



FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE #2020080314)

Lacey Ranch Area
Master Plan Project
April 2022

PREPARED FOR:



City of Lemoore
711 Cinnamon Drive
Lemoore, CA 93245

PREPARED BY:



Crawford & Bowen Planning, Inc.
113 N. Church Street, Suite 302
Visalia, CA 93291

Final Environmental Impact Report
Lacey Ranch Area Master Plan Project

State Clearinghouse #2020080314

Prepared for:



City of Lemoore
711 Cinnamon Drive
Lemoore, CA 93245
(559) 924-6700
Contact: Nathan Olson, City Manager

Prepared by:



Crawford & Bowen Planning, Inc.
113 N. Church Street, Suite 302
Visalia, CA 93291
(559) 840-4414
Contact: Travis Crawford, AICP

April 2022

TABLE OF CONTENTS

CHAPTER ONE - Introduction.....	1
Introduction.....	1
Summary of Project Description.....	2
CEQA Evaluation Background	3
CEQA Requirements	4
Use of the Final EIR	4
CHAPTER TWO – Comments and Responses	6
Introduction.....	6
Comment Letters	7
CHAPTER THREE – Errata / Text Changes to the DEIR	40
CHAPTER FOUR – Mitigation Monitoring and Reporting Program.....	47

CHAPTER ONE - Introduction

Introduction

As defined by Section 15050 of the California Environmental Quality Act (CEQA) Guidelines, the City of Lemoore (City) is the Lead Agency for the preparation of the Environmental Impact Report (EIR) for the Lacey Ranch Area Master Plan Project (Project or proposed Project, SCH No 2020080314). The Final EIR presents the environmental information and analyses that have been prepared for the proposed Project, including comments received addressing the adequacy of the Draft EIR, and responses to those comments. In addition to the responses to comments, clarifications, corrections, or minor revisions have been made to the Draft EIR. The Final EIR, which includes the responses to comments, the Draft EIR, and the Mitigation, Monitoring, and Reporting Program, will be used by the Lemoore Planning Commission and the City Council in the decision-making process for the proposed Project.

This Final EIR is an informational document intended to disclose to the decision makers of the City, and the public, the environmental consequences of approving and implementing the Project or one of the alternatives to the proposed Project, which are described in the Draft EIR. All written comments received during the public review period (January 25, 2022 through March 11, 2022) of the Draft EIR are addressed in this Final EIR.

The responses in the Final EIR clarify, correct, and/or amplify text in the Draft EIR. Also included in the Final EIR are minor text changes made at the initiative of the City (the Lead Agency) and in response to comments (see the “Errata” section in Chapter Three of this Final EIR). Additions to the Draft EIR text are shown with underline and text removed from the Draft EIR is shown with ~~striketrough~~. The revisions, as outlined below, fall within the scope of the original project analysis included in the Draft EIR and do not result in an increase to any identified impacts or produce any new impacts. No new significant environmental impact would result from the changes or from a new mitigation measure proposed to be implemented. Therefore, no significant revisions have been made which would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5 (Recirculation of an EIR Prior to Certification). The Final EIR was prepared in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000-21177).

.

Summary of Project Description

Within the Lacey Ranch Area Master Plan, the Project applicant is proposing to subdivide and develop approximately 156-acres of land into a planned residential community with a mix of single-family and multi-family housing units. The exact number of each housing type may vary slightly, depending on final density, however, there will be a maximum of 825 housing units in total. Approximately 75% of the site will be developed with single family housing units on a variety of lot sizes, with the remainder to be developed with multi-family housing and parks/trails. The Project applicant proposes to annex the site into the City Limits of Lemoore and will require a General Plan Amendment and Zone Change to change the land use designations from agriculture to residential. The Project will also require a modification to the City's Sphere of Influence.

Project Location

The proposed Project is located on approximately 156-acres immediately north of the City of Lemoore in Kings County and is bounded by W. Lacey Blvd to the north and 18th Avenue to the west. An existing residential development abuts the Project's southern boundary. The Project is on assessor parcel number 021-030-057-000.

Project Objectives

In accordance with CEQA Guidelines Section 15124(b), the following are the City of Lemoore's Project objectives:

1. To provide a variety of housing opportunities with a range of densities, styles, sizes and values that will be designed to satisfy existing and future demand for quality housing in the area.
2. To provide a sense of community and walkability within the development through the use of street patterns, parks/trails, landscaping and other project amenities.
3. To provide a residential development that is compatible with surrounding land uses and is near major services.
4. To provide a residential development that assists the City in meeting its General Plan and Housing Element requirements and objectives.

CEQA Evaluation Background

Initial Study / Notice of Preparation

In accordance with CEQA, the City of Lemoore circulated an Initial Study (IS) and Notice of Preparation (NOP) (referred to collectively as “IS/NOP”) of a Draft EIR for the proposed Project from August 20, 2020 through September 21, 2020 to trustee and responsible agencies, the State Clearinghouse (SCH #2020080314), and the public. The IS/NOP analyzed the following CEQA Appendix G topics, and it was determined that no impacts would occur that would require analysis in the Draft EIR.

1. Aesthetics
2. Mineral Resources
3. Recreation
4. Wildfire

Three agency comments on the IS/NOP related to the EIR analysis were presented or submitted during the public review period. The letters are summarized as follows:

1. **California Department of Conservation – Geologic Energy Management Division:** Provided regulations pertaining to handling of any known oil or gas wells located within the Project boundaries.
2. **California Department of Conservation – Division of Land Resource Protection:** Provided regulations pertaining to conversion of farmland to urban uses.
3. **Pacific Gas and Electric Company:** Provided information and regulations pertaining to gas and electric facilities that would serve the Project.

These comment letters were identified and incorporated into the Draft EIR. In addition, pursuant to Section 15206 of the State CEQA Guidelines, the lead agency is required to conduct at least one scoping meeting for all projects of statewide, regional, or area-wide significance. The scoping meeting is for jurisdictional agencies and interested persons or groups to provide comments regarding (but not limited to) the range of actions, alternatives, mitigation measures, and environmental effects to be analyzed to be analyzed in the Draft EIR. The City of Lemoore hosted a scoping meeting on September 14, 2020, which was during the 30-day public review period of the IS/NOP.

Draft EIR

The Draft EIR was properly noticed and circulated for public review and comment for 45 days, from January 25, 2022 through March 11, 2022. The Notice of Availability was published in the *Hanford Sentinel* newspaper. The Draft EIR and Appendices were sent to the State Clearinghouse for distribution and notices were mailed to adjacent landowners, local agencies and other interested individuals. The City received four comment letters and two emailed comments on the Draft EIR. These letters and emails are reproduced in their entirety in Chapter Two of this Final EIR and responses are shown after each letter.

These comments and responses that make up the Final EIR, in combination with the Draft EIR and Appendices, constitute the EIR that will be considered for certification by the decision makers of the City of Lemoore.

CEQA Requirements

Under CEQA, the Lead Agency must prepare and certify a Final EIR prior to a proposed project being approved. The contents of a Final EIR are specified in Section 15132 of the CEQA Guidelines, which states that a Final EIR must consist of the following:

1. The Draft EIR or a revision of the Draft EIR.
2. Comments and recommendations received on the Draft EIR either verbatim or in summary.
3. A list of persons, organizations, and public agencies commenting on the Draft EIR.
4. The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
5. Any other information added by the Lead Agency.

The Lead Agency must provide each public agency that commented on the Draft EIR with a copy of the Lead Agency's response to such comments a minimum of 10 days before certifying the Final EIR.

Use of the Final EIR

The Final EIR allows the public and the City an opportunity to review revisions to the Draft EIR and the responses to comments received during the Draft EIR's public review period. The Final EIR serves as the environmental document to inform the City of the environmental consequences of the proposed Project, either in whole or in part, or one of the alternatives to the Project discussed in the Draft EIR.

As required by Section 15090(a)(1)-(3) of the CEQA Guidelines, a Lead Agency, in certifying a Final EIR, must make the following three determinations:

1. The Final EIR has been completed in compliance with CEQA.
2. The Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
3. The Final EIR reflects the Lead Agency's independent judgement and analysis.

As required by Section 15091 of the CEQA Guidelines, a public agency cannot approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings (Findings of Fact) for each of those significant effects, accompanied by a brief explanation of the rationale to reach findings supported by substantial evidence in the record. The possible findings are as follows:

1. Changes or alterations have been required in or incorporated into the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Additionally, pursuant to Section 15093(b) of the CEQA Guidelines, when a Lead Agency approves a project that would result in significant unavoidable impacts that are disclosed in the Final EIR, the agency must state in writing the reasons supporting the approval. The Statement of Overriding Considerations must be supported by substantial evidence in the Lead Agency's administrative record. The Findings of Fact (Section 15091) and Statement of Overriding Considerations (Section 15093(b)) have been provided to the City for consideration.

If the City approves the proposed Project, and as part of that action adopts mitigation measures, the City will also adopt a Mitigation Monitoring and Reporting Program (see Public Resources Code Section 21081.6).

CHAPTER TWO – Comments and Responses

Introduction

This chapter of the Final EIR contains a copy of each of the written comments received from the public and other agencies with jurisdiction over the proposed Project, followed by responses to each comment. Each letter is numbered (e.g. Letter 1, Letter 2, etc.) and is bracketed to delineate individual comments within each letter.

A total of four comment letters and two emails (both correspondence types are referred to as “Comment Letters”) were received from the following agencies:

<u>Comment Letter 1</u> Cynthia Echavarria Baruch Community Planning Liaison Officer Naval Air Station Lemoore Lemoore NAS, CA 93246 February 1, 2022	<u>Comment Letter 4</u> Monique Wilber Conservation Program Support Supervisor CA Dept. Of Conservation Division of Land Resource Protection 715 P Street, MS 1904 Sacramento, CA 95814 February 25, 2022
<u>Comment Letter 2</u> Mark Ghann – Amoah District Deputy CA Dept. of Conservation Geologic Energy Management Division 801 K Street, MS 18-05 Sacramento, CA 95814 February 8, 2022	<u>Comment Letter 5</u> Mark Montelongo Program Manager San Joaquin Air Pollution Control District 1990 East Gettysburg Ave. Fresno, CA 93726 March 9, 2022
<u>Comment Letter 3</u> Cherie Clark Air Quality Specialist II San Joaquin Air Pollution Control District 1990 East Gettysburg Ave. Fresno, CA 93726 February 22, 2022	<u>Comment Letter 6</u> Julie Vance Regional Manager CA Dept. of Fish & Wildlife – Central Division 1234 E. Shaw Ave. Fresno, CA 93710 March 11, 2022

Comment Letters

Comment Letter 1

Cynthia Echavarria Baruch
Community Planning Liaison Officer
Naval Air Station Lemoore
Lemoore NAS, CA 93246
February 1, 2022

Comment Letter 1

From: [Kristie Baley](#)
To: [Travis Crawford](#); [Steve Brandt \(steve.brandt@sokinc.com\)](#); [Javmie Brauer](#)
Subject: Lacey Ranch - Comment Received - NOA Draft EIR - Lemoore NAS
Date: Tuesday, February 1, 2022 9:11:18 AM
Attachments: 1.pdf

Please update noticing and correspondence records for NAS Lemoore as shown below.

*Kristie Baley
Management Analyst
711 W Cinnamon Drive
Lemoore, CA 93245
559.924.6744 ext. 740*

From: Echavarria Baruch, Cynthia H CIV USN NAVFAC SW SAN CA (USA)
 <cynthia.h.echavarriabaruch.civ@us.navy.mil>
Sent: Tuesday, February 1, 2022 8:39 AM
To: Kristie Baley <kbaley@lemoore.com>
Cc: Echavarria Baruch, Cynthia H CIV USN NAVFAC SW SAN CA (USA)
 <cynthia.h.echavarriabaruch.civ@us.navy.mil>
Subject: Public Notice

Ms. Baley, the attached NOA was received by the installation. For future notices please address the letters to Community Plans & Liaison Officer or CPLO. This will help route correspondence to the correct office.

My mailing address is:

Community Plans & Liaison Officer
700 Avenger Ave, Room 111
Lemoore, CA 93246

Respectfully,

Cynthia Echavarria Baruch
Community Planning Liaison Officer
NAVFAC SW Lemoore
Lemoore NAS CA 93246
Phone: 559-998-4093
Email: cynthia.baruch@navy.mil

] 1

Letter 1, page 1


Response to Comment Letter 1:

Comment 1 Summary: Change of address for future correspondence.

