional groundwater levels.

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

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

Implementation of the proposed project would include grading activities that could result in short-term soil erosion during the construction period. Exposed soils are considered erodible when subjected to concentrated surface flow or wind. As discussed under Section 4.7.b above, Mitigation Measure GEO-1 would reduce the potential for soil erosion. In addition, soil erosion and loss of topsoil would be minimized through implementation of SVJAPCD Regulation VIII fugitive dust control measures and compliance with the NPDES permit requirements. With incorporation of Mitigation Measure GEO-1 and compliance with NPDES permit requirements,

construction of the proposed project would not result in substantial soil erosion or loss of topsoil. This impact would be less than significant with mitigation incorporated.

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

As discussed in Response 4.10.a above, the proposed project would include a new stormwater recharge basin and associated improvements, which would store stormwater runoff and would release at least a portion of that runoff by infiltrating the water into the ground. The recharge volume would be stored and allowed to infiltrate into the underlying soils over a period of time. As such, implementation of the proposed project would not substantially increase the rate or amount of surface runoff that would result in flooding on or off site. This impact would be less than significant.

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

See Response 4.10.a.ii above. Implementation of the proposed project would not substantially increase the rate or amount of surface runoff that would the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. This impact would be less than significant.

*iv. Impede or redirect flood flows?*

According to Federal Emergency Management Agency (FEMA), the project site is located within an area designated as Flood Zone A. Areas within Flood Zone A are within the 100-year floodplain. However, the proposed project would include a new stormwater recharge basin and associated improvements, which would store stormwater runoff and would release at least a portion of that runoff by infiltrating the water into the ground. The recharge volume would be stored and allowed to infiltrate into the underlying soils over a period of time. As such, implementation of the proposed project would not impede or redirect flood flows, and a less-than-significant impact would occur.

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

As indicated above, the project site is located within a FEMA designated 100-year floodplain. However, the proposed project would include a new stormwater recharge basin and associated improvements, which would store stormwater runoff and would release at least a portion of that runoff by infiltrating the water into the ground. The recharge volume would be stored and allowed to infiltrate into the underlying soils over a period of time. Furthermore, no enclosed bodies of water are in close enough proximity that would create a potential risk for seiche or a tsunami at the project site. Therefore, there would be a less-than-significant impact related to potential hazards from inundation from flood, tsunami, or seiche.

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

As discussed above, the proposed project would include a new stormwater recharge basin and associated improvements, which would store stormwater runoff and would release at least a portion of that runoff by infiltrating the water into the ground. The recharge volume would be stored and allowed to infiltrate into the underlying soils over a period of time. As a result, stormwater would continue to percolate into the groundwater table to allow for natural recharge. Therefore, the proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. A less-than-significant impact would occur.

## 4.11 LAND USE AND PLANNING

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

### *a. Would the project physically divide an established community?*

The physical division of an established community typically refers to the construction of a feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. For instance, the construction of an interstate highway through an existing community may constrain travel from one side of the community to another; similarly, such construction may also impair travel to areas outside of the community.

The proposed project would include a new stormwater recharge basin and associated improvements, including cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street, and would not disturb or alter access to any existing adjacent land uses. Therefore, the proposed project would not result in a physical division of an established community or adversely affect the continuity of land uses in the vicinity, and there would be no impact.

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

The project site is located in the Agricultural/Conservation (AC) zoning district and the General Plan Land Use designation is Rural/Agricultural/Conservation. The proposed stormwater retention basin would be generally compatible with the AC designation, and would not generate significant noise, odor, or other concerns that would interfere with adjacent land uses. Therefore, land use at the project site would remain the same with project implementation, and the proposed project would not conflict with any applicable land use plan, policy or regulation of the City of Porterville that was adopted for the purpose of avoiding or mitigating an environmental impact. As such, no land use incompatibilities or conflicts with existing plans or policies would result from the proposed project. Therefore, the proposed project would not conflict with any applicable land use plan, policy or regulation, and no impact would occur.

## 4.12 MINERAL RESOURCES

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

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

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

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

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

## 4.13 NOISE

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

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

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

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

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

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

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

The City of Porterville addresses noise in the Noise Element of the General Plan[21] and in Article IX of the City's City Code.[22] The Noise Element provides policies that work to minimize vehicular and stationary noise levels and noise from temporary activities and ensure that new development is compatible with the noise environment. Article IX of the City's City Code states that construction noise is exempt from the noise level standards provided that construction activities are limited to between the hours of 6:00 a.m. and 9:00 p.m. Monday through Friday and between the hours of 7:00 a.m. and 5:00 p.m. on Saturday and Sunday.

Certain land uses are considered more sensitive to noise than others. Examples of these land uses include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The closest sensitive receptor includes the single-family residence located north of the project site boundary along Road 216.

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

**Short-Term (Construction) Noise Impacts.** Project construction would result in short-term noise impacts on the nearby sensitive receptors. Maximum construction noise would be short-term, generally intermittent depending on the construction phase, and variable depending on receiver distance from the active construction zone. The duration of noise impacts generally would be from one day to several days depending on the phase of construction. The level and types of noise impacts that would occur during construction are described below.

Short-term noise impacts would occur during grading and site preparation activities. Table 4.C lists typical construction equipment noise levels ($L_{max}$) recommended for noise impact assessments, based on a distance of 50 feet between the equipment and a noise receptor, obtained from the Federal Highway Administration (FHWA) Roadway Construction Noise Model. Construction-related short-term noise levels would be higher than existing ambient noise levels currently in the project area but would no longer occur once construction of the project is completed.

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

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

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

## Table 4.C: Typical Construction Equipment Noise Levels

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

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

The second type of short-term noise impact is related to noise generated during grading and construction on the project site. Construction is performed in discrete steps, or phases, each with its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on-site. Therefore, the noise levels vary as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase.

Table 4.C lists maximum noise levels recommended for noise impact assessments for typical construction equipment, based on a distance of 50 feet between the equipment and a noise receptor.

Typical maximum noise levels range up to 87 dBA $L_{max}$ at 50 feet during the noisiest construction phases. The site preparation phase, including excavation and grading of the site, tends to generate the highest noise levels because earthmoving machinery is the noisiest construction equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full-power operation followed by 3 or 4 minutes at lower power settings.

As noted above, the closest sensitive receptor includes the single-family residence located north of the project site boundary along Road 216. Therefore, the closest sensitive receptors may be subject to short-term maximum construction noise of approximately 87 dBA $L_{max}$ during construction. However, construction equipment would operate at various locations within the project site and would only generate maximum noise levels when operations occur closest to the receptor.

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

**Mitigation Measure NOI-1** The project contractor shall implement the following measures during construction of the project:

- Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- Place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the active project site.
- Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the active project site during all construction activities.
- Ensure that all general construction related activities are restricted to between the hours of 6:00 a.m. and 9:00 p.m. Monday through Friday and between the hours of 7:00 a.m. and 5:00 p.m. on Saturday and Sunday.
- Designate a "disturbance coordinator" at the City who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler) and would determine and implement reasonable measures warranted to correct the problem.

**Operational Noise.** The proposed project includes the construction of a stormwater recharge basin and associated improvements, including cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street. Once operational, City staff would visit the project site on a weekly basis to ensure site security and would conduct monthly maintenance to maintain weed abatement and cleaning of the infrastructure. As such, the project would not result in a significant increase in vehicle trips and

would not be a source of operational noise. Therefore, the proposed project would not expose persons to noise levels in excess of local standards. Operational noise impacts would be considered less than significant.

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

Construction of the proposed project would involve grading and site preparation activities but would not involve the use of construction equipment that would result in substantial ground-borne vibration or ground-borne noise on properties adjacent to the project site. No pile driving, blasting, or significant grading activities are proposed. Furthermore, project operation would not generate substantial ground-borne noise and vibration. Therefore, the project would not result in the exposure of persons to or generation of excessive ground-borne noise and vibration impacts would be considered less than significant, and no mitigation is required.

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

The Porterville Municipal Airport is located approximately 1.3 miles northeast of the project site. However, the proposed project would include construction and operation of a new stormwater recharge basin and would not increase the residential or working population at the project sites. Therefore, the proposed project would not expose people to excessive noise levels related to airports and a less-than-significant impact would occur.

## 4.14 POPULATION AND HOUSING

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

### *a. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The proposed project would include a new stormwater recharge basin and associated improvements, including cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street. The proposed project would not result in direct population growth as the use proposed is not residential and would not contribute to permanent residency on site. The proposed project is intended to address improvements needed to facilitate the construction of a casino and would not generate growth beyond that anticipated in the General Plan. Therefore, the proposed project would not directly or indirectly induce population growth and this impact would be considered less than significant.

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

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

## 4.15 PUBLIC SERVICES

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

*a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

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

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

The proposed project would include a new stormwater recharge basin and associated improvements, including cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street. The proposed project would not result in an increase in population or facilities that would require the provision of new or additional fire or police services, schools, parks, or other public facilities, or result in the need for physically altered facilities. Therefore, the project would have no impacts associated with public services.

## 4.16 RECREATION

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

### *a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The proposed project would include a new stormwater recharge basin and associated improvements, including cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street and would not generate population growth that would result in an increase in the use of existing neighborhood and regional parks or other recreational facilities. Therefore, there would be no impact to parks or recreational facilities that would occur as a result of the proposed project.

### *b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The proposed project would not result in a substantial increase in the use of parks or other recreational facilities, and the proposed project would not require the construction or expansion of existing recreational facilities. Therefore, the project would result in no impact to recreational facilities.

## 4.17 TRANSPORTATION

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

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

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

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

Once operational, City staff would visit the project site on a weekly basis to ensure site security and would conduct monthly maintenance to maintain weed abatement and cleaning of the infrastructure. As such, operation of the proposed project would generate less than 100 peak hour trips and is not anticipated to generate a significant number of trips that would result in the deficiency of existing intersections within the project vicinity. Therefore, the addition of project traffic is not anticipated to exceed the City's level of significance threshold of LOS (LOS D or better). In addition, implementation of the proposed project would not disrupt or otherwise prevent roadway improvements, including the addition of bike paths or sidewalks in the vicinity of the project site. The project would also not disrupt existing transit services. Therefore, the proposed project would not conflict with any plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system or congestion management program. This impact would be less than significant, and no mitigation would be required.

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

On September 27, 2013, Governor Jerry Brown signed SB 743 into law and started a process that changes the methodology of a transportation impact analysis as part of CEQA requirements. SB 743 directed the California Office of Planning and Research (OPR) to establish new CEQA guidance for jurisdictions that removes the LOS method, which focuses on automobile vehicle delay and other similar measures of vehicular capacity or traffic congestion, from CEQA transportation analysis. Rather, VMT, or other measures that promote "the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses," are now be used as the basis for determining significant transportation impacts in the State.

The OPR Technical Advisory on Evaluating Transportation Impacts in CEQA[23] provides technical recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures to meet SB 743 requirements. The OPR Technical Advisory recommends the following screening threshold for small projects:

> *"Screening Threshold for Small Projects*
>
> *Many local agencies have developed screening thresholds to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact."*

City staff would visit the project site on a weekly basis to ensure site security and would conduct monthly maintenance to maintain weed abatement and cleaning of the infrastructure. Since the proposed project is considered a low trip generator (less than 110 daily trips generated) per the OPR Technical Advisory, implementation of the proposed project would result in less than significant VMT impacts. Therefore, the project would be consistent with State CEQA Guidelines Section 15064.3. Implementation of the proposed project would result in less-than-significant VMT impacts, and no mitigation would be required.

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

The proposed project would include a stormwater retention basin and associated improvements, including cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street. Installation of the storm drain pipe would require repaving and restriping of the centerline on Road 216 and West Street. The proposed repaving and restriping activities would be required to comply with standards set by the City's General Plan and City Engineer to ensure there are no substantial hazards associated with the project design. Therefore, the proposed project would result in a less-than-significant impact related to hazards associated with a design feature, and no mitigation would be required.

[23] Governor's Office of Planning and Research, 2018. *Technical Advisory on Evaluating Transportation Impacts in CEQA*. December. Website: https://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf (accessed August 2021).

### *d. Would the project result in inadequate emergency access?*

The proposed project would require repaving and restriping of the centerline on Road 216 and West Street; however, the proposed project does not include any changes to any other public or private roadways that would result in inadequate emergency access. In addition, as discussed in Section 4.9.f, the project would not interfere with the Porterville Emergency Operations Plan. Therefore, the proposed project would result in less-than-significant impacts related to emergency access, and no mitigation would be required.

## 4.18 TRIBAL CULTURAL RESOURCES

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

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

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

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

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

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

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

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

LSA submitted a request to the Native American Heritage Commission (NAHC) to request a review of the Sacred Lands File (SLF) to identify the presence of Native American cultural resources that could be impacted by the proposed project. The NAHC maintains the SLF database and is the official State repository of Native American sacred site location records in California.

Nancy Gonzalez-Lopez, NAHC Cultural Resources Analyst, responded to the SLF search request on May 21, 2021, stating that results were negative and that no Native American cultural resources were known in the area. The NAHC also provided a suggested list of Native American individuals to contact for information regarding the project site. The City of Porterville is conducting Native American consultation per AB 52 with the individuals on the list provided by the NAHC.

On November 23, 2021, the City provided formal notification to those California Native American tribes that are traditionally and culturally affiliated with the geographic area within which the

proposed project is located, pursuant to the consultation requirements of AB 52. The Tule River Native American Tribe received written notification on December 1, 2021 and the Santa Rosa Rancheria Tachi Yokut Native American Tribe received notification on November 29, 2021. No tribes have requested consultation and the City has fulfilled its obligation pursuant to AB 52. Therefore, it is assumed that no Tribal Cultural Resources would be adversely affected by the project. As a result, no impact would occur.

## 4.19 UTILITIES AND SERVICE SYSTEMS

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

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

Potential impacts related to the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects are discussed below.

**Water and Wastewater.** The proposed project would not result in any new land uses that would consume water or generate wastewater. Water would be used during construction to reduce fugitive dust in compliance with SJVAPCD Regulation VIII and during operation for landscape irrigation, which would not demand a substantial increase in water used for irrigation in comparison to existing conditions in the project area. The amount of water used during construction would be minimal and would cease when construction is completed.

Once operational, the proposed project would include a new stormwater recharge basin and associated improvements, including cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street. The proposed project would store stormwater runoff and would release at least a portion of that runoff by infiltrating the water into the ground. The recharge volume would be stored and allowed to infiltrate into the underlying soils over a period of time. As a result, stormwater would continue to percolate into the groundwater table to allow for natural recharge. No wastewater would be

generated as a result of construction or operation of the proposed project. Therefore, the proposed project would not result in the need for new water or wastewater facilities or the expansion of existing facilities, and impacts to these facilities would be less than significant.

**Stormwater Drainage.** As discussed earlier in Response 3.10.c.ii, the proposed project would include a new stormwater recharge basin and associated improvements, which would store stormwater runoff and would release at least a portion of that runoff by infiltrating the water into the ground. The recharge volume would be stored and allowed to infiltrate into the underlying soils over a period of time. Therefore, the proposed project would not result in the need for new stormwater drainage facilities or the expansion of existing facilities, and impacts to these facilities would be less than significant.

**Electric Power and Natural Gas.** In addition, as discussed in Response 3.6.a, energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to available energy sources. Once operational, the proposed project would not include lighting or features that could contribute to a significant new source of electricity and natural gas usage. As such, implementation of the proposed project would not result in a long-term substantial demand for electric power and natural gas. Therefore, the proposed project would not require or result in the relocation or construction of new or expanded electric power or natural gas facilities, the construction of which could cause significant environmental effects.

**Telecommunication Facilities.** The proposed project does not include any utility improvements related to telecommunications. Therefore, the project would not require or result in the relocation or construction of new or expanded telecommunications facilities, the construction of which could cause significant environmental effects.

**Summary.** The proposed project would not require or result in the relocation or construction of new or expanded facilities for water, wastewater treatment, storm drainage, electric power, natural gas, or telecommunications, the construction of which could cause significant environmental effects. Therefore, impacts would be less than significant.

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

See Section 4.19.a above. The proposed project would include a stormwater retention basin and would include cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street. Installation of the storm drain pipe would require repaving and restriping of the centerline on Road 216 and West Street. The proposed project would also relocate an existing recirculation pond from its existing location west of the project site to north of the project site. Construction and operation of the proposed project would not result in direct additions or withdrawals to existing groundwater and as such would not result in impacts on water supply. Therefore, no exceedance of the capacities of these services would occur that would result in a significant impact. Therefore, the proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years and impacts would be less than significant.

*c. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Implementation of the proposed project would not affect wastewater treatment and disposal services. Therefore, the wastewater treatment providers would have adequate capacity to serve the project's projected demand in addition to the providers' existing commitments. There would be no impact related to wastewater generation, and no mitigation would be required.

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

Disposal services in the City are provided by the City of Porterville. As discussed in the Project Description, approximately 555,310 cubic yards of soil would be excavated from the project site and would be transported to the Teapot Dome Landfill. Teapot Dome is a County-operated Class III landfill permitted to discharge up to 600 tons per day. According to the City's General Plan, once the Teapot Dome landfill reaches capacity, the City anticipates using its transfer facility to divert waste to the either the Woodville landfill or Visalia landfill.

The Woodville Disposal Site, located approximately 15 miles northwest of City limits, is a County-operated Class III landfill permitted to discharge up to 1,078 tons per day. As of 2006, the Woodville landfill was at 41.5 percent capacity with a remaining capacity of 4,954,270 cubic yards and an anticipated closure date of 2026. The Visalia Disposal Site, located approximately 35 miles northwest of the City limits, is a County-operated Class III landfill permitted to discharge up to 2,000 tons a day. As of 2006, the Visalia landfill was at 13.3 percent capacity with a remaining capacity of 16,145,600 cubic yards and an anticipated closure date of 2024. The estimated closure date for this landfill is considered to be a worst-case scenarios, where diversion goals are not met. Therefore, the County anticipates that the available landfill capacity will be sufficient through the planning horizon of 2030.[24]

Pena Disposal accepts all the recyclables for the City. This processing and transfer facility is approximately 35 miles from City limits and it is permitted for unlimited recycling, 2,000 tons per day of mixed solid waste, 100 tons per day of yard waste, and 175 tons per day of construction and demolition waste. Most household hazardous wastes, including e-waste, must be taken to various sites in Visalia, except on the biannual clean-up days when the County sets up a drop-off site in Porterville.[25]

As indicated above, approximately 555,310 cubic yards of soil would be excavated from the project site and would be transported to the Teapot Dome Landfill. This impact would be temporary and the County's landfills have an adequate capacity to accommodate the temporary increase in waste generated by construction. Once operational, the project would not generate solid waste. Therefore, the proposed project would be served by landfills with sufficient permitted capacity to

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

accommodate the solid waste disposal needs. Therefore, the proposed project would result in a less-than-significant impact to solid waste and landfill facilities.

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

The proposed project would be required to comply with all federal, State, and local regulations related to solid waste. Furthermore, the proposed project would be required to comply with all standards related to solid waste diversion, reduction, and recycling during project construction and operation. The proposed project would comply with all federal, State and local statutes and regulations related to solid waste. As such, any impacts would be less than significant.

## 4.20 WILDFIRE

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

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

Wildland fires occur in geographic areas that contain the types and conditions of vegetation, topography, weather, and structure density susceptible to risks associated with uncontrolled fires that can be started by lightning, improperly managed camp fires, cigarettes, sparks from automobiles, and other ignition sources. According to the California Department of Forestry and Fire Protection (CAL FIRE) Very High Fire Hazard Severity Zone (VHFHSZ) Map for Tulare County, the project site is not located within a Very High Fire Hazard Severity Zone.[26] In addition, based on Figure 7-4 of the City's General Plan, the project site is considered to have a moderate to high risk for fire hazard.[27]

As discussed in Section 4.9.f, the City of Porterville lists SR 65, SR 190, and Olive Avenue as evacuation routes. The proposed project would require repaving and restriping of the centerline on Road 216 and West Street; however, the proposed project does not include any changes to any other public or private roadways that would interfere with the evacuation routes or shelters identified by the City's General Plan.

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

[26] California Department of Forestry and Fire Protection. *Fire Hazard Severity Zone Viewer.* Website: https://egis.fire.ca.gov/FHSZ/ (accessed August 2021).

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

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

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

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

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

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

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

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

Landslides and other forms of mass wasting, including mud flows, debris flows, and soil slips, occur as soil moves downslope under the influence of gravity. Landslides are frequently triggered by intense rainfall or seismic shaking but can also occur as a result of erosion and downslope runoff caused by rain following a fire. As previously discussed in Section 4.7.a.i, the City's General Plan states that there is a moderate risk of landslides and liquefaction. Because the project site is

generally level, the proposed project would not expose people or structures to potential substantial adverse effects associated with landslides. Further, as stated previously, the project site is not located in or near a VHFHSZ nor is it located in or near a State Responsibility Area. Therefore, the proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. As a result, a less-than-significant impact would occur, and no mitigation would be required.

## 4.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

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

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

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

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

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

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

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

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# APPENDIX A

# CALEEMOD OUTPUT SHEETS

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Casino Basin Project - Tulare County, Annual

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

# Casino Basin Project

**Tulare County, Annual**

## 1.0 Project Characteristics

### 1.1 Land Usage

| Land Uses | Size | Metric | Lot Acreage | Floor Surface Area | Population |
|---|---|---|---|---|---|
| Other Non-Asphalt Surfaces | 50.00 | Acre | 50.00 | 2,178,000.00 | 0 |
| Other Asphalt Surfaces | 0.50 | Acre | 0.50 | 21,780.00 | 0 |

### 1.2 Other Project Characteristics

| | | | | | |
|---|---|---|---|---|---|
| **Urbanization** | Rural | **Wind Speed (m/s)** | 2.2 | **Precipitation Freq (Days)** | 51 |
| **Climate Zone** | 7 | | | **Operational Year** | 2022 |
| **Utility Company** | Southern California Edison | | | | |
| **CO2 Intensity (lb/MWhr)** | 390.98 | **CH4 Intensity (lb/MWhr)** | 0.033 | **N2O Intensity (lb/MWhr)** | 0.004 |

### 1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - The proposed project would include construction and operation of a new stormwater recharge basin. In addition, the proposed project would include cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street. Installation of the storm drain pipe would require repaving and restriping of the centerline on Road 216 and West Street.

Construction Phase - Construction is estimated to start in fall 2021, and would occur over a duration of 200 days.

Grading - Approximately 555,310 cubic yards of soil would be excavated from the project site and would be transported to the Teapot Dome Landfill.

