Lindsay Travel Center Project

Initial Study/Mitigated Negative Declaration

Prepared for:

City of Lindsay
251 E. Honolulu St.
Lindsay, CA 93247
(559) 562-7102 ext. 4
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June 2024

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PROJECT INFORMATION

This document is the Initial Study/Mitigated Negative Declaration on the potential environmental effects of the City of Lindsay's (City) Travel Center Project (Project). The City will act as the Lead Agency for this project pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines. Copies of all materials referenced in this report are available for review in the project file during regular business hours at 251 E. Honolulu Street, Lindsay, CA 93247.

As Lead Agency, the City finds that the Project will not have a significant effect on the environment. The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) *(Initial Study)* identified one or more potentially significant effects on the environment, but revisions to the Project have been made before the release of this Mitigated Negative Declaration (MND) or mitigation measures would be implemented that reduce all potentially significant impacts to less-than-significant levels. The Lead Agency further finds that there is no substantial evidence that this Project would have a significant effect on the environment.

Project title

Lindsay Travel Center Project

Lead agency name and address

City of Lindsay
251 E. Honolulu St.
Lindsay, CA 93247

Contact person and phone number

Araceli Mejia, Assistant Planner, City Services and Planning
City of Lindsay (559) 562-7102 ext. 4

Project location

The City of Lindsay is located in Tulare County in the southern part of the San Joaquin Valley. The 9.86-acre Project site is located in the northwestern portion of the City, northeast of Cedar Avenue and SR 65. See Figure 1. Lindsay is bounded to the west by State Route (SR) 65.

Figure 1 – Location

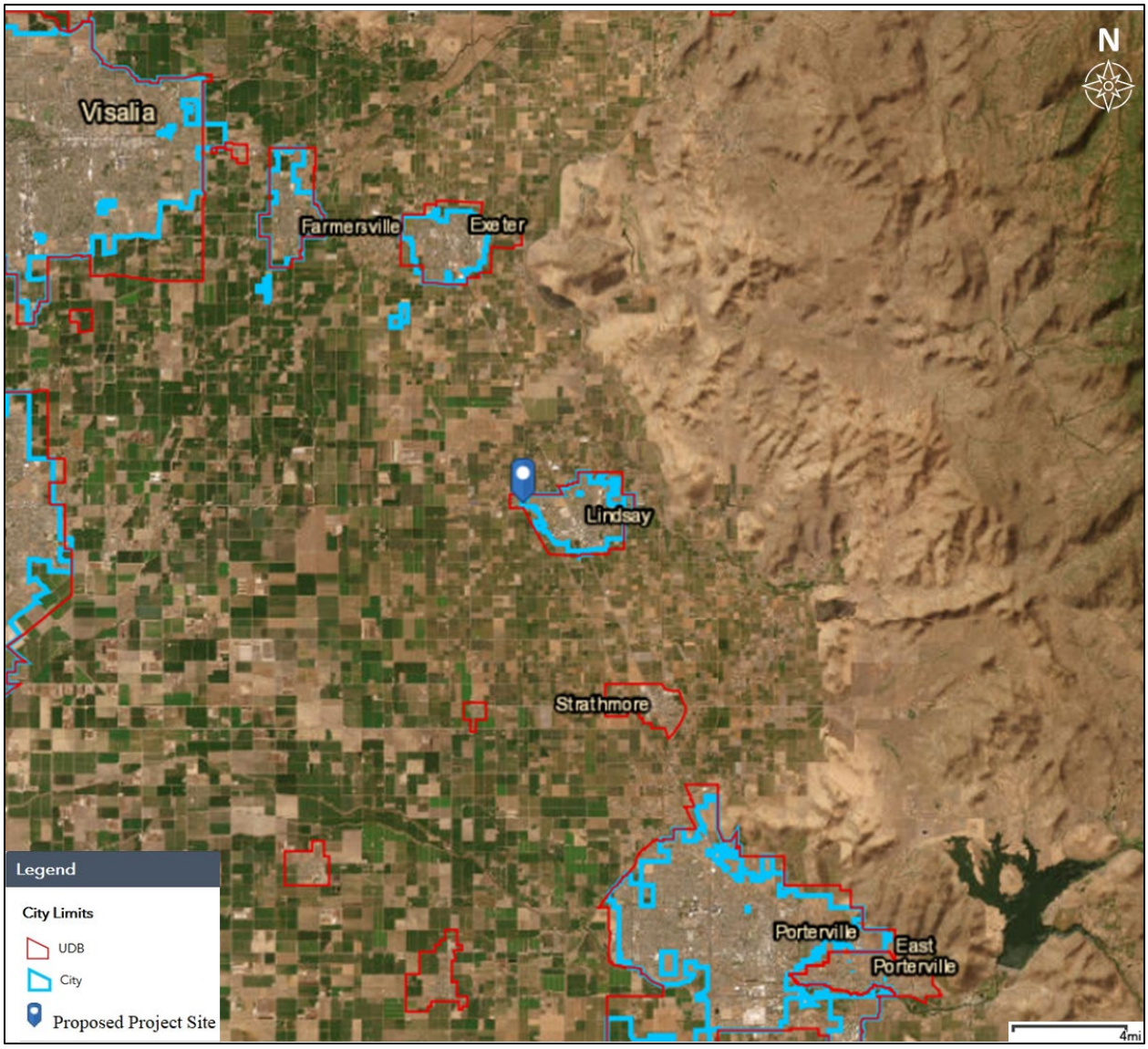
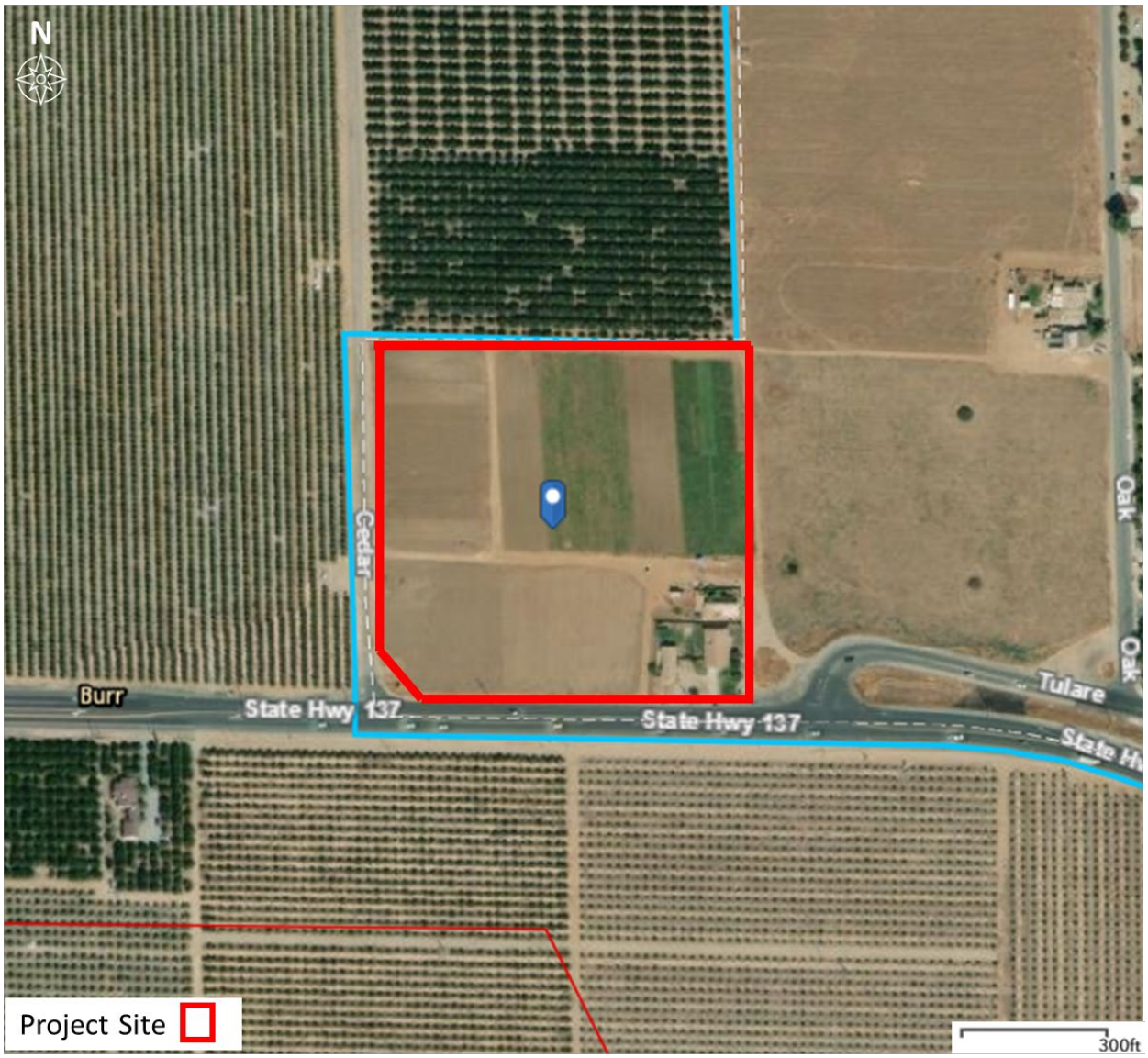


Figure 2 – Site Aerial



Project sponsor's name/address

Centerline Design & Engineering
484 West Prospect St. Suite B
Porterville, CA 93257

General plan designation

Highway Commercial

Zoning

CH (Highway Commercial)

Project Description

The proposed Project includes development of a travel center in the northwest portion of the City of Lindsay, at the NE corner of Cedar Ave and SR 65. The proposed site APN 199-050-067 and is approximately 9.86 acres. Parcel Map 24-01 is proposed as part of the Project to create Parcel 1: approximately 6.28 acres and Parcel 2: 3.58 acres. The proposed Project also includes Conditional Use Permit 24-02, to allow for the development of a 16-pump automobile fueling facility, a 6-pump truck fueling facility, a 5,440 sq.ft. convenience market, two fast-food restaurants, and a stormwater retention basin on Parcel 1. Project construction will also include associated parking, site landscaping, and lighting (see Figure 3).

Entitlements:

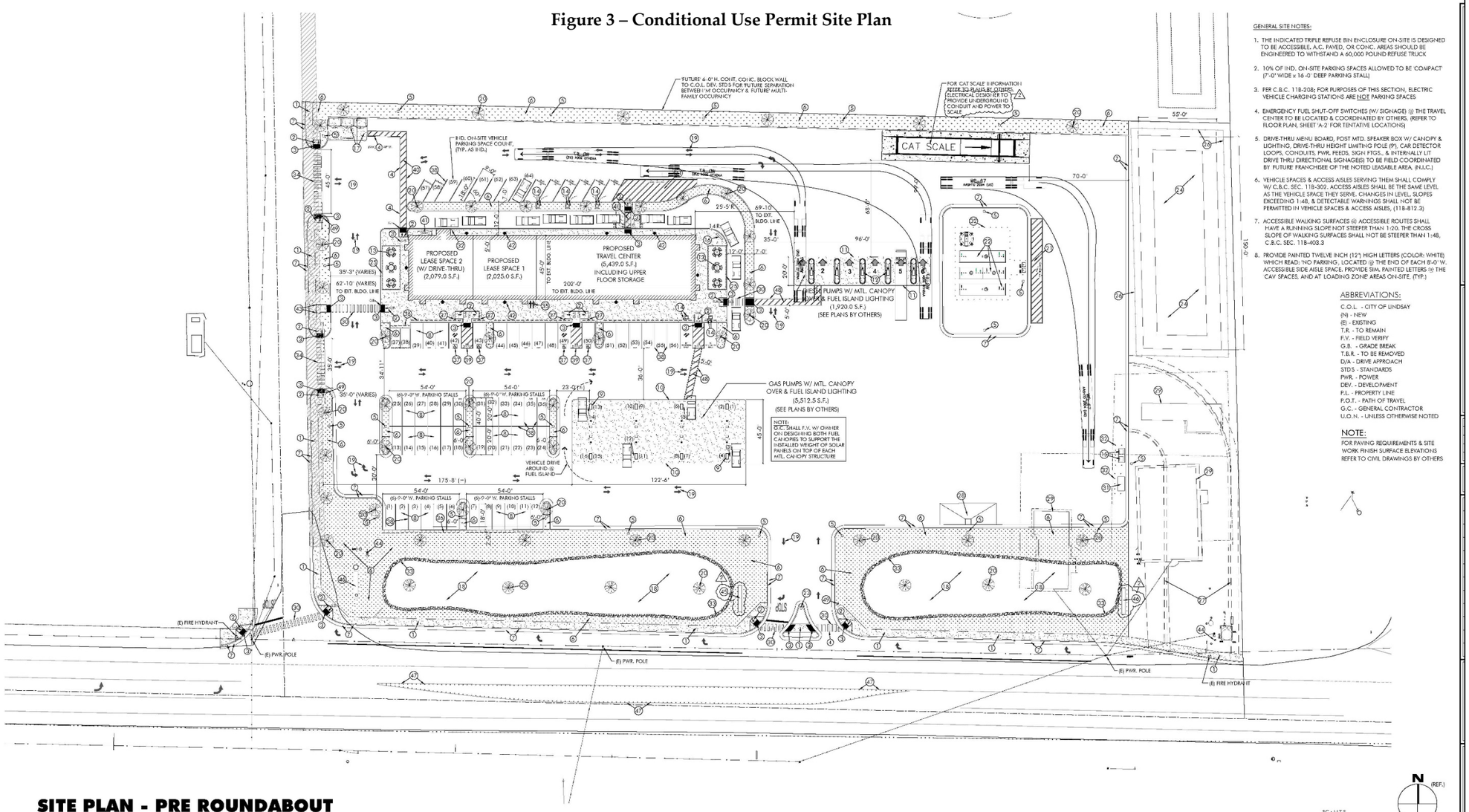
- A Parcel Map 24-01 to create two legal parcels: Parcel 1: 6.28 acres and Parcel 2: 3.58 acres
- Conditional Use Permit 24-02

Project Components

- A 5,440 sq.ft. convenience market
- Two fast food restaurants, one with a drive thru
- A 16-pump automobile fueling facility
- A 6-pump truck fueling facility
- One stormwater retention basin
- Associated parking, signage, site lighting and other infrastructure improvements.

- Connection to existing City utilities, including water, wastewater and stormwater systems.

Figure 3 – Conditional Use Permit Site Plan



SITE PLAN - PRE ROUNDABOUT

SITE PLAN KEY NOTES AND LEGEND:

① - 5'-0" W. CONT. CONC. SIDEWALK, (PER C.O.L. DEV. STD'S), REFER TO CIVIL DWGS. BY OTHERS

② - ADA/ACCESSIBLE CONC. RAMP PER C.O.L. DEV. STD'S, REFER TO CIVIL DWGS. BY OTHERS

③ - DETECTABLE WARNING SURFACE (TRUNCATED DOME PANELS), 3'-0" DP. (MIN.) IN DIRECTION OF TRAVEL, (SEE ARCH. DWGS.)

④ - FROM BUILDING; 5'-0" W. (U.O.N.) ACCESSIBLE P.O.T. TO REFUSE ENCLOSURE

⑤ - LIGHT POLE PER DTL. 'A', SHEET S-11'

⑥ - LANDSCAPE BED, (SEE LANDSCAPE DWGS. BY OTHERS)

⑦ - CONT. CONC. CURB & GUTTER, (PER C.O.L. DEV. STD'S), REFER TO CIVIL DWGS. BY OTHERS FOR VERTICAL CONTROL

⑧ - 9'-0" WIDE PARKING SPACE

⑨ - FUEL PUMPS; 8 PUMPS/16 DISPENSERS, (DESIGN/DWGS. BY OTHERS)

⑩ - 5,512.5 S.F. MTL. FUEL CANOPY ABV., (DESIGN/DWGS. BY OTHERS)

⑪ - 1,920 S.F. MTL. DIESEL CANOPY ABV., (DESIGN/DWGS. BY OTHERS)

⑫ - DIESEL PUMPS; 5 PUMPS/10 DISPENSERS, (DESIGN/DWGS. BY OTHERS)

⑬ - PRE-MFG. OUTDOOR DINING TABLES W/ ATTACHED BENCHES, BOLTED TO CONC. FLATWORK FOR PERMANENT INSTALLATION, COLOR & STYLE PER OWNER, (TYP. OF 6)
- A. PROVIDE ONE (1) ACCESSIBLE SPACE @ EACH IND. OUTDOOR DINING AREA, W/ 30"x48" CLEAR FLOOR SPACE @ FORWARD APPROACH, AND 34" MAX. TABLE HEIGHT
- B. LOCATE PRE-MFG. OUTDOOR DINING TABLES/BENCHES TO PROVIDE 48" MIN. HORIZ. CLEARANCE BETWEEN DINING TABLES/BENCHES, AND/OR WALL FIN. OF BLDGS., OR ANY STRUCT. ELEMENTS

⑭ - 'FUTURE POLE MTD. 'ACCESSIBLE EVCS' CHARGING STATION SIGNAGE, (N.I.C.) BY OTHERS @ FUTURE DATE PER C.B.C., (ONE (1) VAN ACCESSIBLE & SEVEN (7) REG. EVCS), ALSO PROVIDE CONDUITS FOR 'FUTURE IND. VEHICLES CHARGING EQUIPMENT, & MAIN ELEC. PANEL SIZED TO SUPPORT THE 'FUTURE ADDITION OF CIRCUITING FOR THE ELEC. VEHICLES CHARGING EQUIPMENT PER CA GREEN CODE, (SEE ELEC. DWGS. BY OTHERS)

⑮ - AIR & WATER DISPENSERS, (FOR PUBLIC USE)

⑯ - DRIVE-THRU 'FUTURE' MENU BOARD, (DESIGN/DWGS. BY OTHERS)

⑰ - 3-BIN REFUSE ENCLOSURE, (PER C.O.L. DEV. STD'S), W/ CMU WALLS, CONC. FOUND., MTL SWING GATES @ EA. BIN, & 10'-0" DP. REINF. CONC. APRON @ FRONT OF ENCLOSURE, (SEE CIVIL DWGS.)

⑱ - BIO SWALE, (DESIGN/DWGS. BY OTHERS)

⑲ - PAINTED DIRECTIONAL ARROWS, (SEE ARCH. DWGS.)

⑳ - TREE, (SEE LANDSCAPE DWGS. BY OTHERS)
- A. DOUBLE STAKE ALL TREES W/ 2'Ø x 8'-0" H. LODGEPOLE STAKES
- B. PROVIDE 18" DEEP (TREE) ROOT BARRIER IF IND. TREE IS WITHIN FIVE FEET (5'-0") OF CONCRETE FLATWORK, AND/OR A.C. PAVED AREAS OF PROJECT, (TYP.)

㉑ - LOADING AREA, (OR FUEL DELIVERY TRUCK)

㉒ - 12,000 GAL. DIESEL TANKS, (TYP. OF 3)

㉓ - RIGHT TURN ONLY SIGN

㉔ - RETENTION BASIN, (DESIGN & DWGS. BY OTHERS)

㉕ - 13'-0" WIDE x 31'-0" LONG x 10'-0" TALL SHADE COVER TO EXTEND UNDER MTL. AWNING OF BLDG.

㉖ - 8'-0" TALL CHAIN LINK FENCE @ PERIMETER OF RETENTION BASIN W/ LOCKABLE GATE

㉗ - FUTURE DRIVE

㉘ - R.V. WASTE DUMP

㉙ - (E) RESIDENCE(S) TO BE REMOVED PRIOR TO (N) BUILDING(S) OCCUPANCY

㉚ - 5'-0" W. PAINTED CROSS WALK, (COLOR: WHITE)

㉛ - PROPANE TANK, (SIZE DETERMINED BY OTHERS)

㉜ - PROTECTION BOLLARD, (SEE ARCH. DWGS.)

㉝ - GRAVEL, (REFER TO BIO-SWALE DWGS. BY OTHERS)

㉞ - 5'-0" W. PAINTED CROSS WALK, (COLOR: WHITE), W/ 4'-0" W. MIN. ACCESSIBLE P.O.T. BEHIND D/A

㉟ - G.C. SHALL PROVIDE SHORT-TERM BICYCLE PARKING WITHIN 200'-0" OF FACILITY MAIN ENTRY(S), TWO (2) BIKES MIN., MEETING THE REQUIREMENTS OF CA GREEN BLDG. STD'S CODE SEC. 5.106.4.1.1

㊱ - LINE OF 2'-0" NOSE OF VEHICLE OVERHANG @ PARKING STALLS

㊲ - FOR ACCESSIBLE PARKING GRAPHIC ON A.C. PAVING/CONC., OR MTD. ON MTL. POLE, (SEE ARCH. DWGS.)

㊳ - PAINTED PARKING STALL STRIPING ON A.C. PAVING (OR CONC., VARIES), 4" WIDE (MIN.). COLOR: WHITE, (TYP. AS IND.)

㊴ - 4" WIDE STRIPING; W/ BORDER PAINTED BLUE, (@ THE 8'-0" W. SIDE AISLE ONLY), W/ 4" WIDE PAINTED WHITE DIAGONALS WITHIN THE BLUE BORDER, (@ 45°) @ 36" O.C., (MAX.)

㊵ - 4" WIDE STRIPING; W/ BORDER PAINTED WHITE W/ 4" WIDE PAINTED WHITE DIAGONALS WITHIN THE WHITE BORDER, (@ 45°) @ 36" O.C., (MAX.)

㊶ - ELEC. METER MAINS IN PRE-MFG. MTL. WEATHER RATED SWITCH GEAR EQUIP. HOUSING, (SEE ELEC. DWGS. BY OTHERS). CONC. FLATWORK IMMEDIATELY BLW. THE SWITCH GEAR HOUSING SHALL BE LEVEL

㊷ - IND. EGRESS DOOR(S) LOCATIONS AROUND THE PERIMETER OF THE BLDG.

㊸ - DUB-DOWN/WARP CONC. CURBS DOWN TO BACK OF WALK ELEV.

㊹ - (E) WELL TO BE ABANDON

㊺ - FUTURE MONUMENT SIGNAGE. ELECTRICAL DESIGNER TO PROVIDE UNDERGROUND CONDUIT TO THIS FUTURE SIGN

㊻ - PRIMARY SITE SIGNAGE MTD. ON MTL. POLE, (UNDER SEPARATE PERMIT, DWGS. BY OTHERS)

㊼ - PROVIDE TEMPORARY MEDIAN CONSTRUCTION PER CIVIL DRAWINGS

㊽ - PROVIDE ACCESSIBLE P.O.T. FROM C-STORE TO FUEL ISLAND W/ 4'-W. PAINTED BORDER STRIPING (COLOR: WHITE) W/ 4" W. PAINTED WHITE DIAGONALS WITHIN THE WHITE BORDER @ 45° @ 36" O.C. (MAX.) TYP. @ 2 LOCATIONS

㊾ - UNAUTHORIZED PARKING SIGN? (TOW AWAY SIGN) @ EA. ENTRANCE TO AN OFF-STREET PARKING FACILITY, (SEE DTL 'A/A-9')

SITE SUMMARY:

PROJECT DESCRIPTION:

C-STORE: 5,946 S.F. GROSS FLOOR AREA
OCCUPANCY TYPE: 'M'
CONSTRUCTION TYPE: 'VB'
ALLOWABLE AREA: 9,000 S.F.
ALLOWABLE AREA INCREASE: 25%
ADJUSTED ALLOWABLE AREA: 11,250 S.F.
OCCUPANT LOAD FACTOR @ STORE FLOOR: 1 OCCUPANT/60 S.F.
OCCUPANT LOAD FACTOR @ STORAGE: 1 OCCUPANT/300 S.F
OCCUPANT LOAD FACTOR @ KITCHEN: 1 OCCUPANT/200 S.F.
TOTAL OCCUPANT LOAD: 62

LEASE SPACE 1: 2,025 S.F. GROSS FLOOR AREA
OCCUPANCY TYPE(S): B / A-2
CONSTRUCTION TYPE: 'VB'
ALLOWABLE AREA: 9,000 S.F.
ALLOWABLE AREA INCREASE: 25%
ADJUSTED ALLOWABLE AREA: 11,250 S.F.
OCCUPANT LOAD FACTOR @ SEATING: 1 OCCUPANT/15 S.F.
OCCUPANT LOAD FACTOR @ KITCHEN: 1 OCCUPANT/200 S.F.
1,425.0 S.F.@ 15 NET = 95 OCCUPANTS @ 200 NET = 8 OCCUPANTS
TOTAL OCCUPANTS = 103

LEASE SPACE 2 (DRIVE-THRU): 2,079 S.F. GROSS FLOOR AREA
OCCUPANCY TYPE(S): B / A-2
CONSTRUCTION TYPE: 'VB'
ALLOWABLE AREA: 9,000 S.F.
ALLOWABLE AREA INCREASE: 25%
ADJUSTED ALLOWABLE AREA: 11,250 S.F.
OCCUPANT LOAD FACTOR @ SEATING: 1 OCCUPANT/15 S.F.
OCCUPANT LOAD FACTOR @ KITCHEN: 1 OCCUPANT/200 S.F.
600.0 S.F.@ 15 NET = 40 OCCUPANTS
1,479.0 S.F.@ 200 NET = 8 OCCUPANTS
TOTAL OCCUPANTS = 48

LOT DESCRIPTION:

A.P.N. : 199-050-067
TOTAL LOT SIZE: 429,501 S.F. OR 9.86 ACRES (+/-)
TOTAL DEVELOPED AREA: 273,557 S.F. OR 6.28 ACRES (+/-)
PROJECT ADDRESS:
1647 W. TULARE ROAD
LINDSAY, CA 93247
FLOOD ZONE:
ZONE 'X' - AREAS OF MINIMAL FLOODING
FEMA PANEL NO.: 1305E
EFFECTIVE DATE: JUNE 16, 2009
REFERENCE: www.feema.gov

PARKING ANALYSIS: (PER C.O.L. ZONING ORD.)
LEASE SPACE 1:
TOTAL OCCUPANTS = 48 PEOPLE
48 DIVIDED BY 4 = 12 SPACES
LEASE SPACE 2 W/ DRIVE THRU:
TOTAL OCCUPANTS = 48 PEOPLE
48 DIVIDED BY 4 = 12 SPACES
C-STORE:
TOTAL OCCUPANTS = 62 PEOPLE
TOTAL REQUIRED PARKING: 56 SPACES
ACTUAL PARKING SPACES PROVIDED:
STALLS PROVIDED: 71 STALLS
REGULAR STALLS: 50 STALLS
C.A.V. : 9 STALLS
VAN HNDCP: 2 STALLS
HNDCP: 2 STALLS
HNDCP C.A.V.: 1 STALL
REGULAR E.V. CHARGING: 7 STALLS
ACCESSIBLE PARKING SPACES REQUIRED PER CBC TABLE 11B-6;
TOTAL # OF PARKG SPACES 51-75 MIN. # OF ACCESSIBLE SPACES REQD 3

LANDSCAPE ANALYSIS:
PER C.O.L. ZONING ORDINANCE A MINIMUM OF 5% OF THE GROSS LOT AREA SHALL BE LANDSCAPED
DEVELOPED AREA = 273,557 S.F. - 5% OF LOT AREA = 13,678 S.F. OF LANDSCAPING REQUIRED PER C.O.L. STD'S
ACTUAL COMBINED LANDSCAPE AREAS PROVIDED ON-SITE @ C-STORE – 45,137 S.F. ∴ COMPLIES

GENERAL SITE NOTES:

1. THE INDICATED TRIPLE REFUSE BIN ENCLOSURE ON-SITE IS DESIGNED TO BE ACCESSIBLE, A.C., PAVED, OR CONC. AREAS SHOULD BE ENGINEERED TO WITHSTAND A 60,000 POUND REFUSE TRUCK
2. 10% OF IND. ON-SITE PARKING SPACES ALLOWED TO BE 'COMPACT' (7'-0" WIDE x 16'-0" DEEP PARKING STALL)
3. PER C.B.C. 11B-208; FOR PURPOSES OF THIS SECTION, ELECTRIC VEHICLE CHARGING STATIONS ARE NOT PARKING SPACES
4. EMERGENCY FUEL SHUT-OFF SWITCHES (W/ SIGNAGE) @ THE TRAVEL CENTER TO BE LOCATED & COORDINATED BY OTHERS. (REFER TO FLOOR PLAN, SHEET 'A-2' FOR TENTATIVE LOCATIONS)
5. DRIVE-THRU MENU BOARD, POST MTD. SPEAKER BOX W/ CANOPY & LIGHTING, DRIVE-THRU HEIGHT LIMITING POLE (P), CAR DETECTOR LOOPS, CONDUITS, PWR. FEEDS, SIGN FTG'S., & INTERNALLY LIT DRIVE THRU DIRECTIONAL SIGNAGE(S) TO BE FIELD COORDINATED BY FUTURE FRANCHISEE OF THE NOTED LEASABLE AREA. (N.I.C.)
6. VEHICLE SPACES & ACCESS AISLES SERVING THEM SHALL COMPLY W/ C.B.C. SEC. 11B-302. ACCESS AISLES SHALL BE THE SAME LEVEL AS THE VEHICLE SPACE THEY SERVE. CHANGES IN LEVEL SLOPES EXCEEDING 1:48, & DETECTABLE WARNINGS SHALL NOT BE PERMITTED IN VEHICLE SPACES & ACCESS AISLES, (11B-812.3)
7. ACCESSIBLE WALKING SURFACES @ ACCESSIBLE ROUTES SHALL HAVE A RUNNING SLOPE NOT STEEPER THAN 1:20. THE CROSS SLOPE OF WALKING SURFACES SHALL NOT BE STEEPER THAN 1:48, C.B.C. SEC. 11B-403.3
8. PROVIDE PAINTED TWELVE INCH (12") HIGH LETTERS (COLOR: WHITE) WHICH READ; 'NO PARKING,' LOCATED @ THE END OF EACH 8'-0" W. ACCESSIBLE SIDE AISLE SPACE. PROVIDE SIM. PAINTED LETTERS @ THE CAV SPACES, AND AT LOADING ZONE AREAS ON-SITE, (TYP.)

ABBREVIATIONS:

C.O.L. - CITY OF LINDSAY
(N) - NEW
(E) - EXISTING
T.R. - TO REMAIN
F.V. - FIELD VERIFY
G.B. - GRADE BREAK
T.B.R. - TO BE REMOVED
D/A - DRIVE APPROACH
STD'S - STANDARDS
PWR. - POWER
DEV. - DEVELOPMENT
P.L. - PROPERTY LINE
P.O.T. - PATH OF TRAVEL
G.C. - GENERAL CONTRACTOR
U.O.N. - UNLESS OTHERWISE NOTED

NOTE:
FOR PAVING REQUIREMENTS & SITE WORK FINISH SURFACE ELEVATIONS REFER TO CIVIL DRAWINGS BY OTHERS

N (REF.)
TYP. THIS SHEET

Surrounding Land Uses/Existing Conditions

The proposed Project site is highly disturbed and consists primarily of vacant/disturbed land, with single family residences in the southeastern portion of the site, and agricultural row crops in the central portion.

Lands directly surrounding the proposed Project are described as follows:

- North: Agricultural row crops
- South: SR 65, Agricultural land beyond the highway
- East: vacant/disturbed land
- West: Cedar Avenue, Agricultural row crop

Approval Required

- The adoption of a Mitigated Negative Declaration by the City of Lindsay
- Approval of a Parcel Map 24-01 by the City of Lindsay
- Approval of a Conditional Use Permit 24-02 by the City of Lindsay
- Approval of Building Permits by the City of Lindsay
- Approval of a Stormwater Pollution Prevention Plan by the Central Valley Regional Water Quality Control Board
- Approval of a Dust Control Plan by the San Joaquin Valley Air Pollution Control District
- Approval of an encroachment permit by Caltrans
- Compliance with other federal, State and local requirements.

Tribal Consultation

The City of Lindsay has not received any Project-specific requests from any Tribes in the geographic area with which it is traditionally and culturally affiliated or otherwise to be notified about projects in the City of Lindsay.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION

On the basis of this initial evaluation:

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

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

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

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

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

Araceli Mejia — Date

Assistant City Planner

City of Lindsay

ENVIRONMENTAL CHECKLIST

I. AESTHETICS

Would the project:

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

ENVIRONMENTAL SETTING

The proposed Project site is located on the San Joaquin Valley floor in the northwestern portion of the City of Lindsay, California. The site is bordered by SR 65 to the south and Cedar Avenue to the west and surrounded by agricultural land and vacant/disturbed land. The aesthetic features of the existing visual environment in the proposed Project area are primarily agricultural or vacant/disturbed land. There are no scenic resources or scenic vistas in the area. State Routes (SR) in the proposed Project vicinity include SR 65.