Response to Comment 1: The content of this letter has been noted for the record and it is acknowledged that the City has updated its mailing contact information for NAVFAC SW Lemoore.

Comment Letter 2

Mark Ghann – Amoah
 District Deputy
 CA Dept. of Conservation
 Geologic Energy Management Division
 801 K Street, MS 18-05
 Sacramento, CA 95814
 February 8, 2022

<small>DocuSign Envelope ID: 316A40D2-F266-4E82-BE60-504D7F92E90F</small>	
 <div style="display: inline-block; vertical-align: middle;"> California Department of Conservation Geologic Energy Management Division </div>	<small>Gavin Newsom, Governor David Shabazian, Director 801 K Street, MS 18-05 Sacramento, CA 95814 T: (916) 445-9686</small>
<div style="display: flex; justify-content: space-between;"> 02/08/2022 Comment Letter 2 </div>	
<p>Judy Holwell 711 W. Cinnamon Drive , Lemoore, CA 93245, USA</p>	
<p>Construction Site Well Review (CSWR) ID: 1012421</p>	
<p>Assessor Parcel Number(s): 021030057000</p>	
<p>Property Owner(s): Assemi Group, Inc.</p>	
<p>Project Location Address: W. Lacey Blvd & 18th Avenue Lemoore Lemoore, California 93245</p>	
<p>Project Title: Lacey Ranch Area Master Plan Project</p>	
<p>Public Resources Code (PRC) § 3208.1 establishes well reabandonment responsibility when a previously plugged and abandoned well will be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil, gas, and geothermal wells.</p>	
<p>The California Geologic Energy Management Division (CalGEM) has received and reviewed the above referenced project dated 2/8/2022. To assist local permitting agencies, property owners, and developers in making wise land use decisions regarding potential development near oil, gas, or geothermal wells, the Division provides the following well evaluation.</p>	
<p>The project is located in Kings County, within the boundaries of the following fields:</p>	
<p>Any Field</p>	
<p>Our records indicate there are 1 known oil or gas wells located within the project boundary as identified in the application.</p>	
<ul style="list-style-type: none"> • Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 0 	
Page 1	

Letter 2, page 2

DocuSign Envelope ID: 316A40D2-F266-4E82-BE60-504D7F92E90F

- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 1
- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 0

3

The Division categorically advises against building over, or in any way impeding access to, oil, gas, or geothermal wells. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access including, but not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, roadways, and decking. Maintaining sufficient access is considered the ability for a well servicing unit and associated necessary equipment to reach a well from a public street or access way, solely over the parcel on which the well is located. A well servicing unit, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure.

4

There are no guarantees a well abandoned in compliance with current Division requirements as prescribed by law will not start leaking in the future. It always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. The Division acknowledges wells plugged and abandoned to the most current Division requirements as prescribed by law have a lower probability of leaking in the future, however there is no guarantees that such abandonments will not leak.

5

The Division advises that all wells identified on the development parcel prior to, or during, development activities be tested for liquid and gas leakage. Surveyed locations should be provided to the Division in Latitude and Longitude, NAD 83 decimal format. The Division expects any wells found leaking to be reported to it immediately.

6

Failure to plug and reabandon the well may result in enforcement action, including an order to perform reabandonment well work, pursuant to PRC § 3208.1, and 3224.

7

PRC § 3208.1 give the Division the authority to order or permit the re-abandonment of any well where it has reason to question the integrity of the previous abandonment, or if the well is not accessible or visible. Responsibility for re-abandonment costs may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general advice set forth in this letter. The PRC continues to define the person or entity responsible for reabandonment as:

8

Letter 2, page 3

DocuSign Envelope ID: 316A40D2-F266-4E82-BE60-504D7F92E90F

1. The property owner - If the well was plugged and abandoned in conformance with Division requirements at the time of abandonment, and in its current condition does not pose an immediate danger to life, health, and property, but requires additional work solely because the owner of the property on which the well is located proposes construction on the property that would prevent or impede access to the well for purposes of remedying a currently perceived future problem, then the owner of the property on which the well is located shall obtain all rights necessary to reabandon the well and be responsible for the reabandonment. 8a

2. The person or entity causing construction over or near the well - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and the property owner, developer, or local agency permitting the construction failed either to obtain an opinion from the supervisor or district deputy as to whether the previously abandoned well is required to be reabandoned, or to follow the advice of the supervisor or district deputy not to undertake the construction, then the person or entity causing the construction over or near the well shall obtain all rights necessary to reabandon the well and be responsible for the reabandonment. 8b

3. The party or parties responsible for disturbing the integrity of the abandonment - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and after that time someone other than the operator or an affiliate of the operator disturbed the integrity of the abandonment in the course of developing the property, then the party or parties responsible for disturbing the integrity of the abandonment shall be responsible for the reabandonment. 8c

No well work may be performed on any oil, gas, or geothermal well without written approval from the Division. Well work requiring approval includes, but is not limited to, mitigating leaking gas or other fluids from abandoned wells, modifications to well casings, and/or any other re-abandonment work. The Division also regulates the top of a plugged and abandoned well's minimum and maximum depth below final grade. CCR §1723.5 states well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this regulation, a permit from the Division is required before work can start. 9

The Division makes the following additional recommendations to the local permitting agency, property owner, and developer:

1. To ensure that present and future property owners are aware of (a) the existence of all wells located on the property, and (b) potentially significant issues associated with any improvements near oil or gas wells, the Division recommends that information regarding the above identified well(s), and any other pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject 10a

Letter 2, page 4

DocuSign Envelope ID: 316A40D2-F266-4E82-BE60-504D7F92E90F

real property.

2. The Division recommends that any soil containing hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.

10b

As indicated in PRC § 3106, the Division has statutory authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources; damage to underground oil, gas, and geothermal deposits; and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to the Division's authority to order work on wells pursuant to PRC §§ 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC §§ 3236, 3236.5, and 3359 for violations within the Division's jurisdictional authority. The Division does not regulate grading, excavations, or other land use issues.

11

If during development activities, any wells are encountered that were not part of this review, the property owner is expected to immediately notify the Division's construction site well review engineer in the Inland district office, and file for Division review an amended site plan with well casing diagrams. The District office will send a follow-up well evaluation letter to the property owner and local permitting agency.

12

Should you have any questions, please contact me at (661) 440-8942 or via email at marvelous.egboro@conservation.ca.gov.

13

Sincerely,

Jeff Kimber

Jeff Kimber for

Mark Ghann-Amoah
District Deputy

cc: Judy Holwell - Submitter

Responses to Comment Letter 2:

Comment 1 Summary: This comment establishes that Public Resources Code Section 3208.1 (pertaining to previously plugged/abandoned wells) is applicable to the Project.

Response to Comment 1: The contents of this letter have been noted for the record and it is acknowledged that the City of Lemoore and Project Applicant are aware of Public Resources Code Section 3208.1. According to information obtained from the California Department of Conservation- Geologic Energy Management Division (“CalGEM” or “Division”) Well Finder Database, a plugged and abandoned oil/gas well is located on the subject property. According to records available from the CalGEM Well Finder Database, the well, identified as Kreyenhagen 23-35, was drilled to a depth of 9,090 feet bgs on April 1, 1964 and was subsequently abandoned in on May 16, 1964. Review of the CalGEM records indicates that no oil or gas was encountered during the development of the well.

To address potential impacts associated with the well, the following mitigation measures were recommended in the Draft EIR and will be a condition of Project approval. Please note that MM HAZ – 1 has been updated based on the Response to Comment #10a.

- HAZ – 1** Prior to the issuance of grading or building permits, the Project proponent or contractor shall:
- i. Provide a site plan that clearly delineates the locations of all known oil wells and the 10-foot no-build radius around each well. A copy of the map shall be submitted to the California Department of Conservation, Geologic Energy Management Division (CalGEM), and the City of Lemoore Community Development Department.
 - ii. Record the information regarding the presence and location of the abandoned well in the County Recorder’s title information of the Project site.
- HAZ – 2** In the event that other abandoned or unrecorded wells are uncovered or damaged during excavation or grading activities, all work shall cease in the vicinity of the well, and the California Department of Conservation, Geologic Energy Management Division (CalGEM), shall be contacted for requirements and approval; copies of said approvals shall be submitted to the City of Lemoore Community Development Department. CalGEM, may determine that remedial plugging operations may be required.

MM HAZ-2 includes coordination with CalGEM to determine any remedial actions, including testing for liquid and gas leakage. After implementation of MM HAZ-1 and MM HAZ-2, the impact is reduced to a less than significant level. Thus, the proposed Project would comply with these recommendations. This comment does not otherwise raise a substantive issue on the content of the Draft EIR

Comment 2 Summary: This comment is introductory in nature and establishes that the California Geologic Energy Management Division (CalGEM) has reviewed the Project and is providing an evaluation of wells on the Project site.

Response to Comment 2: The comment is introductory in nature and noted for the record. No further response is required.

Comment 3 Summary: This comment identifies the number of known oil or gas wells located within the Project boundaries. Based on CalGEM's review, there is one well that is "Not abandoned to current Division requirements as prescribed by law and not projected to be built over or have future access impeded by this project".

Response to Comment 3: The comment has been noted for the record and it is acknowledged that the City and the Project Applicant are aware of the one abandoned well on site. Please refer to Response #1. The proposed project would comply with these recommendations. This comment does not otherwise raise a substantive issue on the content of the Draft EIR.

Comment 4 Summary: The Division advises against building over or impeding access to oil, gas or geothermal wells.

Response to Comment 4: The comment is noted for the record. As noted in Draft EIR Chapter 3.8 *Hazards and Hazardous Materials*, the presence of the well on the subject property is noted. As such, it represents a potential for environmental concerns if 1) drill cuttings (muds) were stored on the subject property and 2) emission of methane and hydrogen sulfide gases are likely to impact the subject property. During oil well drilling of this type, it was common practice to deposit the drill cuttings in a large excavation near the location of the well, commonly referred to as drilling mud pits. The drill cuttings could potentially contain elevated levels of crude oil, petroleum hydrocarbons, and metals. An additional issue of concern with oil/gas wells is the potential

emission of methane and hydrogen sulfide gases. These gases can migrate through geologic materials and/or through pathways such as old oil wells, fissures, and fractures in underlying geologic formations. The emitted gases have the potential to accumulate within building interiors or basements and adversely affect human health.

However, due to the fact that the well did not produce oil or gas, potential emissions of methane and hydrogen sulfide gases are not expected to represent a significant environmental concern at this time. However, the likely presence of drilling mud pits in connection with the wells is considered a Recognized Environmental Concern (REC), as they represent conditions indicative of a release to the environment. It should be noted that the owner/operator of the well would likely be responsible for any future well abandonment activities, including any subsurface investigations and/or remediation related to potential contamination associated with drilling mud pits on the subject property. CalGEM may require the re-abandonment of the wells to current abandonment guidelines should future development on the subject property “prevent or impede access to the well for purposes of remedying a currently perceived future problem”.

As indicated in Response #1, review of the CalGEM records indicates that for the abandoned on-site well that no oil or gas was encountered during the development of the well. However, implementation of Mitigation Measure HAZ – 2 will reduce impacts in the event that a well is uncovered or damaged during construction. This comment does not otherwise raise a substantive issue on the content of the Draft EIR.

Comment 5 Summary: Abandoned wells may start leaking in the future.

Response to Comment 5: See Response #1, above.

After implementation of MM HAZ-1 and MM HAZ-2, the impact is reduced to a less than significant level. Thus, the proposed Project would comply with these recommendations. This comment does not otherwise raise a substantive issue on the content of the Draft EIR

Comment 6 Summary: The Division advises that all wells identified on the Project site be tested for liquid and gas leakage.

Response to Comment 6: See Responses #1-#5. After implementation of MM HAZ-1 and MM HAZ-2, the impacts related to is reduced to a less than significant level. Thus, the proposed

Project would comply with these recommendations. This comment does not otherwise raise a substantive issue on the content of the Draft EIR.

Comment 7 Summary: Failure to plug and abandon a well may result in enforcement action, including an order to perform reabandonment well work.