Trips and VMT - Approximately 555,310 cubic yards of soil would be excavated from the project site and would be transported to the Teapot Dome Landfill.

| Table Name | Column Name | Default Value | New Value |
|---|---|---|---|
| tblConstructionPhase | NumDays | 75.00 | 10.00 |
| tblConstructionPhase | NumDays | 110.00 | 120.00 |
| tblConstructionPhase | NumDays | 75.00 | 10.00 |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

| | | | |
|---|---|---|---|
| tblConstructionPhase | NumDays | 40.00 | 60.00 |
| tblConstructionPhase | PhaseEndDate | 4/30/2027 | 9/9/2022 |
| tblConstructionPhase | PhaseEndDate | 7/1/2022 | 8/12/2022 |
| tblConstructionPhase | PhaseEndDate | 1/15/2027 | 8/26/2022 |
| tblConstructionPhase | PhaseEndDate | 1/28/2022 | 2/25/2022 |
| tblConstructionPhase | PhaseStartDate | 1/16/2027 | 8/29/2022 |
| tblConstructionPhase | PhaseStartDate | 1/29/2022 | 2/28/2022 |
| tblConstructionPhase | PhaseStartDate | 10/3/2026 | 8/15/2022 |
| tblGrading | AcresOfGrading | 360.00 | 330.00 |
| tblGrading | AcresOfGrading | 90.00 | 60.00 |
| tblGrading | MaterialExported | 0.00 | 55,310.00 |
| tblProjectCharacteristics | UrbanizationLevel | Urban | Rural |
| tblTripsAndVMT | HaulingTripLength | 20.00 | 1.25 |

## 2.0 Emissions Summary

Casino Basin Project - Tulare County, Annual

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 2.1 Overall Construction

### Unmitigated Construction

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Year | tons/yr | | | | | | | | | | MT/yr | | | | | |
| 2021 | 0.0399 | 0.4058 | 0.2203 | 4.0000e-004 | 0.2147 | 0.0205 | 0.2352 | 0.1033 | 0.0188 | 0.1222 | 0.0000 | 35.3106 | 35.3106 | 0.0109 | 6.0000e-005 | 35.6011 |
| 2022 | 0.7633 | 3.1428 | 2.3757 | 5.0800e-003 | 0.9641 | 0.1341 | 1.0982 | 0.4288 | 0.1234 | 0.5522 | 0.0000 | 448.7509 | 448.7509 | 0.1317 | 3.5500e-003 | 453.1012 |
| **Maximum** | **0.7633** | **3.1428** | **2.3757** | **5.0800e-003** | **0.9641** | **0.1341** | **1.0982** | **0.4288** | **0.1234** | **0.5522** | **0.0000** | **448.7509** | **448.7509** | **0.1317** | **3.5500e-003** | **453.1012** |

### Mitigated Construction

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Year | tons/yr | | | | | | | | | | MT/yr | | | | | |
| 2021 | 0.0399 | 0.4058 | 0.2203 | 4.0000e-004 | 0.2147 | 0.0205 | 0.2352 | 0.1033 | 0.0188 | 0.1222 | 0.0000 | 35.3105 | 35.3105 | 0.0109 | 6.0000e-005 | 35.6010 |
| 2022 | 0.7633 | 3.1428 | 2.3757 | 5.0800e-003 | 0.9641 | 0.1341 | 1.0982 | 0.4288 | 0.1234 | 0.5522 | 0.0000 | 448.7504 | 448.7504 | 0.1317 | 3.5500e-003 | 453.1007 |
| **Maximum** | **0.7633** | **3.1428** | **2.3757** | **5.0800e-003** | **0.9641** | **0.1341** | **1.0982** | **0.4288** | **0.1234** | **0.5522** | **0.0000** | **448.7504** | **448.7504** | **0.1317** | **3.5500e-003** | **453.1007** |

Casino Basin Project - Tulare County, Annual

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio-CO2 | Total CO2 | CH4 | N20 | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Percent Reduction** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** |

| Quarter | Start Date | End Date | Maximum Unmitigated ROG + NOX (tons/quarter) | Maximum Mitigated ROG + NOX (tons/quarter) |
|---|---|---|---|---|
| **1** | **12-6-2021** | **3-5-2022** | 1.2369 | 1.2369 |
| **2** | **3-6-2022** | **6-5-2022** | 1.4454 | 1.4454 |
| **3** | **6-6-2022** | **9-5-2022** | 1.3931 | 1.3931 |
| **4** | **9-6-2022** | **9-30-2022** | 0.1359 | 0.1359 |
| | | **Highest** | 1.4454 | 1.4454 |

## 2.2 Overall Operational

### Unmitigated Operational

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Area | 0.1881 | 0.0000 | 4.6000e-004 | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 9.0000e-004 | 9.0000e-004 | 0.0000 | 0.0000 | 9.6000e-004 |
| Energy | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Mobile | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Waste | | | | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Water | | | | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| **Total** | **0.1881** | **0.0000** | **4.6000e-004** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **9.0000e-004** | **9.0000e-004** | **0.0000** | **0.0000** | **9.6000e-004** |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 2.2 Overall Operational

### Mitigated Operational

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Area | 0.1881 | 0.0000 | 4.6000e-004 | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 9.0000e-004 | 9.0000e-004 | 0.0000 | 0.0000 | 9.6000e-004 |
| Energy | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Mobile | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Waste | | | | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Water | | | | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| **Total** | **0.1881** | **0.0000** | **4.6000e-004** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **9.0000e-004** | **9.0000e-004** | **0.0000** | **0.0000** | **9.6000e-004** |

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio-CO2 | Total CO2 | CH4 | N20 | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Percent Reduction** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00** |

## 3.0 Construction Detail

### Construction Phase

| Phase Number | Phase Name | Phase Type | Start Date | End Date | Num Days Week | Num Days | Phase Description |
|---|---|---|---|---|---|---|---|
| 1 | Site Preparation | Site Preparation | 12/6/2021 | 2/25/2022 | 5 | 60 | |
| 2 | Grading | Grading | 2/28/2022 | 8/12/2022 | 5 | 120 | |
| 3 | Paving | Paving | 8/15/2022 | 8/26/2022 | 5 | 10 | |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 4 | Architectural Coating | Architectural Coating | 8/29/2022 | 9/9/2022 | 5 | 10 | |

**Acres of Grading (Site Preparation Phase): 60**

**Acres of Grading (Grading Phase): 330**

**Acres of Paving: 50.5**

**Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 131,987 (Architectural Coating – sqft)**

## OffRoad Equipment

| Phase Name | Offroad Equipment Type | Amount | Usage Hours | Horse Power | Load Factor |
|---|---|---|---|---|---|
| Architectural Coating | Air Compressors | 1 | 6.00 | 78 | 0.48 |
| Grading | Excavators | 2 | 8.00 | 158 | 0.38 |
| Grading | Graders | 1 | 8.00 | 187 | 0.41 |
| Paving | Pavers | 2 | 8.00 | 130 | 0.42 |
| Paving | Paving Equipment | 2 | 8.00 | 132 | 0.36 |
| Paving | Rollers | 2 | 8.00 | 80 | 0.38 |
| Grading | Rubber Tired Dozers | 1 | 8.00 | 247 | 0.40 |
| Site Preparation | Rubber Tired Dozers | 3 | 8.00 | 247 | 0.40 |
| Grading | Scrapers | 2 | 8.00 | 367 | 0.48 |
| Grading | Tractors/Loaders/Backhoes | 2 | 8.00 | 97 | 0.37 |
| Site Preparation | Tractors/Loaders/Backhoes | 4 | 8.00 | 97 | 0.37 |

## Trips and VMT

| Phase Name | Offroad Equipment Count | Worker Trip Number | Vendor Trip Number | Hauling Trip Number | Worker Trip Length | Vendor Trip Length | Hauling Trip Length | Worker Vehicle Class | Vendor Vehicle Class | Hauling Vehicle Class |
|---|---|---|---|---|---|---|---|---|---|---|
| Site Preparation | 7 | 18.00 | 0.00 | 0.00 | 16.80 | 6.60 | 20.00 | LD_Mix | HDT_Mix | HHDT |
| Grading | 8 | 20.00 | 0.00 | 5,469.00 | 16.80 | 6.60 | 1.25 | LD_Mix | HDT_Mix | HHDT |
| Paving | 6 | 15.00 | 0.00 | 0.00 | 16.80 | 6.60 | 20.00 | LD_Mix | HDT_Mix | HHDT |
| Architectural Coating | 1 | 185.00 | 0.00 | 0.00 | 16.80 | 6.60 | 20.00 | LD_Mix | HDT_Mix | HHDT |

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**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 3.1 Mitigation Measures Construction

## 3.2 Site Preparation - 2021

**Unmitigated Construction On-Site**

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Fugitive Dust | | | | | 0.2125 | 0.0000 | 0.2125 | 0.1027 | 0.0000 | 0.1027 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Off-Road | 0.0389 | 0.4050 | 0.2115 | 3.8000e-004 | | 0.0204 | 0.0204 | | 0.0188 | 0.0188 | 0.0000 | 33.4357 | 33.4357 | 0.0108 | 0.0000 | 33.7061 |
| **Total** | **0.0389** | **0.4050** | **0.2115** | **3.8000e-004** | **0.2125** | **0.0204** | **0.2329** | **0.1027** | **0.0188** | **0.1216** | **0.0000** | **33.4357** | **33.4357** | **0.0108** | **0.0000** | **33.7061** |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 3.2 Site Preparation - 2021

### Unmitigated Construction Off-Site

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Hauling | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Vendor | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Worker | 9.9000e-004 | 8.4000e-004 | 8.7400e-003 | 2.0000e-005 | 2.2300e-003 | 1.0000e-005 | 2.2400e-003 | 5.9000e-004 | 1.0000e-005 | 6.0000e-004 | 0.0000 | 1.8749 | 1.8749 | 6.0000e-005 | 6.0000e-005 | 1.8950 |
| **Total** | **9.9000e-004** | **8.4000e-004** | **8.7400e-003** | **2.0000e-005** | **2.2300e-003** | **1.0000e-005** | **2.2400e-003** | **5.9000e-004** | **1.0000e-005** | **6.0000e-004** | **0.0000** | **1.8749** | **1.8749** | **6.0000e-005** | **6.0000e-005** | **1.8950** |

### Mitigated Construction On-Site

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Fugitive Dust | | | | | 0.2125 | 0.0000 | 0.2125 | 0.1027 | 0.0000 | 0.1027 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Off-Road | 0.0389 | 0.4050 | 0.2115 | 3.8000e-004 | | 0.0204 | 0.0204 | | 0.0188 | 0.0188 | 0.0000 | 33.4357 | 33.4357 | 0.0108 | 0.0000 | 33.7060 |
| **Total** | **0.0389** | **0.4050** | **0.2115** | **3.8000e-004** | **0.2125** | **0.0204** | **0.2329** | **0.1027** | **0.0188** | **0.1216** | **0.0000** | **33.4357** | **33.4357** | **0.0108** | **0.0000** | **33.7060** |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 3.2 Site Preparation - 2021

**Mitigated Construction Off-Site**

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Hauling | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Vendor | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Worker | 9.9000e-004 | 8.4000e-004 | 8.7400e-003 | 2.0000e-005 | 2.2300e-003 | 1.0000e-005 | 2.2400e-003 | 5.9000e-004 | 1.0000e-005 | 6.0000e-004 | 0.0000 | 1.8749 | 1.8749 | 6.0000e-005 | 6.0000e-005 | 1.8950 |
| **Total** | **9.9000e-004** | **8.4000e-004** | **8.7400e-003** | **2.0000e-005** | **2.2300e-003** | **1.0000e-005** | **2.2400e-003** | **5.9000e-004** | **1.0000e-005** | **6.0000e-004** | **0.0000** | **1.8749** | **1.8749** | **6.0000e-005** | **6.0000e-005** | **1.8950** |

## 3.2 Site Preparation - 2022

**Unmitigated Construction On-Site**

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Fugitive Dust | | | | | 0.3931 | 0.0000 | 0.3931 | 0.2021 | 0.0000 | 0.2021 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Off-Road | 0.0634 | 0.6617 | 0.3940 | 7.6000e-004 | | 0.0323 | 0.0323 | | 0.0297 | 0.0297 | 0.0000 | 66.8788 | 66.8788 | 0.0216 | 0.0000 | 67.4195 |
| **Total** | **0.0634** | **0.6617** | **0.3940** | **7.6000e-004** | **0.3931** | **0.0323** | **0.4254** | **0.2021** | **0.0297** | **0.2317** | **0.0000** | **66.8788** | **66.8788** | **0.0216** | **0.0000** | **67.4195** |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 3.2 Site Preparation - 2022

### Unmitigated Construction Off-Site

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Hauling | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Vendor | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Worker | 1.8000e-003 | 1.4500e-003 | 0.0157 | 4.0000e-005 | 4.4600e-003 | 2.0000e-005 | 4.4800e-003 | 1.1900e-003 | 2.0000e-005 | 1.2100e-003 | 0.0000 | 3.6477 | 3.6477 | 1.1000e-004 | 1.1000e-004 | 3.6841 |
| **Total** | **1.8000e-003** | **1.4500e-003** | **0.0157** | **4.0000e-005** | **4.4600e-003** | **2.0000e-005** | **4.4800e-003** | **1.1900e-003** | **2.0000e-005** | **1.2100e-003** | **0.0000** | **3.6477** | **3.6477** | **1.1000e-004** | **1.1000e-004** | **3.6841** |

### Mitigated Construction On-Site

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Fugitive Dust | | | | | 0.3931 | 0.0000 | 0.3931 | 0.2021 | 0.0000 | 0.2021 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Off-Road | 0.0634 | 0.6617 | 0.3940 | 7.6000e-004 | | 0.0323 | 0.0323 | | 0.0297 | 0.0297 | 0.0000 | 66.8787 | 66.8787 | 0.0216 | 0.0000 | 67.4195 |
| **Total** | **0.0634** | **0.6617** | **0.3940** | **7.6000e-004** | **0.3931** | **0.0323** | **0.4254** | **0.2021** | **0.0297** | **0.2317** | **0.0000** | **66.8787** | **66.8787** | **0.0216** | **0.0000** | **67.4195** |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 3.2 Site Preparation - 2022

**Mitigated Construction Off-Site**

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Hauling | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Vendor | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Worker | 1.8000e-003 | 1.4500e-003 | 0.0157 | 4.0000e-005 | 4.4600e-003 | 2.0000e-005 | 4.4800e-003 | 1.1900e-003 | 2.0000e-005 | 1.2100e-003 | 0.0000 | 3.6477 | 3.6477 | 1.1000e-004 | 1.1000e-004 | 3.6841 |
| **Total** | **1.8000e-003** | **1.4500e-003** | **0.0157** | **4.0000e-005** | **4.4600e-003** | **2.0000e-005** | **4.4800e-003** | **1.1900e-003** | **2.0000e-005** | **1.2100e-003** | **0.0000** | **3.6477** | **3.6477** | **1.1000e-004** | **1.1000e-004** | **3.6841** |

## 3.3 Grading - 2022

**Unmitigated Construction On-Site**

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Fugitive Dust | | | | | 0.5363 | 0.0000 | 0.5363 | 0.2175 | 0.0000 | 0.2175 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Off-Road | 0.2175 | 2.3306 | 1.7425 | 3.7200e-003 | | 0.0981 | 0.0981 | | 0.0903 | 0.0903 | 0.0000 | 327.2076 | 327.2076 | 0.1058 | 0.0000 | 329.8532 |
| **Total** | **0.2175** | **2.3306** | **1.7425** | **3.7200e-003** | **0.5363** | **0.0981** | **0.6344** | **0.2175** | **0.0903** | **0.3078** | **0.0000** | **327.2076** | **327.2076** | **0.1058** | **0.0000** | **329.8532** |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 3.3 Grading - 2022

### Unmitigated Construction Off-Site

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Hauling | 3.5900e-003 | 0.0775 | 0.0455 | 1.8000e-004 | 2.9700e-003 | 3.1000e-004 | 3.2800e-003 | 8.2000e-004 | 2.9000e-004 | 1.1100e-003 | 0.0000 | 17.4349 | 17.4349 | 1.9000e-004 | 2.7400e-003 | 18.2567 |
| Vendor | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Worker | 6.0000e-003 | 4.8400e-003 | 0.0524 | 1.3000e-004 | 0.0149 | 8.0000e-005 | 0.0149 | 3.9500e-003 | 7.0000e-005 | 4.0200e-003 | 0.0000 | 12.1590 | 12.1590 | 3.6000e-004 | 3.8000e-004 | 12.2804 |
| **Total** | **9.5900e-003** | **0.0824** | **0.0979** | **3.1000e-004** | **0.0178** | **3.9000e-004** | **0.0182** | **4.7700e-003** | **3.6000e-004** | **5.1300e-003** | **0.0000** | **29.5939** | **29.5939** | **5.5000e-004** | **3.1200e-003** | **30.5371** |

### Mitigated Construction On-Site

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Fugitive Dust | | | | | 0.5363 | 0.0000 | 0.5363 | 0.2175 | 0.0000 | 0.2175 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Off-Road | 0.2175 | 2.3306 | 1.7425 | 3.7200e-003 | | 0.0981 | 0.0981 | | 0.0903 | 0.0903 | 0.0000 | 327.2072 | 327.2072 | 0.1058 | 0.0000 | 329.8528 |
| **Total** | **0.2175** | **2.3306** | **1.7425** | **3.7200e-003** | **0.5363** | **0.0981** | **0.6344** | **0.2175** | **0.0903** | **0.3078** | **0.0000** | **327.2072** | **327.2072** | **0.1058** | **0.0000** | **329.8528** |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 3.3 Grading - 2022

**Mitigated Construction Off-Site**

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Hauling | 3.5900e-003 | 0.0775 | 0.0455 | 1.8000e-004 | 2.9700e-003 | 3.1000e-004 | 3.2800e-003 | 8.2000e-004 | 2.9000e-004 | 1.1100e-003 | 0.0000 | 17.4349 | 17.4349 | 1.9000e-004 | 2.7400e-003 | 18.2567 |
| Vendor | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Worker | 6.0000e-003 | 4.8400e-003 | 0.0524 | 1.3000e-004 | 0.0149 | 8.0000e-005 | 0.0149 | 3.9500e-003 | 7.0000e-005 | 4.0200e-003 | 0.0000 | 12.1590 | 12.1590 | 3.6000e-004 | 3.8000e-004 | 12.2804 |
| **Total** | **9.5900e-003** | **0.0824** | **0.0979** | **3.1000e-004** | **0.0178** | **3.9000e-004** | **0.0182** | **4.7700e-003** | **3.6000e-004** | **5.1300e-003** | **0.0000** | **29.5939** | **29.5939** | **5.5000e-004** | **3.1200e-003** | **30.5371** |

## 3.4 Paving - 2022

**Unmitigated Construction On-Site**

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Off-Road | 5.5100e-003 | 0.0556 | 0.0729 | 1.1000e-004 | | 2.8400e-003 | 2.8400e-003 | | 2.6100e-003 | 2.6100e-003 | 0.0000 | 10.0138 | 10.0138 | 3.2400e-003 | 0.0000 | 10.0948 |
| Paving | 6.6000e-004 | | | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| **Total** | **6.1700e-003** | **0.0556** | **0.0729** | **1.1000e-004** | | **2.8400e-003** | **2.8400e-003** | | **2.6100e-003** | **2.6100e-003** | **0.0000** | **10.0138** | **10.0138** | **3.2400e-003** | **0.0000** | **10.0948** |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 3.4 Paving - 2022

### Unmitigated Construction Off-Site

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Hauling | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Vendor | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Worker | 3.7000e-004 | 3.0000e-004 | 3.2700e-003 | 1.0000e-005 | 9.3000e-004 | 0.0000 | 9.3000e-004 | 2.5000e-004 | 0.0000 | 2.5000e-004 | 0.0000 | 0.7599 | 0.7599 | 2.0000e-005 | 2.0000e-005 | 0.7675 |
| **Total** | **3.7000e-004** | **3.0000e-004** | **3.2700e-003** | **1.0000e-005** | **9.3000e-004** | **0.0000** | **9.3000e-004** | **2.5000e-004** | **0.0000** | **2.5000e-004** | **0.0000** | **0.7599** | **0.7599** | **2.0000e-005** | **2.0000e-005** | **0.7675** |

### Mitigated Construction On-Site

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Off-Road | 5.5100e-003 | 0.0556 | 0.0729 | 1.1000e-004 | | 2.8400e-003 | 2.8400e-003 | | 2.6100e-003 | 2.6100e-003 | 0.0000 | 10.0138 | 10.0138 | 3.2400e-003 | 0.0000 | 10.0947 |
| Paving | 6.6000e-004 | | | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| **Total** | **6.1700e-003** | **0.0556** | **0.0729** | **1.1000e-004** | | **2.8400e-003** | **2.8400e-003** | | **2.6100e-003** | **2.6100e-003** | **0.0000** | **10.0138** | **10.0138** | **3.2400e-003** | **0.0000** | **10.0947** |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 3.4 Paving - 2022

**Mitigated Construction Off-Site**

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Hauling | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Vendor | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Worker | 3.7000e-004 | 3.0000e-004 | 3.2700e-003 | 1.0000e-005 | 9.3000e-004 | 0.0000 | 9.3000e-004 | 2.5000e-004 | 0.0000 | 2.5000e-004 | 0.0000 | 0.7599 | 0.7599 | 2.0000e-005 | 2.0000e-005 | 0.7675 |
| **Total** | **3.7000e-004** | **3.0000e-004** | **3.2700e-003** | **1.0000e-005** | **9.3000e-004** | **0.0000** | **9.3000e-004** | **2.5000e-004** | **0.0000** | **2.5000e-004** | **0.0000** | **0.7599** | **0.7599** | **2.0000e-005** | **2.0000e-005** | **0.7675** |

## 3.5 Architectural Coating - 2022

**Unmitigated Construction On-Site**

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Archit. Coating | 0.4588 | | | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Off-Road | 1.0200e-003 | 7.0400e-003 | 9.0700e-003 | 1.0000e-005 | | 4.1000e-004 | 4.1000e-004 | | 4.1000e-004 | 4.1000e-004 | 0.0000 | 1.2766 | 1.2766 | 8.0000e-005 | 0.0000 | 1.2787 |
| **Total** | **0.4598** | **7.0400e-003** | **9.0700e-003** | **1.0000e-005** | | **4.1000e-004** | **4.1000e-004** | | **4.1000e-004** | **4.1000e-004** | **0.0000** | **1.2766** | **1.2766** | **8.0000e-005** | **0.0000** | **1.2787** |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 3.5 Architectural Coating - 2022

### Unmitigated Construction Off-Site

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Hauling | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Vendor | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Worker | 4.6200e-003 | 3.7300e-003 | 0.0404 | 1.0000e-004 | 0.0115 | 6.0000e-005 | 0.0115 | 3.0500e-003 | 6.0000e-005 | 3.1000e-003 | 0.0000 | 9.3726 | 9.3726 | 2.8000e-004 | 2.9000e-004 | 9.4662 |
| **Total** | **4.6200e-003** | **3.7300e-003** | **0.0404** | **1.0000e-004** | **0.0115** | **6.0000e-005** | **0.0115** | **3.0500e-003** | **6.0000e-005** | **3.1000e-003** | **0.0000** | **9.3726** | **9.3726** | **2.8000e-004** | **2.9000e-004** | **9.4662** |

### Mitigated Construction On-Site

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Archit. Coating | 0.4588 | | | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Off-Road | 1.0200e-003 | 7.0400e-003 | 9.0700e-003 | 1.0000e-005 | | 4.1000e-004 | 4.1000e-004 | | 4.1000e-004 | 4.1000e-004 | 0.0000 | 1.2766 | 1.2766 | 8.0000e-005 | 0.0000 | 1.2787 |
| **Total** | **0.4598** | **7.0400e-003** | **9.0700e-003** | **1.0000e-005** | | **4.1000e-004** | **4.1000e-004** | | **4.1000e-004** | **4.1000e-004** | **0.0000** | **1.2766** | **1.2766** | **8.0000e-005** | **0.0000** | **1.2787** |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

### 3.5 Architectural Coating - 2022

**Mitigated Construction Off-Site**

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Hauling | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Vendor | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Worker | 4.6200e-003 | 3.7300e-003 | 0.0404 | 1.0000e-004 | 0.0115 | 6.0000e-005 | 0.0115 | 3.0500e-003 | 6.0000e-005 | 3.1000e-003 | 0.0000 | 9.3726 | 9.3726 | 2.8000e-004 | 2.9000e-004 | 9.4662 |
| **Total** | **4.6200e-003** | **3.7300e-003** | **0.0404** | **1.0000e-004** | **0.0115** | **6.0000e-005** | **0.0115** | **3.0500e-003** | **6.0000e-005** | **3.1000e-003** | **0.0000** | **9.3726** | **9.3726** | **2.8000e-004** | **2.9000e-004** | **9.4662** |

## 4.0 Operational Detail - Mobile

### 4.1 Mitigation Measures Mobile

Casino Basin Project - Tulare County, Annual

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Mitigated | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |

## 4.2 Trip Summary Information

| | Average Daily Trip Rate | | | Unmitigated | Mitigated |
|---|---|---|---|---|---|
| Land Use | Weekday | Saturday | Sunday | Annual VMT | Annual VMT |
| Other Asphalt Surfaces | 0.00 | 0.00 | 0.00 | | |
| Other Non-Asphalt Surfaces | 0.00 | 0.00 | 0.00 | | |
| Total | 0.00 | 0.00 | 0.00 | | |

## 4.3 Trip Type Information

| | Miles | | | Trip % | | | Trip Purpose % | | |
|---|---|---|---|---|---|---|---|---|---|
| Land Use | H-W or C-W | H-S or C-C | H-O or C-NW | H-W or C-W | H-S or C-C | H-O or C-NW | Primary | Diverted | Pass-by |
| Other Asphalt Surfaces | 14.70 | 6.60 | 6.60 | 0.00 | 0.00 | 0.00 | 0 | 0 | 0 |
| Other Non-Asphalt Surfaces | 14.70 | 6.60 | 6.60 | 0.00 | 0.00 | 0.00 | 0 | 0 | 0 |

## 4.4 Fleet Mix

| Land Use | LDA | LDT1 | LDT2 | MDV | LHD1 | LHD2 | MHD | HHD | OBUS | UBUS | MCY | SBUS | MH |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Other Asphalt Surfaces | 0.491968 | 0.051162 | 0.166648 | 0.188672 | 0.034593 | 0.008513 | 0.012315 | 0.015417 | 0.000659 | 0.000471 | 0.024128 | 0.001541 | 0.003914 |
| Other Non-Asphalt Surfaces | 0.491968 | 0.051162 | 0.166648 | 0.188672 | 0.034593 | 0.008513 | 0.012315 | 0.015417 | 0.000659 | 0.000471 | 0.024128 | 0.001541 | 0.003914 |

# 5.0 Energy Detail

Casino Basin Project - Tulare County, Annual

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

Historical Energy Use: N

## 5.1 Mitigation Measures Energy

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Electricity Mitigated | | | | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Electricity Unmitigated | | | | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| NaturalGas Mitigated | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| NaturalGas Unmitigated | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 5.2 Energy by Land Use - NaturalGas

### Unmitigated

| | NaturalGas Use | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Land Use | kBTU/yr | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Other Asphalt Surfaces | 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Other Non-Asphalt Surfaces | 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| **Total** | | **0.0000** | **0.0000** | **0.0000** | **0.0000** | | **0.0000** | **0.0000** | | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** |