REGULATORY SETTING

Federal

Aesthetic resources are protected by several federal regulations, none of which are relevant to the proposed Project because it will not be located on lands administered by a federal agency, and the proposed Project applicant is not requesting federal funding or a federal permit.

State

Nighttime Sky – Title 24 Outdoor Lighting Standards

The Energy Commission adopted changes to Title 24, Parts 1 and 6, Building Energy Efficiency Standards (Standards), on April 23, 2008. These new Standards became effective on January 1, 2010. Requirements for outdoor lighting remained consistent with past Standards and the requirements vary according to which "Lighting Zone" the equipment is in. The Standards contain lighting power allowances for newly installed equipment and specific alterations that are dependent on which Lighting Zone the Project is located in. Existing outdoor lighting systems are not required to meet these lighting power allowances. However, alterations that increase the connected load, or replace more than 50% of the existing luminaires, for each outdoor lighting application that is regulated by the Standards, must meet the lighting power allowances for newly installed equipment.

An important part of the Standards is to base the lighting power that is allowed on how bright the surrounding conditions are. The eyes adapt to darker surrounding conditions, and less light is needed to properly see; when the surrounding conditions get brighter, more light is needed to see. The least power is allowed in Lighting Zone 1 and increasingly more power is allowed in Lighting Zones 2, 3, and 4.

The Energy Commission defines the boundaries of Lighting Zones based on U.S. Census Bureau boundaries for urban and rural areas as well as the legal boundaries of wilderness and park areas. By default, government designated parks, recreation areas and wildlife preserves are Lighting Zone 1; rural areas are Lighting Zone 2; and urban areas are Lighting Zone 3. Lighting Zone 4 is a special use district that may be adopted by a local government.

California Scenic Highway Program

The Scenic Highway Program allows county and city governments to apply to the California Department of Transportation (Caltrans) to establish a scenic corridor protection program which was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of

California highways and adjacent corridors, through special conservation treatment. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263. While not Designated State Scenic Highways, two Eligible State Scenic Highways occur in Tulare County, SR 198 and SR 190.

RESPONSES

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

Less than Significant Impact. The proposed Project will conform to design standards set forth by the City's General Plan and Zoning Ordinance. The proposed Project site is located in an area that is largely surrounded by agricultural/vacant land on all sides, with SR 65 to the south of the site. The development will not result in a use that is visually incompatible with the surrounding area.

A scenic vista is generally considered a view of an area that has remarkable scenery or a resource that is indigenous to the area. The Project is located in an area of minimal topographic relief, and views of the site are easily obscured by buildings, other structures, and trees. Neither the Project area nor any surrounding land use contains features typically associated with scenic vistas (e.g., ridgelines, peaks, overlooks).

Construction activities will be visible from the adjacent roadsides; however, the construction activities will be temporary in nature and will not affect a scenic vista. The impact will be ***less than significant***.

Mitigation Measures: None are required.

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

Less than Significant Impact. There are no State designated scenic highways within the immediate proximity to the Project site. California Department of Transportation Scenic Highway Mapping System identifies SR 198 east of SR 99 as an Eligible State Scenic Highway.[1] The closest highway is located approximately 7.7 miles north of the Project site, and the Project site is both physically and visually separated from SR 198 by intervening land uses.

[1] California State Scenic Highways, Caltrans. https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways. Accessed December 2023.

The Tulare County General Plan designates County Scenic Roads, and the closest Scenic Road is Road 216 which is approximately 1.2 miles northeast of the Project site. The proposed commercial travel center will be in conformance with City landscaping and design standards.

Based on the National Register of Historic Places (NRHP) and the City's General Plan, no historic buildings exist on the Project site. The proposed Project would not cause damage to rock outcroppings or historic buildings within a State scenic highway corridor. Impacts would be considered ***less than significant***.

Mitigation Measures: None are required.

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

Less than Significant Impact. Site construction will include fueling stations for vehicles and semi-trucks, a convenience store, and two fast-food restaurants, along with parking, lighting and site landscaping. The fueling stations, the convenience store and restaurants will conform to design standards set forth by the City's General Plan and Zoning Ordinance. The proposed Project site is located in an area that is largely surrounded by agricultural land uses and State Road 65, and fueling stations are commonplace in the area. As such, will not result in a use that is visually incompatible with the surrounding area. The proposed Project will not substantially degrade the existing visual character or quality of the area or its surroundings.

The impact will be ***less than significant***.

Mitigation Measures: None are required.

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

Less Than Significant Impact. Nighttime lighting is necessary to provide and maintain safe, secure, and attractive environments; however, these lights have the potential to produce spillover light and glare and waste energy, and if designed incorrectly, could be considered unattractive. Light that falls beyond the intended area is referred to as "light trespass." Types of light trespass include spillover light and glare.

Minimizing all these forms of obtrusive light is an important environmental consideration. A less obtrusive and well-designed energy efficient fixture would face downward, emit the correct intensity of light for the use, and incorporate energy timers.

Spillover light is light emitted by a lighting installation that falls outside the boundaries of the property on which the installation is sited. Spillover light can adversely affect light-sensitive uses, such as residential neighborhoods at nighttime. Because light dissipates as it travels from the source, the intensity of a light fixture is often increased at the source to compensate for the dissipated light. This can further increase the amount of light that illuminates adjacent uses. Spillover light can be minimized by using only the level of light necessary, and by using cutoff type fixtures or shielded light fixtures, or a combination of fixture types.

Glare results when a light source directly in the field of vision is brighter than the eye can comfortably accept. Squinting or turning away from a light source is an indication of glare. The presence of a bright light in an otherwise dark setting may be distracting or annoying, referred to as discomfort glare, or it may diminish the ability to see other objects in the darkened environment, referred to as disability glare. Glare can be reduced by design features that block direct line of sight to the light source and that direct light downward, with little or no light emitted at high (near horizontal) angles, since this light would travel long distances. Cutoff-type light fixtures minimize glare because they emit relatively low-intensity light at these angles.

Current sources of light in the Project area include streetlights and vehicles traveling on SR 65 and Cedar Avenue. The Project would necessitate street lighting, lighting for fueling stations, a convenience store and restaurants, and parking. Such sources could create adverse effects on day or nighttime views in the area. Such lighting would be subject to the requirements of the City of Lindsay General Plan. Accordingly, the Project would not create substantial new sources of light or glare. Potential impacts are ***less than significant***.

Mitigation Measures: None are required.

II. AGRICULTURE AND FOREST RESOURCES

Would the project:

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

ENVIRONMENTAL SETTING

The proposed Project site is located in the northwestern portion of and within Lindsay City limits. Approximately 90% of the site is considered Farmland of Statewide Importance by the State Farmland Mapping and Monitoring Program (FMMP), with the southeastern portion considered as Farmland of Local Importance. Surrounding properties are primarily cultivated agricultural lands with scattered rural residences and vacant/disturbed land.

REGULATORY SETTING

Federal

Federal regulations for agriculture and forest resources are not relevant to the proposed Project because it is not a federal undertaking (the Project site is not located on lands administered by a federal agency, and the Project applicant is not requesting federal funding or a federal permit).

State

The California Land Conservation Act of 1965 (i.e., the Williamson Act) allows local governments to enter contracts with private landowners to restrict parcels of land agricultural or open space uses. In return, property tax assessments of the restricted parcels are lower than full market value. The minimum length of a Williamson Act contract is 10 years and automatically renews upon its anniversary date; as such, the contract length is essentially indefinite. The Project site is not subject to the Williamson Act.

RESPONSES

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

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

Less than Significant. Approximately 90% of the site is considered Farmland of Statewide Importance by the FMMP[2], with the southeastern portion of the site considered as Farmland of Local Importance. However, the site is within the City limits of Lindsay, and designated in the General Plan and zoned as

[2] California Department of Conservation, California Important Farmland Finder. https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed December 2023.

Highway Commercial. As such, potential impacts resulting from farmland conversion have been accounted for in the City's General Plan EIR evaluation. Therefore, the proposed Project would not create any new impacts resulting from Prime Farmland, Unique Farmland, or Farmland of Statewide Importance conversion to non-agricultural use.

The Project site is not zoned for agricultural use and is not subject to the Williamson Act Land Use Contract. Therefore, the Project would not significantly reduce the amount of farmland as identified under CEQA. The Project does not conflict with a Williamson Act contract and no impact would occur.

Impacts are ***less than significant***.

Mitigation Measures: None are required.

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

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

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

No Impact. The proposed site is zoned for highway commercial uses.

PRC Section 12220(g) defines forest land as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for the management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. PRC Section 4526 defines timberland as land other than land owned by the federal government and land designated by the board as experimental forest land, which is available for and capable of growing a crop of trees of a commercial species used to produce lumber and other forest products. Government Code Section 51104 defines timberland zoned Timberland Production as an area that has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber or for growing and harvesting timber and compatible uses.

The Project site is currently undeveloped and does not contain any trees, so it is not considered forest land or timberland. The proposed Project will not conflict with any forest land or timberland production or result in any loss of forest land. Therefore, the Project will have no impact related to timber or forestlands.

However, the project will convert approximately 9.86 acres of agricultural lands to a non-agricultural use. As noted in Impact a, above, the project is zoned to allow for highway commercial development, and the conversion of this land was anticipated and analyzed in the City's General Plan EIR. Impact would be ***less than significant***.

Mitigation Measures: None are required.

III. AIR QUALITY

Would the project:

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

The impact analyses in this section are based on an *Air Quality, Health Risk Analysis, Greenhouse Gas and Energy Technical Memorandum* prepared for the Project by Johnson, Johnson and Miller Air Quality Consulting Services (March, 2024), which is included in Appendix A.

ENVIRONMENTAL SETTING

Air quality impacts are both local and regional. Regional and local air quality is impacted by topography, dominant airflows, atmospheric inversions, location, and season. The Project is located in Lindsay, within Tulare County. The Project site and Tulare County are in the San Joaquin Valley Air Basin (Air Basin or SJV Air Basin), which experiences some of the most challenging environmental conditions for air quality in the nation. The following section describes these conditions as they pertain to the Air Basin. The information in this section is primarily from the SJVAPCD's GAMAQI.[3]

[3] San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. February 19. Website: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF. Accessed November 29, 2023.

Land uses surrounding the Project site are described below.

- North – Directly north and northwest of the project is developed farmland with a few scattered homes. Northeast of the project is the nearest dwelling unit, a single-family residence 528 feet (0.10) of a mile away.
- East – Bordering the east side of the project is cultivated farmland. A residential neighborhood in the City of Lindsay exists about one quarter mile east of the project site.
- South – South and southwest of the project site is primarily developed farmland with a few scattered rural homes. Southeast of the project is the City of Lindsay with a mix of residences, businesses and undeveloped land.
- West – West of the project is developed farmland and a few scattered residences. Roughly one quarter mile to the west of the project site on the north frontage of State Route 65, exists a Chevron gas station with three retail stores.

The Lindsay Travel Center Project is located in the City of Lindsay, within Tulare County California and also within the San Joaquin Valley Air Basin. The modeling follows SJVAPCD guidance, where applicable, from its GAMAQI. The models used in this analysis are summarized as follows:

- Construction emissions: CalEEMod, version 2022.1 (specifically, 2022.1.1.21)
- Operational emissions: CalEEMod, version 2022.1 (specifically, 2022.1.1.21)
- Operational TAC emissions: EMission FACtor (EMFAC) 2021
- Dispersion Model: American Meteorological Society/ Environmental Protection Agency Regulatory Model (AERMOD), version 23132
- Health Risk Metric Calculations: Hot Spots Analysis & Reporting Program 2 (HARP2)
- Construction DPM emissions (represented as PM10 exhaust) were estimated using CalEEMod version 2022.1
- Operational DPM emissions (represented as PM10 exhaust) were estimated using EMFAC 2021.

REGULATORY SETTING

Air Quality Standards

The Clean Air Act requires states to develop a general plan to attain and maintain the standards in all areas of the country and a specific plan to attain the standards for each area designated nonattainment. These plans, known as State Implementation Plans or SIPs, are developed by state and local air quality management agencies and submitted to EPA for approval.

The SIP for the State of California is administered by the CARB, which has overall responsibility for statewide air quality maintenance and air pollution prevention. California's SIP incorporates individual federal attainment plans for each regional air district. SIPs are prepared by the regional air district and sent to CARB to be approved and incorporated into the California SIP. Federal attainment plans include the technical foundation for understanding air quality (e.g., emission inventories and air quality monitoring), control measures and strategies, and enforcement mechanisms.

The CARB also administers the California Ambient Air Quality Standards (CAAQS) for the 10 air pollutants designated in the California Clean Air Act. The 10 state air pollutants include the six federal criteria pollutant standards listed above as well as visibility-reducing particulates, hydrogen sulfide, sulfates, and vinyl chloride. The federal and state ambient air quality standards are summarized in Table 1.

Table 1
California and National Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards	National Standards	
		Concentration	Primary	Secondary
Ozone	1 Hour	0.09 ppm (180 µg/m^3)	—	Same as Primary Standard
	8 Hour	0.070 ppm (137 µg/m^3)	0.070ppm (137 µg/m^3)	
Respirable Particulate Matter	24 Hour	50 µg/m^3	150 µg/m3	Same as Primary Standard
	Annual Arithmetic Mean	20 µg/m^3	—	
Fine Particulate Matter	24 Hour	—	35 µg/m^3	Same as Primary Standard
	Annual Arithmetic Mean	12 µg/m^3	12 µg/m^3	
Carbon Monoxide	1 Hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)	—
	8 Hour	9.0 ppm (10 mg/m^3)	9 ppm (10 mg/m^3)	—
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)	—	—
Nitrogen Dioxide	1 Hour	0.18 ppm (339 µg/m^3)	100 ppb (188 µg/m^3)	—
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	0.053 ppm (100 µg/m^3)	Same as Primary Standard
Sulfur Dioxide	1 Hour	0.25 ppm (655 µg/m^3)	75 ppb (196 µg/m^3)	—
	3 Hour	—	—	0.5 ppm (1300 µg/m^3)

	24 Hour	0.04 ppm (105 µg/m^3)	0.14 ppm (for certain areas)	—
	Annual Arithmetic Mean	—	0.030 ppm (for certain areas)	—
Lead	30-Day Average	1.5 µg/m^3	—	—
	Calendar Quarter	—	1.5 µg/m^3	Same as Primary Standard
	Rolling 3-Month Average	—	0.15 µg/m^3	
Visibility-Reducing Particles	8 Hour	See Footnote 1	No National Standards	
Sulfates	24 Hour	25 µg/m^3		
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)		
Vinyl Chloride	24 Hour	0.01 ppm (26 µg/m^3)		

Notes:

1 - In 1989, the CARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

µg/m3 =micrograms per cubic meter

CARB = California Air Resources Board

mg/m3 = milligrams per cubic meter

ppm = parts per million

Source: California Air Resources Board (CARB). 2017. Air Quality Standards. Website: https://www.baaqmd.gov/about-air-quality/research-and-data/air-quality-standards-and-attainment-status. Accessed November 29, 2023.

Federal and state air quality laws require identification of areas not meeting the ambient air quality standards. These areas must develop regional air quality plans to eventually attain the standards. The SJV Air Basin is designated nonattainment for ozone, PM_{10}, and $PM_{2.5}$.[4]

In addition, the proposed Project is being evaluated pursuant to CEQA.

Local

San Joaquin Valley Air Pollution Control District

The City of Lindsay has not established specific CEQA significance thresholds. Where available guidance provided by the applicable air district can be used to make significance determinations for the CEQA questions listed above. While the final determination of whether a project is significant is within the purview of the Lead Agency pursuant to Section 15064(b) of the CEQA Guidelines, the SJVAPCD

[4] San Joaquin Valley Air Pollution Control District (SJVAPCD). 2017. Ambient Air Quality Standards & Valley Attainment Status. Website: https://www.valleyair.org/aqinfo/attainment.htm. Accessed November 29, 2023.

recommends that its quantitative air pollution thresholds be used to determine the significance of project emissions in accordance with the Appendix G requirements. If a Lead Agency finds that a project has the potential to exceed these air pollution thresholds, according to the SJVAPCD, the project should be considered to have significant air quality impacts.

Air pollutant emissions have regional effects and localized effects. This analysis assesses the regional effects of the project's criteria pollutant emissions in comparison to SJVAPCD thresholds of significance for short-term construction activities and long-term operation of the project. Localized emissions from project construction and operation are also assessed using concentration-based thresholds that determine if the project would result in a localized exceedance of any ambient air quality standards or would make a cumulatively considerable contribution to an existing exceedance.

The primary pollutants of concern during Project construction and operation are ROG, NO_X, PM_{10}, and $PM_{2.5}$. The SJVAPCD GAMAQI adopted in 2015 contains thresholds for ROG and NO_X; SO_X, CO, PM_{10}, and $PM_{2.5}$.

Ozone is a secondary pollutant that can be formed miles away from the source of emissions through reactions of ROG and NO_X emissions in the presence of sunlight. Therefore, ROG and NO_x are termed ozone precursors. The SJVAB often exceeds the state and national ozone standards. Therefore, if the Project emits a substantial quantity of ozone precursors, the Project may contribute to an exceedance of the ozone standard. The SJVAB also exceeds air quality standards for PM_{10}, and $PM_{2.5}$; therefore, substantial project emissions may contribute to an exceedance for these pollutants.

The SJVAPCD has adopted significance thresholds for construction-related and operational emissions. These thresholds will be identified and addressed in the following impact analyses.

RESPONSES

a. <u>Conflict with or obstruct implementation of the applicable air quality plan?</u>

Less than Significant Impact. A measure for determining if the project is consistent with the air quality plans is if the project would not result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the air quality plans. Regional air quality impacts and attainment of standards are the result of the cumulative impacts of all emission sources within the air basin.

Individual projects are generally not large enough to contribute measurably to an existing violation of air quality standards. Therefore, the cumulative impact of the Project is based on its cumulative contribution. Because of the region's nonattainment status for ozone, $PM_{2.5}$, and PM_{10}—if Project-generated emissions of either of the ozone precursor pollutants (ROG and NO_X), PM_{10}, or $PM_{2.5}$ would exceed the SJVAPCD's significance thresholds—then the Project would be considered to contribute to violations of the applicable standards and conflict with the attainment plans.

As shown in Table 2 and Table 3 under Impact (b) below, the Project's construction and operational regional emissions would not exceed SJVAPCD's regional criteria pollutant emissions quantitative thresholds. Therefore, the proposed Project would not be considered in conflict with or obstruct implementation of the applicable air quality plan based on this criterion.

Compliance with Applicable Control Measures

SJVAPCD's AQPs contain a number of control measures, which are enforceable requirements through the adoption of rules and regulations. A description of rules and regulations that apply to this Project is provided below.

SJVAPCD Rule 9510—Indirect Source Review (ISR) is a control measure in the 2006 PM_{10} Plan that requires NO_X and PM_{10} emission reductions from development projects in the San Joaquin Valley. The NO_X emission reductions help reduce the secondary formation of PM_{10} in the atmosphere (primarily ammonium nitrate and ammonium sulfate) and also reduce the formation of ozone. Reductions in directly emitted PM_{10} reduce particles such as dust, soot, and aerosols. Rule 9510 is also a control measure in the 2016 Plan for the 2008 8-Hour Ozone Standard. Developers of projects subject to Rule 9510 must reduce emissions occurring during construction and operational phases through on-site measures or pay off-site mitigation fees. The proposed Project would be subject to Rule 9510.

Regulation VIII—Fugitive PM_{10} **Prohibitions** is a control measure that is one main strategies from the 2006 PM_{10} for reducing the PM_{10} emissions that are part of fugitive dust. Residential projects over 10 acres and non-residential projects over 5 acres are required to file a Dust Control Plan (DCP) containing dust control practices sufficient to comply with Regulation VIII. The Project will be required to comply with Regulation VIII and would implement dust control measures during the construction period.

Rule 2201—New and Modified Stationary Source Review Rule requires the review of new and modified Stationary Sources of air pollution and to provide mechanisms including emission trade-offs by which Authorities to Construct such sources may be granted, without interfering with the attainment or maintenance of Ambient Air Quality Standards. Components of the Project may be required to obtain permits and abide by associated regulations set forth by Rule 2201.

Other control measures that apply to the Project are Rule 4641—Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operation that requires reductions in VOC emissions during paving and Rule 4601—Architectural Coatings that limits the VOC content of all types of paints and coatings sold in the San Joaquin Valley. These measures apply at the point of sale of the asphalt and the coatings, so Project compliance is ensured without additional mitigation measures.

The Project would comply with all applicable SJVAPCD rules and regulations. Therefore, the proposed Project would not conflict with or obstruct implementation of the applicable air quality attainment plan under this criterion.

Conclusion

As described above, the proposed Project's construction and operational regional emissions would not exceed SJVAPCD's regional criteria pollutant emissions quantitative thresholds. Furthermore, the proposed Project would comply with all applicable SJVAPCD rules and regulations. Accordingly, the proposed Project would not conflict with or obstruct implementation of the applicable air quality plans, and, therefore, this impact would be ***less than significant***.

Mitigation Measures: None are required.

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

Less than Significant Impact.

Regional Emissions

Air pollutant emissions have both regional and localized effects. This analysis assesses the regional effects of the Project's criteria pollutant emissions in comparison to SJVAPCD thresholds of significance for short-term construction activities and long-term operation of the Project. Localized emissions from Project construction and operation are assessed under Impact (c)—Sensitive Receptors using concentration-based thresholds that determine if the Project would result in a localized exceedance of any ambient air quality standards or would make a cumulatively considerable contribution to an existing exceedance.

The primary pollutants of concern during Project construction and operation are ROG, NO_X, PM_{10}, and $PM_{2.5}$. The SJVAPCD GAMAQI adopted in 2015 contains thresholds for CO, NO_X, ROG, SO_X, PM_{10}, and $PM_{2.5}$.

Ozone is a secondary pollutant that can be formed miles from the source of emissions, through reactions of ROG and NO_X emissions in the presence of sunlight. Therefore, ROG and NO_X are termed ozone precursors. The Air Basin often exceeds the state and national ozone standards. Therefore, if the Project emits a substantial quantity of ozone precursors, the Project may contribute to an exceedance of the ozone standard. The Air Basin also exceeds air quality standards for PM_{10}, and $PM_{2.5}$; therefore, substantial Project emissions may contribute to an exceedance for these pollutants. The SJVAPCD's annual emission significance thresholds used for the Project define the substantial contribution for both operational and construction emissions as follows:

- 100 tons per year CO
- 10 tons per year NO_X
- 10 tons per year ROG
- 27 tons per year SO_X
- 15 tons per year PM_{10}
- 15 tons per year $PM_{2.5}$

The Project does not contain sources that would produce substantial quantities of SO_2 emissions during construction and operation. Modeling conducted for the Project show that SO_2 emissions are well below the SJVAPCD GAMAQI thresholds, as shown in the modeling results contained in Appendix A. No further discussion of SO_2 is required.

Construction Emissions

Construction activities associated with development of the proposed Project would include site preparation, grading, building construction, paving, and architectural coatings. Emissions from construction-related activities are generally short-term in duration but may still cause adverse air quality impacts. During construction, fugitive dust would be generated from earth-moving activities. Exhaust emissions would also be generated from off-road construction equipment and construction-related vehicle trips. Emissions associated with construction of the proposed Project are discussed below.

Table 2 below provides the construction emissions estimate for the proposed Project. Please refer to the Modeling Parameters and Assumptions section of this technical memorandum for details regarding assumptions used to estimate construction emissions. The duration of construction activity and associated equipment represent a reasonable approximation of the expected construction fleet as required pursuant to CEQA guidelines.

Table 2
Construction Regional Air Pollutant Annual Emissions (Unmitigated)

Parameter	Air Pollutants (ton/year)				
	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$

Demolition (2024)	0.027	0.254	0.225	0.016	0.011
Site Preparation (2024)	0.019	0.181	0.169	0.048	0.027
Grading (2024)	0.020	0.214	0.202	0.045	0.023
Building Construction (2024)	0.103	0.946	1.119	0.060	0.040
Building Construction (2025)	0.037	0.340	0.429	0.021	0.014
Paving (2025)	0.021	0.077	0.106	0.006	0.003
Architectural Coating (2025)	0.082	0.010	0.013	0.002	0.000
Total Project Construction Emissions (tons/year)	**0.309**	**2.022**	**2.263**	**0.198**	**0.118**
Significance Threshold (tons/year)	**10**	**10**	**100**	**15**	**15**
Exceeds Significance Threshold?	**No**	**No**	**No**	**No**	**No**

Notes:
PM_{10} and $PM_{2.5}$ emissions are from the mitigated output to reflect compliance with Regulation VIII—Fugitive PM_{10} Prohibitions.
NO_X = oxides of nitrogen
PM_{10} = particulate matter 10 microns in diameter
$PM_{2.5}$ = particulate matter 2.5 microns in diameter
ROG = reactive organic gases
Source: CalEEMod Output (Attachment A of Appendix A).

As shown in Table 2, estimated emissions from construction of Project are below the SJVAPCD significance thresholds. Therefore, the regional construction emissions would be less than significant on a Project basis.

Operational Emissions

As previously discussed, the pollutants of concern include ROG, NO_X, CO, PM_{10}, and $PM_{2.5}$. Emissions were assessed for full buildout operations in the 2025 operational year. The 2025 operational year was chosen as it would be the earliest year the Project is anticipated to become operational. Emissions were estimated for full Project buildout in the earliest operational year, thus generating the full amount of expected operational activity. The SJVAPCD Criteria Air Pollutant Significance thresholds were used to determine impacts. Operational annual emissions are shown in Table 3 below.

Table 3
Operational Annual Emissions for Full Buildout (Unmitigated)

Emissions Source	Tons per Year				
	ROG	**NO_X**	**CO**	**PM_{10}**	**$PM_{2.5}$**
Area	0.06	< 0.01	0.07	< 0.01	< 0.01
Energy Consumption	< 0.01	0.03	0.02	< 0.01	< 0.01
Mobile (On-road Vehicles)	5.46	14.28	36.62	8.73	2.42
Total Project Annual Emissions	**5.52**	**14.31**	**36.71**	**8.73**	**2.42**
Total Project Annual Emissions After Compliance with SJVAPCD Rule 9510*	**5.52**	**9.54**	**36.71**	**5.82**	**2.42**
Thresholds of Significance	**10**	**10**	**100**	**15**	**15**
Exceeds Significance Threshold?	**No**	**No**	**No**	**No**	**No**

Notes:
NO_X = oxides of nitrogen
$PM_{2.5}$ = particulate matter 2.5 microns or less in diameter
PM_{10} = particulate matter 10 microns or less in diameter
ROG = reactive organic gases
* SJVAPCD Rule 9510 – Indirect Source Review requires that applicants reduce 33.3% of the project's operational baseline NO_X emissions and 50% of the project's operational baseline PM_{10} emissions for the first ten years of project operations.
Source: CalEEMod Output (Attachment A of Appendix A).

As demonstrated in Table 3, the proposed Project would not result in net operational-related air pollutants or precursors that would exceed the applicable thresholds of significance after compliance with SJVAPCD Rule 9510 – Indirect Source Review. Therefore, Project operations would not be considered to have the potential to generate a significant quantity of air pollutants; long-term operational impacts associated with the Project's criteria pollutant emissions would be ***less than significant***.

Mitigation Measures: None are required.

c. Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. Emissions occurring at or near the Project have the potential to create a localized impact that could expose sensitive receptors to substantial pollutant concentrations. Sensitive receptors are considered land uses or other types of population groups that are more sensitive to air pollution than others due to their exposure. Sensitive population groups include children, the elderly, the acutely and chronically ill, and those with cardio-respiratory diseases. The SJVAPCD considers a

sensitive receptor to be a location that houses or attracts children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Examples of sensitive receptors include hospitals, residences, convalescent facilities, and schools. Table 4 describes the sensitive receptors in the Project vicinity.

Table 4
Nearby Sensitive Receptors

Sensitive Receptor	Distance from Project site	Direction from Project site
Single Family Residence	528 ft (0.10 miles)	Northeast
Single Family Residence	686 ft (0.13 miles)	East
Single Family Residence	844 ft (0.16 miles)	North
Child Daycare Facility	940 ft (0.18 miles)	East
Single Family Residence	1,108 ft (0.21 miles)	West
Senior Healthcare Facility	1,478 ft (0.28 miles)	East
Elementary School	3,907 ft (0.74 miles)	East
Medical Health Clinic	4,541 ft (0.86 miles)	East

Localized Impacts

Emissions occurring at or near the Project have the potential to create a localized impact also referred to as an air pollutant hotspot. Localized emissions are considered significant if when combined with background emissions, they would result in exceedance of any health-based air quality standard. In locations that already exceed standards for these pollutants, significance is based on a significant impact level (SIL) that represents the amount that is considered a cumulatively considerable contribution to an existing violation of an air quality standard. The pollutants of concern for localized impact in the SJVAB are NO_2, SO_X, and CO.

The SJVAPCD has provided guidance for screening localized impacts in the GAMAQI that establishes a screening threshold of 100 pounds per day of any criteria pollutant. If a project exceeds 100 pounds per day of any criteria pollutant, then ambient air quality modeling would be necessary. If the project does not exceed 100 pounds per day of any criteria pollutant, then it can be assumed that it would not cause a violation of an ambient air quality standard.

Construction: Localized Concentrations of PM_{10}, $PM_{2.5}$, CO, and NO_X

Local construction impacts would be short-term in nature lasting only during the duration of construction. As shown in Table 5 below, on-site construction emissions would be less than 100 pounds per day for each of the criteria pollutants. To present a conservative estimate, on-site emissions for on-road construction vehicles were included in the localized analysis. Based on the SJVAPCD's guidance, the construction emissions would not cause an ambient air quality standard violation.

Table 5
Localized Concentrations of PM_{10}, $PM_{2.5}$, CO, and NO_X for Construction

Source	On-site Emissions (pounds per day)				
	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Highest Daily Construction (2024)	3.74	36.06	33.28	9.46	5.43
Highest Daily Construction (2025)	8.23	10.52	13.19	0.62	0.42
Entire Project Construction Duration					
Maximum Daily On-site Emissions	**8.23**	**36.06**	**33.28**	**9.46**	**5.43**
Significance Thresholds	—	100	100	100	100
Exceed Significance Thresholds?	—	No	No	No	No

Note:
Overlap of construction activities is based on the construction schedule shown in the Project Description and Appendix A.
Source of Emissions: CalEEMod Output and Additional Supporting Information (Appendix A).
Source of Thresholds: San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. February 19. Website: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF. Accessed November 29, 2023.

Operation: Localized Concentrations of PM_{10}, $PM_{2.5}$, CO, and NO_X

Localized impacts could occur in areas with a single large source of emissions—such as a power plant—or at locations with multiple sources concentrated in a small area, such as a distribution center. Although Travel Center development projects are typically less likely to cause a localized air quality impact compared to land uses with large sources of emissions or multiple concentrated sources of emissions, the proposed Project would emit air pollutants that have the potential to create a localized impact. The maximum daily operational emissions would occur at Project buildout, which was assumed to occur in 2025 for the purposes of providing a conservative estimate of emissions. Operational emissions include those generated on-site by area sources such as consumer products, landscape maintenance, energy use from natural gas combustion, and motor vehicles operation at the Project site. To assess localized air impacts, motor vehicle emissions were estimated for on-site and localized operations using an adjusted trip length of 0.5 mile.

As shown in Table 6 below, operational modeling of on-site emissions for the Project indicate that the Project would not exceed 100 pounds per day for each of the criteria pollutants. Therefore, based on the SJVAPCD's guidance, the operational emissions would not cause an ambient air quality standard violation. As such, impacts would be less than significant.

Table 6
Localized Concentrations of PM_{10}, $PM_{2.5}$, CO, and NO_X for Operations

Source	On-site Emissions (pounds per day)				
	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Area	0.40	0.00	0.74	0.00	0.00
Energy Consumption	0.01	0.16	0.13	0.01	0.01
Mobile (On-road Vehicles)	24.56	16.62	389.14	3.13	0.87
Daily Total	**24.97**	**16.78**	**390.02**	**3.14**	**0.88**
Significance Thresholds	**—**	**100**	**100**	**100**	**100**
Exceed Screening Thresholds?	**—**	**No**	**Yes**	**No**	**No**

Source of Emissions: CalEEMod Output (Appendix A).

Source of Thresholds: San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. February 19. Website: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF. Accessed November 29, 2023.

