

# ATTACHMENT 3

Draft Ordinance with Map  
for Change of Zone No. PZ 07-005



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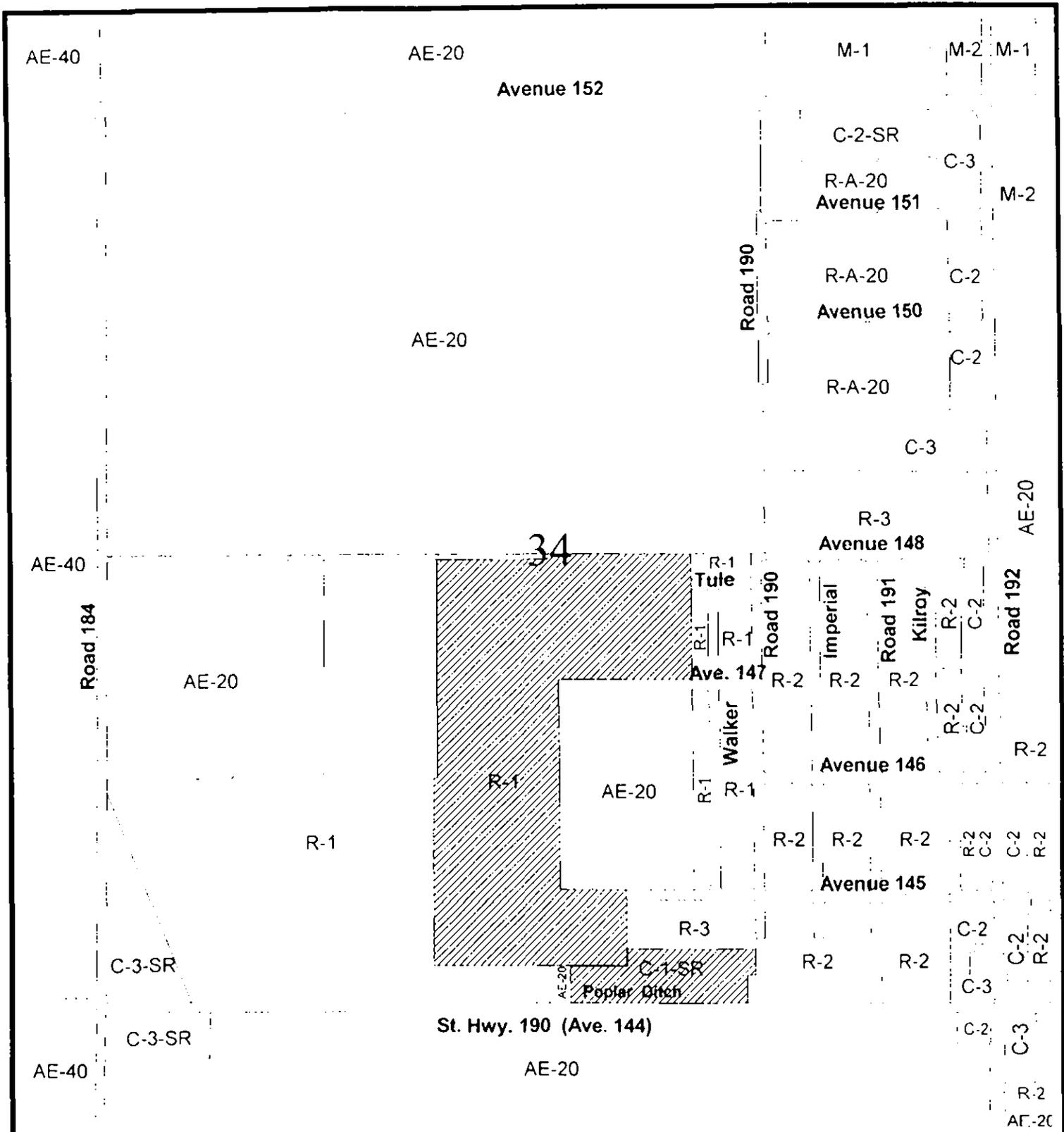
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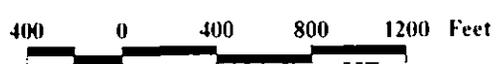
Chairman, Board of Supervisors

ATTEST: Jean Rousseau  
County Administrative Officer/Clerk  
Board of Supervisors

By: \_\_\_\_\_  
Deputy




 APNs: 237-140-025, 237-150-050, 237-170-001,  
 237-180-002, 237-190-002  
 Zone Change from AE-20 to R-1 and C-1-SR  
 (PZ.07-005)



ORDINANCE NO. \_\_\_\_\_  
 AMENDING A PORTION OF PART 345  
 S 1/2 OF SEC. 34, T21S R26E, M.D.B.& M.  
 OF  
**OFFICIAL ZONING MAP**  
**COUNTY OF TULARE, CA.**

TULARE COUNTY BOARD OF SUPERVISORS  
 ADOPTED: 1/1/2007

# ATTACHMENT 4

Planning Commission Resolution No. 8334  
for Change of Zone No. PZ 07-005

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT TO THE )

RESOLUTION NO. 8334

ZONING REGULATIONS, CASE NO. PZ 07-005 )

Resolution of the Planning Commission of the County of Tulare recommending the Board of Supervisors approve a petition by Western Ag Realty, Kevin Garcia, 644 East Olive Avenue, Madera, CA 93638 (Agent: Lore Engineering, Inc., 285 W. Shaw Avenue, Suite 110, Fresno, CA 93704), for a change of zone on 64.1 acres from AE-20 (Exclusive Agricultural-20 acre minimum) to the R-1 (Single-Family Residential) Zone on 57.6 acres and to C-1-SR (Neighborhood Commercial-Site Plan Review) Zone on 6.5 acres of the site, located on the north side of Avenue 144 (State Highway 190/Poplar Avenue), approximately 350 feet west of Road 190 (Hale Avenue) in Poplar.

WHEREAS, a petition has been filed pursuant to the regulations contained in Section 17 of Ordinance No. 352, the Zoning Ordinance, and

WHEREAS, the Planning Commission has given notice of the proposed change of zone boundaries or classifications as provided in Section 18 of said Ordinance No. 352 and Section 65854 of the Government Code of the State of California, and

WHEREAS, Staff has performed necessary investigations, prepared a written report (*made a part hereof*), and *recommended approval of this application*, and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on April 23, 2008, and

WHEREAS, at that meeting of the Planning Commission, public testimony was received and recorded from Hal Lore, agent, who spoke in support of the proposal and no persons spoke in opposition to the proposal.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that it has reviewed and considered the information contained in the Mitigated Negative Declaration for Change of Zone PZ 07-005 and Vesting Subdivision Tract Map No. TM 799, together with any comments received during the public review process, in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970, prior to taking action on this zone change.

B. This Planning Commission hereby determines the following findings were relevant in evaluating this application:

1. The applicants have requested a Change of Zone on a 64.1-acre site from AE-20 (Exclusive Agricultural-20 acre minimum) to the R-1 (Single-Family Residential) Zone on 57.6 acres of the site and C-1-SR (Neighborhood Commercial-Site Plan Review) Zone on 6.5 acres of the site, located on the north side of Avenue 144 (State Highway 190/Poplar Avenue), approximately 350 feet west of Road 190 (Hale Avenue) in Poplar.

2. The applicants are requesting a rezone to allow division of a 64.1-acre site into 81 single family residential lots, a 6.5-acre commercial lot, a .65 acre irrigation corridor lot, and a 37.83-acre remainder lot.
3. The site is currently zoned AE-20 (Exclusive Agricultural-20 acre minimum) and contains fallow land.
4. The AE-20 Zone is an exclusive zone for intensive agricultural uses and for those uses which are a necessary and integral part of the agricultural operation. This zone has a minimum parcel size of twenty acres, allows most agricultural uses, and limited residential uses. The minimum parcel size is 20 acres.
5. The R-1 Zone allows one single-family residence for each lot. Minimum lot size is 6,000 square feet with a minimum lot width requirement of 60 feet for interior lots and 70 feet for corner lots and a minimum lot depth requirement of 100 feet. The R-1 Zone also has a minimum front and rear yard requirement of 25 feet.
6. The C-1 (Neighborhood Commercial) Zone is intended for retail stores and personal service businesses which are appropriately located in close proximity to residential areas, while minimizing the undesirable impact of such uses in the neighborhoods which they serve. The minimum parcel size is 10,000 sq. ft.
7. The purpose of the SR (Site Review Combining) Zone is to designate those areas of the County where the site plan review process is required in order to determine if the proposed development is in conformance with the policies, standards, and objectives of the Zoning Ordinance, the County Ordinance Code and the General Plan. This zone, in combination with the C-1 Zone requires the processing of a site plan review application (pursuant to Section 16.2 of the Zoning Ordinance) before any future development can occur on the site.
8. Surrounding properties are zoned AE-20 Exclusive Agricultural-20 acre minimum), R-1 (Single Family Residential), and R-2 (Two Family Residential), and contain agriculture, an elementary school, residential subdivisions, ponding basin, Tipton Ditch to the north, and Poplar Ditch to the south.
9. According to the Urban Boundaries Element, the site is located within the Urban Development Boundary of Poplar-Cotton Center; therefore, the site is subject to the plans and policies of the Poplar-Cotton Center Community Plan.
10. The Poplar-Cotton Center Community Plan designates the subject site as "Medium Density Residential" (4–14 units per acre), "Commercial," and "Public/Quasi Public." The Poplar/Cotton Center Community Plan designates Frankie Road and Road 190 as a "Collector," Road 192 (Mountain View) as a "Minor Arterial," and Avenue 144 (State Route 190) as a "Minor Arterial" through Poplar.
11. The 1986 Noise Element indicates that Avenue 144 (SR 190) is within a noise impacted corridor estimated to be 152 feet from center line for 60 dB in 2010. The area proposed for residential development is outside the noise impacted area.

12. The Environmental Assessment Officer has reviewed and approved for public review a Mitigated Negative Declaration for the combined projects; Change of Zone PZ 07-005 and Tentative Subdivision Tract TM 799, indicating that the projects will not have any significant impacts.

C. This Planning Commission, after considering all of the evidence presented, hereby finds the reclassification of property as petitioned to the R-1 and C-1-SR zoning to be consistent with the purpose of Ordinance No. 352 and further finds that the petition satisfies the requirement, as stated in Section 17 of the Tulare County Zoning Ordinance, that the reclassification was for public necessity, convenience or general welfare and is in conformance with the adopted General Plan for the County of Tulare.

AND, BE IT FURTHER RESOLVED as follows:

1. This Commission hereby recommends that the Board of Supervisors find that said Change of Zone will not have a significant effect on the environment and certify that a Mitigated Negative Declaration has been completed in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970. Said mitigations are incorporated as conditions of approval of TM 799.

2. This Commission hereby recommends that the Board of Supervisors approve Amendment to the Zoning Regulations Case No. PZ 07-005 as petitioned to R-1 (Single Family Residential) and C-1-SR (Neighborhood Commercial-Site Plan Review) Zones.

The foregoing resolution was adopted upon motion of Commissioner Dias, seconded by Commissioner Whittlatch, at a regular meeting of the Planning Commission on the 23<sup>rd</sup> day of April, 2008, by the following roll call vote:

- AYES: Commissioners Dias, Whittlatch, Gong, Elliott
- NOES: None
- ABSTAIN: None
- ABSENT: Millies, Kirkpatrick, Pitigliano

TULARE COUNTY PLANNING COMMISSION

  
\_\_\_\_\_  
Beverly Cates, Secretary

# ATTACHMENT 5

Planning Commission Staff Report  
for PZ 07-005 and TM 799

Project: TM 799/PZ 07-005  
Applicant: Kevin Garcia, Western Ag Realty  
Agent: Not Applicable  
Date: Prepared: February 7, 2008

## MITIGATED NEGATIVE DECLARATION

### DESCRIPTION OF PROJECT:

#### Proposal, Zoning, and Parcel Size:

A Change of Zone on a 64.1-acre site from AE-20 (Exclusive Agricultural-20 acres minimum) to 57.6 acres of R-1 (Single-Family Residential) Zone and 6.5 acres of C-1-SR (Neighborhood Commercial-Site Plan Review).

Also, a vesting subdivision of the site into 81 residential lots, a 6.5 acre Outlot A, a .63 acre Outlot B, and one remainder lot of 37.83 acres.

Location: The site is located on the north side of Avenue 144 (State Highway 190/Poplar Avenue), approximately 350 feet west of Road 190 (Hale Avenue) in Poplar.

APNs: 237-140-025, 237-150-050, 237-170-001, 237-180-002 and 237-190-002  
Section 34, Township 21 South, Range 26 East, MDB&M.

#### Project Facts:

Refer to Initial Environmental Study for a) project facts, plans and policies, b) discussion of environmental effects and mitigation measures and c) determination of significant effect.

#### Attachments:

Initial Environmental Study	(X)
Maps	(X)
Mitigation Measures	(X)
Letters	(X)
Staff Report	(X)

DECLARATION OF NO SIGNIFICANT EFFECT:

This project will not have a significant effect on the environment for the following reasons:

- (a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory.
- (b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- (c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual 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.
- (d) The environmental effects of the project will not cause substantial adverse effects on human beings either directly or indirectly.

This Negative Declaration has been prepared by the Tulare County Resource Management Agency, in accordance with CEQA 1970, as amended. A copy may be obtained from the Tulare County Resource Management Agency, 5961 South Mooney Blvd., Visalia, CA 93277-9394, telephone (559) 733-6291, during normal business hours.

APPROVED  
GEORGE E. FINNEY  
ENVIRONMENTAL ASSESSMENT OFFICER

BY:  \_\_\_\_\_

DATE APPROVED: 3/10/08 \_\_\_\_\_

REVIEW PERIOD: 30 Days \_\_\_\_\_

NEWSPAPER:

- ( ) Visalia Times-Delta
- (X) Porterville Recorder
- ( ) Tulare Advance-Register

TULARE COUNTY RESOURCE MANAGEMENT AGENCY  
- Planning Branch -  
Staff Report/Environmental Assessment Initial Study

Change of Zone No. PZ 07-005  
Vesting Tentative Subdivision Map No.: TM 799

I. GENERAL

1. Applicant/Agent: Kevin Garcia  
Western Ag Realty  
644 East Olive Avenue  
Madera, CA 93638
2. Property Owner: Frankie Walker  
14770 Road 190  
Poplar, CA 93258
3. Agent: Lore Engineering, Inc  
285 W. Shaw Avenue, Suite 110  
Fresno, CA 93704

4. Requested Action:

A change of zone on 64.1 acres from AE-20 (Exclusive Agricultural-20 acres minimum) to 57.6 acres of R-1 (Single-Family Residential) Zone and 6.5 acres of C-1-SR (Neighborhood Commercial-Site Plan Review) and a vesting tentative subdivision map to divide the entire site into 81 residential lots, a 6.5-acre commercial lot, a .65 acre irrigation corridor lot, and a 37.83-acre remainder lot.

5. Location:

The site is located on the north side of Avenue 144 (State Highway 190/Poplar Avenue), approximately 350 feet west of Road 190 (Hale Avenue) in Poplar (See Exhibit 1 - Regional Location Map).  
APN 237-140-025, 237-150-050, 237-170-001, 237-180-002 and 237-190-002; Section 34, Township 21 South, Range 26 East, MDB&M.

6. Applicant's Proposal:

The applicant proposes to subdivide 18.00 acres of the site into 81 residential lots ranging in size from 6,000 square feet to 8,078 square feet. As part of the subdivision, an Outlot A for future commercial development (6.5 acres), an Outlot B consisting of .65 acres for an irrigation corridor for dedication to the Tule River Irrigation District, and a remainder lot of 37.83 acres will also be created.

(Note: Pursuant to the State Map Act Section 664574.2 and 66498.1, approval of a vesting tentative map confers a "vested right" to develop in

substantial compliance with the ordinances, policies and standards in effect when the application was determined complete.

## II. COMPATIBILITY WITH EXISTING ZONING, PLANS AND POLICES

### 1 Zoning and Other Ordinance Characteristics.

Site: AE-20 (Exclusive Agricultural-20 acres minimum) Zone - The AE-20 Zone allows one single-family residence per parcel, with a minimum parcel size of 20,000 square feet. The subject site is fallow land.

#### Surrounding Properties:

North: AE-20 -- Orchard and vacant land  
South: AE-20 & R-1 (Single Family Residential) -- Single-family houses along both sides of Avenue 144 (SR 190)  
East: R-1, R-3 (Multiple Family Residential) and AE-20 -- Single-family houses, multi-family apartments and Pleasant Hills Elementary School  
West: R-1 -- Ponding basin and an orchard

#### Proposed zoning classifications:

R-1 (Single Family Residential Zone) on 57.6 acres and C-1 (Neighborhood Commercial Zone) on 6.5 acres.

The R-1 Zone allows one single-family residence for each lot. Minimum lot size is 6,000 square feet with minimum lot width requirements being 60 feet for interior lots and 70 feet for corner lots and minimum lot depth requirements being 100 feet. The R-1 Zone also has a minimum front and rear yard requirement of 25 feet. Six thousand (6,000) square feet is also the minimum lot size under the Subdivision Ordinance for those lots being served by a community sewer and water systems.

The C-1 (Neighborhood Commercial) Zone is intended for retail stores and personal service businesses which are appropriately located in close proximity to residential areas, while minimizing the undesirable impact of such uses in the neighborhoods which they serve. The minimum parcel size is 10,000 sq. ft.

The purpose of the SR (Site Review Combining) Zone is to designate those areas of the County where the site plan review process is required in order to determine if the proposed development is in conformance with the policies, standards, and objectives of the Zoning Ordinance, the County Ordinance Code and the General Plan.

The SR Zone, in combination with the C-1 Zone would require the processing of a site plan review application (pursuant to Section 16.2 of the Zoning Ordinance) before any future development could occur on this site.

The Building Line Setback Ordinance requires all above ground and most below ground improvements to be located at least 25 feet back from the right-of-way line of the adjoining street at the front of the property and 15 to 18 feet from the line of the adjoining street at the street sides of corner lots, depending upon the location of the driveways.

2. Applicable Land Use and Circulation Element: The Poplar/Cotton Center Community Plan (see attached Land Use Designation map)

Land Use Designation: Note that the land use designations are not compatible with the existing zoning (AE-20); however, according to the Poplar/Cotton Center Community Plan, "Agricultural zone (AF-20) may serve as a "holding zone" until demand and changing conditions warrant application of other zoning classifications." Approval of the requested changes of zone classification will bring the project parcels into compliance with the Zoning Consistency Matrix, in accordance with the Poplar Cotton Center Community Plan.

"Medium Density Residential" - Areas that are planned to accommodate single-family homes on individual lots where urban services (i.e. community water and sewer) are provided, at higher densities than the area designated for Low Density Residential Development. The Medium Density Residential designation is the largest residential land use designation in the plan area and encompasses sections of the community that are already substantially developed. The predominant existing land use within this area is single-family residential dwelling units, including conventional dwellings and mobilehomes. Medium Density Residential allows 4 to 14 units per acre, with a minimum lot area of 3,000 square feet per dwelling unit.

"Commercial" - Land designated for commercial area is intended to allow the development of a variety of commercial uses at locations where implementation will be determined by zoning best suited to maintain and/or encourage general, service and highway commercial uses.

"Public/Quasi Public" - Applied to those current and proposed uses associated with a governmental function, public institution or other use which accommodates the needs of the general public i.e., PCSD building, water storage facility, wastewater treatment plant, and schools.

Policies and implementation measures that pertain to this request are as follows:

Policy 2.1: The County will strive to ensure that an adequate number of housing units are constructed to meet the housing needs of Poplar. (pg 4-5)

Policy 2.2: The County will strive to ensure that housing is affordable to all economic segments of Poplar-Cotton Center. (pg 4-5)

Policy 2.6: The County will attempt to maintain a balance between owner and renter-occupied housing stock in Poplar-Cotton Center. (pg 4-5)

Policy 2.8: Single-family development shall be located in areas free of excessive noise and traffic adequately buffered from incompatible land uses, and serviceable with sewer and water (pg 4-5)

Implementation 2.11: The County will periodically review zoning Poplar-Cotton Center and will maintain enough residentially zoned land so that the lack of adequately zoned residential sites does not become a constraint to housing production. (pg 4-5)

Implementation 2.31: The County will investigate or be aware of service needs, police and fire protection and other services required to support new residential development. In addition, it will coordinate with the Poplar Services District and the local school districts when they expand or enlarge their services to support future population growth. (pg 4-6)

3. Circulation:

A "proposed collector" is located within the site at the center of the section. The residential subdivision does not propose to construct a north/south collector street through the subdivision site as planned in the Poplar/Cotton Center Community Plan. (see attached Circulation Plan)

4. Other General Plan Elements:

The Urban Boundaries Element indicates the site is within the Urban Development Boundary of Poplar-Cotton Center.

The 2003 Housing Element identifies the projected need for Poplar-Cotton Center as being at least 13 additional housing units by 2008. The project would provide, and exceed, the projected need. The existing housing stock was estimated to be 378 units in 2001.

The 1988 Noise Element identifies noise-impacted areas throughout Tulare County. These areas include lands which have existing or projected noise levels exceeding 60 decibels (dB) Ldn. This decibel figure is considered to be the maximum normally acceptable noise level for single-family residential areas. In Poplar/Cotton Center the primary noise impacts come from traffic along the main roads, State Route 190, Road 192, and Avenue 152. The trucking operation in Cotton Center also generates elevated noise levels. An acoustical analysis has been completed for the project. County Noise Policy 3.3.2 states that new development of residential or other noise-sensitive land uses which require discretionary approval under the Tulare County Zoning Ordinance or the Tulare County Subdivision Ordinance will not be permitted in noise-impacted areas unless effective mitigation measures are incorporated into the specific design of such projects to reduce noise levels to 60 dB Ldn (or CNEL) or less within outdoor activity areas and 45 dB Ldn (or CNEL.)

or less within interior living spaces. Mitigation measures have been included in the proposed conditions of approval.

A comprehensive countywide General Plan update study is currently underway. This update is looking at the appropriate future character and location of urbanization, agricultural and open space on a county-wide scale. Once the General Plan update is considered and acted upon by the Planning Commission and Board of Supervisors, the new policy directions will be further implemented through updates, conforming with the overall General Plan policies, to area and community plans, such as the Poplar-Cotton Center Community Plan (Plan). An overall update to the Plan is not likely to occur for several years. Since the vicinity of the subject property is already partially converted to rural residential uses in conformance with the present land use plan, it is unlikely that future land use policies will suddenly or radically change the character or type of development allowed in the area.

5. Planning Commission Policies and Precedents:

The Planning Commission has generally recommended approval of Changes of Zone when deemed compatible with the General Plan and surrounding land uses, and has regularly approved residential subdivisions under the same circumstances.

Based upon review of applicable elements and components and the discussion of policies and designations above, the proposed project can be found to be consistent with the General Plan, except for the circulation component of the Community Plan. (see attached Circulation Map)

**III. ENVIRONMENTAL SETTING:**

1. Topographical Features:

The site is level, typical of most valley lands, with slight gradient to the northwest and southwest.

2. Flooding Potential:

FEMA FIRM Flood Hazard Map designation: Zone C (Federal Emergency Management Agency, Flood Insurance Rate Maps, Panel 850B). Zone C is the area of 500-year flood hazard, not likely to flood. No flood avoidance measures are required.

3. Soils:

Type	Capability Class	Shrink/Swell Potential	Septic Tank Absorption Fields
Hanford sandy loam, 0 to 2 percent slopes	1	Low	Moderate

Nord fine sandy loam, 0 to 2 percent slopes	1	Low	Moderate
Tujunga loamy sand, 0 to 2 percent slopes	3	Low	Low
Yettum sandy loam, 0 to 2 percent slopes	1	Low	Moderate

The December 3, 2007 Web Soil Survey site identifies the soils on this site to be prime agricultural lands. It also shows there to be limitations to septic tank/leach fields due to slow percolation rates (.6 to 20" per hour) and very rare flooding situations; and limitations for ponding basins due to permeability (seepage) at greater than 2" per hour. There are no limitations for building construction for residences without basements and no limitations for road construction.

4. Biotic Conditions:

A biological survey conducted by Michael Brandman Associates, Environmental Services, dated November 14, 2007, indicated that it does not support habitat for any protected plant species; however, the site does contain marginally suitable habitat for three wildlife species: burrowing owl, Swainson's hawk, and San Joaquin kit fox. By condition of approval, a pre-construction survey will be conducted to determine if suitable habitat does exist on site.

5. Water Table:

Water is pumped from depths of 80 to 380 feet. The static water table is about 75 feet below ground, according to the Poplar/Cotton Center Community Plan, December 10, 1996.

6. Agricultural Preserves:

Not within an Agricultural Preserve.

7. Archaeological Conditions:

There is no evidence of building or landmarks of historical or cultural importance on the property according to the records search obtained from the Southern San Joaquin Valley Information Center.

**IV. HISTORY AND PROJECT FACTS:**

1. History:

The site was created by Parcel Map No. PPM 94-081. A Notice of Nonrenewal was filed for the Williamson Act agricultural preserve contract in 1994. A Disestablishment of the preserve was filed (PAD 05-004) and approved.

A preliminary tentative subdivision map (PRE 06-010) was approved by the Site Plan Review Committee on September 8, 2006, by Resolution No. 06-160. (see attached Design Conference Report)

2. Project Information:

All proposed residential lots are at least 6,000 square feet in size, ranging in size from 6,000 to 8,078 square feet. The average lot size is approximately 6,987 square feet and the overall density is 4.55 units per gross acre.

Drainage – The subdivider will collect and dispose of surface water runoff by curb, gutter, and a storm drainage system with a discharge conveyed to a ponding basin located at the northwest corner of the project site.

*According to the applicant, "This subdivision proposes a connection to the existing storm water basin maintained by the Poplar Community Service District (PCSD), which is located near the northwest corner of the subdivision (offsite). In the event that a detailed hydraulic study cannot show that such a connection can be supported, an on-site storm water detention basin will be proposed with the subdivision in the location shown. Streets shown bisecting the detention basin will be proposed with the subdivision in the location shown. Streets shown bisecting the proposed basin will be stubbed at the basin property line to provide access for maintenance. Ellington Road will be stubbed through Lot 64 to the north property line. The land associated Lots 64, 66-70, 120-124, & 126-129 will be removed from the subdivision and dedicated for storm drainage facility use. To make efficient use of the Poplar CSD drainage facilities, the existing and proposed storm drainage basins will be interconnected via a 30" pipe."*

The Board of Supervisors has established a policy, by Resolution No. 93-1375, that the County will not accept new drainage systems in any land division or development unless the subdivider provides a mechanism to fund future maintenance. Therefore, approval of this tentative map is required to be conditional so that the subdivider provides for a funding mechanism (assessment district or homeowners association) before recordation of the final map.

The project will require the extension of all service typically associated with a residential subdivision.

The project will be built out in two phases.

Several new roads are proposed to create a through east-west street and a segmented connection of north-south streets. Through streets have a 60-foot wide right-of-way and cul-de-sacs are proposed at 56 feet wide.

3. Other Facts:

- a. Fire Protection: Provided by the Tulare County Schedule A Fire Station located in Poplar
- b. Police Protection: Provided by the Tulare County Sheriff's Substation located in Pixley.
- c. Sewer and Water Service: Sewer and water service is proposed to be provided by the Poplar Community Service District (CSD) The site is totally within the District boundaries, and the District currently has the capability of serving the subject site. A will-serve letter was granted by the CSD for the 81 lots.
- d. Public Utilities: Electricity: Southern California Edison Co.  
Gas: The Gas Company  
Telephone: AT&T  
Solid waste collection: Common carrier  
Water and Sewer: Poplar CSD

4. Consulting Agency List and Correspondence:

Agency Notified	Response Date	Comment and/or Conditions of Approval
RMA Building Division	06/08/07	Bldg. Permits required
RMA Countywide Division	No Response	
RMA Community Dev./Redevelopment	No Response	
RMA Engineer/Flood/Traffic Division	06/19/07	See conditions of approval
HHS Environmental Health Services Div.	06/28/07	See conditions of approval
Tulare County Fire Department	06/11/07	See conditions of approval
Agricultural Commissioner	No Response	
Poplar Community Service District	06/27/07	See correspondence
Pleasant View Elementary School District	06/27/07	*See Note
SJV Air Pollution Control District	06/28/07	See conditions of approval
Department of Fish & Game	08/02/07	See conditions of approval
Regional Water Quality Control Board	No Response	
Caltrans District 6	07/12/07	See conditions of approval
Edison International	No Response	
The Gas Company	06/14/07	Service available
AT&T	No Response	

**\*Note:** "In looking at the map it shows the first phase to be developed North of the campus. It would be my suggestion that a full road with curb and gutter be developed on Avenue 147 and the rest of Frankie Road to help eliminate the congestion of cars and pedestrians on Avenue 145. There is currently only one access road to the new school which is Avenue 145. ...I would also like to note that the existing street drainage around the new school drains into drywells on the new school campus and the developer will not be able to hook up to this."

**V. ENVIRONMENTAL IMPACTS CHECKLIST/DISCUSSION FORM.** (see attached documents)

The Environmental Assessment Officer has approved a Mitigated Negative Declaration for public review for the project, indicating that the proposal will not have any environmental impacts that cannot be mitigated to a level which is less than significant.

**VI. SUBSEQUENT ACTIONS:**

1. Appeals:

Planning Commission action to approve a change of zone is advisory only, with final action to be taken by the Tulare County Board of Supervisors. Planning Commission action for denial of the change of zone is final unless appealed, in writing, to the Board of Supervisors, 2800 W. Burrel, Visalia, CA 93291-4582 within 10 days from the date the action is taken. The written appeal shall specifically set forth the grounds for the appeal and shall be accompanied by the appropriate appeals fee.

The Planning Commission's action for approval of a Vesting Tentative Subdivision Map within Urban Area Boundaries is advisory only, with final action to be taken by the Tulare County Board of Supervisors. Planning Commission Action for denial is final unless appealed, in writing, to the Board of Supervisors within ten (10) calendar days after the decision. Said appeal shall be in writing and shall specifically set forth the project case number and the reasons for the appeal and shall be accompanied by the appropriate appeals fee. The appeal letter should be sent to the Tulare County Board of Supervisors, 2800 West Burrel Avenue, Visalia, CA 93291-4582.

2. Fish and Game Fee:

A Negative Declaration has been prepared for this project by the Environmental Assessment Officer indicating that the project will not have a significant effect on the environment. However, the Negative Declaration does indicate there will be minor impacts, either individually or cumulatively, on wildlife resources, and as such, Section 711.4 of the Fish and Game Code requires the applicant pay a fee of \$1,876.75 as a user fee to allocate the transactional costs of fish and wildlife protection to those who consume those fish and wildlife resources through urbanization and development.

The Fish and Game Code also requires that the applicant pay to the Tulare County Clerk's office a \$58 document handling fee for the required filing of the Notice of Determination. The Notice of Determination is required to be filed within five (5) days of project approval (after the 10 day appeal period has run) providing no appeal has been filed. If an

appeal is filed within the 10 day appeal period, the Notice of Determination cannot be filed until the Board of Supervisors makes a decision on the appeal. The applicant shall pay the fee to the Tulare County Clerk's Office, Room 105, Tulare County Courthouse, Visalia, CA 93291-4593. Checks shall be made payable to "County of Tulare". Applicants cannot avoid payment of the required \$58 Department of Fish and Game fee since a provision of AB 3158 declares that decisions on private project are not "operative, vested, or final" until the fee is paid to the County Clerk. No building permits shall be issued until the fee is paid.

3. Right to Farm Notice:

In accordance with Section 7905(a) of the Tulare County Ordinance Code, and as a condition of approval of the subdivision map, a Right to Farm Notice shall be placed on the face of the final map, or a separate sheet shall be signed by the vested owners of the property and shall be returned to be recorded with the resolution approving a waiver of the final map.

4. School Impact Fees:

The subject site is located within the Pleasant View Elementary School District and the Porterville High School District which have implemented developer's fees for all assessable space for all new residences and expansions to existing residences pursuant to Government Code Section 53080. These fees are required to be paid prior to issuance of any permit for the construction of new or expanded residential structures. [Please contact the TCRMA-Permits Center or the applicable school district(s) for the most current school fee amounts.]

NOTICE: Pursuant to Government Code Section 66020(d)(1), this will serve to notify you that the 90-day approval period, in which you may protest to the school district the imposition of fees or other payment identified above, will begin to run from the date on which they are paid to the school district(s) or to another public entity authorized to collect them on the district(s) behalf, or on which the building or installation permit for this project is issued, whichever is earlier.

5. Air Impact Assessment:

The San Joaquin Valley Air Pollution Control District has adopted the Indirect Source Review (Rule 9510). The project will be required to file an Air Impact Assessment Application. Application forms and a copy of the rule that includes specific applicability criteria are available on the District Website at [www.valleyair.org](http://www.valleyair.org) under "Land Use/Development" and then under "Indirect Source Review", or at any District Office. Assistance with applications can be obtained from the District's ISR Group at 559/230-6000.

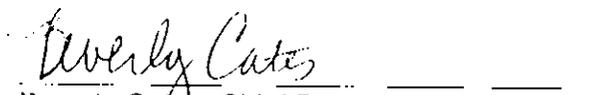
VII. CREDITS:

This Staff report was prepared by:

  
Charlotte Brusuelas, Project Planner

2/20/08  
Date

This Staff report was approved by:

  
Beverly Cates, Chief Planner  
Project Review Division Manager

2-20-08  
Date

**ATTACHMENTS:**

- Correspondence
- Graphics
- Right to Farm Notice

V. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

A. The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" "unless mitigated" as indicated by the checklist on the following pages.

- |                                                          |                                                             |                                                 |
|----------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality            |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils          |
| <input type="checkbox"/> Hazards/Hazardous Materials     | <input type="checkbox"/> Hydrology/Water Quality            | <input type="checkbox"/> Land Use/Planning      |
| <input type="checkbox"/> Mineral Resources               | <input checked="" type="checkbox"/> Noise                   | <input type="checkbox"/> Population/Housing     |
| <input type="checkbox"/> Public Services                 | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems     | <input type="checkbox"/> Mandatory Findings of Significance |                                                 |

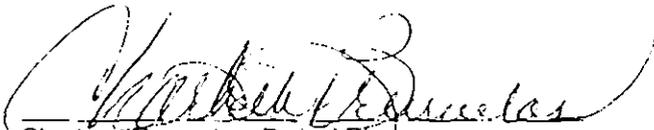
B. DETERMINATION:

Consultant Recommendation:

On the basis of this initial evaluation:

- The proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- 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 or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- The proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- A previous EIR or Negative Declaration may be utilized for this project - refer to Section E.

This Environmental Assessment Initial Study was prepared by:

  
Charlotte Brusuelas, Project Planner

2/20/08  
Date

## C. EVALUATION OF ENVIRONMENTAL IMPACTS:

The following checklist contains an extensive listing of the kind of environmental effects which result from development projects. Evaluation of the effects must take account of the whole action involved, including off-site as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts, in addition to reasonably foreseeable phases or corollary actions. The system used to rate the magnitude of potential effects is described as follows.