Response to Comment 7: As indicated in Response #1-#5 after implementation of MM HAZ-1 and MM HAZ-2, impacts are reduced to a less than significant level. Thus, the proposed Project would comply with these recommendations. This comment does not otherwise raise a substantive issue on the content of the Draft EIR.

Comment 8, 8a, 8b, 8c Summary: The Division has authority to order or permit the re-abandonment of any well. Comments 8, 8a, 8b, and 8c define the responsibility for the implementation of abandonment procedures as well as consultation with the Division.

Response to Comment 8, 8a, 8b, and 8c: The Lead Agency acknowledges CalGEM as having authority of wells. As indicated in Response #1-#5, after implementation of MM HAZ-1 and MM HAZ-2, impacts are reduced to a less than significant level. Thus, the proposed Project would comply with these recommendations. This comment does not otherwise raise a substantive issue on the content of the Draft EIR.

Comment 9 Summary: No well work may be performed on any oil, gas or geothermal well without written approval from CalGEM.

Response to Comment 9: The comment is noted for the record. As indicated in Response #1-#5 after implementation of MM HAZ-1 and MM HAZ-2, impacts are reduced to a less than significant level. Thus, the proposed Project would comply with these recommendations. This comment does not otherwise raise a substantive issue on the content of the Draft EIR.

Comment 10a Summary: The Division recommends that present and future property owners are aware of existing/known wells located on the Project site.

Response to Comment 10a: The comment is noted for the record. The Lead Agency concurs with the comment pertaining to Mitigation Measure MM HAZ-1 and has revised the text. The

revisions to MM HAZ-1, as outlined below, fall within the scope of the original Project analysis included in the Draft EIR and do not result in an increase to any identified impacts or produce any new impacts. No new significant environmental impact would result from the changes or from a new mitigation measure proposed to be implemented. Therefore, no significant revisions have been made which would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5 (Recirculation of an EIR Prior to Certification).

HAZ – 1 Prior to the issuance of grading or building permits, the Project proponent or contractor shall:

- i. Provide a site plan that clearly delineates the locations of all known oil wells and the 10-foot no-build radius around each well. A copy of the map shall be submitted to the California Department of Conservation, Geologic Energy Management Division (CalGEM), and the City of Lemoore Community Development Department.
- ii. Record the information regarding the presence and location of the abandoned well in the County Recorder's title information of the Project site.

Comment 10b Summary: The Division recommends that any soil containing hydrocarbons be disposed of in accordance with local, State and federal laws.

Response to Comment 10b: The comment is noted for the record. The presence of the well on the subject property represents a potential for environmental concerns if 1) drill cuttings (muds) were stored on the subject property and 2) emission of methane and hydrogen sulfide gases are likely to impact the subject property. During oil well drilling of this type, it was common practice to deposit the drill cuttings in a large excavation near the location of the well, commonly referred to as drilling mud pits. The drill cuttings could potentially contain elevated levels of crude oil, petroleum hydrocarbons, and metals. An additional issue of concern with oil/gas wells is the potential emission of methane and hydrogen sulfide gases. These gases can migrate through geologic materials and/or through pathways such as old oil wells, fissures, and fractures in underlying geologic formations. The emitted gases have the potential to accumulate within building interiors or basements and adversely affect human health.

However, due to the fact that the well did not produce oil or gas, potential emissions of methane and hydrogen sulfide gases are not expected to represent a significant environmental concern at this time. However, the likely presence of drilling mud pits in connection with the wells is

considered a REC, as they represent conditions indicative of a release to the environment. It should be noted that the owner/operator of the well would likely be responsible for any future well abandonment activities, including any subsurface investigations and/or remediation related to potential contamination associated with drilling mud pits on the subject property. CalGEM may require the re-abandonment of the wells to current abandonment guidelines should future development on the subject property “prevent or impede access to the well for purposes of remedying a currently perceived future problem”.

As indicated in Response #1, review of the CalGEM records indicates that for the abandoned on-site well that no oil or gas was encountered during the development of the well. However, implementation of MM HAZ – 2 will reduce impacts in the event that a well is uncovered or damaged during construction. This comment does not otherwise raise a substantive issue on the content of the Draft EIR and no revisions are necessary.

Comment 11 Summary: This comment outlines the Division’s statutory authority over drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells.

Response to Comment 11: The comment is noted for the record. See Responses #1-#10.

Comment 12 Summary: Encountering unknown/undiscovered wells on the Project site.

Response to Comment 11: The Comment is noted for the record. See Responses #1-10

Comment 13 Summary: Closing comments.

Response to Comment 11: The comment noted for the record. The City of Lemoore appreciates the Division’s comments and input on the Project.

Comment Letter 3

Cherie Clark
 Air Quality Specialist II
 San Joaquin Air Pollution Control District
 1990 East Gettysburg Ave.
 Fresno, CA 93726
February 22, 2022

Comment Letter 3

From: [Kristie Baley](#)
To: [Travis Crawford](#); [Steve Brandt \(steve.brandt@skinc.com\)](#); [Jaymie Brauer](#)
Subject: FW: DEIR Lacey Ranch Area Master Plan Project
Date: Wednesday, February 23, 2022 8:44:12 AM
Importance: High

Good Morning,

Please see both emails from Cherie below, requesting documents and or information. Please send me the information or include me in your response to Cherie so that I have it for our records.

Thank You,

Kristie Baley
Management Analyst
711 W Cinnamon Drive
Lemoore, CA 93245
559.924.6744 ext. 740

From: Cherie Clark <Cherie.Clark@valleyair.org>
Sent: Tuesday, February 22, 2022 5:25 PM
To: Kristie Baley <kbaley@lemoore.com>
Subject: RE: DEIR Lacey Ranch Area Master Plan Project
Importance: High

Hello again Kristie,

Also, if there was a Health Risk Analysis or screening done, could you please send the electronic files so that our team can review? By electronic I mean the excel/data spreadsheet, not the PDF.

1

Thank you,

Cherie Clark
Air Quality Specialist II
San Joaquin Valley APCD
1990 East Gettysburg Avenue
Fresno, CA 93726
559-230-5940
*Service*Teamwork*Attitude*Respect*

From: Cherie Clark
Sent: Tuesday, February 22, 2022 5:15 PM
To: 'kbaley@lemoore.com' <kbaley@lemoore.com>
Subject: DEIR Lacey Ranch Area Master Plan Project
Importance: High

Hi Kristie,

Letter 3, page 2

Can you please send me the air quality study Appendix C? All the appendices in the document are just title pages. The DEIR references an air quality/greenhouse gas study but it is not included. As info, it references it as appendix B, however, the title page and the index refer to it as Appendix C.

2

Thank you,

*Cherie Clark
Air Quality Specialist II
San Joaquin Valley APCD
1990 East Gettysburg Avenue
Fresno, CA 93726
559-230-5940
Service*Teamwork*Attitude*Respect*

Comment 1 Summary: Request for information related to a Health Risk Assessment or screening.

Response to Comment 1: The requested information was provided to the Air District via email on February 24, 2022. No further comments were received regarding the Health Risk Analysis.

Comment 2 Summary: Request for Air Quality/Greenhouse Gas/Energy Study appendix.

Response to Comment 2: The comment is noted for the record. The requested information was provided to the Air District via email on February 23, 2022. No further comments were received regarding the Air Quality and Greenhouse Gases Analysis.

Comment Letter 4

Monique Wilber

Conservation Program Support Supervisor

CA Dept. Of Conservation

Division of Land Resource Protection

715 P Street, MS 1904

Sacramento, CA 95814

February 25, 2022



California
Department of Conservation
Division of Land Resource Protection

Gavin Newsom, Governor
David Shabazian, Director

FEBRUARY 25, 2022

Comment Letter 4

VIA EMAIL: KBALEY@LEMOORE.COM

Kristie Baley

Community Development Department

City of Lemoore

205 West 4th Street W. Cinnamon Drive

Lemoore, CA 93245

Dear Ms. Baley:

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LACEY RANCH AREA MASTER PLAN PROJECT, SCH#2020080314

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report (DEIR) for the Lacey Ranch Area Master Plan Project (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's potential impacts on agricultural land and resources.

1

Project Description

Within the Lacey Ranch Area Master Plan, the Project applicant is proposing to subdivide and develop approximately 156 acres of land into a planned residential community with a mix of single-family and multi-family housing units. The exact number of each housing type may vary slightly, depending on final density, however, there will be a maximum of 825 housing units in total. Approximately 75% of the site will be developed with single family housing units on a variety of lot sizes, with the remainder to be developed with multi-family housing and parks/trails.

2

The Project applicant proposes to annex the site into the City Limits of Lemoore and will require a General Plan Amendment and Zone Change to change the land use designations from agriculture to residential. The Project will also require a modification to the City's Sphere of Influence (SOI). The proposed project site is mapped as containing approximately 154 acres of Prime Farmland and one acre of Unique Farmland as designated by the Department of Conservation's Farmland Mapping and Monitoring Program. The proposed site is also under a Williamson Act contract.

3

State of California Natural Resources Agency | Department of Conservation
715 P Street, MS 1904, Sacramento, CA 95814
conservation.ca.gov | T: (916) 324-0850 | F: (916) 327-3430

Letter 4, page 2

Department Comments

The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. CEQA requires that all feasible and reasonable mitigation be reviewed and applied to projects. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project.

All mitigation measures that are potentially feasible should be included in the project's environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

Consistent with CEQA Guidelines, the Department recommends the County consider agricultural conservation easements, among other measures, as potential mitigation. (See Cal. Code Regs., tit. 14, § 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."])

Mitigation through agricultural easements can take at least two forms: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered. The Department suggests the lead agency revisit its consideration of agricultural easements, and/or the donation of mitigation in lieu-of fees to areas outside of its area of concern.

As stated in the DEIR, "Approximately one-third of the site (the southerly one-third) is within the City's SOI while the remaining northern two-thirds are currently outside the SOI and outside the City's Planning Boundary. As the northern two thirds of the proposed Project site was not included in the Planning Area of the 2030 Lemoore General Plan, this same area of the site was not included in the agricultural conversion analysis of the 2030 Lemoore General Plan EIR."¹

¹ Draft Environmental Impact Report, Lacey Ranch Area Master Plan Project, State Clearinghouse #2020080314, Chapter Three, Environmental Evaluation, 3.1 Agriculture and Forestry Resources, P.3.1-11, https://files.ceqanet.opr.ca.gov/264017-4/attachment/qYlvlyvwldh0RDoWzUiByW5eGi1RYRHLtUVs-IB8E_d1r3izdhtqMYVYFYLUgnlqMdsqJMijzkhwY27n0

Letter 4, page 3

It appears that the lead agency intends to tier off of the 2030 Lemoore General Plan EIR; although, not officially stated as outlined in the California Code of Regulations, Title 14, Section 15152(g).

If it is the intent of the lead agency to tier off of the 2030 Lemoore General Plan EIR; then the Lacey Ranch Area Master Plan DEIR should discuss, evaluate, and consider potential mitigation measures for those portions of land not evaluated and discussed in the 2030 Lemoore General Plan EIR.

Conclusion

The Department recommends further discussion and evaluation of the following issues:

- Proposed mitigation measures for all impacted agricultural lands within the proposed project area. Specifically, those lands not evaluated in the City of Lemoore 2030 General Plan EIR.
- The Projects compatibility with, and/or, potential contract resolutions for lands within agricultural preserves and/or enrolled in a Williamson Act contract.

Thank you for giving us the opportunity to comment on the Draft Environmental Impact Report for the Draft Environmental Impact Report for the Lacey Ranch Area Master Plan Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Monique Wilber

Monique Wilber
Conservation Program Support Supervisor

7
Contd.

8

9

Responses to Comments Letter 4:

Comment 1 Summary: Introductory comment.

Response to Introductory Comment: Comment noted for the record. The comment is introductory in nature and no response is required.

Comment 2 Summary: Summary of Project Description.

Response to Comment 2: The comment is noted for the record. This comment is a summary of the Project Description. No response is required.

Comment 3 Summary: Summary of Project Description.

Response to Comment 3: The comment is noted for the record. This comment is a summary of the Project Description. No response is required.

Comment 4 Summary: Consideration and application of feasible mitigation measures.

Response to Comment 4: The comment is noted for the record.