As shown in Table 6 above, the proposed Project would exceed the SJVAPCD 100-pound-per-day screening threshold for CO but would not exceed other operational screening thresholds for each of the criteria pollutants. Therefore, based on the SJVAPCD's guidance, the operational emissions would not cause an ambient air quality standard violation for NO_X, PM_{10}, or $PM_{2.5}$. Further analysis is needed to determine whether would be significant for CO, which is provided below.

As shown in Table 6, the majority of CO emissions would be from mobile sources, such as passenger vehicles driven by customer and employees to access the Project site and visiting heavy-duty trucks. Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. A CO hotspot represents a condition wherein high concentrations of CO may be produced by motor vehicles accessing a congested traffic intersection under heavy traffic volume conditions. It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when idling at intersections. Accordingly, vehicle emissions standards have become increasingly more stringent to help remedy this impact.

The analysis prepared for CO attainment in the South Coast Air Basin (SoCAB) by the South Coast Air Quality Management District (SCAQMD) has been used to assist in evaluating potential for CO exceedances in other air basins. Although the SoCAB and the SCAQMD would not be the applicable air

basin or air district for the Project, applying this guidance is appropriate in this analysis because CO exceedances are caused by idling vehicles and regardless of air district. For example, any Project-generated vehicles trips would result in idling of passenger vehicles or trucks at the Project site and on adjacent roadways that could lead to a CO exceedance. The CO hotspot analysis contained in the SCAQMD 1992 CO Plan is used to determine potential CO hotspot impacts from the proposed Project, because by using the 1992 CO Plan as a worst-case scenario, the proposed Project can measure CO impacts against intersections that experienced significantly more vehicle traffic than adjacent to the proposed Project. The 1992 CO Plan is used as a worst-case scenario because it included a CO hot spot analysis for four busy intersections in Los Angeles at the peak morning and afternoon time periods. The intersections evaluated included Long Beach Boulevard and Imperial Highway (Lynwood); Wilshire Boulevard and Veteran Avenue (Westwood); Sunset Boulevard and Highland Avenue (Hollywood); and La Cienega Boulevard and Century Boulevard (Inglewood). The busiest intersection evaluated was that at Wilshire Boulevard and Veteran Avenue, which has a daily traffic volume of approximately 100,000 vehicles per day. Subsequently the CO Plan determined that no CO hotspot would occur even with 100,000 vehicles per day at this one intersection.

The traffic volumes near the Project site, with Project trips, are provided in the Project-specific traffic impact analysis. The Project-specific traffic impact study reported the number of average daily trips for the travel center project: 8,712 average daily trips before reductions for pass-by and internal capture and 8,276 average daily trips after internal capture, 6,534 average daily trips after reductions from pass-by and internal capture.[5] The traffic volumes at intersections in the study area around the Project are lower than what was analyzed in the 1992 CO Plan. Therefore, none of the intersections near the Project site would have peak-hour traffic volumes exceeding those at the intersections modeled in the 1992 CO Plan, nor would there be any reason unique to the local meteorology to conclude that this intersection would yield higher CO concentrations if modeled in detail because the Project site is not located in an area where air flow would be severely restricted, such as a tunnel or canyon. In conclusion, the addition of the proposed Project's daily trips would not generate a CO hotspot at local intersections and operational CO impact would be less than significant.

Toxic Air Contaminants

Construction

[5] LAV/Pinnacle Consulting & Engineering Services. Last Revised August 14, 2023. Traffic Impact Study - Gas Station with Convenience Market, Fast Food Restaurants, and Truck Fueling Facility at Northeast Corner of State Highway 65 and Cedar Avenue, Tulare County, California.

Project construction would involve the use of diesel-fueled vehicles and equipment that emit DPM, which is considered a TAC. The SJVAPCD's current threshold of significance for TAC emissions is an increase in cancer risk for the maximally exposed individual of 20 in a million (formerly 10 in a million).

A Project-level assessment was conducted of the potential community health risk and health hazard impacts on surrounding sensitive receptors resulting from the emissions of TACs during construction. A summary of the assessment is provided below, while the detailed assessment is provided in Appendix A.

Construction activity using diesel-powered equipment emits DPM, a known carcinogen. Diesel particulate matter includes exhaust PM_{10} and exhaust $PM_{2.5}$. A 10-year research program demonstrated that DPM from diesel-fueled engines is a human carcinogen and that chronic (long-term) inhalation exposure to DPM poses a chronic health risk.[6] Health risks from TACs are a function of both concentration and duration of exposure. Construction diesel emissions are temporary, affecting an area for a period of weeks or months. Additionally, construction-related sources are mobile and transient in nature.

The health risk assessment evaluated DPM (represented as exhaust PM_{10}) emissions generated during construction of the proposed Project and the related health risk impacts for sensitive receptors located within approximately 1,000 feet of the Project boundary.

The Project site is located within 1,000 feet of existing sensitive receptors that could be exposed to diesel emission exhaust during the construction period. To estimate the potential cancer risk associated with construction of the proposed Project from equipment exhaust (including DPM), a dispersion model was used to translate an emission rate from the source location to concentrations at the receptor locations of interest (i.e., receptors at nearby residences). A maximally exposed receptor (MER) was determined for construction and through the use of the dispersion modeling. A graphical representation of the inputs used in the dispersion modeling, including the locations of modeled receptor locations, is included as part of Appendix A.

Table 7 presents a summary of the proposed Project's construction cancer risk and chronic non-cancer hazard impacts at the MER from Project construction prior to the application of any equipment mitigation.

Table 7

[6] California Air Resources Board (CARB). 2015. The Report on Diesel Exhaust. Website: https://ww2.arb.ca.gov/sites/default/files/classic/toxics/dieseltac/de-fnds.htm. Accessed November 29, 2023.

Health Risks from Unmitigated Project Construction

Scenario	Health Impact Metric	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index
Risks and Hazards from Project Construction to the Off-site MER[1]			
Unmitigated Project Construction	Risks and Hazards at the MER	2.70	0.002
Applicable Threshold of Significance		**20**	**1**
Exceeds Individual Source Threshold?		No	No

Notes:
MER = Maximally Exposed Receptor
[1] The MER was determined to be an existing residence located east of the Project site at 36°12'39.5"N 119°06'36.0"W
Source: Appendix A.

As shown in Table 7, estimated health risk metrics from elevated DPM concentrations during construction of the proposed Project would not exceed the cancer risk significance threshold or non-cancer hazard index significance threshold at the MER. Therefore, the proposed Project would not result in a significant impact on nearby sensitive receptors from TACs during construction.

Operations

Operational DPM

As described in the traffic study prepared for the proposed Project, the Project is expected to generate 8,276 average daily trips after reductions from internal capture.[7] The proposed Project would primarily generate trips associated with employees, customers, and visitors traveling to and from the Project site. The travel center Project would attract heavy-duty truck trips, as diesel truck fueling and truck parking would be provided.

DPM emissions were estimated for the Project-generated truck trips using EMFAC 2021 to assess the Project's potential to generate elevated levels of TACs from Project heavy-duty truck trips. Sources included the following from Project-generated heavy-duty diesel-fueled trucks: on-site idling, on-site medium-heavy duty and heavy-heavy duty truck travel (assessed at 5-15 mph), and localized off-site truck travel (assessed at 10-25 mph). Detailed assumptions are provided in Appendix A. AERMOD and HARP2 were then used to estimate health risks. The results of the operational HRA from Project-

[7] LAV/Pinnacle Consulting & Engineering Services. Last Revised August 14, 2023. Traffic Impact Study - Gas Station with Convenience Market, Fast Food Restaurants, and Truck Fueling Facility at Northeast Corner of State Highway 65 and Cedar Avenue, Tulare County, California. See Appendix C.

generated sources of DPM during operations are summarized below, while the complete assessment is included as part of Appendix A.

Table 8
Summary of the Health Impacts Risk Impacts (Operational DPM Emissions)

Exposure Scenario	Maximum Cancer Risk (Risk per Million)	Chronic Non-Cancer Hazard Index
70-Year Exposure at the MER	10.28	0.002
Applicable Threshold of Significance	**20**	**1**
Exceeds Individual Source Threshold in Any Scenario?	**No**	**No**

Notes:
MER = Maximally Exposed Receptor
Operational DPM MER Location: 36°12'39.5"N 119°06'36.0"W
Source: Appendix A.

As shown in Table 8, the Project would not exceed the applicable cancer risk or chronic risk threshold levels. The primary source of the DPM emissions responsible for chronic risk are from diesel trucks. DPM does not have an acute risk factor. Since the Project does not exceed the applicable SJVAPCD thresholds for cancer risk, acute risk, or chronic risk, the impact related to the Project's potential to expose sensitive receptors to substantial pollutant concentrations from non-permitted sources would be less than significant. In addition, these health risk values were added to the Project's health risk metrics from the generation of benzene to determine total health risks during operations and a total combined value from Project construction and operations (see below).

Gasoline Station (Benzene)

Out of the toxic compounds emitted from gasoline stations, benzene, ethylbenzene, and naphthalene have cancer toxicity values. However, benzene is the TAC which drives the risk, accounting for 85 percent of cancer risk from gasoline vapors. Furthermore, benzene constitutes more than three to four

times the weight of gasoline than ethylbenzene and naphthalene, respectively.[8] Therefore, ethylbenzene and naphthalene have not been modeled and are instead considered significant in the case that benzene emissions are significant. Additionally, there are substances emitted from gasoline stations, such as toluene and xylene which possess acute adverse health effects (though not cancer risk). However, it is not until the benzene concentrations are more than two orders of magnitude above 10 in one million that the emissions of toluene and xylene begin to cause adverse health effects.[9] Therefore, toluene and xylene emissions have not been modeled and are instead considered significant in the case that benzene concentrations are identified at two orders of magnitude above 10 in one million cancer risk.

Emissions sources in the model include proposed on-site fuel storage tanks and fuel dispensers. The proposed Project contemplates underground fuel storage tanks and twelve gasoline fueling stations (twelve gasoline vehicle fueling positions). In addition, the Project includes one diesel pump (one diesel fueling position). The specific processes associated with fuel storage tanks and gasoline fuel dispensers that emit air toxics include loading, breathing, refueling, and spillage, as described below:

- Loading – Emissions occur when a fuel tanker truck unloads gasoline into the storage tanks. The storage tank vapors, displaced during loading, are emitted through its vent pipe. (A required pressure/vacuum valve installed on the tank vent pipe significantly reduces these emissions.)
- Breathing – Emissions occur through the storage tank vent pipe as a result of temperature and pressure changes in the tank vapor space.
- Refueling – Emissions occur during motor vehicle refueling when gasoline vapors escape through the vehicle/nozzle interface.
- Spillage – Emissions occur from evaporating gasoline that spills during vehicle refueling.

Loading and breathing emissions exit the underground storage tank vent pipe and are thus treated as a point source. The height and diameter of the vent are assumed to be 3.66 meters and 0.05 meters, respectively. Refueling and spillage emissions are modeled as volume sources with a vertical dimension of 5 meters to correspond to the height of the canopy. For refueling, the release height is assumed to be

[8] South Coast Air Quality Management District (SCAQMD). 2015. Risk Assessment Procedures for Rules 1401, 1401.1, and 212. Website: http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/appx_1401riskassessproc_071517nw.pdf. Accessed May 20, 2022.

[9] California Air Pollution Control Officers Association (CAPCOA). 1997. Gasoline Service Station Industrywide Risk Assessment Guidelines. Website: https://www.co.monterey.ca.us/home/showdocument?id=22409. Accessed May 20, 2022.

1 meter to approximate the height of a vehicle fuel tank inlet, whereas spillage emissions are assumed to be released at ground level since nearly all the gasoline from spillage reaches the ground.

The model was run to obtain the peak 24-hour and annual average concentration in micrograms per cubic meter [$\mu g/m^3$] at nearby sensitive receptors.

The chronic and carcinogenic health risk calculations are based on the standardized equations contained in the U.S. EPA Human Health Evaluation Manual[10] and the Office of Environmental Health Hazard Assessment (OEHHA) Guidance Manual.[11]

Results of the health risk analysis from operations of the proposed gasoline station are summarized in Table 8. Health risk metrics are shown for the MER for each TAC, which presents a conservative estimate of overall health risk metrics when combined. The complete emission estimate calculations, AERMOD data, and HARP2 calculations are included in Appendix A.

Table 9
Summary of the Health Impacts from Operations of the Proposed Gasoline Station (70-year Exposure Scenario)

Exposure Scenario	Maximum Cancer Risk (Risk per Million)	Chronic Non-Cancer Hazard Index	Acute Non-Cancer Hazard from Maximum Hourly Exposure
70-Year Exposure at the MER from Benzene	0.17	0.001	0.008
70-Year Exposure at the MER from DPM	10.28	0.002	0.000
Total Exposure from Project Operations	**10.45**	**0.003**	**0.008**
Total Exposure from Project Construction[1] and Operations	**13.15**	**0.005**	**0.008**
Applicable Threshold of Significance	**20**	**1**	**1**

[10] United States Environmental Protection Agency (U.S. EPA). 1991. Human Health Evaluation Manual. Website: https://www.epa.gov/sites/default/files/2015-11/documents/defaultExposureParams.pdf. Accessed January 2024.

[11] Office of Environmental Health Hazard Assessment (OEHHA). 2015. Risk Assessment Guidelines. Website: https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf. Accessed January 2024.

Exposure Scenario	Maximum Cancer Risk (Risk per Million)	Chronic Non-Cancer Hazard Index	Acute Non-Cancer Hazard from Maximum Hourly Exposure
Exceeds Individual Source Threshold in Any Scenario?	**No**	**No**	**No**

Notes:
MER = Maximally Exposed Receptor
Operational DPM MER Location: 36°12'39.5"N 119°06'36.0"W
[1] See Table 6 for a summary of estimated health risk metrics from Project construction.
Source: Appendix A.

As shown above in Table 9, the Project calculated health metrics from the proposed Project's operational emissions would not exceed the cancer risk significance threshold, non-cancer hazard index significance threshold, or acute non-cancer hazard at the MER. Therefore, the proposed Project would not result in a significant impact on nearby sensitive receptors from Project-generated TACs during operations.

Valley Fever

Valley fever, or coccidioidomycosis, is an infection caused by inhalation of the spores of the fungus, *Coccidioides immitis* (*C. immitis*). The spores live in soil and can live for an extended time in harsh environmental conditions. Activities or conditions that increase the amount of fugitive dust contribute to greater exposure, and they include dust storms, grading, and recreational off-road activities.

The San Joaquin Valley is considered an endemic area for Valley fever. The San Joaquin Valley is considered an endemic area for Valley fever. During 2000–2018, a total of 65,438 coccidioidomycosis cases were reported in California; median statewide annual incidence was 7.9 per 100,000 population and varied by region from 1.1 in Northern and Eastern California to 90.6 in the Southern San Joaquin Valley, with the largest increase (15-fold) occurring in the Northern San Joaquin Valley. Incidence has been consistently high in six counties in the Southern San Joaquin Valley (Fresno, Kern, Kings, Madera, Tulare, and Merced counties) and Coast (San Luis Obispo County) regions.[12] California experienced 7,517 new probable or confirmed cases of Valley fever in 2022. A total of 319 suspect, probable, and confirmed Valley fever cases were reported in Tulare County in 2022.[13]

[12] Centers for Disease Control and Prevention (CDC). 2020. Regional Analysis of Coccidioidomycosis Incidence—California, 2000–2018. Website: https://www.cdc.gov/mmwr/volumes/69/wr/mm6948a4.htm?s_cid=mm6948a4_e. Accessed November 29, 2023.

[13] California Department of Public Health (CDPH). 2021. Coccidioidomycosis in California Provisional Monthly Report January – April 2023

The distribution of *C. immitis* within endemic areas is not uniform and growth sites are commonly small (a few tens of meters) and widely scattered. Known sites appear to have some ecological factors in common suggesting that certain physical, chemical, and biological conditions are more favorable for *C. immitis* growth. Avoidance, when possible, of sites favorable for the occurrence of *C. immitis* is a prudent risk management strategy. Listed below are ecologic factors and sites favorable for the occurrence of *C. immitis*:

1) Rodent burrows (often a favorable site for *C. immitis*, perhaps because temperatures are more moderate and humidity higher than on the ground surface)
2) Old (prehistoric) Indian campsites near fire pits
3) Areas with sparse vegetation and alkaline soils
4) Areas with high salinity soils
5) Areas adjacent to arroyos (where residual moisture may be available)
6) Packrat middens
7) Upper 30 centimeters of the soil horizon, especially in virgin undisturbed soils
8) Sandy, well-aerated soil with relatively high water-holding capacities

Sites within endemic areas less favorable for the occurrence of *C. immitis* include:

1) Cultivated fields
2) Heavily vegetated areas (e.g., grassy lawns)
3) Higher elevations (above 7,000 feet)
4) Areas where commercial fertilizers (e.g., ammonium sulfate) have been applied
5) Areas that are continually wet
6) Paved (asphalt or concrete) or oiled areas

(as of April 30, 2023). Website: https://www.cdph.ca.gov/Programs/CID/DCDCDPH%20Document%20Library/CocciinCAProvisionalMonthlyReport.pdf. Accessed January 9, 2024.

7) Soils containing abundant microorganisms

8) Heavily urbanized areas where there is little undisturbed virgin soil.[14]

The Project is situated on a site previously disturbed that does not provide a suitable habitat for spores. Specifically, the Project site has been previously disturbed and has previously been tilled. Therefore, development of the proposed Project would have a lower probability of the site having *C. immitis* growth sites than if the site had been previously undisturbed.

Although conditions are not favorable, construction activities could generate fugitive dust that contain *C. immitis* spores. The Project will minimize the generation of fugitive dust during construction activities by complying with SJVAPCD's Regulation VIII. Therefore, this regulation, combined with the relatively low probability of the presence of *C. immitis* spores would reduce Valley fever impacts to less than significant.

During operations, dust emissions are anticipated to be relatively small because most of the Project area where operational activities would occur would be occupied by the proposed buildings, landscaping, and pavement associated with the proposed Travel Center development; it is anticipated that all internal travel areas would be paved. This condition would lessen the possibility of the Project from providing habitat suitable for *C. immitis* spores and for generating fugitive dust that may contribute to Valley fever exposure. Impacts would be less than significant.

Naturally Occurring Asbestos

Review of the map of areas where naturally occurring asbestos in California are likely to occur found no such areas in the immediate Project area. Therefore, development of the Project is not anticipated to expose receptors to naturally occurring asbestos.[15] Impacts would be less than significant.

Impact Analysis Summary

In summary, the Project would not exceed SJVAPCD localized emission daily screening levels for any criteria pollutant. The Project is not a significant source of TAC emissions during construction or operations. The Project is not in an area with suitable habitat for Valley fever spores and is not in an area

[14] United States Geological Survey (USGS). 2000. Operational Guidelines (Version 1.0) for Geological Fieldwork in Areas Endemic for Coccidioidomycosis (Valley Fever), 2000, Open-File Report 2000-348. Website: https://pubs.usgs.gov/of/2000/0348/pdf/of00-348.pdf. Accessed November 29, 2023.

[15] U.S. Geological Survey. 2011. Van Gosen, B.S., and Clinkenbeard, J.P. California Geological Survey Map Sheet 59. Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California. Open-File Report 2011-1188 Website: https://pubs.usgs.gov/of/2011/1188/. Accessed November 29, 2023.

known to have naturally occurring asbestos. Therefore, the Project would result in ***less than significant impacts*** to sensitive receptors.

Mitigation Measures: None are required.

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

Less than Significant Impact. Two situations create a potential for odor impact. The first occurs when a new odor source is located near an existing sensitive receptor. The second occurs when a new sensitive receptor locates near an existing source of odor. According to the *CBIA v. BAAQMD* ruling, impacts of existing sources of odors on the project are not subject to CEQA review. Therefore, the analysis to determine if the Project would locate new sensitive receptors near an existing source of odor is not used to determine significance for this impact.

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

Although the Project site is approximately 528 feet (0.10 of a mile) from the nearest sensitive receptor, the Project is not expected to be a significant source of odors. The screening levels for these land use types are shown in Table 10.

Table 10
Screening Levels for Potential Odor Sources

Odor Generator	Screening Distance
Wastewater Treatment Facilities	2 miles
Sanitary Landfill	1 mile
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles
Asphalt Batch Plant	1 mile
Chemical Manufacturing	1 mile
Fiberglass Manufacturing	1 mile
Painting/Coating Operations (e.g., auto body shop)	1 mile
Food Processing Facility	1 mile
Feed Lot/Dairy	1 mile
Rendering Plant	1 mile
Wastewater Treatment Facilities	2 miles
Source of Thresholds: San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. February 19. Website: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF. Accessed December 4, 2023.	

Project Construction and Project Operation

The occurrence and severity of odor impacts depend on numerous factors, including the nature, frequency, and intensity of the source; wind speed and direction; and the presence of sensitive receptors. Although offensive odors rarely cause any physical harm, they still can be very unpleasant, leading to considerable distress and often generating citizen complaints to local governments and regulatory agencies. Project operations would not be anticipated to produce odorous emissions, as the project would not be considered an odor generator based on the land uses shown in Table 10. Construction activities associated with the proposed Project could result in short-term odorous emissions from diesel exhaust associated with construction equipment. However, these emissions would be intermittent and would dissipate rapidly from the source. In addition, this diesel-powered equipment would only be present onsite temporarily during construction activities. The temporary and intermittent nature of construction activities would decrease the likelihood of the odors concentrating in a single area or lingering for any notable period of time. As such, these odors would likely not be noticeable for extended periods of time beyond the Project's site boundaries. Therefore, construction would not create objectionable odors affecting a substantial number of people from use of diesel-powered equipment. As there would not be conditions under which the Project would have the potential to expose a substantial number of people to odors emitted from construction or operations of the Project, and the impact would be ***less than significant***.

Mitigation Measures: None are required.

IV. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒

e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐

ENVIRONMENTAL SETTING

The proposed Project site is located in a portion of the central San Joaquin Valley that has, for decades, experienced intensive agricultural and urban disturbances. Current agricultural endeavors in the region include orange groves, olive orchards and row crops.

Like most of California, the Central San Joaquin Valley experiences a Mediterranean climate. Warm dry summers are followed by cool moist winters. Summer temperatures usually exceed 90 degrees Fahrenheit, and the relative humidity is generally very low. Winter temperatures rarely raise much above 70 degrees Fahrenheit, with daytime highs often below 60 degrees Fahrenheit. Annual precipitation within the proposed Project site is about 10 inches, almost 85% of which falls between the months of October and March. Nearly all precipitation falls in the form of rain and stormwater readily infiltrates the soils of the surrounding the sites.

Native plant and animal species once abundant in the region have become locally extirpated or have experienced large reductions in their populations due to conversion of upland, riparian, and aquatic habitats to agricultural and urban uses. Remaining native habitats are particularly valuable to native wildlife species including special status species that still persist in the region.

The proposed Project site is highly disturbed and consists primarily of vacant/disturbed land, with single family residences in the southeastern portion of the site, and some agricultural row crops in the central portion. The site is bordered by SR 65 to the south and Cedar Avenue to the west and surrounded by agricultural land and vacant/disturbed land. The aesthetic features of the existing visual environment in the proposed Project area are primarily agricultural or vacant/disturbed land. No aquatic or wetland features occur on the proposed Project site, therefore jurisdictional waters are considered absent from the site.

The California Natural Diversity Data Base (CNDDB) was queried for records of special-status plant and animal species in the Lindsay and the surrounding eight USGS 7.5 minute quadrangles. Thirty-seven plant and animal special-status species and three special-status habitats were found in the 9-quad search. The list of species and habitats reported in the CNDDB is provided in Appendix D.

REGULATORY SETTING

Federal

Endangered Species Act

The USFWS and the National Oceanographic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) enforce the provisions stipulated in the Federal Endangered Species Act of 1973 (FESA, 16 United States Code [USC] § 1531 et seq.). Threatened and endangered species on the federal list (50 Code of Federal Regulations [CFR] 17.11 and 17.12) are protected from take unless a Section 10 permit is granted to an entity other than a federal agency or a Biological Opinion with incidental take provisions is rendered to a federal lead agency via a Section 7 consultation. Take is defined as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct. Pursuant to the requirements of the FESA, an agency reviewing a proposed action within its jurisdiction must determine whether any federally listed species may be present in the proposed action area and determine whether the proposed action may affect such species. Under the FESA, habitat loss is considered an effect to a species. In addition, the agency is required to determine whether the proposed action is likely to jeopardize the continued existence of any species that is listed or proposed for listing under the FESA (16 USC § 1536[3], [4]). Therefore, proposed action-related effects to these species or their habitats would be considered significant and would require mitigation.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) (16 USC § 703, Supp. I, 1989) prohibits killing, possessing, trading, or other forms of take of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. "Take" is defined as the pursuing, hunting, shooting, capturing, collecting, or killing of birds, their nests, eggs, or young (16 USC § 703 and § 715n). This act encompasses whole birds, parts of birds, and bird nests and eggs. The MBTA specifically protects migratory bird nests from possession, sale, purchase, barter transport, import, and export, and take. For nests, the definition of take per 50 CFR 10.12 is to collect. The MBTA does not include a definition of an "active nest". However, the "Migratory Bird Permit Memorandum" issued by the USFWS in 2003 clarifies the MBTA in that regard and states that the removal of nests, without eggs or birds, is legal under the MBTA, provided no

possession (which is interpreted as holding the nest with the intent of retaining it) occurs during the destruction.

U.S. Army Corps of Engineers Jurisdiction

Areas meeting the regulatory definition of "waters of the United States" (jurisdictional waters) are subject to the jurisdiction of the United States Army Corps of Engineers (USACE) under provisions of Section 404 of the Clean Water Act (1972) and Section 10 of the Rivers and Harbors Act (1899). These waters may include all waters used, or potentially used, for interstate commerce, including all waters subject to the ebb and flow of the tide, all interstate waters, all other waters (intrastate lakes, rivers, streams, mudflats, sandflats, playa lakes, natural ponds, etc.), all impoundments of waters otherwise defined as waters of the United States, tributaries of waters otherwise defined as waters of the United States, the territorial seas, and wetlands adjacent to waters of the United States (33 CFR part 328.3). Ditches and drainage canals where water flows intermittently or ephemerally are not regulated as waters of the United States. Wetlands on non-agricultural lands are identified using the *Corps of Engineers Wetlands Delineation Manual* and related Regional Supplements.[16,17] Construction activities, including direct removal, filling, hydrologic disruption, or other means in jurisdictional waters are regulated by the USACE. The placement of dredged or fill material into such waters must comply with permit requirements of the USACE. No USACE permit will be effective in the absence of state water quality certification pursuant to Section 401 of the Clean Water Act. The State Water Resources Control Board is the state agency (together with the Regional Water Quality Control Boards) charged with implementing water quality certification in California.

State

California Endangered Species Act

The California Endangered Species Act (CESA) of 1970 (Fish and Game Code § 2050 et seq. and California Code of Regulations (CCR) Title 14, Subsection 670.2, 670.51) prohibits the take of species listed under CESA (14 CCR Subsection 670.2, 670.5). Take is defined as hunt, pursue, catch, capture, or kill or attempt to hunt, pursue, catch, capture, or kill. Under CESA, state agencies are required to consult with the California Department of Fish and Wildlife when preparing CEQA documents. Consultation ensures

[16] United States Army Corps of Engineers (USACE). 1987. Corps of Engineers Wetlands Delineation Manual. Wetland Research Program Technical Report Y-87-1.

[17] United Sates Army Corps of Engineers (USACE). 2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0). ERDC/EL TR-08-28.

that proposed projects or actions do not have a negative effect on state-listed species. During consultation, CDFW determines whether take would occur and identifies "reasonable and prudent alternatives" for the project and conservation of special-status species. CDFW can authorize take of state-listed species under Sections 2080.1 and 2081(b) of Fish and Game Code in those cases where it is demonstrated that the impacts are minimized and mitigated. Take authorized under section 2081(b) must be minimized and fully mitigated. A CESA permit must be obtained if a project will result in take of listed species, either during construction or over the life of the project. Under CESA, CDFW is responsible for maintaining a list of threatened and endangered species designated under state law (Fish and Game Code § 2070). CDFW also maintains lists of species of special concern, which serve as "watch lists". Pursuant to the requirements of CESA, a state or local agency reviewing a proposed project within its jurisdiction must determine whether the proposed project will have a potentially significant impact upon such species. Project-related impacts to species on the CESA list would be considered significant and would require mitigation. Impacts to species of concern or fully protected species would be considered significant under certain circumstances.

Native Plant Protection Act

The California Native Plant Protection Act of 1977 (California Fish and Game Code §§ 1900–1913) requires all state agencies to use their authority to carry out programs to conserve endangered and otherwise rare species of native plants. Provisions of the act prohibit the taking of listed plants from the wild and require the project proponent to notify CDFW at least 10 days in advance of any change in land use, which allows CDFW to salvage listed plants that would otherwise be destroyed.

Nesting Birds

California Fish and Game Code Subsections 3503, 3503.5, and 3800 prohibit the possession, incidental take, or needless destruction of birds, their nests, and eggs. California Fish and Game Code Section 3511 lists birds that are "Fully Protected" as those that may not be taken or possessed except under specific permit.

California Department of Fish and Wildlife Jurisdiction

The CDFW has regulatory jurisdiction over lakes and streams in California. Activities that divert or obstruct the natural flow of a stream; substantially change its bed, channel, or bank; or use any materials (including vegetation) from the streambed, may require that the project applicant enter into a Streambed Alteration Agreement with the CDFW in accordance with California Fish and Game Code Section 1602.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) of 1970 (Subsections 21000–21178) requires that CDFW be consulted during the CEQA review process regarding impacts of proposed projects on special-status species. Special-status species are defined under CEQA Guidelines subsection 15380(b) and (d) as those listed under FESA and CESA and species that are not currently protected by statute or regulation but would be considered rare, threatened, or endangered under these criteria or by the scientific community. Therefore, species considered rare or endangered are addressed in this biological resource evaluation regardless of whether they are afforded protection through any other statute or regulation. The California Native Plant Society (CNPS) inventories the native flora of California and ranks species according to rarity.[18] Plants with Rare Plant Ranks 1A, 1B, 2A, or 2B are considered special-status species under CEQA.

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

RESPONSES

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?

Less than Significant Impact with Mitigation Incorporation. The CNDDB included 17 plant and 20 animal species, for a total of 37 special-status species. The occurrence of routine disking for weed control on-site precludes the presence of sensitive habitats or sensitive plant species. Of the 20 animal species reported, 15 species could not occur on or near the Project site due to either the lack of habitat, the Project site being outside the current range of the species, or the presence of development that would otherwise preclude occurrence. Once species, the San Joaquin kit fox (*Vulpes macrotis mutica* – Federally Endangered

[18] California Native Plant Society, Rare Plant Program (CNPS). 2019. Inventory of Rare and Endangered Plants (online edition, v8-03 0.39). California Native Plant Society, Sacramento, CA. http://www.rareplants.cnps.org/ Accessed December 2023.

and State Threatened) could occur on or near the Project site. Additionally, pallid bat (*Antrozous pallidus* – State Species of Concern), western mastiff bat (*Eumops perotis californicus* – State Species of Concern), and Townsend's big-eared bat (*Corynorhinus townsendii* – State Species of Concern) could potentially roost nearby and be present on-site. Lastly, migratory birds and Swainson's hawk (*Buteo swainsoni* – State Threatened), could nest on or near the Project site. Construction and operational activities could potentially negatively impact these protected species. Implementing Mitigation Measures BIO-1 through BIO-3 would reduce any significant impacts to these sensitive species to **less than significant.**

Mitigation Measures:

BIO-1 To protect San Joaquin kit fox, a qualified biologist shall conduct a pre-construction clearance survey within 30 days prior to the start of ground-disturbing activities to identify potential dens (burrows larger than 4 inches in diameter) in suitable land cover types on and within 250 feet of the Project site. The clearance survey shall include walking transects to identify presence of San Joaquin kit fox, burrowing owl, nesting birds, and other special-status species. A copy of a report outlining the results of the clearance survey shall be submitted to the City as evidence of compliance prior to the issuance of grading or building permits.

If potential dens for San Joaquin kit fox are present, their disturbance and destruction shall be avoided. Exclusion zones shall be implemented based on the type of den and current use: Potential Den—50 feet; Known Den—100 feet; Natal or Pupping Den—to be determined on a case-by-case basis in coordination with USFWS and CDFW.

When possible, construction shall be conducted outside of the breeding season from October 1 to November 30. If den avoidance is not possible, procedures in *U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior or During Ground Disturbance* (USFWS 2011) shall be followed (included as Appendix E).

During construction, the standard recommendations for construction and on-going operational requirements shall be followed, as detailed in items 1 – 14 of the *U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior or During Ground Disturbance* (USFWS 2011).