### Mitigated

| | NaturalGas Use | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Land Use | kBTU/yr | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Other Asphalt Surfaces | 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Other Non-Asphalt Surfaces | 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| **Total** | | **0.0000** | **0.0000** | **0.0000** | **0.0000** | | **0.0000** | **0.0000** | | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** | **0.0000** |

## 5.3 Energy by Land Use - Electricity

**Unmitigated**

| | Electricity Use | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|
| Land Use | kWh/yr | MT/yr | | | |
| Other Asphalt Surfaces | 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Other Non-Asphalt Surfaces | 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| **Total** | | **0.0000** | **0.0000** | **0.0000** | **0.0000** |

**Mitigated**

| | Electricity Use | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|
| Land Use | kWh/yr | MT/yr | | | |
| Other Asphalt Surfaces | 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Other Non-Asphalt Surfaces | 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| **Total** | | **0.0000** | **0.0000** | **0.0000** | **0.0000** |

## 6.0 Area Detail

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 6.1 Mitigation Measures Area

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Mitigated | 0.1881 | 0.0000 | 4.6000e-004 | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 9.0000e-004 | 9.0000e-004 | 0.0000 | 0.0000 | 9.6000e-004 |
| Unmitigated | 0.1881 | 0.0000 | 4.6000e-004 | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 9.0000e-004 | 9.0000e-004 | 0.0000 | 0.0000 | 9.6000e-004 |

## 6.2 Area by SubCategory

**Unmitigated**

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| SubCategory | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Architectural Coating | 0.0459 | | | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Consumer Products | 0.1422 | | | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Landscaping | 4.0000e-005 | 0.0000 | 4.6000e-004 | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 9.0000e-004 | 9.0000e-004 | 0.0000 | 0.0000 | 9.6000e-004 |
| **Total** | **0.1881** | **0.0000** | **4.6000e-004** | **0.0000** | | **0.0000** | **0.0000** | | **0.0000** | **0.0000** | **0.0000** | **9.0000e-004** | **9.0000e-004** | **0.0000** | **0.0000** | **9.6000e-004** |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 6.2 Area by SubCategory

**Mitigated**

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| SubCategory | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Architectural Coating | 0.0459 | | | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Consumer Products | 0.1422 | | | | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Landscaping | 4.0000e-005 | 0.0000 | 4.6000e-004 | 0.0000 | | 0.0000 | 0.0000 | | 0.0000 | 0.0000 | 0.0000 | 9.0000e-004 | 9.0000e-004 | 0.0000 | 0.0000 | 9.6000e-004 |
| **Total** | **0.1881** | **0.0000** | **4.6000e-004** | **0.0000** | | **0.0000** | **0.0000** | | **0.0000** | **0.0000** | **0.0000** | **9.0000e-004** | **9.0000e-004** | **0.0000** | **0.0000** | **9.6000e-004** |

# 7.0 Water Detail

## 7.1 Mitigation Measures Water

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

| | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|
| Category | MT/yr | | | |
| Mitigated | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000 | 0.0000 | 0.0000 | 0.0000 |

## 7.2 Water by Land Use

**Unmitigated**

| | Indoor/Outdoor Use | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|
| Land Use | Mgal | MT/yr | | | |
| Other Asphalt Surfaces | 0 / 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Other Non-Asphalt Surfaces | 0 / 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| **Total** | | **0.0000** | **0.0000** | **0.0000** | **0.0000** |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

### 7.2 Water by Land Use

**Mitigated**

| | Indoor/Outdoor Use | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|
| Land Use | Mgal | MT/yr | | | |
| Other Asphalt Surfaces | 0 / 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Other Non-Asphalt Surfaces | 0 / 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| **Total** | | **0.0000** | **0.0000** | **0.0000** | **0.0000** |

## 8.0 Waste Detail

### 8.1 Mitigation Measures Waste

**Category/Year**

| | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|
| | MT/yr | | | |
| Mitigated | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000 | 0.0000 | 0.0000 | 0.0000 |

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

## 8.2 Waste by Land Use

**Unmitigated**

| | Waste Disposed | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|
| Land Use | tons | MT/yr | | | |
| Other Asphalt Surfaces | 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Other Non-Asphalt Surfaces | 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| **Total** | | **0.0000** | **0.0000** | **0.0000** | **0.0000** |

**Mitigated**

| | Waste Disposed | Total CO2 | CH4 | N2O | CO2e |
|---|---|---|---|---|---|
| Land Use | tons | MT/yr | | | |
| Other Asphalt Surfaces | 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| Other Non-Asphalt Surfaces | 0 | 0.0000 | 0.0000 | 0.0000 | 0.0000 |
| **Total** | | **0.0000** | **0.0000** | **0.0000** | **0.0000** |

## 9.0 Operational Offroad

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

| Equipment Type | Number | Hours/Day | Days/Year | Horse Power | Load Factor | Fuel Type |
|---|---|---|---|---|---|---|

## 10.0 Stationary Equipment

**Fire Pumps and Emergency Generators**

| Equipment Type | Number | Hours/Day | Hours/Year | Horse Power | Load Factor | Fuel Type |
|---|---|---|---|---|---|---|

**Boilers**

| Equipment Type | Number | Heat Input/Day | Heat Input/Year | Boiler Rating | Fuel Type |
|---|---|---|---|---|---|

**User Defined Equipment**

| Equipment Type | Number |
|---|---|

## 11.0 Vegetation

# APPENDIX B

# BIOLOGICAL RESOURCES EVALUATION

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# BIOLOGICAL RESOURCES EVALUATION

## CASINO BASIN PROJECT

Portions of Sections 7 and 8, Township 22 South Range 27 East, M. D. B. & M.

Porterville, California

September 2021

Prepared for:
LSA
7086 North Maple Avenue, Suite 104
Fresno, CA 93720

Prepared by:

Randi McCormick, Principal Biologist
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P.O. Box 80983
Bakersfield, CA 93380

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## Appendices

## EXECUTIVE SUMMARY

This report documents the biological resources found during a reconnaissance-level biological survey conducted on August 18 and 19, 2021, on the Casino Basin Project (Project), which includes an approximately 50-acre stormwater retention basin, recirculation pond, and stormwater drain pipe. The proposed project includes development of a retention basin in the southwest portion of the City of Porterville, generally located at the northwest corner of Road 216 and Avenue 128. The project site is the southerly 50 acres of an approximately 126-acre parcel (Assessor Parcel Number [APN]: 302-100-015), generally located at the northwest corner of Road 216 and Avenue 128 in the southwest portion of the City of Porterville (City), in Tulare County (County). The site is located on agricultural land and within paved and unpaved streets with no nearby undisturbed or natural lands.

The purpose of this report is to document biological resources identified during the literature review and reconnaissance survey conducted for the proposed Project and to recommend avoidance and minimization measures for implementation prior to and during Project activities. This report includes an evaluation of the potential for special-status biological resources to occur on the Project based on the habitat conditions observed. The Project is located within the geographic range of several threatened and/or endangered wildlife taxa including San Joaquin kit fox (*Vulpes macrotis mutica*), tricolored blackbird (*Agelaius tricolor*), Swainson's hawk (*Buteo swainsoni*), as well as others. In addition, the site is within the range of listed plant taxa, including San Joaquin woolly threads (*Monolopia congdonii*), California jewelflower (*Caulanthus californicus*) and others.

Listed plants and wildlife are protected primarily through the Federal Endangered Species Act (FESA) and/or the California Endangered Species Act (CESA). Each of these laws, among other provisions, prohibits *take* of listed threatened and endangered species. Although the definition of *take* under each law varies somewhat, in general, injuring or killing listed species without a permit issued from the United States Fish and Wildlife Service (USFWS) and/or the California Department of Fish and Wildlife (CDFW; formerly the California Department of Fish and Game [CDFG]) is unlawful. Under FESA, harassment and/or harm are also considered *take* for which the USFWS requires a permit.

Based upon the literature review and field survey results, the Project will not result in significant impacts to wildlife corridors, wetlands, riparian habitat or sensitive plant communities. The Project does have the potential to affect some special-status species. Recommendations are included that, when implemented, will mitigate any potentially significant Project impacts to biological resources. The Project will not conflict with existing or adopted Habitat Conservation Plans, Natural Community Conservation Plans, local or regional conservation plans, or local ordinances protecting biological resources.

## 1.0 INTRODUCTION

### *1.1 Purpose and Background*

The purpose of this report is to document biological resources identified during a reconnaissance biological survey and literature review of the Project site, to assess the potential for special-status biological resources, analyze potential impacts to those resources and to recommend avoidance and minimization measures for implementation prior to and during Project activities. The literature review, survey results, and the professional experience of McCormick Biological, Inc. (MBI) staff were combined to evaluate the potential Project effects on biological resources. A reconnaissance survey was performed to evaluate habitat conditions suitable for occupation by potentially occurring special-status species; based on the existing natural vegetative communities, current site conditions, and diagnostic sign detected during the survey.

This report is intended to support CEQA review of the proposed Project for this Project that will be undertaken by the City of Porterville (City). For the purposes of this report, potential impacts to the biological resources of the proposed Project were evaluated in accordance with the biological resources section in Appendix G of the *CEQA Guidelines* (2021).

### *1.2 Project Site and Surrounding Area Descriptions*

The proposed project includes development of a retention basin in the southwest portion of the City of Porterville, generally located at the northwest corner of Road 216 and Avenue 128. The project site is the southerly 50 acres of an approximately 126-acre parcel (Assessor Parcel Number [APN]: 302-100-015, generally located at the northwest corner of Road 216 and Avenue 128 in the southwest portion of the City of Porterville (City), in Tulare County (County). Figure 1 provides the Regional Location. The basin would have a depth of roughly 13 feet from original grade to the base (toe) of the slope and the high water line is designed to be 5 feet above the basin floor. The basin has a proposed capacity of approximately 200.22 acre-feet. The basin would be surrounded by a 6-inch chain link fence.

In addition to construction and operation of this new stormwater recharge basin to support the Eagle Mountain Casino, the proposed project would include cast-in-place storm drain outlets, storm drain manholes, and an underground 72-inch storm drain pipe underneath to Road 216, Avenue 130, and West Street. Installation of the storm drain pipe would require repaving and restriping of the centerline on Road 216 and West Street. The proposed project would also relocate an existing recirculation pond from its existing location west of the project site to north of the project site. The project site is currently owned by the City and would continue to be owned by the City with implementation of the project.

The general topography of the area is generally level as the land appears to have been cleared for agriculture prior to 1994 and has been actively farmed since that time. The entire basin and all but 650 feet of the storm drain pipe installation route is in or adjacent to active agriculture. The remaining 650 feet of the storm drain pipe route is adjacent to a fallow field.

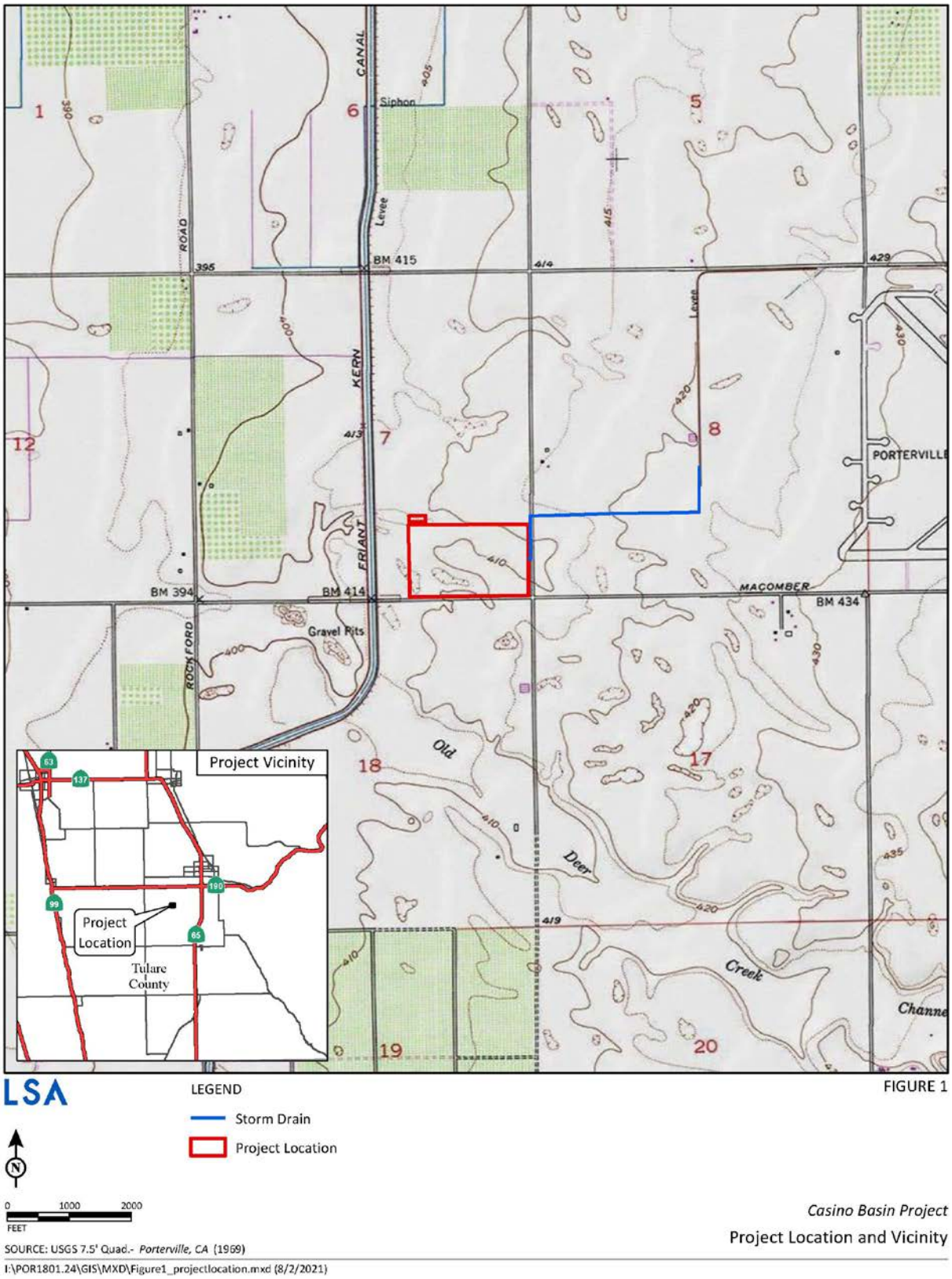


**Figure 1-1:** Project Location and Vicinity


**Figure 1-2:** Aerial Photograph of the Proposed Project Site

The Project site is surrounded by active agriculture and industrial land uses. The proposed basin is west of Road 216 and north of Avenue 128, with the Friant-Kern Canal located approximately 525 feet west of the Project. A Tulare County landfill is located about 750 feet west-southwest of the Project and the Porterville Airport is approximately one mile east of the basin portion of the Project. The average elevation of the Project area is approximately 355 feet (108 meters) above sea-level.

The Project is in the southeastern San Joaquin Valley; a broad, treeless plain in the rain shadow of the Coast Ranges. The region's climate can be characterized as Mediterranean; with hot, dry summers and cool, moist winters. July is the hottest month, with an average daily high of 98.3°Fahrenheit (F) (36.8°Celsius (C)) and December is the coolest month, with an average minimum of 36.6°F (2.6°C). Average annual precipitation is 10.99 inches per year (Western Regional Climate Center 2021).

## *1.3 Regulatory Background*

The following section identifies the regulatory compliance framework that has been considered during both the field work and development of this biological evaluation. The regulatory framework establishes criteria in which significance is determined and whether a project will have a significant impact on species, biological resources, or the environment.

### 1.3.1 Federal and State Endangered Species Acts

The Project site is within the range of several state- and federal-listed species which are protected through various statutes. Listed plant and animal species are protected primarily through FESA and/or CESA. Each of these laws, among other provisions, prohibits *take* of listed threatened and endangered species. Although the definition of *take* under each law varies, in general, injuring or killing listed species without a permit issued from the USFWS and/or the CDFW is unlawful. Under FESA, harassment and/or harm could also be considered take, which requires a permit. The California Fish and Game Code (CFGC) has classified some species as *fully protected*. Under this designation, no take of these species is allowed, even with authorization under CESA or FESA permitting.

### 1.3.2 Migratory Bird Treaty Act

Among other provisions, the *Migratory Bird Treaty Act* (MBTA) *of 1918* (2021) prohibits the destruction of nests, eggs, and/or young of all designated migratory bird species. With very limited exceptions, all birds are included in this prohibition (MBTA 2021).

### 1.3.3 California Fish and Game Code (C.F.G.C. § 1580 et seq.)

The following paragraphs summarize several sections of the CFGC, and are applicable to analysis of biological resource impacts that may be associated with the Project.

*Section 1580*

This section declares the policy of the state is to protect threatened or endangered native plants; wildlife; aquatic organisms or specialized habitat types; both terrestrial and non-marine aquatic, or large, heterogeneous natural gene pools for the future use of mankind through the establishment of ecological reserves.

*Sections 1600–1616*

This portion of the CFGC requires notification to the CDFW if any of the following may occur within a river, stream, or lake in the state of California:

- Substantial diversion or obstruction of the natural flow,
- Substantially changing or using any material from the bed, channel, or bank,
- Depositing or disposing of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

This notification may result in a Streambed Alteration Agreement between the Project applicant and the CDFW. Activities in intermittent streams and canals may require Streambed Alteration Agreements.

*Section 1900, et seq.*

This portion of the CFGC is known as the *California Native Plant Protection Act of 1977* (2021). The purpose of this chapter is to preserve, protect and enhance endangered or rare native plants of California. Many species and subspecies of native plants are endangered because their habitats are threatened with destruction, drastic modification, or severe curtailment. Commercial exploitation, disease, and other factors also represent threats to species and subspecies of native plants. This portion of the code designates rare, threatened, and endangered plant taxa of California.

*Section 1930–1933*

These sections established the Significant Natural Areas Program and declared it to be administered by the CDFW, because areas containing diverse ecological and geological characteristics are vital to the continual health and well-being of the state's citizens and natural resources. The CDFW is responsible for obtaining access to the most recent information with respect to natural resources by maintaining, expanding, and keeping a current data management system (California Natural Diversity Database [CNDDB]), designed to document information on these resources. This data is required to be made available to interested parties on request, and costs are to be shared by all who use the data management system.

The state's most significant natural areas are to be designated and; after consultation with federal, state, and local agencies; educational institutions, civic and public interest organizations, private organizations, landowners, and other private individuals; periodic reports regarding the most significant natural areas are to be prepared. The CDFW is required to maintain and perpetuate these significant natural areas for present and future generations in the most feasible

manner. The code also requires that the CDFW coordinate services to federal, state, local and private interests wishing to aid in the maintenance and perpetuation of significant natural areas.

*Section 3503*

This section prohibits taking, possessing, or needlessly destroying the nest or eggs or any bird. Birds of prey are included in Section 3503.5.

*Section 3513*

California's migratory birds are protected under this section by making it unlawful to take or possess any migratory, non-game bird (or any part of such bird) as designated in the MBTA.

*Section 3511, 4700, 5050, and 5515*

These sections prohibit take of animals that are classified as fully protected in California. Take of fully protected species is specifically prohibited, even if other sections of the CFGC provide for incidental take of the species.

*Title 14 California Code of Regulations (CCR) Section 15000 et seq.*

This portion of the CCR prescribes the regulations to be followed by all local and state agencies in implementing CEQA.

*Porter-Cologne Water Quality Control Act (Clean Water Act Section 401 Certification or Waiver)*

The state of California regulates water quality related to discharge of fill material into waters of the state pursuant to Section 401 of the *Clean Water Act* (CWA) *of 1972* (2021). Section 401 compliance is a federal mandate implemented by the state. The local Regional Water Quality Control Board (RWQCB) has jurisdiction over all those areas defined as jurisdictional under Section 404 of the CWA and regulates water quality for all waters of the State. These waters may include isolated wetlands as defined under the California *Porter-Cologne Water Quality Control Act* (2021). Regulated discharges include those that can affect water quality, even if there is no significant nexus to a traditional navigable water body required for the United States (U.S.) Army Corps of Engineers (ACOE) determination of jurisdiction over waters of the U.S. A Waste Discharge Permit may be required to comply with the Porter-Cologne Water Quality Control Act even if the CWA (including Section 401 water quality certifications or Section 404 permits) would not apply.

The ACOE, under Section 404 of the CWA, regulates discharges of dredged or fill material in waters of the U.S. In addition to designated and traditional navigable waters, these terms include:

> waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce including any such waters: 1) Which are or could be used by interstate or foreign travelers

for recreational or other purposes; or 2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or 3) Which are used or could be used for industrial purpose by industries in interstate commerce.

Tributaries to waters of the U.S. and adjacent wetlands would also be included. Some intermittent washes may be included in the defined waters of the U.S. depending on connection or nexus to navigable waters. Both wetlands and non-wetland areas can be included within the regulated area. Within non-wetlands that are classified as waters of the U.S., the ACOE maintains jurisdiction up to the ordinary high-water mark. If wetlands are present that meet the criteria established by the ACOE, the limit of jurisdiction is the ordinary high-water mark or the limit of the adjacent or associated wetland, whichever is greater. If waters are determined to be under the jurisdiction of the ACOE, the RWQCB would be the state-permitting authority. At the discretion of the ACOE, impacts to these areas could require a permit, depending on the type and size of the activity within ACOE jurisdiction.

### 1.3.4 Local Jurisdictions

*Porterville General Plan Policies*

The Project is located within the Porterville General Plan area. The following is the guiding policy in regard to biological resources:

OSC-G-7 Protect habitat for special status species, designated under State and federal law.

## 2.0 METHODS

### *2.1 Literature and Records Review*

For the purposes of this document, special status wildlife and plants include all species that meet one or more of the following criteria:

- Special-status species considered in this evaluation include those that may occur in the project vicinity that have statutory protections and include federal- and state-listed (rare, threatened, or endangered; fully protected) species and candidates for listing under the respective endangered species acts.
    - Listed or candidates for listing by the State of California as threatened or endangered under CESA (Fish and Game Code §2050 et seq.). A species, subspecies, or variety of plant is endangered when the prospects of its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition, disease, or other factors (Fish and Game Code §2062). A plant is threatened when it is likely to become endangered in the foreseeable future in the absence of special protection and management measures (Fish and Game Code §2067).
    - Listed as rare under the California Native Plant Protection Act (Fish and Game Code §1900 et seq.). A plant is rare when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may be endangered if its environment worsens (Fish and Game Code §1901).

- Meet the definition of rare or endangered under CEQA §15380(b) and (d). Species that may meet the definition of rare or endangered include the following:
    - Species considered by the California Native Plant Society (CNPS) to be "rare, threatened or endangered in California" (Lists 1A, 1B and 2);
    - Species that may warrant consideration on the basis of local significance or recent biological information.
    - Some species included on the California Natural Diversity Database's (CNDDB) Special Plants, Bryophytes, and Lichens List (CDFW 2021a) or Special Animals List (CDFW 2021b).
    - Considered as sensitive by groups such as the Western Bat Working Group (WBWG), where such a group has concluded based on published and/or empirical data that the species is declining and warrants concern.

- Considered a locally significant species, that is, a species that is not rare from a statewide perspective but is rare or uncommon in a local context such as within a county or region (CEQA §15125 (c)) or is so designated in local or regional plans, policies, or ordinances (CEQA Guidelines, Appendix G). Examples include a species at the outer limits of its known range or a species occurring on an uncommon soil type.

Data sources included in the literature review included the following:

- **California Natural Diversity Data Base information (CNDDB – RareFind 5)**, which is administered by the California Department of Fish and Wildlife (CDFW), formerly known as the California Department of Fish and Game (CDFG). This database covers sensitive plant and animal species as well as sensitive natural communities that occur in California. Records from nine USGS quadrangles surrounding the project site (*Rosedale*, *Wasco, Famoso, North of Oildale, Rio Bravo, Oildale, Tupman, Stevens, Gosford*) were obtained from this database to inform the field survey (CNDDB 2021). For the purposes of this report, the term "historic" records refer to those occurrences that are more than 20 years old. Observations recorded in CNDDB noted in this report as "recent" are less than 20 years old.

- **California Native Plant Society's (CNPS) Electronic Inventory of Rare and Endangered Vascular Plants**, which utilizes four ranks of sensitive plant species to assist with the conservation of rare or endangered botanical resources. Records from the nine USGS quadrangles surrounding the project site were obtained from this database to inform the field survey (CNPS 2021).

- **Designated and Proposed USFWS Critical Habitat Polygons** were reviewed to determine whether critical habitat has been designated or proposed within or in the vicinity of the project site (USFWS 2021a).

- **The USFWS National Wetlands Inventory** was reviewed to determine whether any wetlands or surface waters of the United States have been previously identified in the survey area (USFWS 2021b).

- **The USFWS Information for Planning and Consultation Database (IPaC)** was reviewed to determine federal listed plant and wildlife species, as well as critical habitats that occur in in the vicinity of the project (USFWS 2021c).

- **The Western Bat Working Group (WBWG) Bat Species Regional Priority Matrix** was reviewed to determine whether any bat species which hold a high level of conservation concern that may occur in the vicinity (WBWG 2021).