The Lead Agency has considered mitigation through agricultural easements for the proposed Project. However, in a recent Court of Appeals decision, *King & Gardiner Farms v. County of Kern* (2020) 45 Cal. App. 5th 814, the Court found that a mitigation measure that requires a conservation easement over off-site farmland would not provide adequate mitigation for the loss of farmland that would result from the project. In the Court's findings, it was determined that conservation easements do not compensate for the impact of converting farmland to non-farmland use because the mitigation would not create new farmland that would offset the loss of converted farmland.

Under CEQA, mitigation measures are deemed effective if they will substantially lessen or minimize an environmental impact. In this case, since an agricultural conservation easement or payment of in-lieu fees wouldn't reduce the impacts associated with loss of farmland on the proposed Project site, an agricultural conservation easement or payment of in-lieu fees would not be considered "effective" mitigation.

In addition, neither the City nor the County of Kings have a farmland mitigation or agricultural conservation easement program in which the proposed Project can participate. Absent such a

City-wide or regional program, the City cannot impose mitigation in the form of agricultural easements or payment of in-lieu fees on a case-by-case basis. Thus, the City's finding is that the loss of farmland associated with the proposed Project will be a significant and unavoidable impact under CEQA and a Statement of Overriding Considerations will be prepared for consideration by the City as Lead Agency.

In addition, in Draft EIR Chapter 3.10 *Hydrology*, it was noted General Plan Policy PU-I-10 states the following: "Require that developers of agricultural land to be annexed to the City offer the water rights associated with this land to the City." The Lead Agency imposed Mitigation Measure HYD-1 that requires evidence that that 100 water shares be offered to the City to comply with Policy PU-I-10. This mitigation would also help mitigate for the loss of agricultural lands within the City by a City farmland related program.

All feasible mitigation measures have been included in the Project's Draft EIR, and will also be enforced as conditions of approval through the provisions of CEQA. This comment does not otherwise raise a substantive issue on the content of the EIR and no revisions are necessary.

Comment 5 Summary: Potential mitigation through agricultural easements.

Response to Comment 5: The comment is noted for the record. See Response #4, above. This comment does not otherwise raise a substantive issue on the content of the EIR and no revisions are necessary.

Comment 6 Summary: Other potential mitigation for loss of farmland.

Response to Comment 6: The comment is noted for the record. The City, as Lead Agency, has reviewed feasible alternatives and mitigation measures, including those brought to the attention of the City. All feasible mitigation measures have been included in the Draft EIR and will also be enforced as conditions of approval through the provisions of CEQA. Please see also Response #4 for the discussion regarding mitigation in the form of an agricultural conservation easement. This comment does not otherwise raise a substantive issue on the content of the EIR and no revisions are necessary.

Comment 7 Summary: Tiering from the City of Lemoore General Plan EIR.

Response to Comment 7: The comment is noted for the record. Although the southern portion of the proposed Project is within the City's existing Sphere of Influence, the Project's Draft EIR did not "tier" from the City's General Plan EIR. The Agricultural Conversion Study (Appendix B of the Draft EIR) and the Draft EIR considered and evaluated the entire Project site. The City's finding is that the loss of farmland associated with the proposed Project will be a significant and unavoidable impact under CEQA and a Statement of Overriding Considerations will be prepared for consideration by the City as Lead Agency. See Also Response #4. This comment does not otherwise raise a substantive issue on the content of the EIR and no revisions are necessary.

Comment 8 Summary: Recommendation for further evaluation of mitigation measures for all impacted agricultural lands and evaluation of the Project's compatibility with agricultural preserves/Williamson Act contracts.

Response to Comment 8: The comment is noted for the record. See Responses #4 and #7, above.

As described in the Draft EIR, the Project site is subject to a Williamson Act Land Use contract, pursuant to Government Code Section 51200 et seq. The entire Project site is currently under a Williamson Act contract; however, a protest was filed with the Local Agency Formation Commission (LAFCo) on December 1, 1982, in accordance with Section 51243.5 (a) of the Government Code, as amended, which will result in a dissolution of the Williamson Act Contract upon annexation of the subject site to the City. With the dissolution of the Williamson Act Contract, there would be no conflict with a Williamson Act Contract. This comment does not otherwise raise a substantive issue on the content of the EIR and no revisions are necessary.

Comment 9 Summary: Closing comments and request for future noticing.

Response to Comment 9: The comment is noted for the record. The City will notify the DOC of any public hearings associated with the Project. As indicated in the Notice of Availability, the City's Planning Commission will hold a public hearing on the Final EIR on April 11, 2022, on or after 7:00 PM at the Lemoore City Council Chambers, 429 C Street, Lemoore, CA 93245. The City of Lemoore appreciates the DOC's comments and input on the Project.

Comment Letter 5

Mark Montelongo

Program Manager



San Joaquin Air Pollution Control District

1990 East Gettysburg Ave.

Fresno, CA 93726

March 9, 2022

Comment Letter 5

March 9, 2022

Kristie Baley
City of Lemoore
Community Development Department
711 W. Cinnamon Drive
Lemoore, CA 93245

Project: Draft Environmental Impact Report for the Lacey Ranch Area Master Plan Project

District CEQA Reference No: 20220078

Dear Ms. Baley:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) for the project referenced above from the City of Lemoore (City). The project consists of the subdivision of approximately 156 acres to develop a planned residential community of up to 825 single family and multi-family residential dwelling units, a total of four parks and 1.64 acres of trail area, to be developed over a 16-year period (Project). The Project is located at W. Lacey Boulevard and 18th Avenue in Lemoore CA (APN 021-030-057). The District offers the following comments:

- 1) **Reducing Air Quality Impacts from Construction Activities**

The DEIR determined that Project related construction emissions would have a less than significant impact. Although the construction-related emissions are expected to have a less than significant impact, to further reduce impacts from construction-related diesel exhaust emissions, the District recommends the Project utilize clean off-road construction equipment, including the latest tier equipment as feasible and include best practices such as eliminating unnecessary idling.
- 2) **Vegetative Barriers and Urban Greening**

The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors.

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95358-8718
Tel: (209) 557-8400 FAX: (209) 557-8475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6081

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-0725
Tel: (661) 392-5500 FAX: (661) 392-5585

www.valleyair.org www.healthyairliving.com

Printed on recycled paper. ♻️

Letter 5, page 2

San Joaquin Valley Air Pollution Control District
District Reference No. 20220078
March 9, 2022

Page 2

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought resistant low maintenance greenery.

3
Contd.

3) On-site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider the feasibility of incorporating solar power systems, as an emission reduction strategy for this Project.

4

4) District Rules and Regulation

The District issues permits for many types of air pollution sources and regulates some activities not requiring permits. A project subject to District rules and regulation would reduce its impacts on air quality through compliance with regulatory requirements. In general, a regulation is a collection of rules, each of which deals with a specific topic. Here are a couple of example, Regulation II (Permits) deals with permitting emission sources and includes rules such as District permit requirements (Rule 2010), New and Modified Stationary Source Review (Rule 2201), and implementation of Emission Reduction Credit Banking (Rule 2301).

5

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

4a) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

6

Letter 5, page 3

San Joaquin Valley Air Pollution Control District
District Reference No. 20220078
March 9, 2022

Page 3

The application for both the Construction Notification and Dust Control Plan can be found online at:

<https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx>

Information about District Regulation VIII can be found online at:

http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm

6
Contd.

4a) District Rule 9510 (Indirect Source Review)

The purpose of District Rule 9510 (Indirect Source Review) is to reduce the growth in both NO_x and PM₁₀ emissions associated with development and transportation projects from mobile and area sources associated with construction and operation of development projects. The rule encourages clean air design elements to be incorporated into the development project. In case the proposed project clean air design elements are insufficient to meet the targeted emission reductions, the rule requires developers to pay a fee used to fund projects to achieve off-site emissions reductions.

The proposed Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 50 residential dwelling units. When subject to the rule, an Air Impact Assessment (AIA) application is required prior to applying for project-level approval from a public agency. In this case, if not already done, please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510.

7

An AIA application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval.

Information about how to comply with District Rule 9510 can be found online at:

<http://www.valleyair.org/ISR/ISRHome.htm>.

The AIA application form can be found online at:

<http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>.

4b) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

8

Letter 5, page 4

*San Joaquin Valley Air Pollution Control District
District Reference No. 20220078
March 9, 2022*

Page 4

5) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Cherie Clark by e-mail at Cherie.Clark@valleyair.org or by phone at (559) 230-5940.

Sincerely,

Brian Clements
Director of Permit Services



For Mark Montelongo
Program Manager

9

Responses to Comments Letter 5:**Comment 1 Summary:** Introductory comment.

Response to Introductory Comment: The comment is noted for the record. The comment is introductory in nature and no response is required.

Comment 2 Summary: Reducing air quality impacts from construction activities.

Response to Comment 2: The comment is noted for the record. The commenter acknowledges that the Project will result in less than significant impacts related to construction-related emissions. The commenter suggests that the Project utilize clean off-road construction equipment. It is unknown at this time the makeup (i.e. tier) of the construction contractor's construction equipment. However, the Project developer will encourage the use of the latest tier equipment as feasible, including best practices such as eliminating unnecessary idling. As noted in the Draft EIR Chapter 3.2 *Air Quality*, the City's General Plan includes policies that will help further reduce Project impacts such as COS 1-42 to reduce fugitive dust and vehicle emissions during construction. In addition, the Project would be required to comply with all applicable San Joaquin Valley Air Pollution Control District (District) rules and regulations.

Furthermore, various federal and State regulations including the Low Carbon Fuel Standard, Pavley Clean Car Standards, and Low Emission Vehicle Program would serve to reduce the transportation fuel demand by the Project, including during construction. This comment does not otherwise raise a substantive issue on the content of the EIR and no revisions are necessary.

Comment 3 Summary: Addition of vegetative barriers and urban greening.

Response to Comment 3: The comment is noted for the record. The commenter encourages the installation of vegetative barriers and urban greening as a measure to reduce air pollution exposure, including the use of trees, bushes, shrubs, or a mix of these. As noted in Draft EIR, the Project includes three parks for a total of 7.46 acres and 1.64 acres of trail area. These areas will be landscaped/maintained and will include the installation of vegetation, including trees, bushes and shrubs. This comment does not otherwise raise a substantive issue on the content of the EIR and no revisions are necessary.

Comment 4 Summary: The installation of on-site solar technology.

Response to Comment 3: The comment is noted for the record. The Project is required to install solar panels on each residential structure within the Project, pursuant to Title 24 standards. Use of renewable energy will off-set demand for electricity generated by coal-powered electrical generation facilities, thus reducing criteria pollutants and GHG emissions to help improve air quality in the San Joaquin Valley air basin. This comment does not otherwise raise a substantive issue on the content of the EIR and no revisions are necessary.

Comment 5 Summary: The Project should comply with District rules and regulations.

Response to Comment 5: The comment is noted for the record. The commenter outlines the various Air District rules and regulations applicable to the Project. See also Responses #2- #4. The Project will comply with all pertinent rules and regulations of the Air District. This comment does not otherwise raise a substantive issue on the content of the EIR and no revisions are necessary.

Comment 6 Summary: The Project should comply District Regulation VIII (Fugitive PM10 Prohibitions).

Response to Comment 6: The comment is noted for the record. The commenter outlines the District Rule 8121, as applicable to the Project. See also Responses #2-#5. The Project will comply with all pertinent rules and regulations of the District, including Rule 8021. This comment does not otherwise raise a substantive issue on the content of the EIR and no revisions are necessary.

Comment 7 Summary: The Project should comply with District Rule 9510 (Indirect Source Review)**Response to Comment 7:**

The comment is noted for the record. The commenter outlines the District Rule 9510, as applicable to the Project. See also Responses #2- #6.

Reductions in NOX emissions help reduce the secondary formation of PM10 in the atmosphere (primarily ammonium nitrate and ammonium sulfate) and also reduce the formation of ozone.

Reductions in directly emitted PM10 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 Project will comply with all pertinent rules and regulations of the District, including Rule 9510. This comment does not otherwise raise a substantive issue on the content of the EIR and no revisions are necessary.

Comment 8 Summary: Project compliance with other District Rules and Regulations.

Response to Comment 8: The comment is noted for the record. The commenter outlined additional District rules and regulations that may be required for the Project. See Responses #2-#7. This comment does not otherwise raise a substantive issue on the content of the EIR and no revisions are necessary

Comment 9 Summary: Closing comments.

Response to Comment 9: Comment noted. A copy of the comment letter was provided to the Project Applicant. The City of Lemoore appreciates the Air District's comments and input on the Project.

Comment Letter 6

Julie Vance
Regional Manager
CA Dept. of Fish & Wildlife – Central Division
1234 E. Shaw Ave.
Fresno, CA 93710
March 11, 2022

DocuSign Envelope ID: FB114B1B-5274-42AB-9DAA-3B7CA93A0FF8



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Comment Letter 6

March 11, 2022

Kristie Baley
City of Lemoore
711 W Cinnamon Drive
Lemoore, California 93245

**Subject: Lacey Ranch Area Master Plan
Draft Environmental Impact Report (DEIR)
State Clearinghouse No. 2020080314**

Dear Ms. Baley:

The California Department of Fish and Wildlife (CDFW) received a Draft Environmental Impact Report from the City of Lemoore for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

Letter 6, page 2

DocuSign Envelope ID: FB114B1B-5274-42AB-9DAA-3B7CA93A0FF8

Kristie Baley
City of Lemoore
March 11, 2022
Page 2

need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

2
Contd.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

3

COMMENTS AND RECOMMENDATIONS

Swainson's Hawk (SWHA)

CDFW has reviewed the provided document and appreciates the Project proponent for adopting the majority of the mitigation measures recommended in our letter dated September 22, 2020. In regard to SWHA, CDFW cannot concur that the 500-foot no-disturbance buffer for active SWHA nests listed Mitigation Measure: BIO-2 is sufficient to reduce potential significant impacts to active SWHA nests and/or avoid unauthorized take of SWHA, which is listed as threatened pursuant to CESA. CDFW's *Staff Report regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley of California* states:

"No intensive new disturbances (e.g. heavy equipment operation associated with construction, use of cranes or draglines, new rock crushing activities) or other project related activities which may cause nest abandonment or forced fledging, should be initiated within 1/4 mile (buffer zone) of an active nest between March 1 - September 15 or until August 15 if a Management Authorization or Biological Opinion is obtained for the project. The buffer zone should be increased to 1/2 mile in nesting areas away from urban development (i.e. in areas where disturbance [e.g. heavy equipment operation associated with construction, use of cranes or draglines, new rock crushing activities] is not a normal occurrence during the nesting season)."

4

Therefore, CDFW the no-disturbance buffer be extended from 500 feet to 1/4 or 1/2 mile, as appropriate, to reduce potential significant impacts and prevent unauthorized take of the SWHA.

CDFW appreciates the opportunity to comment on the Project to assist City of Lemoore in identifying and mitigating the Project's impacts on biological resources. More information on survey and monitoring protocols for sensitive species can be found at

5

Letter 6, page 3

DocuSign Envelope ID: FB114B1B-5274-42AB-9DAA-3B7CA93A0FF8

Kristie Baley
City of Lemoore
March 11, 2022
Page 3

CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). If you have any questions, please contact Jaime Marquez, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 580-3200, or by electronic mail at Jaime.Marquez@wildlife.ca.gov.

5
Contd.

Sincerely,

DocuSigned by:

EA83E06FE08045A
Julie A. Vance
Regional Manager

Responses to Comments Letter 6:

Comment 1 Summary: Introductory comment.

Response to Introductory Comment: The comment is noted for the record. The comment is introductory in nature and no response is required.

Comment 2 Summary: CDFW's role.

Response to Comment 2: The comment is noted for the record. The commenter provides background information about CDFW's role as California's Trustee Agency for fish and wildlife resources and as a Responsible Agency under CEQA. The comment has been noted for the record, and the City, as Lead Agency, acknowledges CDFW's authority.

Comment 3 Summary: Impacts to nesting birds.

Response to Comment 3: The comment is noted for the record. The commenter outlines CDFW's jurisdiction over actions with potential to result in the disturbance or destruction of active migratory bird nest sites or the unauthorized take of migratory birds. The City acknowledges CDFW's authority over nesting birds.

Comment 4 Summary: Project impacts to Swainson's Hawk (SWHA)

Response to Comment 4: The commenter requests that if SWHA are found during pre-construction surveys that the no-disturbance buffer zone (during construction activities) be extended from 500 feet to $\frac{1}{4}$ or $\frac{1}{2}$ mile, as appropriate to reduce potential significant impacts and prevent unauthorized take of SWHA.

Although as noted in the Draft EIR Chapter 3.3 *Biological Resources*, no SWHA were observed during the surveys that were conducted for the Project, additional pre-construction surveys will be conducted to assess whether SWHA nests are present within a 10-mile radius around the Project site to identify the nearest nest (if any), as required by Mitigation Measure BIO-1. If no SWHA nests are observed, no further action is necessary and impacts would be less than significant.

Additionally, Mitigation Measure BIO-2 requires if a SWHA nest is identified during pre-construction surveys that construction activities will not occur within 500 feet of an active nest. At that time, the appropriate buffer zone will be identified by a qualified biologist.

For purposes of clarity, Mitigation Measure BIO-2 will be revised to reflect a more flexible buffer zone, which will ultimately be decided through consultation with CDFW if active SWHA nests are identified during pre-construction surveys. Mitigation Measure BIO-2 is revised as follows (new text is shown in underline and ~~strikeout~~):

BIO- 2: If an active Swainson’s hawk nest is discovered at any time within 0.5 mile of active construction, a qualified biologist shall complete an assessment of the potential for current construction activities to impact the nest. The assessment shall consider the type of construction activities, the location of construction relative to the nest, the visibility of construction activities from the nest location, and other existing disturbances in the area that are not related to construction activities of this Project. Based on this assessment, the biologist shall determine if construction activities can proceed, and the level of nest monitoring required. Construction activities shall not occur within a distance of between 500 feet to 0.5 mile of an active nest as determined by a qualified biologist, ~~but depending upon conditions at the site, this distance may be reduced.~~ Full-time monitoring to evaluate the effects of construction activities on nesting Swainson’s hawks may be required. The qualified biologist shall have the authority to stop work if it is determined that Project construction is disturbing the nest. These buffers may need to increase depending on the sensitivity of the nesting Swainson’s hawk to disturbances and at the discretion of the qualified biologist. No avoidance would be needed if construction occurs near a known Swainson’s hawk nest outside of the Swainson’s hawk nesting season.

With implementation of the revised MM BIO-2, impacts to SWHA would be less than significant. This comment does not otherwise raise a substantive issue on the content of the EIR and no additional revisions are necessary

Comment 5 Summary: Closing comments.

Response to Comment 5: Comment noted. The City of Lemoore appreciates CDFW’s comments and input on the Project.

CHAPTER THREE – Errata / Text Changes to the DEIR

Revisions and clarifications to the Draft EIR (“Errata”) made in response to comments and information received on the Draft EIR are indicated by strikeout text (e.g. ~~strikeout~~), indicating deletions, and underline text (e.g. underline), indicating additions. In addition to revisions and clarifications made as a result of comments received on the Draft EIR, other minor changes to the Project Description were made based on revisions to the Project’s Tentative Map. These revisions were made based on an updated Tentative Map that was reviewed by the City pertaining to park locations/acreage and associated changes to the lot layout configuration. The original Project Description and map identified four park areas and trails, while the updated map identifies three park areas and trails. The park acreage was reduced from 7.9 acres to 7.46 acres. The number of proposed residential units remains the same (up to 825 units). The updated site plan that reflects these changes is also included in the errata section herein.

The revisions, as outlined below, fall within the scope of the original project analysis included in the Draft EIR and do not result in an increase to any identified impacts or produce any new impacts. No new significant environmental impact would result from the changes or from a new mitigation measure proposed to be implemented. Therefore, no significant revisions have been made which would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5 (Recirculation of an EIR Prior to Certification).

The following are the revisions and clarifications made to the Draft EIR:

Draft EIR Page 2-6

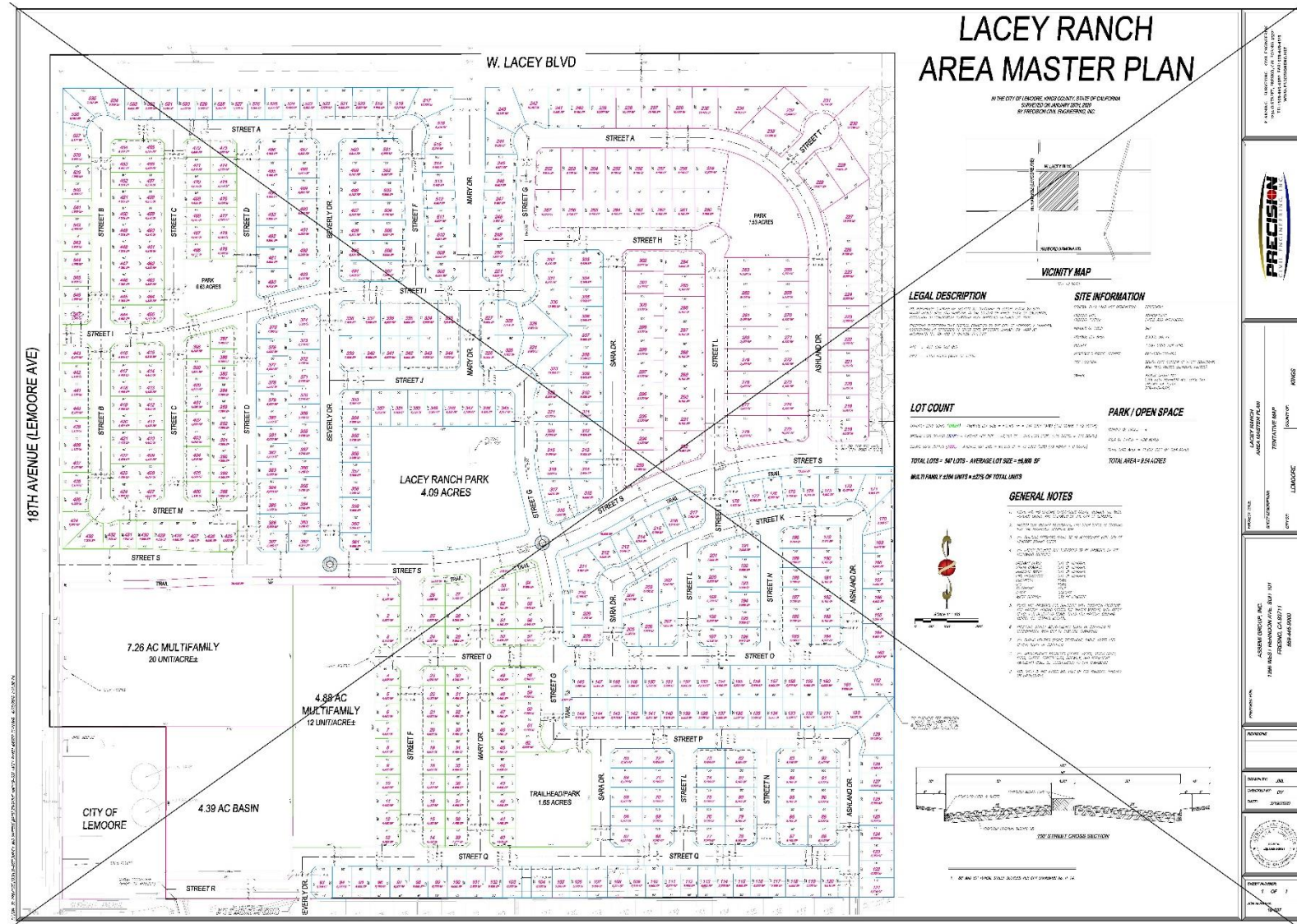
Parks and Open Space

The Project includes a total of ~~four~~ three parks for a total of ~~7.9~~ 7.46 acres and 1.64 acres of trail area, as depicted in Figure 4a – Site Plan (Northern Area) and Figure 4b – Site Plan (Southern Area). The 1.64 acres of trail area will be designated and zoned consistent with the designations and zoning of their adjacent parcels.

Draft EIR Page 2-8

Note: The previous “Figure 4 – Site Plan” has been replaced with updated layouts that are now shown in two figures: Figure 4a – Site Plan (Northern Area) and Figure 4b – Site Plan (Southern Area).

Figure 4 – Site Plan



TENTATIVE MAP NO. 932

IN THE CITY OF LEMOORE, KINGS COUNTY, STATE OF CALIFORNIA
SURVEYED ON JANUARY 28TH, 2020
BY PRECISION CIVIL ENGINEERING, INC.

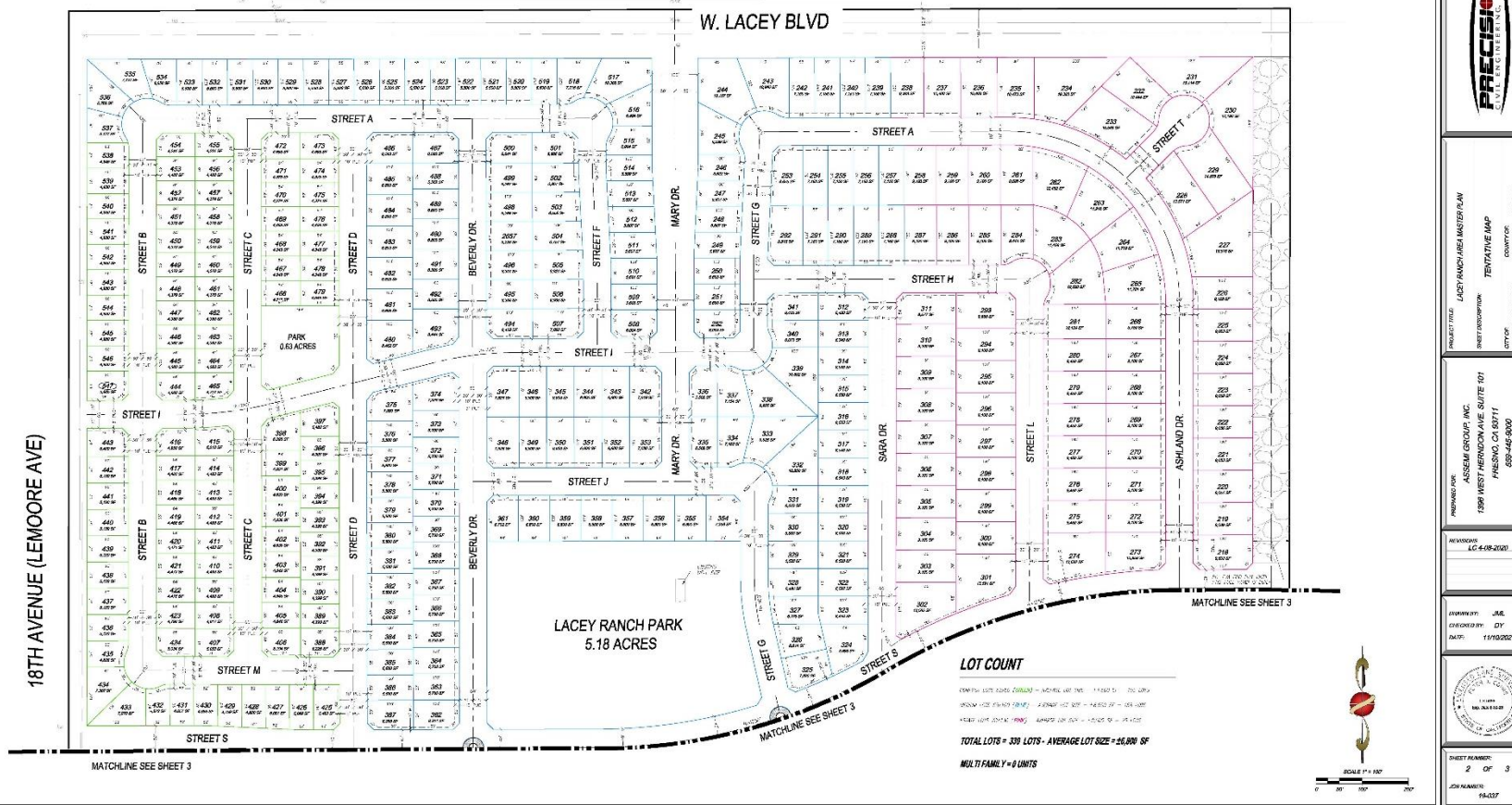
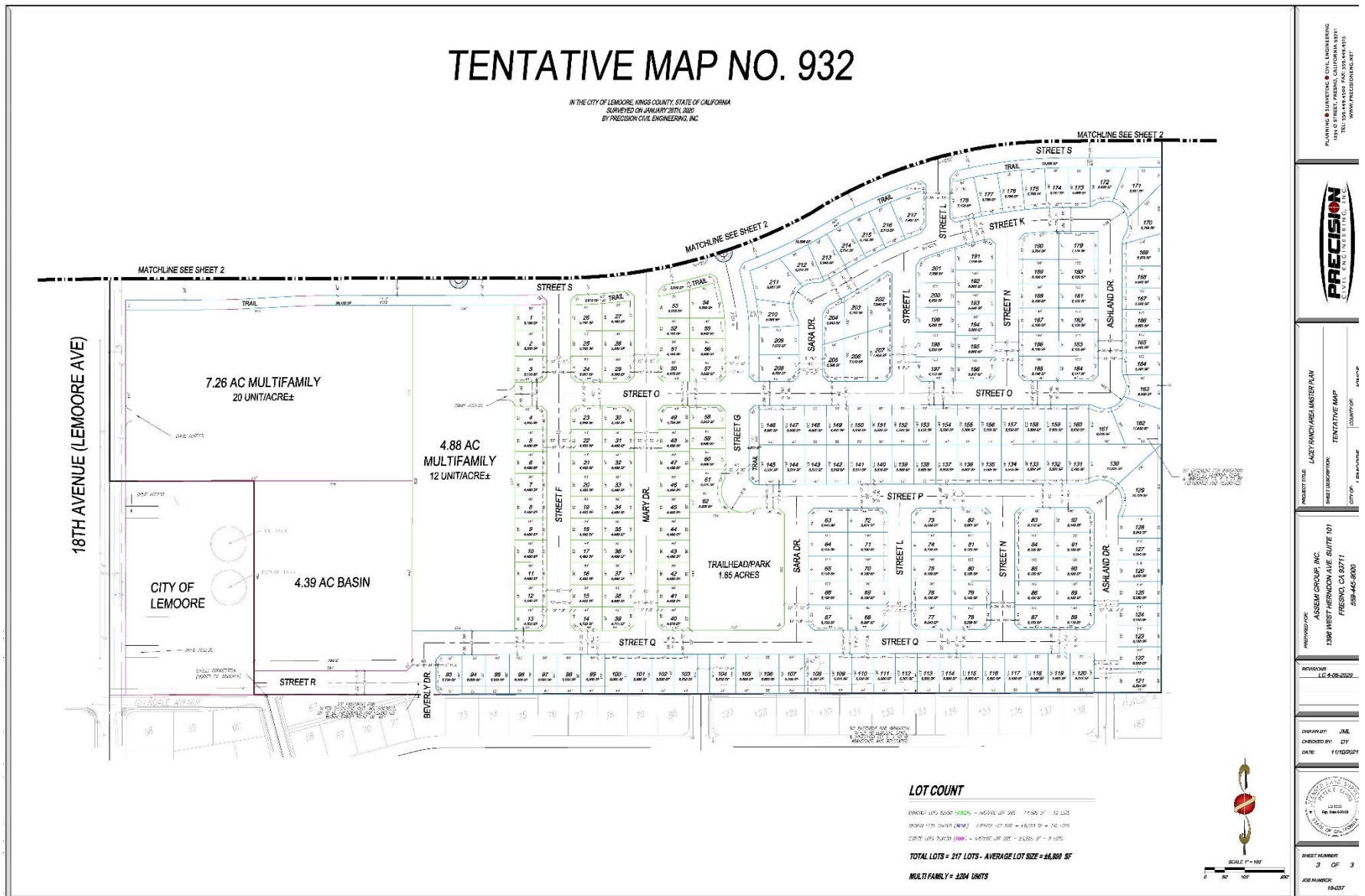


Figure 4b - Site Plan (Southern Area)



Draft EIR Page 3.3-19**Mitigation Measures:**

BIO- 2: If an active Swainson's hawk nest is discovered at any time within 0.5 mile of active construction, a qualified biologist shall complete an assessment of the potential for current construction activities to impact the nest. The assessment shall consider the type of construction activities, the location of construction relative to the nest, the visibility of construction activities from the nest location, and other existing disturbances in the area that are not related to construction activities of this Project. Based on this assessment, the biologist shall determine if construction activities can proceed, and the level of nest monitoring required. Construction activities shall not occur within a distance of between 500 feet to 0.5 miles of an active nest as determined by a qualified biologist, ~~but~~ depending upon conditions at the site, ~~this distance may be reduced~~. Full-time monitoring to evaluate the effects of construction activities on nesting Swainson's hawks may be required. The qualified biologist shall have the authority to stop work if it is determined that Project construction is disturbing the nest. These buffers may need to increase depending on the sensitivity of the nesting Swainson's hawk to disturbances and at the discretion of the qualified biologist. No avoidance would be needed if construction occurs near a known Swainson's hawk nest outside of the Swainson's hawk nesting season.

HAZ – 1 Prior to the issuance of grading or building permits, the Project proponent or contractor shall:

- i. Provide a site plan that clearly delineates the locations of all known oil wells and the 10-foot no-build radius around each well. A copy of the map shall be submitted to the California Department of Conservation, Geologic Energy Management Division (CalGEM), and the City of Lemoore Community Development Department.
- ii. Record the information regarding the presence and location of the abandoned well in the County Recorder's title information of the Project site.

Draft EIR Page 3.13-12*Parks*

The proposed Project will increase the City's population by up to approximately 2,558 people at full buildout. The City standard for parkland dedication, established in the City Subdivision Ordinance, is five (5) acres of parkland per thousand residents. Using this ratio, the Project would require at least 12.79 acres of parkland and/or payment of impact fees for City-owned and operated parks and recreation areas that serve all residents ($2,558/1,000 = 2.558 \times 5 = 12.79$).

The proposed Project includes the construction of three parks for a total of ~~7.9~~ 7.46 acres and 1.64 acres of trails for a total of ~~9.54~~ 9.1 acres as identified in Figure 2-4 of Chapter Two – *Project Description*. Based on the City's requirement of five acres per thousand residents, the Project not meet the City's requirement for parkland acreage by ~~3.25~~ 3.69 acres. Therefore, the Project developer will also be required to pay in lieu fees, in compliance with the goals, policies, and implementation measures of the General Plan and Lemoore City Municipal Code Title 9, Chapter 7, Article N. Implementation of Mitigation Measure PUB-4 would reduce impacts on parks and recreational services to a less-than-significant level. The Project's construction phases will have no impacts.

Draft EIR Page 3.13-13

PUB-4: Prior to issuance of building permits, the Project proponent shall pay parkland impact fees or in-lieu equivalent to maintain the City's established requirement of five acres of parkland per thousand residents. The impact fees or in-lieu equivalent will apply to the ~~3.25~~ 3.69 acres of parkland not being constructed by the Project, as set forth in the City's General Plan and Lemoore City Municipal Code Title 9, Chapter 7, Article N. The Project's parkland impact fees will be determined by the City of Lemoore. Evidence of the payment of impact fees shall be submitted to the City Community Development Department.

CHAPTER FOUR – Mitigation Monitoring and Reporting Program

State law requires that a public agency adopt a monitoring program for mitigation measures that have been incorporated into the approved project to reduce or avoid significant effects on the environment. The purpose of the monitoring program is to ensure compliance with environmental mitigation during project implementation and operation. Since there are potentially significant impacts requiring mitigation associated with the project, a Mitigation Monitoring Program is included herein on the following pages.

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Biological Resources				
BIO – 1: <ol style="list-style-type: none"> 1. To the extent practicable, construction shall be scheduled to avoid the Swainson’s hawk nesting season, season (February 15 to August 31). 2. If it is not possible to schedule construction between September and February, prior to commencement of ground disturbance activities, a qualified biologist shall conduct surveys for Swainson’s hawk in accordance with the Swainson’s Hawk Technical Advisory Committee’s <i>Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in California’s Central Valley</i> (SWTAC 2000, Appendix C). Surveys shall be conducted within a 10-mile radius around the Project site to identify the nearest nest, which will determine the habitat mitigation ratio. If no Swainson’s hawk nests are observed, no further action is necessary. CDFW shall be consulted if an active nest is found within 0.5 miles of the Project site. A copy of the survey report shall be submitted to the City of Lemoore Community Development Department. 	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore and CDFW	
BIO – 2: <p>If an active Swainson’s hawk nest is discovered at any time within 0.5 mile of active construction, a qualified biologist shall complete an assessment of the potential for current construction activities to impact the nest. The assessment shall consider the type of construction activities, the location of construction relative to the nest, the visibility of construction activities from the nest location, and other existing disturbances in the area that are not related to construction activities of this Project. Based on this assessment, the biologist shall determine if construction activities can proceed, and the level of nest monitoring required. Construction activities shall not occur within a distance of</p>	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore and CDFW	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
between 500 feet to 0.5 miles of an active nest as determined by a qualified biologist, depending upon conditions of the site. Full-time monitoring to evaluate the effects of construction activities on nesting Swainson's hawks may be required. The qualified biologist shall have the authority to stop work if it is determined that Project construction is disturbing the nest. These buffers may need to increase depending on the sensitivity of the nesting Swainson's hawk to disturbances and at the discretion of the qualified biologist. No avoidance would be needed if construction occurs near a known Swainson's hawk nest outside of the Swainson's hawk nesting season.				
BIO -3: Prior to the issuance of grading or building permits, the Project proponent shall consult with the California Department of Fish and Wildlife (CDFW) regarding compensation for the loss of 156 acres of Swainson's hawk foraging habitat. Potential compensation may include a compensatory ratio of 0.5:1 up to 1:1 ratio, depending on the location of active Swainson's hawk nests. Evidence of consultation with CDFW and payment of compensation shall be submitted to the City of Lemoore Community Development Department.).	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore and CDFW	
BIO – 4: 1. To the extent practicable, construction shall be scheduled to avoid the Swainson's hawk nesting season, season (February 15 to August 31). 2. If it is not possible to schedule construction between September 15 and February 15, a pre-construction clearance survey for nesting birds shall be conducted by a qualified no more than 14 days prior to the start of construction activities. During this survey, the qualified biologist shall	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore and CDFW	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>inspect all potential nest substrates in and immediately adjacent to the impact areas, including within 250 feet in the case of raptor nests and within 100 feet for nests of all other birds. 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 shall be halted or redirected to other areas until nesting and fledging are completed or the nest has failed for non-construction related reasons.</p>				
<p>BIO – 5:</p> <p>Within 14 days prior to the start of Project ground-disturbing activities, a pre-activity survey with a 500-foot buffer where land access is permitted shall be conducted by a qualified biologist knowledgeable in the identification of burrowing owl, American badger, San Joaquin kit fox (SJKF) and other special status species that are known to be in the area, and approved by the CDFW. Surveys need not be conducted for all areas at one time; they may be phased so that surveys occur within 14 days of the portion of the Project site that will be disturbed. If dens/burrows that could support any of these species are discovered during the pre-activity surveys, the avoidance buffers outlined below shall be established. No work would occur within these buffers unless the biologist approves and monitors the activity. If no listed or special status species is observed during the preconstruction clearance survey, no further action is necessary.</p> <p>Burrowing Owl (active burrows)</p> <ul style="list-style-type: none"> • Non-breeding season: September 1 – January 31 – 160 feet • Breeding season: February 1 – August 31 – 250 feet 	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore and CDFW	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>American Badger/SJKF</p> <ul style="list-style-type: none"> Potential or Atypical den – 50 feet Known den – 100 feet Natal or pupping den – 500 feet, unless otherwise specified by CDFW. <p>If burrowing owl are found within these recommended buffers and avoidance is not possible, burrow exclusion shall be conducted by qualified biologists and only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. Replacement of occupied burrows with artificial burrows shall occur at a ratio of one burrow collapsed to one artificial burrow constructed (1:1) to mitigate for evicting burrowing and the loss of burrows. Burrowing owl may attempt to colonize or re-colonize an area that will be impacted; thus, ongoing surveillance shall occur at excluded burrows at a rate that is sufficient to detect burrowing owl if they return.</p> <p>If, during construction activities, a live burrowing owl, American badger, or SJKF is encountered, all construction activity should stop in the affected area until the animal leaves of its own volition. The special-status species should be avoided by construction activities and construction workers and allowed to leave the Project Site without harassment</p>				
<p>BIO – 6:</p> <p>Prior to the initiation of construction activities, all construction personnel should attend a Worker Environmental Awareness Training program</p>	Project Applicant	Prior to issuance of grading or	City of Lemoore and CDFW	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>developed by a qualified biologist. Any personnel associated with construction that did not attend the initial training shall be trained by the authorized biologist prior to working on the project site. Any employee responsible for the operations and maintenance or decommissioning of the project facilities shall also attend the Worker Environmental Awareness Training program prior to starting work on the project and on an annual basis.</p> <p>The Program shall be developed and presented by the project qualified biologist(s) or designee approved by the qualified biologist(s). The program shall include information on the life histories of special-status species with potential to occur on the Project, their legal status, course of action should these species be encountered on-site, and avoidance and minimization measures to protect these species. It shall include the components described below:</p> <p>a. Information on the life history and identification of special-status species that may occur or that may be affected by Project activities. The program shall also discuss the legal protection status of each such species, the definition of “take” under the Federal Endangered Species Act and California Endangered Species Act, measures the Project proponent/operator shall implement to protect the species, reporting requirements, specific measures for workers to avoid take of special-status plant and wildlife species, and penalties for violation of the requirements outlined in the California Environmental Quality Act mitigation measures and agency permit requirements.</p> <p>b. An acknowledgement form signed by each worker indicating that the Worker Environmental Awareness Training and Education program has been completed shall be kept on file at the construction site.</p> <p>c. A copy of the training transcript and/or training video, as well as a list of the names of all personnel who attended the Worker</p>		building permits		