BIO-2 A pre-construction clearance survey shall be conducted by a qualified biologist to ensure that no roosting pallid bats will be disturbed during the implementation of the Project. A pre-construction clearance survey shall be conducted no more than 14 days prior to the initiation of construction activities. During this survey, the qualified biologist shall

inspect all potential roosting habitat in and immediately adjacent to the impact areas. If an active roost is found close enough to the construction area to be disturbed by these activities, the qualified biologist shall determine the extent of a construction-free buffer to be established around the roost. If work cannot proceed without disturbing the roosting bats, work may need to be halted or redirected to other areas until the roost is no longer in use. A copy of a report outlining the results of the clearance survey shall be submitted to the City as evidence of compliance prior to the issuance of grading or building permits.

BIO-3 To the extent practicable, construction shall be scheduled to avoid the nesting season, which extends from February through August.

If it is not possible to schedule construction between September and January, pre-construction surveys for nesting birds including raptors shall be conducted by a qualified biologist to ensure that no active nests will be disturbed during the implementation of the Project. If construction is planned during the nesting season for migratory birds and raptors, a pre-construction survey no more than 14 days prior to the initiation of construction activities to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet and all other migratory bird nests shall be avoided by 250 feet.

During this survey, the qualified biologist shall inspect all potential nest substrates in and immediately adjacent to the impact areas. If an active nest is found close enough to the construction area to be disturbed by these activities, the qualified biologist shall determine the extent of a construction-free buffer to be established around the nest. If work cannot proceed without disturbing the nesting birds, work may need to be halted or redirected to other areas until nesting and fledging are completed or the nest has otherwise failed for non-construction related reasons.

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

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

No Impact. According to the National Wetlands Inventory, no wetlands or waters of the U.S. or water of the State were found within the Project area.[19] There is no riparian habitat or other sensitive natural community on site or adjacent to the Project. There would be ***no impact.***

Mitigation Measures: None are required.

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?

No Impact. There are no natural waterways, native wildlife nursery sites or natural vegetation on the Project site. There would be ***no impact*** to native species movement.

Mitigation Measures: None are required.

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

Less than Significant Impact. According to the City of Lindsay's General Plan, no rare or endangered species of plants are located within the urban area, an no known species of rare of endangered wildlife within the Lindsay planning area. The City's urban area is considered to be within the larger regional habitat of the San Joaquin Kit Fox.[20]. According to the Resource Management Element[21]:

Policy #2: Appropriate trees within public rights-of-way are to be retained and new street trees planted and maintained in accordance with policies and procedures of the City's Master Street Tree Plan and Street Tree Ordinance (See Policy #7, below). Only trees which are either badly diseased, disruptive of street improvements because of root growth, or dangerous to the public shall be allowed to be removed. The installation of street trees shall be made a condition of approval of residential, commercial, industrial and institutional development along such streets.

Policy #7: The City will adopt and implement a Master Street Tree Plan affecting all development along all components of the Arterial and Collector street systems, within the Central Business

[19] National Wetlands Inventory. U.S Fish & Wildlife Service. https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/. Accessed December 2023.

[20] Part II, The Environmental Setting, Comprehensive General Plan for the City of Lindsay, California. July 1989, Rev. February 1997.

[21] Ibid, Part V Resource Management Element, page 62.

District, and along streets leading to major public facilities such as parks, school sites, government offices, and along all entrances to the community.

The proposed Project would not conflict with any of the adopted policies and any impacts would be considered ***less than significant***.

Mitigation Measures: None are required.

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

Less than Significant Impact. There are no adopted Habitat Conservation or Natural Community Conservation Plans in the area. As such, any impacts would be ***less than significant***.

Mitigation Measures: None are required.

V. CULTURAL RESOURCES

Would the project:

		Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a.	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☒	☐	☐
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c.	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

The records search conducted at the Southern San Joaquin Valley Information Center, California State University- Bakersfield (SSJVIC) on behalf of the Project can be found in it's entirety in Appendix B.

ENVIRONMENTAL SETTING

Archaeological resources are places where human activity has measurably altered the earth or left deposits of physical remains. Archaeological resources may be either prehistoric (before the introduction of writing in a particular area) or historic (after the introduction of writing). The majority of such places in this region are associated with either Native American or Euroamerican occupation of the area. The most frequently encountered prehistoric and early historic Native American archaeological sites are village settlements with residential areas and sometimes cemeteries; temporary camps where food and raw materials were collected; smaller, briefly occupied sites where tools were manufactured or repaired; and special-use areas like caves, rock shelters, and sites of rock art. Historic archaeological sites may include foundations or features such as privies, corrals, and trash dumps.

Tulare County was inhabited by indigenous California Native American groups consisting of the Southern Valley Yokuts, Foothill Yokuts, Monache, and Tubatulabal.[22] Most information regarding these groups is based on Spanish government and Franciscan mission records of the 18th and 19th centuries,

[22] Digital Atlas of California Native Americans. https://nahc.ca.gov/cp/. Accessed February 2024.

and in studies conducted during the 1900s to 1930s by American and British ethnographers. The ethnographic setting presented below is derived from the early works, compiled by W. J. Wallace, Robert F.G. Spier, and Charles R. Smith, with statistical information provided by the California Native American Heritage Commission.[23]

Of the four main groups inhabiting the Tulare County area, the Southern Valley Yokuts occupied the largest territory, which is defined roughly by the crest of the Diablo Range on the west and the foothills of the Sierra Nevada on the east, and from the Kings River on the north, to the Tehachapi Mountains on the south. The Foothill Yokuts inhabited the western slopes of the Sierra Nevada, between the Fresno River and Kern River, with settlements generally occurring between the 2,000 to 4,000-foot elevations.[24] The Tubatulabal inhabited the Sierra Nevada Mountains, at the higher elevations, near Mt. Whitney in the east, extending westward along the drainages of the Kern River, and the Kern River-South Fork. The Monache were comprised of six small groups that lived in the Sierras east of the Foothill Yokuts, in locations ranging between 3,000- to 7,000-foot elevations.

REGULATORY SETTING

Federal

Cultural resources are protected by several federal regulations, none of which are relevant to this proposed Project because it will not be located on lands administered by a federal agency and the Project applicant is not requesting federal funding.

State

The proposed Project is subject to CEQA which requires public or private projects financed or approved by public agencies to assess their effects on historical resources. CEQA uses the term "historical resources" to include buildings, sites, structures, objects or districts, each of which may have historical, prehistoric, architectural, archaeological, cultural, or scientific importance. CEQA states that if implementation of a project results in significant effects on historical resources, then alternative plans or mitigation measures must be considered; however, only significant historical resources need to be addressed (CCR 15064.5, 15126.4). For the purposes of this CEQA document, a significant impact would occur if project implementation:

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[23] NAHC References, https://nahc.ca.gov/cp/p46southern_valley_yokuts/. Accessed February 2024.

[24] Yokuts – Natives of California. https://www.legendsofamerica.com/yokuts-indians/

- Causes a substantial change in the significance of a historical resource
- Causes a substantial adverse change in the significance of an archaeological resource
- Disturbs any human remains, including those interred outside of formal cemeteries

Therefore, before impacts and mitigation measures can be identified, the significance of historical resources must be determined. CEQA guidelines define three ways that a property may qualify as a historical resource for the purposes of CEQA review:

- If the resource is listed in or determined eligible for listing in the California Register of Historical Resources (CRHR)
- If the resource is included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the PRC unless the preponderance of evidence demonstrates that it is not historically or culturally significant
- The lead agency determines the resource to be significant as supported by substantial evidence in light of the whole record (CCR, Title 14, Division 6, Chapter 3, Section 15064.5(a))

Each of these ways of qualifying as a historical resource for the purpose of CEQA is related to the eligibility criteria for inclusion in the CRHR (PRC 5020.1(k), 5024.1, 5024.1(g)).

A historical resource may be eligible for inclusion in the CRHR if it:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage
- Is associated with the lives of persons important in our past
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values
- Has yielded, or may be likely to yield, information important in prehistory or history Properties that area listed in or eligible for listing in the National Register of Historic Places are considered eligible for listing in the CRHR, and thus are significant historical resources for the purpose of CEQA (PRC Section 5024.1(d)(1)).

Assembly Bill 52 (AB 52)

AB 52 (Gatto, 2014) requires public agencies to consult with tribes during the CEQA process. By requiring consideration of tribal cultural resources early in the CEQA process, the legislature intended

to ensure that local and tribal governments, public agencies, and project proponents would have information available early in the project planning process to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflict in the environmental review process.[25]

To determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. Pub. Res. Code § 2108 To determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. (Pub. Res. Code § 21080.3.1. 0.3.1).

Public Resources Code §5097.5

California Public Resources Code §5097.5 prohibits excavation or removal of any "vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands." Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

Human Remains

Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification.

[25] Technical Advisory - Tribal Cultural Resources (AB 52). https://www.opr.ca.gov/ceqa/docs/20200224-AB_52_Technical_Advisory_Feb_2020.pdf. Accessed February 2024.

The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper and dignified treatment of the remains and associated grave artifacts.

Local

Lindsay General Plan

No archaeological or cultural resources of significance are known at this time to exist within the planning area. Any evidence of cultural resources that might be unearthed in the process of construction becomes immediate grounds for halting all construction until the extent and significance of any find is properly cataloged and evaluated by archaeological and cultural resource authorities recognized as having competence by the State of California.

RESPONSES

a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

Less than Significant Impact with Mitigation Incorporation. The records search conducted at the SSJVIC on November 2023 (RS 23-466) (Appendix B) indicated that there are no recorded cultural resources or recorded resources within the Project area that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks. There are 14 recorded resources within the half-mile radius: P-54-005138, 005139, 005140, 005142, 005143, 005144, 005145, 005146, 005147, 005148, 005149, 005150, 005151; Informal: California Historical Landmark 471, The Butterfield Stagecoach Route. These resources consist of single-family properties, and a farm/ranch.

There have been three previous cultural resource studies completed within the Project area: TU-00010, 00441, 01673. There have been 5 previous cultural resource studies completed within the half-mile radius: TU-00102, 00193, 00951, 01337, 01498. It should be noted that only one study covered the entire PA and was completed 20 years ago, the other two are partial surveys completed 26, & 35 years ago.

Subsurface construction activities associated with the proposed Project could potentially damage or destroy previously undiscovered historic resources. This is considered a potentially significant impact; however, implementation of Mitigation Measure CUL-1 will ensure that significant impacts remain ***less than significant with mitigation incorporation.***

CUL-1 The following measures shall be implemented:

- Before initiation of construction or ground-disturbing activities associated with the Project, there shall be a Cultural Resources Awareness Training conducted by a qualified archaeologist.
- The general contractor and its supervisory staff shall be responsible for monitoring the construction Project for disturbance of cultural resources; and
- If a potentially significant historical, archaeological, or paleontological resource, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains or trash deposits are encountered during subsurface construction activities (i.e., trenching, grading), all construction activities within a 100-foot radius of the identified potential resource shall cease until a qualified archaeologist evaluates the item for its significance and records the item on the appropriate State Department of Parks and Recreation (DPR) forms. The archaeologist shall determine whether the item requires further study. If, after the qualified archaeologist conducts appropriate technical analyses, the item is determined to be significant under California Environmental Quality Act, the archaeologist shall recommend feasible mitigation measures, which may include avoidance, preservation in place or other appropriate measure, as outlined in Public Resources Code section 21083.2. The City of Lindsay shall implement said measures.

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

Less than Significant Impact with Mitigation Incorporation. The possibility exists that subsurface construction activities may encounter undiscovered archaeological resources. This would be a potentially significant impact. Implementation of Mitigation Measure CUL-1 would require inadvertent discovery practices to be implemented should previously undiscovered archeological resources be located. As such, impacts to undiscovered archeological resources would be ***less than significant with mitigation incorporation.***

c. Disturb any human remains, including those interred outside of formal cemeteries?

Less than Significant Impact with Mitigation Incorporation. There are no unique geological features or known fossil-bearing sediments in the vicinity of the proposed Project site. However, there remains the possibility for previously unknown, buried paleontological resources or unique geological sites to be uncovered during subsurface construction activities. Therefore, this would be a potentially significant

impact. Implementation of Mitigation Measure CUL-1 would require inadvertent discovery practices to be implemented should previously undiscovered archeological resources be located. As such, impacts to undiscovered archeological resources would be ***less than significant with mitigation incorporation.***

VI. ENERGY

Would the project:

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

ENVIRONMENTAL SETTING

The proposed project would be served with electricity provided by Southern California Edison (SCE). SCE's 2019 Green Rate 50 percent option includes 67.5 percent eligible renewable resources, including wind, geothermal, solar, eligible hydroelectric, and biomass and biowaste; 4 percent large hydroelectric; 8.1 percent natural gas; 4.1 percent nuclear; 0.1 percent other; and 16.3 percent unspecified sources of power[26] SCE's 2019 Green Rate 100 percent option includes 100 percent eligible renewable resources, composed entirely of solar. Approximately 43 percent of the electricity that SCE delivered in 2020 was a combination of renewable and GHG-emissions-free resources.[27,28] SCE was ahead of schedule in meeting the California's RPS 2020 mandate of serving their load with at least 33 percent RPS-eligible resources. SCE will be required to meet California's RPS standards of 60 percent by 2030 and carbon-free sourced-electricity by 2045.

REGULATORY SETTING

[26] "Unspecified sources of power" means electricity from transactions that are not traceable to specific generation sources.

[27] Renewable sources included solar, wind, geothermal, biomass, and small hydroelectric sources. GHG-emissions-free sources of energy included nuclear and large hydroelectric. "GHG-emissions-free resources" refers to energy sources other than renewable energy resources that also do not result in GHG emissions, such as non-emitting nuclear and hydroelectric.

[28] Southern California Edison (SCE). 2021. 2022 Power Content Label. Website: https://www.energy.ca.gov/filebrowser/download/3902. Accessed January 10, 2024.

California Energy Code (Title 24, Part 6, Building Energy Efficiency Standards)

California Code of Regulations Title 24, Part 6 comprises the California Energy Code, which was adopted to ensure that building construction, system design and installation achieve energy efficiency. The California Energy Code was first established in 1978 by the CEC in response to a legislative mandate to reduce California's energy consumption, and apply to energy consumed for heating, cooling, ventilation, water heating, and lighting in new residential and non-residential buildings. The standards are updated periodically to increase the baseline energy efficiency requirements. The 2013 Building Energy Efficiency Standards focus on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings and include requirements to enable both demand reductions during critical peak periods and future solar electric and thermal system installations. Although it was not originally intended to reduce greenhouse gas (GHG) emissions, electricity production by fossil fuels results in GHG emissions and energy efficient buildings require less electricity. Therefore, increased energy efficiency results in decreased GHG emissions.

Clean Energy and Pollution Reduction Act (SB 350)

The Clean Energy and Pollution Reduction Act (SB 350) was passed by California Governor Brown on October 7, 2015, and establishes new clean energy, clean air, and greenhouse gas reduction goals for the year 2030 and beyond. SB 350 establishes a greenhouse gas reduction target of 40 percent below 1990 levels for the State of California, further enhancing the ability for the state to meet the goal of reducing greenhouse gas emissions by 80 percent below 1990 levels by the year 2050.

RESPONSES

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

Less than Significant Impact. This impact addresses the energy consumption from both the short-term construction and long-term operations are discussed separately below.

Construction Energy Demand

Off-Road Equipment

The proposed Project is anticipated to begin construction in March of 2024 and last approximately 14 months until May of 2025. Table 10 provides estimates of the Project's construction fuel consumption from off-road construction equipment for the entire Project, categorized by construction activity.

Table 1
Construction Off-Road Fuel Consumption

Project Component	Construction Activity	Fuel Consumption (gallons)
Lindsay Travel Center Project Construction	Demolition	1,254
	Site Preparation	912
	Grading	1,015
	Building Construction	9,082
	Paving	507
	Architectural Coating	59
Total from Project Construction		**12,829**
Source: Energy Consumption Calculations (Appendix A).		

On-Road Vehicles

On-road vehicles for construction workers, vendors, and haulers would require fuel for travel to and from the site during construction. Table 11 provides an estimate of the total on-road vehicle fuel usage during construction.

Table 2
Construction On-Road Fuel Consumption

Project Component	Construction Activity	Total Annual Fuel Consumption (gallons)
Lindsay Travel Center Project Construction	Demolition	353
	Site Preparation	82
	Grading	2,246
	Building Construction	928
	Paving	149
	Architectural Coating	68
Total from Project Construction		**3,826**
Source: Energy Consumption Calculations (Appendix A).		

As summarized in Table 10 and Table 11, the proposed Project would require 12,829 gallons of diesel fuel for construction off-road equipment and 3,826 gallons of gasoline and diesel for on-road vehicles during construction. There are no unusual Project characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in other parts of the state. Therefore, it is expected that construction fuel consumption associated with the

proposed Project would not be any more inefficient, wasteful, or unnecessary than at other construction sites in the region, and as such, impacts would be less than significant.

Long-Term Energy Demand

Building Energy Demand

Buildings and infrastructure constructed pursuant to the proposed Project would comply with the versions of CCR Titles 20 and 24, including California Green Building Standards (CALGreen), that are applicable at the time that building permits are issued. The proposed Project would have multiple uses for natural gas and will connect to City of Lindsay utilities. The proposed Project is estimated to demand 725,249 kWh of electricity per year and 591,126 kBTU of natural gas per year (see Table 12 and Table 13). This would represent an increase in demand for electricity and natural gas.

Table 3
Long-Term Electricity Usage

Land Use	Total Electricity Demand (kWh/year)
Convenience Market with Gas Pumps	184,784
Fast Food Restaurant with Drive Thru	77,540
Fast Food Restaurant w/o Drive Thru	75,526
Enclosed Parking Structure (Fuel Canopy Areas)	26,026
Parking Lot (Spaces)	24,383
Parking Lot (Remaining Area)	336,990
Total Project	**725,249**

Notes:

kWh = kilowatt hour

The estimates above represent total estimated electricity consumption on an annual basis from operations of the proposed Project.

Source: Energy Consumption Calculations (Appendix A).

Table 4
Long-Term Natural Gas Usage

Land Use	Total Natural Gas Demand (kBTU/year)
Convenience Market with Gas Pumps	101,336
Fast Food Restaurant with Drive Thru	248,117
Fast Food Restaurant w/o Drive Thru	241,673
Enclosed Parking Structure (Fuel Canopy Areas)	0
Parking Lot (Spaces)	0
Parking Lot (Remaining Area)	0
Total Project	**591,126**

Notes:
DU = Dwelling Units
kBTU = 1,000 British Thermal Units
Source: Energy Consumption Calculations (Attachment C).

It would be expected that building energy consumption associated with the proposed Project would not be any more inefficient, wasteful, or unnecessary than for any other similar buildings in the region. Current state regulatory requirements for new building construction contained in the CALGreen and Title 24 standards would increase energy efficiency and reduce energy demand in comparison to existing commercial and residential structures, and therefore would reduce actual environmental effects associated with energy use from the proposed Project. Additionally, the CALGreen and Title 24 standards have increased efficiency standards through each update. The proposed Project would be built in accordance with regulations in effect at the time building permits are issued.

Therefore, while the proposed Project would result in increased electricity demand, the electricity would be consumed more efficiently and would be typical of other Travel Center projects. If buildout of the Project is delayed, compliance with future building code standards would result in increased energy efficiency.

Based on the above information, the proposed Project would not result in the inefficient or wasteful consumption of electricity or natural gas, and impacts would be less than significant.

Transportation Energy Demands

Table 14 provides an estimate of the daily and annual fuel consumed by vehicles traveling to and from the proposed Project. These estimates were derived using the same assumptions used in the operational air quality analysis for the proposed Project.

Table 5
Long-Term Operational Vehicle Fuel Consumption

Vehicle Type	Percent of Vehicle Trips	Daily VMT	Annual VMT	Average Fuel Economy (miles/ gallon)[1]	Total Daily Fuel Consumption (gallons)	Total Annual Fuel Consumption (gallons)
Passenger Cars (LDA)	34.87	22,034	8,042,329	30.75	716.5	261,532
Light Trucks and Medium Duty Vehicles (LDT1, LDT2, MDV)	33.44	21,133	7,713,583	22.61	934.6	341,131
Light-Heavy to Medium-Heavy Diesel Trucks (LHD1, LHD2, and MHDT)	24.34	15,379	5,613,204	11.58	1,328.3	484,815
Heavy-Heavy Diesel Trucks (HHDT)	6.04	3,819	1,393,849	6.05	630.8	230,228
Motorcycles (MCY)	1.00	632	230,824	42.00	15.1	5,496
Other (OBUS, UBUS, SBUS, MH)	0.31	197	71,870	7.29	27.0	9,859
Total	**100.0**	**63,194**	**23,065,659**	**—**	**3,652.3**	**1,333,061**

Notes:
Percent of Vehicle Trips and VMT based on values in the project-specific CalEEMod output files.
"Other" consists of buses and motor homes.
VMT = vehicle miles traveled
Source: Energy Consumption Calculations (Appendix A).

As shown above, daily vehicular fuel consumption is estimated to be 3,652.3 gallons of gasoline and diesel fuel combined. Annual consumption is estimated at 1,333,061 gallons, of which 715,043 are from heavy-duty trucks.

The proposed Project would constitute development within an established community and would not be opening a new geographical area for development such that it would draw mostly new trips or substantially lengthen existing trips. The proposed Project would be well-positioned to accommodate an existing population and anticipated growth in the City of Lindsay. The Project is located adjacent to existing residential development to the east. In addition, vehicles accessing the Project site would be

typical of other business uses in the region. For these reasons, it would be expected that vehicular fuel consumption associated with the proposed Project would not be any more inefficient, wasteful, or unnecessary than for any other similar land use activities in the region, and impacts would be ***less than significant***.

Mitigation measures: None are required.

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

Less Than Significant Impact. The City's General Plan includes strategies to promote energy efficiency in development in the City of Lindsay. These General Plan policies require City action and are not applicable at the individual project level. However, the proposed Project would not impede or conflict with any of the energy strategies outlined in the General Plan due to compliance with all local rules and regulations. The proposed Project would comply with the versions of CCR Titles 20 and 24, including CALGreen, that are applicable at the time that building permits are issued and with all applicable City measures Part 11 of the State's Title 24 energy efficiency standards establishes mandatory measures for residential and nonresidential buildings. Examples of these mandatory measures include solar, electric vehicle (EV) charging infrastructure, bicycle parking, energy efficiency, water efficiency and conservation, and material conservation and resource efficiency. The proposed Project would be required to comply with mandatory measures; specifically, the Project would comply with mandatory measures for non-residential development. Where applicable, the Project would comply with more stringent local regulations.

In addition, the proposed Project would constitute development within an established community and would not be opening a new geographical area for development such that it would draw mostly new trips, or substantially lengthen existing trips. The proposed Project would be well positioned to accommodate the existing population. The Project is located at the northwestern edge of the City of Lindsay. Bordering the Project site is developed farmland on all sides. The land to the north, west and directly south of the Project is primarily developed farmland with a few scattered residences. Beyond the bordering farmland to the east, southeast and northeast is the City of Lindsay with a mix of residences, businesses, and schools.

The Project would provide connectivity within the project site and to adjacent uses. Compliance with these aforementioned mandatory measures and project design features would ensure that the proposed Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing energy use or increasing the use of renewable energy. Therefore, operational energy efficiency and renewable energy standards consistency impacts would be less than significant.

For the above reasons, the proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and impacts would be ***less than significant***.

Mitigation Measures: None are required.

VII. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d. Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code	☐	☐	☒	☐

	creating substantial risks to life or property?				
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

ENVIRONMENTAL SETTING

The City of Lindsay is situated along the western slope of the Sierra Nevada. The Sierra Nevada geomorphic province is primarily composed of cretaceous granitic plutons and remnants of Paleozoic and Mesozoic metavolcanic and metasedimentary rocks, and Cenozoic volcan and sedimentary rocks. The terrain of the City is relatively flat, with slopes falling gently to the west. The elevation of the City is approximately 375 feet above mean sea level. The east side of the Valley floor in Tulare County is a broad plain of low relief, consisting of three large and coalescing alluvial fans and streams draining from the Sierra Nevada. Three creeks -- Cross, Cottonwood and Lewis Creeks – are intermittent streams in the vicinity.

Faulting and Seismicity

There are no known active earthquake faults in the City of Lindsay. The proposed Project site is not located within an Alquist-Priolo Earthquake Fault Zone and no known faults cut through the local soil at the site. Although there are no active faults in the City, according to the City's General Plan, the City lies about half-way between the San Andreas and Owens Valley faults which are located about 75 miles to the south and east, respectively. Of the two faults, the San Andreas poses the higher risk, with a potential for an earthquake of magnitude 8.3 or greater on the Richter scale within the next 30 to 50 years. The most significant resulting hazard would be ground shaking. The western half of the community is located within Seismic Zone V-1, which could be impacted by an earthquake along the San Andreas Fault of a magnitude 8.0-8.5. The eastern half of the community is located within Seismic Zone S-l, which could be impacted by an earthquake along the Owens Valley Fault of a magnitude 7.0. Under policies of the Tulare County's Seismic Safety Element, both zones are classified as requiring Zone II provisions for

construction under requirements of the Uniform Building Code (UBC) for "normal facilities" and Zone 2 x 2 provisions for construction under requirements of the UBC for "critical facilities."

The foothills adjacent to the eastern City limits are of marginal stability characterized by such conditions as dip slopes and moderate fracturing. The Tulare County Seismic Safety Element of the General Plan appraises the landslide risk as moderate, rating the immediate foothills as a 3 on a scale of 1-4, with 1 being the lowest risk.

Soils

According to City of Lindsay's General Plan, soils are permeable, fertile and generally consist of oxidized older alluvium with underlying heavy clay subsoil and hardpan. Soils near Lindsay tend to have a high salt content to as yet undetermined depths. The best local soils can be found along the Lewis Creek drainage and are dominated by deep and well drained soils.

REGULATORY SETTING

State

California Building Code

California law provides a minimum standard for building design through the California Building Code (CBC). The CBC is based on the IBC, with amendments for California conditions. Part 2, Volume 2, Chapter 16 of the CBC contains specific requirements for seismic safety. Part 2, Volume 2, Chapter 18 of the CBC regulates soils and foundations. Part 2, Volume 2, Appendix J of the CBC regulates grading activities. Construction activities also are subject to occupational safety standards for excavation, shoring, and trenching as specified in California Occupational Safety and Health Administration regulations (Title 8 of the California Code of Regulations) and in section A33 of the CBC. About one-third of the text within the California Building Code has been tailored for California earthquake conditions.

Paleontological Resources

Paleontological resources are the fossilized remains of plants and animals and associated deposits. The Society of Vertebrate Paleontology has identified vertebrate fossils, their taphonomic and associated environmental indicators, and fossiliferous deposits as significant nonrenewable paleontological

resources. Botanical and invertebrate fossils and assemblages may also be considered significant resources.

CEQA requires that a determination be made as to whether a project would directly or indirectly destroy a unique paleontological resource or site or unique geological feature (CEQA Appendix G(v)(c)). If an impact is significant, CEQA requires feasible measures to minimize the impact (CCR Title 14(3) §15126.4 (a)(1)). California Public Resources Code §5097.5 (see above) also applies to paleontological resources.

In addition, the proposed Project is being evaluated pursuant to CEQA.

RESPONSES

a-i. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact. The proposed Project site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone. There are no active faults in Tulare County. Since no known surface expression of active faults is believed to cross the site, fault rupture through the site is not anticipated. ***No impacts*** would occur.

Mitigation Measures: None are required.

a-ii. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Less than Significant Impact. Although the Project area occurs in an area with historically low to moderate level of seismicity, strong ground shaking could occur in the region; however, the Project would be designed to withstand strong ground shaking, in compliance with the California Building Code, to minimize the potential effects of ground shaking and other seismic activity. Impacts from seismic ground shaking would result in ***less than significant impacts***.

Mitigation Measures: None are required.

a-iii. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Less than Significant Impact. See Response a-ii. The Project's Valley location has a low risk of liquefaction. No Subsidence prone soils or oil or gas production is involved with the proposed Project. Therefore, the impact is ***less than significant***.

Mitigation Measures: None are required.

a-iv. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Less than Significant Impact. The Project site is located on relatively flat topography and is not located adjacent to any steep slopes or areas that would otherwise be subject to landslides. Therefore, the impact is ***less than significant.***

Mitigation Measures: None are required.

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

Less than Significant Impact. According to the Lindsay General Plan, the City of Lindsay sits on top of three integrations of alluvial fans and streams, which drain from the Sierra Nevada mountain range.[29] The soils found in Lindsay are variable; most consist of permeable and fertile alluvium with clay subsoil and hardpan. Exeter loam and Honcut loam, are similar to the alluvium except they have a hardpan layer. These soils have excellent drainage and are generally well suited to urban development. The Project site has a primarily flat topography, is in an established urban area and does not include any Project features that would result in soil erosion or loss of topsoil. Therefore, the impact is ***less than significant***.

Mitigation Measures: None are required.

[29] Lindsay General Plan, 1989. Land Resources, page 12.

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?

No Impact. The City of Lindsay sits on top of alluvial fans and streams, including Cross Creek, Cottonwood Creek and Lewis Creek. The soil in the proposed Project area is characterized as moderately deep to a duripan, moderately well drained loam. Adjacent to the eastern edge of the City Limits lie foothills which are known to experience dip slopes and fracturing. This area is at moderate risk for landslides but is nowhere near the vicinity of the Project site, which is in northwestern Lindsay. See also Response a-ii. There is ***no impact***.

Mitigation Measures: None are required.

d. Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial risks to life or property?

Less than Significant Impact. See Responses (c) and (a-ii). The impact is ***less than significant***.

Mitigation Measures: None are required.

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

No Impact. The Project will tie into the City's existing wastewater system and will not require installation of a septic tank or alternate wastewater disposal system. There is ***no impact.***

Mitigation Measures: None are required.

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

Less Than Significant Impact with Mitigation. There are no known paleontological resources on or near the site (See Section V. for more details). Mitigation measures have been added that will protect unknown (buried) resources during construction, including paleontological resources. There are no unique geological features on site or in the area. Mitigation measure GEO-1 shall be implemented to reduce potential impacts and as such, impacts are considered ***less than significant with mitigation incorporation***.

Mitigation Measures:

GEO-1 The Project applicant will incorporate into the construction contract(s) a provision that in the event a fossil or fossil formations are discovered during any subsurface construction activities for the proposed Project (i.e., trenching, grading), all excavations within 100 feet of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at the City of Lindsay, who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the City shall implement those measures, which may include avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code section 21083.2.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

ENVIRONMENTAL SETTING

Greenhouse Gases

Greenhouse gases and climate change are cumulative global issues. The CARB and EPA regulate GHG emissions within the State of California and the U.S., respectively. Meanwhile, the CARB has the primary regulatory responsibility within California for GHG emissions. Local agencies can also adopt policies for GHG emission reduction.

Many chemical compounds in the Earth's atmosphere act as GHGs as they absorb and emit radiation within the thermal infrared range. When radiation from the sun reaches the Earth's surface, some of it is reflected into the atmosphere as infrared radiation (heat). Greenhouse gases absorb this infrared radiation and trap the heat in the atmosphere. Over time, the amount of energy from the sun to the Earth's surface should be approximately equal to the amount of energy radiated back into space, leaving the temperature of the earth's surface roughly constant. Many gases exhibit these "greenhouse" properties. Some of them occur in nature (water vapor, carbon dioxide [CO_2], methane [CH_4], and nitrous oxide [N_2O], while others are exclusively human made (like gases used for aerosols).

The principal climate change gases resulting from human activity that enter and accumulate in the atmosphere are listed below.

Carbon Dioxide

Carbon dioxide enters the atmosphere through the burning of fossil fuels (oil, natural gas, and coal), solid waste, trees and wood products, and chemical reactions (e.g., the manufacture of cement). Carbon

dioxide is also removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.

Methane

Methane is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and agricultural practices and the decay of organic waste in municipal solid waste landfills.

Nitrous Oxide

Nitrous oxide is emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste.

Fluorinated Gases

Hydrofluorocarbons, perfluorinated chemicals, and sulfur hexafluoride are synthetic, powerful climate-change gases that are emitted from a variety of industrial processes. Fluorinated gases are often used as substitutes for ozone-depleting substances (i.e., chlorofluorocarbons, hydrochlorofluorocarbons, and halons). These gases are typically emitted in smaller quantities, but because they are potent climate-change gases, they are sometimes referred to as high global warming potential gases.