"Special-status" or "sensitive" wildlife and plant species considered in this evaluation include those that may occur in the project vicinity that have statutory protections, such as federal- and state-listed (rare, threatened, or endangered; fully protected) species and candidates for listing under the respective endangered species acts. In addition, species that are of "concern" to either USFWS or CDFW have been included in the evaluation if the project site or vicinity (generally, 10-mile radius) includes habitat that may be occupied by such species. Special-status bird species that are not listed as threatened or endangered have been included if the project site or observed vicinity includes potential nesting habitat or the species was observed during biological survey activities. In addition, potential impacts to special-status bird species have been considered if habitat that may be important to the species outside of breeding season was observed. Species

may meet the criteria for inclusion on the lists consulted during the literature review if a special interest group, such as the Western Bat Working Group (WBWG), has concluded through empirical or published data that the species is declining and warrants concern and, potential habitat is present on the project site or vicinity. Species evaluated in this biological resource assessment have been collectively referred to as "special-status species."

In addition to the databases listed above, historic and current aerial imagery, existing environmental reports for development in the project vicinity, regional habitat conservation plans and local land use policies related to biological resources were reviewed.

The list of special-status species that was evaluated was additionally compiled by consulting pertinent literature, obtaining the USFWS List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project, and accessing the CNDDB (USFWS 2021; CNDDB 2021). The CNDDB contains records for special-status species, as well as special-status natural communities that have been reported to the CDFW. Updates to the database are provided monthly for subscribers (CNDDB 2021). A standard 10-mile (16-kilometer) report was generated for the project location (i.e., USGS 7.5-minute topographic quadrangle in which the project site is found as well as the quadrangles located within a 10-mile (16-kilometer) radius of the project footprint: *Porterville, Lindsay, Cairns Corner, Woodville, Patterson Mountain, Sacate Ridge, Rough Spur, Success Dam,* and *Fountain Springs*. For illustration purposes, a map was generated to show those species reported in close proximity to the project area by the CNDDB. Species that are recorded in the CNDDB that have no official status (e.g., Watch List) were not further considered in the impact evaluation unless observed during the reconnaissance site visits.

MBI Biologist Randi McCormick conducted the literature review and records search on August 17, 2021, to identify the previously reported observations and potential for occurrence of sensitive or special-status plant and wildlife species in the vicinity of the project site. MBI staff reviewed these lists and other pertinent information to complete the list of special-status species evaluated. The list was then reviewed based on-site characteristics, the project description, and observations, to assess the potential for occurrence. Potential impacts were determined in relation to the special-status species that may occur on the proposed project site and the aspects of the Project that could result in impacts to those species. Species whose occurrence in the vicinity and life history makes them vulnerable to impacts even if they are not known to occur directly on the project site were also evaluated.

### *2.2 Field Survey*

A reconnaissance-level survey was conducted on the project site. Survey methods consisted of visually evaluating the Project site and walking meandering transects if potential habitat for burrowing wildlife was present. Additionally, trees on and near (within 300 ft.) the project site were inspected via line-of-sight using binoculars for birds, nesting activity, or nesting materials. Field notes included documentation of all plant and wildlife species observed. Supporting documentation regarding species findings included direct observations and/or significant species *sign* (e.g., scat, tracks, feather/fur, prey remains, nests/burrows or any other indication of wildlife presence) deemed necessary to document potential occupation.

If encountered, burrows and dens were classified based on agency protocols or best practices to identify possible species occupation or occurrence on the Project.

Naturalized plant taxa encountered were identified to the extent possible given the diagnostic features present. Although a complete list of plants was not compiled due the nature of the reconnaissance level survey, the prominent species present were identified. Identifications were made using keys contained in *The Jepson Manual: Vascular Plants of California* and online updates containing revisions to taxonomic treatments (Baldwin et al. 2012; Jepson Flora Project 2021). When necessary, plant identifications were made using a 10X or greater magnification field hand lens and/or were collected and identified using a dissecting microscope. Locations of special-status plant species or tentatively identified special-status plant species were recorded using a handheld global positioning system unit if observed.

General habitat and site conditions were photographed to visually depict conditions during the field surveys. In addition, special-status species or habitat features, such as vegetation communities or ephemeral channels, were also photographically documented when encountered.

Subsequent to conducting the reconnaissance-level survey, special-status resource occurrence information from the existing databases and literature was reviewed against field survey results to complete an occurrence evaluation. A table was prepared that presents an evaluation of the potential for each species identified during the literature review to occur on the Project site. Each special-status species was then categorized as follows: no potential to occur (none); low potential; moderate potential; high potential; or known to occur. A brief explanation is provided in the table and additional information is presented in Section 3.0. Potential impacts to each identified special-status resource were compiled based on this occurrence evaluation. If potentially significant impacts were identified during the evaluation process, recommendations for reducing these impacts are included in this report, with a goal of reducing impacts to “less than significant.” If impacts could not be reduced to “less than significant”, those impacts are identified. The sources of these recommendations include agency guidelines and protocols, previously prepared environmental documents for similar projects, and MBI’s experience and professional judgment.

## 3.0 RESULTS

The literature review resulted in identification of 26 special-status plants and 25 special-status wildlife taxa for evaluation that could occur in the vicinity of the proposed Project (Appendix A; Tables A1–A2). Figures 3-1 through 3-6 provide the results of the 2021 CNDDB records query within 10 miles (16 kilometers) for the proposed Project. The general site conditions combined with the habitat requirements and known ranges of these species were evaluated to determine potential for occurrence of these species on the proposed Project site.

### *3.1 General Conditions*

A reconnaissance-level survey of the basin portion of the Project was conducted on August 18, 2021, by Ms. Randi McCormick, MBI Principal Biologist. The stormwater drain pipe route was surveyed on August 19, 2021 by Mr. Daniel Hall, MBI Staff Biologist. Photographs taken during the site visits are shown in Appendix B. During these site visits, 12 plant species and 8 wildlife species were observed (Appendix C). No nesting bird activity or nesting material was observed on or adjacent to the project site during the reconnaissance surveys. No direct observations of special-status species were recorded during the site visits.

While the eastern 30 acres of the basin portion of the Project site and the proposed recirculation pond site were actively irrigated alfalfa fields, the eastern 20 acres appeared dry and fallow, but possibly had been recently harvested. No existing permanent structures were present on the Project site and a part of the northeastern corner of the basin site was being used for hay storage. All of the lands adjacent to the stormwater drain pipe route were active agriculture, with the exception of approximately 650 feet along the east side of Road 216 near the northern end of the route. This area consisted of annual grassland that was likely to have been historically farmed. No undisturbed, natural lands were present on or in the vicinity of the Project site.

The SSURGO soil survey map describes the soil at the Project site as Exeter loam, 0 to 2 % slopes (Figure 3-7). Observed conditions were consistent with the soil survey, but surface soils were heavily disturbed.

The remainder of this section discusses the 2021 field survey results for special-status biological resources and evaluation of those results based on the literature review and professional judgment of MBI personnel.

### *3.2 Special-status Biological Resources*

As a result of the literature review, 26 special-status plants and 25 wildlife taxa were identified through database queries as potentially occurring on or in the vicinity of the Project site. Special-status plant and animal species identified with at least a low potential to be impacted by the Project are further discussed in Sections 3.2.1 and 3.2.2, below.