A "**Potentially Significant Impact**" is appropriate if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more "**Potentially Significant Impact**" entries when the determination is made, an EIR is required.

A "**Less Than Significant With Mitigation Incorporation**" applies where the incorporation of mitigation measures has reduced an effect from "**Potentially Significant Impact**" to a "**Less Than Significant Impact**."

A "**Less Than Significant Impact**" means that the environmental effect is present, but is minor in nature and/or not adverse, or is reduced to a level less than significant due to the application and enforcement of mandatory locally adopted standards.

"**No Impact**" indicates that the effect does not apply to the proposed project.

Using this rating system, evaluate the likelihood that the proposed project will have an effect in each of the environmental areas of concern listed below. At the end of each category, discuss the project-specific factors, locally adopted standards, and/or general plan elements that support your evaluation. A brief explanation is required for all answers except "**No Impact**" answers that are adequately supported by the information sources cited in the parentheses following each question. A "**No Impact**" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one proposed (e.g., Zone C of the FEMA maps). A "**No Impact**" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project specific screening analysis). The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significance

Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is **potentially significant**, **less than significant with mitigation**, or **less than significant**. "**Potentially Significant**" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "**Potentially Significant Impact**" entries when the determination is made, an EIR is required.

"**Negative Declaration: Less Than Significant With Mitigation Incorporated**" applies where the incorporation of mitigation measures has reduced an effect from "**Potentially Significant Impact**" to a "**Less Than Significant Impact**." The mitigation measures must be described along with a brief explanation on how they reduce the effect to a less than significant level (mitigation measures from Section F., "Earlier Analyses," may be cross-referenced).

Earlier analyses may be used where, pursuant to the tiering program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration Section 15063(c)(3)(D). In this case, a brief discussion should identify the following.

- a) **Earlier Analysis Used.** Identify and state where they are available for review.
- b) **Impacts Adequately addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) **Mitigation Measures.** For effects that are "**Less Than Significant with Mitigation Measures Incorporated**," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

D. ENVIRONMENTAL IMPACTS CHECKLIST

1. AESTHETICS

Would the project:

- |                                                                                                                                                                                                                |                          |                          |                                     |                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?                                                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state or county designated scenic highway or county designated scenic road? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings which are open to public view?                                                                              | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                                                                          | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Analysis:**

a) No Impact. The lands surrounding the proposed project site have been highly modified for agricultural production and residential development. As a result, the terrain is very flat, and contains no vegetation. Because of the flat terrain, views in the project vicinity are generally unobstructed. There are no unique visual features or scenic vistas in the project area. No roadways in the project vicinity are designated as scenic under existing visual protection programs.

No scenic vistas exist on the proposed project site or in the project vicinity. Therefore, no impacts in this regard would occur.

b) No Impact. According to the Scenic Highways Element of the Tulare County General Plan, the subject site is not located adjacent to or near a designated eligible Scenic Highway. Therefore, the project would have no impact on scenic resources such as rock outcroppings, trees, or historic buildings within a scenic highway.

c) Less Than Significant Impact. The proposed project site is currently vacant and contains annual grassland and ruderal weedy species. Views of the proposed project area are of orchards, other vacant parcels, residential development, an elementary school, and a ponding basin. Conversion of the vacant parcel to a residential subdivision would not substantially degrade the existing visual character or quality of the site or its surroundings and the impact would be less than significant.

d) Less Than Significant Impact. New residential development will create lighting/glare in the area. However, this would be consistent with such lighting found in residential areas, and standard conditions of approval will require deflection of lighting or glare away from roadways and surrounding properties.

Note: In order to assure that any future development proposed for the commercially zoned area is in compliance with the County General Plan, and to provide review for such consistency prior to issuance of building permits, the SR Zone is being included as a part of the C-1 Zone request.

Based on the above analyses, potential impacts to aesthetics from the proposed project are considered less than significant.

**2. AGRICULTURAL RESOURCES**

*In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the Rural Valley Lands Plan point evaluation system prepared by the County of Tulare as an optional model to use in assessing impacts on agriculture and farmland. 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 or if the area is not designated on the Important Farmland Series Maps, would it convert prime agricultural land as defined in Section 51201(c) of the Govt. Code to non-agricultural use?
- b) Conflict with existing zoning for agriculture use, or a Williamson Act contract?
- c) 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 otherwise adversely affect agricultural resources or operations?

**Analysis:**

a) Less Than Significant Impact. The subject site is considered Prime Farmland and Land Class I per the Poplar/Cotton Center Community Plan, December 10, 1996. The soil is classified as Hanford Sandy Loam with 0-2 percent slopes, Nord Fine sandy loam with 0-2 percent slopes and Tujunga loamy sand, 0 to 2 percent. The area is within the Poplar/Cotton Center Community Plan Urban Development Boundary (UDB) so the project site is consistent with the development objectives of Tulare County and the Poplar/Cotton Center Community Plan. The subject site is located in an area currently zoned for agricultural uses, but it is designated as medium density residential in the Poplar/Cotton Center Community Plan. The site has been removed from the agricultural preserve through the non-renewal of its Williamson Act Contract in 1990. The subject site is vacant and adjacent parcels are currently used for crop production. The parcels to the east include an existing elementary school and single-family houses. Since the area is within the UDB in the Poplar/Cotton Center Community Plan, the entire area is destined for urban development and so the change should be considered less than significant.

b) Less Than Significant Impact. The subject site is located in an area currently zoned for agricultural uses, but it is designated as medium density residential in the Poplar/Cotton Center Community Plan. No Williamson Act contract exists for the site.

c) Less than Significant Impact. The proposed project is for a residential subdivision tract and change of zone on land that is within the UDB of Poplar/Cotton Center. The surrounding properties are zoned R-1, R-3, and AE-20. Approval of this project will not remove or disrupt any surrounding agricultural production and is consistent with other surrounding uses. The applicants will be required to sign a Right to Farm Notice to be recorded with the Final Map on this project. The proposed project reduces impacts on agriculture by increasing residential density within the Urban Development Boundaries.

**3. AIR QUALITY**

*Where available, the significance criteria established by the San Joaquin Valley Unified Air Pollution Control Dist. may be relied upon to make the following determinations. Would the project:*

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

- |                                                                                                                                                                                                                                                                                             |                          |                          |                                     |                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?                                                                                                                                                                          | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Substantially alter air movement, moisture, or temperature, or cause any substantial change in climate?                                                                                                                                                                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Expose sensitive receptors to substantial pollutant concentrations?                                                                                                                                                                                                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Create objectionable odors affecting a substantial number of people?                                                                                                                                                                                                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter.                                                                                                                                                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Analysis:**

The proposed project is located within the San Joaquin Valley Air Basin (SJVAB). Airflow in the SJVAB is primarily influenced by marine air that enters through the Carquinez Strait where the Delta empties into San Francisco Bay. The region's topographic features restrict air movement through and out of the basin. As a result, the SJVAB is highly susceptible to pollutant accumulation over time (SJVUAPCD 2002). Frequent transport of pollutants into the SJVAB from upwind sources also contributes to poor air quality.

Tulare County's major air quality problems occur from late spring through early fall and during the winter. From May to October, high ozone levels are a recurring problem due to the region's intense heat and sunlight. Pollution problems also occur from October through January due to frequent strong temperature inversions, which trap pollutants near the earth's surface. These stagnant air conditions can last for weeks at a time. During these periods, particulate matter and carbon monoxide levels rise. The presence of visibility-reducing particulates are a problem much of the year. Blowing dust may occur during periods of high winds and dry soil conditions. Emissions from fireplaces and agricultural burning contribute to the area's particulates; however SJVAPCD regulations in effect are reducing these emissions. Also during the winter, ammonia from agricultural and other sources when combined with nitric acid formed from oxides of nitrogen (NOx) emissions from combustion sources create ammonium nitrate particles that comprise a substantial fraction of the area's fine particulate matter (PM<sub>2.5</sub>).

**Checklist Evaluation – Thresholds of Significance**

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has established thresholds of significance for construction impacts, project operations, and cumulative impacts. For construction impacts, the pollutant of greatest concern to the SJVAPCD is (PM<sub>10</sub>). The SJVAPCD recommends that significance be based on the control measures to be implemented during project construction (SJVAPCD 2002). Compliance with Regulation VIII and implementation of appropriate mitigation measures to control PM<sub>10</sub> emissions are considered to be sufficient to render a project's construction-related dust impacts less than significant.

The SJVAPCD's Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) contains a list of feasible control measures for construction-related PM<sub>10</sub> emissions. The SJVAPCD's GAMAQI also includes significance criteria for evaluating operational-phase emissions from direct and indirect sources associated with a project. Indirect sources include motor vehicle traffic associated with the project and do

not include stationary sources covered under permit with the SJVAPCD. For this evaluation, the proposed project would be considered to have a significant effect on the environment if it would exceed the following thresholds:

- Cause a net increase in pollutant emissions of reactive organic gases (ROG) or oxides of nitrogen (NOx) exceeding 10 tons per year.
- Cause a violation of state carbon monoxide (CO) concentration standards. The level of significance of CO emissions from mobile sources is determined by modeling the ambient concentration under project conditions and comparing the resultant 1- and 8-hour concentrations to the respective state CO standards of 20.0 and 9.0 parts per million.
- Cause visible dust emissions due to onsite operations and thereby violate Valley Air District Regulation VIII.

Although the GAMAQI does not recommend PM<sub>10</sub> quantification from construction, a threshold of 15 tons per year will be used to gauge potential PM<sub>10</sub> impacts. The proposed PM<sub>10</sub> threshold is consistent with the GAMAQI's NOx and ROG thresholds, which are based on the SJVAPCD's New and Modified Stationary Source Review off-sets threshold.

#### Air Quality Requirements:

The construction and operation of the proposed project will be subject to SJVAPCD rules and requirements, including permitting requirements. The following SJVAPCD rules would apply to the Project:

- SJVAPCD Rule 4102 – Nuisance
- SJVAPCD Rule 4601 - Architectural Coatings
- SJVAPCD Rule 4641 - Cutback, slow cure and emulsified asphalt, paving and maintenance operations
- SJVAPCD Rule 4901 - Wood Burning Fireplaces and Wood Burning Heaters.
- SJVAPCD Rule 4902 - Residential Water Heaters
- SJVAPCD Rule 4905 - Natural Gas-Fired, Fan-type Residential Central Furnaces
- SJVAPCD Rule 8021 - Construction, Demolition, Excavation, Extraction and Other Earthmoving Activities
- SJVAPCD Rule 9510 -- Indirect Source Review

#### Analysis:

a) Less Than Significant. The SJVAB is designated nonattainment of state and federal health based air quality standards for ozone and respirable particulate matter (PM). Under the federal classification scheme, the San Joaquin Valley is classified serious non-attainment for both the PM<sub>10</sub> (particulate matter less than 10 micrometers in diameter) standard and the eight-hour ozone standard. However, the SJVAPCD has requested reclassification as an extreme non-attainment area for the new ozone standard.

To meet federal Clean Air Act (CAA) requirements, the SJVAPCD has adopted the 2007 Ozone Plan for the federal eight-hour ozone standard, the Extreme Ozone Attainment Demonstration Plan (EOADP) (2004), the 2007 PM<sub>10</sub> Maintenance Plan and a PM<sub>10</sub> attainment demonstration plan (2006 PM<sub>10</sub> Plan).

Although the EPA revoked the federal one-hour ozone standard and replaced it with an eight-hour standard, the planning requirements for the one-hour plan remain in effect until replaced by a federal eight-hour ozone attainment plan. The SJVAPCD Governing Board approved the 2007 Ozone Plan on April 30, 2007. The plan was approved by the California Air Resources Board on June 14, 2007 and forwarded to EPA for approval. The plan will become effective upon EPA final rulemaking after a notice and comment period.

#### Determination Criteria:

This determination criteria for compliance with the current air quality plans (AQPs) is compliance with the control measures in the AQPs. The construction and operation of the proposed project will be subject to SJVAPCD rules and requirements, including permitting requirements. This project will comply with all

applicable SJVAPCD rules including, but not limited to those listed above in Section 1, Introduction. Based on the information provided above, it is appropriate to conclude that the proposed project complies with the applicable air quality plans and will not result in a significant impact.

b) Less Than Significant Impact. Specific criteria for determining whether the potential air quality impacts of a project are significant are set forth in the GAMAQI. The criteria for these emission thresholds include compliance with the State and National air quality standards and conformity with existing air quality plans for the SJVAB

**Short-Term Construction-Related Impacts:**

Major sources of emissions during construction include exhaust generated from the use of heavy equipment and on-road vehicles and fugitive dust generated as a result of soil disturbance during excavation and grading activities. Estimates of construction emissions were determined using SJVAPCD approved modeling software, URBEMIS 2007. Results are shown in Table 1; modeling results are included in Attachment A. The SJVAB requires implementation of effective and comprehensive control measures rather than detailed quantification of construction emissions. Implementation of feasible control measures can be reasonably expected to reduce PM10 emissions during construction. The SJVAPCD has determined that project compliance with the SJVAPCD's Regulation VIII - Fugitive PM10 Prohibitions sufficiently minimizes adverse construction-related air quality impacts from dust to less-than-significant impact levels. In addition, the SJVAPCD's Rule 9510 requires exhaust emissions for construction equipment greater than fifty horsepower used or associated with projects subject to the rule reduce their total NOx emissions by 20% from the statewide average and reduce their total PM10 exhaust emissions by 45% from the statewide average. The proposed project will fully comply with the regulatory measures required under Regulation VIII and Rule 9510.

**Table 1: Construction Emissions**

	ROG <sup>1</sup>	NOx <sup>1</sup>	PM <sub>10</sub> <sup>1</sup>
Phase 1 (2008-2009)	0.98	2.15	0.79
Phase 2 (2009-2010)	0.97	2.04	0.90
Operational Threshold	10	10	15
Exceed Threshold	NO	NO	NO

<sup>1</sup> In Tons per Year  
Source: Michael Brandman Associates, 2007

**Long-Term Operational Impacts:**

Emissions from project-related mobile sources would include vehicular travel to and from the proposed residential subdivision. Presently, all areas within the SJVAPCD have attained the federal CO standard and are attainment or unclassified for the state CO standard. Because CO concentrations are usually associated with roadways that are congested and with heavy traffic volume, the SJVAPCD has established a screening criteria for CO impacts. The SJVAPCD has established that if neither of the following criteria are met at all intersections affected by the development project, the proposed project can be said to have no potential to create a violation of the CO standard.

- A traffic study for the project indicates that the Level of Service (LOS) on one or more streets or at one or more intersections in the project vicinity will be reduced to LOS E or F; or
- A traffic study indicates that the project will substantially worsen an already existing LOS F on one or more streets or at one or more intersections in the project vicinity.

The traffic impact study prepared by Peters Engineering (May 2007) indicates that some intersections will be reduced to LOS E or F with the cumulative build out of the community plan, however mitigation measures have been required (see Impact 15B) that will ensure the intersections continue to operate at acceptable levels. The project itself will not worsen level of service on existing streets or intersections. Neither of the screening criteria applies to the project area, therefore CO impacts are less than significant. Other operational pollutants of concern include NOx, ROG, and PM10. Operational and area emissions for the proposed project were estimated using URBEMIS 2007 and are shown in Table 2; modeling results are included in Attachment A. Emissions were estimated for the proposed project based on the build out of 81 single family homes and the estimated vehicle trip rate in the Traffic Study.

Table 2: Annual Operational Emissions

	ROG <sup>1</sup>	NOx <sup>1</sup>	PM <sub>10</sub> <sup>1</sup>
2010 (unmitigated)	2.08	2.67	0.94
Project Build-out			
Operational Threshold	10	10	15
Exceed Threshold	NO	NO	NO

<sup>1</sup> In Tons per Year

Source: Michael Brandman Associates, 2007

As shown in Table 2, the proposed project's increase in emissions would not exceed the SJVAPCD annual emissions thresholds for NOx or ROG. For this reason, and with implementation of the mitigation measures described above for construction-related air quality impacts, the proposed project's impact is considered less than significant. Short-term and long-term air quality impacts associated with the project are less than significant. The proposed project will not violate an air quality standard or contribute to a violation of an air quality standard in the project area.

c) Less Than Significant Impact. The proposed project would not significantly increase the production of any criteria pollutant as described in checklist question (b). Therefore, per SJVAPCD guidance documentation, it is appropriate to conclude that the proposed project's incremental contribution to criteria pollutant emissions is not cumulatively considerable.

**Greenhouse Gas (GHG) Emissions.** The potential effect of greenhouse gas emissions on global climate change is an emerging issue that warrants discussion under CEQA. Unlike the pollutants discussed previously that may have regional and local effects, greenhouse gases have the potential to cause global changes in the environment. In addition, greenhouse gas emissions do not directly produce a localized impact, but may cause an indirect impact if the local climate is adversely changed by its cumulative contribution to a change in global climate. Individual development projects contribute relatively small amounts of greenhouse gases that when added to all other greenhouse gas producing activities around the world result in increases in these emissions that have led many to conclude is changing the global climate. However, no threshold has been established for what would constitute a cumulatively considerable increase in greenhouse gases for individual development projects.

The State of California has taken several actions that help to address potential global climate change impacts. Although not originally intended to reduce greenhouse gas emissions, California Code of Regulations Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, was first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The latest amendments were made in October 2005 and currently require new homes to use half the energy they used only a decade ago. Since electricity produced by fossil fuel power plants results in the production of greenhouse gases, reductions in electricity use through energy efficient buildings results in decreased greenhouse gas emissions.

California Assembly Bill (AB) 1493 (Pavley) enacted on July 22, 2002, required the California Air Resources Board (CARB) to develop and adopt regulations that reduce GHG emitted by passenger vehicles and light duty trucks. Regulations adopted by CARB will apply to 2009 and later model year vehicles. CARB estimates that the regulation will reduce climate change emissions from light duty passenger vehicle fleet by an estimated 18 percent in 2020 and by 27 percent in 2030 (CARB 2004a).

California Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S-3-05, the following GHG emission reduction targets: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; by 2050, reduce GHG emissions to 80 percent below 1990 levels (CA 2005). The California Climate Action Team's (CAT) Report to the Governor contains recommendations and strategies to help ensure the targets in Executive Order S-3-05 are met (CAT 2006).

In 2006, the California State Legislature adopted AB 32, the California Global Warming Solutions Act of 2006. AB 32 describes how global climate change will impact the environment in California. The impacts described in AB 32 include changing sea levels, changes in snow pack and availability of potable water, changes in storm flows and flood inundation zones, and other impacts. The list of impacts included in AB 32 may be considered substantial evidence of environmental impacts requiring analysis in CEQA documents. AB 32 focuses on reducing GHG in California. The GHG emissions reductions found in AB 32 and Executive Order

S-3-05 are consistent with the climate stabilization models produced by the International Panel on Climate Change (IPCC). These climate stabilization models show that if GHG emissions are reduced to the levels shown in Executive Order S-3-05, the climate will stabilize at approximately a 2 degree Celsius rise averting the worst impacts associated with global climate change. GHG as defined under AB 32 include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. AB 32 requires the CARB, the State agency charged with regulating statewide air quality, to adopt rules and regulations that would achieve greenhouse gas emissions equivalent to statewide levels in 1990 by 2020. On or before June 30, 2007, CARB was required to publish a list of discrete early action greenhouse gas emission reduction measures that can be implemented by 2010.

AB 32 requires that by January 1, 2008, CARB shall determine what the statewide greenhouse gas emissions level was in 1990, and approve a statewide greenhouse gas emissions limit that is equivalent to that level, to be achieved by 2020. While the level of 1990 GHG emissions has not yet been approved, reported emissions vary from 425 to 468 Tg CO2 Eq. (CEC 2006). In 2004, the emissions were estimated at 492 Tg CO2 Eq. (CEC 2006)

The actions described above provide a framework for reducing greenhouse gas emissions in California. The project must comply with Title 24 energy efficiency standards. Vehicles purchased by residents will produce fewer GHG emissions than those produced today with implementation of AB1493. Regulations stemming from AB 32 will result in reductions in emissions from major sources such as electrical power generation and cement production. It remains uncertain if these actions will be sufficient to counteract California's contribution to global climate change. However, additional analysis for this project will not increase the certainty of any impact determination. Although quantification methods are available to calculate the project's contribution, due to the relatively small size of this project and lack of a numeric threshold no quantification is provided.

d) Less than Significant Impact. There are existing residential units immediately adjacent to the proposed project site to the south and east, no existing or planned industrial development are located one mile of the proposed subdivision project. Construction of the proposed project would be limited in duration. Construction of the proposed project would not emit any hazardous air pollutants (HAPs) in significant quantities. The Office of Environmental Health Hazard Assessment (OEHHA) currently describes the health risk from large, heavy-duty, diesel powered equipment exhaust entirely in terms of the amount of particulate, or PM10, that is emitted. Currently, the health risk associated with diesel exhaust PM10 only has a carcinogenic and chronic effect; no short-term acute effect is recognized. In recognition of these circumstances, as well as implementation of the mandatory dust control requirements required by the SJVAPCD, it is reasonable to conclude that the proposed project would not expose sensitive receptors to substantial pollutant concentration. This impact is considered less than significant.

e) Less Than Significant Impact. The only potential odors associated with the project are from diesel exhaust and the application of asphalt and paint during the construction period. These odors, if perceptible, are common in the environment, would dissipate rapidly as they mix with the surrounding air, and would be of very limited duration. Therefore, any potential odor impacts would be considered less than significant.

f) No Impact. Land uses within one mile of the project site are residential or agricultural, and the Tulare County General Plan designates land surrounding the project site for agricultural or residential use. There, the proposed project would not construct a sensitive receptor within one mile of an existing substantial point source emitter.

Note: In order to assure that any future development proposed for the commercially zoned area is in compliance with the County General Plan, and to provide review for such consistency prior to issuance of building permits, the SR Zone is being included as a part of the C-1 Zone request.

#### 4. BIOLOGICAL RESOURCES

*Would the project:*

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

- |                                                                                                                                                                                                                                                             |                          |                          |                          |                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?                          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?                                                                                                                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?                                                                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Analysis: There are no records of occurrence for any special-status plant or animal species on the Poplar/Cotton Center Community Plan site. A biological survey, prepared by Michael Brandman & Associates, dated November 14, 2007, indicated that it does not support habitat for any protected plant species; however, the site does contain marginally suitable habitat for three wildlife species: burrowing owl, Swainson's hawk, and San Joaquin kit fox. Each special-status species is discussed.

a) Less Than Significant With Mitigation Incorporated. The San Joaquin kit fox (*Vulpes macrotis mutica*) is federally endangered and state threatened. SJ kit fox has potential to occur onsite but based on the existing conditions the denning and foraging habitat is marginally suitable. The SJ kit fox is not likely to occur on site and the closest recorded occurrence is about 3 miles west of the project site. Therefore, project impacts are considered less than significant based on the linear distance from previous occurrences, avoidance of areas located outside of the proposed construction activities, and the ongoing present impairment of the area due to farming activity. However, a preconstruction survey is recommended as a mitigation measure to verify that no kit foxes are present when construction is imminent.

Swainson's hawk (*Buteo swainsoni*) is state listed as threatened. The project site does not provide suitable nesting habitat for Swainson's hawk. However, the project site contains marginally suitable foraging habitat for this species. There has been a recorded occurrence of Swainson's hawk nesting within 9 miles northwest of the project site. Loss of foraging habitat within a ten-mile radius of an active nest is considered significant under CDFG guidelines (CDFG 1994). However, based on existing conditions of the site due to ongoing agricultural activities impacts are considered less than significant with mitigation incorporated due to the linear distance from previous occurrences, avoidance of areas located outside of the proposed construction activities, and the ongoing present impairment of the area due to farming activity.

Burrowing owl is a California species of concern that is protected by the Migratory Bird Treaty Act (MBTA) and Fish and Game Code. Although no burrowing owls were detected in the immediate vicinity of the project site, the project site contains marginally suitable foraging and nesting habitat for the species. Therefore, the burrowing owl has a potential to occur onsite; however, based on the existing conditions of the site, impacts are considered less than significant because of avoidance of areas located outside of the proposed construction activities and the ongoing present impairment of the area due to farming activity. However, a preconstruction survey is recommended as a mitigation measure to verify that no burrowing owls are present when construction is imminent.

The project site contains marginally suitable nesting habitat for shrub- and ground-nesting avian species. As such, removal of trees and ground-nesting features could result in significant adverse impacts to these species. However, based on the existing conditions of the site impacts are considered less than significant because of avoidance of areas located outside of the proposed construction activities and the ongoing present impairment of the area due to farming activity. However, a preconstruction survey is recommended as a mitigation measure to verify that no nesting birds are present when construction is imminent.

#### Mitigation Measures:

1. A qualified biologist shall conduct a pre-construction survey for suitable burrows for the San Joaquin kit fox. If suitable burrows are present, then the qualified biologist shall conduct an early evaluation in accordance with United States Fish and Wildlife Service (USFWS) San Joaquin Kit Fox Survey Protocol for the Northern Range (Sacramento Fish and Wildlife Office [SFWO] 1999). The evaluation shall be submitted to SFWO for review and determination on whether the project site represents kit fox habitat, the quality of the habitat, and the value of that habitat to the recovery of kit fox. If it is determined that the project will not result in take, the project applicant may proceed with the project (pending receipt of all other applicable permits and/or mitigation requirements). Should SFWO determine that take will occur, then consultation shall be initiated with the applicant (Section 10 consultation) or with a federal permitting agency (Section 7 consultation). Mitigation requirements will be determined based on the results of the consultation and shall be implemented prior to project initiation.

2. Prior to project initiation California Department of Fish and Game (CDFG) shall be contacted and a 30 day pre-construction survey will be conducted for active nests within 1/2 mile of the project site. If proposed project construction occurs during the nesting season for Swainson's hawk (March 1 - September 15), a qualified biologist will be present during construction activities. If an active nest is located, CDFG shall be contacted to determine if project construction may proceed during the nesting season.

If active nests are determined to be onsite, mitigation for loss of foraging habitat shall be required in accordance with the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California (CDFG 1994). Mitigation guidelines in this report are based upon project distance to the active nest tree.

If no additional active nests are identified, mitigation for loss of foraging habitat shall occur for active nest located 9 miles northeast of the project site. For each acre of foraging habitat impacted, 0.50 acre of suitable foraging habitat shall be protected through fee title acquisition or through purchase of credits at an approved habitat mitigation bank.

3. A pre-construction survey for burrowing owl shall be conducted by a qualified biologist no more than 30 days prior to grading of the project site. In accordance with the CDFG Staff Report on Burrowing Owl Mitigation (Staff Report) (CDFG 1995), the survey shall be conducted within the project site, and in areas within 500 feet of the project impact zone. If no suitable burrows are detected, no additional mitigation is required. If suitable burrows are detected, a focused survey shall be conducted after sunset and before sunrise to determine whether the burrows are occupied by burrowing owls. If burrowing owls are not detected, then no additional mitigation is necessary.

If active burrows are detected, impacts may be avoided by restricting project activities to at least 160 feet from occupied burrows during the non-breeding season (September 1 through January 31), or within 250 feet during the breeding season (February 1 through August 31). In addition, a minimum of 6.5 acres of foraging habitat shall be permanently preserved contiguous with occupied burrow sites for each pair of breeding owls or single unpaired resident birds.

If avoidance is not possible, then owls shall be passively relocated from the project site outside of the breeding season (September 1 through January 31). Mitigation for loss of burrow habitat shall be implemented in accordance with the Staff Report, or with the California Burrowing Owl Consortium's (CBOC) Burrowing Owl Survey Protocol and Mitigation Guidelines (CBOC 1993).

4. If suitable avian nesting habitat is intended to be removed during the nest season (February 1 through August 31), a qualified biologist shall conduct a nesting bird survey to identify any potential nesting activity. If passerine birds are found to be nesting, or there is evidence of nesting behavior within 250 feet of the impact area, a 250-foot buffer shall be required around the nests. No vegetation removal or ground disturbance shall occur within the 250-foot buffer. For raptor species- birds of prey (e.g., hawks and owls)—this buffer shall be 500 feet. A qualified biologist shall monitor the nests closely until it is determined that the nests are no longer active, at which time construction activities may commence within the buffer area. Construction activity may encroach into the buffer area at the discretion of the biological monitor.

b) No Impact. The project site does not support any features that could potentially be considered riparian habitat or a sensitive natural community. The onsite disked agricultural field consisting of annual grassland

and ruderal weedy species is not considered a riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations or by the California Dept. of Fish and Game or U.S. Fish and Wildlife Service by any regulatory agency.

c) No Impact. The project site will not 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 filling, hydrological interruption, or other means. The onsite disked agricultural field consisting of annual grassland and ruderal weedy species does not support any wetland areas.

d) No Impact. The project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. The project site does not provide a corridor for regional wildlife movement. The urban development surrounding the project site limits the amount of wildlife movement within the area. The project site does not contain any waterways that would affect any aquatic wildlife movement, nor does it impede the use of wildlife nursery sites.

e) No Impact. The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The project site does not contain any native trees that would conflict with any such policy or ordinance.

f) No Impact. There has been no Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional or state habitat conservation plan adopted by the Community of Poplar or Tulare County, therefore, the development of the project site will not conflict with any such plans.

Note: If the requested change in zoning is approved, and further, if the requested C-1 Zone is combined with the recommended SR (Site Review Combining) Zone designation, there will be a mechanism in place to allow for implementation of the site plan review process as set forth in Section 16.2 or 18.6 of the Zoning Ordinance. This is a discretionary permit process which would trigger environmental review of specific future development proposals on the neighborhood commercial site and would allow for the adoption of site specific conditions of approval and mitigation measures, if deemed necessary by Site Plan Review Committee and the CEQA processes.

**5. CULTURAL RESOURCES**

*Would the project:*

- |                                                                                                                                              |                          |                          |                                     |                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of an historical resource as defined in Section 15064.5?                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature of paleontological or cultural value? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Disturb any human remains, including those interred outside of formal cemeteries?                                                         | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Disturb unique architectural features or the character of surrounding buildings?                                                          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Analysis:

A records search for the proposed project site was conducted by the Southern San Joaquin Valley Information Center. The results indicate that there are no historical resources present. No rivers, streams, or geological features exist on or near the site that suggest the existence of archaeological resources. No fossils of plants, animals, and other organisms of any paleontological or cultural significance have been discovered at the project site nor has the site been identified to be within an area where such discoveries are likely. Human

remains are not known to exist at the subject site

a) No Impact. The record search conducted for the proposed project indicated that no historical resources have been recorded on the project site. The proposed project is located on land that has been used for agricultural purposes in the past and no historical resources are present.

b) No Impact. As discussed in checklist question (a), no historical or archeological resources have been identified at the subject site

c) Less Than Significant. The proposed project site does not contain features such as watercourses, springs, or ponds or elevated ground such as ridges and knolls that could be considered archaeologically or historically sensitive, or geologically unique. The record search results from the Southern San Joaquin Valley Information Center indicate that no known paleontological resources exist on the proposed project site. The proposed project site is not located near water resources that may have been utilized by local Native Americans, therefore the project area has a low sensitivity for archaeological resources. There is a possibility, that buried archaeological resources such as prehistoric hidden deposits, flaked and ground stone artifacts, bone, shell, and other cultural materials could be uncovered during excavation, grading, and other construction related activities. Damage to significant buried archaeological resources would be minimized through implementation of the following conditions:

1. If potentially significant archaeological resources are discovered during ground-disturbing activities associated with construction of the proposed project, all work within 100 feet of the find shall stop until a qualified archaeologist can assess the significance of the find, and, if necessary, develop appropriate mitigation measures in consultation with Tulare County and other appropriate agencies and individuals. If significant resources are discovered, a formal evaluation using CEQA criteria will be conducted to determine if further study, test excavations, or data recovery procedures are necessary.

d) Less Than Significant Impact. Human remains are not known to exist at the subject site. In the event that human remains and/or cultural materials are discovered, all project-related construction shall cease within a 100 ft radius of the find. Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California, the following shall occur: In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Tulare County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. The proposed project would follow these standard protocols in compliance with existing regulations and, therefore, this impact is considered less than significant.

e) No Impact. The proposed project site is vacant and is located in an area that has been developed with agricultural and urban uses for a number of years. There are no unique buildings or architectural features that would be impacted.

## 6. GEOLOGY/SOILS

*Would the project:*

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication No. 42.

ii)	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Seismic related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v)	Subsidence?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in substantial soil erosion, siltation, changes in topography, the loss of topsoil or unstable soil conditions from excavation, grading or fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Result in substantial soil degradation or contamination?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Analysis:

a) i) No Impact. According to the Seismic Safety Element of the Tulare County General Plan, the proposed project site is not located on or near a known earthquake fault.

ii) Less Than Significant Impact. All of California, including the proposed project site, is subject to earthquake risks. However, due to the substantial distances of active and potentially active fault sources from the project site, the risk of strong ground shaking is considered relatively low as compared to other localities in California. Based on probabilistic seismic hazard assessment (PSHA) maps produced by the State, the peak ground acceleration (PGA) for the Project site based on a 10 percent exceedance in 50 years could range between 0.142 g to 0.199 g (where g is the acceleration due to gravity) (California Geological Survey, <http://redirect.conservation.ca.gov/cgs/rghm/pshamap/pshamain.html> ), accessed December 10, 2007. The proposed project would comply with California seismic design requirements, which would ensure that the project would not expose persons or property to strong seismic ground shaking hazards.

iii) No Impact. Although no specific liquefaction hazard areas have been identified in Tulare County, the potential for liquefaction is recognized throughout the San Joaquin Valley where unconsolidated sediments and a high water table coincide. This condition does not preclude development of the proposed project site. Compliance with California seismic design requirements for UBC Seismic Risk Zone 3 would ensure that the project would not expose persons or property to liquefaction hazards.

iv) No Impact. Slope failures, commonly referred to as landslides, include many phenomena that involve the downslope displacement and movement of material, either triggered by static (i.e., gravity) or dynamic (i.e., earthquake) forces. The proposed project site is underlain by natural alluvial deposits of Holocene age and there are no unstable geologic units or soils (e.g., artificial fill) present on the project site. The project site and surrounding parcels contain flat relief, which precludes the possibility of landslides onsite. The proposed project would also comply with all building code requirements including those pertaining to excavations, grading, and foundations. No impacts in this regard would occur.

v) No Impact. According to the Tulare County General Plan, the valley areas of Tulare County have not experienced subsidence. The nearest subsidence problems lie in the foothills and mountainous areas of the Valley. Therefore, no impact is anticipated.

b) **Less Than Significant Impact.** Since the site is flat, excavation, grading, and filling at the project site will be minimal. No changes in topography are proposed with this project. The project will subdivide the land into 81 residential lots; grading and loss of topsoil will occur. However, grading, paving, and other improvements will be subject to County improvement standards and conditions of approval which will minimize potential soil degradation.

c) **No Impact.** According to the Web Soil Survey, December 10, 2007, the project site contains four soil types. Hanford Sandy Loam, Nord fine sand loam and Tujunga loamy sand. Hanford sandy loam, 0 to 2 percent slopes: Approximately 25.8% (16.5 acres) of the project site is underlain by Hanford sandy loam. The soil formed on toeslopes and footslopes from alluvium derived from granitic rock sources. Depth to restrictive feature is greater than 80 inches. The soil is well drained and frequency of flooding or ponding is very rare to none.