Emissions Inventories and Trends

According to the CARB's recent GHG inventory for the State, released 2021, California produced 418.2 million metric tons of carbon dioxide equivalent ($MMTCO_2e$) in 2019. The major source of GHGs in California is transportation, contributing approximately 39.7 percent of the state's total GHG emissions in 2019.[30] This puts total emissions at 12.8 $MMTCO_2e$ below the 2020 target of 431 million metric tons. California statewide GHG emissions dropped below the 2020 GHG limit in 2016 and have remained below the 2020 GHG limit since then.

Potential Environmental Impacts

For California, climate change in the form of warming has the potential to incur and exacerbate environmental impacts, including but not limited to changes to precipitation and runoff patterns, increased agricultural demand for water, inundation of low-lying coastal areas by sea-level rise, and

[30] California Air Resources Board (CARB). 2021. California Greenhouse Gas Emissions for 2000 to 2019. Website: https://ww3.arb.ca.gov/cc/inventory/pubs/reports/2000_2019/ghg_inventory_trends_00-19.pdf. Accessed. December 4, 2023.

increased incidents and severity of wildfire events.[31] Cooling of the climate may have the opposite effects. Although certain environmental effects are widely accepted to be a potential hazard to certain locations, such as rising sea level for low-lying coastal areas, it is currently infeasible to predict all environmental effects of climate change on any one location.

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial and manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on Earth. A project's GHG emissions are at a micro-scale relative to global emissions but could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact.

REGULATORY SETTING

California has adopted statewide legislation addressing various aspects of climate change and GHG emissions mitigation. Much of this legislation establishes a broad framework for the state's long-term GHG reduction and climate change adaptation program. The governor has also issued several executive orders (EOs) related to the state's evolving climate change policy. Of particular importance are AB 32 and SB 32, which outline the state's GHG reduction goals of achieving 1990 emissions levels by 2020 and a 40 percent reduction below 1990 emissions levels by 2030.

In the absence of federal regulations, control of GHGs is generally regulated at the state level and is typically approached by setting emission reduction targets for existing sources of GHGs, setting policies to promote renewable energy and increase energy efficiency, and developing statewide action plans.

Project-level Thresholds

Section 15064.4(b) of the CEQA Guidelines' amendments for GHG emissions states that a lead agency may take into account the following three considerations in assessing the significance of impacts from GHG emissions.

[31] Moser et al. 2009. Moser, Susie, Guido Franco, Sarah Pittiglio, Wendy Chou, Dan Cayan. 2009. The Future Is Now: An Update on Climate Change Science Impacts and Response Options for California. Website: http://www.susannemoser.com/documents/CEC-500-2008-071_Moseretal_FutureisNow.pdf. Accessed December 4, 2023.

- Consideration #1: The extent to which the project may increase or reduce GHG emissions as compared to the existing environmental setting.
- Consideration #2: Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- Consideration #3: The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of GHG emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an Environmental Impact Report (EIR) must be prepared for the project.

Newhall Ranch

In the California Supreme Court decision in the *Center for Biological Diversity et al. vs. California Department of Fish and Wildlife, the Newhall Land and Farming Company* (62 Cal.4th 204 [2015], and known as the Newhall Ranch decision), the Supreme Court was concerned that new development may need to reduce GHG emissions more than existing development to demonstrate it is meeting its fair share of reductions. New development does more than its fair share through compliance with enhanced regulations, particularly with respect to motor vehicles, energy efficiency, and electricity generation. If no additional reductions are required from an individual project beyond that achieved by regulations, then the amount needed to reach the 2020 target is the amount of GHG emissions a project must reduce to comply with Statewide goals.

The State's regulatory program implementing the 2008 Scoping Plan is now fully mature. All regulations envisioned in the Scoping Plan have been adopted by the responsible agencies and the effectiveness of those regulations have been estimated by the agencies during the adoption process and then are tracked to verify their effectiveness after implementation. The Governor Brown, in the introduction to Executive Order B-30-15, states "California is on track to meet or exceed the current target of reducing greenhouse gas emissions to 1990 levels by 2020, as established in the California Global Warming Solutions Act of 2006 (AB 32)." The progress was evident in emission inventories prepared by CARB, which showed that the State inventory dropped below 1990 levels for the first

time in 2016.[32] The State projects that it will meet the 2020 target and achieve continued progress towards meeting the 2017 Scoping Plan target for 2030.[33] CARB adopted the 2022 Scoping Plan on December 16, 2022 that addresses long-term GHG goals set forth by AB 1279.[34] The 2022 Scoping Plan outlines the State's pathway to achieve carbon neutrality and an 85 percent reduction in 1990 emissions goal by 2045. In the 2022 Scoping Plan, CARB advocates for compliance with a local GHG reduction strategy consistent with CEQA Guidelines section 15183.5.

GHG Threshold Applied in the Analysis

The City of Lindsay has not adopted a GHG reduction plan. In addition, the City has not completed the GHG inventory, benchmarking, or goal-setting process required to identify a reduction target and take advantage of the streamlining provisions contained in the CEQA Guidelines amendments adopted for SB 97 and clarifications provided in the CEQA Guidelines amendments adopted on December 28, 2018. In the absence of an adopted numeric GHG emissions threshold consistent with the State's 2030 target, the Project's GHG emissions impact determination is based on the extent to which the Project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. The Project's GHG emissions are provided for informational purposes only.

RESPONSES

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

Less Than Significant Impact. The proposed Project may contribute to climate change impacts through its contribution of GHGs. The proposed Project would generate a variety of GHGs during construction and operations, including several defined by AB 32, such as CO_2, CH_4, and N_2O from the exhaust of equipment during construction and on-road vehicle trips during construction and operations.

In the absence of an adopted numeric GHG emissions threshold consistent with the State's 2030 target, the Project's GHG emissions impact determination is based on the extent to which the Project complies

[32] California Air Resources Board (CARB). 2018. Climate Pollutants Fall Below 1990 Levels for the First Time. Website: https://ww2.arb.ca.gov/news/climate-pollutants-fall-below-1990-levelsfirst-time. Accessed December 4, 2023.

[33] California Air Resources Board (CARB). 2017. The 2017 Climate Change Scoping Plan Update, the Proposed Strategy for Achieving California's 2030 Greenhouse Gas Target. January 17, 2017. Website: https://www.arb.ca.gov/cc/scopingplan/2030sp_pp_final.pdf. Accessed December 4, 2023.

[34] The Final 2022 Scoping Plan was released on November 16, 2022 and adopted by CARB in December 2022.

with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. The Project's GHG emissions are provided for informational purposes only.

Quantification of Greenhouse Gas Emissions for Informational Purposes

Construction Emissions

Construction emissions would be generated from the exhaust of construction equipment, material delivery trips, haul truck trips, and worker commuter trips. Detailed construction assumptions are provided in Modeling Parameters and Assumptions section of Appendix A. Construction-generated GHGs were quantified and are disclosed in Appendix A. $MTCO_2e$ emissions during construction of the Project are summarized below in Table 15.

Table 6
Construction Greenhouse Gas Emissions

Project Construction (2024-2025)	$MTCO_2e$ per Year
Demolition (2024)	35
Site Preparation (2024)	25
Grading (2024)	50
Building Construction (2024)	190
Building Construction (2025)	73
Paving (2025)	15
Architectural Coating (2025)	2
Total Construction $MTCO_2e$	**390**
Emissions Amortized Over 30 Years[1]	**13**

Notes:
$MTCO_2e$ = metric tons of carbon dioxide equivalent
[1] Construction GHG emissions are amortized over the 30-year lifetime of the project.
Source: CalEEMod Output (Appendix A).

During the construction of the proposed Project, approximately 390 $MTCO_2e$ would be emitted. Neither the City of Lindsay nor the SJVAPCD have an adopted threshold of significance for construction related GHG emissions. Because impacts from construction activities occur over a relatively short-term period, they contribute a relatively small portion of the overall lifetime project GHG emissions. In addition, GHG emission reduction measures for construction equipment are relatively limited. Therefore, a standard

practice is to amortize construction emissions over the anticipated lifetime of a project so that GHG reduction measures will address construction GHG emissions as part of the operational GHG reduction strategies. However, emissions were quantified for informational purposes only.

The total emissions generated during construction were amortized based on the life of the development (30 years) and added to the operational emissions to determine the total emissions from the Project, as shown below.

Operational Emissions

Operational or long-term emissions occur over the life of the Project. The operational emissions for the proposed Project are shown in Table 16. Sources for operational emissions include the following:

- Motor Vehicles: These emissions refer to GHG emissions contained in the exhaust from the cars and trucks that would travel to and from the Project site. As described in the traffic study prepared for the proposed Project, the Linday Travel Center Project is expected to generate 8,276 average daily trips after internal capture.[35]
- Natural Gas: These emissions refer to the GHG emissions that occur when natural gas is burned on the Project site. Natural gas uses could include heating water, space heating, dryers, stoves, or other uses.
- Indirect Electricity: These emissions refer to those generated by offsite power plants to supply electricity required for the Project.
- Water Transport: These emissions refer to those generated by the electricity required to transport and treat the water to be used on the Project site.
- Waste: These emissions refer to the GHG emissions produced by decomposing waste generated by the Project.

Detailed modeling results and more information regarding assumptions used to estimate emissions are provided in Appendix A. Operational emissions are shown in Table 16.

[35] LAV/Pinnacle Consulting & Engineering Services. Last Revised August 14, 2023. Traffic Impact Study - Gas Station with Convenience Market, Fast Food Restaurants, and Truck Fueling Facility at Northeast Corner of State Highway 65 and Cedar Avenue, Tulare County, California. See Appendix C.

Table 7
Operational Greenhouse Gas Emissions for Project Buildout

Source Category	Project Total Buildout Year ($MTCO_2e$/year)
Area	0.2
Energy Consumption	207
Mobile (On-road Vehicles)	12,724
Water Usage	4
Solid Waste Generation	20
Refrigerants	188
Amortized Construction Emissions	13
Total	**13,156**

Notes:
$MTCO_2e$ = metric tons of carbon dioxide equivalent
Source: CalEEMod Output (Appendix A).

As previously noted, the Project's estimated emissions were estimated for disclosure purposes. However, significance for GHG emissions is analyzed by assessing the Project's compliance with Consideration No. 3 regarding consistency with adopted plans to reduce GHG emissions. As discussed in detail below, the Project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce the emissions of GHGs. As such, the Project's generation of GHG emissions would not result in a significant impact on the environment.

Impact Analysis (Project's Compliance with Consideration No. 3 Regarding Consistency with Adopted Plans to Reduce GHG Emissions)

The following analysis evaluates the Project's compliance with Consideration No. 3 regarding consistency with adopted plans to reduce GHG emissions. As discussed above, the City of Lindsay has not adopted a GHG reduction plan. In addition, the City has not completed the GHG inventory, benchmarking, or goal-setting process required to identify a reduction target and take advantage of the streamlining provisions contained in the CEQA Guidelines amendments adopted for SB 97 and clarifications provided in the CEQA Guidelines. The SJVAPCD has adopted a Climate Action Plan, but it does not contain measures that are applicable to the Project. Therefore, the SJVAPCD Climate Action Plan cannot be applied to the Project.

Since no other local or regional Climate Action Plan is in place, the Project is assessed for its consistency with CARB's adopted 2008, 2017, and 2022 Scoping Plans. This would be achieved with an assessment

of the proposed Project's compliance with Scoping Plan measures contained in the 2017 Scoping Plan Update and addressing the Project's consistency with the 2022 Scoping Plan.

Greenhouse Gas Emissions Estimation Summary and Greenhouse Gas Impact Analysis

Greenhouse Gas Impact Analysis

The following analysis assesses the proposed Project's compliance with Consideration No. 3 regarding consistency with adopted plans to reduce GHG emissions. The proposed Project is assessed for its consistency with CARB's adopted Scoping Plans. This would be achieved with an assessment of the proposed Project's compliance with Scoping Plan measures contained in the 2017 Scoping Plan Update and addressing the Project's consistency with the 2022 Scoping Plan.

Consistency with SB 32

The 2017 Climate Change Scoping Plan Update (2017 Scoping Plan) includes the strategy that the State intends to pursue to achieve the 2030 targets of Executive Order S-3-05 and SB 32. The 2017 Scoping Plan includes the following summary of its overall strategy for reaching the 2030 target:

- SB 350
    - Achieve 50 percent Renewables Portfolio Standard (RPS) by 2030.
    - Doubling of energy efficiency savings by 2030.
- Low Carbon Fuel Standard (LCFS)
    - Increased stringency (reducing carbon intensity 18 percent by 2030, up from 10 percent in 2020).
- Mobile Source Strategy (Cleaner Technology and Fuels Scenario)
    - Maintaining existing GHG standards for light- and heavy-duty vehicles.
    - Put 4.2 million zero-emission vehicles (ZEVs) on the roads.
    - Increase ZEV buses, delivery and other trucks.
- Sustainable Freight Action Plan
    - Improve freight system efficiency.
    - Maximize use of near-zero emission vehicles and equipment powered by renewable energy.

- Deploy over 100,000 zero-emission trucks and equipment by 2030.

- Short-Lived Climate Pollutant (SLCP) Reduction Strategy
  - Reduce emissions of methane and hydrofluorocarbons 40 percent below 2013 levels by 2030.
  - Reduce emissions of black carbon 50 percent below 2013 levels by 2030.
- SB 375 Sustainable Communities Strategies
  - Increased stringency of 2035 targets.
- Post-2020 Cap-and-Trade Program
  - Declining caps, continued linkage with Québec, and linkage to Ontario, Canada.
  - CARB will look for opportunities to strengthen the program to support more air quality co-benefits, including specific program design elements. In Fall 2016, CARB staff described potential future amendments including reducing the offset usage limit, redesigning the allocation strategy to reduce free allocation to support increased technology and energy investment at covered entities and reducing allocation if the covered entity increases criteria or toxics emissions over some baseline.
- By 2018, develop Integrated Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

Table 17 provides an analysis of the Project's consistency with the 2017 Scoping Plan Update measures.

Table 8
Consistency with SB 32 2017 Scoping Plan Update

Scoping Plan Measure	Project Consistency
SB 350 50% Renewable Mandate. Utilities subject to the legislation will be required to increase their renewable energy mix from 33% in 2020 to 50% in 2030. This has been increased to 60%.	**Consistent**: The project will purchase electricity from a utility subject to the SB 350 Renewable Mandate SB 100 Renewable Mandate. SB 100 revised the Renewable Portfolio Standard goals to achieve the 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31, 2030. The specific provider for the City of Lindsay and the proposed project is Southern California Edison (SCE).

Scoping Plan Measure	Project Consistency
SB 350 Double Building Energy Efficiency by 2030. This is equivalent to a 20 percent reduction from 2014 building energy usage compared to current projected 2030 levels.	**Not Applicable**. This measure applies to existing buildings. New structures are required to comply with Title 24 Energy Efficiency Standards that are expected to increase in stringency over time.
Low Carbon Fuel Standard. This measure requires fuel providers to meet an 18 percent reduction in carbon content by 2030.	**Consistent**. Vehicles accessing the project site will use fuel containing lower carbon content as the fuel standard is implemented.
Mobile Source Strategy (Cleaner Technology and Fuels Scenario). Vehicle manufacturers will be required to meet existing regulations mandated by the LEV III and Heavy-Duty Vehicle programs. The strategy includes a goal of having 4.2 million ZEVs on the road by 2030 and increasing numbers of ZEV trucks and buses.	**Consistent**. The project consists of a Travel Center development and would not engage in vehicle manufacturing; however, vehicles would access the project site during project operations. Future project customers and other visitors can be expected to purchase increasing numbers of more fuel efficient and zero emission cars and trucks each year. Travel Center deliveries will be made by increasing numbers of ZEV delivery trucks.
Sustainable Freight Action Plan. The plan's target is to improve freight system efficiency 25 percent by increasing the value of goods and services produced from the freight sector, relative to the amount of carbon that it produces by 2030. This would be achieved by deploying over 100,000 freight vehicles and equipment capable of zero emission operation and maximize near-zero emission freight vehicles and equipment powered by renewable energy by 2030.	**Not Applicable**. The measure applies to owners and operators of trucks and freight operations. However, deliveries that would be made to the future Travel Center development are expected to be made by increasing number of ZEV delivery trucks.
Short-Lived Climate Pollutant (SLCP) Reduction Strategy. The strategy requires the reduction of SLCPs by 40 percent from 2013 levels by 2030 and the reduction of black carbon by 50 percent from 2013 levels by 2030.	**Consistent.** Sources of black carbon are already regulated by the CARB and air district criteria pollutant and toxic regulations that control fine particulate emissions from diesel engines and other combustion sources.
SB 375 Sustainable Communities Strategies. Requires Regional Transportation Plans to include a sustainable communities strategy for reduction of per capita vehicle miles traveled.	**Not Applicable**. The project does not consist of a proposed regional transportation plan; therefore, this measure is not applicable to the proposed project.

Scoping Plan Measure	Project Consistency
Post-2020 Cap-and-Trade Program. The Post 2020 Cap-and-Trade Program continues the existing program for another 10 years. The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers.	**Consistent.** The post-2020 Cap-and-Trade Program indirectly affects people who use the products and services produced by the regulated industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and from combustion of other fossil fuels not directly covered at large sources in the program's first compliance period.
Natural and Working Lands Action Plan. The CARB is working in coordination with several other agencies at the federal, state, and local levels, stakeholders, and with the public, to develop measures as outlined in the Scoping Plan Update and the governor's Executive Order B-30-15 to reduce GHG emissions and to cultivate net carbon sequestration potential for California's natural and working land.	**Not Applicable**. The project consists of a Travel Center facility development and will not be considered natural or working lands.
Source: California Air Resources Board (CARB). 2017. The 2017 Climate Change Scoping Plan Update. January 20. Website: https://www.arb.ca.gov/cc/scopingplan/2030sp_pp_final.pdf. Accessed December 4, 2023.	

Consistency Regarding GHG Reduction Goals for 2050 under Executive Order S-3-05 and GHG Reduction Goals for 2045 under the 2022 Scoping Plan

Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures with any level of certainty, as they have not yet been developed; nevertheless, it can be anticipated that operation of the Project would comply with whatever measures are enacted that state lawmakers decide would lead to an 80 percent reduction below 1990 levels by 2050. In its 2008 Scoping Plan, CARB acknowledged that the "measures needed to meet the

2050 are too far in the future to define in detail." In the First Scoping Plan Update; however, CARB generally described the type of activities required to achieve the 2050 target: "energy demand reduction through efficiency and activity changes; large scale electrification of on-road vehicles, buildings, and industrial machinery; decarbonizing electricity and fuel supplies; and rapid market penetration of efficiency and clean energy technologies that requires significant efforts to deploy and scale markets for the cleanest technologies immediately." The 2017 Scoping Plan provides an intermediate target that is intended to achieve reasonable progress toward the 2050 target. In addition, the 2022 Scoping Plan outlines objectives, regulations, planning efforts, and investments in clean technologies and infrastructure that outlines how the State can achieve carbon-neutrality by 2045.

Accordingly, taking into account the proposed Project's emissions, project design features, and the progress being made by the State towards reducing emissions in key sectors such as transportation, industry, and electricity, the Project would be consistent with State GHG Plans and would further the State's goals of reducing GHG emissions to 1990 levels by 2020, 40 percent below 1990 levels by 2030, carbon neutral by 2045, and 80 percent below 1990 levels by 2050, and does not obstruct their attainment. Impacts would be less than significant.

Conclusion

Taking into account the proposed Project's design features and the progress being made by the State towards reducing emissions in key sectors such as transportation, industry, and electricity, the proposed Project would be consistent with State and local GHG Plans would not obstruct their attainment. The proposed Project's GHG impacts would be ***less than significant***.

Mitigation Measures: None are required.

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

Less Than Significant Impact. The analysis contained above under Impact (a) evaluates whether the Project would not conflict with any applicable plan, policy, or regulation of an agency adopted to reduce the emissions of GHGs. As discussed under Impact (a) above, the Project would not conflict with any applicable plan, policy, or regulation of agency to reduce. As such, Project impacts in this regard would be ***less than significant***.

Mitigation Measures: None are required.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

response plan or emergency evacuation plan?

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

ENVIRONMENTAL SETTING

For the purposes of this section, the term "hazardous materials" refers to "injurious substances," which include flammable liquids and gases, poisons, corrosives, explosives, oxidizers, radioactive materials, and medical supplies and waste. These materials are either generated or used by various commercial and industrial activities. Hazardous wastes are injurious substances that have been or will be disposed. Potential hazards arise from the transport of hazardous materials, including leakage and accidents involving transporting vehicles. There also are hazards associated with the use and storage of these materials and wastes. Hazardous materials are grouped into the following four categories based on their properties:

- Toxic: causes human health effect
- Ignitable: has the ability to burn
- Corrosive: causes severe burns or damage to materials
- Reactive: causes explosions or generates toxic gases

"Hazardous wastes" are defined in California Health and Safety Code Section 25141(b) as wastes that: "…because of their quantity, concentration, or physical, chemical, or infectious characteristics, [may either] cause or significantly contribute to an increase in mortality or an increase in serious illness or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed." A hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. If improperly handled, hazardous materials and hazardous waste can result in public health hazards if released into the soil or groundwater or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer. The California Code of Regulations, Title 22, Sections 66261.20-24 contains technical descriptions of toxic characteristics that could cause soil or groundwater to be classified as hazardous waste.

Hazardous waste generators may include industries, businesses, public and private institutions, and households. Federal, state, and local agencies maintain comprehensive databases that identify the location of facilities using large quantities of hazardous materials, as well as facilities generating hazardous waste. Some of these facilities use certain classes of hazardous materials that require risk management plans to protect surrounding land uses. The release of hazardous materials would be subject to existing federal, State, and local regulations and is similar to the transport, use, and disposal of hazard materials.

The proposed Project site is located in the northwestern portion of the City of Lindsay, near primarily agricultural or vacant/disturbed land uses. The site is bordered by SR 65 to the south, and Cedar Avenue to the west.

The Project site is approximately 2.7 miles southeast of the Thunderhawk Field Airport/Exeter Airport. Fresno-Yosemite International Airport is the closest major airport to the proposed Project site, approximately 51 miles northwest.

REGULATORY SETTING

Federal

The primary federal agencies with responsibility for hazardous materials management include the EPA, U.S. Department of Labor Occupational Safety and Health Administration (OSHA), and the U.S. Department of Transportation (DOT). The Environmental Protection Agency (EPA) was created to protect human health and to safeguard the natural environment – air, water and land – and works closely with other federal agencies, and state and local governments to develop and enforce regulations under existing environmental laws. Where national standards are not met, EPA can issue sanctions and take other steps to assist the states in reaching the desired levels of environmental quality. EPA also works with industries and all levels of government in a wide variety of voluntary pollution prevention programs and energy conservation efforts.

State

The California Department of Industrial Relations, Division of Occupational Safety and Health is the administering agency designed to protect worker health and general facility safety. The California Department of Forestry and Fire Protection has designated the area that includes the proposed Project site as a Local Responsibility Area, defined as an area where the local fire jurisdiction is responsible for emergency fire response.

California Code of Regulations

Title 3 of the CCR pertains to the application of pesticides and related chemicals. Parties applying regulated substances must continuously evaluate application equipment, the weather, the treated lands and all surrounding properties. Title 3 prohibits any application that would:

- Contaminate persons not involved in the application
- Damage non---target crops or animals or any other public or private property
- Contaminate public or private property or create health hazards on said property

Title 8 of the CCR establishes California Occupational Safety and Health Administration (Cal OSHA) requirements related to public and worker protection. Topics addressed in Title 8 include materials exposure limits, equipment requirements, protective clothing, hazardous materials, and accident prevention. Construction safety and exposure standards for lead and asbestos are set forth in Title 8.

Title 14 of the CCR establishes minimum standards for solid waste handling and disposal.

Title 17 of the CCR establishes regulations relating to the use and disturbance of materials containing naturally occurring asbestos.

Title 19 of the CCR establishes a variety of emergency fire response, fire prevention, and construction and construction materials standards.

Title 22 of the CCR sets forth definitions of hazardous waste and special waste. The section also identifies hazardous waste criteria and establishes regulations pertaining to the storage, transport, and disposal of hazardous waste.

Title 26 of the CCR is a medley of State regulations pertaining to hazardous materials and waste that are presented in other regulatory sections. Title 26 mandates specific management criteria related to hazardous materials identification, packaging, and disposal. In addition, Title 26 establishes requirements for hazardous materials transport, containment, treatment, and disposal. Finally, staff training standards are set forth in Title 26.

California Fire Code

The California Fire Code (CFC) is Part 9 of Title 24, California Code of Regulations, also referred to as the California Building Standards Code. The CFC incorporates the 2009 International Fire Code of the International Code Council with necessary California amendments. The purpose of the CFC is to establish the minimum requirements consistent with nationally recognized good practices to safeguard

the public health, safety and general welfare from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide safety and assistance to fire fighters and emergency responders during emergency operations.

Tulare County

Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan

City of Lindsay participates in the preparation of the Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP) which covers Tulare County and eleven participating cities. The MJLHMP was prepared to assess the natural, technological, and human-caused risks to County communities, to reduce the potential impact of the hazards by creating mitigation strategies. The plan has been designed to meet four goals; (1) significantly reduce life loss and injuries, (2) minimize damage to structures and property, as well as disruption of essential services and human activities, (3) protect the environment, and (4) promote hazard mitigation as an integrated public policy.[36]

This plan complies with The Federal Disaster Mitigation Act of 2000 (DMA 2000), Federal Register 44 CFR Parts 201 and 206. The County; the Cities of Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, and Woodlake; the Tule River Tribe; and Tulare County Office of Education staffs have coordinated preparation of the MJLHMP in cooperation with stakeholders, partner agencies and members of the public, will seek MJLHMP approval and adopt their appropriate sections.

In addition, the proposed Project is being evaluated pursuant to CEQA.

RESPONSES

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

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

Less Than Significant Impact. The proposed Project includes development of a travel center on an approximately 6.28-acre parcel, consisting of a 16-pump automobile fueling facility, a 6-pump truck fueling facility, a convenience market, two fast-food restaurants, and a stormwater retention basin. The

[36] Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan. https://oes.tularecounty.ca.gov/oes/mitigation/tulare-county-mjlhmp/. Accessed April 2024.

proposed Project site is highly disturbed and consists primarily of vacant/disturbed land, with single family residences in the southeastern portion of the site, and some agricultural row crops in the central portion.

Compliance with all federal, State and local regulations, including California Code of Regulations Title 3, Title 8, Title 14, Title 19, Title 22, and Title 26, and the Tulare County MJLHMP which would ensure that the Project would not cause an adverse effect on the environment with respect to the use, storage, or disposal of general household and commercial hazardous substances generated from future development or uses. Compliance would ensure that human health and the environment are not exposed to hazardous materials. In addition, the proposed Project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) permit program through the submission and implementation of a Stormwater Pollution Prevention Plan during construction activities to prevent contaminated runoff from leaving the Project site. Therefore, no significant impacts would occur during construction activities.

The operational phase of the proposed Project would occur after construction is completed and employees move in to occupy the expanded space on a day-to-day basis. The proposed Project includes land uses that are considered compatible with the surrounding uses, with the approval of a Conditional Use Permit. The use of hazardous materials would mostly be confined to the Project construction period; however, gasoline will be stored on-site, which is considered a petroleum-based hazardous material. The proposed Project will be in compliance with all federal and State hazardous materials regulations regarding fuel storage. Additionally, fuel storage is acceptable in the Highway Commercial zoning under a new Conditional Use Permit. Therefore, the proposed Project will not create a significant hazard to the public or the environment and any impacts would be ***less than significant***.

Mitigation Measures: None are required.

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

Less Than Significant Impact. No schools are located within 0.25 mile of the Project site. This condition precludes the possibility of activities associated with the proposed Project exposing schools within a 0.25-mile radius of the project site to hazardous materials. The closest school is Jefferson Elementary School located approximately 0.8 miles to the southeast, and Roosevelt Elementary School located approximately one mile northeast of the site. Intervening land uses also separate the Project site with these schools. See also Responses a. and b. regarding hazardous material handling. The impact is ***less than significant.***

Mitigation Measures: None are required.

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?

No Impact. The proposed Project site is not located on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 (Geotracker[37] and Envirostor[38] databases – accessed in December 2023). The nearest Department of Toxic Substances Control listed site is the American Can Company site on North Mount Vernon Avenue, located approximately 0.5-miles south of the proposed Project site. There are no hazardous materials sites that impact the Project.

Mitigation Measures: None are required.

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?

No Impact. The proposed Project site is approximately 2.7 miles southeast of the Thunderhawk Field Airport/Exeter Airport. Land use controls for this area are provided by the Tulare County General Plan and Zoning Ordinance, Part 77.21 and the Tulare County Comprehensive Airport Land Use Plan, 2012. The Project site is outside the height and safety restriction zones imposed by these plans. There is ***no impact.***

Mitigation Measures: None are required.

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

No Impact. Construction activities may require temporary lane closures. However, construction would be short-term and access through both roadways would be maintained through standard traffic control

[37] California State Water Resources Control Board. GeoTracker. https://geotracker.waterboards.ca.gov/. Accessed December 2023.

[38] California Department of Toxic Substances Control. Envirostor. https://www.envirostor.dtsc.ca.gov/public/. Accessed December 2023.

as required by an encroachment permit. Furthermore, development of the proposed Project site would be subject to compliance with applicable standards for on-site emergency access including turn radii and fire access as well as applicable measures identified in the EOP. The Project will not interfere with any adopted emergency response or evacuation plan. There is ***no impact.***

Mitigation Measures: None are required.

g. 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?

No Impact. There are no wildlands on or near the Project site. As Project implementation results in site development, the construction of structures and installation of new infrastructure would be reviewed and conditioned by the City for compliance with applicable standards, specifications, and code. In addition, construction of structures that would be occupied by humans would be required to be constructed in adherence to the Wildland Urban Interface Codes and Standards of the California Building Code Chapter 7A. Compliance with such regulations would ensure that the Project meets standards to help prevent loss, injury, or death involving wildland fires. There is ***no impact***.

Mitigation Measures: None are required.

X. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
i. Result in substantial erosion or siltation on- or off- site;	☐	☐	☒	☐
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv. impede or redirect flood flows?	☐	☐	☒	☐

X. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

ENVIRONMENTAL SETTING

According to the City of Lindsay's General Plan, since 1982, the City's primary source of water has been surface water from the Central Valley Project (CVP) which is transported via the Friant-Kern Canal. This is Class 2 water with an uncertain availability during years of below normal runoff. The need for a more dependable supply of Class 1 water resulted in a contract between the City and the U.S. Bureau of Reclamation in 1985 for the delivery of 2,500 acre-feet of Class 1, CVP entitlement water. Drainage within the urban area is facilitated by a system of curbs and gutters, storm drainage lines and inlets, dry wells, retention basins, a pump lift station and use of Lewis Creek for limited disposal. For purposes of management, surface water drainage is accomplished in four drainage areas - Westwood, Central, Harvard and County. Retention basins include the Mariposa St. basin north of Jefferson School (Westwood), the Sequoia Avenue basin west of the Hospital (Central), and the Harvard basin at Harvard Park (Harvard). The Tulare County drainage area is located in the northeastern part of the urban area and mostly outside of the City.

The Project site is within city limits and thus, will be required to connect to the city's water and stormwater services.

REGULATORY SETTING

Federal

Clean Water Act

The Clean Water Act (CWA) is intended to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 CFR 1251). The regulations implementing the CWA protect waters of the U.S. including streams and wetlands (33 CFR 328.3). The CWA requires states to set standards to protect, maintain, and restore water quality by regulating point source and some non-point source discharges. Under Section 402 of the CWA, the National Pollutant Discharge Elimination System (NPDES) permit process was established to regulate these discharges.

The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, Federal Emergency Management Agency (FEMA) has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes.

State

State Water Resources Control Board

The State Water Resources Control Board (SWRCB), located in Sacramento, is the agency with jurisdiction over water quality issues in the State of California. The SWRCB is governed by the Porter-Cologne Water Quality Act (Division 7 of the California Water Code), which establishes the legal framework for water quality control activities by the SWRCB. The intent of the Porter-Cologne Act is to regulate factors which may affect the quality of waters of the State to attain the highest quality which is reasonable, considering a full range of demands and values. Much of the implementation of the SWRCB's responsibilities is delegated to its nine Regional Boards. The proposed Project site is located within the Central Valley Region.