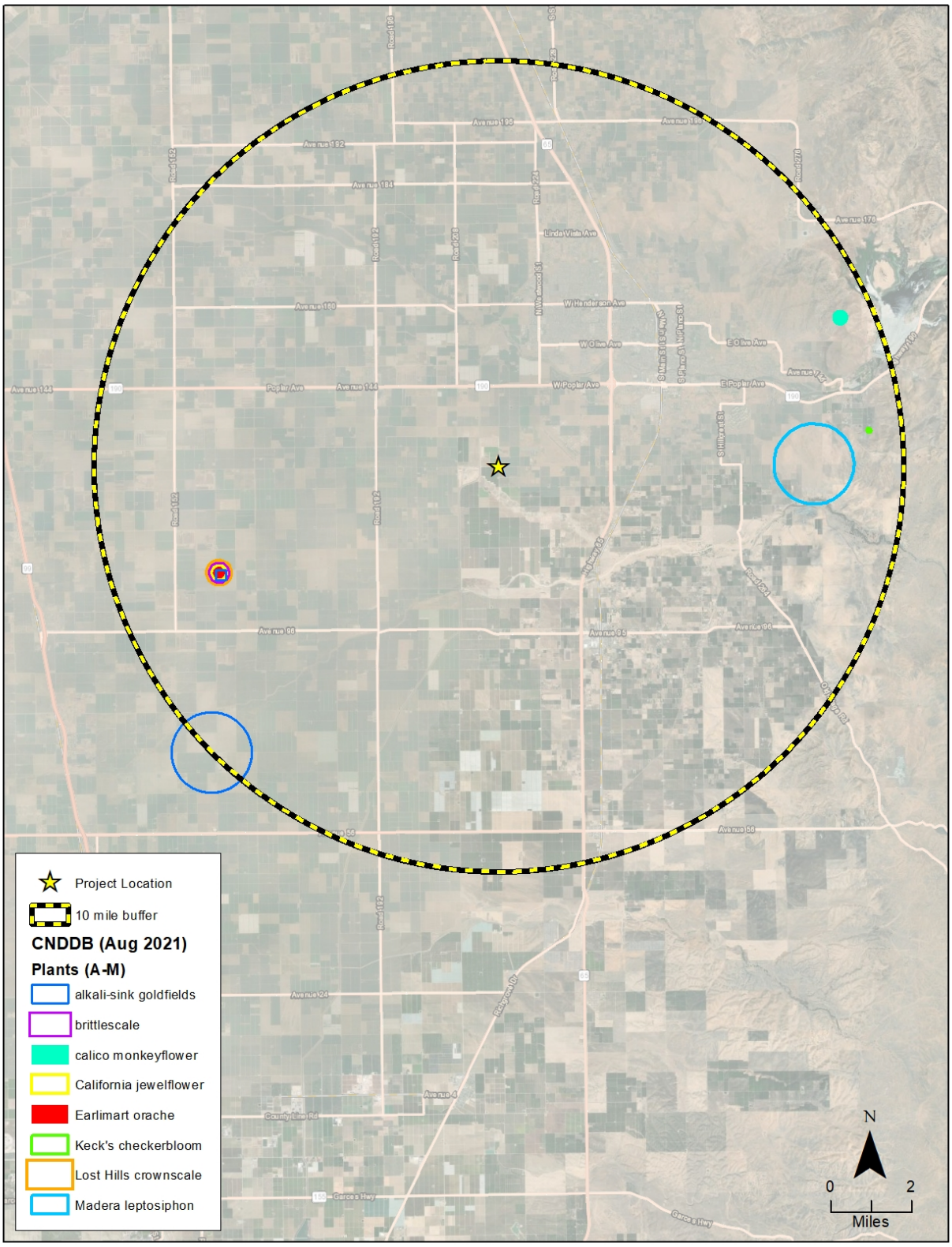


**Figure 3-1:** CNDDB special-status plant results (A-M)

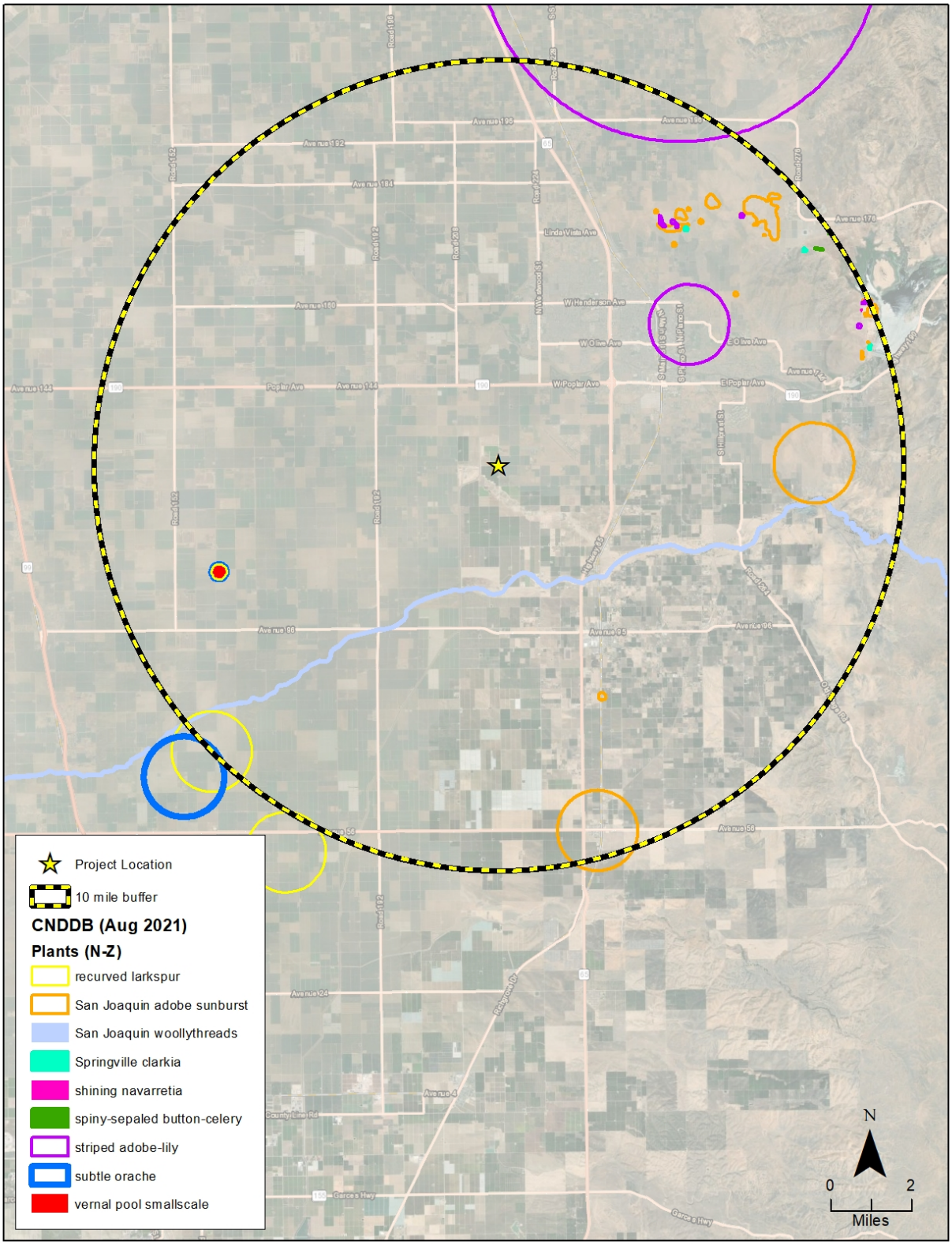


**Figure 3-2:** CNDDB special-status plant results (N-Z)

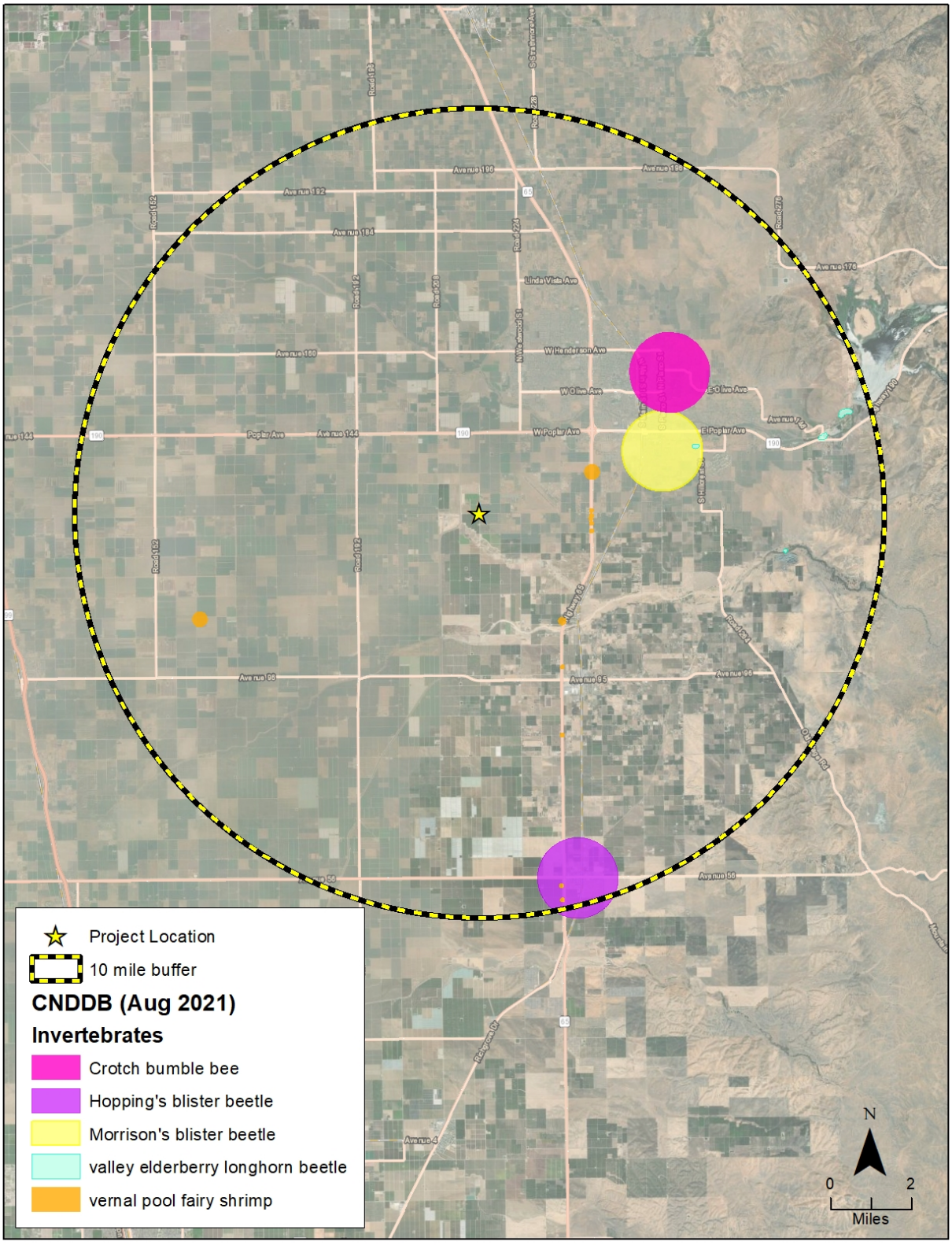


**Figure 3-3:** CNDDB special-status invertebrate results.

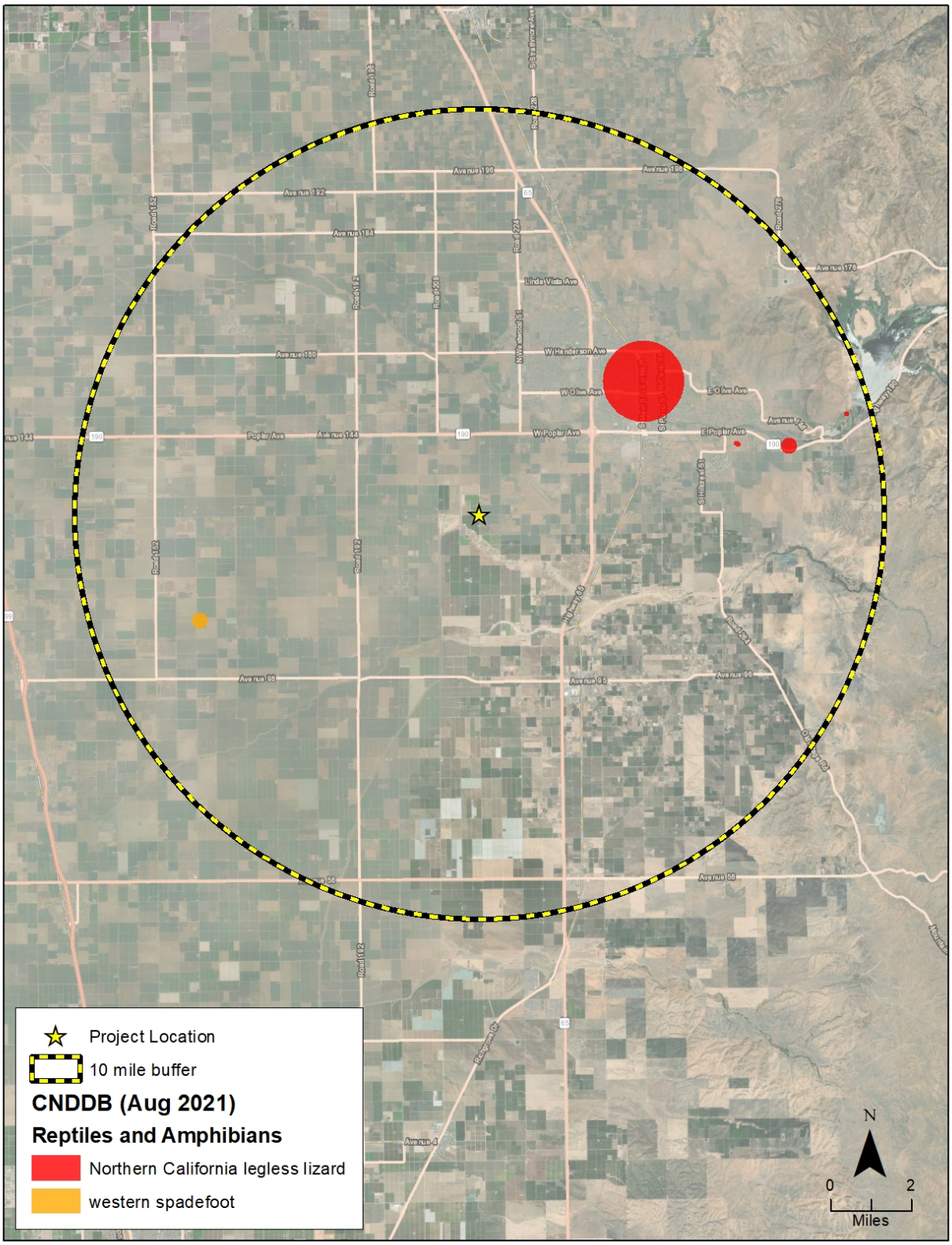


**Figure 3-4:** CNDDB special-status amphibian and reptile results.

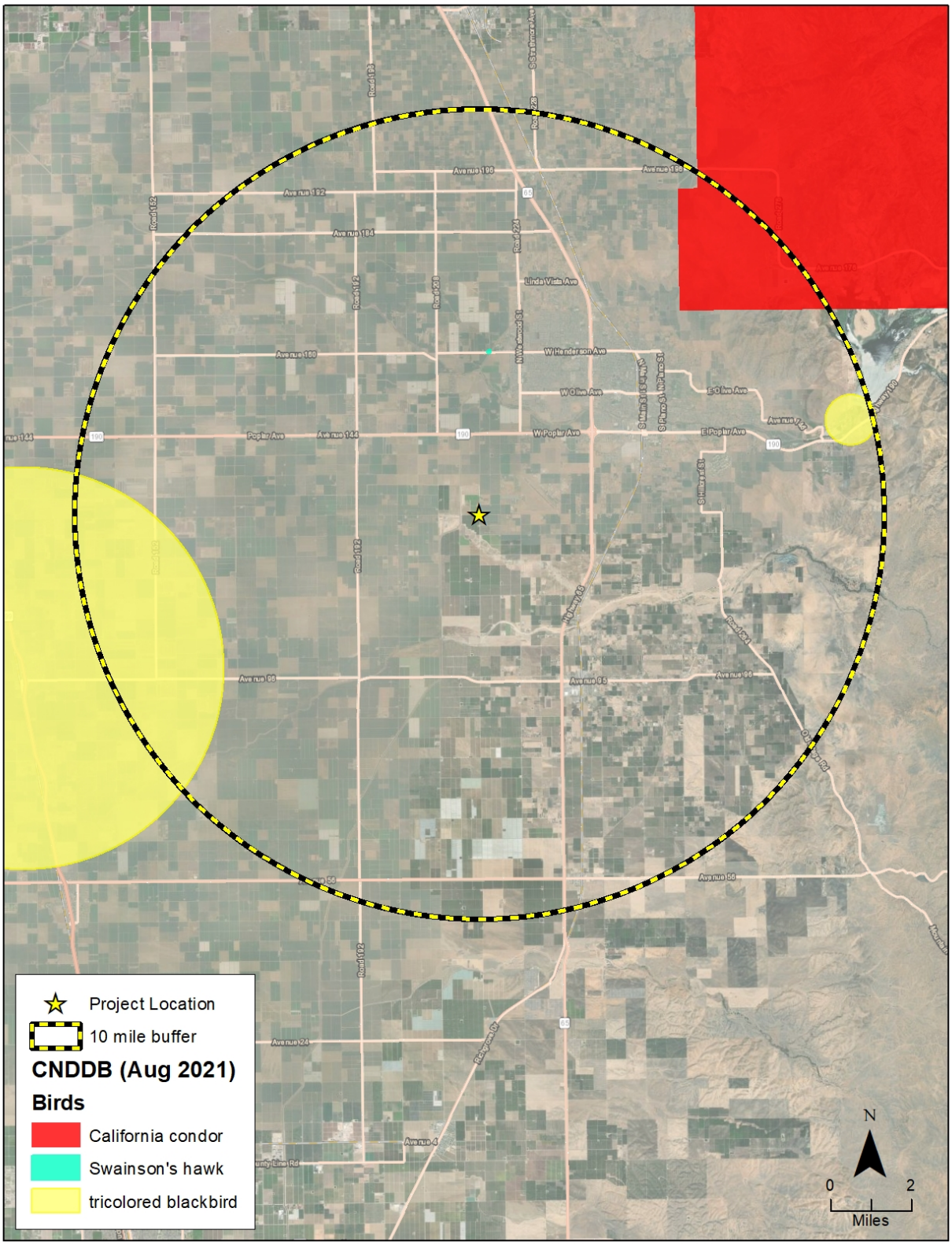


**Figure 3-5:** CNDDB special-status bird results.

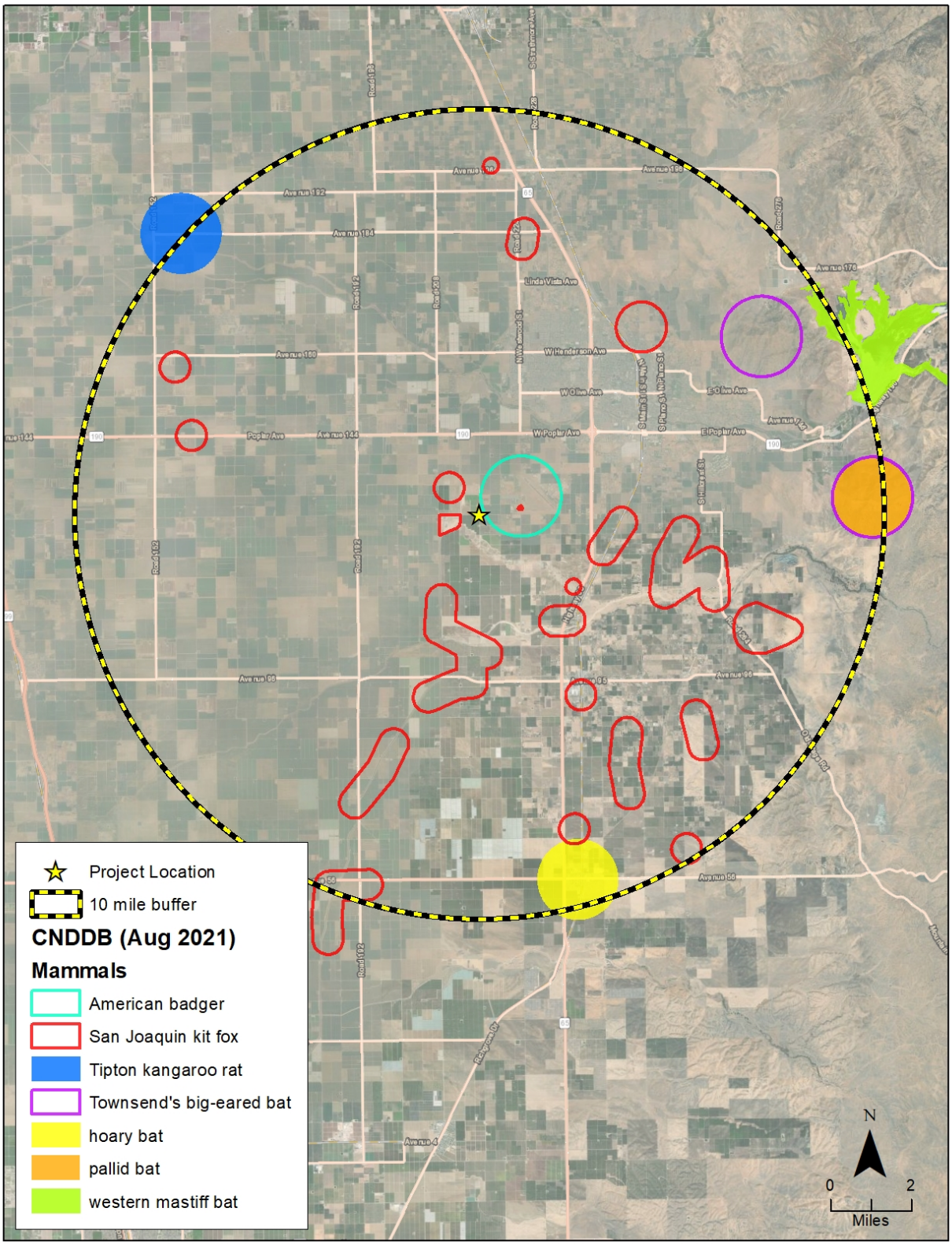


**Figure 3-6:** CNDDB special-status mammal results.


**Figure 3-7:** Soil Survey Geographic Database (SSURGO) soil results.

Tricolored blackbird, burrowing owl, American badger, and San Joaquin kit fox were identified as having a low potential to occur on the Project site, while Swainson's hawk was found to have a moderate potential to occur. Those that the initial evaluation found with no potential to occur, and therefore, not anticipated to be impacted by the proposed Project are not discussed further in this report.

### 3.2.1 Special-status Plant Species

Twenty-six special-status plants were evaluated as a result of the literature review. Only 6 of these plant taxa are state and/or federally listed. CEQA requires consideration of impacts to locally significant plant species and those that meet the criteria for listing, but which may not be officially listed under CESA or FESA; therefore, several non-listed special-status species have been included in the evaluation in Appendix A. No listed or other special-status plant species were observed during the fieldwork conducted for the preparation of this report. No listed or other special-status plant species have been recorded as occurring within the Project site footprint by any of the literature sources consulted.

All special-status plant species were eliminated from further consideration because the proposed The Project site does not provide suitable habitat for each taxon. Based on the evaluation, no additional discussion is provided for special-status plant species beyond the evaluation included in Appendix A (Table A-1).

### 3.2.2 Special-status Wildlife Species

Appendix A (Table A-2) contains a discussion of the potential for each special-status wildlife species to occur on the Project site and whether there is a potential for impacts based on a combination of the literature review and conditions observed on and in the vicinity of the Project site. Table 3-2 shows those special-status wildlife that were determined to have at least a low potential for occurrence on the proposed Project site based on the evaluation contained in Appendix A. Due to this low potential for occurrence, additional discussion regarding tricolored blackbird, burrowing owl, Swainson's hawk, American badger, and San Joaquin kit fox is provided in the following paragraphs.

#### Tricolored Blackbird (*Agelaius tricolor*)

The tricolored blackbird is state listed as a threatened species (CDFW 2021). It is about 8.75 inches (22.2 centimeters) in length with a pointed black conical bill. They are similar in size, shape, and coloring of the red-winged blackbird (*Agelaius phoeniceus*) but have slightly thinner bills and pointed wings in flight. The species is sexually dimorphic: males are primarily black with red epaulets (shoulder patches) similar to the red-winged blackbird; however, epaulets are often a deeper red in the tricolored blackbird. The males are further distinguished from male red-winged blackbirds with epaulets broadly margined in white, rather than the yellow or absence of a marginal color seen in the red-winged blackbird. Males are best identified before late summer because the epaulet margins of male red-winged blackbirds can appear whitish as they fade. Females are sooty and often streaky like a sparrow, but larger than a sparrow, with a faint eyeline.

**Table 3-1**: Special-status Wildlife That May Occur in the Project Area for Which Potential Impacts Were Identified*

| *Scientific Name* | Common Name | Status Federal/State[1] |
|---|---|---|
| **Birds** | | |
| *Agelaius tricolor* | Tricolored blackbird | -/T |
| *Athene cunicularia* | Burrowing owl | -/CSC |
| *Buteo swainsoni* | Swainson's hawk | -/T |
| **Mammals** | | |
| *Taxidea taxus* | American badger | -/CSC |
| *Vulpes macrotis mutica* | San Joaquin kit fox | E/T |

[1]Status:

Federal
- E — Listed as Endangered
- \- — No listing status

State
- CSC — California Species of Concern
- T — Listed as Threatened

* For additional evaluation of other special-status species, see Appendix A, Table A-2 and Section 3.2.2

They are very similar to red-winged blackbird females but slightly darker. Juveniles are similar to females but paler (Beedy 2016; Kaufman 2000).

The tricolored blackbird is an opportunistic feeder that forages on grains and seeds wherever available (often associated with dairies in the San Joaquin Valley), insects such as grasshoppers, and both terrestrial and aquatic insect larvae. Some individuals have been recorded to forage as far as 5.6 miles (9 kilometers) from their colony. Historically, their nests are built in vegetation dominated by cattail (*Typha* spp.) and bulrush (*Scirpus* or *Schoenoplectus* spp.) and consist of a platform of leaves woven around these and other substrates such as willow (*Salix* spp.), nettle (*Urtica* spp.), and blackberry (*Rubus* spp.). Platforms rest between 6.5 feet (2 meters) to a few centimeters above ground or water, and hold nests made of mud and materials similar to the platform material. In recent years, nesting of tricolored blackbirds in agricultural fields has been increasing, with the species using substrates such as mustards (*Brassica* spp.), mallows (*Malva* spp.), and agricultural silage. Eggs are laid from mid-April to late June in clutches of three to four oval-shaped eggs, are generally light blue to light green, and have dark reddish-brown splotches concentrated on one end. Incubation lasts approximately 11 days with young leaving the nest about 13 days after hatching. Tricolored blackbird nesting colonies are distinct from those of the red-winged blackbird which contain nests that are spread farther apart from one another. Tricolored blackbird nests can be spaced as little as 3.3 feet (1 meter) apart. Sometimes in dense colonies, nests can even be vertically stacked (Beedy 2016; Granholm 2008; Grinnell & Miller 1944; Zeiner et al. 1988-1990).

This species is a year-long resident of California, its range extending from Shasta County south to Kern County, and along the coast from Sonoma County to the Mexican border. Colonies located within the Sacramento-San Joaquin drainage system are somewhat migratory in the winter. In the fall, birds tend to be nomadic and venture outside the vicinity of the nesting colonies (Grinnell & Miller 1994; Zeiner et al. 1988-1990).

Tricolored blackbird colonies have been reported to the CNDDB several miles east-northeast and west-southwest of the Project (CNDDB 2021a). The colony to the west-southwest is thought to be extirpated. No suitable nesting habitat for tricolored blackbird was present on or adjacent to the Project site during the reconnaissance survey. The basin portion of the Project site represents suitable foraging habitat and some of the fields adjacent to the stormwater drain pipe route would be suitable foraging habitat. No tricolored blackbirds were observed during the survey. Given the distance that tricolored blackbirds will travel to forage during both breeding season and winter, there is a moderate potential for tricolored blackbirds to forage in the alfalfa and fallow fields present on and in the vicinity of the Project.

Burrowing Owl (*Athene cunicularia*)

The burrowing owl is a California species of special concern, and documented population declines have occurred in the state since at least the 1970s. It has no federal listing but is protected by the Migratory Bird Treaty Act and potential habitat may be protected through the California Environmental Quality Act (CDFG 2012; CNDDB 2021a; MBTA 2021). The burrowing owl is a small, ground-dwelling owl with a round head that lacks ear tufts. Adults are sandy brown overall with bold spotting and barring, have white eyebrows above yellow eyes, and can be distinguished from

all other small owls by their long legs. Adult burrowing owls have an average weight of 6 ounces (170 grams), a full body length of 8.5 to 11 inches (22–28 centimeters), and average wingspan of 20- to 24-inches (51- to 61-centimeters) wingspan (Brown 2006).

Within California, this species is found throughout the Central Valley, in the San Francisco Bay Area, Carrizo Plain, and Imperial Valley. Typical habitat includes open grasslands, agricultural or range lands, and desert lands with short, sparse vegetation at elevations from 200 feet (61 meters) below sea level to 9,000 feet (2,743 meters) above sea level (Brown 2006). The Central Valley population resides in the area year-round in the annual and perennial grasslands or other vegetation communities that support little to no tree or shrub cover. The state of California is also considered an important wintering ground for migrants; thus, California's burrowing owl population increases during the winter season (CDFG 2012; Dunn & Alderfer 2008; Shuford & Gardali 2008). Nesting season begins late March and breeding pairs exhibit biparental care in which the female incubates the eggs and the male cares for the young.

Burrowing owls are active daytime and nighttime but are mostly active during dawn and dusk. In California, the species is typically found in close association with California ground squirrels that create burrows that are used by burrowing owls as year-round shelter and seasonal nesting habitat; however, burrowing owls may also use human-made structures such as culverts, corrugated metal pipes, debris piles, or openings beneath pavement as shelter and nesting habitat. During active periods of the year, they may be observed above ground in the vicinity of their burrows or roosting on the ground or nearby high spots such as berms, fence posts, or shrubs. They have a varied diet that includes insects, small rodents, birds, amphibians, reptiles, and carrion, and there is some evidence that population sizes of California vole (*Microtus californicus*) influence their survival and reproductive success (Poulin et al., 1998). Pellets including animal bones and exoskeletons may be found near burrow entrances, along with whitewash and tracks.

No burrowing owl records have been reported within 10 miles of the Project (CNDDB 2021a); however, several records have been reported from just west of the search area. No potentially suitable burrows or burrow surrogates for burrowing owl were present on the Project site during the reconnaissance survey. The basin portion of the Project site represents suitable foraging habitat and the annual grassland east of the stormwater drain pipe route east of West Street represents suitable foraging and could potentially support burrowing owl burrows. No burrowing owls were observed during the reconnaissance survey. Given the lack of burrowing owl observations, lack of observation of burrowing owl sign, burrows, or surrogates, and active agriculture on the basin site, burrowing owls are not currently occupying the Project but may occasionally forage in the vicinity.

Swainson's hawk (*Buteo swainsoni*)

Swainson's hawk is state listed as a threatened species (CDFW 2021b). They are diurnal and similar in size to the red-tailed hawk but lack their pale spotting on scapulars. There are two distinct color morphs with several variations. Light morphs have a whitish forehead and white patch on the throat below the bill, while the rest of the head, sides of the throat, patch on its chest, and all other upper body parts are dark brown. The belly is white with brown barring, and in flight their

wings have dark trailing edges that contrast with the light-colored leading edges and the belly. Individuals of the dark morph are entirely dark brown, except for a patch under the tail (Brown 2006; Dunn and Alderfer 2008). The Swainson's hawk feeds on mice, gophers, ground squirrels, rabbits, large arthropods, amphibians, reptiles, birds and sometimes fish (Brown & Amadon 1968; Dunkle 1977).

Swainson's hawks are an uncommon resident and migrant in the Central Valley, Klamath Basin, Northeastern Plateau, Lassen County and Mojave Desert, although their breeding range and frequency has increased in the San Joaquin Valley over the last 20 years. Limited breeding has been reported from Lanfair Valley, Owens Valley, Fish Lake Valley and Antelope Valley (Bloom 1980; Garrett and Dunn 1981). Most of the state's breeding sites are in two disjunct populations in the Great Basin and Central Valley. In the Central Valley, nest sites have been strongly associated with riparian forest vegetation, whereas in the Great Basin nest sites are widely distributed in upland habitats (Woodbridge 1998). Typical habitat is open desert, grassland, or cropland containing scattered, large trees or small groves. High use foraging habitat in the southern San Joaquin Valley is typically actively harvested alfalfa and irrigated grain fields. Migrating individuals move south through the southern and central interior of California in September and October and move north from March through May (Grinnell and Miller 1944; Zeiner et al. 1988-1990).

The only Swainson's hawk nest reported to the CNDDB within the 10-mile search radius is from a location 3.7 miles north of the Project in 2017 (CNDDB 2021a). No Swainson's hawks were observed during the reconnaissance survey nor were any potential nest trees present on the Project site. Potentially suitable nesting habitat is present at a residence just north of the northeastern corner of the proposed basin location and approximately 800 feet north-northeast of the northeastern corner on the east side of Road 216. The trees adjacent to the basin location were visually evaluated for presence of possible raptor nests and no nesting material or remnants of raptor nests were present.

Given the lack of potential nest trees on the Project, lack of reported nests within a 10-mile radius, but presence of potential nest trees near the Project, there is a moderate potential for foraging by Swainson's hawk on the Project.

American badger (*Taxidea taxus*)

The American badger is a California species of special concern (CDFW 2021b). This species is a low, squat animal with conspicuous silver-tipped, dorsal fur and a short, black-tipped tail. The most striking visual feature of this species is its striped face, consisting of a median white stripe proceeding from the tip of its nose to the back of its head. This stripe is flanked by alternating white and dark stripes giving way to bright, white-outlined ears. The American badger has short but powerful legs, and the front feet are fitted with long claws that are well suited for digging out the burrows of the rodents on which it feeds (Reid 2006). In addition to rodents, their diet includes other small mammals, invertebrates, birds, snakes and carrion. Mating occurs in late summer or early autumn, and litters of two to five offspring are born in early spring (Zeiner et al. 1988-1990).

The historic range of American badgers in California was throughout the state with the exception of the humid coastal forests in Del Norte and Humboldt Counties (Zeiner et al. 1988-1990). Their modern distribution in the lower San Joaquin Valley is restricted to the limited, often isolated tracts of grassland and shrubland habitats. Cultivated lands have been reported to provide little usable habitat for this species. In the 1980s, badgers were believed to be declining throughout California, and their status has not changed (Williams 1986).

Badgers are primarily nocturnal animals and infrequently observed directly during daytime surveys; however, they have a fairly distinctive digging style and burrow shape, which is easily detected in the field. Combined with tracks, it is typically the method used to determine presence on a site (Reid 2006; Zeiner et al. 1988-1990). In addition, it is notable that badger burrow size overlaps with that of SJKF.

An American badger was collected in an unknown year from the vicinity of the Porterville Airport, which is located less than one mile from the Project (CNDDB 2021a). Although badgers can be tolerant of human disturbance, the intensity and frequency of disturbance on this site and in adjacent areas reduces the potential for occurrence of this species. Therefore, there is a low potential for American badger foraging associated with the Project site.

San Joaquin Kit Fox (*Vulpes macrotis mutica*)

The SJKF currently federal-listed as endangered and state-listed as threatened, resembles a small, lanky dog in appearance, with disproportionately large ears containing an abundance of large white, inner guard hairs. This species is the largest subspecies of kit fox, with adults weighing 4.5 to 5 pounds (2–2.3 kilograms). Total length is about 32 inches (81 centimeters), including a bushy black-tipped tail up to 12 inches (30 centimeters) long, and total height is about 12 inches (30 centimeters) tall. Coloration ranges from light buff to grayish along the back and tail; gray, rust, or yellowish along the sides; and white on the belly.

SJKF occur in a variety of open grassland, oak savannah, and shrub vegetation types/habitats as well as oil-producing and urban areas in Kern County. Predation is an appreciable cause of SJKF mortality, with urban kit foxes yielding higher survival rates due to lack of competition with large carnivores such as coyotes (USFWS 2010c). In the southern San Joaquin Valley portion of the range, SJKF are generally found in sparse, annual grassland and scrub communities (e.g., valley sink scrub, saltbush scrub) with low annual precipitation. Home ranges for the taxon have been reported by several authors to range from 1 to 12 square miles (1.6–19 square kilometers) with large overlap in home ranges among individuals, though dens are restricted to a single family. They change dens on a regular basis, likely due to prey depletion; in one study, a single kit fox was tracked to 70 dens during a 2-year period (Native fish and wildlife 1967; USFWS 1998). Dens are used for temperature regulation, shelter, reproduction, and safety from potential predators, but characteristics such as number of entrances varies across the taxon's range. In the southern portion of its range the taxon often creates dens with two entrances, and natal dens generally have multiple entrances. Entrances are usually 8 to 10 inches (20–25 centimeters) in diameter and are normally greater in height than width, but kit foxes can utilize dens with entrances as small as 4 inches (10 centimeters) in diameter. Kit foxes do not typically excavate their own dens,

but rather enlarge the burrows of other species, such as California ground squirrels and American Badgers, or utilize human-made structures such as culverts and pipelines.

The diet of this taxon consists largely of nocturnal kangaroo rats and other small mammals, though they may also eat ground-nesting birds or insects (USFWS 2010c). Similar to many desert species, kit fox do not need drinking water and obtain hydration from their diet. Breeding season is December-March with pups typically born between February and March. Adult breeding pairs remain monogamous within the same year, but pairs may change between years (Morrell 1972; USFWS 1998).

SJKF are primarily nocturnal but can be seen during the day when activities on the surface get their attention or when pups are present and play outside of the den in late afternoon. Potential site occupation is determined based on observation of canid scat and/or tracks within a size range appropriate for this species, and presence of dens that meet the criteria for classification as known or natal/pupping per the USFWS guidelines (USFWS 2011b).

Although there have been numerous reports of San Joaquin kit fox occurrence within the 10-mile search radius of the Project, all but one of these records are greater than 40 years old. A record from the Tulare County Landfill, located on the south side of Avenue 128 approximately 700 feet west of the Project, reports the sighting of 4 individuals in 1992 (CNDDB 2021a).

No evidence of San Joaquin kit fox was observed during the reconnaissance survey. San Joaquin kit fox frequently use California ground squirrel burrows and enlarge them for use as den sites. No California ground squirrel activity was observed during the reconnaissance survey nor were any other burrows or atypical structures observed that may be used by San Joaquin kit fox. San Joaquin kit fox are known to forage in many open habitat types, including agricultural lands occasionally if suitable denning habitat is present nearby. The annual grassland east of the stormwater drain pipe route east of West Street represents suitable foraging habitat and could potentially support San Joaquin kit fox dens. In addition, several records of San Joaquin kit fox have been reported in the vicinity.

Given the lack of observation of potential den sites or San Joaquin kit fox sign and current agricultural activity, it is not likely that San Joaquin kit fox currently occupy the Project. However, San Joaquin kit fox may occasionally forage on or near the Project given that there is potentially suitable denning habitat in the vicinity.

### 3.2.3 Riparian Habitat, Wetlands, and Other Waters

A search of the USFWS National Wetlands Inventory (NWI) resulted in no wetlands mapped on the Project site (USFWS 2021b). A riverine feature, the Friant-Kern canal, was present west of the project site, and the existing recirculation pond which is located outside of the project boundaries to the west, was shown on the NWI as a freshwater pond. These results are consistent with the observed conditions within and adjacent to the Project site. There was water present in earthen irrigation ditches that ran along the western and northern boundaries of the alfalfa field on the Project site, and just south of the proposed recirculation pond location. There was no visible

natural water source for this irrigation water. No riparian or developed wetland vegetation was present on the Project.

### 3.2.4 Critical Habitat

There is no USFWS-designated Critical Habitat within a 10-mile radius of the proposed Project site.

## 4.0 IMPACT ANALYSIS AND RECOMMENDATIONS

### *4.1 Effects of the Proposed Project*

This section provides an analysis of the potential impacts of the Project following the standards of CEQA and CEQA Guidelines. Consideration of potential impacts to biological resources, including special-status plant and animal species is required under FESA, CESA, and CEQA as part of the analysis for a discretionary project.

CEQA Appendix G thresholds have been used to evaluate potential impacts to the biological resources from the proposed Project. The Project would create a significant impact to biological resources, based on the specifications in the biological resources section in Appendix G of the CEQA Guidelines, if the following were to occur:

1. 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 CDFW or the USFWS;

2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations; or by the CDFW or the USFWS;

3. Have a substantial adverse effect on federally protected wetlands as defined by section 404 of the CWA (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;

4. 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;

5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;

6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

The following analysis discusses potential impacts associated with the development of the Project and provides recommendations where appropriate to further reduce potential impacts.

1. **Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW, or the USFWS?**

**Effects to Special-status Plants:**

The CNDDB, USFWS, and CNPS Rare and Endangered Plant Inventory queries returned a total of 26 special-status plants that have been documented as potentially occurring in the vicinity of the proposed Project site. Based on MBI's habitat suitability analysis, none of the special-status plant species had the potential to occur within the proposed Project site (Appendix A, Table A-1). During the survey a total of 12 plant species were observed, 7 of which are non-native species. No listed or California Rare Plant Rank (CRPR) species were identified on the proposed Project site during the field survey and the site does not represent suitable habitat for any of the special-status plants evaluated. Therefore, there is no potential for direct or indirect impacts to special-status plant species within the Project site. As described above, the Project site has undergone frequent disturbance, was historically intensive agriculture and is surrounded by urban, agricultural, and previously disturbed lands. No special-status plant species have potential to occur on site; therefore, no significant impacts to special-status plants would occur. No additional measures or recommendations are necessary.

**Effects to Special-status Wildlife:**

*Tricolored Blackbird*

No tricolored blackbirds or potentially suitable nesting habitat were observed during the reconnaissance surveys. The site is planted in alfalfa and contains a fallow field, which are both suitable foraging habitat for this species. Based on the high mobility of this species and plentiful similar foraging habitat in the vicinity and region, the disturbance to this agricultural land would not be a significant impact to tricolored blackbirds. No further measures are required.