Nord fine sandy loam, 0 to 2 percent slopes: Approximately 45% (29 acres) of the project site is underlain by Nord fine sandy loam. The soil formed on toeslopes and footslopes from alluvium derived from mixed sources. Depth to restrictive feature is greater than 80 inches. The soil is well drained and frequency of flooding or ponding is very rare to none.

Tujunga loamy sand, 0 to 2 percent slopes: Approximately 14.3% (9 acres) of the project site underlain by Tujunga loamy sand. The soil formed on toeslopes from alluvium derived from granitic rock sources. Depth to restricted feature is greater than 80 inches. The soil is well drained and frequency of flooding or ponding is rare to none.

Yetter sandy loam, 0 to 2 percent slopes: Approximately 15% (9.6 acres) of the project site is underlain by Yettem sandy loam. The soil formed on toeslopes and footslopes from alluvium derived from granitic rock sources. Depth to restricted feature is greater than 80 inches. The soil is well drained and frequency of flooding or ponding is very rare to none.

The soils on the project site are characterized by low shrink-swell potential. Operations would not trigger off-site landslides, lateral spreading, subsidence, liquefaction or collapse of the geological unit.

d) **No Impact.** As stated above, the soils on the project site are characterized by low shrink-swell potential and, as such, the development would not be constructed on expansive soil.

e) **No Impact.** Soils on the project site are ranked limited for septic absorption rate; however, the proposed residential lots will be served by public utility district infrastructure for sewer service instead of individual septic systems.

f) **No impact.** No contaminants or other substances that may degrade the soil will be used, produced, or handled at the project site.

**7. HAZARDS AND HAZARDOUS MATERIALS:**

*Would the project:*

- |                                                                                                                                                                                                                                |                          |                          |                                     |                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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 or risk explosion?              | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?                                                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

- |                                                                                                                                                                                                                                                                  |                          |                          |                          |                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?                                                                                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?                                                                                                                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people to existing or potential hazards and health hazards other than those set forth above?                                                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Analysis.

a) Less Than Significant. Residential home construction requires the use of minimal amounts of hazardous substances during construction, such as petroleum products for construction equipment, fuel for generators, solvents, epoxies, and paints. These types of hazardous substances would be transported to/from and used onsite during construction. Although the quantity of hazardous materials to be used onsite is expected to be minimal, there is still a small potential for hazardous materials to enter into the environment as a result of the project. In addition, the proposed project would involve the use of common hazardous materials referred to as household hazardous wastes (HHWs) by the Environmental Protection Agency (EPA), which include solvents, paints, pesticides, herbicides, cleaners, oils, and batteries. Due to the small quantity and type of material transported to the site for construction, impacts are considered less than significant.

b) Less Than Significant Impact. As previously indicated, the proposed project would involve the minor transport and use of hazardous materials, including HHWs, diesel fuel and other motor lubricants used during construction. The use of these substances is not expected to create a significant hazard to the public or the environment through reasonably foreseeable upset or accident.

c) No Impact. Pleasant View Elementary is within one-quarter mile of the project site. Based on the residential nature of the proposed project, it is reasonable to conclude that the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, and no impact is anticipated.

d) No Impact. According to the State of California Hazardous Waste Sites and Substances Sites List ([http://www.dtsc.ca.gov/SiteCleanup/Cortese\\_List.cfm](http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm), accessed December 10, 2007), the subject property does not contain and is not proximate to a listed hazardous site. In addition, the applicant has signed and filed a statement declaring that no hazardous materials are located at the project site. The proposed project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

e) No Impact. The proposed project is not located within an airport land use plan or within two miles of a public airport or public use airport. The closest airport is the City of Porterville Municipal Airport, more than five miles away.

f) No Impact. The proposed project is not located near a private airstrip.

g) No Impact. The proposed project will result in the development of a subdivision meeting all emergency access requirements and would not impair the implementation of an adopted emergency response plan, as it

will not create an obstruction to surrounding roadways or other access routes used by emergency response units. No impact in this regard would occur.

h) No Impact: The proposed project site is surrounded by residential and agricultural land uses. These land use types are not associated with wildland fires and preclude the possibility of exposure to wildland fires.

i) No Impact: No other hazards exist at the subject site.

Note: No new development is proposed at this time for the proposed commercially zoned area of the site; however, if the requested change in zoning is approved, and further, if the requested C-1 Zone was combined with the recommended SR (Site Review Combining) Zone, there will be a mechanism in place to allow for implementation of the site plan review process as set forth in Section 16.2 or 18.6 of the Zoning Ordinance. This is a discretionary permit process which will trigger environmental review of any future development proposals on the subject site and will allow for the adoption of site specific conditions of approval and mitigation measures, if deemed necessary by site plan review and CEQA processes.

## 8. HYDROLOGY AND WATER QUALITY

*Would the project:*

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                |                          |                          |                                     |                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements?                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge or the direction or rate of flow of ground-water such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?                                                                                                                                                                                                              | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Substantially alter including through the alteration of the course or stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?                                                                                                                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?                                                                                                                                                                                                                                                          | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Otherwise substantially degrade surface or groundwater quality?                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?                                                                                                                                                                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood                                                                                                                                                                                                                                                                                                                                                   |                          |                          |                                     |                                     |

flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or inundation by seiche, tsunami or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

a) Less Than Significant. Implementation of the proposed project would increase impermeable surface area, and site runoff, contributing typical roadway pollutants to existing drainage facilities. Therefore, the proposed project has the potential to create significant adverse impacts and to violate water quality standards and/or waste discharge requirements unless the project design provides for improvements needed prevent the impact from occurring. Tulare County recommends that the subdivision include retention basins that would capture site runoff. With the implementation of County recommendations, this impact will be less than significant.

b) Less Than Significant. The proposed project would add new residents and uses, increasing the demand for water onsite and could have substantial impacts on groundwater. The proposed project will be connected to Poplar Community Services District community water system. A "will serve" letter from Poplar CSD was provided for Phase 1 of the project, "will serve" letters will be required as a condition of approval for the other phases of the project to reduce this potential impact to less than significant.

c) - f) Less Than Significant Impact. The site is essentially flat, however, the proposed subdivision will add impervious surfaces to the project site and increase the amount of stormwater runoff. The latest tentative map relies on a ponding basin constructed with TM 719. The existing basin will need to be evaluated to determine if it can accommodate the proposed project. If the existing basin cannot accommodate the proposed project another basin within the subdivision will need to be constructed pursuant to Tulare County standards. The Board of Supervisors has established a policy, by Resolution No. 93-1375, that the County will not accept new drainage systems in any land division or development unless the subdivider provides a mechanism to fund future maintenance. Therefore, approval of this tentative map is required to be conditional so that the subdivider provides for a funding mechanism (assessment district or homeowners association) before recordation of the final map. A condition of approval requires that the developer pay Tulare County RMA to form an assessment district for the permanent, long-term maintenance of the storm drainage system. Premises of the project area shall be maintained in a good, clean, orderly manner, free of any debris or junk materials, reducing polluted storm water runoff generated by the proposed project to a level that is less than significant.

g) – h) No Impact. As shown on Panel Number 850B of the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Maps (FIRM) for Community Number 065066 dated September 29, 1986, the proposed project is located within Flood Zone C. The definition of Flood Zone C is areas of minimal flood hazard, which are the areas higher than the elevation of the 0.2-percent-annual-chance flood. Construction of buildings within a FEMA Zone C requires no specific flood avoidance measures. Based on this information, no impact is anticipated in this regard.

i) Less Than Significant Impact. According to the Tulare County General Plan Background Report, Safety Section, "There are two major dams that would flood portions of Tulare County in the event of their failure. The Lake Success Dam is on the Tule River, holds 80,000 acre feet of water, and is at an elevation of 652 feet above sea level. The Terminus Dam is on the Kaweah River, holds 142,000 acre feet of water, and has an elevation of 750 feet." The project is within an area that would be inundated in the event of failure, but the site is not likely to be exposed to extremely high water levels and high velocities due to the distance to the dam (approximately 13 miles to Lake Success and 30 miles to Terminus Dam) and the relatively flat terrain of the Valley floor that would disperse the water over a wide area. The project is not located in an area susceptible to seiche, tsunamis, or mudflows as it is not located near an ocean, lake, or river. Therefore this impact is less than significant.

Note: Without a specific proposal for development of the commercially zoned area, it is too speculative to determine conclusively that potential hydrology or water impact would be less than significant for the commercially zoned portion of the site. If the requested change in zoning is approved, and further, if the requested C-1 Zone is combined with the recommended SR (Sire Review) Zone, there will be a mechanism in place to allow for implementation of the site plan review process as set forth in Section 16.2 or 18.6 of the

Zoning Ordinance. This will involve a discretionary permit process which triggers environmental review of specific future development proposals on the subject site and will allow for the adoption of site specific conditions of approval and mitigation measures, if deemed necessary by site plan review and CEQA processes.

**9. LAND USE AND PLANNING**

*Would the project:*

- a) Physically divide an established community?
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

*Analysis:*

a) Less Than Significant Impact. The proposed subdivision will be integrated into the community and will not physically divide the Poplar community.

b) Less Than Significant Impact. The Tulare County Zoning Ordinance and General Plan and the Poplar Community Plan are applicable to the proposed project. The land use designation under the Poplar/Cotton Center Community Plan is Medium Density Residential. Although the site does not presently meet all criteria for developing land within the Medium Density Residential regarding urban services, infrastructure, and contiguous development, there are sufficient safeguards in the proposed conditions of approval for the project to ensure that the required infrastructure will be in place concurrent with the development. The site is contiguous to development on two corners and the site directly east of the site is an existing Pleasant View Elementary School. The site is zoned Exclusive Agricultural 20-Acre Minimum (AE-20 Zone) under the Zoning Ordinance. The proposed zone change to R-1 will make the zoning consistent with the proposed subdivision. Therefore, with all conditions of approval included and consideration of the potential development contiguous with the site, the project would not be in conflict with the General Plan, Community Plan or Zoning Ordinance.

**10. MINERAL AND OTHER NATURAL RESOURCES**

*Would the project:*

- a) Result in a loss of availability of a known mineral or other natural resource (timber, oil, gas, water, etc.) 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?

*Analysis:*

a) -- b) Less Than Significant Impact. According to the Environmental Resources Management Element of the Tulare County General Plan, the site is not known to contain any valuable minerals. Groundwater may be located at the site; however, the project will be served by the Poplar Community Service District.

**11. NOISE**

*Would the project result in:*

- a) Exposure of persons to or generation of noise levels in excess of standards established in the

	local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Exposure of persons to or generation of excessive ground-borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis: The PZ 07-005 and TM 799 project proposes residential development of 81 single family lots on approximately 18 acres in the community of Poplar, an unincorporated area of Tulare County, California. The project site is located west of Walker Road, south of Avenue 148, and north of State Route 190, and includes five parcels (APNs 237-140-025, 237-150-050, 237-170-001, 237-180-002, 237-190-002). The project would require a zone change from AE-20 to R-1 (Single-Family Residential) and C-1 (Neighborhood Commercial). According to the Tulare County Noise Element (1988), SR 190 is designated as a noise-impacted corridor. An acoustical analysis was conducted for the subject site in November 2007. The modeling output is contained in its entirety in Attachment C. The findings of the noise modeling were used to determine potential impacts both as a result of the project, and also on potential receptors at the project site following construction. Mitigation measures have been identified for protection of residents of the subdivision for both indoor and outdoor noise levels. These mitigation measures have been incorporated into the conditions of approval.

a) Less Than Significant with Mitigation. Noise is measured in a logarithmic scale of sound pressure level known as the decibel (dB). Because the human ear is not equally sensitive to given sound levels at all frequencies, a special frequency range-dependent rating scale has been devised to relate noise perceptible to the human ear known as the A-weighted decibel scale (dBA). The Community Noise Equivalent Level (CNEL) is a 24-hour average dBA noise level that accounts for the greater sensitivity to noise people have during the evening and nighttime by adding 5 dBA to noise occurring in the evening hours (7:00 p.m. to 10:00 p.m.) and 10 dBA to noise occurring in the nighttime hours (10:00 p.m. to 7:00 a.m.).

The Noise Element of the County of Tulare General Plan policies designates areas as noise-impacted if they are exposed to existing or future exterior noise levels exceeding 60 dB CNEL. Where exterior noise levels cannot be reduced to less than 60 dB CNEL, a noise level up to 65 dB CNEL would be allowed under specific conditions with the application of the best available noise reduction technology. Interior noise levels cannot exceed 45 dB CNEL with windows and doors closed.

The Tulare County Ordinance Code does not include noise standards for construction activity, although the Noise Element does not allow new residential development in a noise impacted area as defined above. The County of Tulare is currently updating its General Plan for 2025, and the proposed Health and Safety Element (containing a Noise Chapter) requires the County to limit noise generating activities, such as construction, to hours of normal business operation. The implementation of mitigation measure NOI-1 below would require that construction activity be conducted during widely-recognized hours, and therefore construction noise impacts would not exceed standards and would be less than significant.

Tables 3 and 4 show the existing and future noise levels for 2030, both with and without the project; the tables include modeled results for the proposed project for both AM and PM peak hour traffic conditions. The traffic

volumes are from the Traffic Impact Analysis prepared by Peters Engineering Group for the proposed project and, therefore, serve as the basis for modeling future vehicular noise levels in the project area. As demonstrated in the tables, traffic noise from the project would exceed 60 dBA at two intersections, State Route 190 at Road 192 (61.6 dBA during the PM peak hour conditions) and Road 152 and Road 192 (60.1 dBA during the PM peak hour conditions). State Route 190 at Road 192 would exceed 60 dBA even without the project in the PM peak hour condition and the project contribution is less than 1 dBA, demonstrating that the project would not contribute to a significant increase in noise levels. However, the exceedance under the other conditions represents a potentially significant impact. Under the Tulare County General Plan Noise Element, a 65 dBA noise level is conditionally acceptable.

**Table 3: Existing and Future Traffic Noise Levels (AM Peak Hour)**

Roadway Intersection	Noise Levels (dBA CNEL)				Potentially Significant Impact
	Existing Condition	Future Condition (2030)		Project-Related Increase	
		Without Project	With Project		
State Route 190 at Road 191	54.8	57.6	57.8	0.2	No
State Route 190 at Road 192	56.7	59.7	60.0	0.3	No
Avenue 145 at Road 192	55.5	54.9	55.7	0.6	No
Avenue 146 at Road 192	52.5	55.0	55.6	0.6	No
Avenue 148 at Road 192	52.9	55.7	56.3	0.6	No
Avenue 152 at Road 192	55.7	58.6	59.0	0.4	No

Distance from centerline for all roadways is 100 feet.  
Source: Michael Brandman Associates, 2007

**Table 3: Existing and Future Traffic Noise Levels (PM Peak Hour)**

Roadway Intersection	Noise Levels (dBA CNEL)				Potentially Significant Impact
	Existing Condition	Future Condition (2030)		Project-Related Increase	
		Without Project	With Project		
State Route 190 at Road 191	54.8	57.5	57.9	0.4	No
State Route 190 at Road 192	58	61.2	61.6	0.4	No
Avenue 145 at Road 192	54.7	57.1	57.7	0.6	No
Avenue 146 at Road 192	53.6	57.0	57.7	0.7	No
Avenue 148 at Road 192	54.5	54.7	55.6	0.9	No
Avenue 152 at Road 192	55.7	59.8	60.1	0.3	No

Distance from centerline for all roadways is 100 feet.  
Source: Michael Brandman Associates, 2007

These conditions would mitigate the noise levels to a less than significant impact.

**Mitigation Measures:**

1. Hours of construction shall follow limits typically used by other counties, specifically 8 a.m. through 7 p.m. Monday through Saturday, and prohibited on Sundays and Federal holidays.
2. In order for an exterior noise level of 65 dBA to be acceptable under the Tulare County General Plan, application of the best available noise reduction technology is required, as follows:
  - The project applicant shall provide a "windows closed" condition for all residential units. A windows closed condition requires a means of mechanical ventilation per the Uniform Building Code standards. This shall be achieved with standard air conditioning or a fresh air intake system.
  - The project applicant shall provide exterior walls with a minimum Sound Transmission Class rating of 46 for all residential units.
  - The project applicant shall install window and door assemblies in the proposed project's structures that are well fitted, weather-stripped, and free of oversize cut-outs and openings that unnecessarily increase interior noise exposure.
  - The project applicant shall ensure that all air ducts and vents for the residential units shall either (1) incorporate sound baffle ducting or (2) be oriented away from the respective traffic noise source and incorporate at least 6 feet of flexible fiberglass ducting and at least one 90-degree bend. Impacts from both the construction and operation of the project would be less than significant with regard to established standards.

b) Less Than Significant Impact. Based on the structural damage thresholds established in the Caltrans Transportation- and Construction-Induced Vibration Guidance Manual, the proposed project would create a

significant vibration impact if it generated ground-borne vibration levels on sensitive receptors in excess of 0.5 peak particle velocity (PPV) during construction and 1.0 PPV during operations.

The construction of the proposed project would not require the use of equipment such as jackhammers and pile drivers, which are known to generate substantial construction vibration levels. The primary sources of vibration during construction would be from bulldozers, backhoes, crawler tractors, and scrapers. A vibratory roller would produce the greatest amount of vibration on the project site, with a 0.210 PPV at 25 feet. The nearest sensitive receptors are the Pleasant View Elementary School and the single-family and multi-family urban residences to the east of the project site along Tule Avenue, Walker Road, Avenue 147, and Avenue 145, and the rural residences to the south of the site along State Route 190, each located approximately 50 feet from the project boundary. At this distance, vibratory levels would be at 0.105 PPV, which is less than the Caltrans standard for construction of 0.5 PPV, and with the implementation of MM NOI-3 requiring construction setbacks, vibration would be reduced even further. Impacts from vibration during project construction would be less than significant.

The operation of the proposed project would not be expected to draw delivery trucks that would result in vibration, and the railroad nearest the project site is approximately 5 miles to the east and would not produce vibration at the project site. Based on these factors, impacts from vibration during project operation from delivery truck or railroad activity would be less than significant.

The operation of the proposed project would not be expected to draw delivery trucks that would result in vibration, and the railroad nearest the project site is approximately 5 miles to the east and would not produce vibration at the project site. Based on these factors, impacts from vibration during project operation from delivery truck or railroad activity would be less than significant.

c) **Less than Significant Impact with Mitigation Measures:** Noise is measured in a logarithmic scale of sound pressure level known as the decibel (dB). Because the human ear is not equally sensitive to given sound levels at all frequencies, a special frequency range-dependent rating scale has been devised to relate noise perceptible to the human ear known as the A-weighted decibel scale (dBA). The Community Noise Equivalent Level (CNEL) is a 24-hour average dBA noise level that accounts for the greater sensitivity to noise people have during the evening and nighttime by adding 5 dBA to noise occurring in the evening hours (7:00 p.m. to 10:00 p.m.) and 10 dBA to noise occurring in the nighttime hours (10:00 p.m. to 7:00 a.m.).

People respond to changes in sound pressure, which are measured on a noise scale in a logarithmic manner, as mentioned above. In general, a 3-dB change in sound pressure level is considered a barely detectable difference in most situations. A 5 dB change is readily noticeable and a 10-dB change is considered a doubling (or halving) of the subjective loudness. Note that a 3-dB increase or decrease in the average traffic noise level is realized by a doubling or halving of the traffic volume, or by about a 7-mile-per-hour increase or decrease in speed.

For each doubling of distance from a point noise source, the sound level will decrease by 6 dB. In other words, if a person is 100 feet from a machine and moves 200 feet from that source, sound levels will drop by approximately 6 dB. Moving 400 feet away, sound levels will drop approximately another 6 dB. For each doubling of distance from a line source, such as a roadway, noise levels are reduced 3 to 5 decibels, depending on the ground cover between the source and the receiver.

The CEQA Guidelines and the County of Tulare General Plan provide no definition of what constitutes a substantial noise increase; however, the California Department of Transportation provides guidance that can be used to define substantial changes in noise levels that may be caused by a project. The thresholds below generally apply to transportation noise that is usually expressed in terms of average noise exposure during a 24-hour period, such as the Day/Night Average Level (Ldn) or CNEL. Project-generated increases in noise levels that exceed those outlined in the thresholds below and that affect existing noise sensitive land uses (receptors) are considered substantial and, therefore, would constitute a significant noise impact. The project will create a significant noise-related impact if it would:

- Increase noise levels by 5 dB or more where the existing noise level is less than 60 dB
- Increase noise levels by 3 dB or more where the existing noise level is 60 to 65 dB
- Increase noise levels by 1.5 dB or more where the existing noise level is greater than 65 dBA

The Noise Element of the County of Tulare General Plan policies designates areas as noise-impacted if they are exposed to existing or future exterior noise levels exceeding 60 dB CNEL. Where exterior noise levels cannot be reduced to less than 60 dB CNEL, a noise level up to 65 dB CNEL would be allowed with the application of the best available noise reduction technology. Interior noise levels cannot exceed 45 dB CNEL with windows and doors closed.

The primary existing noise sources in the project area are related to traffic on State Route 190 and other nearby streets. Therefore, traffic noise modeling was conducted to predict traffic noise levels with and without

the proposed project. The analysis in this section is based upon the predictive traffic noise modeling using the Federal Highway Administration Noise Prediction Model (FHWA-RD-77-108). Noise modeling output reports are contained in Attachment C.

As shown in Tables 3 and 4, existing and future traffic noise impacts associated with the project would result in a less than 1-dBA increase for every intersection analyzed for both the AM and PM peak hour conditions. These increases would be less than significant based on the criteria above for noise level increases.

Regarding the 60 dBA Tulare County noise standard, Tables 3 and 4 indicate that traffic noise from the project would exceed the Tulare County General Plan standard of 60 dBA at two intersections, State Route 190 at Road 192 (61.6 dBA during the PM peak hour conditions) and Road 152 and Road 192 (60.1 during the PM peak hour conditions). State Route 190 at Road 192 would exceed 60 dBA even without the project in the PM peak hour condition. In both cases, the project contribution is less than 1 dBA, demonstrating that the project would not contribute to a significant increase in noise levels.

Under the Tulare County General Plan Noise Element, a 65 dBA noise level is conditionally acceptable with the application of the best available noise reduction technology. Incorporation of proposed mitigation would reduce noise impacts to a less than significant impact (see MM NOI-2).

As discussed under impact b) above, the operation of the proposed project would not be expected to draw delivery trucks that would result in increased noise, and the railroad nearest the project site is approximately 5 miles to the east and would not produce increased noise levels at the project site. Based on these factors, impacts from noise during project operation from delivery truck or railroad activity would be less than significant. Additionally, air conditioning units at each residential unit would need to be attenuated according to County regulations, and would also not result in a significant impact.

d) **Less than Significant Impact with Mitigation Measures.** Noise levels associated with construction of the proposed project would be higher than ambient noise levels; however, noise levels would subside once construction of the proposed project is completed.

Two types of noise impacts could occur during the construction phase. First, the transport of workers and equipment to the construction site would incrementally increase noise levels along site access roadways. Even though there would be a relatively high, single-event noise exposure potential with passing trucks, the increase in noise would be less than significant when averaged over a 24-hour period, and therefore, would have a less than significant impact on noise receptors along the truck route.

The second type of impact is related to noise generated by onsite construction operations, and adjacent receptors would be subject to elevated noise levels from the operation of onsite construction equipment. Construction activities are carried out in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. These sequential phases would change the character of the noise levels surrounding the construction site as work progresses. Construction-related noise would result in a temporary change in ambient noise levels.

Noise generated by construction equipment, including trucks, graders, asphalt pavers, and portable equipment, can reach significant levels up to 90 dBA at 50 feet which could impact nearby sensitive receptors. Sensitive receptors in the project area include a school and urban and rural residences to the east and south of the project of the project site. All are approximately 50 feet from the project site boundary.

Impacts from construction are considered short-term impacts, since noise would cease upon completion of construction activity. However, all receptors listed above could be affected by construction activities. This represents a potentially significant impact. The County of Tulare has not established noise standard or measures for construction activity. Therefore, mitigation is proposed to reduce impacts. With implementation of these mitigation measures, along with mitigation measure NOI-1 above, impacts would be reduced to a level of less than significant.

MM-NOI-3 Prior to the start of grading or construction for the proposed project, the following noise attenuation measures shall be implemented:

- All construction equipment shall utilize noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer.
- Construction staging and heavy equipment maintenance shall be performed at a minimum distance of 200 feet from the property's eastern boundaries, and along the northern boundary of the southernmost parcel, unless safety or technical feasibility takes precedence.
- A noise protection barrier shall be erected around stationary combustion equipment such as pumps or generators operating with 300 feet from the property's eastern boundaries, and along the northern boundary of the southernmost parcel.

e) **No Impact.** The nearest airport to the project site is the Porterville Municipal Airport, more than 5 miles to the southwest. Occasional noise from aircraft overflights from this facility may be audible in the project area, but these distances preclude the possibility of the project site being adversely exposed to aviation noise. No impacts would occur.

f) No Impact. No private airstrips are in the vicinity of the project site. This condition precludes the possibility of the project site being exposed to adverse aviation noise. No impacts would occur

Note: Without a specific proposal for development of the commercially zoned area, it is too speculative to determine conclusively that potential hydrology or water impact would be less than significant. If the requested change in zoning is approved, and further, if the requested C-1 Zone is combined with the recommended SR (Sire Review) Zone, there will be a mechanism in place to allow for implementation of the site plan review process as set forth in Section 16.2 or 18.6 of the Zoning Ordinance. This is a discretionary permit process which will trigger environmental review of specific future development proposals for the commercial site and will allow for the adoption of site specific conditions of approval and mitigation measures, if deemed necessary by site plan review and CEQA processes.

**12. POPULATION AND HOUSING**

*Would the project:*

- |                                                                                                                                                                                                           |                          |                          |                                     |                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Cumulatively exceed official regional or local population projections?                                                                                                                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Substantially change the demographics in the area?                                                                                                                                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Substantially alter the location, distribution, or density of the area's population?                                                                                                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?                                                                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?                                                                                               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g) Conflict with adopted housing elements?                                                                                                                                                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Analysis:

a) Less Than Significant Impact. The proposed project will build 81 residential lots. The U.S. Census Bureau (2000) lists Tulare County's persons per household at 3.28 and Poplar/Cotton Center's population at 1,496. According to the Poplar/Cotton Center Community Plan (1996), the projected population in 2000 was expected to be between 2,783 and 3,064. This would indicate a slower rate of growth for the initial years of the Community Plan. The expected Community Plan population in 2015 is between 4,941 and 6,279. The proposed project would add 266 residents to the Poplar community. This would indicate that the growth would be in line with the Community Plan and within regional projections.

b) Less Than Significant Impact. The demographic profile for the area will change to reflect the higher income levels needed to purchase new housing, but will not substantially impact the existing population.

c) Less Than Significant Impact. The proposed project is within the Urban Development Boundary (UDB) of the Poplar/Cotton Center Community Plan. Residential subdivisions are planned and encouraged within the UDB. No growth in excess of that planned for the area will occur as a result of this project.

d) Less Than Significant Impact. The project is within the UDB designated for future residential development, therefore, there will be no substantial change in location or distribution. The land use designation under the Poplar/Cotton Center Community Plan is Medium Density Residential with 4 to 14 units per acre, with a

minimum lot size of 3,000 square feet. The proposed project will create a density of 4.55 units per gross acre and an average lot size of 6,987 square feet. The proposed project will comply with the General Plan density

e) No Impact. The proposed project will not cause the displacement of existing housing

f) No Impact. The proposed project will not cause the displacement of people.

g) No Impact. The proposed project helps meet the Tulare County Housing Element (2003) objectives for providing quality housing for residents of rural communities such as Poplar. The Tulare County Housing Element projects a need for 391 housing units in Poplar by 2008; the project's 81 units will help meet this need.

### 13. PUBLIC OR UTILITY SERVICES

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

- |                                      |                          |                          |                                     |                          |
|--------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Fire protection?                  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Police protection?                | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Schools?                          | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Parks?                            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Electrical power or natural gas?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Communication?                    | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Other public or utility services? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Analysis:**

a) Less Than Significant Impact. The proposed project will add 81 dwelling units to the area. This will result in an increase in the need for fire protection services and infrastructure such as fire hydrants. A condition of approval has been proposed that would require the developer to install a fire hydrant system in accordance the Tulare County Subdivision Ordinance and Tulare County Fire Department. Fire protection will be provided by the County substation located in Poplar, and a fire protection system will be required to be installed for the proposed residential subdivision in compliance with the County Subdivision Ordinance and Improvement Standards.

b) Less Than Significant Impact. The proposed project will add 81 dwelling units to the area. This will result in an increase in the need for police services. Police protection will be provided by the County Sheriff's substation in Pixley. Development of the proposed subdivision within the Urban Development Boundary should not impose any unusual demands on area police services.

c) Less Than Significant Impact. The proposed project will create an increase in school age children attending public schools in the Pleasant View Elementary School District and the Porterville Unified School District. These District's have implemented developer fees that will cover the costs of accommodating the development; therefore, this impact is reduced to less than significant.

d) Less Than Significant Impact. Additional community parks are not planned, but compliance with Tulare County park dedication and mitigation requirements will address this potential impact. The impact on parks is therefore considered less than significant with mitigation (See section 14a and b)

e) Less Than Significant Impact. Electricity and natural gas to the subject site will be provided by Southern California Edison and Southern California Gas Company. The Southern California Gas Company recommends a six foot public utility easement or a six-foot frontage strip in all lots facing the street. There was no indication that there will be any issues in providing electrical service. Therefore, the proposed project will

not have a significant impact on the need for additional power or natural gas facilities.

f) Less Than Significant Impact. The proposed project site will be served by AT&T. This would not have a significant impact on the need for additional communications facilities.

g) Less Than Significant Impact. Domestic water and sewer services will be supplied by the Poplar Community Service District, who has issued a Will Serve letter to provide infrastructure service to the proposed project site.

**14. RECREATION**

- 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?

Analysis:

a) – b) Less Than Significant Impact. Additional neighborhood and community parks are not planned as part of the subdivision. The addition of approximately 266 persons to the community will result in the added use of existing parkland and facilities creating slight deterioration. As required by California Government Code §66477, the developer will be required to pay fees in lieu of parkland dedication. The impact on parks and recreation is therefore considered less than significant.

**15. TRANSPORTATION / TRAFFIC**

*Would the project:*

- a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- b) Exceed, either individually or cumulatively, a level of service standard established by the County Circulation Element?
- c) Result in a change in air, rail or water-borne traffic patterns, including either a significant increase in traffic levels or a change in location that results in substantial safety risks?
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses, hazards or barriers for vehicles, pedestrians, or bicyclists?
- e) Result in inadequate emergency access?
- f) Result in inadequate parking capacity?
- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus

turnouts, bicycle racks)?

h) Substantially accelerate physical deterioration of public and/or private roads?

**Analysis:**

a) Less Than Significant Impact. Based on Institute of Transportation Engineers, Trip Generation, 7th Edition, average trip generation rate for single-family residential development of 9.57 trips per dwelling unit, the proposed project will produce 2,508 trips per day. Caltrans has identified intersection of Road 192 and State Route (SR) 190 to be a critical intersection and a traffic study has been completed for this project. Additional intersections in the traffic study included: SR 190/Road 191, Avenue 145/Road 192, Avenue 146/Road 192, Avenue 148/Road 192, and Avenue 152/Road 192. Traffic counts were conducted on February 14, 2007. The AM peak hour is identified as one hour of peak traffic flow between 7:00 AM and 9:00 AM and the PM peak hour is identified as one hour of peak traffic flow between 4:00 PM and 6:00 PM. The results of the study are shown below.

**Table 5  
Intersection Level of Service Summary – Weekday AM Peak Hour**

Intersection	Existing		Existing Plus Project		Near-Term with Project		Cumulative with Project	
	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
State Route 190 & Road 191	10.6	B	10.6	B	10.6	B	13.0	B
State Route 190 & Road 192	9.4	A	10.1	B	10.4	B	26.6	D
Avenue 145 & Road 192	10.6	B	12.0	B	12.1	B	14.9	B
Avenue 146 & Road 192	10.5	B	11.4	B	11.5	B	14.2	B
Avenue 148 & Road 192	10.7	B	12.0	B	12.2	B	16.1	C
Avenue 152 & Road 192	9.0	A	9.7	A	9.8	A	20.2	C

**Table 6  
Intersection Level of Service Summary – Weekday PM Peak Hour**

Intersection	Existing		Existing Plus Project		Near-Term with Project		Cumulative with Project	
	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
State Route 190 & Road 191	10.7	B	11.3	B	11.4	B	14.5	B
State Route 190 & Road 192	11.5	B	13.9	B	14.7	B	133.5	F
Avenue 145 & Road 192	12.8	B	15.9	C	16.3	C	28.6	D
Avenue 146 & Road 192	12.6	B	15.5	C	15.8	C	27.2	D
Avenue 148 & Road 192	12.1	B	14.0	B	14.2	B	22.3	C
Avenue 152 & Road 192	11.2	B	12.8	B	13.1	B	69.9	F

• The results of the intersection analyses indicate that the study intersections are currently operating at acceptable levels of service and are expected to continue to operate at acceptable levels of service after construction of the proposed project.