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>Environmental Awareness Training and Education program, and signed acknowledgement forms shall be submitted to the City of Lemoore Community Development Department.</p> <p>d. A sticker shall be placed on hard hats indicating that the worker has completed the Worker Environmental Awareness Training and Education program. Construction workers shall not be permitted to operate equipment within the construction areas unless they have attended the Worker Environmental Awareness Training and Education Program and are wearing hard hats with the required sticker.</p> <p>e. The construction crews and contractor(s) shall be responsible for preventing unauthorized impacts from project activities to sensitive biological resources that are outside the areas defined as subject to impacts by Project permits. Unauthorized impacts may result in project stoppage, and/or fines depending on the impact and coordination with the California Department of Fish and Wildlife and/or U.S. Fish and Wildlife Service.</p>				
<p>BIO – 7:</p> <p>Prior to issuance of any grading or building permit, the Project proponent/developer shall submit a final Delineation report to the City of Lemoore. A copy of this report shall also be provided to the Regional Water Quality Control Board (RWQCB), California Department of Fish & Wildlife (CDFW) and U.S. Army Corps of Engineers (USACE) (as applicable). The report shall include information as shown below as a plan if necessary and shall outline compliance to the following:</p> <ol style="list-style-type: none"> 1. Delineation of all jurisdictional features at the project site. Potential jurisdictional features within the project boundary identified in the jurisdictional delineation report may be shown in plan form. 	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore and CDFW	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>2. If the Project has a potential to directly or indirectly impact jurisdictional aquatic resources, a formal aquatic resource delineation of these areas shall be performed by a qualified professional to determine the extent of agency jurisdiction and permits/authorizations from the appropriate regulating agencies (RWQCB, CDFW, and USACE) shall be obtained prior to disturbance to jurisdictional features.</p> <p>If it is determined that drainage is jurisdictional and cannot be avoided, the Project proponent shall obtain a Section 401 Waters Quality Certification from the RWQCB, a Section 404 permit from USACE and a Lake and Streambed Alteration Agreement from the CDFW, if required prior to impacting any waters.</p> <p>As part of these authorizations, compensatory mitigation may be required by the regulating agencies to offset the loss of aquatic resources. If so, and as part of the permit application process, a qualified professional shall draft a Mitigation and Monitoring Plan to address implementation and monitoring requirements under the permit to ensure that the Project would result in no net loss of habitat functions and values. The Plan shall contain, at a minimum, mitigation goals and objectives, mitigation location, a discussion of actions to be implemented to mitigate the impact, monitoring methods and performance criteria, extent of monitoring to be conducted, actions to be taken in the event that the mitigation is not successful, and reporting requirements. The Plan shall be approved by the appropriate regulating agencies and compensatory mitigation shall take place either on site or at an appropriate off-site location.</p> <p>3. Any material/spoils generated from project activities containing hazardous materials shall be located away from jurisdictional areas or</p>				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>special-status habitat and protected from storm water run-off using temporary perimeter sediment barriers such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate. Protection measures should follow project-specific criteria as developed in a Stormwater Pollution Prevention and Protection Plan (SWPPP).</p> <p>4. Equipment containing hazardous liquid materials shall be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage from contaminating the ground and at least 50 feet outside the delineated boundary of jurisdictional water features. Any spillage of material shall be stopped if it can be done safely. The contaminated area shall be cleaned, and any contaminated materials properly disposed. For all spills, the project foreman or designated environmental representative shall be notified.</p>				
Cultural Resources				
<p>CUL-1:</p> <p>Prior to any ground disturbance, a surface inspection of the site shall be conducted by a Tribal Monitor. The Tribal Cultural Staff shall monitor the site during grading activities. The Tribal Staff shall provide pre-project-related activities briefings to supervisory personnel and any excavation contractor, which will include information on potential cultural material finds, and any excavation contractor, which will include information on potential cultural material finds, and on the procedures, to be enacted if resources are found. Prior to any ground disturbance, the applicant shall offer the Santa Rosa Rancheria Tachi Yokut Tribe the opportunity to provide a Native American Monitor during ground-disturbing activities. Tribal participation would be dependent upon the availability and interest of the tribe.</p>	Project Applicant	Prior to issuance of grading or building permits / ongoing	City of Lemoore	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>CUL-2:</p> <p>In the event that historical or archaeological cultural resources are discovered during project-related activities or decommissioning, operations shall stop within 100 feet of the find, and a qualified archeologist shall determine whether the resource requires further study. The qualified archeologist shall determine the measures that shall be implemented to protect the discovered resources including, but not limited to, excavation of the finds and evaluation of the finds and evaluation of the finds in accordance with § 15064.5 of the CEQA Guidelines. Measures may include avoidance, preservation in-place, recordation, additional archaeological resting, and data recovery, among other options. Any previously undiscovered resources found during project-related activities within the project area shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance. No further ground disturbance shall occur in the immediate vicinity of the discovery until approved by the qualified archaeologist.</p> <p>The Lead Agency, along with other relevant or tribal officials, shall be contacted upon the discovery of cultural resources to begin coordination on the disposition of the find(s). Treatment of any significant cultural resources shall be undertaken with the approval of the Lead Agency.</p>	Project Applicant	During construction	City of Lemoore	
<p>CUL-3:</p> <p>Upon coordination with the Lead Agency, any archaeological artifacts recovered shall be donated to an appropriate tribal custodian or a qualified scientific institution where they would be afforded applicable cultural resources laws and guidelines.</p>	Project Applicant	During Construction	City of Lemoore	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
CUL-4: If human remains are discovered during project-related activities or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987) shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the County Coroner.	Project Applicant	During Construction	City of Lemoore	
Geology and Soils				
GEO-1: Prior to the issuance of building or grading permits for the project, the project proponent shall conduct a full geotechnical study to evaluate soil conditions and geologic hazards on the project site and submit it to the City of Lemoore Building Division for review and approval. The project proponent shall retain a California registered and licensed geotechnical engineer to design the project facilities to withstand probable seismically induced ground shaking at the site. All grading and construction on site shall adhere to the specifications, procedures, and site conditions contained in the final design plans, which shall be fully compliant with the seismic recommendations of the California registered professional engineer.	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>a. The geotechnical study must be signed by a California registered and licensed professional geotechnical engineer or engineering geologist and must include the following:</p> <ul style="list-style-type: none"> I. Location of fault traces and potential for surface rupture and ground shaking potential. II. Maximum considered earthquake and associated ground acceleration for design. III. Potential for seismically induced liquefaction, landslides, differential settlement, and unstable soils. IV. Stability of any existing or proposed cut-and-fill slopes. V. Identification of collapsible or expansive soils. VI. Foundation material type. VII. Potential for wind erosion, water erosion, sedimentation, and flooding. VIII. Location and description of unprotected drainage that could be impacted by the proposed development. IX. Recommendations for placement and design of facilities, foundations, and remediation of unstable ground. 				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>b. The project proponent shall determine the final siting of project facilities based on the results of the geotechnical study and implement recommended measures to minimize geologic hazards.</p> <p>c. The City of Lemoore Building Division shall evaluate any final facility siting design developed prior to the issuance of any building or grading permits to verify that geological constraints have been avoided or mitigated.</p> <p>d. The final structural design shall be subject to approval and follow-up inspection by the City of Lemoore Building Division. Final design requirements shall be provided to the on-site construction supervisor and the City of Lemoore Building Inspector to ensure compliance. A copy of the approved design shall be submitted to the City of Lemoore Community Development Department.</p>				
<p>GEO – 2: Prior to issuing of grading or building permits, the project applicant shall submit to the City: (1) the approved Stormwater Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts. Recommended Best Management Practices for the construction phase may include the following:</p> <ul style="list-style-type: none"> • Stockpiling and disposing of debris, concrete, and soil properly; 	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<ul style="list-style-type: none"> Protecting existing storm drain inlets and stabilizing disturbed areas; Implementing erosion controls; Properly managing construction materials; Managing waste, aggressively controlling litter, and implementing sediment controls; and Evidence of the approved SWPPP shall be submitted to the Lead Agency. 				
<p>GEO – 3:</p> <p>If any paleontological resources are encountered during ground-disturbance activities, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (2010), can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.</p> <p>If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from project implementation. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, they shall be avoided to ensure no adverse effects, or such effects must be mitigated. Construction in that area shall not resume until the resource appropriate measures are recommended</p>	Project Applicant	During Construction	City of Lemoore	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.				
Hazards and Hazardous Materials				
HAZ – 1: Prior to the issuance of grading or building permits, the Project proponent or contractor shall: <ol style="list-style-type: none"> Provide a site plan that clearly delineates the locations of all known oil wells and the 10-foot no-build radius around each well. A copy of the map shall be submitted to the California Department of Conservation, Geologic Energy Management Division (CalGEM), and the City of Lemoore Community Development Department. Record the information regarding presence and location of the abandoned well in the County Recorder's title information of the Project site. 	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	
HAZ – 2: In the event that other abandoned or unrecorded wells are uncovered or damaged during excavation or grading activities, all work shall cease in the vicinity of the well, and the California Department of Conservation, Geologic Energy Management Division (CalGEM), shall be contacted for requirements and approval; copies of said approvals shall be submitted to the City of Lemoore Community Development	Project Applicant	During construction	City of Lemoore	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Department CalGEM, may determine that remedial plugging operations may be required.				
HAZ-3: As a best management practice, prior to the issuance of grading permits, the areas of surface staining located near the diesel AST and engine shall be excavated, drummed, and removed from the subject property for proper off-site disposal. Additionally, secondary containment shall be provided for the diesel AST in order to prevent an accidental release from adversely impacting the subject property. Evidence of compliance shall be submitted to the City of Lemoore Community Development Department.	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	
Hydrology and Water Quality				
HYD - 1: a) Prior to issuance of grading permits or ground disturbance, the Project proponent shall provide approval of the proposed annexation into the City of Lemoore's service area. b) The Project proponent shall offer the City 100 water shares (150 acre feet) of water. Documentation of the annexation and offer of water shall be provided to the City Community Development Department.	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	
HYD - 2: Prior to issuance of building permits, the Project proponent shall pay water service impact fees for new development. The fee, or equivalent in-lieu, will be determined by the City of Lemoore. Evidence of the payment of impact fees shall be submitted to the City Community Development Department.	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Noise				
NOI - 1: <ul style="list-style-type: none"> a) All construction equipment shall be equipped with noise control devices (e.g. mufflers) in accordance with manufacturers' specifications throughout construction. Construction equipment shall be periodically inspected to ensure proper maintenance and presence of noise control devices (e.g. lubrication, mufflers that do not leak, and shrouding). b) Equipment staging and laydown areas shall be located at the furthest practical distance from nearby residential land uses. To the extent possible, staging and laydown areas should be located at least 500 feet of existing residential dwellings. c) Haul trucks shall not be allowed to idle for periods greater than five minutes, except as needed to perform a specified function (e.g., concrete mixing). 	Project Applicant	During Construction	City of Lemoore	
NOI - 2: <p>Prior to the issuance of grading permits, signs legible at a distance of 50 feet shall be posted at the construction site and near adjacent sensitive receptors displaying hours of construction activities and providing the contact phone number of a designated noise disturbance coordinator.</p>	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	
Public Services				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
PUB-1: Prior to issuance of building permits, the Project proponent shall pay fire service impact fees for new development. The fee, or equivalent in-lieu, will be determined by the Lemoore Volunteer Fire Department in conjunction with the City of Lemoore. Evidence of the payment of impact fees shall be submitted to the City Community Development Department.	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	
PUB-2: Prior to issuance of building permits, the Project proponent shall pay police service impact fees for new development. The fee, or equivalent in-lieu, will be determined by the Lemoore Police Department in conjunction with the City of Lemoore. Evidence of the payment of impact fees shall be submitted to the City Community Development Department.	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	
PUB-3: Prior to issuance of building permits, the Project proponent shall pay school impact fees. The Project's school impact fees will be determined by the Lemoore Union High School District and the Lemoore Union Elementary School District. Evidence of the payment of impact fees shall be submitted to the City Community Development Department.	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	
PUB-4: Prior to issuance of building permits, the Project proponent shall pay parkland impact fees or in-lieu equivalent to maintain the City's established requirement of five acres of parkland per thousand residents. The impact fees or in-lieu equivalent will apply to the 3.69 acres of parkland not being constructed by the Project, as set forth in the City's General Plan and Lemoore City Municipal Code Title 9, Chapter 7, Article N. The Project's parkland impact fees will be	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
determined by the City of Lemoore. Evidence of the payment of impact fees shall be submitted to the City Community Development Department.				
Transportation				
TRA-1: Prior to issuance of building permit, the Project shall pay its fair share cost percentages and/or construct the recommended improvements as determined by the City. The following are the required improvements: <ul style="list-style-type: none"> ○ Liberty Drive / Hanford-Armona Road ▪ Signalize the intersection with protected left-turn phasing in all directions while retaining the existing lane geometrics. 	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	
TRA-2: Prior to the issuance of construction or building permits, the project developer shall: <ol style="list-style-type: none"> 1. Obtain all necessary encroachment permits for work within the road right-of-way or use of oversized/overweight vehicles that will utilize City-maintained roads, which may require California Highway Patrol or a pilot car escort. Copies of the approved traffic plan and issued permits shall be submitted to the City of Lemoore Community Development Department and Public Works Department-Development Review. 2. Prepare and submit a Construction Traffic Control Plan to City of Lemoore Public Works Department-Development Review and the Community Development Department, as appropriate, for 	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>approval. The Construction Traffic Control Plan shall be prepared in accordance with both the California Department of Transportation Manual on Uniform Traffic Control Devices and Work Area Traffic Control Handbook and shall include, but not be limited to, the following issues:</p> <ul style="list-style-type: none"> a. Timing of deliveries of heavy equipment and building materials; b. Directing construction traffic with a flag person; c. Placing temporary signing, lighting, and traffic control devices if required, including, but not limited to, appropriate signage along access routes to indicate the presence of heavy vehicles and construction traffic; d. Ensuring access for emergency vehicles to the project site; e. Temporarily closing travel lanes or delaying traffic during materials delivery, transmission line stringing activities, or any other utility connections; f. Maintaining access to adjacent property; and, g. Specifying both construction-related vehicle travel and oversize load haul routes, minimizing construction traffic during the AM and PM peak hour, distributing construction traffic flow across alternative routes to access the project sites, and avoiding residential neighborhoods to the maximum extent feasible. 				
<p>TRA-3:</p> <p>a) Prior to a Subdivision Notice of Completion, the Project shall construct Class I Bikeways along the following:</p>	Project Applicant	Prior to issuance of occupancy permits	City of Lemoore	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<ul style="list-style-type: none"> • South side of Street 'S' between Lemoore Avenue and the eastern boundary of the Project. • Street 'G' between Street 'S' and Street 'P'. the Project shall install Class II Bikeways along Street 'S' between Lemoore Avenue and the eastern boundary of the Project and along Mary Drive between Street 'I' and Lacey Boulevard. <p>b) Adjacent to the Project, Class II Bikeways shall be constructed along the following:</p> <ul style="list-style-type: none"> • The frontage along Lemoore Avenue between Lacey Boulevard and Glendale Avenue • The frontage along Lacey Boulevard between Lemoore Avenue the eastern boundary of the Project. 				
<p>TRA-4:</p> <p>Prior to a Subdivision Notice of Completion the Project shall incorporate:</p> <p>a) Intersection traffic calming features such as mini-circles at the following intersections:</p> <ul style="list-style-type: none"> • Beverly Drive and Street 'S', • Street 'G' and Street 'S', • Street 'L' and Street 'S', • Street 'C' and Street 'I', • Street 'D' and Street 'I', • Mary Drive and Street 'I', • Street 'A' and Street 'F'. <p>b) Street traffic calming features including on street parking throughout the Project (excluding Street 'S') at the following:</p>	Project Applicant	Prior to issuance of occupancy permits	City of Lemoore	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<ul style="list-style-type: none"> Between Lemoore Avenue and the eastern boundary of the Project, Along Mary Drive between Lacey Boulevard and Street 'J', Along median islands on Street 'S' between Lemoore Avenue and Street 'D' Along Mary Drive between Lacey Boulevard and Street 'I', Planter strips with street trees throughout the Project. 				
TRA-5: Prior to issuance of an Occupancy permit for the multi-family residential component, the Project shall implement a minimum of 14 bike parking spaces.	Project Applicant	Prior to issuance of occupancy permits	City of Lemoore	
Tribal Cultural Resources				
TRI-1: Prior to any ground disturbance, a surface inspection of the site shall be conducted by a Tribal Monitor. The Tribal Cultural Staff shall monitor the site during grading activities. The Tribal Staff shall provide pre-project-related activities briefings to supervisory personnel and any excavation contractor, which will include information on potential cultural material finds, and any excavation contractor, which will include information on potential cultural material finds, and on the procedures, to be enacted if resources are found. Prior to any ground disturbance, the applicant shall offer the Santa Rosa Rancheria Tachi Yokut Tribe the opportunity to provide a Native American Monitor during ground-disturbing activities. Tribal participation would be dependent upon the availability and interest of the tribe.	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>TRI-2:</p> <p>In the event that historical or archaeological cultural resources are discovered during project-related activities or decommissioning, operations shall stop within 100 feet of the find, and a qualified archeologist shall determine whether the resource requires further study. The qualified archeologist shall determine the measures that shall be implemented to protect the discovered resources including, but not limited to, excavation of the finds and evaluation of the finds and evaluation of the finds in accordance with § 15064.5 of the CEQA Guidelines. Measures may include avoidance, preservation in-place, recordation, additional archaeological resting, and data recovery, among other options. Any previously undiscovered resources found during project-related activities within the project area shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance. No further ground disturbance shall occur in the immediate vicinity of the discovery until approved by the qualified archaeologist.</p> <p>The Lead Agency, along with other relevant or tribal officials, shall be contacted upon the discovery of cultural resources to begin coordination on the disposition of the find(s). Treatment of any significant cultural resources shall be undertaken with the approval of the Lead Agency.</p>	Project Applicant	During Construction	City of Lemoore	
<p>TRI-3:</p> <p>Upon coordination with the Lead Agency, any archaeological artifacts recovered shall be donated to an appropriate tribal custodian or a qualified scientific institution where they would be afforded applicable cultural resources laws and guidelines.</p>	Project Applicant	During Construction	City of Lemoore	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
TRI-4: If human remains are discovered during project-related activities or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987) shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the County Coroner.	Project Applicant	During Construction	City of Lemoore	
Utilities and Service Systems				
UTIL-1: Prior to issuance of building permits, the Project proponent shall pay impact fees for its fair share of wastewater (sewer) services. The fee, or equivalent in-lieu, will be determined by the City of Lemoore. Evidence of the payment of impact fees shall be submitted to the City Community Development Department.	Project Applicant	Prior to issuance of grading or building permits	City of Lemoore	