*Burrowing Owl*

No burrowing owls or sign of species presence were observed during the reconnaissance surveys and no California ground squirrel burrows, which are frequently used by burrowing owls for nesting and shelter, were observed. The site is likely to support insects, small rodents, birds, amphibians, and reptiles that are potential prey items in the diet of burrowing owl. Therefore, there is a potential for foraging by this species. Although no potential burrows or burrow surrogates were observed, if the fallow field on the western portion of the proposed basin were to become occupied by California ground squirrels, burrowing owls may be provided with burrowing opportunities. Absent additional measures, if the site were subsequently occupied by this species, burrowing owl burrows could be crushed or destroyed by vehicles during construction activities. Burrowing owls are protected under California Fish and Game Code and by the Migratory Bird Treaty Act. Provided that the measures recommended in Section 4.2 are implemented, impacts can be reduced to "less than significant".

*Swainson's hawk*

No nesting opportunities for these species were present on the Project site. Alfalfa and the fallow portion of the Project site are suitable foraging habitat for this species. Although noise, dust, and general disturbance from construction activities could indirectly affect foraging raptors such as Swainson's hawk, these species are highly mobile and able to access other high quality foraging opportunities in the vicinity of the Project site. Disturbance to this relatively small amount of foraging habitat (approximately 50 acres) would not be significant. In addition, no direct impacts to individuals are anticipated.

*San Joaquin Kit Fox and American Badger*

The Project provides low suitability foraging habitat for San Joaquin kit fox. Although no potential dens were observed, if the fallow field on the western portion of the proposed basin were to become occupied by California ground squirrels, San Joaquin kit fox may be provided with denning opportunities. Given that several historical records of this species have been reported within a 10-mile radius of the Project, San Joaquin kit fox may be present in the general vicinity. If the site were to become occupied by San Joaquin kit fox or the species were to forage on the Project, harm or injury to kit fox that would constitute a significant impact could occur.

San Joaquin kit fox commonly enter open pipes, materials stockpiles and storage containers. They may also get on, under, or in vehicles and equipment. In addition, San Joaquin kit fox and American badger may fall into open excavations. Closing or moving pipes with wildlife inside could lead to direct mortality of individuals. If present under pallets, wildlife could be killed or injured by equipment when moving materials. If present in, on, or under equipment or vehicles when started or moving, wildlife could be crushed by tires, injured or killed by moving parts, or threatened through harassment by workers needing to access the vehicles. If deep enough in comparison to the animal size, wildlife falling into open excavations could be injured by the fall or otherwise become entrapped thereby increasing risks to the individual. The stormwater basin design includes a slope at no greater than 4:1, which should be a low enough angle for San Joaquin kit fox to escape from. However, when wet, materials along the slope may not provide adequate grip for wildlife. In addition, chain link fence and other construction materials can be an entrapment hazard for San Joaquin kit fox.

Measures described in Section 4.2, below, are intended to avoid, minimize, and reduce the potential for these effects to occur, reducing the potential to less than significant. Implementation of these measures will additionally result in minimizing effects to burrowing owls due to overlapping habitat requirements and American badger due to the overlap in badger burrows and San Joaquin kit fox den size. Neither burrowing owl nor American badger are listed species; however, both species will benefit from measures implemented to avoid direct and indirect "take" of San Joaquin kit fox.

*Nesting and Migratory Birds*

The Project site does not contain any trees or shrubs that could potentially support nesting birds. The alfalfa and fallow field present are suitable for ground nesting birds, but frequent

disturbance reduces that suitability. Birds nesting on or in the immediate vicinity of the Project site could be disturbed if the Project is conducted during nesting season when active nests are present. If these nests are disturbed to the extent that eggs are destroyed, young are injured or killed, or adults abandon the nests, a violation of the MBTA and California Fish and Game Code could result. Measures described in Section 4.2 will reduce these potential impacts to "less than significant."

*General Wildlife*

Wildlife are known to commonly enter open pipes, materials stockpiles and storage containers as well as get on, under, or in vehicles and equipment. In addition, terrestrial wildlife may fall into open excavations. Closing or moving pipes with wildlife inside could lead to direct mortality of individuals. If present under pallets, wildlife could be killed or injured by equipment when moving materials. If present in, on, or under equipment or vehicles when started or moving, wildlife could be crushed by tires, injured or killed by moving parts, or threatened through harassment by workers needing to access the vehicles. If deep enough in comparison to the animal size, wildlife falling into open excavations could be injured by the fall or otherwise become entrapped thereby increasing risks to the individual.

Measures described in Section 4.2, below, are intended to avoid, minimize, and reduce the potential for these effects to occur as a result of work activities. The following measures are also intended to result in compliance with applicable state and federal statutes and regulations protecting biological resources. In some cases, if the applicability of mitigation measures cannot be definitively determined based on the reconnaissance-level survey, additional surveys are recommended to determine the level of mitigation required. In addition, if it is determined that the effects to these species cannot be avoided, state and/or federal permits may be warranted to obtain the appropriate authorization for such project effects. However, taken as a whole, the recommendations below are intended to reduce potential impacts to special-status wildlife to a level of "less than significant".

**2. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or the USFWS?**

No riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations; or by the CDFW or the USFWS will be disturbed by the proposed Project; therefore, no further measures are recommended.

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

The proposed Project does not propose any disturbance to federally protected wetlands. No wetland features or vegetation indicative of wetland conditions were observed during the field

survey nor were any identified during the literature review. Consequently, no impacts will occur as a result of the development of the Project.

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

Wildlife corridors can be defined as connections between wildlife blocks that meet specific habitat needs for species movement generally during migratory periods, but seasonally as well. Wildlife corridors generally contain habitat dissimilar to the surrounding vicinity and include examples such as riparian areas along rivers and streams, washes, canyons, or otherwise undisturbed areas within urbanization. Corridor width requirements can vary based on the needs of the species utilizing them. The Project site is an isolated and relatively small parcel of impacted annual grassland habitat. No impacts are expected; consequently, no additional measures are included.

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

There are no biological resources on the site which are separately protected by local policies. Therefore, conflicts with local policies will not occur.

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

The Project is not known to conflict with any Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

### *4.2 Recommendations*

The following measures are intended to reduce identified potential effects to special-status species as a result of the Project; and are intended to result in compliance with applicable state and/or federal statutes and regulations protecting biological resources.

**BIO-1**: If project activities occur during nesting season (February 1 to August 31) a qualified avian biologist shall conduct a nesting bird survey to identify any active nests present within or adjacent to the proposed work area. If active nests are found, initial ground disturbance shall be postponed or halted within a buffer area, established by the qualified avian biologist, that is suitable to the particular bird species and location of the nest, until juveniles have fledged or the nest has been abandoned, as determined by the biologist. The construction avoidance area shall be clearly demarcated in the field with highly visible construction fencing or flagging, and construction personnel shall be instructed on the sensitivity of nest areas.

**BIO-2:** If any previously unidentified protected species that is not addressed in this document, or any previously unreported protected species is found to be present, occupied areas shall be avoided and a qualified biologist shall. Notify the USFWS and CDFW of any previously unreported

protected species. Any take of protected wildlife shall be reported immediately to USFWS and CDFW.

**BIO-3:** Perimeter or security fence design should incorporate features that will avoid entrapment of San Joaquin kit fox. Openings should be small enough that San Joaquin kit fox cannot pass through or become entrapped (<3”). If chain link is used, it should be raised at least 3 inches above ground level to allow kit fox to pass underneath.

**BIO-4:** Traffic restraints and signs should be established to minimize temporary disturbances during construction. All construction traffic should be restricted to designated access roads and routes, Project site, storage areas, and staging and parking areas. Off-road traffic outside designated Project boundaries should be prohibited. A 15 mile-per-hour (24 kilometer-per-hour) speed limit should be observed in all Project construction areas, except as otherwise posted on county roads and state and federal highways.

**BIO-5:** All equipment storage and parking during construction activities should be confined to the designated construction area or to previously disturbed offsite areas that are not habitat for listed species.

**BIO-6:** Project construction activities involving initial surface disturbance should be limited to daylight hours.

**BIO-7:** Trenches and excavations should have an escape ramp at least every 1,000 feet at no more than 2:1 slope. Trenches or excavations that cannot include a ramp should be covered if left overnight. All such trenches and excavations should be inspected for entrapped wildlife each morning prior to the onset of construction. Before such holes or trenches are filled, they should be thoroughly inspected for entrapped animals. Any wildlife so discovered should be allowed to escape voluntarily, without harassment, before construction activities resume. A qualified biologist may remove wildlife from a trench, hole or other entrapment out of harm’s way if the immediate welfare of the individual is in jeopardy. State or federal listed species may not be handled. Should any state or federal listed species become entrapped, CDFW and USFWS should be contacted as appropriate.

**BIO-8:** Material and equipment should be thoroughly inspected prior to use. All exposed pipes, culverts, and other similar structures with a diameter 3 inches or greater should be capped in order to prevent entry by San Joaquin kit fox or other wildlife. Any of these materials or structures that are left overnight and are not capped shall be inspected prior to being moved, buried, or closed in order to ensure that San Joaquin kit fox or other wildlife are not present. If a listed species is found within pipe, culverts or similar structures, the animal will be allowed to escape that section of its own accord prior to moving or utilizing that segment. If a listed species does not leave of its own accord, CDFW and/or USFWS (as appropriate) should be contacted for further guidance.

**BIO-9:** All food-related trash items such as wrappers, cans, bottles and food scraps generated by Project activities should be disposed of in closed containers and removed at least once each week from the site. Deliberate feeding of wildlife should be prohibited.

**BIO-10:** To prevent harassment of special-status species, construction personnel should not be allowed to have firearms or pets on the Project.

**BIO-11:** All equipment and work-related materials should be contained in closed containers either in the work area or on vehicles. Loose items (e.g. rags, hose, etc.) should be stored within closed containers or enclosed in vehicles when on the work site.

**BIO-12:** All liquids should be in closed, covered containers. Any spills of hazardous liquids should not be left unattended until clean-up has been completed.

**BIO-13:** If used, rodenticides and herbicides should follow label restrictions and other restrictions imposed by the United States Environmental Protection Agency, the California Department of Food and Agricultural, and other state and federal legislation. If rodent control must be conducted, zinc phosphide should be used because of its proven lower risk to San Joaquin kit fox.

**BIO-14:** Any employee who inadvertently kills or injures a listed species, or who finds any such wildlife dead, injured, or entrapped, should be required to report the incident immediately to a designated site representative (e.g., foreman, project manager, environmental inspector, etc.), except animals killed on state and county roads when such mortality is not associated with Project traffic.

**BIO-15:** In the case of injured special-status wildlife, the CDFW should be notified immediately. During business hours Monday through Friday, the phone number is (559) 243-4017. For non-business hours, report to (800) 952-5400. Notification should include the date, time, location, and circumstances of the incident. Instructions provided by the CDFW for the care of the injured animal should be followed by the contractor onsite.

**BIO-16:** In the case of dead wildlife that are listed as threatened or endangered, the USFWS and the CDFW should be immediately (within 24 hours) notified by phone or in person, and should document the initial notification in writing within 2 working days of the findings of any such wildlife. Notification should include the date, time, location, and circumstances of the incident.

**BIO-17:** Prior to commencement of construction on any phase of work, work areas should be clearly marked with fencing, stakes with rope or cord, or other means of delineating the work area boundaries.

**BIO-18:** All personnel entering the Project location should attend a worker orientation program. The worker orientation program should present measures required to avoid, minimize, and mitigate impacts to biological resources and should include, at a minimum, the following subjects: A summary of the FESA, CESA, and the MBTA; biological survey results for the current construction area; life history information for the species of concern; biological resource avoidance, minimization, and mitigation requirements; consequences for failure to successfully implement requirements; and procedures to be followed if dead or injured wildlife area located during Project activities. Upon completion of the orientation, employees should sign a form stating that they attended the program and understand all biological resource mitigation measures and

receive a hardhat sticker or other means of identifying that they have attended the worker orientation. Forms verifying worker attendance should be filed at the applicant's office and be accessible to County, USFWS and CDFW staff. No untrained personnel should be allowed to work onsite with the exception of delivery trucks that are only onsite for 1 day or less and are under the supervision of a trained employee.

## 5.0 SUMMARY OF FINDINGS

The Project will not impact special-status plants as the entire site has had and continues to have disturbance. Ruderal weedy species dominate the Project site and no special-status plant species were observed during the reconnaissance survey.

While no nesting birds were observed during 2021 field surveys, conducting pre-activity nesting bird surveys and implementing appropriate avoidance measures will reduce potential impacts to this species to less than significant.

While no San Joaquin kit fox or American badger or evidence of site occupation were observed, both of these species may forage in the vicinity and CNDDB records are reported from the area. Recommendations included in this report will reduce potential impacts to San Joaquin kit fox and American badger to a level of less than significant.

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# Appendix A
# Special-Status Plant and Wildlife Evaluation

**Table A-1**: Special-status Plants That May Occur in the Vicinity of the Project Site

| ***Scientific Name*** **Common Name** | [1]**Status Fed/State/CNPS** | **Brief Description** | **Known Records** | **Potential to Occur** |
|---|---|---|---|---|
| *Atriplex cordulata var. erecticaulis* Earlimart orache | -/-/1B.1 | Herbaceous annual in the Chenopodiaceae found in valley and foothill grasslands on saline or alkaline soils, between 130 and 330 feet (40–100 meters) in elevation. Known from occurrences in western Tulare County, and northwestern Kern County. Blooming period: August-September (November) | Closest historic record is based on collections during several years, the most recent being 1989, 6.9 miles southwest of the project in the Pixley Vernal Pool Preserve. The location shown in the CNDDB is a remnant 40-acre parcel of natural land that is surrounded by intensive agricultural development. Several other records are reported between 12 and 20 miles southwest and northwest of the Project. | No annual *Atriplex* were observed during the reconnaissance site visit. Soils on the Project site and in the vicinity were not saline or alkaline and have been extensively disturbed by agricultural activity. No habitat features typical of known occurrences were present and it is not expected. No significant impacts are anticipated.<br><br>**No Potential** |
| *Atriplex coronata* var. *vallicola* Lost Hills crownscale | -/-/1B.2 | Annual herb in the Chenopodiaceae that occurs between 165 and 2,085 feet (50–635 meters) in elevation in chenopod scrub, valley and foothill grasslands, and vernal pools on alkaline soils. Known from occurrences in southeastern San Joaquin Valley from Kern County north to Fresno County and on the Carrizo Plain. Blooming period: April - September | Closest historic record is a historic record from 1965, 6.9 miles southwest of the project. Record is based CNDDB "best guess". The location shown in the CNDDB is a remnant 40-acre parcel of natural land that is surrounded by intensive agricultural development. No other records appear within 20 miles of the project site. | No annual *Atriplex* were observed during the reconnaissance site visit. Soils on the Project site and in the vicinity were not alkaline and have been extensively disturbed by agricultural activity. No habitat features typical of known occurrences were present and it is not expected. No significant impacts are anticipated.<br><br>**No Potential** |
| *Atriplex depressa* Brittlescale | -/-/1B.2 | Herbaceous annual in the Chenopodiaceae found in chenopod scrub, meadows and seeps, and valley and foothill grasslands on alkaline and clay soils between 5 and 1,050 feet (1-320 meters) in elevation. Known to occur in the Great Central Valley from Kern County north to southern Butte County. Blooming period: April - October | Closest record is a historic record from 1965, 6.9 miles southwest of the project. Record is based on a location identified as "Pixley Natural Area about 5 miles northeast of Pixley". The location shown in the CNDDB is a remnant 40-acre parcel of natural land that is surrounded by intensive agricultural development. No other records appear within 20 miles of the project site. | No annual *Atriplex* were observed during the reconnaissance site visit. Soils on the Project site and in the vicinity were not alkaline and have been extensively disturbed by agricultural activity. No habitat features typical of known occurrences were present and it is not expected. No significant impacts are anticipated.<br><br>**No Potential** |
| *Atriplex minuscula* Lesser saltscale | -/-/1B.1 | Annual herb in the Chenopodiaceae found in chenopod scrub, playas, and valley and foothill grasslands in alkaline and sandy soils. Known from occurrences in the San Joaquin Valley from Kern County north to Alameda County and in the northern Sacramento Valley in southern Butte County. Blooming period: May - October | Closest record is from a 1997 collection on Tulare County landfill property approximately 11.4 miles northwest of the Project site. | No annual *Atriplex* were observed during the reconnaissance site visit. Soils on the Project site and in the vicinity were not alkaline and have been extensively disturbed by agricultural activity. No habitat features typical of known occurrences were present and it is not expected. No significant impacts are anticipated.<br><br>**No Potential** |
| *Atriplex persistens* Vernal pool smallscale | -/-/1B.2 | Herbaceous annual in the Chenopodiaceae found in alkaline vernal pools between 35 and 375 feet (10-115 meters) in elevation. Known to occur in the Great Central Valley from Tulare County north to Glenn County. Blooming period: June - October | Closest historic record is based on collections during several years, the most recent being 1985, 6.9 miles southwest of the project in the Pixley Vernal Pool Preserve. The location shown in the CNDDB is a remnant 40-acre parcel of natural land that is surrounded by intensive agricultural development. The next nearest records are over 30 miles north-northwest on CDFW's Stone Corral Ecological Reserve. | No annual *Atriplex* were observed during the reconnaissance site visit. Soils on the Project site and in the vicinity were not alkaline and no vernal pools were present. The site has been extensively disturbed by agricultural activity. No habitat features typical of known occurrences were present and it is not expected. No significant impacts are anticipated.<br><br>**No Potential** |
| *Atriplex subtilis* Subtle orache | -/-/1B.2 | Annual herb in the Chenopodiaceae that occurs between 130 and 330 feet (40–100 meters) in elevation in valley and foothill grasslands on alkaline soils. Known from occurrences in the San Joaquin Valley from Kern County north to Stanislaus County and in Butte County. Blooming period: (April) June – September (October) | Closest historic record is based on collections during several years, the most recent being 1971, 6.9 miles southwest of the project in the Pixley Vernal Pool Preserve. The location shown in the CNDDB is a remnant 40-acre parcel of natural land that is surrounded by intensive agricultural development. Several other records are reported between 10 and 14 miles southwest and northwest of the Project. | No annual *Atriplex* were observed during the reconnaissance site visit. Soils on the Project site and in the vicinity were not alkaline. The site has been extensively disturbed by agricultural activity. No habitat features typical of known occurrences were present and it is not expected. No significant impacts are anticipated.<br><br>**No Potential** |

| ***Scientific Name***<br>**Common Name** | [1]**Status**<br>**Fed/State/CNPS** | **Brief Description** | **Known Records** | **Potential to Occur** |
|---|---|---|---|---|
| *Azolla microphylla*<br>Mexican mosquito fern | -/-/4.2 | This fern in the Azollaceae is found in marshes and swamps (ponds, slow moving water), between 30 and 330 feet (30–100 meters) in elevation. Known to occur in the San Joaquin Valley and southern Sierra Nevada foothills in Kern County, east of the Sierra Nevada in Inyo and Mono Counties, the western Transverse Ranges in San Bernardino County, the Sacramento Valley in San Joaquin, Glenn, Sutter and Butte Counties, the northern High Sierra Nevada in Plumas County, the northern Sierra Nevada Foothills in Nevada County, and the Modoc Plateau in Modoc County. Blooming period: August | Closest historic record is 4.75 miles south-southwest of the Project site along Deer Creek. There are no recent records within 20 miles of the Project. | There is no suitable habitat on the Project site. Irrigation ditches and the pond west of the Project have been subject to frequent disturbance and would not support this species.<br><br>**No Potential** |
| *Caulanthus californicus*<br>California jewelflower | E/E/1B.1 | Herbaceous annual in the Brassicaceae that occurs between 200 and 3,280 feet (61–1,000 meters) in elevation on sandy soils in chenopod scrub, pinyon and juniper woodland, and valley and foothill grasslands. Although many populations are thought to have been extirpated from the San Joaquin Valley, occurrences are known from Kern, Kings, Tulare, San Luis Obispo, Santa Barbara, and Fresno Counties. Blooming period: February - May | Closest historic record is at the Pixley Vernal Pool Preserve, 6.9 miles southwest of the Project. This location consisted of a transplanted population that was last seen in 1981. All other populations with 25 miles are documented by the CNDDB as extirpated due to agriculture and urban development. | Soils on the Project site and in the vicinity have been manipulated multiple times over the years and this species is not tolerant of the type of disturbance that has occurred. No suitable habitat was present, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Clarkia exilis*<br>Slender clarkia | -/-/4.3 | Herbaceous annual in the Onagraceae found in cismontane woodland from 395 and 3,280 feet (120–1,000 meters) in elevation. Known from east of Fresno south through the foothills and lower mountains of Tulare and Kern Counties. Several collections have been recorded along the lower Kern River canyon east of Bakersfield. Blooming period: April-May | The nearest record is just over 10 miles northeast of the Project site near Lake Success (CCH 2021). | Although the Project site is within the elevational range for this species, it is not typically a valley floor species. No suitable habitat was present, and the site has been subjected to multiple years of surface disturbance from agricultural activities. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Clarkia springvillensis*<br>Springville clarkia | T/E/1B.2 | Annual herb in the Onagraceae found in chaparral, cismontane woodland, and valley and foothill grasslands on granitic soils, between 805 and 4,005 feet (245–1,220 meters) in elevation. Known to occur in the southern Sierra Nevada foothills in Tulare County. Blooming period: (March) April to July | Closest record is reported by the CNDDB as near Lewis Hill Preserve, about 7 miles north-northeast of the Project. | The Project site is outside of the known elevational range for this species. No suitable soils were present, and the site has been subjected to multiple years of surface disturbance from agricultural activities. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Convolvulus simulans*<br>Small-flowered morning glory | -/-/4.2 | Herbaceous annual in the Convolvulaceae found in open areas in chaparral, coastal scrub, and valley and foothill grasslands on clay and serpentinite seeps, between 100 and 2,430 feet (30-740 meters) in elevation. Known in the San Joaquin Valley from eastern Contra Costa County south to Kern County; South Coast Ranges from Monterey County South to the Peninsular Ranges. Blooming period: March-July | Collection record approximately 9.1 miles east-northeast of the Project site near Lake Success (CCH 2006). | No suitable soils were present, and the site has been subjected to multiple years of surface disturbance from agricultural activities. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Delphinium hansenii* ssp. *ewanianum*<br>Ewan's larkspur | -/-/4.2 | Herbaceous perennial in the Ranunculaceae found in cismontane woodland, and valley and foothill grasslands on rocky soils, 195 and 1,970 feet (60–600 meters) in elevation. Known to occur in the San Joaquin Valley from Kern County north to Merced and Calaveras Counties. Blooming period: March-May | Historic record (1882) located approximately 7.1 mile south of the Project site. Additional historic records 17.4 miles south (1941) and 11.2 miles north-northwest (1998) | No suitable soils were present, and the site has been subjected to multiple years of surface disturbance from agricultural activities. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |

| ***Scientific Name***<br>**Common Name** | [1]**Status**<br>**Fed/State/CNPS** | **Brief Description** | **Known Records** | **Potential to Occur** |
|---|---|---|---|---|
| *Delphinium recurvatum*<br>Recurved larkspur | -/-/1B.2 | Perennial herb in the Ranunculaceae occurring between 10 and 2,460 feet (3–750 meters) in elevation in chenopod scrub, cismontane woodland, and valley and foothill grasslands on alkaline soils. Known to occur in the Mojave Desert and Southern San Joaquin Valley in Kern County north to Solano County; the South Inner Coastal Ranges from San Luis Obispo County north to Stanislaus County, and the Sacramento Valley from San Joaquin County north to Butte County. Blooming period: March - June | Closest known record is from several collections at the Pixley Vernal Pool Preserve, 6.9 miles southwest of the Project, the most recent being 1989. Numerous records are reported between 10 and 20 miles from the Project. | Soils on the Project site and in the vicinity were not alkaline and have been manipulated multiple times over the years. No habitat features typical of known occurrences were present and it is not expected. No significant impacts are anticipated.<br><br>**No Potential** |
| *Diplacus pictus*<br>Calico monkeyflower | -/-/1B.2 | Annual herb in the Phrymaceae found in broadleafed upland forest and cismontane woodlands between 330 and 4,690 feet (100–1430 meters) in elevation in Kern and Tulare counties. Blooming period: March - May | The nearest record is from approximately 9 miles east-northeast of the Project, with several records between 12 and 20 miles away. | No suitable habitat for this species was present and soils have been manipulated multiple times over the years. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Eryngium spinosepalum*<br>Spiny-sepaled button-celery | -/-/1B.2 | Annual or perennial herb in the Apiaceae found in valley and foothill grasslands and vernal pools between 260 and 3,200 feet (80–975 meters) in elevation. Known to occur in the San Joaquin Valley and Sierra Nevada foothills from Stockton south to southern Kern County. Blooming period: April to June | The nearest record is from approximately 8.8 miles east-northeast of the Project, with one additional record approximately 12.4 miles east-northeast. All other records are greater than 20 miles from the Project. | No suitable habitat for this species was present and soils have been manipulated multiple times over the years. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Fritillaria agrestis*<br>Stinkbells | -/-/4.2 | Perennial bulbiferous herb in the Liliaceae found in chaparral, cismontane woodland, pinyon and juniper woodland, and valley and foothill grasslands on clay soils (sometimes serpentinite) between 35 and 5,100 feet (10–1,555 meters) in elevation. Known to occur in the Coast Ranges and Transverse Ranges from Ventura County north to Mendocino County, the San Joaquin Valley, and the Sierra Nevada Foothills from Kern County north to Yuba County. Blooming period: March-June | No records within 10 miles of the Project site. Nearest record is 16.3 miles east-northeast near Springville (1982). | No suitable habitat or soils for this species were present and soils have been manipulated multiple times over the years. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Fritillaria striata*<br>Striped adobe lily | -/T/1B.1 | Perennial bulbiferous herb in the Liliaceae found in cismontane woodland and valley and foothill grasslands usually on clay soils between 445 and 4,775 feet (135–1,455 meters) in elevation. Known to occur in the Tehachapi foothills and southern Sierra Nevada foothills from Kern and Tulare Counties. Blooming period: February to April | The nearest record is from approximately 4.4 miles east-northeast of the Project, with several other records within the 10-mile radius, northeast of the Project. | No suitable habitat or soils for this species were present and soils have been manipulated multiple times over the years. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Lasthenia chrysantha*<br>*Alkali sink goldfields* | -/-/1B.1 | Annual herb in the Asteraceae found between 3 and 4,000 feet (1–1,220 meters) in elevation in marshes, swamps, playas, and vernal pools. Known from occurrences in the Transverse Ranges in Santa Barbara, Ventura, and San Bernardino Counties, the Peninsular Ranges in San Diego, Orange and Riverside Counties, the South Coast in Los Angeles County, the Northern Channel Islands, the South Coast Ranges in San Luis Obispo County, the Tehachapi Mountains in Kern County, and the Southern San Joaquin Valley in Kern, Tulare, and Merced Counties. Blooming period: February - June | Two historic records are reported within the 10-mile radius: 1 at Pixley Vernal Pool Preserve (6.9 miles southwest) and another approximately 8.8 miles southwest of the Project. | No suitable habitat for this species was present and soils have been manipulated multiple times over the years. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Leptosiphon serrulatus*<br>Madera leptosiphon | -/-/1B.2 | Annual herb in the Polemoniaceae found in cismontane woodland and lower montane coniferous forests between 985 and 4,265 feet (300–1,300 meters) in elevation. Known to occur in the Tehachapi Mountains and Sierra Nevada foothills from Kern County to Mariposa County, and in the San Joaquin Valley near Fresno. Blooming period: April -May | The nearest historic record (1935) is from approximately 6.3 miles east of the Project, with several other records outside of the 10-mile radius, greater than 20 miles away. | The Project site is below the known elevational range for this species. No suitable habitat was present, and soils have been manipulated multiple times over the years. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |

| ***Scientific Name*** **Common Name** | [1]**Status Fed/State/CNPS** | **Brief Description** | **Known Records** | **Potential to Occur** |
|---|---|---|---|---|
| *Monolopia congdonii* San Joaquin woolly-threads | E/-/1B.2 | Annual herb in the Asteraceae found between 195 and 2,625 feet (60–800 meters) in elevation in chenopod scrub, and valley and foothill grasslands, on sandy soils. Known to occur in the San Joaquin Valley from Kern County north to San Benito County, and the Carrizo Plain in San Luis Obispo and Santa Barbara Counties. Blooming period: February - May | Closest known record is a historic record from 1881, mapped by CNDDB as "best guess" along the entire length of Deer Creek, which is 2.7 miles south of the Project at its closest point. CNDDB also reports that this population may be extirpated due to habitat conversion. | No suitable habitat or soils for this species were present and soils have been manipulated multiple times over the years. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Navarretia nigelliformis* ssp. *radians* Shining navarretia | -/-/1B.2 | Annual herb in the Polemoniaceae found in cismontane woodland, valley and foothill grasslands, and vernal pools between 215 and 3,280 feet (65–1,000 meters) in elevation. Known to occur in the western San Joaquin Valley and Inner and outer Coast Ranges from San Luis Obispo County north to Merced County, in the eastern San Joaquin Valley from Tulare County north to Madera County, with occurrences additionally recorded in Alameda, Contra Costa, and Colusa Counties. Blooming period: (March) April-June | Only one population recorded within 10-mile radius, about 9.1 miles east-northeast of the Project near Lake Success. Additional populations north of Fresno and west of the San Joaquin Valley in the Coast Ranges. | No suitable habitat for this species was present and soils have been manipulated multiple times over the years. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Pseudobahia peirsonii* San Joaquin adobe sunburst | T/E/1B.1 | Annual herb in the Asteraceae found in cismontane woodland and valley and foothill grasslands on adobe clay soils between 295 and 2,625 feet (90–800 meters) in elevation. Known to occur in the Tehachapi Mountains, southern Sierra Nevada foothills and eastern San Joaquin Valley from Kern County north to Fresno County. Blooming period: February-April | Several occurrences reported south, east, and north of the Project, with the nearest recent record approximately 6.6 miles north-northeast of the Project. | No suitable habitat or soils for this species were present and soils have been manipulated multiple times over the years. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Puccinellia simplex* California alkali grass | -/-/1B.2 | Annual herb in the Poaceae found in chenopod scrub, meadows and seeps, valley and foothill grassland, and vernal pools; in alkaline, vernally-mesic sinks, flats, and lake margins between 5 to 3,050 feet (2–930 meters) in elevation. Known from locations in Alameda, Butte, Contra Costa, Colusa, Fresno, Glenn, Kern, Lake, Los Angeles, Madera, Merced, Napa, San Bernardino, Santa Clara, Santa Cruz, San Luis Obispo, Solano, Stanislaus, Tulare, and Yolo Counties. This species is presumed extirpated in Kings County. Blooming period: March-May | Closest record is from a 1998 collection on Tulare County landfill property approximately 11.4 miles northwest of the Project site. | No suitable habitat or soils for this species were present and soils have been manipulated multiple times over the years. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Senecio aphanactis* Chaparral ragwort | -/-/2B.2 | Annual herb in the Asteraceae found in chaparral, cismontane woodland, and coastal scrub, occasionally on alkali soils, between 50 and 2,625 feet (15–800 meters) in elevation. Known to occur in Contra Costa County in the San Francisco Bay area south through the Inner South Coast Ranges, the South Coast from Los Angeles County to San Diego County, and the Transverse Ranges. Blooming period: January-April (May) | Nearest record is 10.8 miles east-northeast near Lake Success, where it was collected in 1982. | No suitable habitat or soils for this species were present and soils have been manipulated multiple times over the years. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Sidalcea keckii* Keck's checkerbloom | E/-/1B.1 | Annual herb in the Malvaceae found in cismontane woodland and valley and foothill grasslands on serpentinite and clay soils between 245 and 2,135 feet (75–650 meters) in elevation. Known to occur in the Sierra Nevada foothills from Madera County south to Tulare County and from Colusa, Glenn, Lake, Napa, Solano, and Yolo Counties, although these plants may actually be *S. diploscypha*. Blooming period: April-May (June) | No recent records within 10-mile radius. Historic records approximately 8.7 miles east and 11.9 miles east-northeast of the Project. | No suitable habitat or soils for this species were present and soils have been manipulated multiple times over the years. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |
| *Trichostema ovatum* San Joaquin bluecurls | -/-/4.2 | Annual herb in the Lamiaceae found in chenopod scrub and valley and foothill grasslands between 215 and 1,050 feet (65–320 meters) in elevation. Known to occur in the San Joaquin Valley from Kern County north to Fresno County. Blooming period: (April-June) July-October | Nearest collection record approximately 13.6 miles west—southwest of the Project | Although this species may be found in disturbed situations, the degree of surface manipulation due to ongoing agricultural activity has eliminated potential habitat. This species is not expected, and no significant impacts are anticipated.<br><br>**No Potential** |

[1]STATUS: Federal and State Listing Code

| | |
|---|---|
| D | Delisted |
| E | Federally or State-listed Endangered |
| S | BLM Sensitive Species |
| T | Federally or State-listed Threatened |
| - | No listing status |

CNPS

| | |
|---|---|
| 1A | Plants presumed extirpated in California, and either rare or extinct elsewhere |
| 1B.1 | Plants considered rare, threatened, or endangered in California and elsewhere; seriously threatened in California |
| 1B.2 | Plants considered rare, threatened, or endangered in California and elsewhere; fairly threatened in California |
| 1B.3 | Plants considered rare, threatened, or endangered in California and elsewhere; not very endangered in California |
| 2B.1 | Plants considered rare, threatened, or endangered in California, but more common elsewhere; seriously threatened in California |

Sources: Jepson Flora Project (2021), CNPS (2021), Calflora (2021), CNDDB (2021) unless otherwise noted

**Table A-2**: Special-status Wildlife That May Occur in the Vicinity of the Project Site.

| ***Scientific Name*** **Common Name** | **[1]Status Federal/State** | **General Habitat** | **Known Records** | **Potential to Occur** |
|---|---|---|---|---|
| **Invertebrates** | | | | |
| *Bombus crotchii* Crotch bumble bee | -/C | Occupies grasslands and shrublands. They are social insects that live in annual colonies. Nests are often underground in abandoned rodent burrows, rock piles, or dead tree cavities. Historically found primarily in the Central Valley, now this species is most commonly found in the southern California coastal areas; a strong affinity for milkweed as a food source. | Closest known record is a general record near Porterville where collections of this species were made in 1958, 1959, and 1963, 4.25 miles northeast of the Project site. | No likely habitat for nests was detected on site during reconnaissance survey. No milkweed or other flowering plants likely to support this species were observed in the agricultural fields or roadside areas.<br><br>**No Potential** |
| *Branchinecta lynchi* Vernal pool fairy shrimp | T/- | Occupies a variety of different vernal pool habitats, from small, clear, sandstone rock pools to large, turbid, alkaline, grassland valley floor pools. They are most frequently found in pools measuring less than 0.05 acres (0.02 hectares). Distribution in the Central Valley ranges from Shasta County to Tulare County. Kern County has no documented occurrences. | Several CNDDB records within 10-mile radius of Project. All records are associated with vernal pools. | No suitable habitat for this species was present on the project site.<br><br>**No Potential** |
| *Desmocerus californicus dimorphus* Valley elderberry longhorn beetle | T/- | This species is endemic to California's Central Valley and has only been found in association with their host plant: the elderberry (*Sambucus* spp.); all life stages are dependent on this plant (USFWS 2006). Populations may be found in riparian settings or higher elevations in foothill oak woodland (i.e., 60–2,060 feet [18.3–689 meters] in elevation). | Several records along the Tule River and Deer Creek, with the nearest 4.9 miles east-northeast of the Project site; however, the USFWS has determined that Tulare County is unlikely to be occupied by this species (ETWP 2014). | No suitable habitat for this species was present on the project site. Species range was adjusted exclude Tulare County (ETWP 2014).<br><br>**No Potential** |
| *Lytta hoppingii* Hopping's blister beetle | -/- | Adults in this genus are often found on flowers, but there is no published information on habitat or floral visitation records for this species. Known from central California and has been collected in Kern and Tulare Counties. | Historic record (1934) consisting of collected individuals being housed at the Tulare County Agricultural Commissioner's office in Visalia. Collection labeled as Ducor, approximately 8 miles south of the Project site, although it is unclear where the actual collections were made. | Soils on the Project site and in the vicinity have been manipulated multiple times over the years. Historical agricultural practices have created unsuitable conditions for this species.<br><br>**No Potential** |
| *Lyta morrisoni* Morrison's blister beetle | -/- | Adults in this genus are often found on flowers, but there is no published information on habitat or floral visitation records for this species. Known from the southern Central Valley. | Historic record (1939) consisting of collected individuals being housed at the Tulare County Agricultural Commissioner's office in Visalia. Collection labeled as "Plano, Tulare County", which is approximately 3.2 miles east-northeast of the Project site, although it is unclear where the actual collections were made. | Soils on the Project site and in the vicinity have been manipulated multiple times over the years. Historical agricultural practices have created unsuitable conditions for this species.<br><br>**No Potential** |

| *Scientific Name*<br>Common Name | [1]Status<br>Federal/State | General Habitat | Known Records | Potential to Occur |
|---|---|---|---|---|
| **Fish** | | | | |
| *Hypomesus transpacificus*<br>Delta smelt | T/T | Found only in the Sacramento-San Joaquin Estuary in the interface between salt and freshwater. | There are no CNDDB records for this species within 20 miles of the project site. | No suitable habitat for this species was present on the project site.<br><br>**No Potential** |
| **Amphibians** | | | | |
| *Rana draytonii*<br>California red-legged frog | T/- | Found in dense, shrubby riparian vegetation associated with deep (0.6 meters; 2 feet), still or slow-moving water; arroyo willow (*Salix lasiolepis*) seems to be most suitable, but cattails (*Typha* sp.) and bulrushes (*Scirpus* sp.) also provide good habitat. | Although Tulare County may have been part of the historic range for this species, currently, the range does not extend south of the northern Tulare County line. | No suitable habitat for this species was present on the project site.<br><br>**No Potential** |
| *Spea hammondii*<br>Western spadefoot (toad) | -/CSC | Central valley and adjacent foothills, Coast Ranges from Point Conception south to the Mexico border; valley-foothill grasslands and valley-foothill hardwood, shallow temporary pools used for breeding, below 4,472 feet (1,363 meters). | Closest record is from 1978, approximately 6.9 miles southwest of the Project site at Pixley Vernal Pool Preserve. Although the record is historic, habitat is still intact on this 40-acre parcel that is surrounded by agricultural development. No other records within the 10-mile radius. | No suitable habitat for this species was present on the project site.<br><br>**No Potential** |
| **Reptiles** | | | | |
| *Anniella pulchra*<br>Northern California legless lizard | -/CSC | Inhabits loose soil with plant cover. Occurs in sparsely vegetated areas of arid scrub, sandy washes, and stream terraces with shrub cover or sycamores and/or cottonwood tree cover. Has been documented in undeveloped or lightly developed areas within Bakersfield city limits and unincorporated areas of Bakersfield. | Three recent collection records that have been identified by species experts as *A. pulchra* are located 6.0, 7.1, and 8.8 miles east-northeast of the Project site in relatively intact habitat. | The Project site lacks suitable cover; soils and have been manipulated multiple times over the years. Historical agricultural practices have eliminated potential for this species.<br><br>**No Potential** |
| *Emys marmorata*<br>Western pond turtle | -/CSC | Completely aquatic requiring calm waters such as pools or streams with vegetation banks or logs for basking. Will utilize upland habitat up to about 0.3 miles (0.5 kilometers) from water. | Closest known record is a historic occurrence (1988), 14.5 miles east of the Project site on the South Fork of the Tule River. There are no recent records within 20 miles of the Project site. | No suitable habitat for this species was present on the project site.<br><br>**No Potential** |
| *Gambelia sila*<br>Blunt-nosed leopard lizard | E/E, SFP | Found only in the San Joaquin Valley, adjacent Carrizo Plain, Elkhorn Plain, Cuyama Valley, and Panoche Valley; inhabits sparsely vegetated plains, lower canyon slopes, on valley floors, and washes; open grassland, saltbush scrub, and alkali sink are more common habitat types. | Although no occurrences have been reported within 10-miles of the Project site, numerous records have been reported to the south and west of the area searched for this report. | No suitable habitat or potentially suitable refugia were observed on the Project site. Ongoing intensive agricultural practices on the Project site with no nearby natural lands result in unsuitable habitat for this species.<br><br>**No Potential** |
| *Masticophis flagellum ruddocki*<br>San Joaquin coachwhip | -/CSC | Found in the San Joaquin Valley in open, dry habitats. Associated with valley grassland and saltbush scrub habitats containing small mammal burrows which are used for refugia and oviposition sites. | Closest record is approximately 16 miles southwest of the Project site at Allensworth Ecological Reserve. | No suitable habitat for this species was present on the project site.<br><br>**No Potential** |
| *Phrynosoma blainvillii*<br>Coast horned lizard | -/CSC | Inhabits valley-foothill hardwood, coniferous and riparian, as well as pine-cypress, juniper, and annual grasslands, in Sierra Nevada below 3,937 feet (1,200 meters) and in mountains of Southern California and into the adjacent valleys. | Closest records are 15 to 18 miles southwest of the Project site in the vicinity of the Allensworth Ecological Reserve. | No suitable habitat for this species was present on the project site.<br><br>**No Potential** |
| *Thamnophis gigas*<br>Giant garter snake | T/T | Highly aquatic; usually found in areas of freshwater marsh low-gradient streams, drainage canals and irrigation ditches, especially those associated with rice farming; historically occurred in the San Joaquin Valley from the vicinity of Sacramento southward to Buena Vista and the Tulare Lake Basin; currently known from near Chico, Butte County, to the vicinity of Burrel, Fresno County. | Nearest historic record (date unknown) is 47 miles south-southwest of the Project site near Buttonwillow at a location presumed to be extirpated. | No suitable habitat for this species was present on the project site. Species has been extirpated from Tulare County.<br><br>**No Potential** |
| **Birds** | | | | |
| *Agelaius tricolor*<br>Tricolored blackbird | -/T | Forages in grasslands, wetlands, rice fields, croplands, and weedy uplands dominated by mustards and thistles, etc.; breeds in marshes containing heavy growth of bulrushes, cattails, and blackberries; found throughout the Central Valley. | Two records are known within the 10-mile radius, one of which (6.7 miles west-southwest) is thought to be extirpated. A record near Success Dam, 8.3 miles east-northeast of the Project site may be extant. | No suitable nesting habitat for this species was present on the Project. The site represents suitable foraging habitat.<br><br>**Moderate Potential (foraging)** |

| *Scientific Name*<br>**Common Name** | [1]**Status**<br>**Federal/State** | **General Habitat** | **Known Records** | **Potential to Occur** |
|---|---|---|---|---|
| Athene cunicularia<br>Burrowing owl | -/CSC | Inhabit dry, open grasslands, rolling hills, desert floors, prairies, savannas, agricultural land, and other areas of open, bare ground. These owls will also inhabit open areas near human habitation, such as airports, golf courses, shoulders of roads, railroad embankments, and the banks of irrigation ditches and reservoirs. | Although no occurrences have been reported within 10-miles of the Project site, numerous records have been reported to the south and west of the area searched for this report. | No California ground squirrel burrows or potential burrow surrogates were observed during the reconnaissance survey; therefore, no nesting or other burrow use would be expected. Foraging in fallow fields may occur if nearby areas are occupied. See further discussion in Section 3.2.2.<br><br>**Low Potential** |
| *Buteo swainsoni*<br>Swainson's hawk | -/T | Riparian and sometimes large, isolated trees used for nesting; grasslands and agricultural lands used for foraging; in California, breeds primarily in the Sacramento Valley, with occasional nesting to the south through Kern County; migrate through the Central and San Joaquin Valleys to their wintering grounds in South America. | Closest known record is a nesting location 3.7 miles north of the Project site near the Friant-Kern Canal on the west side of Porterville (2017). No other nests are reported in the CNDDB within the 10-mile radius, although several have been reported beyond the 10-mile radius to the west and north of the Project site. | No potential nest trees were observed on or adjacent to the Project site. The alfalfa currently on the Project site represented suitable foraging habitat. See further discussion in Section 3.2.2.<br><br>**Moderate Potential (foraging)** |
| *Gymnogyps californianus*<br>California condor | -/CSC | This species forages over wide areas of open rangelands, roost on cliffs and in large trees and snags; occurs mostly between sea-level and 2,743 meters (9,000 feet), and nests from 610 to 1,981 meters (2,000–6,500 feet). Condors require vast expanses of open savannah, grasslands, and foothill chaparral, with cliffs, large trees, and snags for roosting and nesting. | The southwestern extent of a polygon representing the Blue Ridge Condor Area is located approximately 6.6 miles northeast of the Project site. This area is described as "Roosting area, April through September". | No suitable nesting habitat was present on the project for this species. This species is unlikely to forage on the Project site due to lack of nearby nesting habitat.<br><br>**No Potential** |
| **Mammals** | | | | |
| *Antrozous pallidus*<br>Pallid bat | -/CSC | Throughout Californian except high Sierra Nevada from Shasta County south to Kern County and the northwestern corner of the state; grasslands, shrub lands, woodlands, and forest habitats; roosts in caves, crevices, mines and hollow trees. | Closest records are historic collections of individuals in 1943 and 1946, located 8.2 miles east of the Project site. | No suitable roosting habitat was present on the Project site for this species and there is a low likelihood for foraging in the vicinity.<br><br>**No Potential** |
| *Corynorhinus townsendi*<br>*Townsend's big-eared bat* | -/CSC | Occurs throughout California except at the highest elevations; requires caves, mines, tunnels, or other structures for roosting; prefers moist habitats, feeding from brush or trees along habitat edges. | Closest record consists of 2 individuals that were observed in association with mines approximately 6.7 miles northeast of the Project site in 1988. | No suitable roosting habitat was present on the Project site for this species and there is a low likelihood for foraging in the vicinity.<br><br>**No Potential** |
| *Dipodomys nitratoides nitratoides*<br>Tipton kangaroo rat | E/E | Found in arid communities on the valley floor portions of Kern, Tulare, and Kings counties in scrub and grassland communities on level to near-level terrain; alluvial fans (fine sands and sandy loams) with sparse grasses and woody vegetation such as iodine bush, saltbush, seep weed, and mesquite. | Closest known record is a historic museum record from 1943, approximately 8.8 miles northwest of the Project site. Nearest recent record is located approximately 17.6 miles southwest of the Project. | No burrows potentially occupied by Tipton kangaroo rat were observed during the fieldwork conducted for the preparation of this report.<br><br>**No Potential** |
| *Eumops perotis californicus*<br>Western mastiff bat | -/CSC | Open, semi-arid to arid habitats, including conifer and deciduous woodlands, annual and perennial grasslands, chaparral, desert scrub, and urban areas; roosts in cliff faces, as well as high buildings, trees, and tunnels; uncommon resident in southwestern San Joaquin Valley. | Multiple individuals were detected in 1994 near Lake Success, 9.1 miles east-northeast of the Project site. | No suitable roosting habitat was present on the project for this species. The site represents poor foraging habitat.<br><br>**No Potential** |
| *Lasiurus cinereus*<br>Hoary bat | -/- | The most widespread North American bat. Winters along the coast and in southern California, breeding inland and north of the winter range. Breeding habitat includes all woodlands and forests with medium to large-size trees and dense foliage. | Closest known record is a historic record from 1919, 8.3 miles south-southeast of the Project site. No recent occurrences have been recorded within 20 miles of the project site. | No suitable habitat was present on the project for this species. The site represents poor foraging habitat, and it is not expected.<br><br>**No Potential** |

| *Scientific Name*<br>**Common Name** | [1]**Status**<br>**Federal/State** | **General Habitat** | **Known Records** | **Potential to Occur** |
|---|---|---|---|---|
| *Taxidea taxus*<br>American badger | -/CSC | Uncommon resident found throughout California; in relatively low disturbance grassland and shrubland habitats in San Joaquin Valley. | The closest record is a historic but undated collection of an individual in the vicinity of the Porterville Airport, which is approximately ½-mile east of the storm drain terminus on West Street. | No dens, burrows, or digs indicating presence of American badger occupation or foraging were observed during the fieldwork conducted for the preparation of this report. The Project site is primarily active agriculture, which is not generally considered suitable habitat for this species. However, the fallow portion of the basin site and the annual grassland east of the northern end of the stormwater drain pipe represent potentially suitable denning and foraging habitat.<br><br>**Low Potential** |
| *Vulpes macrotis mutica*<br>San Joaquin kit fox (SJKF) | E/T | Found in scrub habitats, annual grassland, and valley sacaton grassland in the Central Valley and adjacent foothills and valleys, infrequently to the outer Coast Ranges; generally not found in densely wooded areas, wetland areas, or areas subject to frequent periodic flooding. | This species has been documented historically throughout the 10-mile radius; however, there are no recent records in the vicinity of the Project site. The nearest historic record is located approximately 600 feet west of the Project site at the Tulare County Landfill south of Avenue 128. | No dens, burrows, or sign indicating presence of San Joaquin kit fox occupation or foraging were observed during the fieldwork conducted for the preparation of this report. The Project site is primarily active agriculture, which is not generally considered suitable habitat for this species. However, the fallow portion of the basin site and the annual grassland east of the northern end of the stormwater drain pipe represent potentially suitable denning and foraging habitat.<br><br>**Low Potential** |

[1]STATUS:

Federal
E Listed as Endangered
T Listed as Threatened
C Candidate for listing

State
C Candidate for Listing
CSC California Department of Fish and Wildlife Designated Species of Special Concern
E Listed as Endangered
SFP California Department of Fish and Wildlife Designated Fully Protected
T Listed as Threatened

Sources (unless otherwise noted): Zeiner et al. (1988-1990), CNDDB (2021)

**Appendix B**
**Photographs of the Proposed Basin Location, Recirculation Pond, and Stormwater Drain Pipe**
**August 18 and 19, 2021**