Finally, the traffic study found that the road segments in the project area are currently operating at acceptable levels of service and are expected to continue to operate at acceptable levels of service with construction of the proposed project through the year 2030. The proposed project will generate a negligible volume of truck traffic and is not expected to increase the existing traffic index; therefore, road reconstruction and/or overlay is not required. It is anticipated that the pavement will continue to require routine maintenance.

b) Less Than Significant With Mitigation Incorporated. The future cumulative-conditions intersection analyses indicate that the following intersections are expected to operate at unacceptable levels of service on at least one turning movement:

- SR 190 / Road 192
- Avenue 145 / Road 192
- Avenue 146 / Road 192
- Avenue 152 / Road 192

The traffic study determined that traffic signals will be clearly warranted at the following intersections by the year 2030 based on the projected traffic volumes:

- SR 190 / Road 192
- Avenue 152 / Road 192

The traffic study also found that traffic signals are not warranted at the remaining two intersections based on the projected 2030 traffic volumes. The study concluded that all-way stop control will provide acceptable levels of service at the following intersections in the year 2030:

- Avenue 145 / Road 192
- Avenue 146 / Road 192

In order to mitigate the proposed project's fair share of the cumulative impacts, the following mitigation measure shall be implemented:

1. The subdivider shall contribute their fair share of the cumulative impacts following fair share calculations presented in the Caltrans *Guide for the Preparation of Traffic Impact Studies*, dated December 2002. The estimated amounts are shown below:

**Table 7**  
**Fair Share Responsibility Calculations - Weekday PM Peak Hour**

Location	Mitigation	Project Traffic	Existing Traffic	Future Traffic	Fair Share	Cost Estimate	Project Share
State Route 90 & Road 192	Signalization	129	767	1,675	14%	\$250,000	\$35,000
Avenue 145 & Road 192	All-way stop	135	543	1,034	27%	\$5,000	\$1,350
Avenue 146 & Road 192	All-way stop	136	501	1,019	27%	\$5,000	\$1,350
Avenue 152 & Road 192	Signalization	112	829	1,766	12%	\$250,000	\$30,000

- c) No Impact. No travel by air, rail, or water to the subject site is proposed in this project.
- d) No Impact. No hazardous design features are included in the proposed project. The subdivision and related road improvements will be designed in accordance with standard engineering practices and Tulare County standards. This will prevent new hazardous conditions from occurring as the area is developed.
- e) Less Than Significant Impact. Streets will be designed per County standards for safe emergency access.
- f) Less Than Significant Impact. Parking requirements will be as required by the zoning ordinance and will be adequate for single family residential development.
- g) Less Than Significant Impact. The streets and sidewalks serving the subdivision and future commercial development (see note) will be designed to allow the safe movement of all modes of transportation including cars, buses, bicycles and pedestrians consistent with County of Tulare development policies.
- h) Less Than Significant Impact. Tulare County recommends that an assessment district that would pay for the long-term maintenance of the roads be formed as a condition of approval of the project. With the addition of this condition, the impact of additional vehicular traffic generated by the proposed project will be mitigated to less than significant.

Note: No development has been proposed for the area designated for commercial zoning; however, if the requested change in zoning is approved, and further, if the requested C-1 Zone is combined with the recommended SR (Site Review Combining) Zone designation, there will be a mechanism in place to allow for implementation of the site plan review process as set forth in Section 16.2 or 18.6 of the Zoning Ordinance. This is a discretionary permit process which will trigger environmental review of specific future development proposals on the subject site and will allow for the adoption of site specific conditions of approval and mitigation measures, if deemed necessary by Site Plan Review Committee and the CEQA processes.

**16. UTILITIES AND SERVICE SYSTEMS**

*Would the project:*

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b) Require or result in the construction of new water or wastewater treatment or collection facilities or expansion of existing facilities, the construction of

- |                                                                                                                                                                                                                                     |                          |                          |                                     |                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| which could cause significant environmental effects?                                                                                                                                                                                | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction which could cause significant environmental effects?                                          | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Have insufficient water supplies (including fire flow available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?                                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?                                                                                                            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Violate federal, state, and local statutes and regulations related to solid waste?                                                                                                                                               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Analysis:

a) b) Less Than Significant Impact. The proposed project will increase the demand for sewage treatment capacity. The project will be served by the Poplar Community Service District. A condition of approval has been included that will require the Will Serve letter to be obtained prior to the project approval of the Tract Map. This impact will be less than significant with the assurance of the Poplar Community Service District that capacity is available to serve the project.

c) Less Than Significant Impact. The proposed project may require the construction of new storm water drainage facilities as part of the development. The new facilities will be of adequate design and capacity to reduce this impact to less than significant. The proposed project will be subject to grading and drainage standards required by State and local laws including County Ordinance and Development Standards. The subdivider will comply with air and water regulations to prevent significant impacts from occurring during construction.

d) Less Than Significant Impact. Water supplies will be provided by Poplar Community Service District. Tulare County Health and Human Services Agency recommends that a Will Serve letter be provided for the subdivision as a condition of approval of the project. With the Will Serve letter, the impact on water supply will be less than significant. Fire flow design and fire hydrant systems are to be reviewed by County Fire Department personnel and will be subject to specific conditions of approval for conformance with local and State fire and safety codes.

e) Less Than Significant Impact. See item a) above.

f) Less than Significant Impact. Tulare County Resource Management Agency operates three active class III landfills within the vicinity of the project. The Visalia Disposal Site located on Road 80 at Avenue 332 will serve the solid waste disposal needs for the proposed project. Surveys performed on March 31, 2006 revealed a remaining disposal capacity of 16,145,591 cubic yards. Visalia Disposal Site is permitted to receive up to 2,000 tons of waste per day although the current average received is 500 tons per day. The California Integrated Waste Management Board (CIWMB) has estimated the closure date of Visalia Disposal Site as December 31, 2026, however, the site's boundary is 631 acres, of which only 247 acres of land is currently permitted as disposal acreage. The Tulare County Resource Management Agency has applied for a 150 acre expansion to the permitted disposal acreage. The landfill's lifespan will be increased significantly when the expansion is approved by CIWMB. Tulare County has sufficient land fill capacity to accommodate growth projected in the General Plan. This impact is considered less than significant.

g) No Impact. Solid waste must be disposed of following the requirements of the contracted waste hauler, which follows federal, state, and local statutes and regulations related to the collection of solid waste. Since the solid waste stream will be typical for residential development, it is not likely that statutes or regulations would be violated.

Note: No development has been proposed for the area designated for commercial zoning; however, if the requested change in zoning is approved, and further, if the requested C-1 Zone is combined with the recommended SR (Site Review Combining) Zone designation, there will be a mechanism in place to allow for implementation of the site plan review process as set forth in Section 16.2 or 18.6 of the Zoning Ordinance. This is a discretionary permit process which will trigger environmental review of specific future development proposals on the subject site and will allow for the adoption of site specific conditions of approval and mitigation measures, if deemed necessary by Site Plan Review Committee and the CEQA processes.

**17. MANDATORY FINDINGS OF SIGNIFICANCE**

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                          |                                     |                          |                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| 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, reduce the number or restrict the range of an endangered, rare or threatened plant or animal species, or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| b) Does the project have environmental impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means 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)?                                                                                                                                      | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Analysis:

a) – c) Less Than Significant Impact. Based on the analyses above, findings of "less than significant impacts with mitigation incorporation" were identified. The implementation of mitigation measures is expected to reduce impacts to a level "less than significant". Application and enforcement of State standards and/or County ordinances and/or standard conditions of approval will also reduce certain project impacts described above to less than significant.

## RECOMMENDED FINDINGS IN SUPPORT OF APPROVAL FOR TM 799/PZ 07-005.

1. The proposal is for a change of Zone on 64.1 acres from AE-20 (Exclusive Agricultural 20 acres minimum) to 57.6 acres of R-1 (Single-Family Residential) Zone and 6.5 acres of C-1-SR (Neighborhood Commercial-Site Plan Review) and a Vesting Tentative Subdivision Tract Map (TM 799) to divide a 64-acre site into 81 single family residential lots, an Outlot A (6.5 acres for future commercial development), and Outlot B (.63 acres for dedication to the Tule River Irrigation District) and a Remainder Lot of 37.83 acres (for future residential development). (Note: Pursuant to the State Map Act Section 664574.2 and 66498.1, approval of a vesting tentative map confers a "vested right" to develop in substantial compliance with the ordinances, policies and standards in effect when the application was determined complete.
2. The site is located on the north side of Avenue 144 (State Highway 190/Poplar Avenue), between Road 184 and Road 190 (Hale Avenue) in Poplar, CA, Tulare County. APN 237-140-025, 237-150-050, 237-170-001, 237-180-002 and 237-190-002. Section 34, Township 21 South, Range 26 East, MDB&M.
3. The Poplar/Cotton Center Community Plan designates the subject site as "Medium Density Residential," "Public/Quasi Public," and "Commercial." The Poplar/Cotton Center Community Plan designates Road 190 (Hale Avenue) as a "Collector," Road 192 (Mountain View) as a "Minor Arterial," State Route 190/Avenue 144 as a "Minor Arterial" through Poplar, and Road 184 as a "Local Road."
4. The Urban Boundaries Element indicates the site is within the Urban Development Boundary of Poplar-Cotton Center.
5. The Noise Element indicates that State Route 190/Avenue 144 is a noise impacted corridor for 60 dB in 2010. Tulare County policy requires noise avoidance measures based on acoustical analysis prior to construction of the residential structures within this area. Residential development is not considered to be a noise generating use under the Element.
6. The 2003 Housing Element identifies the projected need for Poplar/Cotton Center as being at least 13 additional housing units by 2008. The project will provide and exceed the projected need. The existing housing stock was estimated to be 378 housing units in 2001. There is also a need for low-cost housing which is primarily unavailable in nearby cities. The proposed project meets the objectives set forth by the Housing Element by creating residential development to help meet the community's housing needs.
7. The project (TM 799), upon approval of the Change of Zone PZ 07-005 is consistent with the County's General Plan Elements and the Zoning Ordinance, with the exception of the circulation plan. The residential subdivision does not propose to construct a north/south collector street through the subdivision site as planned in the Poplar/Cotton Center Community Plan. (see attached Circulation Plan)
8. The site is zoned AE-20 and is presently vacant. The surrounding areas are zoned R-1, R-2, R-3, and AE-20 with single family homes, multi-family apartments, an elementary school, orchards and a ponding basin.
9. The applicants have filed Change of Zone No. PZ 07-005 for a change from AF-20 on the 64.1 acres to R-1 (57.6 acres) and C-1 (6.5 acres). The R-1 (Single Family Residential) Zone is consistent with the "Medium Density Residential" designation. The C-1 (Neighborhood Commercial) Zone is consistent with planned urban development and "Medium Density Residential."

10. The R-1 (Single Family Residential) Zone is an exclusive zone for single family residential use. Residential development is limited to one single family residence of a permanent character or one single manufactured home installed on a foundation system for the property owner or lessee. Based on these criteria, each proposed lot will be allowed to contain only one residence.
11. The site will contain 81 single family residential lots, with an average lot size of 6,987 square feet. An adequate storm drainage basin will need to be constructed if the ponding basin constructed with TM 719 does not have sufficient capacity for the proposed project. The subdivision will be completed in two (2) phases. The applicant is aware that certain improvements (i.e. infrastructure, parts of the interior roads) will be required to be completed with the first phase of the development, and will have to be completed in logical extension along with the following phases of development.
12. A Preliminary Subdivision (PRE 06-010) was reviewed and approved by the Site Plan Review Committee for the creation of 266 residential lots on the site, with a requirement that a "Will Serve" letter from the Poplar Community Services District be submitted with the Tentative Map.
13. Domestic water and sewer services will be provided by the Poplar Community Service District (PCSD). A Will Serve letter has been provided by the PCSD allowing 81 hookups to their system.
14. Three new roads are proposed through the subdivision extending east/west from Road 190 to Road 184. Curbs, gutters and sidewalks will be provided throughout. Drainage is to go to the ponding basin constructed with TM 719 with eventual tie in to the Poplar Drainage System.
15. A biological survey of the site indicated that it does not support habitat for any protected plant species; however, the site does contain marginally suitable habitat for three wildlife species: burrowing owl, Swainson's hawk, and San Joaquin kit fox. By condition of approval, a pre-construction survey.
16. The Environmental Assessment Officer has approved a Mitigated Negative Declaration for this vesting tentative map, indicating that the proposal will not have any environmental impacts that cannot be mitigated to a level which is less than significant.

#### **RECOMMENDED CONDITIONS OF APPROVAL FOR TM 799:**

##### Engineering Division:

1. All public improvements serving this subdivision shall be constructed in accordance with the Tulare County Improvement Standards, unless and except as standards are modified herein.
2. All utility easements shall be shown on the final map.
3. All water, gas, electric, telephone, cable television, storm drain, and related infrastructure to be extended along any road in the subdivision, or adjacent to the subdivision, shall be located within road rights-of-way and constructed prior to surfacing of roads.
4. The subdivider shall make all necessary arrangements for the relocation of all overhead

and underground public utility facilities that interfere with any improvement work required of this subdivision. In addition, the subdivider shall also make necessary arrangements with the public utility company affected for the cost of relocating such facilities, as no relocation costs will be borne by the County

5. The subdivider shall be responsible for the cost of materials and installation for street name and traffic signs at locations recommended by the County Engineer. Installation of street name and traffic signs will be done by the Resource Management Agency and the cost for such subsequently reimbursed by the subdivider.
6. A registered civil engineer shall prepare improvement plans. The improvement plans shall address all aspects of constructing the public improvements and shall identify existing topography, lot grading and proposed contours for the development, road improvement details, drop inlets, top of curb elevations, storm drain lines and storm drainage system details, sewer and water system details, street light locations, street sign locations utility relocations and any other details relevant to constructing the public improvements. All water lines, sewer lines and storm drain lines and related infrastructure shall be located within public road rights of way. Hydraulic calculations shall be submitted with the improvement plans justifying the drainage system design. The storm drainage system shall be designed based on a 10-year, 10-day storm frequency. The improvement plans shall be submitted to and approved by the Tulare County RMA before initiation of construction.
7. Road improvements for this subdivision are required to consist of a 60-foot right-of-way constructed to a 40-foot curb-to-curb pattern in conformance with Class 2 county road improvements standards.
8. Top of curb grades within the proposed subdivision shall be designed to prevent water from standing no more than 9 inches above the top of curb during primary drainage system failure. All runoff collected by the curb and gutter shall be directed to the drainage basin.
9. The subdivider or his contractor shall obtain all necessary encroachment permits from the Tulare County RMA before performing work within the County road rights-of-way of Tule Avenue and Avenue 145.
10. All lots shall be adequately drained and sloped in such a manner that surface water runoff is directed to the curb and gutter pursuant to Section 7-01-1320(c) of the Subdivision Ordinance.
11. One-foot reserve strips dedicated to the County of Tulare in accordance with Section 7-01-1270 of the Subdivision Ordinance are required at locations that are divided by phases. Standard barricades shall be constructed at the end of all stub streets shown in Plate A-23 to prevent access to and from adjacent un-subdivided land.
12. The subdivider shall submit an application and pay the required fee to the Tulare County RMA for the formation of an assessment district for the maintenance of the public streets and roadways within the boundary of the subdivision. Formation of the assessment district must be completed before recordation of the final map. The formation process will begin at the time the application and fee are received. The subdivider may also submit proof to the Tulare County RMA of an alternative means of providing for permanent, long-term maintenance of public streets and roadways such as a homeowners association. This

alternative means shall be approved by the Tulare County RMA and the process completed before the recordation of the final map.

13. The subdivider shall submit an application and pay the required fee to the Tulare County RMA for the formation of an assessment district for the permanent, long-term maintenance of the storm drainage system. The process to form an assessment district takes approximately five months and must be completed before the recordation of the final map. The subdivider may submit proof to the Tulare County RMA of another means of providing for permanent, long-term maintenance of the storm drainage system. This other means will need to be approved by the Tulare County RMA and the process completed before the recordation of the final map for the first phase.

Noise:

14. In order for an exterior noise level of 65 dBA to be acceptable under the Tulare County General Plan, application of the best available noise reduction technology is required, as follows:
  - The applicant/subdivider shall provide a "windows closed" condition for all residential units. A windows closed condition requires a means of mechanical ventilation per the Uniform Building Code standards. This shall be achieved with standard air conditioning or a fresh air intake system.
  - The applicant/subdivider shall provide exterior walls with a minimum Sound Transmission Class rating of 46 for all residential units.
  - The applicant/subdivider shall install window and door assemblies in the proposed project's structures that are well fitted, weather-stripped, and free of oversize cut-outs and openings that unnecessarily increase interior noise exposure.
  - The applicant/subdivider shall ensure that all air ducts and vents for the residential units shall either (1) incorporate sound baffle ducting or (2) be oriented away from the respective traffic noise source and incorporate at least 6 feet of flexible fiberglass ducting and at least one 90-degree bend.

Environmental Health Division:

15. Domestic water and sewer services shall be obtained from the Poplar Community Service District. The applicant shall submit a "Will Serve" letter from the District to the Tulare County Environmental Health Services Division prior to the public hearing. The "Will Serve" letter shall include the following items:
  - a. Total number of service connections to be served.
  - b. Total water pressure provided at each service connection ( a minimum of 20 psi).
  - c. That the public utility district is in compliance with the State regulatory agencies.
16. Any out-of-service wells, septic tanks, or underground storage tanks encountered during construction, shall be properly abandoned in accordance with the Tulare County Well Ordinance to the satisfaction of the HHSA, Environmental Health Services Division.

Fire Department:

17. The water supply system shall be designed with adequate capacity for fire flows as required by the Improvement Standards.
18. The applicant shall install a fire hydrant system in compliance with the Tulare County Improvement Standards prior to the recording of the final map. New fire hydrants shall be

installed at locations and to the specifications of the Tulare County Fire Warden in coordination with the Pixley Public Utility District. Copies of the improvement plans shall be submitted to the Fire Warden's Office (2 copies) and the Tulare County Resource Management Agency-Engineering Division (2 copies) for review and approval prior to construction.

19. Blue raised reflective markers shall be located in the street to identify fire hydrant locations to the specifications of the Tulare County Fire Warden.
20. If street lights are installed, such installation shall coincide with the locations of fire hydrants wherever possible.

Department of Fish & Game:

21. A qualified biologist shall conduct a pre-construction survey for suitable burrows for the San Joaquin kit fox. If suitable burrows are present, then the qualified biologist shall conduct an early evaluation in accordance with USFWS San Joaquin Kit Fox Survey Protocol for the Northern Range (Sacramento Fish and Wildlife Office [SFWO] 1999). The evaluation shall be submitted to SFWO for review and determination on whether the project site represents kit fox habitat, the quality of the habitat, and the value of that habitat to the recovery of kit fox. If it is determined that the project will not result in take, the project applicant may proceed with the project (pending receipt of all other applicable permits and/or mitigation requirements). Should SFWO determine that take will occur, then consultation shall be initiated with the applicant (Section 10 consultation) or with a federal permitting agency (Section 7 consultation). Mitigation requirements will be determined based on the results of the consultation and shall be implemented prior to project initiation.
22. Prior to project initiation CDFG shall be contacted and a 30-day pre-construction survey will be conducted for active nests within 1/2 mile of the project site. If proposed project construction occurs during the nesting season for Swainson's hawk (March 1 - September 15), a qualified biologist will be present during construction activities. If an active nest is located, CDFG shall be contacted to determine if project construction may proceed during the nesting season.

If active nest are determined to be onsite mitigation for loss of foraging habitat shall occur in accordance with the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California (CDFG 1994). Mitigation guidelines in this report are based upon project distance to the active nest tree.

If no additional active nests are identified, mitigation for loss of foraging habitat shall occur for active nest located 9 miles northeast of the project site. For each acre of foraging habitat impacted, 0.50 acre of suitable foraging habitat shall be protected through fee title acquisition or through purchase of credits at an approved habitat mitigation bank.

23. A pre-construction survey for burrowing owl shall be conducted by a qualified biologist no more than 30 days prior to grading of the project site. In accordance with the CDFG Staff Report on Burrowing Owl Mitigation (Staff Report) (CDFG 1995), the survey shall be conducted within the project site, and in areas within 500 feet of the project impact zone. If no suitable burrows are detected, no additional mitigation is required. If suitable burrows are detected, a focused survey shall be conducted after sunset and before sunrise to determine whether the burrows are occupied by burrowing owls. If burrowing owls are not detected, then no additional mitigation is necessary.

If active burrows are detected, impacts may be avoided by restricting project activities to at least 160 feet from occupied burrows during the non-breeding season (September 1 through January 31), or within 250 feet during the breeding season (February 1 through August 31). In addition, a minimum of 6.5 acres of foraging habitat shall be permanently preserved contiguous with occupied burrow sites for each pair of breeding owls or single unpaired resident birds.

If avoidance is not possible, then owls shall be passively relocated from the project site outside of the breeding season (September 1 through January 31). Mitigation for loss of burrow habitat shall be implemented in accordance with the Staff Report, or with the California Burrowing Owl Consortium's (CBOC) Burrowing Owl Survey Protocol and Mitigation Guidelines (CBOC 1993).

24. If suitable avian nesting habitat is intended to be removed during the nest season (February 1 through August 31), a qualified biologist shall conduct a nesting bird survey to identify any potential nesting activity. If passerine birds are found to be nesting, or there is evidence of nesting behavior within 250 feet of the impact area, a 250-foot buffer shall be required around the nests. No vegetation removal or ground disturbance shall occur within the 250-foot buffer. For raptor species—birds of prey (e.g., hawks and owls)—this buffer shall be 500 feet. A qualified biologist shall monitor the nests closely until it is determined that the nests are no longer active, at which time construction activities may commence within the buffer area. Construction activity may encroach into the buffer area at the discretion of the biological monitor.

California Department of Transportation:

25. The developer shall pay a pro-rata share of off-site road improvements to County of Tulare roads impacted by the project or pay into a Developer Impact Fee Program, if one is adopted.

Air Pollution Control Board:

26. The applicant/subdivider shall implement the construction mitigation measures to control fugitive dust recommended by the San Joaquin Valley Air Pollution Control District. A Dust Control Plan shall be submitted to the San Joaquin Valley Air Pollution Control District for construction on 10 or more acres.

Planning:

27. In accordance with Section 7-29-1070(a) of the Tulare County Ordinance Code, the contents of the attached Right to Farm Notice shall be placed in a prominent location on the final map for acknowledgement by the subdivider; or the notice itself shall be signed by the subdivider and recorded on a separate map sheet to accompany the final map.
28. If during construction or grading activities on the site, any resources of historic or prehistoric nature are discovered, all construction or grading shall temporarily cease the Tulare County Resource Management Agency Director shall immediately be notified of the discovery. Further development shall not continue until the Tulare County Resource Management Agency Director certifies that appropriate recovery measures, if deemed necessary, have been completed.

## ATTACHMENT NO. 2

### STANDARD CONDITIONS OF APPROVAL FOR SPECIAL USE PERMITS

(Reference Planning Commission Resolution No. 5976 as amended by 6013, 6334 and 6702)

1. Development shall be in accordance with the plan(s) as submitted by the applicant and/or as modified by the Planning Commission (Planning Commission Exhibit "A") and with the Site Plan Development Standards pertaining to a use of this type adopted by the Planning Commission on February 20, 1970.
2. Regardless of Condition No. 1 above, the Planning and Development Director is authorized to approve minor modifications in the approved plans upon a request by the applicant, or his successors as long as said modifications do not materially affect the determination of the Planning Commission. Such modifications shall be noted on the approved plans and shall be initialed by the Planning and Development Director.
3. All exterior lighting shall be so adjusted as to deflect direct rays away from public roadways and adjacent properties.
4. The proposed facility shall be maintained and operated in accordance with all State and County health regulations.
5. Any structures built shall conform to the building regulations and the building line setbacks of the Ordinance Code of Tulare County insofar as said regulations and setbacks are applicable to such structures.
6. The conditions set down herein which require construction of improvements shall be complied with before the premises shall be used for the purposes applied for, in order that the safety and general welfare of the persons using said premises, and the traveling public, shall be protected. The Planning and Development Director may grant exceptions to this condition upon request by the applicant.
7. This Special Use Permit shall automatically become null and void two (2) years after the date upon which it is granted by the Planning Commission, unless the applicant, or his/her successor, has actually commenced the use authorized by the permit within said two year period. The Planning Commission may grant one or more extensions of said two year time, upon request by the applicant.
8. This Special Use Permit will not be effective until ten (10) days after the date upon which it is granted by the Planning Commission and until the applicant, at his own expense, has executed and filed with the County Recorder, a certified copy of the resolution of the Planning Commission granting said permit with a duly authorized acceptance, in the form approved by the County Counsel, endorsed thereon.
9. All standard conditions and all special conditions of approval of this Special Use Permit must be complied with at all times in order to continue the use allowed. Compliance with such conditions is subject to review at any time. Normally, an initial review of compliance shall be conducted by the Tulare County Planning Commission twelve (12) months after the granting of said permit; however, the Planning Commission may schedule the review sooner under certain circumstances. Additional reviews may be undertaken at the discretion of the Planning Commission.
10. This Special Use Permit shall automatically expire and become null and void two (2) years after the use for which it was granted is discontinued or abandoned. However, upon application by the applicant, or his/her successor, the Planning Commission may extend the expiration date in accordance with the procedures set forth in the Zoning Ordinance.



# RESOURCE MANAGEMENT AGENCY

5961 South Morning Blvd.  
Visalia, CA 93277  
Phone (559) 733-2700  
Fax (559) 733-0650

Board of Directors	Engineering
Administrative	Development Services
Planning	Transportation
Community Development	Land Use Planning
Inspection	Support Services
Regulatory	Administrative Services

9/18/06 10:00 AM

9/18/06 10:00 AM

September 18, 2006

Western Ag Realty, Inc.  
Attention: Kevin Garcia  
644 E. Olive  
Madera, CA 93638

SUBJECT: Design Conference Report for Preliminary Subdivision No. PRF 06 010

Dear Mr. Garcia:

On August 25, 2006, and September 8, 2006, the Site Plan Review Committee considered your preliminary subdivision to divide 57.64 acres into 266 lots in the AE-20 (Exclusive Agricultural-20 acre minimum) Zone. The site is located on the north side of Avenue 144 (State Highway 190/Poplar Avenue), between Road 184 and Road 190 (Hale Avenue), in the Community of Poplar.

The meetings were attended by Beverly Cates, RMA Project Review Division, Sabine Geaney, Tulare County Environmental Health Services Division, Mike Whitlock (August 25<sup>th</sup>) and Craig Anderson (September 8<sup>th</sup>), Tulare County RMA-Engineering Branch, Gary Rhoden, Tulare County Fire Department, Charlotte Brusuelas (August 25<sup>th</sup>) and Frances Tirado (September 8<sup>th</sup>), RMA Project Planners, Ken Valley, agent and yourself. On the basis of the comments submitted by various State and local agencies, the Site Plan Review Committee approved the preliminary subdivision by Resolution No. 06-160 (enclosed) and recommended that the following additions and/or modifications be incorporated into, and/or submitted with, the tentative subdivision prepared for this project:

1. Submit an application for a change of zone from AE-20 to R-1 (Single Family Residential), to be processed in conjunction with the Tentative Subdivision Map.
2. Provide a "will serve" letter from the Poplar Community Services District. Currently, the District cannot issue a "will serve" letter for the entire subdivision.
3. All new streets shall be named on the Tentative Subdivision Map.
4. A Traffic Impact Study shall be prepared in accordance with the Poplar-Cotton Center Community Plan.
5. Phasing of the subdivision shall be shown on the Tentative Subdivision Map.
6. Submit applications and maps along with any necessary exceptions.

7. A written evaluation of the existing ponding basin on Tract 719, to the west of the subject site, shall be prepared by an engineer to determine if the basin can accommodate the additional drainage from the current proposal. The evaluation shall be submitted with the Tentative Subdivision Map.

The Site Plan Review Committee also identified the following preliminary conditions of approval if this project is approved. Please be advised that these conditions may be added to, modified and/or deleted prior to or during the course of the public hearing(s) on this matter.

1. All public improvements serving this subdivision shall be constructed in accordance with the Tulare County Improvement Standards, unless and except as standards are modified herein.
2. All utility easements shall be shown on the final map.
3. All water, gas, electric, telephone, cable television, storm drain, and related infrastructure to be extended along any road in the subdivision, or adjacent to the subdivision, shall be constructed prior to surfacing of roads.
4. The subdivider shall make all necessary arrangements for the relocation of all overhead and underground public utility facilities that interfere with any improvement work required of this subdivision. In addition, the subdivider shall also make necessary arrangements with the public utility company affected for the cost of relocated such facilities, as no relocation costs will be borne by the County.
5. The subdivider shall be responsible for the cost of materials for street name and traffic signs at locations recommended by the County Engineer. Installation of street name and traffic signs will be done by the Resource Management Agency and the cost for such subsequently reimbursed by the subdivider.
6. A registered civil engineer shall prepare improvement plans. The improvement plans shall address all aspects of constructing the public improvements and shall identify existing topography, lot grading and proposed contours for the development, road improvement details, drop inlets, top of curb elevations, storm drain lines and storm drainage system details, sewer and water system details, street light locations, street sign locations utility relocations and any other details relevant to constructing the public improvements. All water lines, sewer lines and storm drain lines and related infrastructure shall be located within public road rights of way. Hydraulic calculations shall be submitted with the improvement plans justifying the drainage system design. The storm drainage system shall be designed based on a 10-year, 10-day storm frequency. The improvement plans shall be submitted to and approved by the Tulare County RMA before initiation of construction. The ponding basin constructed with Tract 719 shall be evaluated to determine if the existing basin can accommodate the additional drainage from this development.

7. Road improvements for this subdivision are required to consist of a 60-foot right-of-way constructed to a 40-foot curb to-curb pattern in conformance with Class 2 County road improvement standards.
8. Top of curb grades within the proposed subdivision shall be designed to prevent water from standing no more than 9 inches above the top of curb during primary drainage system failure. All runoff collected by the curb and gutter shall be directed to the drainage basin.
9. The subdivider or his contractor shall obtain all necessary encroachment permits from the Tulare County Resource Management Agency before performing work within the County rights-of-way.
10. The cost and installation of street lights and attendant facilities, including conduits and junction boxes for future street lights, shall be the responsibility of the Subdivider; these shall be installed at locations specified by the County Engineer or his designee in accordance with the general policy for installation of street lights established by the Board of Supervisors. The subdivider shall enter into an agreement with the County that requires the subdivider to make a pole deposit with the Tulare County RMA to pay for the future installation of street light poles. The County shall be responsible for the installation of the street light poles at such time that the warrants established by the Board of Supervisors are met. The County shall pay for the installation of the street light poles using the pole deposit made by the subdivider. If any pole deposit funds remain after the street light poles are installed, the remaining funds shall be released to the subdivider. A detailed master drainage and grading plan prepared by a Registered Civil Engineer showing stormdrain lines, drop inlets, top of curb elevations and the ponding basin shall be submitted to and approved by the RMA, Engineering Division prior to recordation of the final map.
11. All lots shall be adequately drained and sloped in such a manner that surface water runoff is directed to the curb and gutter pursuant to Section 7-01-1320(c) of the Subdivision Ordinance.
12. The subdivider shall submit an application and pay the required fee to the Tulare County RMA for the formation of an assessment district for the permanent, long-term maintenance of the storm drainage system. Formation of the must be completed before the recordation of the final map. The formation process will begin at the time the application and fee are received. The subdivider may submit proof to the Tulare County RMA of another means of providing for permanent, long-term maintenance of the storm drainage system. This other means will need to be approved by the Tulare County RMA and the process completed before the recordation of the final map for the first phase.
13. The subdivider shall submit an application and pay the required fee to the Tulare County RMA for the formation of an assessment district for the maintenance of the public streets and roadways within the boundary of the subdivision. Formation of the assessment district must be completed before the recordation of the final map. The formation process will begin at the time the application and fee are received.

The subdivider may also submit proof to the Tulare County RMA of another means of providing for permanent, long-term maintenance of the public streets and roadways such as a homeowners association. This other means will need to be approved by the Tulare County RMA and the process completed before the recordation of the final map.

14. One-foot reserve strips dedicated to the County of Tulare in accordance with Section 7-01-1270 of the Subdivision Ordinance are required at locations that are divided by phases. Standard barricades shall be constructed at the end of all stub streets shown in Plate A-23 to prevent access to and from adjacent un-subdivided land.
15. The final subdivision map shall designate easements for public utilities as determined appropriate for size and location by the serving utilities (Earlimart Public Utility District, Edison International, The Gas Co., AT&T Telephone, the local Cable television provider, and such other utilities as are determined necessary). All utility easements shall be shown on the final map.
16. A letter of service (and statement that the existing and/or proposed easements are sufficient and satisfactory to the utility company or companies) from all interested utilities shall be submitted to the Tulare County Health and Human Services Agency, Environmental Health Services Division and Tulare County Resource Management Agency, Engineering Division.
17. Domestic water and sewer services for all lots shall be acquired from the Poplar Community Services District. A "will serve" letter must be submitted prior to acceptance of the tentative map and renewed if over one year old prior to recordation of the final map. Service lines shall be stubbed to all lots or all improvements shall be bonded for prior to the recording of the final map for each phase. Inspection of the lines at time of installation shall be by the Tulare County Resource Management Agency, Engineering Division in cooperation with the Tulare County Resource Management Agency Area Building Inspector.
18. Any out of service wells, fuel storage or sewage disposal tanks encountered during construction shall be properly abandoned per Tulare County permit requirement.
19. The applicant shall install a fire hydrant system in compliance with the Tulare County Improvement Standards prior to the recording of the final map. New fire hydrants shall be installed at locations and to the specifications of the Tulare County Fire Warden in coordination with the Poplar Community Services District. Copies of the improvement plans shall be submitted to the Fire Warden's Office (2 copies) and the Tulare County Resource Management Agency-Engineering Division (2 copies) for review and approval prior to construction.
20. Blue raised reflective markers shall be located in the street to identify fire hydrant locations to the specifications of the Tulare County Fire Warden.
21. If street lights are installed, such installation shall coincide with the locations of fire hydrants wherever possible.

22. The water supply system shall be designed with adequate capacity for fire flows as required by the Improvement Standards.
23. A fire hydrant system shall be installed in compliance with the current Tulare county Subdivision Ordinance, Fire Protection Standards. Hydrants shall be placed in accordance with the Tulare county Fire Department.
24. In accordance with Section 7905(a) of the Tulare County Ordinance Code, the contents of the attached Right to Farm Notice shall be placed in a prominent location on the final map for acknowledgment by the subdivider; or, the notice itself shall be signed by the subdivider and recorded on a separate map sheet to accompany the final map.
25. "Best Practices" for protecting the San Joaquin kit fox shall be implemented during the construction phase of the project.

**ADDITIONAL CONDITIONS**

26. Possible traffic mitigation measures may be imposed resulting from the Traffic Impact Study, as required.

The action taken by the Committee authorizes the applicant to proceed to the next stage. A tentative map and a change of zone may be filed.

Please note that the preliminary site plan approval will expire one year from September 8, 2006. If the tentative subdivision has not been submitted by September 8, 2007, the preliminary approval will expire and no further action may be taken until a new preliminary application has been submitted and processed. A single one-year extension of time may be requested, in writing, prior to the expiration of the preliminary approval.

Respectfully,

  
Charlotte Brustielas, Project Planner  
Project Review Division

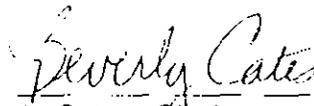
xc: Landmark Surveying & Engineering, 3101 N. Sillect, Suite 105, Bakersfield, CA 93308  
T.C. Environmental Health Department  
T.C. RMA, Engineering Division  
T.C. Fire Warden  
File – PRE 06-010

BEFORE THE SITE PLAN REVIEW COMMITTEE  
COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF DESIGN )  
CONFERENCE REGARDING ) RESOLUTION NO. 06 160  
PRE 06-010 FOR  
WESTERN AG REALTY, INC. )

UPON MOTION OF COMMITTEE MEMBER ANDERSON, SECONDED BY  
COMMITTEE MEMBER GEANEY, THE FOLLOWING WAS APPROVED BY THE SITE  
PLAN REVIEW COMMITTEE AT AN OFFICIAL MEETING HELD SEPTEMBER 8,  
2006, BY THE FOLLOWING VOTE:

AYES: ANDERSON, GEANEY, CATES  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

  
\_\_\_\_\_  
Beverly Cates, Chairperson

\*\*\*\*\*

Approved Preliminary Site Plan Review No. PRE 06-010, with conditions and recommendations as set forth in staff's report and as discussed at the meeting, requested by Western Ag Realty, Inc. (Agent: Landmark Surveying & Engineering) to allow the subdivision of 57.64 acres into 266 lots in the R-1 (Single Family Residential) Zone (currently zoned AE-20 (Exclusive Agricultural-20 acre minimum). The subject property is located on the north side of Avenue 144 (State Highway 190/Poplar Avenue), between Road 184 and Road 190 (Hale Avenue), in the Community of Popular.