Regional Water Quality Board

The Regional Water Quality Control Board (RWQCB) administers the NPDES storm water-permitting program in the Central Valley region. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The General Construction Permit requires the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The plan will include specifications for Best Management Practices (BMPs) that will be implemented during proposed Project construction to control degradation of surface water by preventing the potential erosion of sediments or discharge of pollutants from the construction area. The General Construction Permit program was established by the RWQCB for the specific purpose of reducing impacts to surface waters that may occur due to construction activities. BMPs have been established by the RWQCB in the California Storm Water Best Management Practice Handbook (2003) and are recognized as effectively reducing degradation of surface waters to an acceptable level. Additionally, the SWPPP will describe

measures to prevent or control runoff degradation after construction is complete and identify a plan to inspect and maintain these facilities or project elements.

RESPONSES

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

Less than Significant Impact.

Construction activities such as grading, excavation and loading activities associated with construction activities could temporarily increase runoff, erosion, and sedimentation. Construction activities also could result in soil compaction and wind erosion effects that could adversely affect soils and reduce the revegetation potential at construction sites and staging areas.

Three general sources of potential short-term construction-related stormwater pollution associated with the proposed Project are: 1) the handling, storage, and disposal of construction materials containing pollutants; 2) the maintenance and operation of construction equipment; and 3) earth moving activities which, when not controlled, may generate soil erosion and transportation, via storm runoff or mechanical equipment. Generally, routine safety precautions for handling and storing construction materials may effectively mitigate the potential pollution of stormwater by these materials. These same types of common sense, "good housekeeping" procedures can be extended to non-hazardous stormwater pollutants such as sawdust and other solid wastes.

Poorly maintained vehicles and heavy equipment leaking fuel, oil, antifreeze, or other fluids on the construction site are also common sources of stormwater pollution and soil contamination. In addition, grading activities can greatly increase erosion processes. Two general strategies are recommended to prevent construction silt from entering local storm drains. First, erosion control procedures should be implemented for those areas that must be exposed. Secondly, the area should be secured to control offsite migration of pollutants. These Best Management Practices (BMPs) would be required in the Stormwater Pollution Prevention Plan (SWPPP) to be prepared prior to commencement of Project construction. When properly designed and implemented, these "good-housekeeping" practices are expected to reduce short-term construction-related impacts to less than significant.

In accordance with the National Pollution Discharge Elimination System (NPDES) Stormwater Program, the proposed Project will be required to comply with existing regulatory requirements to prepare a SWPPP in compliance with the General Permit for Discharges of Storm Water Associated with Construction Activity (i.e., General Permit Order No. 2012-0006-DWQ), designed to control erosion and

the loss of topsoil to the extent practicable using BMPs that the Regional Water Quality Control Board (RWQCB) has deemed effective in controlling erosion, sedimentation, runoff during construction activities. The specific controls are subject to review and approval by the RWQCB and are an existing regulatory requirement.

Additionally, discharges will be redirected to the onsite retention basin, and there will be no discharge to any other surface or groundwater source. As such, the proposed Project will not violate any water quality standards and will not impact waste discharge requirements. The impact will be ***less than significant***.

Mitigation Measures: None are required.

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

Less than Significant Impact. The City of Lindsay (and proposed Project site) is located the Tulare Lake Basin, in an area managed by the East Kaweah Groundwater Sustainability Agency (EKGSA). The EKGSA is tasked with balancing groundwater levels in the Lindsay area, ensuring the sustainability of the underlying water supply. The proposed Project will connect to the City's water system, which is served by a mix of both ground and surface water.

The proposed Project site is highly disturbed and consists primarily of vacant/disturbed land, with single family residences in the southeastern portion of the site, and some agricultural row crops in the central portion. Project demands for groundwater resources in connection with the proposed Project would not substantially deplete groundwater supplies and/or otherwise interfere with groundwater recharge efforts being implemented by the City of Lindsay. The site has been planned and designated for Highway Commercial, and all potential development will be required to adhere to all City and State mandated water conservation measures and regulations. The City adopted its most recent Water Conservation Plan in May 2023 (City of Lindsay, Water Conservation Plan, 2023). Much of the content of the Water Conservation Plan was carried over into the Water Shortage Contingency Plan as part of the 2020 Urban Water Management Plan, adopted in November 2023. Some of the water conservation methods include restrictions on water use for landscaping[39]:

[39] Demand Management Measures, City of Lindsay: 2020 UWMP. https://www.lindsay.ca.us/sites/default/files/fileattachments/city_services/page/8398/2023-11-14_final_lindsay_2020_urban_water_management_plan.pdf. Pg 9-4. Accessed February 2024.

Other water conservation measures include rebate programs for Turf Replacement and High Efficiency Toilet Replacements.[40] Therefore, the proposed Project would not substantially deplete ground water supplies or interfere substantially with groundwater recharge. As such, there is a ***less than significant impact*** to this impact area.

Mitigation Measures: None are required.

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

   i. result in substantial erosion or siltation on- or offsite;

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

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

   iv. impede or redirect flood flows?

Less than Significant Impact. The proposed Project includes changes to the existing stormwater drainage pattern of the area through the installation of fueling stations, convenience store, fast-food restaurants, retention basin, parking, landscaping, and other site improvements. During construction, the proposed Project will be required to comply with existing regulatory requirements to prepare a SWPPP which will limit on or offsite erosion or siltation. Once operational, stormwater will be directed to a new on-site stormwater retention basin, which will be designed and constructed in accordance with City standards. The Project would not otherwise degrade water quality.

The City would review proposed developments through the entitlement review process. The proposed development would be reviewed and conditioned for compliance with the City's drainage and

[40] Ibid.

stormwater plans. If temporary onsite facilities are required, then the size and capacity of such facilities would be determined through the review and conditioning of the proposed development. Therefore, approval and conditioning by the City would ensure that surface runoff is controlled in a manner which would not result in flooding on- or off-site. Although the proposed Project would increase impervious surfaces, review and approval of grading and drainage plans by the City would ensure compliance with the drainage and stormwater plans as to not impede or redirect flood flows. The Project will have a ***less than significant impact***.

Mitigation Measures: None are required.

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

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

Less than Significant Impact. The Project site is within Zone X, aMinimal Flood Hazard Zone) as determined by FEMA, as indicated by FEMA flood hazard map 06107C1305E. The site is not within a 100-year flood zone or a 500-year flood zone. The site will be designed for adequate storm drainage.

There are no inland water bodies that could be potentially susceptible to a seiche in the Project vicinity. This precludes the possibility of a seiche inundating the Project site. The Project site is more than 100 miles from the Pacific Ocean, a condition that precludes the possibility of inundation by tsunami. There are no steep slopes that would be susceptible to a mudflow in the Project vicinity, nor are there any volcanically active features that could produce a mudflow in the City of Lindsay. This precludes the possibility of mudflow inundating the Project site.

As such, impacts related to exposure of people or structures to a risk of loss, injury, or death involving flooding as a result of the failure of a levee or dam would be ***less than significant***.

Mitigation Measures: None are required.

XI. LAND USE AND PLANNING

Would the project:

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

ENVIRONMENTAL SETTING

The Lindsay planning area is dominated by residential, commercial, and industrial use, with supporting public and semi-public facilities such as schools, parks, government offices, churches, hospitals and public utilities. The City encompasses an area of approximately 2.33 square miles, or 1,490 gross acres of land including streets. The City is surrounded by agricultural land which is mostly devoted to orange and olive groves, with some irrigated pasture and field crops to the north.

Table 18

Distribution of Urban Land Use Within the Urban Development Boundary[41]

Distribution of Urban Land Use Within the Urban Development Boundary[3]

Category	Net Acres	% of Total
Very Low Density (Rural Resid.)	59.4	4.67
Low Density Residential (Single-Family)	412.4	32.45
Medium & High Density (Multi-Family)	42.3	3.33
Offices	15.6	1.23
Retail Commercial	25.0	1.96
Highway Commercial	5.2	0.40
Service Commercial	34.8	2.73
Light Industrial	72.2	5.67
Heavy Industrial	39.0	3.06
Parks & Recreation	36.0	2.83
Schools	83.1	6.53
Other public[4]	80.1	6.30
Vacant land	130.1	10.23
Vacant bldgs.	1.9	0.15
Subtotal: Urban	1,037.1	81.75%
Streets[5]	233.2	18.25%
Total Urban (gross acreage)	**1,270.3**	**100.00%**

Additionally, according to the City's 2019 Housing Element, the City has estimated the following residential development feasibility:

Table 19
Residential Development Capacity Estimates

Development Potential			Existing Undeveloped Lots	Acres
Feasibility	**Maximum Units**	**Likely Units**		
Low	285	164	10	26
Medium	399	283	5	57
High	1655	1149	174	215
Total	**2339**	**1596**	**189**	**298**

[41] City of Lindsay General Plan, Part II Environmental Setting.

The proposed Project site is highly disturbed and consists primarily of vacant/disturbed land, with single family residences in the southeastern portion of the site, and some agricultural row crops in the central portion. The site is bordered by SR 65 to the south and Cedar Avenue to the west and surrounded by agricultural land and vacant/disturbed land.

The site is currently designated by the City's General Plan and zoned as Highway Commercial. Surrounding General Plan Designation, land use and zoning information is identified in Table 20.

Table 20
Existing Land Use, General Plan Designation and Zoning

Location	Existing Land Use	Current Zoning Classification
North	Agricultural, row crops	AE-1 (Tulare County)
South	Agricultural, row crops	AE-1, AE-10 (Tulare County); SR65
West	Agricultural, row crops	AE-20 (Tulare County)
East	Vacant/disturbed land	CH (Highway Commercial)

REGULATORY SETTING

Federal

Federal regulations for land use are not relevant to the proposed Project because it is not a federal undertaking (the proposed Project site is not located on lands administered by a federal agency, and the Project applicant is not requesting federal funding or a federal permit).

State

SB 330 Housing Crisis Act of 2019

On October 9, 2019, Gov. Gavin Newsom signed the Housing Crisis Act of 2019 into law, commonly known as Senate Bill 330 (Chapter 654, Statutes of 2019) to respond to the California housing crisis. Effective January 1, 2020, SB330 aims to increase residential unit development, protect existing housing inventory, and expedite permit processing. This new law makes a number of modifications to existing legislation, such as the Permit Streamlining Act and the Housing Accountability Act and institutes the Housing Crisis Act of 2019. Many of the changes proposed last for a 5-year period and sunset on January

1, 2025. Under this legislation, municipal and county agencies are restricted in ordinances and policies that can be applied to residential development. The revised definition of "Housing Development" now contains residential projects of two or more units, mixed-use projects (with two-thirds of the floor area designated for residential use), transitional, supportive, and emergency housing projects.

Local

The City's General Plan includes development standards for Commercial Areas. The proposed site is designated as Highway Commercial. According to the Community Development Element of the GP, development of the other Highway Commercial clusters (especially at Tulare) is dependent on the completion of highway improvements at these locations. The northern-most cluster would not be developed west of the proposed Highway 65 by-pass extending diagonally northwest of Tulare to Spruce Road until the highway by-pass is constructed.[42] The following standards may be applicable to the proposed Project:

- All outdoor storage areas shall be visually screened with ornamental fencing or walls, and landscaping.
- Street trees and frontage landscaping, with automatic irrigation, is to be provided for all commercial sites outside of the Central Business District (CBD) and may be required by the City within the CBD.

RESPONSES

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?

No Impact. As noted earlier, the proposed Project site is highly disturbed and consists primarily of vacant/disturbed land, with single family residences in the southeastern portion of the site, and some agricultural row crops in the central portion. The site is surrounded by agricultural land and vacant/disturbed land and fueling facilities are commonplace in the area. The existing single-family residences in the southeastern portion of the site will be removed as part of the Project.

[42] Part IV Commercial Development Element, Lindsay General Plan. July 1989, Revised February 1997. pg 40

The proposed Project includes development on the 6.28-acre parcel, consisting of a 16-pump automobile fueling facility, a 6-pump truck fueling facility, a 5,440 sq.ft. convenience market, two fast-food restaurants, and a stormwater retention basin. The Project construction will also include associated parking, site landscaping, and lighting. A parcel split and a Conditional Use Permit is required to entitle the proposed development. The proposed Project is located entirely within the limits of the City of Lindsay and would be subject to all applicable General Plan and Municipal Code requirements, which would ensure that the development is consistent with local standards.

The proposed Project is an appropriate use within the City land use and zone district and the Project is consistent with respective General Plan objectives and policies and will not significantly conflict with applicable land use plans, policies or regulations of the City.

The Project has no characteristics that would physically divide the City of Lindsay. Access to the existing surrounding areas will be improved with Project implementation. The construction and operation of the Project would not divide an established community.

No impacts would occur as a result of this Project.

Mitigation Measures: None are required.

XII. MINERAL RESOURCES

Would the project:

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

ENVIRONMENTAL SETTING

The City of Lindsay is situated along the western slope of the Sierra Nevada. The Sierra Nevada geomorphic province is primarily composed of cretaceous granitic plutons and remnants of Paleozoic and Mesozoic metavolcanic and metasedimentary rocks, and Cenozoic volcan and sedimentary rocks. The elevation of the City is approximately 375 feet above mean sea level. The east side of the Valley floor in Tulare County is a broad plain of low relief, consisting of three large and coalescing alluvial fans and streams draining from the Sierra Nevada. Three creeks -- Cross, Cottonwood and Lewis Creeks – are intermittent streams.

Currently, the most economically significant mineral resources in Tulare County are sand, gravel, and crushed stone, used as sources for aggregate (road materials and other construction). The two major sources of aggregate are alluvial deposits (riverbeds, and floodplains), and hard rock quarries. Consequently, most Tulare County mines are located along rivers at the base of the Sierra foothills. According to the Tulare County General Plan, there are no known mineral resource production sites in the City of Lindsay.

REGULATORY SETTING

There are no federal, State or local regulations pertaining to mineral resources relevant to the proposed Project.

RESPONSES

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

No Impact. As shown in Figure 10-1 of the Tulare County General Plan, the proposed Project area is not included in a classified mineral resource zone. Therefore, there is ***no impact***.

Mitigation Measures: None are required.

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

No Impact. As shown in Figure 10-1 of the Tulare County General Plan, the proposed Project area is not included in a classified mineral resource zone. Soil disturbance for the proposed Project would be limited site groundwork such as grading, foundations, and installation of infrastructure. Therefore, there is ***no impact***.

Mitigation Measures: None are required.

XIII. NOISE

Would the project:

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

ENVIRONMENTAL SETTING

The Project site is located in the northwestern part of the City of Lindsay. The proposed Project site is located in an area that is substantially surrounded by rural, agricultural land uses.

The primary existing noise sources contributing to ambient noise in the proposed Project area are traffic noises and noises associated with agricultural activities.

REGULATORY SETTING

Federal

The Federal Railway Administration (FRA) and the Federal Transit Administration (FTA) have published guidance relative to vibration impacts. According to the FRA, fragile buildings can be exposed

to ground-borne vibration levels of 0.5 PPV without experiencing structural damage. The FTA has identified the human annoyance response to vibration levels as 80 RMS.

State

The State Building Code, Title 24, Part 2 of the State of California Code of Regulations establishes uniform minimum noise insulation performance standards to protect persons within new buildings which house people, including hotels, motels, dormitories, apartment houses and dwellings other than single-family dwellings. Title 24 mandates that interior noise levels attributable to exterior sources shall not exceed 45 dB L_{dn} or CNEL in any habitable room.

Title 24 also mandates that for structures containing noise-sensitive uses to be located where the L_{dn} or CNEL exceeds 60 dB, an acoustical analysis must be prepared to identify mechanisms for limiting exterior noise to the prescribed allowable interior levels. If the interior allowable noise levels are met by requiring that windows be kept closed, the design for the structure must also specify a ventilation or air conditioning system to provide a habitable interior environment.

Local

Measuring and reporting noise levels involves accounting for variations in sensitivity to noise during the daytime versus nighttime hours. Noise descriptors used for analysis need to factor in human sensitivity to nighttime noise when background noise levels are generally lower than in the daytime and outside noise intrusions are more noticeable. Common descriptors include the Community Noise Equivalent Level (CNEL) and the Day-Night Average Level (Ldn). Both reflect noise exposure over an average day with weighting to reflect the increased sensitivity to noise during the evening and night. The two descriptors are roughly equivalent. The CNEL descriptor is used in relation to major continuous noise sources, such as aircraft or traffic, and is the reference level for the Noise Element under State planning law.

RESPONSES

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

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

Less than Significant Impact. According to the City's General Plan EIR, the major noise sources in Lindsay are related to roadways and vehicle traffic.[43] The most significant sources of noise located near the Project site would be agricultural land surrounding the site towards the north, west, and south. Other noise sources would include traffic on nearby SR 65 and residential roads.

Short-term (Construction) Noise Impacts

Proposed Project construction related activities will involve temporary noise sources and are anticipated to begin in 2021. Typical construction-related equipment includes graders, trenchers, small tractors and excavators. During the proposed Project construction, noise from construction related activities will contribute to the noise environment in the immediate vicinity. Activities involved in construction will generate maximum noise levels, as indicated in Table 21, ranging from 79 to 91 dBA at a distance of 50 feet, without feasible noise control (e.g., mufflers) and ranging from 75 to 80 dBA at a distance of 50 feet, with feasible noise controls.

Table 21
Typical Construction Noise Levels

Type of Equipment	dBA at 50 ft	
	Without Feasible Noise Control	**With Feasible Noise Control**
Dozer or Tractor	80	75
Excavator	88	80
Scraper	88	80
Front End Loader	79	75
Backhoe	85	75
Grader	85	75
Truck	91	75

The distinction between short-term construction noise impacts and long-term operational noise impacts is a typical one in both CEQA documents and local noise ordinances, which generally recognize the reality that short-term noise from construction is inevitable and cannot be mitigated beyond a certain level. Thus, local agencies frequently tolerate short-term noise at levels that they would not accept for permanent noise sources. A more severe approach would be impractical and might preclude the kind of construction activities that are to be expected from time to time in urban environments. Most residents

[43] Lindsay General Plan, Draft EIR, 1989. The Noise Environment, page 91.

of urban areas recognize this reality and expect to hear construction activities on occasion. Further restrictions on construction noise may be placed on the proposed Project as determined through the Conditional Use Permit process.

Long-term (Operational) Noise Impacts

The primary source of on-going noise from the proposed Project will be from vehicles traveling to and from the fueling stations, fast-food restaurant or convenience store; however, the low number of new trips associated with the Project is not likely to increase the ambient noise levels by a significant amount. In accordance with the municipal codes and ordinances, commercial operations shall be subject to the City's noise and nuisance ordinances. Additionally, deliveries to the commercial businesses may only take place during regular business hours. As such, any impacts would be ***less than significant***.

Typical outdoor sources of perceptible ground borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. Construction vibrations can be transient, random, or continuous. Construction associated with the proposed Project includes the construction of residences and roadways.

The approximate threshold of vibration perception is 65 VdB, while 85 VdB is the vibration acceptable only if there are an infrequent number of events per day. Table 22 describes the typical construction equipment vibration levels.

Table 22
Typical Construction Vibration Levels

Equipment	VdB at 25 ft
Small Bulldozer	58
Jackhammer	79

Vibration from construction activities will be temporary and not exceed the FTA threshold for the nearest residences, which are located approximately 50 feet from the development. Impacts are ***less than significant***.

Mitigation Measures: None are required.

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

No Impact. The Project is not located within an airport land use plan. The Project site is approximately 2.7 miles southeast of the Thunderhawk Field Airport/Exeter Airport. Fresno-Yosemite International Airport is the closest major airport to the proposed Project site, approximately 51 miles northwest. Therefore, there is ***no impact***.

Mitigation Measures: None are required.

XIV. POPULATION AND HOUSING

Would the project:

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

ENVIRONMENTAL SETTING

The California Department of Finance (DOF) estimated that the City had a population of 12,474 at the beginning of 2023.[44] The proposed Project is located in an area dominated by agricultural uses to the north, west, and south, and vacant/disturbed land to the east.

RESPONSES

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. The proposed Project includes development of a travel center in the northwestern portion of the City of Lindsay. The Project includes development of fueling stations, a convenience store, fast-food restaurants, a retention basin, parking, and associated site improvements. There are no new homes associated with the proposed Project. There are existing single-family homes in the southeastern portion

[44] State of California Department of Finance. Population and Housing Estimates for Cities, Counties, and the State. January 2023. https://dof.ca.gov/Forecasting/Demographics/Estimates/estimates-e5-2010-2023/. Accessed December 2023.

of the site, which will be removed as part of the Project. The proposed Project includes commercial operations that would provide new jobs in the Lindsay area, which could be readily filled by the existing employment base, given the City's existing unemployment rates. The proposed Project will not affect any regional population, housing, or employment projections anticipated by City policy documents. There is ***no impact***.

Mitigation Measures: None are required.

XV. PUBLIC SERVICES

Would the project:

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

ENVIRONMENTAL SETTING

The proposed Project site is highly disturbed and consists primarily of vacant/disturbed land, with single family residences in the southeastern portion of the site, and some agricultural row crops in the central portion.

Lands directly surrounding the proposed Project are described as follows:

- North: Agricultural row crops
- South: SR 65, Agricultural land beyond the highway
- East: vacant/disturbed land
- West: Cedar Avenue, Agricultural row crop

REGULATORY SETTING

State

California Fire Code and Building Code

The Office of the State Fire Marshal (SFM) has authority for the building standards in the California Fire Code (CFC). The 2022 California Fire Code (Title 24, Part 9 of the California Code of Regulations) establishes regulations to safeguard against hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The Fire Code also establishes requirements intended to provide safety and assistance to fire fighters and emergency responders during emergency operations. The provision of the Fire Code includes regulations regarding fire-resistance rated construction, fire protection systems such as alarm and sprinkler systems, fire service features such as fire apparatus access roads, fire safety during construction and demolition, and wildland urban interface areas.

In addition, the proposed Project is being evaluated pursuant to CEQA.

Local

The City of Lindsay 2019 Housing Element requires the Project developer to pay the development impact fees, utility connection fees, and other applicable impact fees.

RESPONSES

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

   Fire protection?

Less than Significant Impact. The proposed Project site will be served by the City of Lindsay's combined police/fire facility, located approximately 1.4 miles southeast of the site at 185 North Gale Hill Avenue. Tulare County Fire Department is also located approximately 1.2 miles southwest of the site. The Project developer would be required to submit plans to the City Fire Department for review and approval prior to the issuance of building permits to ensure the Project would conform to applicable building codes and would provide an on-site fire hydrant system in the event of an on-site fire. The Project will also include new internal access roads that would provide access to emergency vehicles in the event of a fire and

would connect to the larger circulation system to ensure adequate provision of emergency access to the Project site. As such, any impacts would be less ***than significant***.

Police Protection?

Less than Significant Impact. The proposed Project includes development of a travel center with automobile and truck fueling facility, convenience market, two fast-food restaurants, stormwater retention basin, and other site improvements. The Project site is within the city limits and therefore would be served by the Lindsay Police Department. The Project's proximity to the existing station would support adequate service ratios, response times, and other performance objectives for police protection services. In addition, Project site development would be reviewed by the LPD for requirements related to crime protection in addition to adherence to the City's policies. The development may be subject to the Development Impact Fee for construction and acquisition costs for improvements to police protection services and facilities. For these reasons, it can be determined that the Project would not result in the need for new or altered facilities. The impact is ***less than significant.***

Schools?

No Impact. The proposed Project does not include any residential uses. The direct increase in demand for schools is normally associated with new residential projects that bring new families with school-aged children to a region. The proposed Project, therefore, would not result in an influx of new students in the Project area and is not expected to result in an increased demand for District resources and would not require the construction of new facilities. There is ***no impact***.

Parks?

No Impact. The Project would not result in an increase in demand for parks and recreation facilities because it would not result in an increase in population. Accordingly, the proposed Project would have ***no impacts*** on parks.

Other public facilities?

Less Than Significant Impact. Project implementation could increase the demand for other public services, such as courts, libraries, hospitals, etc. Increased demand as a result of the continued implementation of the Project could result in development or expansion of public facilities. Typical environmental impacts associated with the development of these facilities include air quality, greenhouse gas emissions, noise, traffic, etc. However, the proposed Project is within the land use and growth projections identified in the City's General Plan and other infrastructure studies. As a result, the Project would have a less than significant impact resulting from the construction or expansion of other public facilities.

Mitigation Measures: None are required.

XVI. RECREATION

Would the project:

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

ENVIRONMENTAL SETTING

The City of Lindsay provides its residents with several types of parks and recreational facilities. Parks are defined as land owned or leased by the City and used for public recreational purposes. The City's recreational resources consist of Olive Bowl Park and the Lindsay Wellness Center. The Wellness Center offers a variety of services to the residents of Lindsay including eight-lane swimming pool laboratory services, gym equipment and facility, exercise classes, physical therapy (including therapy pool), and special event rental facility.

REGULATORY SETTING

The proposed Project is being evaluated pursuant to CEQA; however, there are no additional federal, state or local regulations, plans, programs, and guidelines associated with recreation that are applicable to the proposed Project.

RESPONSES

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?

No Impact. The proposed Project does not include the development of residential uses and would not directly or indirectly induce population growth. Therefore, the proposed Project would not cause physical deterioration of existing recreational facilities from increased usage or result in the need for new or expanded recreational facilities. The Project would have no impact on existing parks. ***No impact*** would occur.

Mitigation Measures: None are required.

XVII. TRANSPORTATION/TRAFFIC

Would the project:

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

ENVIRONMENTAL SETTING

The proposed Project includes development of a travel center in the northwest portion of the City of Lindsay, at the NE corner of Cedar Ave and SR 65. The proposed site is approximately 9.86 acres, with a parcel split proposed as part of the Project to create two land parcels of approximately 6.28 acres and 3.58 acres. The proposed Project includes development on the 6.28-acre parcel, consisting of a 16-pump automobile fueling facility, a 6-pump truck fueling facility, a 5,440 sq.ft. convenience market, two fast-food restaurants, and a stormwater retention basin. The Project construction will also include associated parking, site landscaping, and lighting. A parcel split and a Conditional Use Permit is required to entitle the proposed development. The proposed Project is located entirely within the limits of the City of Lindsay.

A Traffic Impact Study (TIS) was conducted by LAV Pinnacle Consulting & Engineering Services on behalf of the proposed Project. The report can be found in its entirety in Appendix C. The following analysis is taken directly from the report.

The following is a description of streets in the vicinity of the site, which may be impacted to some extent by the Project.

State Route 65: Pursuant to the Surface Transportation Act of 1982 State Route 65 is a designated route for large trucks. State Route 65 commences in Bakersfield and runs northward roughly 94 miles through the cities and communities of Oildale, Ducor, Terra Bella, Strathsmore, Lindsay, and terminates at its intersection with State Route 198 just north of Exeter and about 8 miles east of Visalia. State Route 65 transitions back and forth between a two-lane rural highway and a four-lane expressway. In the vicinity of the Project, SR 65 is a two-lane undivided road with dedicated left and right turn lanes at major intersections. Caltrans and the County of Tulare have plans to re-align and reconstruct State Route 65, which will include the construction of a roundabout, located at the intersection of State Route 65 and Cedar Avenue. Construction is tentatively planned to commence in 2034.

Cedar Avenue: Cedar Avenue is a two-lane County road running between State Route 65 at its south end and terminating one mile north at its intersection with Avenue 240. Cedar Avenue is not a thoroughfare and provides access to agricultural property and less than ten residences. Cedar Avenue was surfaced in the past with asphalt concrete, but the pavement is old and in disrepair and missing in many locations.

As part of the SR 65 realignment project, Caltrans intend to realign Cedar north of it intersection (with SR 65) to tie into Oak Avenue. As previously mentioned above, Caltrans and the County of Tulare have plans to re-align and reconstruct State Route 65. As a part of the roundabout project, Cedar Ave will be realigned to the East to connect with Oak Ave.

North Spruce Avenue: North Spruce is a Tulare County Road which commences a mile south of SR 65 and runs north 9 miles paralleling SR 65 to its terminus at its intersection with State Route 198. North Spruce Road is a two-lane paved Tulare County Road with paved shoulders and is in a good state of repair. Traffic counts indicate that this is a well-used roadway. North Spruce Avenue is signalized at its intersection with State Route 65. A signal dedicated lane is provided for each movement from State Route 65; however, only a signal shared lane is provided for the north and south legs of this intersection.

West Tulare Avenue: West Tulare Avenue is a two lane, paved east-west road running through residential neighborhoods in the northern part of Lindsay. The west Terminus of West Tulare is its intersection with SR 65. West Tulare Avenue becomes East Tulare Avenue in the City of Lindsay and has a paved shoulder, curb, gutter and sidewalk over most of its length. Between SR 65 and 650 feet to the east, West Tulare Avenue has only paved shoulders. As part of the planned realignment of SR 65, West Tulare Avenue will be realigned to tie into Oak Avenue and its intersection with SR 65 will be removed.

REGULATORY SETTING

Federal

Federal Transit Administration

The Federal Transit Administration (FTA) is an authority that provides financial and technical assistance to local public transit systems, including buses, subways, light rail, commuter rail, trolleys, and ferries. The FTA is funded by Title 49 of the United States Code, which states the FTA's interest in fostering the development and revitalization of public transportation.

Americans with Disabilities Act of 1990

Titles I, II, III, IV, and V of the ADA have been codified in Title 42 of the United States Code, beginning at Section 12101. Title III prohibits discrimination on the basis of disability in "places of public accommodation" (businesses and nonprofit agencies that serve the public) and "commercial facilities" (other businesses). The regulation includes Standards for Accessible Design, which establish minimum standards for ensuring accessibility when designing and constructing a new facility or altering an existing facility.

State

Senate Bill (SB) 743

On September 27, 2013, Governor Jerry Brown signed SB 743 into law and codified a process that changed transportation impact analysis as part of CEQA compliance. SB 743 directs the California Office of Planning and Research (OPR) to administer new CEQA guidance for jurisdictions that removes automobile vehicle delay and LOS or other similar measures of vehicular capacity or traffic congestions from CEQA transportation analysis. Rather, it requires the analysis of VMT or other measures that "promote the reduction of greenhouse gas emissions, the development of multi-modal transportation networks, and a diversity of land uses," to be used as a basis for determining significant impacts to circulation in California. The goal of SB 743 is to appropriately balance the needs of congestion management with statewide goals related to reducing GHG emissions, encourage infill development, and promote public health through active transportation.

RESPONSES

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

Less than Significant Impact with Mitigation Incorporation. The Project is bounded by State Highway 65 along its southern frontage and Cedar Avenue along its western boundary. Ingress and egress from the Project is proposed from both State Highway 65 and Cedar Avenue. The site is laid out to facilitate circulation through fueling stations and eliminate queuing.

Project generated vehicular trips were estimated using the *Institute of Transportation Engineers Trip Generation Manual*, 11th Edition, hereinafter referred to as the ITE Manual. The ITE Manual provides mathematical correlations between various land uses and trip generation, i.e., the ITE Manual provides average trip rates for many land use types. Some ITE land uses also include fitted curves for trip generation rates. As discussed previously, the Project includes fueling for automobiles, a convenience market, truck fueling and fast food restaurants, one with drive through service.

The following Table 23 provides an ITE Code appropriate for each land use, provides the land use description, the independent variable, and a trip generation rate associated with each independent variable. In this case, the independent variable used for each land use is "gross leasable floor area", and "fueling positions". Table 23 also provides trip rates and total trip generation for the 24-hour average day, and the A.M. and P.M. peak hour, and the directional split for each scenario. Table 23 indicates an unadjusted total for all land uses as 8,712 average daily trips, and 765 and 655 peak hour trips for the morning and evening peak hours respectively. The challenge in accurately estimating trips is avoiding over-estimations. However, given agency restrictions on trip adjustment factors, this is only partially obtainable. A true Project-generated primary trip is one that departs from an origin, travels to the Project, and then returns to its origin; or vise-versa. In other words, the sole purpose of the trip was to visit the project site and then return to the origin, or vice versa.

Theoretically, any visit to the site for fuel counts as two trips: the arrival and the departure. This same theory applies to any other land uses such as fast food. If a motorist stops for gas and gets fast food at the same commercial center, they have theoretically created 4 trips. In this case, without adjustment factors, 4 trips would be added to the public roadway, when in fact only two were appropriate. Similarly, if someone stopped for fast food as part of the work to home commute, is it appropriate to state that the commercial facility caused two trips to be added to the public roadway? In this scenario, the work to home commute is the primary trip, and the only trip on the roadway. In this case the commercial center did not add traffic to the public road, and two trips should not be allocated to the project.

In another scenario, a trucker exits from a freeway to get gas and food, then returns to the freeway to continue onto their primary destination. In this case, it would be improper to add 4 project trips to the freeway. However, it is appropriate to add two trips to the freeway ramps and the cross-street since those facilities are impacted by the stop for food and gas.

To account for the above scenarios, adjustment factors have been developed which are intended to apply to basic trip generation calculation to yield realistic values.