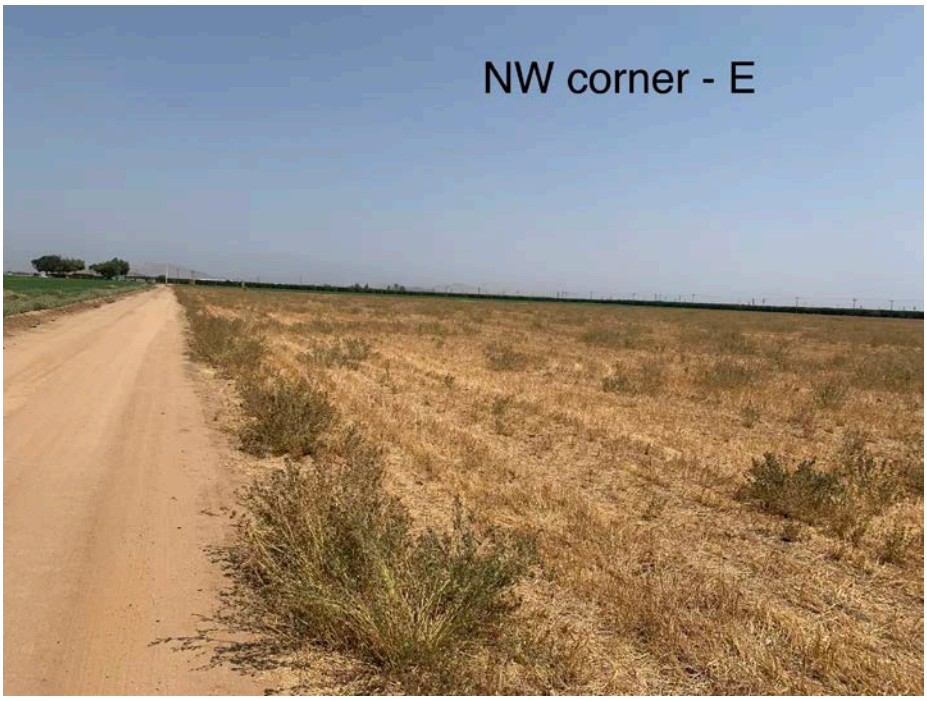


**Photo B-1:** Photograph of the proposed basin site taken at the northwest corner facing east (August 18, 2021)


**Photo B-2:** Photograph of the proposed basin site taken at the northwest corner facing south (August 18, 2021)

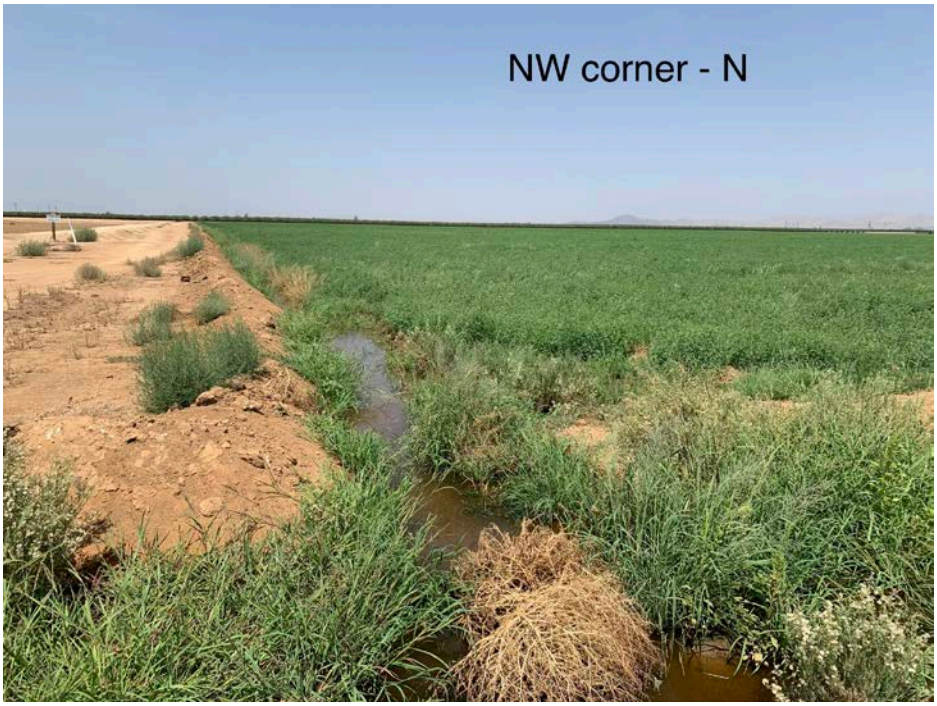


**Photo B-3:** Photograph of the proposed recirculation pond site taken at the southwest corner facing north (August 18, 2021)

**Photo B-4:** Photograph of the project site taken at the southeast corner facing northwest (April 2, 2021)

**Photo B-5:** Photograph of the proposed basin site taken at the southeastern corner facing north (August 18, 2021)

**Photo B-6:** Photograph of proposed stormwater drain pipe route from Road 216 facing east (August 19, 2021)

**Photo B-7:** Photograph of proposed stormwater drain pipe route from West Street facing west (August 19, 2021)

**Photo B-8:** Photograph of proposed stormwater drain pipe route along West Street facing north (August 19, 2021)

# Appendix C
# Plants and Wildlife Observed During Project Site Surveys
# 2021

**Table C-1**: Plant Observed During the Reconnaissance Survey Conducted in 2021.

| *Scientific Name* | **Common Name** |
|---|---|
| **Amaranthacea** | |
| *Amaranthus palmeri* | Palmer's amaranth |
| **Asteraceae** | |
| *Erigeron canadensis* | Canada horseweed |
| *Gnaphalium palustre* | Lowland cudweed |
| *Lactuca serriola* | Prickly lettuce* |
| **Brassicaceae** | |
| *Capsella bursa-pastoris* | Shepherd's purse* |
| **Poaceae** | |
| *Avena fatua* | Wildoats* |
| *Dactylis glomerata* | Orchardgrass* |
| *Festuca perrenis* | Italian ryegrass* |
| *Leptochloa fusca* | Sprangletop |
| *Polypogon monspeliensis* | Rabbitsfoot grass* |
| *Sorghum halapense* | Johnsongrass* |
| **Zygophyllaceae** | |
| *Tribulus terrestris* | Puncture vine* |

* Non-native

**Table C-2**: Wildlife Species Observed during the Reconnaissance Survey Conducted in 2021

| ***Scientific Name*** | **Common Name** |
|---|---|
| **Birds** | |
| *Buteo jamaicensis* | Red-tailed hawk |
| *Cathartes aura* | Turkey vulture |
| *Corvus brachyrhynchos* | American crow |
| *Corvus corax* | Common Raven |
| *Haemorhous mexicanus* | House finch |
| *Hirundo rustica* | Barn swallow |
| *Petrochelidon pyrrhonota* | Cliff swallow |
| *Zenaida macroura* | Mourning dove |

# APPENDIX C

# CULTURAL RESOURCE SURVEY

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CARLSBAD
CLOVIS
IRVINE
LOS ANGELES
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROSEVILLE
SAN LUIS OBISPO

August 23, 2021

Michael L. Knight, Public Works Director
City of Porterville
291 North Main Street
Porterville, CA 93257

Subject: Phase I Cultural Resources Survey for the Casino Basin Project in Porterville, Tulare County, California (LSA Project No. POR1801.24)

Dear Mr. Knight:

LSA conducted a Phase I Cultural Resources Survey (study) for the proposed Casino Basin Project (project) in Porterville, Tulare County, California, which includes development of a retention basin and associated storm drain. All cultural resources study work was completed per the requirements of the California Environmental Quality Act of 1970 (CEQA).

This study has the following purposes: (1) identify archaeological deposits that may meet the CEQA definition of a historical resource (California Public Resources Code [PRC] Section 21084.1) or a unique archaeological resource (PRC Section 21083.2) and that may be impacted by the proposed project; (2) assess the potential for human remains; and (3) recommend procedures for avoiding or mitigating impacts to such deposits, if warranted. The study consisted of background research and a field survey and was conducted by LSA Associate/Senior Archaeologist Kerrie Collison, M.A., Registered Professional Archaeologist (RPA) No. 28731436.

## PROJECT SITE LOCATION AND CHARACTERISTICS

The project site, which is also the study site, is depicted on the United States Geological Survey (USGS) *Porterville, California* 7.5-minute topographic quadrangle map in Sections 7 and 8 of Township 22 South, Range 27 East, Mount Diablo Baseline and Meridian (USGS 1969; Figure 1). (All references are in Attachment A, and all figures are in Attachment B.) The main portion of the project site is located in the southwestern portion of Porterville, at the northwest corner of Road 216 and Avenue 128 (Figure 2). The proposed storm drain follows existing paved streets east of the main project site.

The project site is relatively flat and is at an approximate elevation of 410 feet (ft). The nearest current natural water source (the Tule River) is 2.75 miles (mi) north-northeast of the main project site. Subsurface sediments of the project site consist of Quaternary marine and nonmarine alluvium, lake, playa, and terrace deposits consisting of sedimentary rocks that date to the Pleistocene (ranging from 2.58 million years ago to 11,700 years ago).[1] The project site is currently used for agricultural purposes.

[1] California Geological Survey. 2015. Geologic Map of California. Website: https://maps.conservation.ca.gov/cgs/gmc/ (accessed August 22, 2021).

## BACKGROUND RESEARCH

### Southern San Joaquin Valley Information Center

A record search of the project site and a 0.5 mi search radius was conducted on May 24, 2021, by staff members at the Southern San Joaquin Valley Information Center (SSJVIC) of the California Historical Resources Information System (CHRIS) at California State University, Bakersfield (SSJVIC Records Search File No. 21-175). The SSJVIC, an affiliate of the California Office of Historic Preservation (OHP), is the official repository of cultural resources records and reports for Fresno County. Background research also included a review of the following State and federal inventories:

- Built Environment Resources Directory (BERD)[1]
- California Historical Landmarks (OHP 1996)
- California Points of Historical Interest (OHP 1992)
- *Five Views: An Ethnic Historic Site Survey for California* (OHP 1988)
- California Inventory of Historic Resources (OHP 1976)

The record search results (Attachment C) indicate that three previous cultural resources studies have included a portion of the project site and that an additional nine previous cultural resources studies have included a portion of the 0.5-mi radius. One of the previous studies (TU-01175) was published in 2003 and consisted of a 700-acre cultural resources survey that included the entire main project site. Portions of the proposed storm drain alignment were included in two previous studies (TU-01605 and TU-01795), both of which were cultural resources surveys. No cultural resources have been recorded in the project site or within a 0.5 mi radius as a result of previous cultural resources studies. No resources listed in the BERD are within the project site.

### Native American Heritage Commission

LSA submitted a request to the Native American Heritage Commission (NAHC) to request a review of the Sacred Lands File (SLF) for the presence of Native American cultural resources that might be impacted by the proposed project. The NAHC maintains the SLF database and is the official State repository of Native American sacred-site location records in California.

Nancy Gonzalez-Lopez, NAHC Cultural Resources Analyst, responded to the SLF search request on May 24, 2021, stating that the results were negative and that no Native American cultural resources were known in the area (Attachment D). The NAHC also provided a suggested list of Native American individuals to contact for information regarding the project site.

[1] California Office of Historic Preservation. Built Environment Resources Directory (BERD). n.d. Website: https://ohp.parks.ca.gov/?page_id=30338 (accessed August 22, 2021).

### Aerial Photographs and Historic Maps

Additional background research included a review of aerial photographs and historic-period maps that include the project site.[1] The purpose of this review was to assess the potential for historic-period archaeological deposits in the project site. The oldest available aerial photograph that includes the project site dates to 1956, at which time the main project site was being used for agricultural purposes. The project site usage has remained unchanged since that time.

The earliest available topographic quadrangle reviewed by LSA dates to 1929 and depicts Road 216 and Avenue 128 as already developed adjacent to the main project site. The Friant Kern Canal (located west of the main project site) is first depicted on a map that dates to 1952. No additional noticeable changes are depicted in or near the project site after 1952.

## FIELD SURVEY

On August 4, 2021, LSA Archaeologist Kerrie Collison, RPA, conducted a limited field survey and spot-checked sediments in the main project site. The limited field survey method of spot-checking was utilized due to active agricultural use of the project site and the need to not disturb or destroy crops. The proposed storm drain alignment follows existing paved roads and was not surveyed. Sediments along the edges of the main project site (away from crops) were examined, and a trowel was used to expose subsurface sediments to check subsurface sediment characteristics. Rodent burrowing holes and backdirt piles were also examined for indications of archaeological deposits and/or human remains.

The field survey did not identify any cultural resources in the project site. Observed surficial sediments were uniform throughout the project site and were a very dry, light-brown, fine-grained material. Examined subsurface sediments were similar in composition (likely due to tilling of sediments during agricultural activities) and contained no evidence indicating the presence of midden deposits.

## SUMMARY AND RECOMMENDATIONS

This study, consisting of background research and a field survey, did not identify archaeological deposits or human remains in the project site. The nearest natural water source (the Tule River) is 2.75 mi from the project site. Surficial and near-surface deposits have been disturbed as a result of the use of the project site for agricultural purposes for more than 65 years, and deeper deposits date to a time that does not include human occupation of the region.

For the above reasons, it is unlikely that ground-disturbing work associated with project implementation will impact subsurface cultural resources, and no additional cultural resources studies are recommended for this proposed project. However, there is always the potential that construction activities could uncover unanticipated subsurface cultural resources. A qualified professional archaeologist should be contacted in the event that construction personnel encounter any archaeological deposits and/or human remains during construction activities. If any such

[1] National Environmental Title Research. n.d. Historic Aerials. Website: http://www.historicaerials.com (accessed August 22, 2021).

resources are discovered, contractors should stop work in the immediate area of the find and contact the archaeologist to assess the nature of the find. Upon completion of any monitoring activities, the archaeologist should prepare a report to document the methods and results of monitoring activities. This report should be submitted to the SSJVIC.

If human remains are encountered during project work, the regulatory process outlined in Health and Safety Code Section 7050.5 must be followed, which involves coordination with the NAHC and a Native American Most Likely Descendant.

Please contact me at kerrie.collison@lsa.net if you have any questions regarding this study. Thank you for using the services of LSA.

Sincerely,

**LSA Associates, Inc.**

Kerrie Collison, RPA
Associate/Senior Cultural Resources Manager

Attachments: A—References
B—Figures 1 and 2
C—Record Search Results Summary Letter
D—Sacred Lands File Search Results

# ATTACHMENT A

# REFERENCES

## PUBLISHED RESOURCES

California Office of Historic Preservation (OHP)

1976 California Inventory of Historic Resources. California Department of Parks and Recreation, Sacramento.

1988 *Five Views: An Ethnic Historic Site Survey for California.* California Department of Parks and Recreation, Sacramento.

1992 California Points of Historical Interest. California Department of Parks and Recreation, Sacramento.

1996 California Historical Landmarks. California Department of Parks and Recreation, Sacramento.

United States Geological Survey (USGS)

1969 *Porterville, California* 7.5-minute topographic quadrangle. Published 1951, photorevised 1969. USGS, Denver, Colorado.

## ONLINE RESOURCES

California Geological Survey

2015 Geologic Map of California. Website: https://maps.conservation.ca.gov/cgs/gmc/ (accessed August 22, 2021).

California Office of Historic Preservation

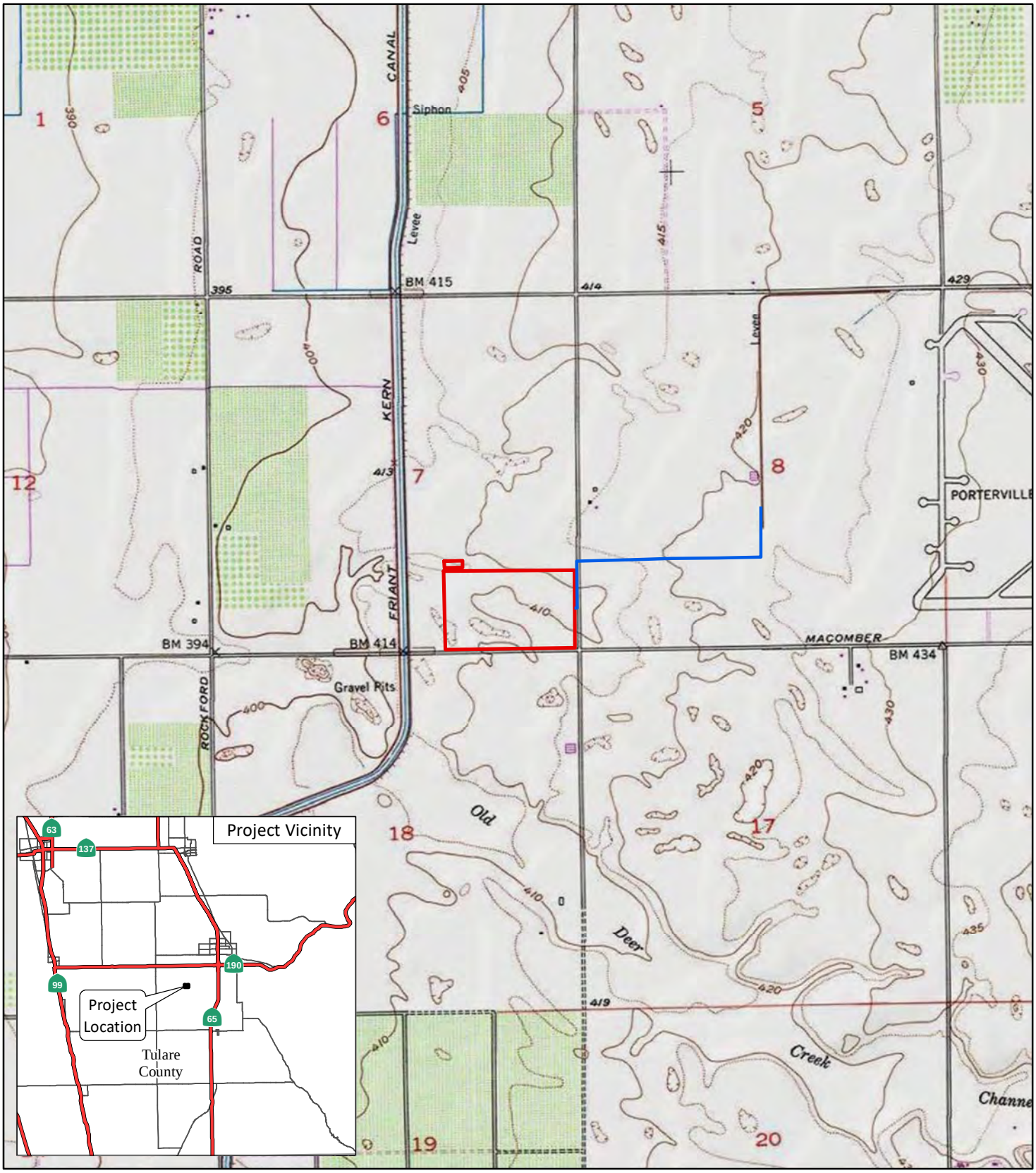
n.d. Built Environment Resources Directory (BERD). Website: https://ohp.parks.ca.gov/?page_id=30338 (accessed August 22, 2021).

National Environmental Title Research (NETR)

n.d. Historic Aerials. Website: http://www.historicaerials.com (accessed August 22, 2021).

# ATTACHMENT B

# FIGURES 1 AND 2




LSA

LEGEND

Storm Drain

Project Location

FIGURE 1

N

0 1000 2000

FEET

SOURCE: USGS 7.5' Quad.- *Porterville, CA* (1969)

I:\POR1801.24\GIS\MXD\Figure1_projectlocation.mxd (8/2/2021)

*Casino Basin Project*

Project Location and Vicinity


LSA

LEGEND

Storm Drain

Project Location

FIGURE 2

N

0 500 1000

FEET

SOURCE: USGS 7.5' Quad.- *Porterville, CA* (1969)

I:\POR1801.24\GIS\MXD\Figure2_project site.mxd (8/2/2021)

*Casino Basin Project*

Project Site

# ATTACHMENT C

# RECORD SEARCH RESULTS SUMMARY LETTER

California Historical Resources Information System

Fresno
Kern
Kings
Madera
Tulare

**Southern San Joaquin Valley Information Center**
California State University, Bakersfield
Mail Stop: 72 DOB
9001 Stockdale Highway
Bakersfield, California 93311-1022
(661) 654-2289
E-mail: ssjvic@csub.edu
Website: www.csub.edu/ssjvic

5/24/2021

Kerrie Collison
LSA
285 South Street, Suite P
San Luis Obispo, CA 93401

Re: Casino Basin (POR1801.24)
Records Search File No.: 21-175

The Southern San Joaquin Valley Information Center received your record search request for the project area referenced above, located on the Porterville USGS 7.5' quad. The following reflects the results of the records search for the project area and the 0.5 mile radius:

As indicated on the data request form, the locations of resources and reports are provided in the following format: ☒ custom GIS maps ☐ GIS data

| | |
|---|---|
| Resources within project area: | None |
| Archaeological resources within 0.5 mile radius: | None |
| Reports within project area: | TU-01175, 01605, 01795 |
| Reports within 0.5 mile radius: | TU-00029, 00102, 00870, 01229, 01418, 01566, 01595, 01629, 01859 |

**Resource Database Printout (list):** ☐ enclosed ☐ not requested ☒ nothing listed

**Resource Database Printout (details):** ☐ enclosed ☐ not requested ☒ nothing listed

**Resource Digital Database Records:** ☐ enclosed ☒ not requested ☐ nothing listed

**Report Database Printout (list):** ☒ enclosed ☐ not requested ☐ nothing listed

**Report Database Printout (details):** ☒ enclosed ☐ not requested ☐ nothing listed

**Report Digital Database Records:** ☐ enclosed ☒ not requested ☐ nothing listed

**Resource Record Copies:** ☐ enclosed ☐ not requested ☒ nothing listed

**Report Copies:** ☐ enclosed ☒ not requested ☐ nothing listed

**OHP Built Environment Resources Directory:** ☐ enclosed ☒ not requested ☐ nothing listed

**Archaeological Determinations of Eligibility:** ☐ enclosed ☐ not requested ☒ nothing listed

**CA Inventory of Historic Resources (1976):** ☐ enclosed ☐ not requested ☒ nothing listed

**Caltrans Bridge Survey:** Not available at SSJVIC; please see https://dot.ca.gov/programs/environmental-analysis/cultural-studies/california-historical-bridges-tunnels

**Ethnographic Information:** Not available at SSJVIC

**Historical Literature:** Not available at SSJVIC

**Historical Maps:** Not available at SSJVIC; please see http://historicalmaps.arcgis.com/usgs/

**Local Inventories:** Not available at SSJVIC

**GLO and/or Rancho Plat Maps:** Not available at SSJVIC; please see http://www.glorecords.blm.gov/search/default.aspx#searchTabIndex=0&searchByTypeIndex=1 and/or http://www.oac.cdlib.org/view?docId=hb8489p15p;developer=local;style=oac4;doc.view=items

**Shipwreck Inventory:** Not available at SSJVIC; please see https://www.slc.ca.gov/shipwrecks/

**Soil Survey Maps:** Not available at SSJVIC; please see http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Invoices for Information Center services will be sent under separate cover from the California State University, Bakersfield Accounting Office.

Thank you for using the California Historical Resources Information System (CHRIS).

Sincerely,

Celeste M. Thomson
Coordinator

# ATTACHMENT D

# SACRED LANDS FILE SEARCH RESULTS

# 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

May 24, 2021

Kerrie Collison

LSA

Via Email to: kerrie.collison@lsa.net

**Re: Casino Basin Project, Tulare County**

Dear Ms. Collison:

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**
**May 24, 2021**

Big Sandy Rancheria of Western Mono Indians
Elizabeth D. Kipp, Chairperson
PO. Box 337
Auberry ,CA 93602
lkipp@bsrnation.com
(559) 374-0066
(559) 374-0055
Western Mono

Dunlap Band of Mono Indians
Benjamin Charley Jr., Tribal Chair
P.O. Box 14
Dunlap ,CA 93621
ben.charley@yahoo.com
(760) 258-5244
Mono

Dunlap Band of Mono Indians
Dirk Charley, Tribal Secretary
5509 E. McKenzie Avenue
Fresno ,CA 93727
dcharley2016@gmail.com
(559) 554-5433
Mono

Kern Valley Indian Community
Julie Turner, Secretary
P.O. Box 1010
Lake Isabella ,CA 93240
(661) 340-0032 Cell
Kawaiisu
Tubatulabal

Kern Valley Indian Community
Robert Robinson, Chairperson
P.O. Box 1010
Lake Isabella ,CA 93240
bbutterbredt@gmail.com
(760) 378-2915 Cell
Tubatulabal
Kawaiisu

Kern Valley Indian Community
Brandy Kendricks
30741 Foxridge Court
Tehachapi ,CA 93561
krazykendricks@hotmail.com
(661) 821-1733
(661) 972-0445
Kawaiisu
Tubatulabal

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

Tubatulabals of Kern Valley
Robert L. Gomez, Jr., Tribal Chairperson
P.O. Box 226
Lake Isabella ,CA 93240
(760) 379-4590
(760) 379-4592 Fax
Tubatulabal

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

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

**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:**
**Casino Basin Project, Tulare County.**