RESOURCE MANAGEMENT AGENCY



INTEROFFICE MEMORANDUM

---

JUNE 8, 2007

TO: CHARLOTTE L. BRUSUELAS

FROM: NEALY MILLER (BLDG. DIV.)

SUBJECT: VESTING TENTATIVE SUBDIVISION MAP No. TM 799 & CHANGE OF  
ZONE No. PZ-07-005 FOR WESTERN AG REALTY

Building permits will be required for all new construction on site, including three (3) plot plans, two (2) sets of building plans, and two (2) copies of all engineering data

DESIGN CRITERIA:

Exposure: C

Climate zone: 13

Wind speed: 70 M.P.H.

Seismic zone: 3

97 UBC, 97 UPC, 97 UMC, 02 N.E.C



## INTEROFFICE MEMORANDUM

---

June 19, 2007

**TO:** Charlotte Brusuelas, Project Planner

**FROM:** Craig Anderson, Engineer III

**SUBJECT:** Subdivision Tract Number 799

**OWNER:** Western Ag Realty, Inc.

As shown on the preliminary subdivision map, the developer wishes to develop approximately 57.64 acres into 262 residential lots located in the Community of Poplar to be developed into four phases. The existing ponding basin constructed with Tract 719 shall be evaluated to accommodate this development. The proposed subdivision is located within the Poplar/Cotton Center UIA/UDB as established by the Urban Element of the County's General Plan.

The subdivider shall collect and dispose of surface water runoff by curb, gutter, and a storm drainage system with a discharge conveyed to a ponding basin located within the subdivision pursuant to Tulare County standards. The Board of Supervisors has established a policy, by Resolution No. 93-1375, that the County will not accept new drainage systems in any land division or development unless the subdivider provides a mechanism to fund future maintenance. Therefore, approval of this tentative map is required to be conditional so that the subdivider provides for a funding mechanism (assessment district or homeowners association) before recordation of the final map.

As shown on Panel Number 850B of the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Maps (FIRM) for Community Number 065066 dated September 29, 1986, the subject site is located within Flood Zone C. Construction of buildings within a FEMA Zone C requires no specific flood mitigation measures.

Road improvements within this subdivision shall be constructed in conformance with Class 2 county road standards as defined in the Improvement Standards of Tulare County. Curb, gutter and sidewalks are required across the frontage of all lots within the subdivision. All sidewalk is required to be constructed at time of road improvements unless provisions are made upon the approval of the tentative map to allow sidewalk to be deferred until building permit stage.

The subdivider shall provide an assessment district for the maintenance of the public streets and roadways within the boundary of the subdivision. Approval of this tentative map shall be

conditioned so that the subdivider provides for said assessment district, or other acceptable funding mechanism, before recordation of the final map.

The existing ponding basin was developed with Tract 719 and is maintained by the Poplar Community Services District. A stormdrainage assessment district is not required for this map.

Furthermore, we recommend the following conditions for the approval of the tentative map for Tract 799:

1. All public improvements serving this subdivision shall be constructed in accordance with the Tulare County Improvements Standards, unless and except as such standards are modified within.
2. All utility easements shall be shown on the final map.
3. All water, gas, electric, telephone, cable television, storm drain, and related infrastructure to be extended along any road in the subdivision, or adjacent to the subdivision, shall be constructed prior to surfacing of roads.
4. The subdivider shall make all necessary arrangements for the relocation of all overhead and underground utility facilities that interfere with any improvement work required of this subdivision. In addition, the subdivider shall make all necessary arrangements with the public utility company for the cost of relocating such facilities, as no relocation costs will be borne by the County.
5. The subdivider shall be responsible for the cost of materials and installation for street name and traffic signs at locations recommended by the County Engineer. Installation of street name and traffic signs will be done by the Resource Management Agency (RMA) and the cost for such subsequently reimbursed by the subdivider.
6. A registered civil engineer shall prepare improvement plans. The improvement plans shall address all aspects of constructing the public improvements and shall identify existing topography, lot grading and proposed contours for the development, road improvement details, drop inlets, top of curb elevations, storm drain lines and storm drainage system details, sewer and water system details, street sign locations, utility relocations and any other details relevant to constructing the public improvements. All water lines, sewer lines and storm drain lines and related infrastructure shall be located within public road rights-of-way. Hydraulic calculations shall be submitted with the improvement plans justifying the drainage system design. The storm drainage system shall be designed based on a 10-year, 10-day storm frequency. The improvement plans shall be submitted to and approved by the Tulare County RMA before initiation of construction. The ponding basin constructed with Tract 719 shall be evaluated to determine if the existing basin can accommodate the additional drainage from this development.

7. Road improvements for this subdivision are required to consist of a 60 foot right-of way constructed to a 40-foot curb-to-curb pattern in conformance with Class 2 county road improvement standards.
8. Top of curb grades within the proposed subdivision shall be designed to prevent water from standing no more than 9 inches above the top of curb during primary drainage system failure. All runoff collected by the curb and gutter shall be directed to the drainage basin.
9. The subdivider or his contractor shall obtain all necessary encroachment permits from the Tulare County RMA before performing work within the County road rights-of-way of Tule Avenue and Avenue 145.
10. The subdivider shall submit an application and pay the required fee to the Tulare County RMA for the formation of an assessment district for the maintenance of the public streets and roadways within the boundary of the subdivision. Formation of the assessment district must be completed before the recordation of the final map. The formation process will begin at the time the application and fee are received. The subdivider may also submit proof to the Tulare County RMA of another means of providing for permanent, long term maintenance of the public streets and roadways such as a homeowners association. This other means will need to be approved by the Tulare County RMA and the process completed before the recordation of the final map.
11. One-foot reserve strips dedicated to the County of Tulare in accordance with Section 7-01-1270 of the Subdivision Ordinance are required at locations that are divided by phases. Standard barricades shall be constructed at the end of all stub streets shown in Plate A-23 to prevent access to and from adjacent unsubdivided land.

DENNIS R. KELLER  
CONSULTING CIVIL ENGINEER, INC.

JAMES H. WEGLEY  
CONSULTING CIVIL ENGINEER, INC.

JAMES A. BLAIR, P.C.E.  
B. MICHAEL CATES, P.C.E.  
EDWARD D. GLASS, JR., P.C.E.

DENNIS R. KELLER  
JAMES H. WEGLEY  
CONSULTING ENGINEERS

269 SOUTH LOCUST STREET  
PO BOX 911  
VISALIA, CALIFORNIA 93278-0911  
PHONE 559/732-7938  
FAX 559/732-7937  
KELWEG1@AOL.COM

August 6, 2007

Mr. Morris F. Garcia  
Western Ag. Realty, Inc.  
644 E Olive Avenue  
Madera, CA 93638

RE: WILL-SERVE LETTER EXTENSION

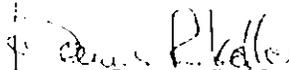
Dear Mr. Garcia:

At the direction of the Board of Directors of the Poplar Community Services District, this letter has been prepared to confirm the action of the Board taken at their meeting of July 5, 2007. The Board has granted your request to extend the time period for your July 17, 2006, "Will Serve" letter to January 17, 2008, for defined Single Family Residential Equivalent (SFRE) water and sewer services not to exceed 164 SFRE. Prior to January 17, 2008, the Board of Directors will review the progress of this development and determine if any additional extension is justified.

As a reminder, the District's adopted ordinances require the development of utility improvement plans which are in compliance with the adopted technical provisions for construction, the payment of adopted capacity rights fees and assurance of compliance with the adopted cross connection control ordinance. In order to maintain capacity rights in the future, conformance with the provisions of the adopted ordinances relative to systems construction, payment for service, discharge limitations and system maintenance must also be demonstrated.

If you have any questions with regard to the terms and conditions of this letter of intent to serve, please contact the undersigned at 559/732-7938.

Very truly yours,

  
Dennis R. Keller  
District Engineer

DRK:mc

cc: Poplar Community Services District  
Mr. J. Patrick Sullivan, Attorney at Law

DENNIS R. KELLER  
CONSULTING CIVIL ENGINEER, INC.  
JAMES H. WEGLEY  
CONSULTING CIVIL ENGINEER, INC.  
JAMES A. BLAIR, P.E.  
B. MICHAEL CATES, P.E.  
EDWARD D. GLASS, JR., P.E.

DENNIS R. KELLER  
JAMES H. WEGLEY  
CONSULTING ENGINEERS

209 SOUTH LOCUST STREET  
P.O. BOX 811  
VISALIA, CALIFORNIA 93228-0811  
PHONE 559/232-7937  
FAX 559/732-7937  
KELWEG1@aol.com

COPY

July 17, 2006

Mr. Morris F. Garcia  
Western Ag. Realty, Inc.  
644 E Olive Avenue  
Madera, CA 93638

RE: WILL-SERVE LETTER

Dear Mr. Garcia:

At the direction of the Board of Directors of the Poplar Community Services District, this letter has been prepared to confirm the action of the Board taken at their meeting of June 1, 2006. The Board has granted the modified request for defined Single Family Residential Equivalent (SFRE) water and sewer services for the planned development located inside the District's present service area not to exceed 130 SFRE. The planned development is known as the "Walker Development" and more particularly described by Assessor Parcel Numbers 237-150-050, 237-170-001, 237-180-002 and 237-190-002. In addition, the Board has granted your request for sewer and water services to the "Morris Trust Property" (Assessor Parcel Number 302-040-033) not to exceed 35 SFRE. The approval totals 165 SFRE for the lands located inside of the current District boundaries. This letter is valid for a period of one (1) year from the above-referenced date.

The District's adopted ordinances require the development of utility improvement plans which are in compliance with the adopted technical provisions for construction, the payment of adopted capacity rights fees and assurance of compliance with the adopted cross connection control ordinance. In order to maintain capacity rights in the future, conformance with the provisions of the adopted ordinances relative to systems construction, payment for service, discharge limitations and system maintenance must also be demonstrated.

This letter also confirms that the Board took action on your prior requests related to the Clark, Bailey and Walker properties outside of the District boundaries by not granting any capacity for those parcels.

Mr. Morris F. Garcia

Page -2-

July 17, 2006

If you have any questions with regard to the terms and conditions of this letter of intent to serve, please contact the undersigned at 559/732-7938.

Very truly yours,

Dennis R. Keller  
District Engineer

COPY

DRK:mc

cc: Poplar Community Services District  
Mr. J. Patrick Sullivan, Attorney at Law

DENNIS R. KELLER  
CONSULTING CIVIL ENGINEERS, INC.

JAMES H. WEGLEY  
CONSULTING CIVIL ENGINEER, INC.

JAMES A. BLAIR, R.C.E.

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EDWARD D. GLASS, JR., R.C.E.

DENNIS R. KELLER  
JAMES H. WEGLEY  
CONSULTING ENGINEERS

209 SOUTH LOCUST STREET  
PO BOX 911  
VISALIA, CALIFORNIA 93279-0911  
PHONE 559/732-7000  
FAX 559/732-7997

KELWEG@aol.com  
RECEIVED

PLACER COUNTY

June 27, 2007

JUL 10 2007

RESOURCE  
MANAGEMENT  
AGENCY

Mrs. Charlotte Brusuelas, Project Planner  
Resource Management Agency  
County of Tulare  
5961 South Mooney Boulevard  
Visalia, CA 93277

RE: VESTING TENTATIVE SUBDIVISION MAP NO. TM 799

Dear Charlotte:

This response is provided on behalf of the Poplar Community Services District (District) regarding Vesting Tentative Subdivision Map No. TM 799 - Western Ag Realty.

The comments of the District are not related to the specific subject matter of the Project Review - Consultation Notice, but rather to the content of the documents transmitted to the District. Contained within those documents are multiple references to storm drainage pipelines and facilities which are referenced to belong to the District. The District has no such facilities within its inventory. While it is true that the District owns and, by agreement, operates a ponding facility which receives storm drainage waters from a portion of the community, none of the pipelines contributing flow to the pond are under the jurisdiction of the District. To the extent that this issue may bear on the County's determination of the type of environmental document which should be prepared associated with the proposed action, correction should be made in the background information prior to that exercise being undertaken.

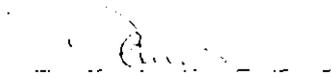
Mrs. Charlotte Brusuelas

Page -2-

June 27, 2007

On behalf of the District, please accept their appreciation for the opportunity to comment on this matter.

Very truly yours,



Dennis R. Keller  
District Engineer

DRK:mc

cc: Poplar Community Services District  
Mr. J. Patrick Sullivan, Attorney at Law  
Western Ag Realty



**Tulare County  
Health & Human Services Agency**

John Davis, Agency Director  
Ray Bullock, Director - Health Services Department

**Health Services Department** ■ Larry Dwoskin, Director ■ Environmental Health Services

June 28, 2007

CHARLOTTE BRUSUELAS  
RESOURCE MANAGEMENT AGENCY  
5961 S MOONEY BLVD  
VISALIA CA 93277

Re: TM 799 & PZ 07-005 - Western Ag Realty

Dear Ms. Brusuelas:

This office has reviewed the above referenced matter. Based upon our review, we offer the following conditions with this project:

1. Domestic water and sewer services shall be provided by the Poplar Community Service District. Applicant shall submit a "Will Serve" letter from the district to the Tulare County Environmental Health Services Division. The "Will Serve" letter shall include the following information in regards to water service:
  - 1) The number of service connections to be served.
  - 2) Total gallons per minutes per service connection.
  - 3) Minimum pounds per square inch pressure at the service connection.
  - 4) That the water meets all State and Federal drinking water standards.
2. Out of service wells, septic tanks, and underground fuel storage tanks shall be abandoned per Tulare County permit requirements.

Sincerely,

Sabine T. Geaney  
Environmental Health Specialist III  
Environmental Health Services Division

STG:jp

# PLEASANT VIEW SCHOOL DISTRICT

14004 Road 184 Porterville, California 93257 Telephone (559) 784-6789 Fax (559) 784-6819

## *The Falcons*

RECEIVED  
PLACER COUNTY

JUN 27 2007

RESERVED  
MAIL ROOM

BOARD OF TRUSTEES  
BARCELLOS, THOMAS  
President & Clerk  
GOCBE, RUSTY  
Vice President  
GARCIA, ALEXANDER  
JAMESON, WILLIAM  
SMITH, MICHAEL

June 22, 2007

Resource management Agency  
5961 South Mooney BLVD  
Visalia, Ca, 93257

BROMLEY, COLLIN  
District Superintendent  
ODSATHER, MARK  
Principal  
Business Manager  
BLACK, VICTOR  
Student Relations  
Community Relations  
Teacher  
MURPHY, KISSY  
Project Director  
Reading Facilitator  
THORNBERRY, RICHARD  
Reading Coach

Dear Charlene L. Brusuelas,

I am responding to the Western Ag Realty Vesting Tentative Subdivision Map No. TM 799 & Change of Zone No. PZ 07-005. Your information asked to respond as to whether your department should prepare a Negative Declaration or EIR and a Negative Declaration would be sufficient.

It also asks for any comments and or recommendations of which I have a few. In looking at the map it shows the first phase to be developed North of the campus. It would be my suggestion that a full road with curb and gutter be developed on Ave. 147 and the rest of Frankie Road to help eliminate the congestion of cars and pedestrians on Ave. 145. There is currently only one access road to the new school which is Ave. 145.

The map shows the development to be completed in four phases and wonder if there is a time frame as to when each phase is to be completed as it would help in determining amount of classrooms, staffing etc. needed relating to the phases.

I would also like to note that the existing street drainage around the new school drains into drywells on the new school campus and the developer will not be able to hook up to this.

The development of the new homes will have a definite impact on the new school and request that the school district be informed of anything in this project that will have an impact on the school, as well as, notice of the public hearing or any other meetings that may occur.

Sincerely,



Collin S. Bromley  
Superintendent



# San Joaquin Valley AIR POLLUTION CONTROL DISTRICT

June 28, 2007

Charlotte L. Brusuelas  
County of Tulare  
Resource Management Agency  
Development Services  
5961 South Mooney Blvd.  
Visalia, CA 93277

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**Project: Oak Hill Estates – Vesting Tentative Subdivision Map No. TM 799 and Change of Zone No. PZ 07-005 for Western Ag Realty**

**Subject:** CEQA comments regarding the development of 64.10 acres of residential uses (262 units) and 6.50 acres of commercial uses located west of Walker Road, between Highway 190 and just north of Tule Avenue, Poplar, CA (APNs 237-140-025, 237-150-050, 237-170-001, 237-180-002, 237-190-002)

**District Reference No: 200701138**

Dear Ms. Brusuelas:

The San Joaquin Valley Unified Air Pollution Control District (District) has previously commented on this project (District Reference Number C200601247, dated June 12, 2006, for Tulare County Project Number PRF-06-010). As stated in previous comments, the District expects that the development of 262 residential units would not exceed the District's Thresholds of Significance for ozone precursors of 10 tons per year of reactive organic gases (ROG) and oxides of nitrogen (NOx). The development of the commercial property, however, will require further environmental analysis.

The project will be subject to many District rules and regulations including, but not limited to, Rule 9510 - Indirect Source Review (see previous comments). Rule 9510 requires applicants subject to the rule to file an application with the District no later than concurrent with application with a local agency for the final discretionary approval. The District has not received an application for this project. For more information and instruction, the applicant can contact the District's ISR staff by phone at (559) 230-6000 or by email at [ISR@valleyair.org](mailto:ISR@valleyair.org).

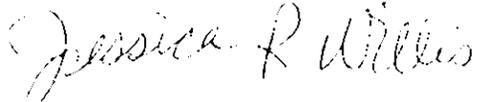
Sayed Sadreddin  
Executive Director/Air Pollution Control Officer

<p>Northern Region 4800 Esperanza Way Merced, CA 95358-8718 Tel: (209) 657-6400 FAX: (209) 557-6475</p>	<p>Central Region (Main Office) 1599 E. Coltonburg Avenue Fresno, CA 93726-0244 Tel: (559) 230-6000 FAX: (559) 230-6001 <a href="http://www.valleyair.org">www.valleyair.org</a></p>	<p>Southern Region 2100 TA Street, Suite 203 Bakersfield, CA 93301-2723 Tel: (805) 328-6000 FAX: (805) 326-6000</p>
---------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Jessica Willis at (559) 230-5818 and provide the reference number at the top of this letter.

Sincerely,

David Warner  
Director of Permits Services



 Arnaud Marjollet  
Permit Services Manager

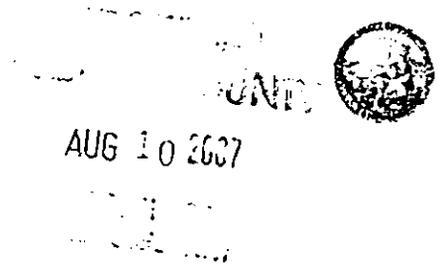
DW:jw

cc: File



State of California - The Resources Agency  
**DEPARTMENT OF FISH AND GAME**  
http://www.dfg.ca.gov  
Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
(559) 243-4005

ARNOLD SCHWARZENEGGER, Governor



August 2, 2007

Charlotte Brusuelas  
Tulare County Resource Management Agency  
5961 South Mooney Boulevard  
Tulare, California 93277-9394

Dear Ms. Brusuelas:

**Consultation on Vesting Tentative Subdivision Map No. TM 799  
and Zone Change No. PZ 07-005 for Western Ag Realty  
APNs 237-140-025, 237-150-050, 237-170-001, 237-180-002, and 237-190-002**

The California Department of Fish and Game (Department) has reviewed the information submitted by the Tulare County Resource Management Agency for the above Project. The Project consists of the division of 64.10 acres into 262 residential lots (ranging from 6,000 square feet to 8,997 square feet) with a 6.51 acre remainder zoned for C-1 commercial use. The Project site is located north of Highway 190, west of Walker Road, and in the community of Poplar.

Special status species such as the State and Federally endangered California jewel-flower (*Caulanthus californicus*) and the State threatened and Federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*) may be present in the Project area. Additional information, such as that which would be provided by biological surveys, is needed to assess the potential Project-related impacts to these species and to determine whether or not a State Incidental Take Permit would be required prior to ground-disturbing activities. In addition, in order to definitively determine whether preparation of a Negative Declaration or Environmental Impact Report (EIR) is appropriate for the California Environmental Quality Act (CEQA) compliance, additional information is needed. Such information would include the contents of an Initial Study (IS) (CEQA Guidelines, Section 15063 [d]), which includes but is not limited to: identification of environmental setting; identification of the environmental effects; and a discussion of methods to avoid, minimize, and mitigate any significant effects.

The Department is unable to provide substantive comments due to the limited nature of the information provided to us. It is unclear in the information provided if ground-disturbing activities will occur within the commercial zoned section of the Project site, as a result of Project approval. The fate of the commercial zoned section should be addressed in the CEQA and/or IS document. The following comments do not represent

Charlotte Brusuelas  
August 2, 2007  
Page 2

all our concerns, more specific comments can be provided once the Department has had the opportunity to review the IS and/or CEQA document that will be prepared for this Project. Our comments follow.

**Trustee Agency Authority:** The Department is a Trustee Agency with the responsibility under CEQA for commenting on projects that could impact plant and wildlife resources. Pursuant to Fish and Game Code Section 1802, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. As a Trustee Agency for fish and wildlife resources, the Department is responsible for providing, as available, biological expertise to review and comment on environmental documents and impacts arising from project activities as those terms are used under CEQA.

**Responsible Agency Authority:** The Department has regulatory authority over projects that could result in the "take" of any species listed by the State as threatened or endangered, pursuant to Fish and Game Code Section 2081. If the Project could result in the "take" of any species listed as threatened or endangered under the California Endangered Species Act (CESA), the Department may need to issue an Incidental Take Permit for the Project. CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (Sections 21001(c), 21083, Guidelines Sections 15380, 15064, 15065). Impacts must be avoided or mitigated to less than significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code Section 2080.

The State listed species potentially occurring in the Project area include the State and Federally endangered California jewel-flower and the State threatened and Federally endangered San Joaquin kit fox. The Department recommends that Tulare County require reconnaissance-level biological surveys be completed by qualified individuals prior to any approvals that would authorize ground-disturbing activities. Depending upon the results of these initial surveys, additional focused surveys may be required in order to adequately assess the potential Project-related impacts to listed and other special status species. If State-listed species are detected during surveys, consultation with the Department is warranted to discuss the potential for "take" under CESA.

Issuance of an Incidental Take Permit is subject to CEQA review. The CEQA document prepared for this Project should identify the Department as a potential Responsible Agency and should describe and address the potential impacts to listed species; otherwise, preparation of a supplemental CEQA document would be necessary if issuance of an Incidental Take Permit is necessary.

**CEQA Compliance:** CEQA Guidelines Section 15387 defines "project" to mean the whole of an action that may result in either a direct or reasonably foreseeable indirect physical change in the environment. The CEQA document should adequately address all impacts to natural resources of the Project site. Proposed development of access routes and infrastructure (water, electric, natural gas, sewer, and telephone) related to this Project should also be delineated and analyzed for impacts to natural resources. The Department does not feel that this Project qualifies for a Categorical Exemption under CEQA; preparation of either a Mitigated Negative Declaration or EIR would be appropriate.

**Unlisted Species:** Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or Federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E, R, or T as specified in the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, and Section 15380), it should be fully considered in the environmental analysis for the Project. The State Species of Special Concern American badger (*Taxidea taxus*) is known to occur in the Project area vicinity. Additionally, the California Native Plant Society (CNPS) 1B listed lesser saltscall (*Atriplex minuscula*) has historically occurred in the Project area vicinity. Potential Project-related impacts to these and other special status species potentially occurring in the Project area should be evaluated and discussed in the CEQA document prepared for this Project.

### **Potential Impacts and Recommendations**

**San Joaquin Kit Fox (SJKF):** SJKF may occur within the Project area. The Department recommends the United States Fish and Wildlife Service's (USFWS) "Standard Recommendations for the Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance" (USFWS, 1999) be followed in order to assess the potential Project-related impacts to denning habitat within the Project area. In the event that this species is detected, consultation with the Department is warranted to discuss how to implement the Project and avoid "take" under CESA. If "take" cannot be avoided, acquisition of a State Incidental Take Permit would be required prior to Project implementation.

"Take" under the Federal Endangered Species Act (FESA) is more stringently defined than CESA; "take" under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns, such as breeding, foraging, or resting. Consultation with USFWS, in order to comply with FESA, is also advised well ahead of Project implementation.

Charlotte Brusuelas  
August 2, 2007  
Page 4

**California jewel-flower:** This State and Federally endangered plant may occur within the Project area. Focused botanical surveys should be conducted during the appropriate blooming period for this species. Plants listed as threatened or endangered under CESA cannot be addressed by methods described in the Native Plant Protection Act. Incidental "take" authority is required prior to engaging in "take" of any plant or animal species listed under CESA. No direct or indirect disturbance, including transplantation, may legally occur to this State-listed plant species prior to the applicant obtaining incidental "take" authority in the form of an Incidental Take Permit.

**Nesting Birds:** The mature trees and shrubs within the Project area likely provide nesting habitat for songbirds and raptors. If the Project will require the removal or pruning of mature trees, the applicant should be made aware that the removal of active bird nests could be considered a violation of Fish and Game Code Sections 3503 (regarding unlawful "take", possession, or needless destruction of the nest or eggs or any bird), 3503.5 (regarding "take", possession, or destruction of any birds-or-prey or their nests or eggs), and 3513 (regarding unlawful "take" or possession of any migratory bird). If tree removal is unavoidable, it should occur during the nonbreeding season (mid-September through January). If construction activities or tree removal must occur during the breeding season (February through mid-September), surveys for active nests should be conducted by a qualified biologist no more than 30 days prior to the start of construction. A minimum no-disturbance buffer of 250 feet should be delineated around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.

**Federal Endangered Species Act (FESA):** Any biological survey results should also be sent to USFWS, which regulates activities that may result in "take" of species listed under the FESA.

If you have any questions on these comments, please contact Margarita Gordus, Environmental Scientist, at the address provided on this letterhead or by telephone at (559) 243-4014, extension 236.

Sincerely,



W. E. Loudermilk  
Regional Manager

cc: See Page Five

Charlotte Brusuelas  
August 2, 2007  
Page 5

cc: Susan Jones  
United States Fish and  
Wildlife Service  
2800 Cottage Way, W-2605  
Sacramento, California 95825

Charlotte Brusuelas  
August 2, 2007  
Page 6

### **Literature Cited**

USFWS, 1999. Standard Recommendations for the Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance. United States Fish and Wildlife Service.

**DEPARTMENT OF TRANSPORTATION**

1357 WEST OLIVE AVENUE  
 P.O. BOX 12616  
 FRESNO, CA 93778-2616  
 PHONE (559) 488-7306  
 FAX (559) 488-4088  
 TTY (559) 488-4066

WESTERN AG REALTY  
 5961 S. MOONEY BOULEVARD  
 VISALIA, CA 93277  
 (559) 735-1111



*"Let's not panic!  
 Be energy efficient!"*

July 12, 2007

2135 IGR/CEQA  
 6 TUL-190-9.47 +/  
 TM799 & PZ 07-005  
 WESTERN AG REALTY

Ms. Charlotte Brusuelas, Project Planner  
 County of Tulare  
 Resource Management Agency  
 5961 S. Mooney Boulevard  
 Visalia, CA 93277

Dear Ms. Brusuelas:

Thank you for the opportunity to review the tentative subdivision map proposing to divide a 57.9 acre parcel into 262 single-family residential lots. The project site is located on the west side of Road 192, approximately 1/4 mile north of State Route (SR) 190, in the County of Tulare. Caltrans has the following comments:

It is anticipated that the parcels, when developed, will generate 265 trips per hour during the afternoon peak period, of which 133 trips (50%) could impact the SR 190/Road 192 intersection. This project's impact, in and of itself, is expected to have a minor impact on the transportation system. However, with this land use change, the Brown & Bartlett Subdivision creating 96 single-family residential lots, reviewed by Caltrans on September 27, 2005, the H&S Development subdivision creating 255 single-family residential lots, reviewed by Caltrans on November 17, 2005, and other development in this area impacts the intersection significantly. The intersection of SR 190 and Road 192 is expected to need left-turn channelization and possible signalization in the future. The State has the expectation that the County and/or developers will fully fund the needed improvements to the SR 190/Road 192 intersection.

A Traffic Impact Study (TIS) is needed to assess the project related impacts to the intersection of SR 190/Road 192 intersection and recommend appropriate mitigation measures. The study should also include the equitable fair share for the future improvements to the SR 190/Road 192 intersection. Please have the preparer of the traffic study reference the Caltrans Guide for the Preparation of Traffic Impact Studies, dated December 2002, and send the scope of the TIS to Caltrans before the traffic study is conducted. Caltrans Guide, while advisory, contains Best Practices and gives insight into Caltrans' expectations when reviewing a traffic study. If the traffic consultant has any issues or concerns regarding the use of the Guide or its interpretation, please contact us so resolution can be reached.

It is recommended that the County of Tulare consider a Development Impact Fee Program similar to the cities of Tulare and Visalia. The fee program would secure funding for a zone of benefit (Poplar Cotton Center) for the future improvements to local and State facilities necessitated by the accumulated impacts of continuing changes in land use and development. The project proponent would contribute per the Development Fee program to the improvements

Ms. Charlotte Brusuelas

July 12, 2007

Page 2

of the SR 190 and local transportation facilities, such as left-turn channelization and possible signalization.

Please send a response to our comments and a copy of the Board of Supervisors resolution related to the proposed project. If you have any questions, please call me at (559) 488 7306.

Sincerely,

A handwritten signature in black ink, appearing to read "Al Dias", written over a dotted line.

AL DIAS

Office of Transportation Planning

District 6

C: Ms. Beverly Cates, Division Manager



A Semptra Energy company

Southern California Gas Company  
404 N. Capitol Street  
Visalia, CA 93276

RECEIVED

JUN 15 2007

June 14, 2007

**RESOURCE MANAGEMENT AGENCY**

5961 South Mooney Blvd  
Visalia, CA 93277

Attention: Charlotte L. Brusuelas, Project Planner

Subject: Will Serve Letter – Vesting Tentative Subdivision Map No. TM 799 & Change of Zone No. PZ 07-005 for Western Ag Realty

We are pleased to inform you that Southern California Gas Company has facilities in the area where the aforementioned project is proposed. Gas service to the project can be provided from existing gas mains located in and around the area. The service would be in accordance with the Company's policies and extension rules on file with the California Public Utilities Commission when the contractual arrangements are made.

This letter is not a contractual commitment to serve the proposed project, but is only provided as an informational service. The availability of natural gas service is based upon conditions of gas supply and regulatory agencies. As a public utility, Southern California Gas Company is under the jurisdiction of the California Public Utilities Commission. Our ability to serve can also be affected by actions of federal regulatory agencies. Should these agencies take any action, which affects gas supply or the conditions under which service is available, gas service will be provided in accordance with the revised conditions.

This letter is also provided without considering any conditions or non-utility laws and regulations (such as environmental regulations), which could affect construction of a main and/or service line extension (i.e., if hazardous wastes were encountered in the process of installing the line). The regulations can only be determined around the time contractual arrangements are made and construction has begun.

Contact the New Business Project Manager for your area, Alan Suhovy, @ (559) 739-2238, or visit our web site SCGMapping@SemptraUtilities.com for information on current energy efficiency programs, gas equipment, or to find out how to get your line extension project started.

Thank you again for choosing clean, reliable natural gas, your best energy value.

Sincerely,

Louise Brown/rv  
Pipeline Planning Assistant

cc: Larry Jacquez  
Alan Suhovy

**RIGHT TO FARM NOTICE**

RE: Special Use Permit No. \_\_\_\_\_  
or Parcel Map No. \_\_\_\_\_  
or Subdivision Map No.  TM 799   
or Final Site Plan \_\_\_\_\_

In accordance with Section 7-29-1070(a) of the Tulare County Ordinance Code; and as a condition of approval of the above-referenced use permit, parcel map, subdivision map or mining and reclamation plan, the undersigned hereby acknowledges that:

It is the declared policy of Tulare County to conserve, enhance and encourage agricultural operations within the County. Residents of property on or near agricultural land should be prepared to accept the inconveniences and discomfort associated with agricultural operations, including, but not necessarily limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) during any 24 hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. Consistent with this policy, California Civil Code Section 3482.5 provides that no agricultural operation, as defined and limited by that section, conducted and maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three years if it was not a nuisance at the time it began.

Dated: \_\_\_\_\_  
(Signature)

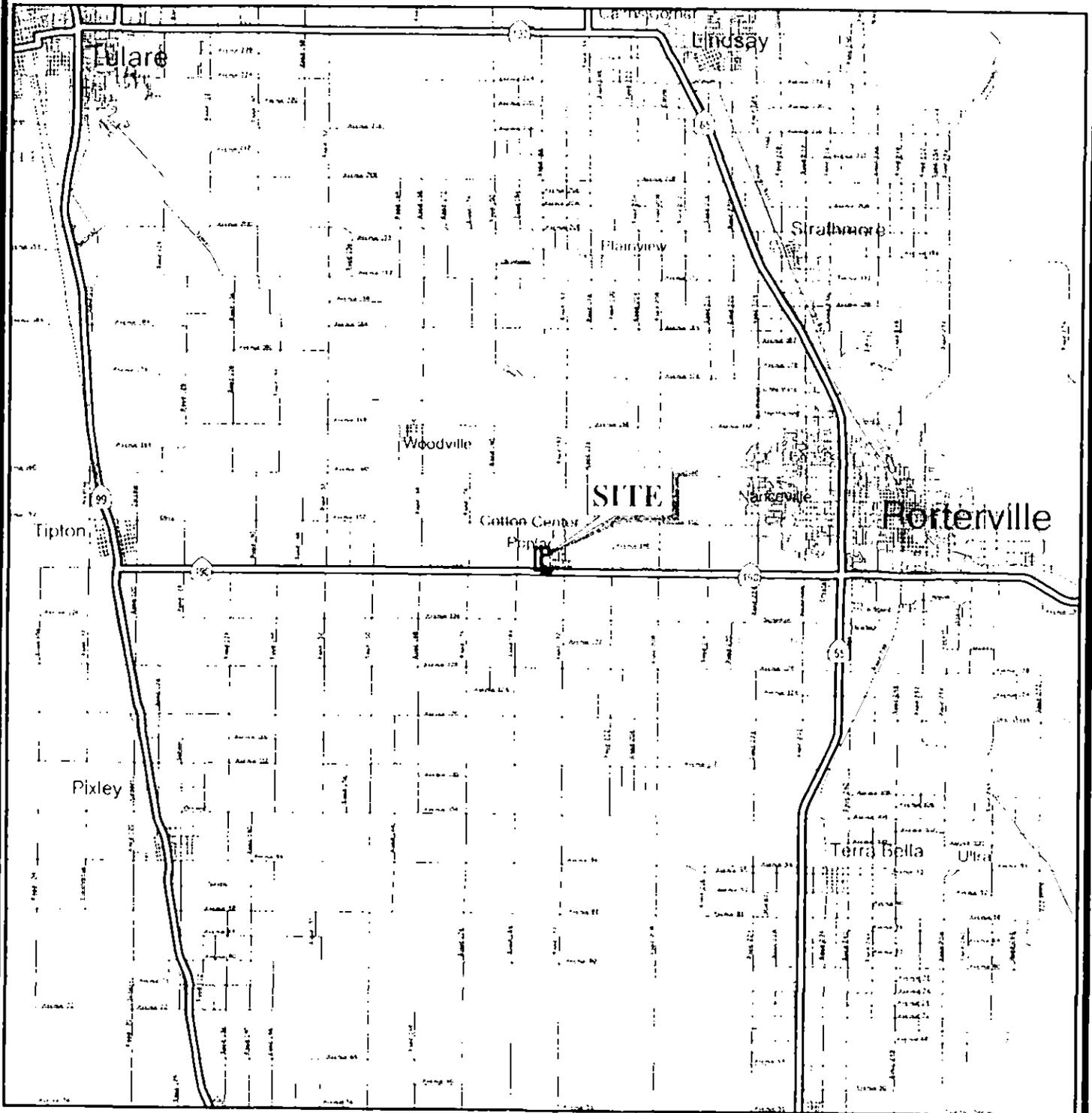
\_\_\_\_\_  
(Print Name)

Dated: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)



# Vicinity Map for TM 799

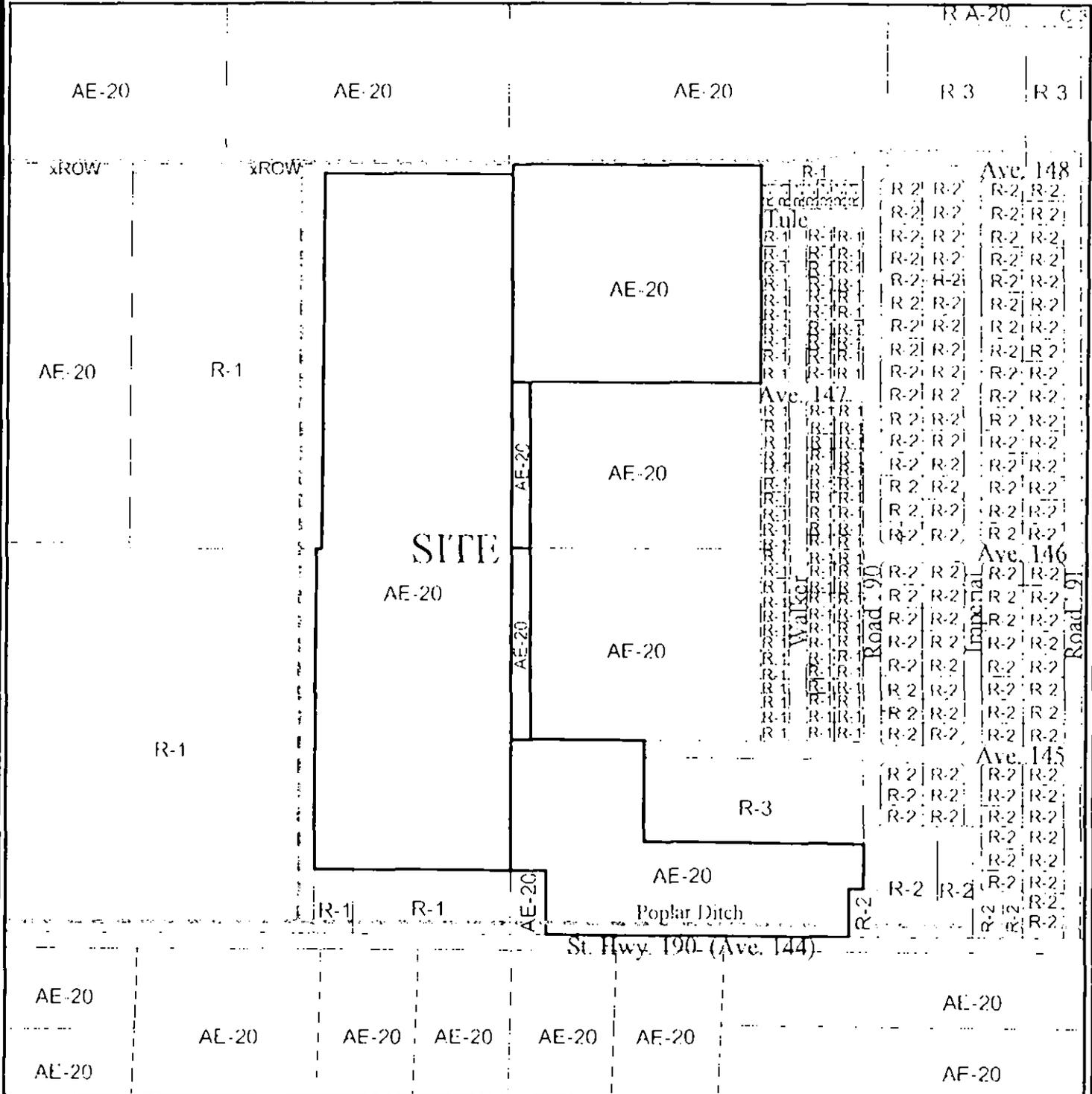


1.5 0 1.5 3 4.5 6 Miles





# Existing Zoning Map for TM 799



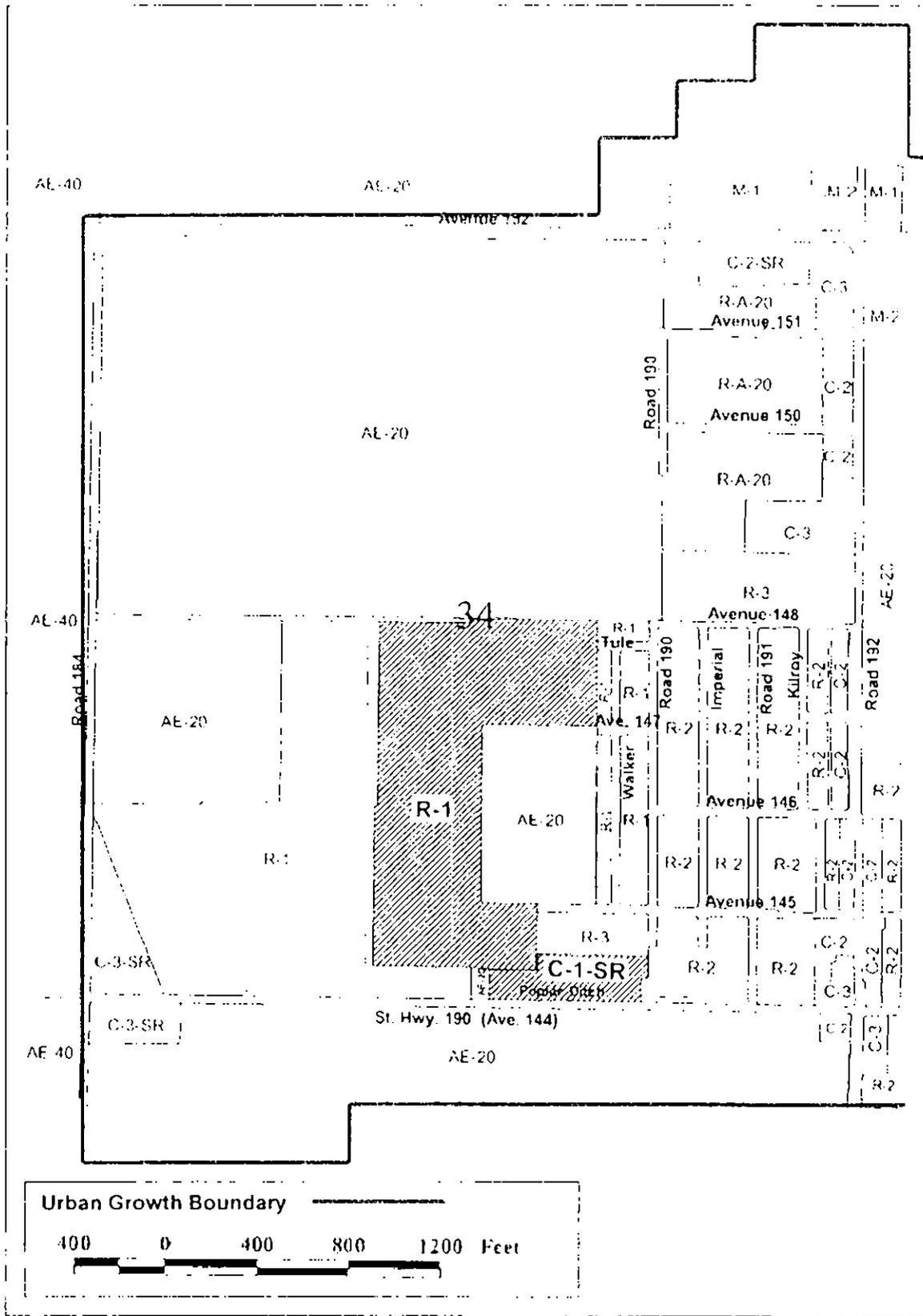
Owner: WALKER FRANKIE  
 Address: PO BOX 3425  
 City, State ZIP: POPLAR CA 93258  
 Applicant: Western Ag Realty  
 Agent: Lore Engineering, Inc  
 Assessor's Parcel # 237140025, 237150050, 237170001,  
 237180002, 237190002

250 0 250 500 750 1000 Feet



**SITE**

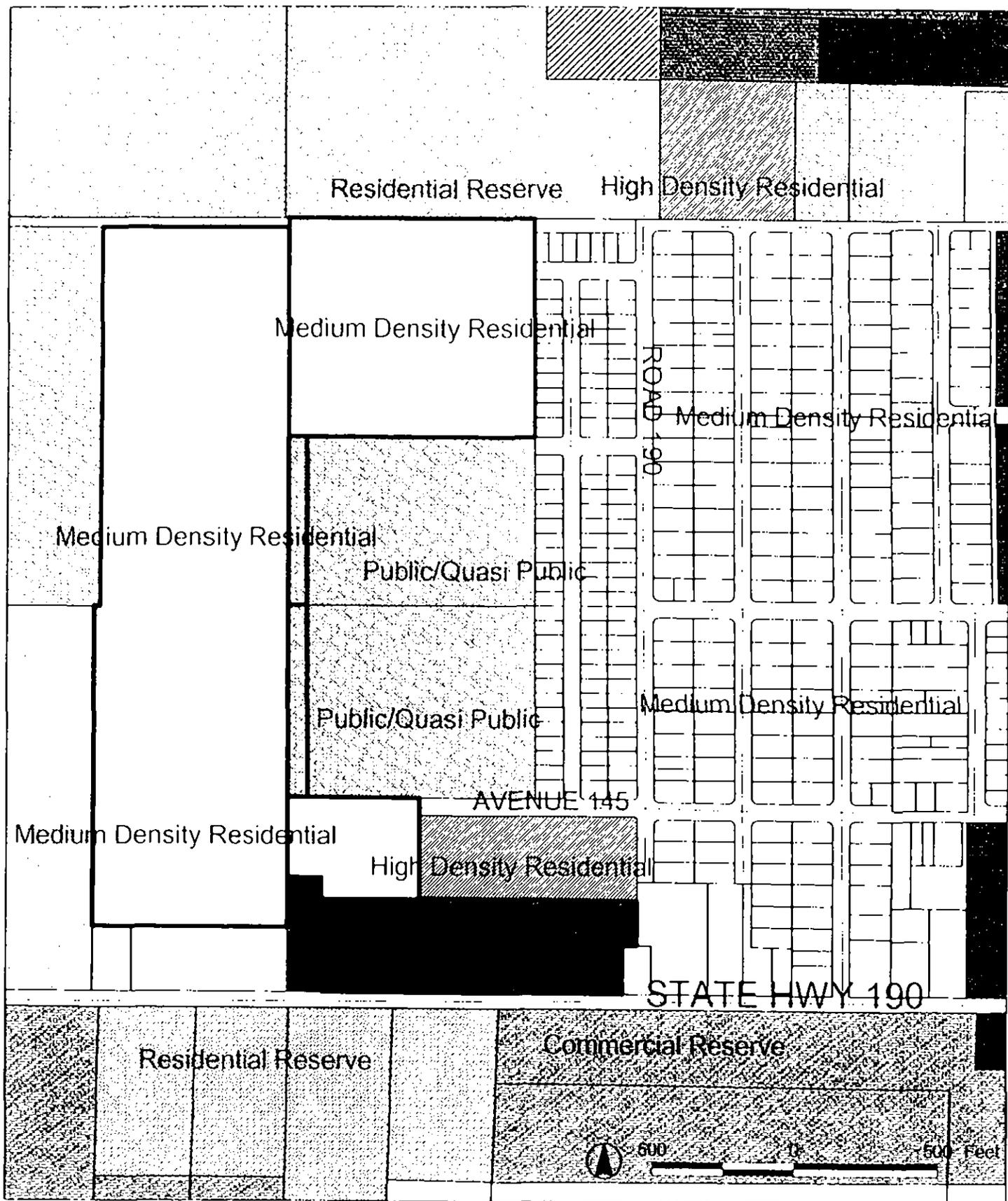
Project Site for TM 799



Source: Tulare County Resource Management Agency

### Proposed Zoning and Urban Growth Boundary

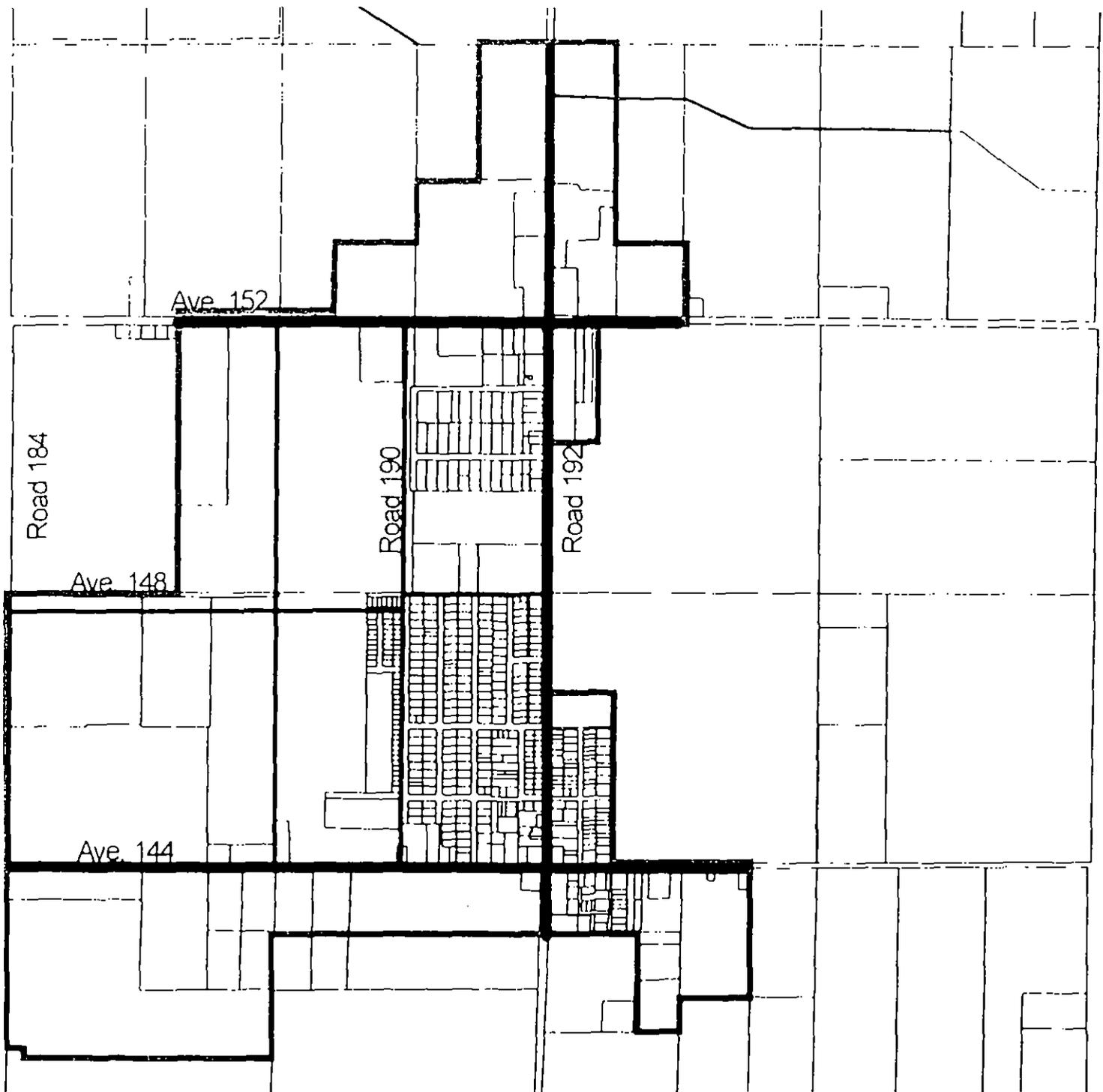




Project  
Review  
Division

# Land Use Designation





Poplar/Cotton Center

0 0.25 Miles

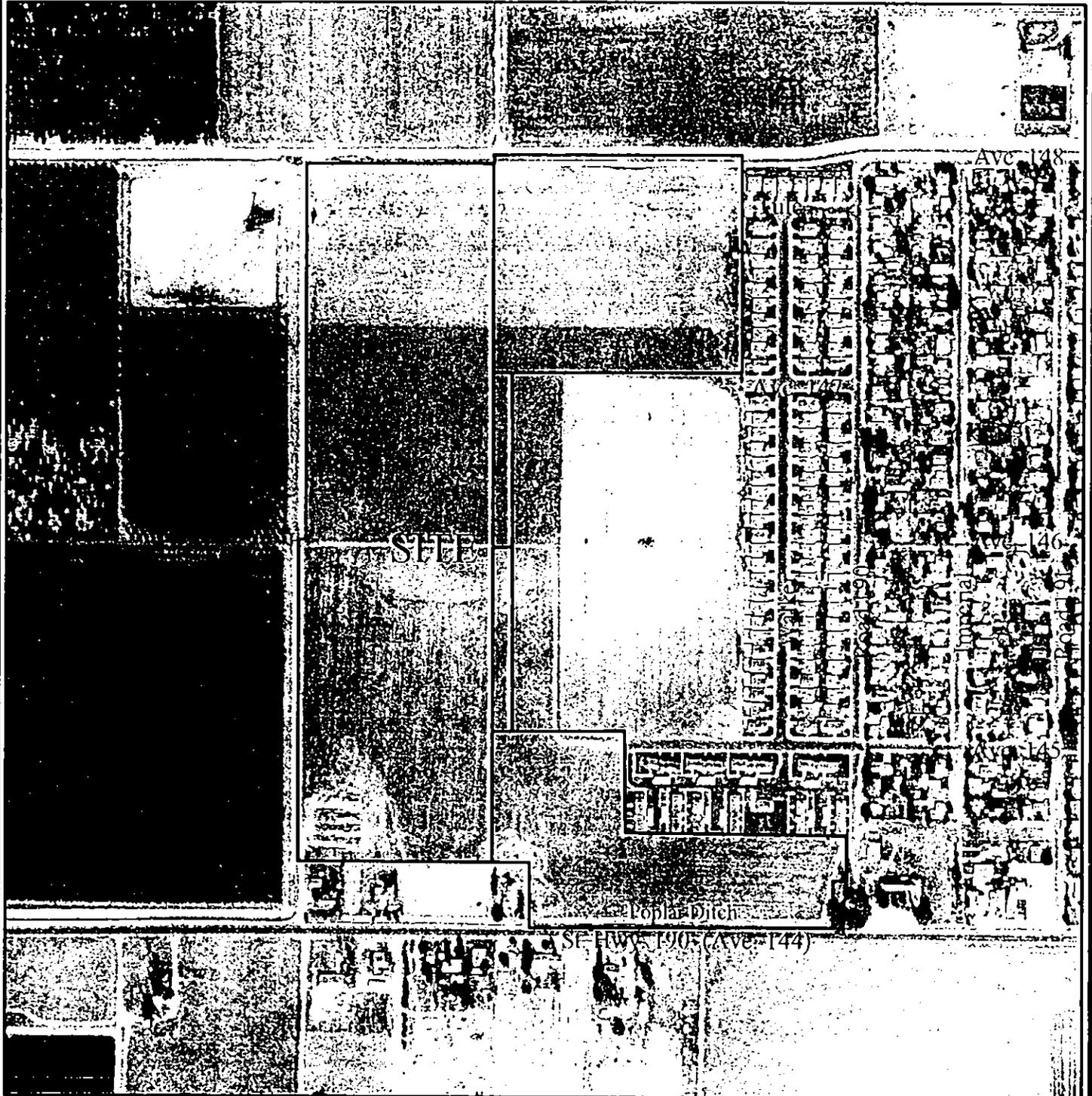
A north arrow is located to the left of a scale bar. The scale bar is marked with '0' at the left end and '0.25 Miles' at the right end.

### Circulation Plan

- Urban Development Boundary
- Minor Arterial
- Collector



# Aerial Photograph for TM 799



**Owner:** WALKER FRANKIE  
**Address:** PO BOX 3425  
**City, State ZIP:** POPLAR CA 93258  
  
**Applicant:** Western Ag Realty  
**Agent:** Lore Engineering, Inc  
  
**Assessors Parcel #** 237140025, 237150050, 237170001  
 237180002, 237190002

250 0 250 500 750 1000 Feet



**SITE**

Project Site for TM 799

**Attachment A: Air Quality – URBEMIS 2007ver. 9.2.2 Modeling Runs**

Page: 1

12/5/2007 3:08:02 PM

Urban s 2007 Version 9.2.2

Combined Annual Emissions Reports (Tons/Year)

File Name: C:\Documents and Settings\ENuro\Application Data\Urban\Versions on\9at\Projects\TM 799\_Phase 1\urb9

Project Name: TM 799 - Phase 1

Project Location: San Joaquin Valley APCD

On-Road Vehicle Emissions Based on: Version 1, Emfac2007 V2 3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

CONSTRUCTION EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>PM10</u>	<u>PM2.5</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
2008 TOTALS (tons/year, unmitigated)	2.15	2.12	0.00	0.14	0.22	0.20	0.35	0.13	0.35	254.75
2008 TOTALS (tons/year, unmitigated)	0.16	0.12	0.00	0.01	0.00	0.01	0.01	0.01	0.01	18.35

AREA SOURCE EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	3.00	0.20	0.01	0.40	0.47	261.64
TOTALS (tons/year, mitigated)	0.31	0.14	0.00	0.00	0.00	178.78
Percent Reduction	89.67	30.00	100.00	100.00	100.00	31.67

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	12.54	1.45	0.01	0.69	0.15	773.69
TOTALS (tons/year, mitigated)	0.01	0.00	0.00	0.00	0.00	773.69
Percent Reduction	100.00	100.00	100.00	100.00	100.00	0.00

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	15.84	1.55	0.02	1.19	0.63	1,035.33
TOTALS (tons/year, mitigated)	0.62	0.28	0.00	0.00	0.00	357.56
Percent Reduction	96.09	81.93	100.00	100.00	100.00	65.46





- \* Rollers (66 hp) operating at a 0.55 load factor for 7 hours per day
  - \* Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day
- Phase: Building Construction 8/15/2008 - 1/15/2009 - Default Building Construction Description Of Road Equipment
- 1 Cranes (399 hp) operating at a 0.40 load factor for 6 hours per day
  - 2 Forklifts (145 hp) operating at a 0.3 load factor for 6 hours per day
  - \* Generator Sets (45 hp) operating at a 0.74 load factor for 8 hours per day
  - \* Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 8 hours per day
  - 3 Welders (45 hp) operating at a 0.45 load factor for 8 hours per day

Phase: Architectural Coating 1/1/2009 - 2/1/2009 - Default Architectural Coating Description  
 Rule: Residential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 100  
 Rule: Residential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 100  
 Rule: Nonresidential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250  
 Rule: Nonresidential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Area Source Unmitigated Detail Report.

AREA SOURCE EMISSION ESTIMATE Annual Tons Per Year Unmitigated

Source	PM10	PM2.5	SO2	CO	NOx	CO2
Natural Gas	0.00	0.00	0.00	0.05	0.14	178.08
Heath	0.33	0.47	0.01	2.55	0.55	83.17
Landscare	0.05	0.00	0.00	0.25	0.00	0.39
Consumer Products	0.40	0.00	0.00			
Architectural Coatings	0.08					
TOTALS (conservative unmitigated):	0.97	0.47	0.01	3.00	0.20	261.64

Area Source Mitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Annual Tons Per Year: Mitigated

Source	SO2	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.0	0.14	0.06	0.00	0.00	0.00	178.08
Hearts	0.00	0.00	0.00	0.00	0.00	0.00	0.02
Landscape	0.04	0.00	0.25	0.00	0.00	0.00	0.38
Consumer Products	0.40						
Architectural Coatings	0.08						
TOTALS (tons/year mitigated)	0.53	0.14	0.31	0.00	0.00	0.00	178.78

Area Source Changes to Defaults

Percentage of residences with wood stoves changed from 0% to 44%

Percentage of residences with natural gas fireplace changed from 0% to 68%

Operational Unmitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Annual Tons Per Year: Unmitigated

Source	SO2	NOx	CO	SO2	PM10	PM2.5	CO2
Single family housing	1.09	1.46	12.54	0.0	0.63	0.10	773.59
TOTALS (tons/year, unmitigated)	1.03	1.46	12.54	0.01	0.63	0.10	773.69

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Operational Mitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Annual Tons Per Year Mitigated

Source	COG	NOX	CO	SO2	PM10	PM2.5	CO2
Single family housing	1.09	1.46	12.54	0.01	0.69	0.16	773.69
TOTALS (tons/year, mitigated)	1.09	1.46	12.54	0.01	0.69	0.16	773.69

Operational Settings

includes correction for passby/trips

Does not include engine counting adjustment for interstates

Analysis Year 2005 Season Annual

Emfac Version : Emfac2007 V2.3 Nov 4 2006

Summary of Land Uses

Land Use Type	Average	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Single family housing	13.50	9.57	dwelling units	6100	58377	4,369,677
					58377	4,369,677

Vehicle Populus

Vehicle Type	Percent	Type	Non-Catalyst	Catalyst	Diesel
Light Auto	48.0		2.0	97.6	0.4
Light Truck < 3750 lbs	10.9		3.7	90.6	5.5
Light Truck 3751-6750 lbs	21.7		0.3	98.6	0.5
Med Truck 6751-8500 lbs	9.5		1.1	98.9	0.0
Heavy Truck 8501-10,000 lbs	1.6		0.0	75.0	25.0
Ultra-Heavy Truck 10,001-14,000 lbs	0.6		0.0	50.0	50.0

Vehicle Type	Vehicle Emissions			Diesel
	Percent Type	Non-Catalyst	Catalyst	
Med-Heavy Truck 14,001-33,000 lbs	1.0	0.0	20.0	80.0
Heavy-Heavy Truck 33,001-50,000 lbs	0.9	0.0	0.0	100.0
Other Bus	0.1	0.0	0.0	100.0
Urban Bus	0.1	0.0	0.0	100.0
Motorcycle	3.5	77.1	22.9	0.0
Schoc. Bus	0.1	0.0	0.0	100.0
Motor-home	1.0	10.0	80.0	10.0

Travel Conditions

	Residential				Commercial	
	From-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	10.8	7.3	7.5	9.6	7.4	7.4
Rural Trip Length (miles)	15.8	7.1	7.0	14.7	5.8	6.6
Trip speeds (mph)	35.0	35.0	35.0	35.0	35.0	35.0
% of Trips - Residential	32.9	16.0	48.1			

% of Trips - Commercial (by end use)

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Combined Annual Emissions Reports (Tons/Year)

File Name: C:\Documents and Settings\ENunc\Application Data\Urban\siVersion\9a\Projects\TM 799 Phase 2.rpt9

Project Name: TM 799 Phase 2

Project Location: San Joaquin Valley APCD

On-Road Vehicle Emissions Based on: Version: Emfac2007 V2.3 Nov 4 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

CONSTRUCTION EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>CO2</u>						
2009 TOTALS (tons/year, unmitigated)	0.41	2.03	0.00	1.18	1.14	1.32	0.25	0.01	0.37	0.02	265.91
2010 TOTALS (tons/year, unmitigated)	0.96	0.10	0.00	0.00	0.01	0.01	0.00	0.01	0.01	0.01	18.95

AREA SOURCE EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>PM10</u>	<u>PM10</u>	<u>PM10</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	0.97	0.23	0.74	0.55	0.53	0.53	0.53	295.98
TOTALS (tons/year, mitigated)	0.60	0.16	0.34	0.43	0.00	0.00	0.00	202.25
Percent Reduction	38.14	30.43	53.91	20.00	100.00	100.00	100.00	31.56

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>PM10</u>	<u>PM10</u>	<u>PM10</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	1.17	2.11	10.16	0.80	0.20	0.20	0.20	644.35
TOTALS (tons/year, mitigated)	1.17	2.11	10.16	0.80	0.20	0.20	0.20	644.36
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>PM10</u>	<u>PM10</u>	<u>PM10</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	2.14	2.34	10.90	1.35	0.73	0.73	0.73	1,240.32
TOTALS (tons/year, mitigated)	1.20	0.32	0.68	0.00	0.00	0.00	0.00	404.50
Percent Reduction	42.99	86.32	37.98	100.00	100.00	100.00	100.00	67.39

Construction Unmitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Annual Emissions Per Year, Unmitigated

	SO <sub>2</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub> P <sub>25</sub>	CO <sub>2</sub>				
2009	0.41	2.03	2.18	0.00	1.32	0.25	0.12	0.37	255.01	
Fire Grading On Road Diesel 05/19/2009	0.05	0.41	0.22	0.00	1.20	0.25	0.02	0.27	35.42	
Fire Grading Dust	0.00	0.00	0.00	0.00	1.18	0.25	0.00	0.25	0.00	
Fire Grading Off Road Diesel	0.05	0.41	0.20	0.00	0.02	0.00	0.02	0.02	34.63	
Fire Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Fire Grading Worker Trips	0.00	0.00	0.02	0.00	0.00	0.00	0.00	0.00	1.58	
Asphalt OS 12/20/09-05/02/2009	0.05	0.17	0.11	0.00	0.01	0.00	0.01	0.01	15.46	
Paving Oil/Gas	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Paving Off Road Diesel	0.00	0.15	0.08	0.00	0.01	0.00	0.01	0.01	11.35	
Paving On Road Diesel	0.00	0.02	0.01	0.00	0.00	0.00	0.00	0.00	2.27	
Paving Worker Trips	0.00	0.00	0.02	0.00	0.00	0.00	0.00	0.00	1.84	
Building 05.05.2009-01/15/2010	0.32	1.45	1.83	0.00	0.11	0.00	0.09	0.09	214.04	
Building Off Road Diesel	0.29	1.28	0.85	0.00	0.09	0.00	0.09	0.09	119.97	
Building Vendor Trips	0.01	0.17	0.09	0.00	0.01	0.00	0.00	0.00	18.90	
Building Worker Trips	0.03	0.05	0.09	0.00	0.01	0.00	0.00	0.00	75.17	



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- \* Rollers (55 hp) operating at a 0.55 load factor for 7 hours per day
- \* Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

Phase: Building Construction 5/5/2006 - 1/15/2010 - Default Building Construction Description Off-Road Equipment.

- 1 Cranes (399 hp) operating at a 0.40 load factor for 6 hours per day
- 2 Forklifts (1.45 hp) operating at a 0.0 load factor for 6 hours per day
- \* Generator Sets (45 hp) operating at a 0.74 load factor for 8 hours per day
- 1 Tractors/Loaders/Backhoes (105 hp) operating at a 0.55 load factor for 8 hours per day
- 3 Welders (45 hp) operating at a 0.45 load factor for 8 hours per day

- Phase: Architectural Coating 11/9/2010 - 2/16/2010 - Default Architectural Coating Description
- Rule: Residential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 100
- Rule: Residential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 100
- Rule: Nonresidential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250
- Rule: Nonresidential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Area Source Unmitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Annual Tons Per Year, Unmitigated

Source	COG	NOx	SO	SO2	PM10	PM2.5	CO2
Natural Gas	0.01	0.16	0.07	0.00	0.00	0.00	20.43
Heath	0.37	0.07	3.89	0.01	0.55	0.53	94.08
Landscape	0.05	0.00	0.28	0.00	0.00	0.00	0.45
Consumer Products	0.45						
Architectural Coatings	0.00						
TOTALS (tons/year, unmitigated):	0.97	0.23	3.74	0.01	0.55	0.53	295.96

Area Source Mitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Annual, Tons Per Year, Mitigated

Source	SO <sub>2</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	CO <sub>2</sub>
Natural Gas	0.01	0.16	0.07	0.00	0.00	0.00	201.43
Heating	0.00	0.00	0.00	0.00	0.00	0.00	0.37
Landscape	0.05	0.00	0.27	0.00	0.00	0.00	0.45
Consumer Products	0.45						
Architectural Coatings	0.00						
TOTALS (tons/year, mitigated):	0.60	0.16	0.34	0.00	0.00	0.00	202.25

Area Source Changes to Defaults

Percentage of residences with wood stoves changed from 0% to 44%

Percentage of residences with natural gas fired ovens changed from 0% to 56%

Operational Unmitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Annual, Tons Per Year, Unmitigated

Source	SO <sub>2</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	CO <sub>2</sub>
Single Family Housing	1.17	2.11	13.16	0.01	0.80	0.20	944.36
TOTALS (tons/year, unmitigated):	1.17	2.11	13.16	0.01	0.80	0.20	944.36

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Operational Mitigated Data Report:

OPERATIONAL EMISSION ESTIMATES Annual Tons Per Year, Mitigated

Source	ROG	NOX	CO	SO2	PM10	PM2.5	CO2
Single family housing	1.17	2.11	13.16	0.01	0.80	0.20	944.36
<b>TOTALS (tons/year, mitigated)</b>	<b>1.17</b>	<b>2.11</b>	<b>13.16</b>	<b>0.01</b>	<b>0.80</b>	<b>0.20</b>	<b>944.36</b>

Operational Settings:

Includes correction for passby trips

Does not include engine counting adjustment for idling trips

Analysis Year 2019 Season Annual

Emission Version: Emission2007073 Nov 1 2006

Summary of Emissions

Land Use Type	Average Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Single family housing	15.20	5.57 Ave. trip units	69.00	660.33	4,942.74
				660.33	4,942.74

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Class
Light Auto	42.4	1.4	98.4	0.2
Light Truck < 3750 lbs	12.1	3.3	90.1	6.6
Light Truck 3751-6750 lbs	21.1	1.4	98.1	0.5
Med Truck 6751-14500 lbs	11.9	0.8	99.2	0.0
10+ Heavy Truck 9501-14,000 lbs	2.4	0.0	75.0	25.0
10+ Heavy Truck 14,001-14,000 lbs	0.9	0.0	44.4	55.6

Vehicle Type	Emissions (gph)			Catalyst	Diesel
	Percent Type	Non-Catalyst	Catalyst		
Med-Heavy Truck 14,001-33,000 lbs	1.0	7.7	15.4	100.0	75.9
Heavy-Heavy Truck 33,001-50,000 lbs	2.6	0.0	0.0	100.0	100.0
Other Bus	0.1	0.0	0.0	100.0	0.0
Urban Bus	0.0	0.0	0.0	0.0	0.0
Motorcycle	5.9	0.7	33.3	0.0	0.0
School Bus	0.1	0.0	0.0	100.0	100.0
Motor Home	1.0	0.0	0.0	10.0	10.0

Travel Conditions

	Residential				Commercial	
	Home-Work	Home-Shop	Home-Other	Commuter	Non-Work	Customer
Urban Trip Length (miles)	12.8	7.3	7.5	9.5	7.4	7.4
Rural Trip Length (miles)	45.9	7.1	7.9	14.7	6.6	6.5
Trip Speed (mph)	35.0	35.0	35.0	35.0	35.0	35.0
% of Trips - Residential	32.9	19.0	49.1			

% of Trips - Commercial (by land use):

Page: 1

12/5/2007 3:45:45 PM

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Combined Annual Emissions Reports (Tons,Year)

File Name: C:\Documents and Settings\ENunc\Application Data\Urbe-em\Version9a\Project\TM 799 Phase 3 urb9

Project Name: TM 799 Phase 3

Project Location: San Joaquin Valley APCD

On-Road Vehicle Emissions Based on: Version Emfac2007 v2 3 Nov \* 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

CONSTRUCTION EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>PM10</u>	<u>PM10</u>	<u>PM2.5</u>	<u>PM2.5</u>	<u>PM2.5</u>	<u>PM2.5</u>
2010 TOTALS (tons/year, unmitigated):	0.39	1.95	2.22	0.00	1.39	0.12	1.52	0.29	0.41	284.08
2011 TOTALS (tons/year, unmitigated):	1.13	0.69	0.15	0.00	0.00	0.01	0.01	0.00	0.01	19.21

ARLA SOURCE EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>SO2</u>
TOTALS (tons/year, unmitigated):	1.15	0.27	4.34	0.01	0.62	349.19
TOTALS (tons/year, mitigated):	0.72	0.19	0.40	0.00	0.00	240.34
Percent Reduction	37.35	29.63	90.78	100.00	100.00	31.17

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>SO2</u>
TOTALS (tons/year, unmitigated):	1.27	2.28	14.33	0.95	0.23	1121.55
TOTALS (tons/year, mitigated):	1.27	2.28	14.33	0.95	0.23	1121.55
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>SO2</u>
TOTALS (tons/year, unmitigated):	2.42	2.55	18.67	1.59	0.85	1471.74
TOTALS (tons/year, mitigated):	1.44	0.39	0.80	0.00	0.00	480.68
Percent Reduction	40.50	85.10	95.72	100.00	100.00	67.33

CONSTRUCTION EMISSION EST MATES Annual Tons Per Year Unmitigated

	SO2	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10	PM2.5 Dust	PM2.5 Exhaust	PM2.5	CO2
2010	0.00	1.95	2.22	0.00	1.39	0.13	1.52	0.29	0.12	0.41	284.08
Fine Grading 04-07/2010-05-19/2010	0.00	0.39	0.21	0.00	1.39	0.02	1.41	0.29	0.02	0.31	36.42
Fine Grading Dust	0.00	0.00	0.00	0.00	1.39	0.00	1.39	0.29	0.00	0.29	1.00
Fine Grading Off Road Diesel	0.00	0.39	0.19	0.00	0.00	0.02	0.02	0.00	0.02	0.02	34.83
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.00	0.00	0.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.59
Asphalt 05-12/2010-06-02/2010	0.00	0.16	0.11	0.00	0.00	0.01	0.01	0.00	0.01	0.01	15.96
Paving Off-Gas	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	0.00	0.14	0.08	0.00	0.00	0.01	0.01	0.00	0.01	0.01	1.35
Paving On Road Diesel	0.00	0.02	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.67
Paving Worker Trips	0.00	0.00	0.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.84
Building 06-03/2010-01/15/2011	0.00	1.40	1.50	0.00	0.01	0.10	0.10	0.00	0.09	0.09	231.80
Building Off Road Diesel	0.00	1.22	0.83	0.00	0.00	0.00	0.00	0.00	0.00	0.00	110.97
Building Vendor Trips	0.00	0.12	0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	22.46
Building Worker Trips	0.00	0.05	0.07	0.00	0.00	0.00	0.01	0.00	0.00	0.00	69.37



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- 1 Rollers (55 hp) operating at a 0.55 load factor for 7 hours per day
- 1 Tractor/Loader/Backhoes (105 hp) operating at a 0.55 load factor for 7 hours per day

Phase: Building Construction (6/6/2010 - 11/6/2011 - Default: Building Construction, Description: CM Road Equipment:

- \* Cranes (399 hp) operating at a 0.43 load factor for 6 hours per day
- \* Fork lifts (145 hp) operating at a 0.3 load factor for 5 hours per day
- \* Generator Sets (49 hp) operating at a 0.74 load factor for 8 hours per day
- \* Tractor/Loader/Backhoes (105 hp) operating at a 0.55 load factor for 8 hours per day
- \* Welders (45 hp) operating at a 0.45 load factor for 8 hours per day

Phase: Architectural Coating (11/9/2011 - 2/16/2011 - Default: Architectural Coating, Description: Rule: Residential Interior Coatings begins 11/2005 ends 2/31/2040 specifies a VOC of 130 Rule: Residential Exterior Coatings begins 11/2005 ends 12/31/2040 specifies a VOC of 130 Rule: Nonresidential Interior Coatings begins 11/2005 ends 12/31/2040 specifies a VOC of 250 Rule: Nonresidential Exterior Coatings begins 11/2005 ends 12/31/2040 specifies a VOC of 250

Area Source Unmitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Annual Emissions Per Year, Unmitigated

Source	CO <sub>2</sub>	NO <sub>x</sub>	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	CO <sub>2</sub>
Natural Gas	0.0*	0.19	0.00	0.00	0.00	239.38
Hearth	0.43	0.08	0.0*	0.64	0.62	109.28
Landscape	0.05	0.00	0.00	0.00	0.00	0.53
Consumer Products	0.54					
Architectural Coatings	0.11					
TOTALS (tens/year, unmitigated)	1.15	0.27	0.01	0.64	0.62	349.19

Area Source Mitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Annual Tons Per Year, Mitigated

Source	HOG	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.01	0.19	0.08	0.00	0.00	0.00	239.38
Hearth	0.00	0.00	0.00	0.00	0.00	0.00	0.43
Landscape	0.00	0.00	0.02	0.00	0.00	0.00	0.53
Consumer Products	0.54						
Architectural Coatings	0.11						
TOTALS (tons/year, mitigated):	0.72	0.19	0.40	0.00	0.00	0.00	240.34

Area Source Changes to Defaults

Percentage of ms stoves with wood stoves changed from 0% to 43%  
 Percentage of residences with natural gas fireplaces changed from 0% to 57%

Operational, Unmitigated Detail Report

OPERATIONAL EMISSION ESTIMATES Annual Tons Per Year, Unmitigated

Source	ROG	NOX	CO	SO2	PM10	PM2.5	CO2
Single family housing	1.27	2.28	14.33	0.01	0.95	0.23	1,121.95
TOTALS (tons/year, unmitigated):	1.27	2.28	14.33	0.01	0.95	0.23	1,121.95

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Operational Mitigated Data Report

OPERATIONAL EMISSIONS ESTIMATES Annual Totals Per Year, Mitigated

Source	COG	NOX	CO	SO2	PM10	PM25	CO2
Single family housing	1.27	2.28	14.33	0.01	0.95	0.23	1,121.95
TOTALS (for/year, mitigated)	1.27	2.28	14.33	0.01	0.95	0.23	1,121.95

Operational Settings

Includes correction for bussey trips

Does not include double counting adjustment for internal trips

Analysis Year: 2011 Season: Annual

Emfac Version: Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Single family housing	17.00	9.57 dwelling units		82.00	784.74	5,873.98
					784.74	5,873.98

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non Catalyst	Catalyst	Diesel
Light Auto	42.4	1.2	36.6	0.2
Light Truck < 3750 lbs	12.1	2.5	90.9	5.6
Light Truck 3751-5750 lbs	21.1	0.9	96.6	0.5
Med Truck 5751-6500 lbs	11.9	0.8	99.2	0.0
Lite-Heavy Truck 6501-10,000 lbs	2.4	0.0	19.0	26.0
Ultra-heavy Truck 10,001-14,000 lbs	6.9	0.0	44.4	55.6

Vehicle Type Mix

Vehicle Type	Per cent Type	Non-Catalyst	Catalyst	Diesel
Med-heavy Truck 14,001-33,000 lbs	1.3	7.7	15.4	76.9
Heavy-heavy Truck 33,001-50,000 lbs	2.8	0.0	0.0	100.0
Other Bus	0.1	0.0	0.0	100.0
Urban Bus	0.0	0.0	0.0	0.0
Motorcycle	3.9	64.1	35.9	0.0
School Bus	0.1	0.0	0.0	100.0
Motor Home	1.0	0.0	90.0	10.0

Travel Conditions

	Residential			Commercial	
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work
Urban Trip Length (miles)	10.8	7.3	7.5	9.5	7.4
Rural Trip Length (miles)	10.8	7.1	7.9	14.7	6.6
Trip speeds (mph)	35.0	35.0	35.0	35.0	35.0
% of Trips - Residential	32.9	16.0	49.1		

% of Trips - Commercial (by and use)

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Urban's 2007 Version 9.2.2

Combined Annual Emissions Reports (Tons/Year)

File Name: C:\Documents and Settings\Enunol\Application Data\Urban's\Version9\ai\Projects\TM 799 Phase 4.jrt9

Project Name: TM 799 Phase 4

Project Location: San Joaquin Valley APCD

On-Road Vehicle Emissions Based on: Version Emtac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

Summary Report:

CONSTRUCTION EMISSION ESTIMATES

	<u>SO2</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM10</u>	<u>PM10</u>	<u>PM2.5</u>	<u>PM2.5</u>	<u>PM2.5</u>	<u>CO2</u>
2011 TOTALS (tons/year, unmitigated):	0.34	1.75	1.59	0.00	0.65	0.12	0.05	0.18	0.11	0.28	236.77
2012 TOTALS (tons/year, unmitigated):	0.70	0.09	0.11	0.00	0.00	0.01	0.01	0.00	0.01	0.01	15.54

AREA SOURCE EMISSION ESTIMATES

	<u>SO2</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated):	0.71	0.16	2.55	0.01	0.39	0.38	212.91
TOTALS (tons/year, mitigated):	0.45	0.11	0.24	0.00	0.00	0.00	146.54
Percent Reduction	36.92	31.25	90.94	100.00	100.00	100.00	31.17

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	<u>SO2</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated):	0.71	1.25	7.89	0.01	0.58	0.14	683.38
TOTALS (tons/year, mitigated):	0.71	1.25	7.89	0.01	0.58	0.14	683.38
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	<u>SO2</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated):	1.42	1.41	10.54	0.02	0.97	0.52	866.29
TOTALS (tons/year, mitigated):	0.90	0.22	0.48	0.00	0.00	0.00	263.06
Percent Reduction	36.62	84.40	95.45	100.00	100.00	100.00	67.90



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2012	0.70	0.09	0.11	0.00	0.00	0.01	0.01	0.00	0.01	0.01	15.54
Building 06/09/2011-01/16/2012	0.02	0.08	0.10	0.00	0.00	0.01	0.01	0.00	0.01	0.01	13.96
Building Off Road Diesel	0.02	0.08	0.06	0.00	0.00	0.01	0.01	0.00	0.01	0.01	8.92
Building Vendor Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.02
Building Worker Trips	0.00	0.00	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.06
Coating 01/19/2012-02/16/2012	0.66	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.56
Architectural Coating	0.68	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coating Worker Trips	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.55

Phase Assumptions

Phase: Fine Grading 4/7/2011 - 5/19/2011 - Default Fine Site Grading Description

Total Acres Disturbed: 10.9

Maximum Daily Acreage Disturbed: 2.72

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On-Road Truck Travel (VM7): 0

Off-Road Equipment:

- 1 Graders (174 hp) operating at a 0.61 load factor for 6 hours per day
- 1 Rubber Tired Dozers (357 hp) operating at a 0.59 load factor for 6 hours per day
- 1 Tractors/Loaders/Backhoes (105 hp) operating at a 0.55 load factor for 7 hours per day
- 1 Water Trucks (165 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Paving 5/12/2011 - 6/2/2011 - Default Paving Description

Acres to be Paved: 2.72

Off-Road Equipment:

- 4 Cement and Mortar Mixers (10 hp) operating at a 0.55 load factor for 6 hours per day
- 1 Pavers (100 hp) operating at a 0.62 load factor for 7 hours per day
- 1 Paving Equipment (104 hp) operating at a 0.59 load factor for 8 hours per day

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- 1 Rotors (95 hp) operating at a 0.56 load factor for 7 hours per day
- 1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

Phase: Bulding Construction 6/9/2012 - 11/5/2012 - Default Building Construction Description  
 Off-Road Equipment:

- \* Cranes (389 hp) operating at a 0.43 load factor for 6 hours per day
- 2 Forklifts (145 hp) operating at a 0.3 load factor for 6 hours per day
- \* Generator Sets (48 hp) operating at a 0.74 load factor for 8 hours per day
- 1 Tractors/Loaders/Backhoes (106 hp) operating at a 0.55 load factor for 8 hours per day
- 3 Weiners (45 hp) operating at a 0.45 load factor for 8 hours per day

Phase: Architectural Coating 1/19/2012 - 2/16/2012 - Default Architectural Coating Description  
 Rule: Residential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 130  
 Rule: Residential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 130  
 Rule: Nonresidential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250  
 Rule: Nonresidential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Area Source Unmitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Annual Tons Per Year Unmitigated

Source	SO <sub>2</sub>	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	CO <sub>2</sub>
Natural Gas	0.07	0.11	0.05	0.00	0.00	0.00	145.96
Heath	0.25	0.05	2.40	0.01	0.39	0.38	66.53
Landscape	0.04	0.00	0.20	0.00	0.00	0.00	0.32
Consumer Products	0.33						
Architectural Coatings	0.07						
TOTALS (tons/year, unmitigated)	0.77	0.16	2.65	0.01	0.39	0.38	212.91

Area Source Mitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Annual Tons Per Year Mitigated

Source	SO2	NOx	CO	SO2	PV10	PV25	CO2
Natural Gas	0.01	0.11	0.06	0.00	0.00	0.00	145.96
Heating	0.00	0.00	0.00	0.00	0.00	0.00	0.25
Landscape	0.04	0.00	0.19	0.00	0.00	0.00	0.72
Consumer Products	0.33						
Architectural Coatings	0.07						
TOTALS (tons/year, mitigated)	0.45	0.11	0.24	0.00	0.00	0.00	146.54

Area Source Changes to Defaults

Percentage of residences with wood stoves changed from 0% to 43%  
 Percentage of residences with natural gas fireplace changed from 0% to 57%

Operational Unmitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Annual Tons Per Year Unmitigated

Source	SO2	NOx	CO	SO2	PV10	PV25	CO2
Single family housing	0.71	1.25	7.99	0.01	0.54	0.14	663.36
TOTALS (tons/year, Unmitigated)	0.71	1.25	7.99	0.01	0.54	0.14	663.36

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Operational Mitigated Detail Report:

OPERATIONAL EMISSIONS ESTIMATES Annual Tons Per Year, Mitigated

Source	CO	NOX	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	CO <sub>2</sub>
Single family housing	0.71	1.25	0.01	0.58	0.14	683.38
TOTALS (tons/year, mitigated)	0.71	1.25	0.01	0.58	0.14	683.38

Operational Settings:

Includes correction for passby trips

Does not include double counting adjustment for intermodal trips

Analysis Year 2012 Season Annual

Emission Version Emission071203 Nov 1 2005

Summary of Land Uses

Land Use Type	Average Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Single family housing	10.90	9.57 dwelling units	55.00	478.50	3,581.70

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	42.5	0.0	38.9	0.2
Light Truck < 3750 lbs	12.1	2.5	91.7	5.9
Light Truck 3751-9750 lbs	21.1	0.0	28.6	0.5
Med Truck 9751-9500 lbs	11.9	0.8	99.2	0.0
Line-Heavy Truck 9501-10,000 lbs	2.4	0.0	75.0	25.0
Ultra-heavy Truck 10,001-14,000 lbs	0.0	0.0	44.4	55.6

Vehicle Type	Percent Type	Non-Data Yst	Data Yst	Class
Med-Heavy Truck 14 000-33 000 lbs	1.3	0.0	15.4	84.6
Heavy Heavy Truck 33 000-60 000 lbs	2.7	0.0	0.0	100.0
Other Bus	0.1	0.0	0.0	100.0
Urban Bus	0.0	0.0	0.0	0.0
Motorcycle	3.9	59.0	41.0	0.0
School Bus	0.1	0.0	0.0	100.0
Motor Home	1.0	0.0	50.0	10.0

Travel Categories

	Residential				Commercial	
	Home/Work	Home/Shop	Home/Other	Commuter	Non-Work	Customer
Urban Trip Length (miles)	10.6	7.3	7.5	5.5	7.4	7.4
Rural Trip Length (miles)	19.8	7.1	7.9	14.7	5.6	6.6
Trip speeds (mph)	35.0	35.0	35.0	35.0	35.0	35.0
% of Trips - Residential	32.0	13.0	49.1			

% of Trips - Commercial (by land use)

License: 2007 Vers on 9.2.2

Combined Annual Emissions Reports (Tons/Year)

File Name: C:\Documents and Settings\ENJuro\Application Data\Jibemis\Version9a\Projects\TM 799 and PZ 07-005 urb9

Project Name: TM 799 PZ 07-005

Project Location: San Joaquin Valley APCD

On-Road Vehicle Emissions Based on: Version: Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

AREA SOURCE EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	1.34	0.61	0.00	0.00	0.00	766.99
TOTALS (tons/year, mitigated)	1.31	0.61	0.00	0.00	0.00	757.87
Percent Reduction	2.24	0.00	NaN	NaN	NaN	-0.11

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	41.34	6.97	0.04	3.02	0.72	3,580.92
TOTALS (tons/year, mitigated)	41.34	6.97	0.04	3.02	0.72	3,580.92
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	<u>CO</u>	<u>NOx</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	42.68	7.58	0.04	3.02	0.72	4,347.91
TOTALS (tons/year, mitigated)	2.62	1.22	0.00	0.00	0.00	1,535.74
Percent Reduction	93.85	83.91	100.00	100.00	100.00	64.58

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Area Source Unmitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Annual Tons Per Year - Unmitigated

Source	SO <sub>2</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	CO <sub>2</sub>
Natural Gas	0.05	0.60	0.25	0.00	0.00	0.00	764.85
Heath	0.00	0.00	0.00	0.00	0.00	0.00	0.45
Landscape	0.20	0.01	1.00	0.00	0.00	0.00	1.68
Consumer Products	1.72						
Architectural Coatings	0.35						
TOTALS (tons/year unmitigated)	2.32	0.61	1.24	0.00	0.00	0.00	766.99

Area Source Mitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Annual Tons Per Year - Mitigated

Source	SO <sub>2</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	CO <sub>2</sub>
Natural Gas	0.05	0.60	0.25	0.00	0.00	0.00	764.55
Heath	0.00	0.00	0.00	0.00	0.00	0.00	1.30
Landscape	0.18	0.01	1.06	0.00	0.00	0.00	1.63
Consumer Products	1.72						
Architectural Coatings	0.35						
TOTALS (tons/year mitigated)	2.31	0.61	1.31	0.00	0.00	0.00	767.67

Area Source Changes in Details

Percentage of residences with wood stoves changed from 0% to 5%

Percentage of residences with natural gas fireplaces changed from 0% to 33%

12/19/2007 11:30:25 AM

Operational Unmitigated Detail Report

OPERATIONAL EMISSION ESTIMATES Annual Tons Per Year Unmitigated

Source	ROG	NOX	CO	SO2	PV10	PV25	CO2
Single family housing	3.73	5.57	41.34	0.04	3.02	0.72	3,580.92
TOTALS (tons/year unmitigated)	3.73	5.57	41.34	0.04	3.02	0.72	3,580.92

Operational Settings

Includes correction for passby trips

Does not include south counting adjustment for internal trips

Analysis Year: 2012 Season: Annual

Emfac Version: Emfac2007 V2.3 Nov 1 2006

Summary of Emissions

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Single family housing	87.33	0.57 dwelling units		262.00	2,507.34	18,768.10

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	42.6	0.9	96.9	0.2
Light Truck < 3750 lbs	12.1	2.5	61.7	5.8
Light Truck 3751-6500 lbs	21.1	0.9	96.6	0.5
Med Truck 5751-8500 lbs	11.9	0.6	99.2	0.1
Light Heavy Truck 6501-10,000 lbs	2.4	0.0	75.0	25.0
Light Heavy Truck 10,001-14,000 lbs	0.9	0.0	44.4	55.6

Vehicle Fuel Mix

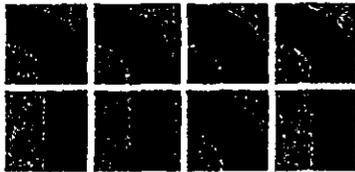
Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Med-Heavy Truck 14,001-33,000 lbs	4.3	0.0	15.4	84.6
Heavy-Heavy Truck 33,001-60,000 lbs	2.7	0.0	0.0	100.0
Other Bus	0.1	0.0	0.0	100.0
Urban Bus	0.0	0.0	0.0	0.0
Motorcycle	3.3	59.0	41.0	0.0
School Bus	0.1	0.0	0.0	100.0
Motor Home	1.0	0.0	50.0	50.0

Travel Categories

	Residential			Commercial	
	Home/Work	Home/Shop	Home/Other	Commuter	Non-Work
Urban Trip Length (miles)	10.8	7.3	7.5	9.5	7.4
Rural Trip Length (miles)	15.9	7.1	7.9	14.7	5.6
Trip speeds (mph)	35.0	35.0	35.0	35.0	35.0
% of Trips - Residential	32.9	19.0	49.1		

% of Trips - Commercial (by land use)

**Attachment B: Biological Resources Survey**



Michael Brandman Associates

ENVIRONMENTAL SERVICES • PLANNING • NATURAL RESOURCES MANAGEMENT

December 13, 2007

Charlotte Brusuelas, Project Manager  
Planning Branch, Project Review Division  
Resource Management Agency  
5961 South Mooney Boulevard  
Visalia, California 932777

**Subject: Results of the Biological Resources Assessment Survey  
for Poplar/Cotton Center Community Plan Located in the Community of  
Popular, Tulare County, California.**

Dear Ms. Brusuelas:

This letter report documents the findings of a biological resources survey conducted by Michael Brandman Associates (MBA) for the Poplar/Cotton Center Community Plan. MBA conducted the survey on November 14, 2007 to document general site conditions on the project site and determine potentially significant impacts to sensitive biological resources based upon currently proposed project plans.

**SITE LOCATION AND PROJECT DESCRIPTION**

The Project is generally located in the Community of Popular, Tulare County, California. The property is located in Section 34, Township 21 South, Range 26 East, MDB&M of the Woodville, California, United States Geological Survey (USGS) 7.5-minute topographic quadrangle map. The Project site is located in the City of Popular, north of Avenue 144 (State Highway 190/Poplar Avenue) between Road 184 and Road 190 (Hale Avenue) (Exhibit 1).

The applicant is proposing to change the land use designation and rezone 64.1 acres into 57.6 acres of low density residential and 6.5 acres into neighborhood commercial. The applicant proposes to subdivide the 57.6 into 262 residential lots, ranging in size from 6,000 square feet to 8,997 square feet.

The Project site is not located within the boundaries of any Habitat Conservation Plans (HCP), Multiple Species Habitat Conservation Plans (MSHCP) or National Community Conservation Plans (NCCPS). The Project site is not located within any United States Fish and Wildlife Service (USFWS) designated critical habitat.

Bakersfield	Fresno	Irvine	Palm Springs	Sacramento	San Bernardino	San Ramon	Santa Cruz
661.331.2755	559.497.0310	714.508.4100	760.322.8847	916.383.0944	909.884.2285	925.830.2733	831.262.1731

[www.brandman.com](http://www.brandman.com)

[mba@brandman.com](mailto:mba@brandman.com)

## **REGULATORY FRAMEWORK**

### **Federal and California Endangered Species Acts**

Federally listed plant and wildlife species are protected under the Endangered Species Act (ESA) and the United States Fish and Wildlife Service (USFWS) enforces regulations related to the ESA. State listed species are protected under the California Endangered Species Act (CESA) and these regulations are enforced by the California Department of Fish and Game (CDFG). The CDFG also designates certain species as Species of Special Concern as a result of declines in their local and/or statewide populations. The USFWS designates certain species as Migratory Non-Game Birds of Management Concern. Guidelines for the implementation of the California Environmental Quality Act (CEQA) provide that any impacts deemed significant must be mitigated.

### **Migratory Bird Treaty Act, Fish and Game Code 3503 and 3503.5**

The Migratory Bird Treaty Act (MBTA) protects all common wild birds found in the United States except the common house sparrow, starling, feral pigeon, and resident game birds such as pheasant, grouse, quail, and wild turkey. Resident game birds are managed separately by each state. The MBTA makes it unlawful for anyone to kill, capture, collect, possess, buy, sell, trade, ship, import or export any migratory bird including feathers, parts, nests or eggs.

CDFG Code 3503 makes it illegal to destroy any birds' nest or any birds' eggs that are protected under the MBTA. Code 3503.5 further protects all birds in the orders Falconiformes and Strigiformes (birds of prey, such as hawks and owls) and their eggs and nests from any form of take.

### **Jurisdictional Waters and Wetlands**

The United States Army Corps of Engineers (USACE) and the Regional Water Quality Control Board (RWQCB) regulate discharge of fill into waters of the United States under Section 404 and 401 of the federal Clean Water Act, respectively. The CDFG regulates alterations to stream courses including adjacent riparian habitat areas under Section 1600 of the state Fish and Game Code.

## **METHODOLOGY**

### **Literature Review**

Before conducting the biological survey, a MBA biologist performed a literature review in order to provide a baseline from which to evaluate the biological resources potentially occurring on the Project site, as well as the surrounding area. A compilation of sensitive plant and wildlife species recorded in the vicinity of the site was derived from CDFG's California Natural Diversity Database (CNDDB), a sensitive species and plant community account database. A list of additional recorded occurrences of sensitive plant species found on or near the site was obtained from the California Native Plant Society's (CNPS) Electronic Inventory of Rare and Endangered

Vascular Plants of California database. The CNDDDB and CNPS searches were based upon the *Woodville, Ducor, Sausalito School, Tipton, Tulare, Pixley, Porterville, Lindsay, and Cairns Corner*, California USGS 7.5-minute topographic quadrangles.

### **Biological Baseline Survey**

MBA biologist Eric Guzman conducted a biological survey of the Project site on November 14, 2007, making note on field data sheets of biological resources, such as plant and wildlife species. The survey focused on areas of the Project site that could potentially support sensitive species as well as potential jurisdictional waters and wetlands. A recent aerial photograph was used for reference.

## **SUMMARY OF FINDINGS**

### **Existing Conditions**

The Project site is currently a highly disturbed flat open field that has been historically used for agricultural activities. The Project site has trash, litter and human debris scattered throughout the area as well as signs of dirt dumping. Surrounding land use consists of agricultural irrigation ditches, orchards, and vacant land. The Project site has residential housing to the north, Poplar ditch to the south, residential housing, apartment complexes, and Pleasant Hills Elementary School to the east, and an irrigation ditch, orchard, and ponding basin to the west. Elevation on the property is approximately 371 feet above mean sea level.

### **Vegetation**

There were no sensitive plant species observed on the Project site during the survey. The Project site is disked and previously used for agricultural activities. Vegetation dominating the disked agricultural field consists of annual grassland and ruderal weedy species. Vegetative species observed onsite include Russian thistle (*Salsola tragus*), pigweed (*Amaranthus albus*), field bindweed (*Convolvulus arvensis*), yellow star-thistle (*Centaurea solstitialis*), prostrate vervain (*Verbena bracteata*), horseweed (*Conyza canadensis*), and Bermuda grass (*Cynodon dactylon*).

### **Wildlife**

There were no sensitive wildlife species observed on the Project site during the survey and the property is not located within a significant wildlife movement corridor. Wildlife species observed on the Project site include California ground squirrel (*Citellus beecheyi*), western fence lizard (*Sceloporus occidentalis*), song sparrow (*Melospiza melodia*), killdeer (*Charadrius vociferous*), western meadowlark (*Sturnella neglecta*), mourning dove (*Zenaida macroura*), and common raven (*Corvus corax*). Small mammal burrows were also observed on the Project site.

### **Sensitive Plant Communities**

There were no sensitive plant communities observed on the Project site during the field survey nor are they expected to occur on the site based on the lack of suitable habitat.

### **Sensitive Plant Species**

The CNDDB list of sensitive plant species for the Woodville quadrangle area list the California jewel flower (*Caulanthus californicus*) as having the potential to occur within the Project area. However, based on the ongoing disking and agricultural activities on the Project site this species is not expected to occur. Therefore, due to the unsuitable habitat and disturbed ruderal vegetation on the Project site no focused surveys are recommended for the California jewel flower.

### **Sensitive Wildlife Species**

The CNDDB list of sensitive wildlife species for the Woodville quadrangle area lists the San Joaquin kit fox (*Vulpes macrotis mutica*), Swainson's hawk (*Buteo swainsoni*), and Burrowing owl (*Athene cunicularia*) as having the potential to occur within the Project area. During the field survey conducted on the Project site none of the species listed in the CNDDB, as having potential to occur within the Project area, were observed on the Project site or in the vicinity of the property.

The Project site contains marginally suitable habitat for the San Joaquin kit fox and Burrowing owl. Although, not detected on the Project site during the field survey this does not preclude the Project site from supporting potential suitable habitat in the future. Therefore, a pre-construction survey for the San Joaquin kit fox and Burrowing owl is recommended 30-days prior to commencement of the Project site construction activities.

The Project site contains marginally suitable habitat for the Swainson's hawk. Although, not detected on the Project site during the field survey this does not preclude the Project site from supporting potential suitable foraging habitat in the future. Therefore, it is recommended that during the Swainson's hawk nesting season (March 1 - September 15) a qualified biological monitor shall be present during the construction activities. If an active nest is located, CDFG shall be consulted to determine if Project construction may proceed during the nesting season. If so, then mitigation for loss of foraging habitat shall occur in accordance with the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California (CDFG 1994). For each acre of foraging habitat impacted, 0.50 acre of suitable foraging habitat shall be protected through fee title acquisition or through purchase of credits at an approved habitat mitigation bank.

### **Nesting Birds**

The Project site provides nesting habitat for a variety of avian species. Therefore, pursuant to the MBTA and CDFG Code, removal of any trees, shrubs, or any other potential nesting habitat should be conducted outside the avian nesting season. The nesting season generally extends from

Ms. Charlotte Brusuelas  
December 13, 2007  
Page 5

early February through August, but can vary slightly from year to year based upon seasonal weather conditions.

If suitable nesting habitat must be removed during the nesting season, a qualified biologist shall conduct a nesting bird survey to identify any potential nesting activity. If active nests are observed, construction activity must be prohibited within a 500-foot buffer around the nest until the nestlings have fledged. All construction activity within the vicinity of active nests must be conducted in the presence of a qualified biological monitor. Construction activity may encroach into the buffer area at the discretion of the biological monitor.

### **Jurisdictional Waters and Wetlands**

A jurisdictional delineation will not be required because there are no wetlands or jurisdictional water features on the project.

If you have any questions or concerns regarding this report, please call me at 559.497.0310.

Sincerely,

A handwritten signature in black ink, appearing to read 'EG', with a horizontal line extending to the right from the end of the signature.

Eric Guzman, Assistant Project Manager/Biologist  
**Michael Brandman Associates**  
2444 Main Street, Suite 215  
Fresno, CA 93721

EG: TT

## **Attachment C: Acoustical Modeling Results**

Table 1  
 TRAFFIC NOISE IMPACT  
 Year: 2030 Weekday

FILE: NOISE-road145-road192.d

Location: Road 145 at Road 192

Vehicle Type	Traffic Volume		Noise Reference Level	Noise Level (dB L <sub>eq</sub> )						
	24-hr volume	Equiv 1 hr		Centerline Distance (feet)						
				100	200	400	800	1600	3200	6400
				--- (meters) ---						
EXISTING (2007)										
Autos	601	59	58.8	54.2	49.7	45.2	40.6	36.1	31.6	27.1
Med Trucks	6	1	48.2	44.6	40.1	35.6	31.0	26.5	22.0	17.5
Hvy Trucks	6	1	52.5	47.9	43.4	38.9	34.4	29.8	25.3	20.8
TOTAL	613	61	53.1	55.5	51.0	46.4	41.9	37.4	32.9	28.4
Attenuation from existing walls:										
FUTURE NO PROJECT (2030)										
Autos	531	52	58.3	53.7	49.1	44.6	40.1	35.6	31.1	26.6
Med Trucks	5	1	48.7	44.1	39.5	35.0	30.5	26.0	21.5	17.0
Hvy Trucks	5	1	52.0	47.4	42.9	38.3	33.8	29.3	24.8	20.3
TOTAL	541	54	53.6	54.9	50.4	45.9	41.4	36.9	32.4	27.8
Attenuation from existing walls:										
FUTURE WITH PROJECT (2030)										
Autos	635	62	59.0	54.4	49.9	45.4	40.9	36.4	31.9	27.3
Med Trucks	6	1	49.5	44.8	40.3	35.8	31.3	26.8	22.3	17.7
Hvy Trucks	5	1	52.8	48.2	43.6	39.1	34.6	30.1	25.6	21.1
TOTAL	646	64	60.3	55.7	51.2	46.7	42.2	37.7	33.1	28.6
Attenuation from existing walls:										
CHANGE FROM EXISTING										
Autos	14	3	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
Med Trucks	0	0	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
Hvy Trucks	0	0	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
TOTAL	14	3	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
CHANGE FROM FUTURE NO PROJECT										
Autos	104	10	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8
Med Trucks	1	0	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8
Hvy Trucks	1	0	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8
TOTAL	106	10	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8
Average speed: 104.6 km/hr 65.0 mi/hr										
Time of day: 70.0% Day 15.0% Evening 15.0% Night 100.0%										
Fleet Mix: 88.0% Autos 1.0% Medium Trucks 1.0% Heavy Trucks 100.0%										

Notes: Based on methods of Federal Highway Administration "Highway Traffic Noise Model", FHWA-RD-77-108, December, 1978.  
 Traffic data obtained from Peters Engineering Group

Table 1  
TRAFFIC NOISE IMPACT  
Year: 2030 Weekday

FILE: NOISE Road145Road092FH

Location: Road 145 at Road 92

Vehicle Type	Traffic		Noise Reference Level (15 meters)	Noise Level (dB Ldn)						
	24-hr volume	Equip 1-hr		Centerline Distance (feet)						
				100	200	400	800	1600	3200	6400
				-(meters)						
				39	61	122	244	488	975	1951
EXISTING (2007)										
Autos	803	49	58.0	53.4	48.9	44.4	39.8	35.4	30.8	26.3
Med Trucks	5	1	49.4	43.8	39.3	34.8	30.3	25.8	21.2	16.7
Hvy Trucks	5	1	57.8	49.1	42.6	38.1	33.6	29.1	24.6	20.0
TOTAL	813	50	59.3	54.7	50.2	45.7	41.2	36.6	32.1	27.6
Attenuation from existing walls:										
FUTURE NO PROJECT (2030)										
Autos	877	86	60.4	55.8	51.3	46.8	42.3	37.8	33.3	28.7
Med Trucks	9	1	50.9	46.2	41.7	37.2	32.7	28.2	23.7	19.1
Hvy Trucks	9	1	54.2	49.6	45.0	40.5	36.0	31.5	27.0	22.5
TOTAL	895	88	61.7	57.1	52.6	48.1	43.6	39.1	34.5	30.0
Attenuation from existing walls:										
FUTURE WITH PROJECT (2030)										
Autos	1013	99	61.1	56.5	51.9	47.4	42.9	38.4	33.9	29.4
Med Trucks	10	1	51.5	46.9	42.3	37.8	33.3	28.8	24.3	19.8
Hvy Trucks	10	1	54.8	50.2	45.7	41.2	36.6	32.1	27.6	23.1
TOTAL	1034	101	62.4	57.7	53.2	48.7	44.2	39.7	35.2	30.7
Attenuation from existing walls:										
CHANGE FROM EXISTING										
Autos	511	50	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Med Trucks	5	1	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Hvy Trucks	5	1	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
TOTAL	521	51	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
CHANGE FROM FUTURE NO PROJECT										
Autos	136	13	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Med Trucks	1	0	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Hvy Trucks	1	0	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
TOTAL	138	14	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Average speed:	104.6 km/hr		65.0 mi/hr							
Time of day:	75.0% Day		Fleet Mi 98.0% Autos							
	15.0% Evening		1.0% Medium Trucks							
	10.0% Night		1.0% Heavy Trucks							
	100.0%		100.0%							

Notes: Based on methods of Federal Highway Administration "Highway Traffic Noise Model", FHWA RD-77 108, December, 1978.  
Traffic data obtained from Peters Engineering Group

Table 1  
 TRAFFIC NOISE IMPACT  
 Year 2030 Weekday

FILE: NOISE-Road146Road182AV

Location: Road 146 at Road 182

Vehicle Type	Traffic		Noise Reference Level	Noise Level (dB Ldn)						
	---Volume 24 hr volume	Equip 1 hr (15 meters)		---Centerline Distance (feet) ---						
				100	200	400	800	1600	3200	6400
				--- (meters) ---						

EXISTING (2037)

Autos	302	30	55.8	51.2	46.7	42.2	37.7	33.1	28.6	24.1
Med Trucks	3	0	46.2	41.6	37.1	32.6	28.1	23.5	19.0	14.5
Hy Trucks	3	0	49.5	44.9	40.4	35.9	31.4	26.9	22.3	17.8
TOTAL	308	30	57.1	52.5	48.0	43.5	38.9	34.4	29.9	25.4

Attenuation from existing walls:

FUTURE NO PROJECT (2030)

Autos	534	52	58.3	53.7	49.2	44.6	40.1	35.6	31.1	26.6
Med Trucks	5	1	48.7	44.1	39.6	35.1	30.5	26.0	21.5	17.0
Hy Trucks	5	1	52.0	47.4	42.9	38.4	33.9	29.3	24.8	20.3
TOTAL	544	53	59.6	55.0	50.4	45.9	41.4	36.9	32.4	27.9

Attenuation from existing walls:

FUTURE WITH PROJECT (2030)

Autos	621	61	59.0	54.3	49.8	45.3	40.8	36.3	31.8	27.2
Med Trucks	6	1	49.4	44.7	40.2	35.7	31.2	26.7	22.2	17.6
Hy Trucks	6	1	52.7	48.1	43.5	39.0	34.5	30.0	25.5	21.0
TOTAL	633	62	60.2	55.6	51.1	46.6	42.1	37.6	33.0	28.5

Attenuation from existing walls:

CHANGE FROM EXISTING

Autos	319	31	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1
Med Trucks	3	0	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1
Hy Trucks	3	0	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1
TOTAL	325	31	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1

CHANGE FROM FUTURE NO PROJECT

Autos	87	9	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7
Med Trucks	1	0	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7
Hy Trucks	1	0	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7
TOTAL	89	9	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7

Average speeds: 104.6 km/hr 65.0 mi/hr

Time of day: 70.0% Day Fleet Mi 98.0% Autos  
 15.0% Evening 1.0% Medium Trucks  
 15.0% Night 1.0% Heavy Trucks  
 100.0% 100.0%

Notes: Based on methods of Federal Highway Administration "Highway Traffic Noise Model", FHWA-RD-77-108, December, 1978.  
 Traffic data obtained from Peters Engineering Group

Table 1  
 TRAFFIC NOISE IMPACT  
 Year: 2010 Weekday

FILE: NOISE Road146Road192FM

Location: Road 146 at Road 192

Vehicle Type	Traffic		Noise Reference Level	Noise Level (dB (dny))						
	24 hr volume	Equiv 1-hr (15 meters)		100	200	400	800	1600	3200	6400
				30	61	122	244	488	975	1951
EXISTING (2007)										
Autos	393	38	52.0	52.3	47.9	43.3	38.6	34.3	29.8	25.3
Med Trucks	4	0	47.4	42.7	38.2	33.7	29.2	24.7	20.2	15.7
Hvy Trucks	4	0	50.7	46.1	41.6	37.0	32.5	28.0	23.5	19.0
TOTAL	401	38	52.3	53.6	49.1	44.6	40.1	35.6	31.1	26.6
Attenuation from existing walls:										
FUTURE NO PROJECT (2030)										
Autos	858	84	60.4	55.7	51.2	46.7	42.2	37.7	33.2	28.6
Med Trucks	9	1	50.8	46.3	41.8	37.2	32.6	28.1	23.6	19.1
Hvy Trucks	9	1	54.1	49.5	44.9	40.4	35.9	31.4	26.9	22.4
TOTAL	876	86	61.0	57.0	52.5	48.0	43.5	39.0	34.4	29.9
Attenuation from existing walls:										
FUTURE WITH PROJECT (2030)										
Autos	992	97	61.0	56.4	51.8	47.3	42.8	38.3	33.8	29.3
Med Trucks	10	1	51.4	46.8	42.3	37.7	33.2	28.7	24.2	19.7
Hvy Trucks	10	1	54.7	50.1	45.6	41.1	36.5	32.0	27.5	23.0
TOTAL	1012	99	62.1	57.7	53.1	48.6	44.1	39.6	35.1	30.6
Attenuation from existing walls:										
CHANGE FROM EXISTING										
Autos	599	59	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Med Trucks	6	1	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Hvy Trucks	6	1	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
TOTAL	611	61	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
CHANGE FROM FUTURE NO PROJECT										
Autos	133	13	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Med Trucks	1	0	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Hvy Trucks	1	0	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
TOTAL	136	13	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6

Average speed: 104.6 km/hr 65.0 mi/hr

Time of day: 20.0% Day Fleet Mi 98.0% Autos  
 15.0% Evening 1.0% Medium Trucks  
 15.0% Night 1.0% Heavy Trucks  
 100.0% 100.0%

Notes: Based on methods of Federal Highway Administration "Highway Traffic Noise Model", FHWA-RD-77-108, December, 1978.  
 Traffic data obtained from Etern Engineering Group

Table 1  
TRAFFIC NOISE IMPACT  
Year 2010 Weekday

FILE: NOISE Road148R.d1102AM

Location: Road 148 at Road 100

Vehicle Type	Traffic		Noise Reference Level (15 meters)	Noise Level (dB Ldn)						
	--- Volume ---			--- Centerline Distance (feet) ---						
	24 hr volume	Equip 1-hr		100	200	400	800	1600	3200	6400
			(meters)							
			30	61	122	244	488	975	1951	
EXISTING (2007)										
Autos	334	32	56.3	51.6	47.1	42.6	38.1	33.6	29.1	24.5
Med Trucks	2	0	46.9	42.0	37.5	33.0	28.5	24.0	19.5	15.0
Hvy Trucks	3	0	50.0	45.4	40.8	36.3	31.8	27.3	22.8	18.3
TOTAL	341	32	57.5	52.9	48.4	43.9	39.4	34.9	30.4	25.8
Attenuation from existing walls:										
FUTURE NO PROJECT (2030)										
Autos	627	61	59.0	54.4	49.9	45.3	40.8	36.3	31.8	27.3
Med Trucks	6	1	43.4	44.8	40.3	35.7	31.2	26.7	22.2	17.7
Hvy Trucks	6	1	52.2	48.1	43.6	39.1	34.6	30.1	25.6	21.0
TOTAL	640	63	60.3	55.7	51.1	46.6	42.1	37.6	33.1	28.6
Attenuation from existing walls:										
FUTURE WITH PROJECT (2030)										
Autos	725	71	59.6	55.0	50.5	46.0	41.5	36.9	32.4	27.9
Med Trucks	7	1	50.0	45.4	40.9	36.4	31.9	27.3	22.8	18.3
Hvy Trucks	7	1	53.3	48.7	44.2	39.7	35.2	30.7	26.2	21.6
TOTAL	740	73	60.9	56.3	51.8	47.3	42.7	38.2	33.7	29.2
Attenuation from existing walls:										
CHANGE FROM EXISTING										
Autos	307	39	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4
Med Trucks	4	0	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4
Hvy Trucks	4	0	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4
TOTAL	315	39	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4
CHANGE FROM FUTURE NO PROJECT										
Autos	99	10	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Med Trucks	1	0	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Hvy Trucks	1	0	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
TOTAL	101	10	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6

Average speed: 104.6 km/hr; 65.0 mi/hr

Time of day: 73.0% Day; 18.0% Evening; 9.0% Night; 100.0%  
 Fleet Mix: 92.0% Autos; 7.0% Medium Trucks; 1.0% Heavy Trucks; 100.0%

Notes: Based on methods of Federal Highway Administration "Highway Traffic Noise Model", FHWA-RD-77-108, December, 1978.  
 Traffic data obtained from Federal Engineering Group

Table 1  
TRAFFIC NOISE IMPACT  
Year 2010 Weekday

FILE: NOISE-Road14R-Road1921R

Location: Road 14R at Road 1921

Vehicle Type	Traffic		Noise Reference Level	Noise Level (dB Ldn)						
	24 hr Volume	Equip 1-hr (15 meters)		100	200	400	800	1600	3200	6400
				--- Centerline Distance (feet) ---						
				--- (meters) ---						
				30	61	122	244	488	975	1951
EXISTING (2007)										
Autos	478	47	57.8	53.2	48.7	44.2	39.7	35.1	30.6	26.1
Med Trucks	5	0	48.2	43.6	39.1	34.6	30.1	25.5	21.0	16.5
Hvy Trucks	5	0	51.5	46.9	42.4	37.9	33.4	28.9	24.4	19.8
TOTAL	488	48	59.3	54.5	50.0	45.5	40.9	36.4	31.9	27.4
Attenuation from existing walls:										
FUTURE NO PROJECT (2030)										
Autos	594	49	58.0	53.4	48.9	44.4	39.9	35.4	30.8	26.3
Med Trucks	5	1	48.4	43.8	39.3	34.8	30.3	25.8	21.3	16.7
Hvy Trucks	5	1	51.8	47.1	42.6	38.1	33.6	29.1	24.6	20.1
TOTAL	604	50	59.3	54.7	50.2	45.7	41.2	36.6	32.1	27.6
Attenuation from existing walls:										
FUTURE WITH PROJECT (2030)										
Autos	621	61	59.0	54.3	49.8	45.3	40.8	36.3	31.8	27.2
Med Trucks	6	1	49.4	44.7	40.2	35.7	31.2	26.7	22.2	17.6
Hvy Trucks	6	1	52.7	48.1	43.5	39.0	34.5	30.0	25.5	21.0
TOTAL	633	62	60.2	55.6	51.1	46.6	42.1	37.6	33.0	28.5
Attenuation from existing walls:										
CHANGE FROM EXISTING										
Autos	142	14	1.2	1.1	1.1	1.1	1.1	1.1	1.1	1.1
Med Trucks	1	0	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
Hvy Trucks	1	0	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
TOTAL	144	14	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
CHANGE FROM FUTURE NO PROJECT										
Autos	115	12	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9
Med Trucks	1	0	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9
Hvy Trucks	1	0	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9
TOTAL	117	12	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9
Average speed: 104.6 km/hr 65.0 mi/hr										
Time of day: 39.0% Day 35.0% Autos										
15.0% Evening 1.0% Medium Trucks										
15.0% Night 1.0% Heavy Trucks										
100.0% 100.0%										

Notes: Based on methods of Federal Highway Administration "Highway Traffic Noise Model", FHWA-RD-77-108, December, 1978.  
Traffic data obtained from Peters Engineering Group

Table 1  
 TRAFFIC NOISE IMPACT  
 Year 2030 Weekday

FILE: NOISE R\43118\ROAD1892.M

Location: Road 15 at Road 82

Vehicle Type	Traffic Volume 24-hr volume	Equip 1 hr	Noise Reference Level (15 meters)	Noise Level (dB Ldn)						
				Centerline Distance (feet)						
				100	200	400	600	1600	3200	6400
				(meters)						
				30	61	122	244	488	975	1951
EXISTING (2007)										
Autos	631	62	59.0	54.4	49.9	45.4	40.9	36.3	31.8	27.3
Med Trucks	6	1	49.4	44.8	40.3	35.8	31.3	26.7	22.2	17.7
Hvy Trucks	6	1	52.7	48.1	43.6	39.1	34.6	30.1	25.5	21.0
TOTAL	644	64	60.3	55.7	51.2	46.7	42.1	37.6	33.1	28.6
Attenuation from existing walls:										
FUTURE NO PROJECT (2030)										
Autos	1244	122	62.0	57.4	52.8	48.3	43.8	39.3	34.8	30.3
Med Trucks	13	1	52.4	47.8	43.2	38.7	34.2	29.7	25.2	20.7
Hvy Trucks	13	1	55.7	51.1	46.6	42.0	37.5	33.0	28.5	24.0
TOTAL	1269	124	62.3	58.6	54.1	49.6	45.1	40.6	36.1	31.6
Attenuation from existing walls:										
FUTURE WITH PROJECT (2030)										
Autos	1338	131	62.3	57.7	53.1	48.6	44.1	39.6	35.1	30.6
Med Trucks	14	1	52.7	48.1	43.6	39.0	34.5	30.0	25.5	21.0
Hvy Trucks	14	1	56.0	51.4	46.9	42.4	37.8	33.3	28.8	24.3
TOTAL	1365	134	63.6	59.0	54.4	49.9	45.4	40.9	36.4	31.9
Attenuation from existing walls:										
CHANGE FROM EXISTING										
Autos	707	69	3.3	3.3	3.3	3.3	3.3	3.3	3.3	3.3
Med Trucks	7	1	3.3	3.3	3.3	3.3	3.3	3.3	3.3	3.3
Hvy Trucks	7	1	3.3	3.3	3.3	3.3	3.3	3.3	3.3	3.3
TOTAL	721	71	3.3	3.3	3.3	3.3	3.3	3.3	3.3	3.3
CHANGE FROM FUTURE NO PROJECT										
Autos	94	9	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Med Trucks	1	0	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Hvy Trucks	1	0	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
TOTAL	96	9	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3

Average speed: 104.6 km/hr, 65.0 mi/hr

Time of day: 70.0% Day, 18.0% Evening, 12.0% Night  
 Fleet Mix: 98.0% Autos, 1.0% Medium Trucks, 1.0% Heavy Trucks  
 100.0% 100.0%

Notes: Based on methods of Federal Highway Administration "Highway Traffic Noise Model", FHWA RD-77-108, December, 1978.  
 Traffic data obtained from Peters Engineering Group

Table 1  
 TRAFFIC NOISE IMPACT  
 Year: 2030 Weekday

FILE: NOISE-Road192Road192PM

Location: Road 192 at Road 192

Vehicle Type	Traffic		Noise Reference Level (15 meters)	Noise Level (dB Ldn)						
	24-hr volume	Equip 1-hr (15 meters)		Centerline Distance (feet)						
				100	200	400	800	1600	3200	6400
				-- (meters) --						
				30	61	122	244	488	975	1951
EXISTING (2007)										
Autos	621	62	59.0	54.4	49.9	45.4	40.9	36.3	31.8	27.3
Med Trucks	6	1	49.4	44.8	40.3	35.8	31.3	26.7	22.2	17.7
Hvy Trucks	6	1	52.7	48.1	43.6	39.1	34.6	30.1	25.6	21.0
TOTAL	644	63	50.3	55.7	51.2	46.7	42.1	37.6	33.1	28.6
Attenuation from existing walls:										
FUTURE NO PROJECT (2030)										
Autos	1623	159	63.1	58.5	54.0	49.5	45.0	40.4	35.9	31.4
Med Trucks	17	2	53.5	48.9	44.4	39.9	35.4	30.8	26.3	21.8
Hvy Trucks	17	2	56.8	52.2	47.7	43.2	38.7	34.2	29.7	25.1
TOTAL	1656	162	64.4	59.8	55.3	50.8	46.2	41.7	37.2	32.7
Attenuation from existing walls:										
FUTURE WITH PROJECT (2030)										
Autos	1733	170	63.4	58.8	54.3	49.8	45.2	40.7	36.2	31.7
Med Trucks	18	2	53.8	49.2	44.7	40.2	35.6	31.1	26.6	22.1
Hvy Trucks	18	2	57.1	52.5	48.0	43.5	39.0	34.4	29.9	25.4
TOTAL	1765	172	64.7	60.1	55.6	51.0	46.5	42.0	37.5	33.0
Attenuation from existing walls:										
CHANGE FROM EXISTING										
Autos	1102	108	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4
Med Trucks	11	1	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4
Hvy Trucks	11	1	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4
TOTAL	1124	110	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4
CHANGE FROM FUTURE NO PROJECT										
Autos	110	11	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Med Trucks	1	0	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Hvy Trucks	1	0	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
TOTAL	112	11	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3

Average speeds: 104.6 km/hr 65.0 mi/hr

Time of day: 70.0% Day Fleet Mix 38.6% Autos  
 15.0% Evening 1.5% Medium Trucks  
 25.0% Night 1.0% Heavy Trucks  
 100.0% 100.0%

Notes: Based on methods of Federal Highway Administration "Highway Traffic Noise Model", FHWA RD-77 108, December, 1978.  
 Traffic data obtained from Peters Engineering Group.

Table 1  
TRAFFIC NOISE IMPACT  
Year 2010 Weekday

FILE NOISE BRIS Road 19 AM

Location State Route 190 at Road 19

Vehicle Type	Traffic Volume		Noise Reference Level	Noise Level (dB Ldn)						
	24-hr volume	Equiv 1 hr (15 meters)		Centerline Distance (feet)						
				100	200	400	800	1600	3200	6400

EXISTING (2007)

Autos	334	33	56.3	51.8	47.1	42.6	39.1	35.6	29.1	24.5
Med Trucks	11	1	54.6	49.0	42.5	38.0	33.4	28.9	24.4	19.9
Hvy Trucks	21	1	54.9	50.3	45.8	41.3	36.8	32.2	27.7	23.2
TOTAL	366	35	54.4	51.6	46.3	41.3	36.8	32.2	27.7	23.2

Attenuation from existing walls:

FUTURE NO PROJECT (2010)

Autos	634	62	59.0	54.4	49.9	45.4	40.9	36.4	31.8	27.3
Med Trucks	20	2	54.4	49.8	45.3	40.8	36.2	31.7	27.2	22.7
Hvy Trucks	20	2	57.7	53.1	48.6	44.1	39.6	35.0	30.5	26.0
TOTAL	674	66	62.2	57.6	53.1	48.6	44.1	39.5	35.0	30.5

Attenuation from existing walls:

FUTURE WITH PROJECT (2010)

Autos	661	65	59.2	54.6	50.1	45.6	41.1	36.5	32.0	27.5
Med Trucks	21	2	54.6	50.0	45.4	40.9	36.4	31.9	27.4	22.9
Hvy Trucks	21	2	57.7	53.3	48.6	44.2	39.7	35.2	30.7	26.2
TOTAL	703	69	62.4	57.8	53.3	48.8	44.2	39.7	35.2	30.7

Attenuation from existing walls:

CHANGE FROM EXISTING

Autos	327	32	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Med Trucks	10	1	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Hvy Trucks	10	1	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
TOTAL	347	34	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0

CHANGE FROM FUTURE NO PROJECT

Autos	26	3	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
Med Trucks	1	0	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
Hvy Trucks	1	0	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
TOTAL	28	3	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2

Average speed: 104.6 km/hr = 65.0 mi/hr

Time of day: 20.0% Day Fleet Mi 94.0% Autos  
 15.0% Evening 2.0% Medium Trucks  
 15.0% Night 3.0% Heavy Trucks  
 100.0% 100.0%

Notes: Based on methods of Federal Highway Administration "Highway Traffic Noise Model", FHWA-RD-77-108, December, 1978.

Traffic data obtained from Peters Engineering Group

Table 1  
 TRAFFIC NOISE IMPACT  
 Year 2030 Weekday

FILE: M0110-0A190Road111.M

Location: State Route 190 at Road 190

Vehicle Type	Traffic ---Volume--- 24 hr volume	Equip 1 hr (15 meters)	Noise Reference Level (15 meters)	-----Noise Level (dB Ldn)-----						
				Centerline Distance (feet) - - -						
				100	200	400	600	1000	1500	2000
				30	61	122	244	488	975	1951
						-- (meters) --				
EXISTING (2007)										
Autos	336	33	56.3	51.7	47.1	42.6	38.1	33.6	29.1	24.6
Med Trucks	11	1	51.6	47.0	42.5	38.0	33.5	29.0	24.4	19.9
Hvy Trucks	11	1	55.0	50.3	45.8	41.3	36.8	32.3	27.8	23.2
TOTAL	357	35	59.5	54.8	50.3	45.8	41.3	36.8	32.3	27.7
Attenuation from existing walls:										
FUTURE NO PROJECT (2030)										
Autos	622	61	59.0	54.3	49.8	45.3	40.8	36.3	31.8	27.2
Med Trucks	20	2	54.3	49.7	45.2	40.7	36.2	31.7	27.1	22.6
Hvy Trucks	20	2	57.6	53.0	48.5	44.0	39.5	35.0	30.4	25.9
TOTAL	662	65	62.1	57.5	53.0	48.5	44.0	39.5	34.9	30.4
Attenuation from existing walls:										
FUTURE WITH PROJECT (2030)										
Autos	680	67	59.3	54.7	50.2	45.7	41.2	36.7	32.1	27.6
Med Trucks	22	2	54.7	50.1	45.6	41.1	36.5	32.0	27.5	23.0
Hvy Trucks	22	2	58.0	53.4	48.9	44.4	39.9	35.3	30.8	26.3
TOTAL	723	71	62.5	57.9	53.4	48.9	44.4	39.9	35.3	30.8
Attenuation from existing walls:										
CHANGE FROM EXISTING										
Autos	344	34	3.2	3.2	3.1	3.1	3.1	3.1	3.1	3.1
Med Trucks	11	1	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1
Hvy Trucks	11	1	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1
TOTAL	366	36	3.2	3.1	3.1	3.1	3.1	3.1	3.1	3.1
CHANGE FROM FUTURE NO PROJECT										
Autos	97	6	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4
Med Trucks	2	0	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4
Hvy Trucks	2	0	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4
TOTAL	61	6	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4

Average speed: 104.6 km/hr= 65.0 mi/hr

Time of day: 30.0% Day Fleet Mi 94.0% Autos  
 14.0% Evening 3.0% Medium Trucks  
 15.0% Night 3.0% Heavy Trucks  
 100.0% 100.0%

Notes: Based on methods of Federal Highway Administration "Highway Traffic Noise Model", FHWA RD-77-108, December, 1978.  
 Traffic data obtained from Peters Engineering Group

Table 1  
TRAFFIC NOISE IMPACT  
Year: 2010 Weekday

FILE: NOISE BR199R00117AM

Location: State Route 190 at Road 190

Vehicle Type	Traffic		Noise Reference Level (15 meters)	Noise Level (dB Ldn)							
	---Volume---			---Centerline Distance (feet)---							
	24-hr volume	Equip 1-hr (15 meters)		100	200	400	800	1600	3200	6400	
				39	51	122	244	488	975	1951	
EXISTING (2007)											
Autos	516	51	58.1	53.5	49.0	44.5	40.0	35.5	31.0	26.4	
Med Trucks	18	2	53.5	48.9	44.4	39.9	35.3	30.8	26.3	21.8	
Hvy Trucks	16	2	58.9	52.8	47.7	43.2	38.7	34.1	29.6	25.1	
TOTAL	549	54	61.3	56.7	52.2	47.7	43.2	38.6	34.1	29.6	
Attenuation from existing walls:											
FUTURE NO PROJECT (2010)											
Autos	1039	102	61.2	56.6	52.0	47.5	43.0	38.5	34.0	29.5	
Med Trucks	33	3	56.5	51.9	47.4	42.9	38.4	33.9	29.3	24.8	
Hvy Trucks	31	3	59.9	55.2	50.7	46.2	41.7	37.2	32.7	28.1	
TOTAL	1103	108	64.4	59.7	55.2	50.7	46.2	41.7	37.2	32.7	
Attenuation from existing walls:											
FUTURE WITH PROJECT (2010)											
Autos	1107	108	61.5	56.8	52.3	47.8	43.3	38.8	34.3	29.8	
Med Trucks	35	3	56.8	52.2	47.7	43.2	38.7	34.1	29.6	25.1	
Hvy Trucks	25	3	60.1	55.5	51.0	46.5	42.0	37.5	32.9	28.4	
TOTAL	1167	114	64.6	60.0	55.5	51.0	46.5	42.0	37.4	32.9	
Attenuation from existing walls:											
CHANGE FROM EXISTING											
Autos	591	58	3.3	3.3	3.3	3.3	3.3	3.3	3.3	3.3	
Med Trucks	19	2	3.3	3.3	3.3	3.3	3.3	3.3	3.3	3.3	
Hvy Trucks	19	2	3.3	3.3	3.3	3.3	3.3	3.3	3.3	3.3	
TOTAL	629	62	3.3	3.3	3.3	3.3	3.3	3.3	3.3	3.3	
CHANGE FROM FUTURE NO PROJECT											
Autos	69	7	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	
Med Trucks	2	0	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	
Hvy Trucks	2	0	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	
TOTAL	73	7	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	

Average speed: 104.6 km/hr 65.0 mi/hr

Time of day: 70.0% Day 30.0% Evening 15.0% Night 100.0%  
 Fleet Mix: 94.0% Autos 3.0% Medium Trucks 3.0% Heavy Trucks 100.0%

Notes: Based on methods of Federal Highway Administration "Highway Traffic Noise Model", FHWA-RD-77-108, December, 1978.  
 Traffic data obtained from Peters Engineering Group

Table 1  
 TRAFFIC NOISE IMPACT  
 Year 2010 Weekday

FILE: NOISE JRI9CRoad192EM

Location: State Route 190 at Road 192

Vehicle Type	Traffic Volume		Noise Reference Level	Noise Level (dB Ldn)						
	24-hr volume	Equip 1-hr (15 meters)		Centerline Distance (feet)						
				100	200	400	800	1600	3200	6400
				30	61	122	244	488	975	1951

EXISTING (2007)

Autos	721	71	59.6	55.9	50.5	45.9	41.4	36.9	32.4	27.9
Med Trucks	23	2	58.3	50.3	45.8	41.3	36.8	32.3	27.8	23.2
Hvy Trucks	23	2	58.3	53.7	49.1	44.6	40.1	35.6	31.1	26.6
TOTAL	767	75	62.5	58.2	53.6	49.1	44.6	40.1	35.6	31.1

Attenuation from existing walls:

FUTURE NO PROJECT (2010)

Autos	1455	142	62.6	58.0	53.5	49.0	44.5	40.0	35.5	30.9
Med Trucks	46	5	58.3	53.4	48.9	44.4	39.8	35.3	30.8	26.3
Hvy Trucks	46	5	61.3	56.7	52.2	47.7	43.2	38.6	34.1	29.6
TOTAL	1547	152	65.8	61.2	56.7	52.2	47.7	43.1	38.6	34.1

Attenuation from existing walls:

FUTURE WITH PROJECT (2010)

Autos	1576	154	63.0	58.4	53.9	49.3	44.8	40.3	35.8	31.3
Med Trucks	50	5	58.4	53.7	49.2	44.7	40.2	35.7	31.2	26.6
Hvy Trucks	50	5	61.7	57.1	52.5	48.0	43.5	39.0	34.5	30.0
TOTAL	1677	164	66.2	62.6	57.0	52.5	48.0	43.5	39.0	34.5

Attenuation from existing walls:

CHANGE FROM EXISTING

Autos	855	84	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4
Med Trucks	27	3	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4
Hvy Trucks	27	3	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4
TOTAL	910	89	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4

CHANGE FROM FUTURE NO PROJECT

Autos	121	12	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Med Trucks	4	0	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Hvy Trucks	4	0	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
TOTAL	129	13	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3

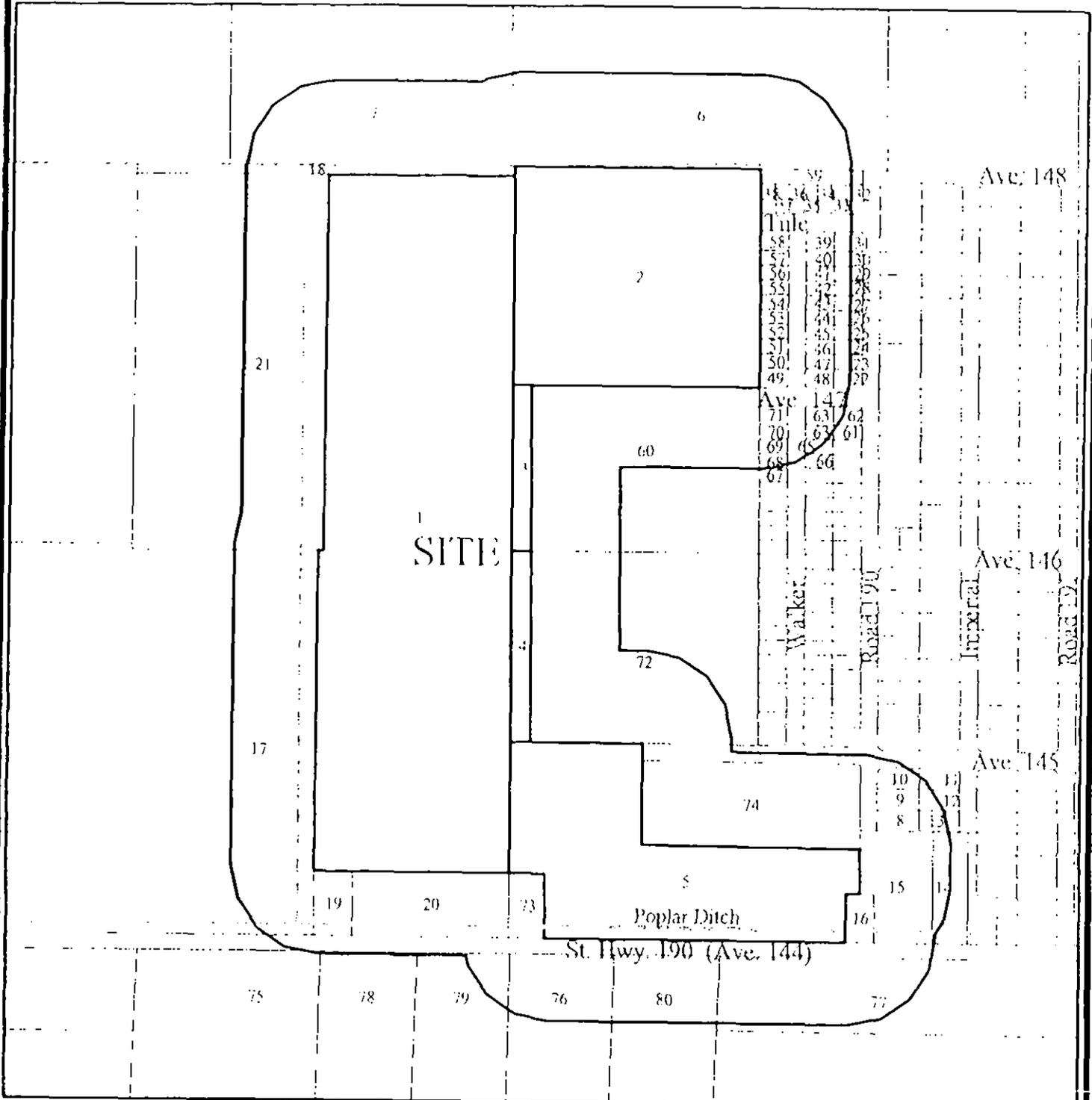
Average speeds: 104.6 km/hr 65.0 mi/hr

Time of day: 75.0% Day 15.0% Evening 10.0% Night  
 Fleet Mix: 94.0% Autos 4.0% Medium Trucks 2.0% Heavy Trucks 100.0%

Notes: Based on methods of Federal Highway Administration "Highway Traffic Noise Model", FHWA-RD-77-108, December, 1978.  
 Traffic data obtained from Peters Engineering Group

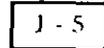


# Location and Property Ownership Map for Hearing Notification for TM 799

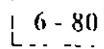


**Owner:** WALKER FRANKIE  
**Address:** PO BOX 3425  
**City, State ZIP:** POPLAR CA 93258  
**Applicant:** Western Ag Realty  
**Agent:** Lore Engineering, Inc  
**Assessors Parcel #** 237140025, 237150050, 237170001,  
 237180002, 237190002

250 0 250 500 750 1000 Feet



Project Site for TM 799



Properties within 300' of project site,  
to receive written notification of proposal  
(as required by State Law)