In the following, trip types and said trip adjustment factors are discussed.

"Pass-bys": Briefly, ***"Pass-By***" trips are intermediate trips or stops taken as part of the primary trip. As an example, stopping at a highway commercial center for fuel or fast-food while commuting between home and work, (without diverted from the primary travel route), is considered a ***"pass-by"*** trip, i.e., in a proper traffic analysis, the stop at the commercial center, not being the purpose of the primary trip, should not be considered as project-generated trips to be added to the surrounding street network. Without a reduction for ***"pass-by"*** all intermediate stops during a primary trip would be improperly included in the summation of traffic volume contributed by the Project.

As discussed further in the section below, driveway surveys of similar facilities, performed by LAV//Pinnacle Engineering, have yielded pass-by rates of close to 100 percent. For analysis of Level of Service for this Project, a "pass-by" reduction of 20 percent was selected.

"Diverted-Link trips" are similar to "pass-bys" except these trips make a slight detour to reach an interim destination, then return to the original route to continue onto their primary destination. As an example, a diverted link trip would be exiting the freeway to reach the Project site, then returning to the freeway to continue the primary trip. Although "Diverted-Link" trips are not additive to freeway traffic, they nevertheless impact the freeway ramps and the cross street to reach said interim destination. However, given the Project fronts State Highway 65, (the source of the majority of trips), there are no "side routes" necessary to reach the Project site, and thus "diverted-link trips" were considered unlikely and not factored into final trip generation calculations, i.e., no deductions were taken for "diverted link trips."

Captured Trips: Another traffic phenomenon, ***"Capture"***, can be described as trips that are made internally within the limits of a mix use project. "Internally" means these trips do not return to the public street network between trips within the same site. Similar to the previous example provided, captured trips would include stopping for gas and fast food at different establishments within the same commercial center. Without an adjustment for "capture", four trips attributable to the Project, would be added to the public street network, when only two trips were appropriate: the arrival and the departure from the commercial center. Capture adjustments are intended to eliminate double and trip counting of project-generated trips.

Capture is appropriately applied to all types of trips, including primary, diverted link and passbys. Caltrans permits a reduction of 5% for "Capture".

Driveway Surveys: To accurately estimate "Pass-Bys", "Diverted Link" and "Captured" trips, driveway surveys were performed at a similar highway commercial establishment, located at the Southeast corner of Highway 65 and Avenue 128. Two surveys were performed during weekday peak and non-peak hours. Non-peak hours were included since the results for "Pass-By" and "Diverted Link" would likely be conservative given a lesser make-up of commuters. At the time of this study, the Chevron Station (and C-Store) ¼ mile west of the Project at the intersection of North Spruce Street and State Highway 65 was under construction, invalidating it as a suitable location for a driveway survey.

In both surveys, 100 percent of survey respondents indicated that their stop at said commercial center was not the primary purpose of their trip. All respondents indicated that they were traveling to other destinations. As stated, employee arrivals and departures are primary trips; the driveway surveys were random and no respondents indicated they were employees. Numerous surveys for establishments similar to the Project have been performed by the author of this report. These surveys were performed in both urban and rural areas. All yield similar results: nearly 100 percent of trips were either "pass-bys", "diverted link" trips, or a combination thereof. The surveys have been included in Appendix "C" herein.

Caltrans' Guide for the Preparation of Traffic Impact Studies sets a limit for "pass-by" and "capture" to 15 percent and five percent respectively. However, a larger reduction can be applied on the condition that the increased reduction is justified. Given the results of the surveys discussed above, a "pass-bys" reduction of 20 percent was considered conservative, and therefore appropriate for traffic analysis. After a discussion with Caltrans, the 20 reduction was approved for use in the study. Said correspondence has been included in Appendix "C" herein.

Table 23 shows said trip reduction taken for both "pass-bys" and "capture" at 20 percent and 5 percent respectively. Given these limited deductions, it is apparent that Project-generated trips allocated to the surrounding street network is certainly very conservative. Project-generated trip distribution figures have been shown in Appendix C.

Table 23
Trip Generation including Reductions

Commercial - Land Uses					*24 Hour Trips*		*A.M. Peak Hour Trips*				*P.M. Peak Hour Trips*			
Item No.	Proposed Land Use	ITE Code	Independent Variable		Trip Rate	Veh Trips (vpd)	Trip Rate	Veh Trips (vph)	Split In	Split Out	Trip Rate	Veh Trips (vph)	Split In	Split Out
1	Gasoline/Service Station w/Convenience Market (GFA 5.5-10k)	945	16	Gasoline Fueling Positions	345.75	5,532	31.60	506	253	253	26.90	430	215	215
2	Heavy Truck Fueling	950	6	Gasoline Fueling Positions	224.00	1,344	13.97	84	41	43	15.42	93	49	44
3	Fast-Food Restaurant w/ Drive-Through Window	934	2.0	Gross Leasable Floor Area (1k S.F.)	467.48	935	44.61	89	46	43	33.03	66	34	32
4	Fast-Food Restaurant w/o Drive-Through Window	933	2.0	Gross Leasable Floor Area (1k S.F.)	450.49	901	43.18	86	50	36	33.21	66	33	33
				Total Trips:		8,712		765	390	375		655	332	323
				20% Reduction for "Pass-by" - All Land Uses:		(1,742)		(153)	(78)	(75)		(131)	(66)	(65)
				5% Reduction for "Capture" - All Land Uses:		(436)		(38)	(20)	(19)		(33)	(17)	(16)
				Total Adjusted Trips:		6,534		574	293	281		491	249	243

There are no known additional roadways, roadway realignments, or road closures anticipated in the near future that would significantly change existing traffic patterns. Therefore, Project-generated trips were distributed on the existing street network assuming they would follow existing traffic patterns well into the future. Existing traffic patterns, again, were determined from traffic counts, traffic observations, and driveway surveys of the adjacent development.

Level of Service (LOS)

Level of Service (LOS) is the generally accepted gauge for describing the quality of operation of either a road segment or street intersection.

In accordance with Caltrans' requirement, various traffic scenarios were analyzed as part of the TIS to include present day traffic, and the addition of Project-generated traffic to existing (Year 2023), Project "Opening day" (Year 2025), and future traffic (Years 2035 & 2045). The TIS shows scenarios with poor Levels of Service (below "C"), and resultant LOS with mitigation improvements.[45]

Project-generated traffic was distributed onto the existing street network based on existing patterns. In accordance with agency criteria, any street segment or intersection, currently operating at or above

[45] Table 6, Table 7, Traffic Impact Study- Gas Station with Convenience Market, Fast Food Restaurants, and Truck Fueling Facility at Northeast Corner of State Highway 65 and Cedar Avenue, Tulare County, California. August 2023. Appendix C.

a "C" Level of Service, must be analyzed if it receives 50 or more Project-generated peak hour trips. If the facility currently operates at a "D", "E" or "F", the analysis threshold drops to 40, 20 and 10 trips, respectively.

Level of Service calculations are based on methods outlined in the *Highway Capacity Manual, 2016*. Computer software from "McTrans Highway Capacity" package was used to facilitate extensive calculations.

In accordance with Caltrans' requirement, various traffic scenarios were analyzed to include present day traffic, and the addition of Project-generated traffic to existing (Year 2023), Project "Opening day" (Year 2025), and future traffic (Years 2035 & 2045). The following lists the various specific scenarios that were analyzed and provides a reference to the appropriate figures.

Summaries of the Level of Service calculations for the various scenarios described have been included in the following tables:

- Table 24 shows the results of the intersection Level of Service calculations for all listed scenarios.
- Table 25 show the results of Level of Service calculations for various street segments for all listed scenarios.

The above list tables show scenarios with poor Levels of Service (below "C"), and resultant LOS with mitigation improvements.

Table 24
Intersection Level of Service (LOS) – Peak Hour

Legend: S = Signalized 1W = One Way Stop Control 4W = All Way Stop R = Roundabout

No.	Intersection	Time Period	Control	Northbound			Southbound			Eastbound			Westbound			Comp LOS	Intersection Delay (sec/veh)	Peak Hour Warrant Met (Yes/No)
				Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right			
1)	Hwy 65 & Cedar Ave	Year 2023 A.M. Existing	1W	-	-	-	-	-	-	C	-	-	-	-	-	C	15.4	No
		Year 2023 A.M. with Project	1W	-	-	-	-	F	-	D	-	-	-	-	-	F	2109.2	Yes
		Year 2025 A.M. without Project	1W	-	-	-	-	-	-	C	-	-	-	-	-	C	16.0	No
		Year 2025 A.M. with Project	1W	-	-	-	-	F	-	D	-	-	-	-	-	F	2482.5	Yes
		Year 2035 A.M. without Project	1W	-	-	-	-	-	-	C	-	-	-	-	-	C	20.4	No
		Year 2035 A.M. with Project	1W	-	-	-	-	F	-	F	-	-	-	-	-	F	8080.8	Yes
		Year 2045 A.M. without Project	1W	-	-	-	-	-	-	D	-	-	-	-	-	D	27.9	No
		Year 2045 A.M. with Project	1W	-	-	-	-	F	-	F	-	-	-	-	-	F	9954.1	Yes
		Year 2045 A.M. with Project Mitigated	S	-	-	-	-	E	D	F	A	-	-	-	-	C	32.5	N/A
		Year 2023 P.M. Existing	1W	-	-	-	-	-	-	B	-	-	-	-	-	B	11.4	No
		Year 2023 P.M. with Project	1W	-	-	-	-	F	-	B	-	-	-	-	-	F	517.7	Yes
		Year 2025 P.M. without Project	1W	-	-	-	-	-	-	B	-	-	-	-	-	B	11.7	No
		Year 2025 P.M. with Project	1W	-	-	-	-	F	-	C	-	-	-	-	-	F	583.1	Yes
		Year 2035 P.M. without Project	1W	-	-	-	-	-	-	B	-	-	-	-	-	B	13.4	No
		Year 2035 P.M. with Project	1W	-	-	-	-	F	-	C	-	-	-	-	-	F	1080.5	Yes
		Year 2045 P.M. without Project	1W	-	-	-	-	-	-	C	-	-	-	-	-	C	16.0	No
		Year 2045 P.M. with Project	1W	-	-	-	-	F	-	D	-	-	-	-	-	F	2166.9	Yes
		Year 2045 P.M. with Project Mitigated	S	-	-	-	-	E	D	B	A	-	-	-	-	B	10.2	N/A
2)	Hwy 65 & W Tulare Rd	Year 2023 A.M. Existing	1W	-	-	-	F	-	D	D	-	-	-	-	-	D	34.7	Yes
		Year 2023 A.M. with Project	1W	-	-	-	F	-	F	F	-	-	-	-	-	F	91.2	Yes
		Year 2025 A.M. without Project	1W	-	-	-	F	-	E	D	-	-	-	-	-	E	43.5	Yes
		Year 2025 A.M. with Project	1W	-	-	-	F	-	F	F	-	-	-	-	-	F	138.5	Yes
		Year 2035 A.M. without Project	1W	-	-	-	F	-	F	F	-	-	-	-	-	F	438.0	Yes
		Year 2035 A.M. with Project	1W	-	-	-	F	-	F	F	-	-	-	-	-	F	688.1	Yes
		Year 2045 A.M. without Project	1W	-	-	-	F	-	F	F	-	-	-	-	-	F	1365.1	Yes
		Year 2045 A.M. with Project	1W	-	-	-	F	-	F	F	-	-	-	-	-	F	2692.4	Yes
		Year 2045 A.M. with Project Mitigated	S	-	-	-	-	D	E	F	A	-	-	A	A	B	14.8	N/A

Table 24
Intersection LOS – Peak Hour (continued)

Legend: S = Signalized 1W = One Way Stop Control 4W = All Way Stop R = Roundabout

No.	Intersection	Time Period	Control	Northbound			Southbound			Eastbound			Westbound			Comp LOS	Intersection Delay (sec/veh)	Peak Hour Warrant Met (Yes/No)
				Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right			
2)	Hwy 65 & W Tulare Rd	Year 2023 P.M. Existing	1W	-	-	-	F	-	F	F	-	-	-	-	-	F	86.0	Yes
		Year 2023 P.M. with Project	1W	-	-	-	F	-	F	F	-	-	-	-	-	F	248.7	Yes
		Year 2025 P.M. without Project	1W	-	-	-	E	-	F	E	-	-	-	-	-	F	126.8	Yes
		Year 2025 P.M. with Project	1W	-	-	-	F	-	F	F	-	-	-	-	-	F	489.4	Yes
		Year 2035 P.M. without Project	1W	-	-	-	F	-	F	F	-	-	-	-	-	F	1109.1	Yes
		Year 2035 P.M. with Project	1W	-	-	-	F	-	F	F	-	-	-	-	-	F	4363.8	Yes
		Year 2045 P.M. without Project	1W	-	-	-	F	-	F	F	-	-	-	-	-	F	8617.4	Yes
		Year 2045 P.M. with Project	1W	-	-	-	F	-	F	F	-	-	-	-	-	F	32771.1	Yes
		Year 2045 P.M. with Project Mitigated	S	-	-	-	-	D	F	F	A	-	-	A	A	B	14.4	N/A
3)	Hwy 65 & W Hermosa St	Year 2023 A.M. Existing	S	E	B	B	E	B	B	D	D	-	D	D	D	C	28.5	N/A
		Year 2023 A.M. with Project	S	E	C	B	E	B	B	D	D	-	D	D	D	C	28.7	N/A
		Year 2025 A.M. without Project	S	E	C	B	E	B	B	D	D	-	D	C	D	C	29.0	N/A
		Year 2025 A.M. with Project	S	E	C	B	E	B	B	D	D	-	D	C	D	C	29.3	N/A
		Year 2035 A.M. without Project	S	E	C	C	E	B	B	D	D	-	D	C	C	C	33.2	N/A
		Year 2035 A.M. with Project	S	E	C	C	E	C	B	D	D	-	D	C	C	C	34.3	N/A
		Year 2045 A.M. without Project	S	E	F	C	E	D	C	D	D	-	D	C	C	E	62.0	N/A
		Year 2045 A.M. with Project	S	E	F	C	E	C	B	D	E	-	F	C	C	E	62.3	N/A
		Year 2023 P.M. Existing	S	E	B	B	E	B	B	D	D	-	E	D	D	C	26.7	N/A
		Year 2023 P.M. with Project	S	E	B	B	E	B	B	D	D	-	E	D	D	C	26.8	N/A
		Year 2025 P.M. without Project	S	E	B	B	E	B	B	D	D	-	D	D	D	C	27.2	N/A
		Year 2025 P.M. with Project	S	E	B	B	E	B	B	D	D	-	D	D	D	C	27.3	N/A
		Year 2035 P.M. without Project	S	E	C	C	E	C	B	D	D	-	D	C	D	C	30.6	N/A
		Year 2035 P.M. with Project	S	E	C	C	E	C	B	D	D	-	D	C	D	C	31.3	N/A
		Year 2045 P.M. without Project	S	E	D	C	E	C	B	D	D	-	D	C	C	D	36.9	N/A
		Year 2045 P.M. with Project	S	E	D	C	E	C	B	D	D	-	D	C	C	D	39.4	N/A

Table 24
Intersection LOS – Peak Hour (continued)

Legend: S = Signalized 1W = One Way Stop Control 4W = All Way Stop R = Roundabout

No.	Intersection	Time Period	Control	Northbound			Southbound			Eastbound			Westbound			Comp LOS	Intersection Delay (sec/veh)	Peak Hour Warrant Met (Yes/No)
				Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right			
4)	Hwy 65 & W Lindmore St	Year 2023 A.M. Existing	1W	A	-	-	A	-	-	E	-	B	E	-	B	A	9.8	No
		Year 2023 A.M. with Project	1W	A	-	-	A	-	-	F	-	B	F	-	B	B	10.4	No
		Year 2025 A.M. without Project	1W	A	-	-	A	-	-	E	-	B	E	-	B	B	10.0	No
		Year 2025 A.M. with Project	1W	A	-	-	B	-	-	F	-	B	F	-	B	B	10.6	No
		Year 2035 A.M. without Project	1W	A	-	-	B	-	-	F	-	B	F	-	B	B	11.2	No
		Year 2035 A.M. with Project	1W	B	-	-	B	-	-	F	-	B	F	-	B	B	12.4	No
		Year 2045 A.M. without Project	1W	B	-	-	B	-	-	F	-	B	F	-	B	B	14.0	No
		Year 2045 A.M. with Project	1W	B	-	-	B	-	-	F	-	B	F	-	B	C	17.0	No
		Year 2023 P.M. Existing	1W	A	-	-	B	-	-	F	-	B	E	-	B	B	11.4	No
		Year 2023 P.M. with Project	1W	B	-	-	B	-	-	F	-	B	F	-	B	B	12.7	No
		Year 2025 P.M. without Project	1W	A	-	-	B	-	-	F	-	B	F	-	B	B	12.1	No
		Year 2025 P.M. with Project	1W	B	-	-	B	-	-	F	-	B	F	-	B	B	13.6	No
		Year 2035 P.M. without Project	1W	B	-	-	B	-	-	F	-	B	F	-	B	B	19.1	No
		Year 2035 P.M. with Project	1W	B	-	-	B	-	-	F	-	B	F	-	B	B	24.3	No
		Year 2045 P.M. without Project	1W	B	-	-	B	-	-	F	-	B	F	-	C	F	60.7	No
		Year 2045 P.M. with Project	1W	C	-	-	C	-	-	F	-	C	F	-	C	F	85.6	No
5)	Hwy 65 & Marigold St	Year 2023 A.M. Existing	1W	A	-	-	A	-	-	C	-	A	B	-	B	B	8.6	No
		Year 2023 A.M. with Project	1W	A	-	-	A	-	-	C	-	A	C	-	B	B	8.9	No
		Year 2025 A.M. without Project	1W	A	-	-	A	-	-	C	-	A	B	-	B	B	8.6	No
		Year 2025 A.M. with Project	1W	A	-	-	A	-	-	C	-	A	C	-	B	B	9.0	No
		Year 2035 A.M. without Project	1W	A	-	-	A	-	-	C	-	A	C	-	B	B	9.1	No
		Year 2035 A.M. with Project	1W	A	-	-	A	-	-	C	-	B	C	-	B	B	9.5	No
		Year 2045 A.M. without Project	1W	A	-	-	A	-	-	D	-	B	C	-	B	B	9.6	No
		Year 2045 A.M. with Project	1W	A	-	-	B	-	-	D	-	B	C	-	B	B	10.1	No

Table 24
Intersection LOS – Peak Hour (continued)

Legend: S = Signalized 1W = One Way Stop Control 4W = All Way Stop R = Roundabout

No.	Intersection	Time Period	Control	Northbound			Southbound			Eastbound			Westbound			Comp LOS	Intersection Delay (sec/veh)	Peak Hour Warrant Met (Yes/No)
				Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right			
5)	Hwy 65 & Marigold St	Year 2023 P.M. Existing	1W	B	-	-	B	-	-	-	-	B	E	-	B	B	11.2	No
		Year 2023 P.M. with Project	1W	B	-	-	B	-	-	-	-	B	E	-	B	B	11.8	No
		Year 2025 P.M. without Project	1W	B	-	-	B	-	-	-	-	B	E	-	B	B	11.4	No
		Year 2025 P.M. with Project	1W	B	-	-	B	-	-	-	-	B	F	-	B	B	12.1	No
		Year 2035 P.M. without Project	1W	B	-	-	B	-	-	-	-	C	F	-	B	B	13.7	No
		Year 2035 P.M. with Project	1W	B	-	-	B	-	-	-	-	C	F	-	B	B	15.0	No
		Year 2045 P.M. without Project	1W	C	-	-	B	-	-	-	-	C	F	-	C	D	26.3	No
		Year 2045 P.M. with Project	1W	C	-	-	B	-	-	-	-	C	F	-	C	D	34.4	No
6)	Hwy 65 & Ave 208	Year 2023 A.M. Existing	1W	A	-	-	A	-	-	-	-	B	C	-	B	B	9.2	No
		Year 2023 A.M. with Project	1W	A	-	-	A	-	-	-	-	B	C	-	B	B	9.6	No
		Year 2025 A.M. without Project	1W	A	-	-	A	-	-	-	-	B	C	-	B	B	9.3	No
		Year 2025 A.M. with Project	1W	A	-	-	A	-	-	-	-	B	C	-	B	B	9.7	No
		Year 2035 A.M. without Project	1W	A	-	-	B	-	-	-	-	B	C	-	B	B	10.0	No
		Year 2035 A.M. with Project	1W	A	-	-	B	-	-	-	-	B	D	-	B	B	10.4	No
		Year 2045 A.M. without Project	1W	A	-	-	B	-	-	-	-	B	D	-	B	B	11.0	No
		Year 2045 A.M. with Project	1W	B	-	-	B	-	-	-	-	B	E	-	B	B	11.6	No
		Year 2023 P.M. Existing	1W	A	-	-	B	-	-	F	-	B	D	-	B	B	10.7	No
		Year 2023 P.M. with Project	1W	B	-	-	B	-	-	F	-	B	D	-	B	B	11.2	No
		Year 2025 P.M. without Project	1W	B	-	-	B	-	-	F	-	B	D	-	B	B	10.9	No
		Year 2025 P.M. with Project	1W	B	-	-	B	-	-	F	-	B	E	-	B	B	11.4	No
		Year 2035 P.M. without Project	1W	B	-	-	B	-	-	F	-	B	E	-	B	B	12.6	No
		Year 2035 P.M. with Project	1W	B	-	-	B	-	-	F	-	B	F	-	B	B	13.2	No
		Year 2045 P.M. without Project	1W	B	-	-	B	-	-	F	-	C	F	-	C	C	16.5	No
		Year 2045 P.M. with Project	1W	B	-	-	C	-	-	F	-	C	F	-	C	C	19.9	No

Table 24
Intersection LOS – Peak Hour (continued)

Legend: S = Signalized 1W = One Way Stop Control 4W = All Way Stop R = Roundabout

No.	Intersection	Time Period	Control	Northbound			Southbound			Eastbound			Westbound			Comp LOS	Intersection Delay (sec/veh)	Peak Hour Warrant Met (Yes/No)
				Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right			
7)	Hwy 65 & N Spruce Ave	Year 2023 A.M. Existing	S	-	E	-	-	D	-	E	B	-	F	B	B	C	24.0	N/A
		Year 2023 A.M. with Project	S	-	E	-	-	D	-	E	C	-	E	C	C	C	28.4	N/A
		Year 2025 A.M. without Project	S	-	E	-	-	D	-	E	B	-	F	B	C	C	25.1	N/A
		Year 2025 A.M. with Project	S	-	E	-	-	D	-	E	C	-	E	C	C	C	30.1	N/A
		Year 2035 A.M. without Project	S	-	E	-	-	D	-	E	C	-	F	C	D	D	35.7	N/A
		Year 2035 A.M. with Project	S	-	E	-	-	F	-	E	D	-	E	D	D	D	52.0	N/A
		Year 2045 A.M. without Project	S	-	E	-	-	F	-	E	D	-	E	D	E	E	69.2	N/A
		Year 2045 A.M. with Project	S	-	E	-	-	F	-	E	D	-	E	F	F	F	95.4	N/A
		Year 2045 A.M. with Project Mitigated	S	-	E	-	D	D	-	C	B	-	B	C	F	C	34.0	N/A
		Year 2023 P.M. Existing	S	-	E	-	-	D	-	E	C	B	E	C	B	C	25.5	N/A
		Year 2023 P.M. with Project	S	-	E	-	-	D	-	E	C	B	E	C	C	C	30.1	N/A
		Year 2025 P.M. without Project	S	-	E	-	-	D	-	E	C	B	E	C	B	C	26.9	N/A
		Year 2025 P.M. with Project	S	-	E	-	-	D	-	E	C	B	E	C	C	C	32.3	N/A
		Year 2035 P.M. without Project	S	-	E	-	-	D	-	E	D	B	E	D	C	D	45.0	N/A
		Year 2035 P.M. with Project	S	-	E	-	-	F	-	E	F	C	E	E	B	E	61.0	N/A
		Year 2045 P.M. without Project	S	-	E	-	-	F	-	E	F	B	E	F	C	F	88.0	N/A
		Year 2045 P.M. with Project	S	-	E	-	-	F	-	E	F	B	E	F	C	F	113.6	N/A
		Year 2045 P.M. with Project Mitigated	S	-	E	-	D	D	-	C	B	B	B	C	D	C	33.2	N/A
8)	Hwy 65 & Hwy 137	Year 2023 A.M. Existing	S	D	D	-	D	D	-	E	B	B	E	C	B	C	32.1	N/A
		Year 2023 A.M. with Project	S	D	D	-	D	D	-	E	C	B	E	C	B	C	32.4	N/A
		Year 2025 A.M. without Project	S	D	D	-	D	D	-	E	C	B	E	C	B	C	32.7	N/A
		Year 2025 A.M. with Project	S	D	D	-	D	D	-	E	C	B	E	C	B	C	33.0	N/A
		Year 2035 A.M. without Project	S	D	D	-	D	D	-	E	C	B	E	C	C	D	37.4	N/A
		Year 2035 A.M. with Project	S	D	D	-	D	D	-	E	C	B	E	D	C	D	38.9	N/A
		Year 2045 A.M. without Project	S	D	F	-	D	D	-	E	D	C	E	E	C	E	56.5	N/A
		Year 2045 A.M. with Project	S	D	F	-	D	D	-	E	E	C	E	F	C	E	64.4	N/A

Table 24
Intersection LOS – Peak Hour (continued)

Legend: S = Signalized 1W = One Way Stop Control 4W = All Way Stop R = Roundabout

No.	Intersection	Time Period	Control	Northbound			Southbound			Eastbound			Westbound			Comp LOS	Intersection Delay (sec/veh)	Peak Hour Warrant Met (Yes/No)
				Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right			
8)	Hwy 65 & Hwy 137	Year 2023 P.M. Existing	S	D	E	-	D	D	-	E	B	B	E	B	B	C	31.6	N/A
		Year 2023 P.M. with Project	S	D	E	-	D	D	-	E	B	B	E	C	B	C	31.8	N/A
		Year 2025 P.M. without Project	S	D	E	-	D	D	-	E	B	B	E	B	B	C	32.0	N/A
		Year 2025 P.M. with Project	S	D	E	-	D	D	-	E	B	B	E	C	B	C	32.4	N/A
		Year 2035 P.M. without Project	S	D	D	-	D	D	-	E	C	B	E	C	B	D	35.6	N/A
		Year 2035 P.M. with Project	S	D	D	-	D	D	-	E	C	B	E	C	C	D	36.8	N/A
		Year 2045 P.M. without Project	S	D	E	-	D	D	-	E	D	C	E	E	C	D	48.0	N/A
		Year 2045 P.M. with Project	S	D	F	-	D	D	-	E	D	C	E	E	C	D	53.3	N/A
9)	Hwy 137 & Road 188	Year 2023 A.M. Existing	1W	-	C	-	-	C	-	-	A	-	-	A	-	A	4.1	No
		Year 2023 A.M. with Project	1W	-	C	-	-	C	-	-	A	-	-	A	-	A	4.2	No
		Year 2025 A.M. without Project	1W	-	C	-	-	C	-	-	A	-	-	A	-	A	4.1	No
		Year 2025 A.M. with Project	1W	-	C	-	-	C	-	-	A	-	-	A	-	A	4.3	No
		Year 2035 A.M. without Project	1W	-	C	-	-	C	-	-	B	-	-	A	-	A	4.4	No
		Year 2035 A.M. with Project	1W	-	C	-	-	C	-	-	B	-	-	A	-	A	4.7	No
		Year 2045 A.M. without Project	1W	-	C	-	-	C	-	-	B	-	-	A	-	B	5.0	No
		Year 2045 A.M. with Project	1W	-	C	-	-	C	-	-	B	-	-	A	-	B	5.3	No
		Year 2023 P.M. Existing	1W	-	C	-	-	C	-	-	A	-	-	A	-	A	4.3	No
		Year 2023 P.M. with Project	1W	-	C	-	-	C	-	-	B	-	-	A	-	A	4.5	No
		Year 2025 P.M. without Project	1W	-	C	-	-	C	-	-	A	-	-	A	-	A	4.4	No
		Year 2025 P.M. with Project	1W	-	C	-	-	C	-	-	B	-	-	A	-	A	4.6	No
		Year 2035 P.M. without Project	1W	-	C	-	-	D	-	-	B	-	-	A	-	B	5.0	No
		Year 2035 P.M. with Project	1W	-	D	-	-	D	-	-	B	-	-	A	-	B	5.3	No
		Year 2045 P.M. without Project	1W	-	D	-	-	E	-	-	B	-	-	A	-	B	6.1	No
		Year 2045 P.M. with Project	1W	-	E	-	-	F	-	-	B	-	-	A	-	B	6.7	No

Table 24
Intersection LOS – Peak Hour (continued)

Legend: S = Signalized 1W = One Way Stop Control 4W = All Way Stop R = Roundabout

No.	Intersection	Time Period	Control	Northbound			Southbound			Eastbound			Westbound			Comp LOS	Intersection Delay (sec/veh)	Peak Hour Warrant Met (Yes/No)
				Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right			
10)	Hwy 137 & Road 180	Year 2023 A.M. Existing	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.5	No
		Year 2023 A.M. with Project	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.6	No
		Year 2025 A.M. without Project	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.5	No
		Year 2025 A.M. with Project	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.6	No
		Year 2035 A.M. without Project	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.6	No
		Year 2035 A.M. with Project	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.7	No
		Year 2045 A.M. without Project	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.7	No
		Year 2045 A.M. with Project	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.8	No
		Year 2023 P.M. Existing	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.6	No
		Year 2023 P.M. with Project	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.7	No
		Year 2025 P.M. without Project	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.6	No
		Year 2025 P.M. with Project	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.7	No
		Year 2035 P.M. without Project	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.7	No
		Year 2035 P.M. with Project	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.8	No
		Year 2045 P.M. without Project	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.8	No
		Year 2045 P.M. with Project	1W	-	B	-	-	B	-	-	A	-	-	A	-	A	3.9	No
11)	N Spruce Ave & Acacia Ave	Year 2023 A.M. Existing	1W	-	A	-	-	A	-	-	B	-	-	C	-	A	4.2	No
		Year 2023 A.M. with Project	1W	-	A	-	-	A	-	-	B	-	-	C	-	A	4.4	No
		Year 2025 A.M. without Project	1W	-	A	-	-	A	-	-	B	-	-	C	-	A	4.3	No
		Year 2025 A.M. with Project	1W	-	A	-	-	A	-	-	B	-	-	C	-	A	4.5	No
		Year 2035 A.M. without Project	1W	-	A	-	-	A	-	-	B	-	-	C	-	A	4.7	No
		Year 2035 A.M. with Project	1W	-	A	-	-	A	-	-	C	-	-	D	-	A	4.9	No
		Year 2045 A.M. without Project	1W	-	A	-	-	A	-	-	C	-	-	D	-	B	5.3	No
		Year 2045 A.M. with Project	1W	-	A	-	-	A	-	-	C	-	-	E	-	B	5.7	No

Table 24
Intersection LOS – Peak Hour (continued)

Legend: S = Signalized 1W = One Way Stop Control 4W = All Way Stop R = Roundabout

No.	Intersection	Time Period	Control	Northbound			Southbound			Eastbound			Westbound			Comp LOS	Intersection Delay (sec/veh)	Peak Hour Warrant Met (Yes/No)
				Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right			
11)	N Spruce Ave & Acacia Ave	Year 2023 P.M. Existing	1W	-	A	-	-	A	-	-	B	-	-	C	-	A	4.1	No
		Year 2023 P.M. with Project	1W	-	A	-	-	A	-	-	B	-	-	C	-	A	4.2	No
		Year 2025 P.M. without Project	1W	-	A	-	-	A	-	-	B	-	-	C	-	A	4.1	No
		Year 2025 P.M. with Project	1W	-	A	-	-	A	-	-	B	-	-	C	-	A	4.2	No
		Year 2035 P.M. without Project	1W	-	A	-	-	A	-	-	B	-	-	C	-	A	4.4	No
		Year 2035 P.M. with Project	1W	-	A	-	-	A	-	-	B	-	-	D	-	A	4.6	No
		Year 2045 P.M. without Project	1W	-	A	-	-	A	-	-	B	-	-	D	-	A	4.9	No
		Year 2045 P.M. with Project	1W	-	A	-	-	A	-	-	C	-	-	E	-	B	5.1	No
12)	N Spruce Ave & Sycamore Ave	Year 2023 A.M. Existing	4W	F	-	-	F	-	-	C	-	-	C	-	-	F	56.9	No
		Year 2023 A.M. with Project	4W	F	-	-	F	-	-	C	-	-	C	-	-	F	76.8	No
		Year 2025 A.M. without Project	4W	F	-	-	F	-	-	C	-	-	C	-	-	F	67.1	Yes
		Year 2025 A.M. with Project	4W	F	-	-	F	-	-	C	-	-	C	-	-	F	92.1	Yes
		Year 2035 A.M. without Project	4W	F	-	-	F	-	-	E	-	-	D	-	-	F	165.7	Yes
		Year 2035 A.M. with Project	4W	F	-	-	F	-	-	E	-	-	D	-	-	F	200.9	Yes
		Year 2045 A.M. without Project	4W	F	-	-	F	-	-	E	-	-	D	-	-	F	1196.2	Yes
		Year 2045 A.M. with Project	4W	F	-	-	F	-	-	F	-	-	F	-	-	F	1371.0	Yes
		Year 2045 A.M. with Project Mitigated	S	B	C	-	B	C	B	D	D	D	D	D	D	C	33.7	N/A
		Year 2023 P.M. Existing	4W	D	-	-	C	-	-	B	-	-	B	-	-	C	21.9	No
		Year 2023 P.M. with Project	4W	D	-	-	C	-	-	B	-	-	B	-	-	C	23.5	No
		Year 2025 P.M. without Project	4W	E	-	-	C	-	-	B	-	-	B	-	-	D	26.9	No
		Year 2025 P.M. with Project	4W	F	-	-	C	-	-	B	-	-	B	-	-	D	34.0	No
		Year 2035 P.M. without Project	4W	F	-	-	D	-	-	C	-	-	B	-	-	F	166.5	Yes
		Year 2035 P.M. with Project	4W	F	-	-	E	-	-	C	-	-	B	-	-	F	208.5	Yes
		Year 2045 P.M. without Project	4W	F	-	-	F	-	-	D	-	-	C	-	-	F	515.3	Yes
		Year 2045 P.M. with Project	4W	F	-	-	F	-	-	D	-	-	C	-	-	F	582.5	Yes
		Year 2045 P.M. with Project Mitigated	S	A	B	-	B	B	A	-	E	D	-	E	D	C	25.7	N/A

Table 25a
Street Segment LOS for AM Peak Hour

Item	Street Segment	Limits	Existing # of Laneage	Year 2023 Existing A.M. Volumes (Figure 2) Level of Service (LOS)	Year 2023 A.M. Plus Project Traffic (Figure 5A) Level of Service (LOS)	Year 2025 A.M. Without Project Traffic (Figure 6A) Level of Service (LOS)	Year 2025 A.M. Plus Project Traffic (Figure 7A) Level of Service (LOS)	Year 2035 A.M. Without Project Traffic (Figure 8A) Level of Service (LOS)	Year 2035 A.M. Plus Project Traffic (Figure 9A) Level of Service (LOS)	Year 2045 A.M. Without Project Traffic (Figure 8A) Level of Service (LOS)	Year 2045 A.M. Plus Project Traffic (Figure 9A) Level of Service (LOS)
1	Hwy 65	Cedar Ave/ Tulare Rd	2	E	E	E	E	E	E	F	F
2	Hwy 65	Tulare Rd/ Hermosa St	4	A	A	A	A	A	A	A	A
3	Hwy 65	Hermosa St/ Lindmore St	4	A	A	A	A	A	A	A	A
4	Hwy 65	Lindmore St/ Marigold St	4	A	A	A	A	A	A	A	A
5	Hwy 65	Marigold St/ Ave 208	4	A	A	A	A	A	A	A	A

Table 25a
Street Segment LOS for AM Peak Hour (continued)

Item	Street Segment	Limits	Existing # of Laneage	Year 2023 Existing A.M. Volumes (Figure 2) Level of Service (LOS)	Year 2023 A.M. Plus Project Traffic (Figure 5A) Level of Service (LOS)	Year 2025 A.M. Without Project Traffic (Figure 6A) Level of Service (LOS)	Year 2025 A.M. Plus Project Traffic (Figure 7A) Level of Service (LOS)	Year 2035 A.M. Without Project Traffic (Figure 8A) Level of Service (LOS)	Year 2035 A.M. Plus Project Traffic (Figure 9A) Level of Service (LOS)	Year 2045 A.M. Without Project Traffic (Figure 8A) Level of Service (LOS)	Year 2045 A.M. Plus Project Traffic (Figure 9A) Level of Service (LOS)
6	Hwy 65	Cedar Ave/ N Spruce Ave	2	E	E	E	E	E	E	F	F
7	Hwy 65	N Spruce Ave/ Hwy 137	2	D	D	D	D	E	E	E	E
8	Hwy 137	Hwy 65/ Road 188	2	D	D	D	D	D	D	D	D
9	Hwy 137	Road 188/ Road 180	2	C	C	C	C	C	C	C	C
10	N Spruce Ave	Hwy 65/ Acacia Ave	2	D	D	D	D	D	D	E	E
11	N Spruce Ave	Acacia Ave/ Sycamore Ave	2	D	D	D	D	D	D	D	D

Table 25b
Street Segment LOS for PM Peak Hour

Item	Street Segment	Limits	Existing # of Laneage	Year 2023 Existing P.M. Volumes (Figure 2) Level of Service (LOS)	Year 2023 P.M. Plus Project Traffic (Figure 5B) Level of Service (LOS)	Year 2025 P.M. Without Project Traffic (Figure 6B) Level of Service (LOS)	Year 2025 P.M. Plus Project Traffic (Figure 7B) Level of Service (LOS)	Year 2035 P.M. Without Project Traffic (Figure 8B) Level of Service (LOS)	Year 2035 P.M. Plus Project Traffic (Figure 9B) Level of Service (LOS)	Year 2045 P.M. Without Project Traffic (Figure 8B) Level of Service (LOS)	Year 2045 P.M. Plus Project Traffic (Figure 9B) Level of Service (LOS)
1	Hwy 65	Cedar Ave/ Tulare Rd	2	E	E	E	E	F	F	F	F
2	Hwy 65	Tulare Rd/ Hermosa St	4	A	A	A	A	A	A	A	A
3	Hwy 65	Hermosa St/ Lindmore St	4	A	A	A	A	A	A	A	A
4	Hwy 65	Lindmore St/ Marigold St	4	A	A	A	A	A	A	A	A
5	Hwy 65	Marigold St/ Ave 208	4	A	A	A	A	A	A	A	A

Table 25b
Street Segment LOS for PM Peak Hour

Item	Street Segment	Limits	Existing # of Laneage	Year 2023 Existing P.M. Volumes (Figure 2) Level of Service (LOS)	Year 2023 P.M. Plus Project Traffic (Figure 5B) Level of Service (LOS)	Year 2025 P.M. Without Project Traffic (Figure 6B) Level of Service (LOS)	Year 2025 P.M. Plus Project Traffic (Figure 7B) Level of Service (LOS)	Year 2035 P.M. Without Project Traffic (Figure 8B) Level of Service (LOS)	Year 2035 P.M. Plus Project Traffic (Figure 9B) Level of Service (LOS)	Year 2045 P.M. Without Project Traffic (Figure 8B) Level of Service (LOS)	Year 2045 P.M. Plus Project Traffic (Figure 9B) Level of Service (LOS)
6	Hwy 65	Cedar Ave/ N Spruce Ave	2	E	E	E	E	E	E	F	F
7	Hwy 65	N Spruce Ave/ Hwy 137	2	D	D	D	D	E	E	E	E
8	Hwy 137	Hwy 65/ Road 188	2	D	D	D	D	D	D	D	D
9	Hwy 137	Road 188/ Road 180	2	C	C	C	C	C	C	C	C
10	N Spruce Ave	Hwy 65/ Acacia Ave	2	D	D	D	D	D	D	D	D
11	N Spruce Ave	Acacia Ave/ Sycamore Ave	2	D	D	D	D	D	D	D	D

Traffic Signal Warrant Analysis

Non-signalized intersections within a Project's vicinity are typically analyzed for satisfaction of the Peak Hour Volume Warrant as described in Section 9 of the **Caltrans Traffic Manual** and the **Manual of Uniform Traffic Control Devices**. A brief explanation of the intersection warrant analysis is provided as follows:

The Manual of Uniform Traffic Control Devices (MUTCD) prescribes "tests" which are conducted to determine the need for installation of a traffic signal. These "tests" are referred to as "warrants". The MUTCD list minimum signal "warrants", which have been adopted by the California Department of Transportation and most California agencies, including the City of Lindsay and the County of Tulare. These "warrants" consist of evaluation of various criteria that have been determined as critical for the installation of a signal. The warrant criterion has been derived empirically.

In actual practice, justification for signal installation is usually based on satisfaction of a number of warrants as well as poor Levels of Service for multiple movements. In keeping within the scope of this traffic study, non-signalized intersections were evaluated for signalization, including expansion of the intersection, based solely on satisfaction of said Peak Hour Signal Warrant and a poor level of service.

As shown in Table 8 of Appendix C, the intersection of State Route 65 and Cedar Avenue, by the Year 2025, with the addition of Project-generated traffic, satisfies the Peak Hour Warrant. In addition, the intersection of State Route 65 and W. Tulare Road satisfies the Peak Hour Warrant under existing traffic volumes, without the addition of Project-generated traffic.

Project's Pro-Rata Share of Mitigation

In a scenario where degradation of a facility's LOS to less than "C" is attributable to Project generated traffic, the Project pro-rata share of mitigation necessary to restore a "C" LOS. If a facility's pre-project LOS was a "D" or worse, mitigation is only required to restore the LOS to the pre-project condition. Again, if the LOS degradation is not attributable to the Project, the developer has no obligation to fund mitigation.

For mitigation improvements inside the Caltrans right of way, the equation is the ratio of Project traffic to the difference of future traffic and current existing traffic. Again, the total Year 2042 traffic includes Project or cumulative project trips. The equation is as follows:

$$Caltrans\ Pro-Rata\ Share = \frac{Project\ Traffic}{Total\ Future\ Traffic - Current\ Existing\ Traffic}$$

In any present day or future year scenario, degradation of the LOS of a street segment to less than "C", whether or not attributable to Project-traffic, was considered justification for mitigation. However, as discussed previously, the Project may or may not be obligated to fund such mitigation.

It should be noted that in the analysis of an intersection, every through and turning movement is evaluated for its own Level of Service (LOS). However, the average estimated delay of all vehicles passing through the intersection is used to determine a composite, or average LOS. The composite level of service is used to determine if mitigation is required. In the following, the need for mitigation is discussed for every intersection and street segment within the scope of this study.

Street segment LOS for analyzed traffic scenarios are shown in Tables 25a and 25b. The addition of Project-generated traffic under any present day or future scenario did not degrade the LOS; therefore, no mitigation is warranted.

As shown in Table 24, there are four intersections that are anticipated to degrade or currently function at an unsatisfactory LOS. In the following, each intersection within the scope of this study is discussed including the need for mitigation and Project obligation for funding such:

- **State Route 65 and W. Tulare Avenue** - At this intersection W. Tulare "tees" into SR 65 and is stop controlled. At its intersection with SR 65 W. Tulare Avenue is striped only for one lane, but it is wide enough for two side by side vehicles, and functions as if it had a dedicated right turn lane. Under present day traffic volumes, this intersection has been shown to operate at a Level of Service (LOS) of "D" during the peak hours. However, the addition of Project-generated traffic does not degrade the intersection further. Similarly, under anticipated traffic for Year 2045 during peak hours, this intersection has been calculated to operate at a LOS of "F", but again, the addition of Project-generated traffic does not degrade it further. Signalization of this intersection would improve its LOS to an "A". However, with Caltrans' SR 65 project, W. Tulare Road will be realigned to intersect with Oak Avenue and its intersection with SR 65 will be removed. Therefore, other than striping W. Tulare Road for a dedicated right turn lane, no mitigation improvements are recommended. In any event, Project-generated traffic does not degrade the LOS under existing or future traffic scenarios. Therefore, the Project has no obligation for funding mitigation improvements.

- **State Route 65 and Cedar Avenue** – Option 1: Installation of a Traffic Signal. Cedar Avenue "tees" into SR 65 and is stop controlled. Under existing conditions, without the addition of Project-generated traffic, this intersection currently functions at an LOS of "C". However, under both present day and future year scenarios, the addition of Project-generated traffic degrades the LOS to less than "C". Installation of a traffic signal at this intersection will

improve the LOS to a "C" and better through the year 2045. However, Caltrans' future project has planned a roundabout at this same location. If installed, a traffic signal would have to be removed when Caltrans commences its SR 65 project. Due to the planned roundabout, Caltrans has rejected the interim installation of a traffic signal, preferring a roundabout to be constructed as scheduled with their SR 65 project.

As previously indicated, when there is adequate area for construction and other conditions warrant, roundabouts are often preferred over traffic signals. The following provides some of the positive attributes of roundabouts:

a) Enhanced Safety: For roadways with Average Daily Traffic (ADT) between 20,000 and 40,000, the U.S. Department of Transportation, Federal Highways Administration indicates roundabouts have more than 60 percent less accidents than signalized intersections. Roadways in excess of 40,000 ADT have shown over a 50 percent decrease in accidents. State Highway 65 has an ADT slightly more than 20,000.

b) Vehicles idle less, resulting in less fuel consumption, translating to less emissions and pollution.

c) Less delays, resulting in a better Level of Service.

d) Traffic Calming: Although not a primary consideration at this time, traffic calming may be a benefit in the future as development occurs along the SR 65 corridor.

It is acknowledged that signalized intersections process bicyclists and pedestrians more efficiently. However, during traffic counts performed for this study, there were no observations of either pedestrians or bicyclists along SR 65. State Route 65 and Cedar Avenue – Option 2: Installation of a Roundabout. Again, without mitigation improvements, this intersection by the year 2045 has been estimated to degrade to LOS's of "F" for both the morning and evening peak hours. As shown in Table 7 herein, the installation of a 2-lane roundabout will improve the morning and evening peak hour LOS's to "C" and "D" respectively. As discussed, the roundabout is Caltrans' preferred option, and ground-breaking for their SR 65 project, including all roundabouts, is scheduled for 2035. Therefore, until Caltrans commences the SR 65 realignment project, proposed mitigation is to keep the "tee" intersection of Cedar as stop-controlled and reconstruct Cedar Avenue along the Project frontage providing dedicated lanes for each movement at the intersection. If Cedar is realigned to the north, the segment fronting the project would remain to provide full ingress and egress to and from the Project. This segment will also provide substantial storage, should

the need for queuing arise. Implementation of Mitigation Measure TRA-1, as provided in Table 26, will reduce impacts to this intersection to less than significant.

- **State Route 65 and North Spruce Avenue** - SR 65 and North Spruce Avenue is currently signalized with protected left turns for all legs. The North Spruce Avenue legs have single shared lanes for all movements. The westbound/northbound approach of SR 65 has single dedicated lanes for all movements, and the eastbound/southbound approach has dedicated lanes for left turns and the through movement. The westbound/northbound approach doesn't have a striped dedicated right turn lane but the expanded shoulder for this approach is effectively used for such.

  Under existing conditions, this intersection currently operates at a LOS of "C" and is not degraded further with the addition of Project-generated traffic. Similarly, in the Year 2035, this intersection, without the addition of Project-generated traffic is anticipated to operate at a LOS of "D" but is not degraded further with the addition of Project-generated traffic. With anticipated growth by the Year 2045, and without the addition of Project generated traffic, this intersection is anticipated to degrade to a LOS of "E" and "F" for the morning and evening peak hours, respectively. With addition of Project-generated traffic during year 2045, the morning peak hour LOS degrades to an "F", but the evening remains at an "F".

  Since the addition of Project-generated traffic degraded the Year 2045 morning peak hour LOS from an "E" to an "F", the Project has an obligation to provide sufficient mitigation to restore the intersection to a pre-project LOS. In this case the Project must at least restore the intersection to a LOS of "E". With Year 2045 traffic, plus Project-generated traffic, expanding the north approach of North Spruce Avenue to provide single dedicated lane for each movement, i.e. one left turn lane, one through lane, and a right turn lane, and adding an additional through lane for the east and west approaches of Highway 65, will improve the intersection LOS to a "D". Implementation of Mitigation Measure TRA-2, as provided in Table 26, will reduce impacts to this intersection to less than significant.

  North Spruce Avenue and Sycamore Avenue - Under present day traffic volumes, this intersection has been shown to operate at a Level of Service (LOS) of "F". However, the addition of Project-generated traffic does not degrade the LOS further. Signalization of this intersection would theoretically improve the LOS to an "C". However, since Project-generated traffic did not degrade the intersection LOS further, the Project has no obligation to fund mitigation.

Table 26
Project Pro-Rata Share

		2045 A.M. Peak Hour				2045 P.M. Peak Hour				Weighted Average - Project Pro-Rata Share
Location	**Mitigation**	**Total Traffic Year 2022**	**Total Traffic Year 2042**	**Project Generated Traffic**	**Project Pro-Rata Share**	**Total Traffic Year 2022**	**Total Traffic Year 2042**	**Project Generated Traffic**	**Project Pro-Rata Share**	
SR 65 and Cedar Ave	Expand Intersection to provide dedicated turn lanes	1,959	2,760	419	52%	1,601	2,242	363	57%	54%
SR 65 and N Spruce Ave	Widened for Additional Lanes	2,418	3,528	286	26%	2,474	3,639	234	20%	23%

Notes:

1. Pro-rata Share for mitigation in Caltrans' right of way calculated using the Caltrans pro-rata share formula: (Project Traffic/ (Future Traffic-Present Traffic))

Project development would be in accordance with alternative transportation policies included in the City of Lindsay General Plan, the Tulare County Regional Transportation Plan, and any other adopted policies, plans or programs supporting alternative transportation. Incorporating mitigation measures will ensure Project implementation is in accordance with the City of Lindsay General Plan. As such, any impacts are considered ***less than significant with mitigation incorporation***.

Mitigation Measures:

TRA-1 The intersection at State Route 65 and Cedar Avenue shall be expanded to provide dedicated turn lanes at the weighted Pro-Rata Share of 54%.

TRA-2 The intersection at State Route 65 and N Spruce Avenue shall be widened for additional lanes at the weighted Pro-Rate Share of 23%.

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

Less than Significant Impact with Mitigation Incorporation. The California Legislature, through Senate Bill 746, Senate Bill 32, and Executive Order, have required the California Environmental Quality Act (CEQA) to consider the effects of a project on the surrounding transportation system, with Vehicle Miles Traveled (VMT) as an appropriate measure of impact. The specific goal is reduction of greenhouse gas emission by reducing reliance on individual vehicles, improving mass transit, and reduction in trip length via denser infill development.

Senate Bill 32 requires the State of California to reduce greenhouse gas emission to 40 percent below 1990 levels by Year 2030; and Executive Order requires reduction of greenhouse gas emission to 90 percent below 1990 levels by Year 2050.

The calculation of VMT of any project, simply put, is the number of project-generated trips multiplied by the travel length of each trip. Obviously, there is no completely precise method for determining VMT for any project prior to development and occupancy; however, the best available data must be used for estimating both project-generated trips and trip length.

The phenomena of "Capture", "Pass-by" and "Diverted Link" trips have been previously discussed. However, trip reductions taken for these phenomena for the purpose of Level of Service (LOS) analysis are typically limited by agency standards. This ensures a conservative analysis of Level of Service

(LOS) impact. For determination of VMT, this analysis has defaulted to rates obtained from driveway surveys. As indicated earlier, multiple field surveys of the adjacent highway commercial development as well as other similar facilities virtually all Project generated trips are "pass-bys" trips do not contribute to VMT. Since all vehicles must eventually stop for fuel, it can be argued that any other fueling destination would not be a lesser distance traveled than the Project. As such, impacts resulting from generating VMT are ***less than significant.***

Mitigation Measures: None are required.

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

d. Result in inadequate emergency access?

Less Than Significant. The Project will not conflict with any congestion management programs, as none are applicable to the Project. No roadway design features associated with this proposed Project would result in an increase in hazards due to a design feature or be an incompatible use. Any impacts would be considered ***less than significant.***

XVIII. TRIBAL CULTURAL RESOURCES

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

ENVIRONMENTAL SETTING

Federal

The National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) established federal regulations for the purpose of protecting significant cultural resources. The legislation established the National Register of Historic Places and the National Historic Landmarks Program. It mandated the establishment of the Office of Historic Preservation, responsible for implementing statewide historic preservation programs in each state.

State

California State Office of Historic Preservation (OHP)

The California State Office of Historic Preservation (OHP) is responsible for administering federally and state mandated historic preservation programs to further the identification, evaluation, registration and protection of California's irreplaceable archaeological and historical resources under the direction of the State Historic Preservation Officer (SHPO), appointed by the governor, and the State Historical Resources Commission, a nine-member state review board appointed by the governor.

Among OHP's responsibilities are identifying, evaluating, and registering historic properties; and ensuring compliance with federal and state regulations. The OHP administers the State Register of Historical Resources and maintains the California Historical Resources Information System (CHRIS) database. The CHRIS database includes statewide Historical Resources Inventory (HRI) database. The records are maintained and managed under contract by eleven independent regional Information Centers. Tulare, Fresno, Kern, Kings and Madera counties are served by the Southern San Joaquin Valley Information Center (Center), located in Bakersfield, CA. The Center provides information on known historic and cultural resources to governments, institutions and individuals.[46]

A historical resource may be eligible for inclusion in the California Register of Historical Resources (CRHR) if it:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important to our past;

[46] California Office of Historic Preservation, Mission and Responsibilities, https://ohp.parks.ca.gov/?page_id=1066, Accessed December 2023.

- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.[47]

Tribal Consultation Requirements: AB 52 (Gatto, 2014)[48]

This bill was approved by Governor Brown on September 25, 2014 and became effective July 1, 2015. This bill amended Section 5097.94 of, and to add Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3 to, the Public Resources Code, relating to Native Americans. The bill specifies that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource, as defined, is a project that may have a significant effect on the environment. This bill requires a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated (can be a tribe anywhere within the State of California) with the geographic area of the proposed project, if the tribe requested to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area and the tribe requests consultation, prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.

Existing law establishes the Native American Heritage Commission (NAHC) and vests the commission with specified powers and duties. This bill required the NAHC to provide each California Native American tribe, as defined, on or before July 1, 2016, with a list of all public agencies that may be a lead agency within the geographic area in which the tribe is traditionally and culturally affiliated, the contact information of those agencies, and information on how the tribe may request those public agencies to notify the tribe of projects within the jurisdiction of those public agencies for the purposes of requesting consultation.

The NAHC provides protection to Native American burials from vandalism and inadvertent destruction, provides a procedure for the notification of most likely descendants regarding the discovery of Native American human remains and associated grave goods, brings legal action to prevent severe and irreparable damage to sacred shrines, ceremonial sites, sanctified cemeteries and place of worship on public property, and maintains an inventory of sacred places.[49]

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[47] California Office of Historic Preservation, California Register of Historical Resources: Criteria for Designation. https://ohp.parks.ca.gov/?page_id=21238. Accessed December 2023.

[48] Assembly Bill No. 52, Chapter 532. http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52. Accessed December 2023.

[49] Native American Heritage Commission, About the Native American Heritage Commission http://nahc.ca.gov/about/. Accessed December 2023.

The NAHC performs a Sacred Lands File search for sites located on or near the Project site upon request. The NAHC also provides local governments with a consultation list of tribal governments with traditional lands or cultural places located within the Project Area of Potential Effect. The City sent letters to the tribal governments listed by the NAHC on February 23, 2024 as required by AB 52 to the following Tribes:

- Big Sandy Rancheria of Western Mono Indians
- Tule River Indian Tribe
- Wuksache Indian Tribe/Eshom Valley Band

RESPONSES

a-i, a-ii. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k) or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less than Significant Impact with Mitigation Incorporation. A Tribal Cultural Resource (TCR) is defined under Public Resources Code section 21074 as a site, feature, place, cultural landscape that is geographically defined in terms of size and scope, sacred place, and object with cultural value to a California Native American tribe that are either included and that is listed or eligible for inclusion in the California Register of Historic Resources or in a local register of historical resources, or if the City of Lindsay, acting as the Lead Agency, supported by substantial evidence, chooses at its discretion to treat the resource as a TCR.

As discussed above, under Section V, Cultural Resources, criteria (b) and (d), no known archeological resources, ethnographic sites or Native American remains are located on the proposed Project site. As discussed under criterion (b) implementation of Mitigation Measure CUL-1 would reduce impacts to unknown archaeological deposits, including TCRs, to a less than significant level. As discussed under criterion (d), compliance with California Health and Safety Code Section 7050.5 would reduce the likelihood of disturbing or discovering human remains, including those of Native Americans. Any impacts to TCR would be considered ***less than significant with mitigation incorporation***.

Mitigation Measures: See CUL-1. No additional measures are required.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

ENVIRONMENTAL SETTING

Utilities required to serve the proposed Project would include water, sanitary sewer, storm drainage, electricity, and telecommunications infrastructure. Water service, sewage disposal and refuse collection would be provided by the City of Lindsay or its contractors.

REGULATORY SETTING

State

State Water Resources Control Board (SWRCB)

Waste Discharge Requirements Program. State regulations pertaining to the treatment, storage, processing, or disposal of solid waste are found in Title 27, CCR, Section 20005 et seq. (hereafter Title 27). In general, the Waste Discharge Requirements (WDRs) Program (sometimes also referred to as the "Non Chapter 15 (Non 15) Program") regulates point discharges that are exempt pursuant to Subsection 20090 of Title 27 and not subject to the Federal Water Pollution Control Act. Exemptions from Title 27 may be granted for nine categories of discharges (e.g., sewage, wastewater, etc.) that meet, and continue to meet, the preconditions listed for each specific exemption. The scope of the WDRs Program also includes the discharge of wastes classified as inert, pursuant to section 20230 of Title 2744. Several SWRCB programs are administered under the WDR Program, including the Sanitary Sewer Order and recycled water programs.

National Pollutant Discharge Elimination System (NPDES) Permit

As authorized by the Clean Water Act (CWA), the National Pollutant Discharge Elimination System (NDPES) Permit Program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. In California, it is the responsibility of Regional Water Quality Control Boards (RWQCB) to preserve and enhance the quality of the state's waters through the development of water quality control plans and the issuance of waste discharge requirements (WDRs). WDRs for discharges to surface waters also serve as NPDES permits. Tulare County is within the Central Valley RWQCB's jurisdiction.

In addition, the proposed Project is being evaluated pursuant to CEQA.

RESPONSES

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

Less than Significant Impact. The proposed Project includes development of a travel center on an approximately 6.28-acre Parcel 1, consisting of a 16-pump automobile fueling facility, a 6-pump truck fueling facility, a convenience market, two fast-food restaurants, and a stormwater retention basin. The Project construction will also include associated parking, site landscaping, and lighting.

The proposed site is within city limits and designated as Highway Commercial, such as the proposed Project. Thus, the proposed development would be required to connect to water, stormwater, solid waste, and wastewater services. Natural gas, electricity, and telecommunications would be provided by private companies. The Project site is located within the service territory of the City's wastewater treatment plant and the City Services Department regularly monitors the waste discharge to meet City requirements.

As discussed in Section X, Hydrology and Water Quality, with an increase in the area of impervious surfaces on the Project site, an increase in the amount of storm water runoff is anticipated. The site will be designed so that storm water is collected and deposited in the City's existing storm drain system. The proposed Project also includes construction of a retention basin. The storm water collection system design will be subject to review and approval by the City Public Works Department. Storm water during construction will be managed as part of the Storm Water Pollution Prevention Plan (SWPPP). A copy of the SWPPP is retained on-site during construction. Thus, the proposed Project would have a ***less than significant impact.***

Mitigation Measures: None are required.

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

Less than Significant Impact. The Friant-Kern Canal is the primary source of water for the City of Lindsay. A secondary water supply is drawn from two wells located west of the City, which pull from subsurface aquifers and are primarily used to satisfy peak demands, low system pressures and during times when surface water is not available from the Friant-Kern Canal. Entitlements have been made available with the U.S. Bureau of Reclamation to ensure adequate supply to the City of Lindsay at all times. The proposed site is designated by the General Plan and zoned as Highway Commercial, such as the proposed Project. Project implementation will not create a change in water demand as site development was accounted for in the Urban Water Management Plan (UWMP). Based on the information collected from the UWMP, it can be presumed that the existing and planned water distribution system and supplies should be adequate to serve the proposed development because there will not be an increase in water from what was planned. As such, the proposed Project will have a ***less than significant impact.***

Mitigation Measures: None are required.

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

Less Than Significant Impact. As discussed in Section XVIII(a), implementation of the proposed Project would result in wastewater being discharged to the City's existing wastewater treatment plant, which has sufficient capacity for the proposed development. There will be no need for additional wastewater treatment service. Additionally, the proposed Project applicant would be required to comply with any applicable City and WWTF regulations and would be subject to applicable development impact fees and wastewater connection charges. Therefore, with compliance to applicable standards and payment of required fees and connection charges, the Project would not result in a significant impact related to construction or expansions of existing wastewater treatment facilities.

Mitigation Measures: None are required.

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

e. Comply with federal, state, and local statutes and regulations related to solid waste?

Less than Significant Impact. Disposal services in the City are provided by Mid Valley Disposal and the City follows all CalRecycle Mandates. Solid waste is anticipated to be delivered to the county landfill site near Woodville. The Project would comply with federal, state and local statutes and regulations related to solid waste.

Implementation of the proposed Project would result in an increase in solid waste disposal needs; however, this increase has been anticipated by the City's General Plan, and would be minimal. The proposed Project would result in ***less than significant impacts*** to solid waste and landfill facilities.

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

Mitigation Measures: None are required.

XX. WILDFIRE

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

ENVIRONMENTAL SETTING

Human activities such as smoking, debris burning, and equipment operation are the major causes of wildland fires. Within Tulare County, over 1,029,130 acres (33% of the total area) are classified as "Very High" fire threat and approximately 454,680 acres (15% of the total area) are classified as "High" fire threat. The portion of the county that transitions from the valley floor into the foothills and mountains is characterized by high to very high threat of wildland fires.[50] The majority of the City of Lindsay is

[50] Tulare County General Plan Background Report. February 2010. Page 8-21.

developed into urban uses or in active agriculture, severely reducing the risk of wildland fire. According to the Tulare County Background Report Figure 8-2, the majority of the City has no threat of wildfire. The proposed Project site is relatively flat in an area actively utilized with primarily residential and agricultural uses.

RESPONSES

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

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

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

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

Less Than Significant Impact. The proposed Project site is highly disturbed and consists primarily of vacant/disturbed land, with single family residences in the southeastern portion of the site, and some agricultural row crops in the central portion. Lands directly surrounding the proposed Project include agricultural uses to the north and west, SR 65 and agricultural land beyond the highway to the south, and vacant/disturbed land to the east. These land uses preclude the risk of wildfire.

The proposed Project site is located on a relatively flat property with minimal slope and is not in an area that is subject to strong prevailing winds or other factors that would exacerbate wildfire risks. Further, the proposed Project site is within an "area of local responsibility" and is not identified by Cal Fire to be in a Moderate, High, or Very High FHSZ. In addition, development of the proposed Project site would reduce fire risk due to the increase in paved area.

As such, any wildfire risk to the Project structures or people would be ***less than significant.***

Mitigation Measures: None are required.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

RESPONSES

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict

the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less than Significant Impact with Mitigation Incorporation. The analyses of environmental issues contained in this Initial Study indicate that the proposed Project is not expected to have substantial impact on the environment or on any resources identified in the Initial Study. Mitigation measures have been incorporated to reduce potential impacts to sensitive biological species and their habitat and to protect important examples of major periods of California history and prehistory. Implementing these mitigation measures will ensure impacts are ***less than significant.***

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

Less than Significant Impact. CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. Due to the nature of the Project and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable. The proposed Project would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increase need for housing, increase in traffic, air pollutants, etc.). The impact is ***less than significant***.

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

Less than Significant Impact with Mitigation Incorporation. The analyses of environmental issues contained in this Initial Study indicate that the project is not expected to have substantial impact on human beings, either directly or indirectly. Mitigation measures have been incorporated in the Biological Resources, Cultural Resources, Cultural Tribal Resources to reduce potential impacts. Mitigation measures have been incorporated in the Transportation and Traffic resource analysis to safely accommodate the increase in vehicle trips due to project implementation. As such, project

implementation will not cause direct or indirect substantial adverse effects on human beings. Impacts are ***less than significant.***

LIST OF PREPARERS

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Appendix A

Air Quality, Health Risk Analysis, Greenhouse Gas, and Energy Technical Memorandum

Appendix B

CHRIS Records Search

Appendix C

Traffic Impact Study

Appendix D

CNDDB Results

Appendix E

USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance