LEMOORE PLANNING COMMISSION
Regular Meeting
AGENDA
Lemoore Council Chamber
429 'C' Street

August 11, 2025
5:30 p.m.

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

3. RECOGNITION OF APPOINTMENT TO THE COMMISSION AND OATH of OFFICE – Daniel Wells (Baley)

4. PUBLIC COMMENT – **Public comment will be in accordance with the attached policy.** This time is reserved for members of the audience to address the Planning Commission on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Commission. It is recommended that speakers limit their comments to three (3) minutes each and it is requested that no comments be made during this period on items on the Agenda. The Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda. Prior to addressing the Commission, any handouts for Commission will be provided to the Commission Secretary for distribution to the Commission and appropriate staff. The public will have an opportunity to comment on items on the agenda once the item has been called and the Chair opens the item to the public.

5. APPROVAL OF MINUTES – Regular Meeting, June 9, 2025

6. PUBLIC HEARING – Consider and accept public comment for KevKen Enterprises, LLC (Kevin King) for approval of Resolution No. 2025-07, approving Tentative Parcel Map 2024-03 to divide the 14.99-acre site into 8 parcels for development that will support light industrial uses. The site is located on the north side of Iona Avenue, east of 19th Avenue, in the City of Lemoore (APN 023-310-013) The Mitigated Negative Declaration entitled Maverik Gas Station and Industrial Park Project will be utilized as the environmental document, in accordance with the California Environmental Quality Act (CEQA).

7. PLANNING REPORT

8. COMMISSION REPORTS / REQUESTS

9. ADJOURNMENT

Upcoming Meetings
Regular Meeting of the Planning Commission, September 8, 2025

Agendas for all City Council meetings are posted at least 72 hours prior to the meeting at the Council Chamber, 429 C Street and the Cinnamon Municipal Complex, 711 W. Cinnamon Drive. Written communications from the public for the agenda must be received by the City Clerk's Office no less than seven (7) days prior to the meeting date. The City of Lemoore complies with the Americans with Disabilities Act (ADA of 1990). The Council Chamber is accessible to the physically disabled. Should you need special assistance, please call the City Clerk's office (559) 924-6744, at least 4 business days prior to the meeting.

CERTIFICATION OF POSTING

I, Kristie Baley, Planning Commission Secretary for the City of Lemoore, do hereby declare that I posted the above Planning Commission Agenda for the Regular Meeting of Monday, August 11, 2025, at Council Chamber, 429 C Street and Cinnamon Municipal Complex, 711 W. Cinnamon Drive, Lemoore CA on August 5, 2025.

//s//

Kristie Baley, Commission Secretary

PLANNING COMMISSION REGULAR MEETING
August 11, 2025 @ 5:30 p.m.

The Planning Commission will hold its public meetings in person, with a virtual option for public participation based on availability. The City of Lemoore utilizes Zoom teleconferencing technology for virtual public participation; however, the City makes no representation or warranty of any kind, regarding the adequacy, reliability, or availability of the use of this platform in this manner. Participation by members of the public through this means is at their own risk. (Zoom teleconferencing/attendance may not be available at all meetings.)

The meeting may be viewed through the following Zoom Meeting:

- Please click the link below to join the meeting:
- https://us06web.zoom.us/j/86430000963?pwd=z4BXbSk3K3Mdxxgj7oh2qwd4O2vAqr.1
- Meeting ID: 864 3000 0963
- Passcode: 698749
- Phone: +1 669 900 6833

If you wish to make a general public comment or public comment on a particular item on the agenda, **participants may do so by submitting public comments by e-mail to**: planning@lemoore.com. In the subject line of the e-mail, please state your name and the item you are commenting on. If you wish to submit a public comment on more than one agenda item, please send a separate e-mail for each item you are commenting on. Please be aware that written public comments, including your name, may become public information. Additional requirements for submitting public comments by e-mail are provided below.

General Public Comments & Comments on Planning Commission Business Items

For general public comments and comments regarding specific Planning Commission Business Items, public comments can be made via Zoom during the meeting or submitted by e-mail no later than 5:00 p.m. the day of the meeting. Comments received prior to the meeting will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within the normal three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions. If a general public comment or comment on a business item is received after 5:00 p.m., efforts will be made to read your comment into the record. The City is not responsible for technical difficulties during the meeting and cannot guarantee that written comments received after 5:00 p.m. will be read. All written comments that are not read into the record will be made part of the meeting minutes, provided that such comments are received prior to the end of the Planning Commission meeting.

Public Hearings

For public comment on a public hearing, all public comments must be received by the close of the public hearing period. All comments received by the close of the public hearing period will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within the normal three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions. If a comment on a public hearing item is received after the close of the public hearing, such comment will be made part of the meeting minutes, provided that such comment is received prior to the end of the meeting.

PLEASE BE AWARE THAT ANY PUBLIC COMMENTS RECEIVED THAT DO NOT SPECIFY A PARTICULAR AGENDA ITEM WILL BE READ ALOUD DURING THE GENERAL PUBLIC COMMENT PORTION OF THE AGENDA.

Minutes of the
LEMOORE PLANNING COMMISSION
Regular Meeting
June 9, 2025

ITEM NO. 1 Pledge of Allegiance

ITEM NO. 2 Call to Order and Roll Call

The meeting was called to order at 5:30 PM.

Chair:	Greg Franklin
Vice-Chair	Ray Etchegoin
Commissioners:	Mitchell Couch, Barbara Hill
Absent:	Joseph Brewer, Bob Clement

City Staff and Contract Employees Present: City Planner Steve Brandt (QK), Commission Secretary Kristie Baley

ITEM NO. 3 PUBLIC COMMENT

There was no comment.

ITEM NO. 4 Approval - Minutes – Regular Meeting, May 12, 2025

Motion by Commissioner Etchegoin, seconded by Commissioner Hill, to approve the Minutes of the Planning Commission Regular Meeting of May 12, 2025.

Ayes: Etchegoin, Hill, Couch, Franklin
Absent: Brewer, Clement

ITEM NO. 5 PUBLIC HEARING – Public Comment and Consideration for adoption of Resolution No. 2025-06, approving Tentative Parcel Map 2024-02, a request by Marco Polo Enterprises (Armen Basmajian) to divide to divide the 16.14-acre site into 4 parcels for residential and commercial development and Conditional Use Permit No. 2024-02 for a mini-storage facility. A multi-family project was previously approved for the site in 2024. The site is located on the south side of Hanford-Armona Road, east of SR 41, in the City of Lemoore (APN 021-660-031). The Mitigated Negative Declaration previously approved for this Hanford-Armona Mixed Development will be utilized as the environmental document pursuant to the California Environmental Quality Act (CEQA).

City Planner Brandt presented the request and notified the Commission that discretion was limited to the parcel map and conditional use permit.

Chair Franklin opened the public hearing at 5:49 p.m.

Commissioners agreed to let the Building Code dictate the need for a second exit to the storage facility.

Armen Basmajian (applicant) introduced himself and answered questions from Commissioners.

There was no other comment from the public.

Chair Franklin closed the public hearing at 6:04 p.m.

Motion by Commissioner Couch, seconded by Commissioner Etchegoin, to adopt Resolution 2025-06, approving Tentative Parcel Map No. 2025-01, with the included findings and conditions.

Ayes: Etchegoin, Hill, Clement, Couch, Etchegoin, Franklin
Absent: Brewer

ITEM NO. 6 Directors Report

Brandt presented the following information.

Staff are reviewing a parking lot proposal on E Street for Aria Health Care. The lot will accommodate staff at their office site located on D Street.

The City was awarded approximately $350k in REAP 2.0 funds distributed by KCAG to conduct an Infill Acceleration Program, a Water Supply Study (specifically the well field near the Kings County River), and a Growth Study (specifically looking at barriers for future outward growth). QK and staff have begun working on the project.

Staff are working with a property owner interested in annexing property on the north side of Lemoore.

ITEM NO. 7 Commission Reports / Requests

Commissioner Couch noted that Maveriks looks great and thanked staff.

There were no other reports or requests.

ITEM NO. 8 Adjournment

The meeting was adjourned at 613 P.M.

Approved the 11th day of August 2025.

APPROVED:

Greg Franklin, Chairperson

ATTEST:

Kristie Baley, Commission Secretary

City of
LEMOORE
CALIFORNIA

711 W Cinnamon Drive ● Lemoore, California 93245 ● (559) 924-6744 ● Fax (559) 924-9003

Staff Report

To: **Lemoore Planning Commission** **Item No. 6**

From: **Steve Brandt, City Planner**

Date: **July 29, 2025** **Meeting Date: August 11, 2025**

Subject: **Tentative Parcel Map No. 2024-03**: a request by Kevken Enterprises, LLC for approval of a Tentative Parcel Map to allow the division of a 14.99-acre parcel into eight industrial parcels located on the north side of West Iona Avenue, east of 19th Avenue, in the City of Lemoore (APN 023-310-013).

Proposed Motion:

Move to adopt Resolution No. 2025-07, approving Tentative Parcel Map No. 2024-03, with the included findings and conditions.

Project Proposal:

The applicant is requesting approval of a Tentative Parcel Map that would divide an existing 14.99-acre parcel into eight separate parcels: Parcel A 0.41 acres; Parcel B 7.65 acres; Parcel C 3.62 acres; Parcel D 0.75 acres; Parcel E 0.75 acres; Parcel F 0.56 acres; Parcel G 0.56 acres; and Parcel H 0.70 acres. The parcels are intended to accommodate future development allowed in the Light Industrial zone. Parcel B contains an existing storm drainage basin that this site will share with the adjacent Maverik commercial project.

Applicant	Kevken Enterprises, LCC (Kevin King)
Location	North side of Iona Avenue, east of 19th Avenue
Existing Land Use	Vacant, except of storm basin on proposed Parcel B
APN(s)	023-310-013 (formerly 023-310-011 and a portion of -012)
Zoning	ML
General Plan	Light Industrial

Adjacent Land Use, Zone, and General Plan Designation

Direction	Current Use	Zone	General Plan
North	State Route 198	N/A	N/A
South	Auto wrecking yards	ML	Light Industrial
East	Residential Subdivision	RLD	Low Density Residential
West	Maverik gas station and convenience store	CR	Regional Commercial

Previous Relevant Actions:

On June 19, 2023, the site was rezoned from Mixed Use (MU) to Light Industrial (ML). This was done in conjunction with a zone map amendment and conditional use permit to allow the Maverik commercial development to the east.

Zoning/General Plan:

The site is designated and zoned Light Industrial (ML). The proposed parcels on the Tentative Parcel Map meet the lot configuration and size requirements for this zone.

Access and Right of Way:

There will be no access from State Route 198. Therefore, the only public access will be from Iona Avenue. To promote traffic safety and meet City standards, a maximum of three driveway access points spaced at least 200 feet apart are being required as a condition of approval to promote public safety for vehicles on Iona Avenue.

Not all parcels have direct access to Iona Avenue. No specific access easements are being set with this Parcel Map. Conditions are recommended that require a reciprocal cross-access easement be recorded on all parcels and that when site plans are submitted to the City for approval they must illustrate how cross-access will be achieved.

Because the sites to the east are zoned Residential, a block wall is required on the east property lines of Parcels B, C, and H. The neighborhood to the east only has one access point, so it was required to leave Lot 8 vacant to allow an emergency access point. Since that access point will be blocked by the block wall, the City will work with property owners to obtain emergency access from Parcel A to the north end of Aliso Avenue. Conditions have been recommended that require the applicant to improve the site in a way that will accommodate this emergency access. The City will be responsible for obtaining access across the adjacent site and improving it to reach Aliso Avenue.

Phasing:

A phasing plan has not been submitted. No site plans have formally been submitted, though the applicant has discussed the possibility of a ministorage on Parcel B and a billboard on Parcel A. Any site plans will need to demonstrate that cross-access to each of the parcels can be achieved.

In accordance with the Subdivision Map Act, improvements to Iona Avenue cannot be required until a building permit is requested for the site.

Community Facilities District

On June 18, 2024, the City Council amended the Municipal Code regarding maintenance districts. The new Ordinance requires the community facilities districts be established with new residential and commercial development to provide a funding source for maintenance of streets, parks, trails, streetlights, traffic lights, fire hydrants, sound walls, drains, sewers, curbs, gutters, sidewalks, conduits, culverts, landscaping, and hardscaping, as well as police services and fire services. This replaces the previous policy of using public facilities maintenance districts as maintenance funding sources. The policy requires that a district be formed in conjunction with the Final Map acceptance. A condition of approval has been recommended to implement this policy.

Environmental Assessment:

Both the subject site and the Maverik commercial project were evaluated in a single Initial Study/Mitigated Negative Declaration, approved by the Lemoore City Council. That IS/MND is being utilized as the CEQA environmental document for this project.

Recommended Approval Findings:

A Tentative Parcel Map shall be granted only when the designated approving authority determines that the proposed use or activity complies with all of the following findings. City staff recommends that these findings be made based upon review of the project as described in this staff report, and with the recommended conditions of approval.

1. The proposed subdivision is consistent with the general plan, any applicable specific plans, and all applicable provisions of Zoning Ordinance and the Subdivision Ordinance, and the State Subdivision Map Act.
2. That the site is physically suitable for the proposed type of development.
3. That the site is physically suitable for the proposed density of development.
4. That the design of the parcels and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
5. That the design of the subdivision or the type of improvements are not likely to cause serious public health problems.

6. Lot 8 of the adjacent residential subdivision was required to be left vacant to allow for emergency access to that subdivision. Development of the project site blocks this access, requiring alternative emergency access to the neighborhood from Parcel A. As conditioned, the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. Conditions are required to ensure that each parcel has legal access and that emergency access is available to the adjacent neighborhood to the east.
7. That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965.

Recommended Conditions:

Staff recommends the following conditions be applied to the approval of the Tentative Parcel Map No. 2024-01:

1. The Final Map shall be prepared consistent with the submitted tentative parcel map (attached as Exhibit A) and applicable development standards found in the Zoning Ordinance and Subdivision Ordinance.
2. A reciprocal cross-access agreement shall be recorded that allows access over all parcels to reach all other parcels.
3. No more than a total of three driveways, spaced at least 200 feet apart, shall be allowed for access from Iona Avenue.
4. Site Plan(s) shall be submitted prior to development of any parcels that identify paved driveways and parking that illustrate how reciprocal cross-vehicular access will be achieved.
5. A 6-foot to 7-foot block wall shall be constructed on the east property lines of Parcels B, C, and H when those lots develop.
6. Improvements to the site shall include a paved or all-weather surface for emergency vehicles to access Parcel A. Improvements on Parcel A shall allow emergency vehicles to access the parcel directly east of Parcel A from Parcel A.
7. A community facilities district (CFD) shall be formed in conjunction with the Final Map acceptance in order to provide the maintenance costs for police, fire safety, street maintenance, and other improvements in accordance with existing City policy.
8. The project and all subsequent uses must meet the requirements found in Section 9-5B-2 of the Zoning Ordinance related to noise, odor, and vibration, and maintenance.
9. The tentative parcel map approval shall expire in two years unless a final map is filed. The time limits and potential extensions and expiration shall be those available per the Subdivision Map Act.

Attachments:

Vicinity Map
Resolution
Exhibit A “Tentative Parcel Map”
Mitigated Negative Declaration

Vicinity Map
Tentative Parcel Map No. 2024-03

RESOLUTION NO. 2025-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE APPROVING TENTATIVE PARCEL MAP NO. 2024-03 TO DIVIDE AN EXISTING 14.99-ACRE PARCEL INTO EIGHT INDUSTRIAL PARCELS LOCATED ON THE NORTH SIDE OF WEST IONA AVENUE, EAST OF 19TH AVENUE, IN THE CITY OF LEMOORE (APN 023-310-013)

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on August 11, 2025, at 5:30 p.m. on said day, it was moved by Commissioner _____, seconded by Commissioner _____, and carried that the following Resolution be adopted:

WHEREAS, Kevken Enterprises LLC has requested a Tentative Parcel Map to allow the division of a 14.99-acre parcel into eight industrial parcels located on the north side of West Iona Avenue, east of 19th Avenue, in the City of Lemoore (APN 023-310-013); and

WHEREAS, the proposed site is currently vacant; and

WHEREAS, the zoning on the parcel is Light Industrial (ML); and

WHEREAS, three of the proposed parcels do not have direct access to a public street and a site plan for development has not been formally submitted with the proposed parcel map); and

WHEREAS, the project was evaluated for environmental impacts with the adjacent Maverik commercial development in an Initial Study/Mitigated Negative Declaration adopted by the City Council of the City of Lemoore in conformance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Lemoore Planning Commission held a duly noticed public hearing at its August 11, 2025, meeting.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby makes the following findings regarding the proposed conditional use permit:

1. The proposed subdivision is consistent with the general plan, any applicable specific plans, and all applicable provisions of Zoning Ordinance and the Subdivision Ordinance, and the State Subdivision Map Act.
2. That the site is physically suitable for the proposed type of development.
3. That the site is physically suitable for the proposed density of development.
4. That the design of the parcels and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
5. That the design of the subdivision or the type of improvements are not likely to cause serious public health problems.
6. Lot 8 of the adjacent residential subdivision was required to be left vacant to allow for emergency access to that subdivision. Development of the project site blocks this access, requiring alternative emergency access to the neighborhood from Parcel A. As conditioned, the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the

proposed subdivision. Conditions are required to ensure that each parcel has legal access and that emergency access is available to the adjacent neighborhood to the east.

7. That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore finds that the project was evaluated with a previously approved Mitigated Negative Declaration, and approves Tentative Parcel Map 2024-03 subject to applicable mitigation measures in said Mitigated Negative Declaration and the following conditions:

1. The Final Map shall be prepared consistent with the submitted tentative parcel map (attached as Exhibit A) and applicable development standards found in the Zoning Ordinance and Subdivision Ordinance.
2. A reciprocal cross-access agreement shall be recorded that allows access over all parcels to reach all other parcels.
3. No more than a total of three driveways, spaced at least 200 feet apart, shall be allowed for access from Iona Avenue.
4. Site Plan(s) shall be submitted prior to development of any parcels that identify paved driveways and parking that illustrate how reciprocal cross-vehicular access will be achieved.
5. A 6-foot to 7-foot block wall shall be constructed on the east property lines of Parcels B, C, and H when those lots develop.
6. Improvements to the site shall include a paved or all-weather surface for emergency vehicles to access Parcel A. Improvements on Parcel A shall allow emergency vehicles to access the parcel directly east of Parcel A from Parcel A.
7. A community facilities district (CFD) shall be formed in conjunction with the Final Map acceptance in order to provide the maintenance costs for police, fire safety, street maintenance, and other improvements in accordance with existing City policy.
8. The project and all subsequent uses must meet the requirements found in Section 9-5B-2 of the Zoning Ordinance related to noise, odor, and vibration, and maintenance.
9. The tentative parcel map approval shall expire in two years unless a final map is filed. The time limits and potential extensions and expiration shall be those available per the Subdivision Map Act.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on August 11, 2025, by the following votes:

AYES:
NOES:
ABSTAINING:
ABSENT:

APPROVED:

_____

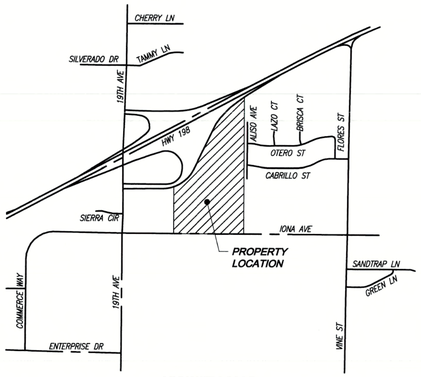
Gregory Franklin, Chairperson

ATTEST:

_____

Planning Commission Secretary

TPM-2024-03



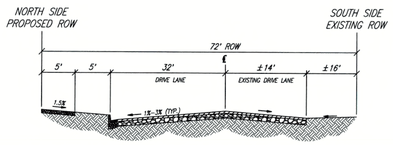
VICINITY MAP
NOT TO SCALE

LEGEND

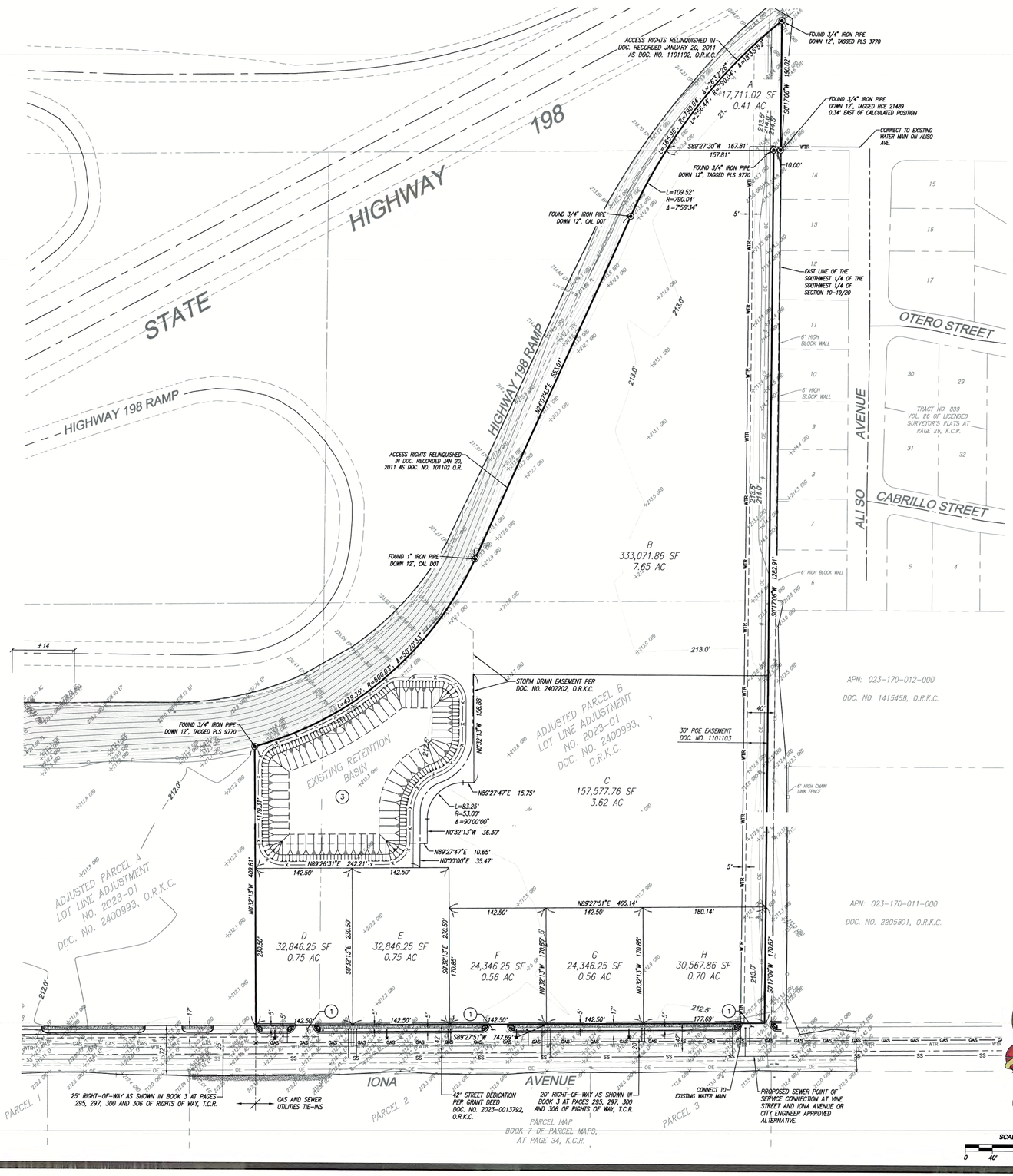
AC	ASPHALT CONCRETE		EXISTING EASEMENT
BLKW	BLOCK WALL		EXISTING CENTERLINE
BW	BACK OF WALK		EXISTING PROPERTY LINE
C	CONCRETE		EXISTING RIGHT-OF-WAY
EP	EDGE OF PAVEMENT		EXISTING SECTION LINE
FL	FLOWLINE		FENCE
FNC	FENCE	OE	EXISTING OVERHEAD POWER LINE
GRD	GROUND	GAS	EXISTING GAS LINE
HW	HEADWALL	WTR	EXISTING WATER LINE
LIP	LIP OF GUTTER	SS	EXISTING SANITARY SEWER LINE
P	PAVEMENT	GAS	PROPOSED GAS LINE
TC	TOP OF CURB	SS	PROPOSED SANITARY SEWER LINE
T.C.R.	TULARE COUNTY RECORDS		ORIGINAL PARCEL BOUNDARY
K.C.R.	KINGS COUNTY RECORDS		ADJUSTED PARCEL BOUNDARY
O.R.K.C.	OFFICIAL RECORDS KINGS COUNTY		EXISTING FIRE HYDRANT
			PROPOSED FIRE HYDRANT
x 100.00	EXISTING GRADE	WM	EXISTING WATER MAIN
	EXISTING CURB AND GUTTER		HOSE BIB
	EXISTING STORM DRAIN INLET		BOLLARD
	POLE GUY ANCHOR		PROPOSED STREET LIGHT
	POWER POLE		ROAD SIGN
	POWER POLE WITH TRANSFORMER		MAIL BOX
	UTILITY/COMMUNICATION POLE		
	TELEPHONE RISER		

CONSTRUCTION KEYNOTES

1. PROPOSED EXIT/ENTRANCE RIGHT-OF-WAY W/ INSTALL STRIPING FOR ADA PATH OF TRAVEL PER CITY STANDARDS.
2. A MUTUAL EASEMENTS AND RECIPROCAL USE AGREEMENT BETWEEN ALL PARCELS WILL BE EXECUTED TO ALLOW FOR MUTUAL AND RECIPROCAL ACCESS TO A PUBLIC RIGHT-OF-WAY, SHARED PARKING (AS APPLICABLE), CROSS DRAINAGE (AS APPLICABLE), SHARED SOLID WASTE FACILITIES (AS APPLICABLE), AND PROVISIONS AND OBLIGATIONS FOR RETENTION AND MAINTENANCE OF SHARED ACCESS, UTILITIES, FIRE SUPPRESSION SYSTEMS, FACILITIES AND IMPROVEMENTS ON THE SUBJECT PROPERTY (AS APPLICABLE).
3. EXISTING RETENTION BASIN APPROVED BY DOC. NO. 2402202. PARCEL B TO OBTAIN OWNERSHIP OF BASIN.



IONA AVENUE STREET SECTION



LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF LEMOORE, COUNTY OF KINGS, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

ADJUSTED PARCEL B, AS SHOWN ON PARCEL MAP WAIVER FOR CITY OF LEMOORE LOT LINE ADJUSTMENT NO. 2023-01, AS EVIDENCED BY DOCUMENT RECORDED DECEMBER 14, 2023 AS INSTRUMENT NO. 2318569 AND AMENDED AS PER DOCUMENT RECORDED JANUARY 19, 2024 AS INSTRUMENT NO. 2400993, BOTH OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 10, TOWNSHIP 19 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION, SOUTH 89° 54' 33" EAST, A DISTANCE OF 312.91 FEET;

THENCE NORTH 0° 05' 27" EAST, A DISTANCE OF 25.00 FEET;

THENCE NORTH 79° 35' 20" WEST, A DISTANCE OF 94.89 FEET, TO A POINT ON A LINE THAT IS PARALLEL WITH AND 42.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION;

THENCE ALONG SAID PARALLEL LINE, SOUTH 89° 54' 33" EAST, A DISTANCE OF 352.46 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 0° 05' 27" EAST, A DISTANCE OF 409.79 FEET TO A POINT ON THE SOUTHERLY LINE OF THOSE LANDS DESCRIBED IN GRANT DEED TO THE STATE OF CALIFORNIA, FILED JANUARY 20, 2011, AS DOCUMENT NO. 1101102, SAID POINT BEING ON COURSE NO. 10 OF SAID DESCRIPTION OF LANDS, ON A CURVE HAVING A RADIUS OF 500.03 FEET, RADIAL LINE BEARING SOUTH 14° 55' 00" EAST;

THENCE ALONG THE BOUNDARY OF SAID GRANT DEED THE FOLLOWING COURSES:

NORTHEASTERLY ALONG SAID CURVE CONCAVE TO THE NORTHWEST, THROUGH A CENTRAL ANGLE OF 50° 19' 14", AN ARC DISTANCE OF 439.16 FEET;

NORTH 24° 45' 46" EAST, A DISTANCE OF 553.08 FEET, TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 790.04 FEET;

NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 26° 32' 32", AN ARC DISTANCE OF 365.98 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 10;

THENCE LEAVING THE SOUTHERLY LINE OF SAID GRANT DEED, ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION, SOUTH 0° 54' 39" WEST, A DISTANCE OF 190.04 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION;

THENCE ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION, SOUTH 0° 54' 39" WEST, A DISTANCE OF 1282.79 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH AND 42.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION;

THENCE ALONG SAID PARALLEL LINE, NORTH 89° 54' 33" WEST, A DISTANCE OF 757.72 FEET, TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE EAST 10.00 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION.

ALSO EXCEPTING THEREFROM AN UNDIVIDED ONE-HALF OF THE PETROLEUM, GAS, OIL AND MINERAL RIGHTS, AS EXCEPTED IN THE DEED DATED NOVEMBER 14, 1946, EXECUTED BY ARTHUR T. BALL AND ROSA LEA ETHEL BALL, HUSBAND AND WIFE, TO JOHN L. PRUETT AND FLOY PRUETT, HUSBAND AND WIFE, AS JOINT TENANTS, AND RECORDED NOVEMBER 25, 1946, IN BOOK 367, AT PAGE 48 OF OFFICIAL RECORDS, AS DOCUMENT NO. 10327.

ALSO EXCEPTING THEREFROM AND RESERVING UNTO THE GRANTOR HEREIN AN UNDIVIDED ONE-QUARTER OF ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES SITUATED THEREIN AND THEREUNDER SAID LAND, AS CONTAINED IN THE DEED EXECUTED BY BETTY L. STROLE, A MARRIED WOMAN, TO RALPH G. PHILLIPS, ET UX, DATED DECEMBER 31, 1976, AND RECORDED JANUARY 3, 1977, IN BOOK 1083, AT PAGE 835, OF OFFICIAL RECORDS, AS DOCUMENT NO. 49.

APN: 023-310-013
(FORMERLY 023-310-011 AND A PORTION OF 023-310-012)

SITE INFORMATION

APN: 023-310-011-000 AND 023-012-(PORTION)

OWNER: KEYKEN ENTERPRISES, LLC
18806 IONA AVE.
LEMOORE, CA. 94245

EXISTING ZONING: ML-LIGHT INDUSTRIAL
PROPOSED ZONING: ML-LIGHT INDUSTRIAL
PROPOSED USE: ML-LIGHT INDUSTRIAL, (PARCEL A-MINI STORAGE & PARCELS B TO G - COMMERCIAL LIGHT INDUSTRIAL)

SITE ADDRESS: EAST SIDE OF 19TH AVE APPROXIMATELY 0.11 MILES ON THE NORTHSIDE OF IONA AVENUE

1. THERE ARE NO EXISTING STRUCTURES ON SITE.
2. SITE ACREAGE: 14.99± ACRES
3. FLOOD ZONE: ZONE X
   FLOOD MAP: 06031C0170D, EFFECTIVE SEPTEMBER 16, 2015

BASIS OF BEARINGS

THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 19 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN WAS TAKEN TO BE SOUTH 0°09'42" EAST, AS SHOWN ON PARCEL MAP NO. 23-31, RECORDED IN BOOK 23 AT PAGE 31, KINGS COUNTY RECORDS.

BENCHMARK

DESIGNATION: LEDESMA
PID: DH6732
DESCRIPTION: BENCH MARK DISK
ELEVATION: 232.52 FEET (NAVD88)

Reviewed on 7/24/25
JSC

See separate comments for Final Parcel Map processing and approval.

PLANNING ● SURVEYING ● CIVIL ENGINEERING
1234 O STREET, FRESNO, CALIFORNIA 93721
TEL: 559-449-4500 FAX: 559-449-4515
WWW.PRECISIONENG.NET

PRECISION CIVIL ENGINEERING, INC.

PROJECT TITLE: TPM-2024-03
SHEET DESCRIPTION: TENTATIVE PARCEL MAP
CITY OF: LEMOORE, CA
COUNTY OF: KINGS

PREPARED FOR:
KING RANCH
814 W LEWISTON
RIVERDALE, CA 93656
KINGKONG_63@AOL.COM

REVISIONS

DRAWN BY: JM
CHECKED BY: LR
DATE: 6/4/2025

LICENSED LAND SURVEYOR
PETER D. COMIS
LS 5096
STATE OF CALIFORNIA

SHEET NUMBER: 1 OF 1
JOB NUMBER: 20-187

P:\CIVIL 3D PROJECTS\2020\20-187\SURVEY AND MAPPING\MAPS\TENTATIVE MAP\20-187 TPM.DWG 7/3/2025 11:30:08 AM

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

MAVERIK GAS STATION AND INDUSTRIAL PARK PROJECT

Prepared for:

City of Lemoore
711 W. Cinnamon Drive
Lemoore, CA 93245
Contact Person: Nathan Olson, City Manager
Phone: (559) 924-6744

Consultant:

5080 California Avenue, Suite 220
Bakersfield, CA 93309
Contact: Jaymie Brauer
Phone: (661) 616-2600

April 2023

Project #220333.02

NOTICE OF PUBLIC HEARING AND INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

This is to advise that the City of Lemoore has prepared a Mitigated Negative Declaration for the project identified below that is scheduled to be considered at the Lemoore City Council's regular meeting on **Tuesday, May 16, 2023.**

PLEASE BE ADVISED that the City Council will consider adopting the Mitigated Negative Declaration at a future meeting held after the Planning Commission meeting. That date is uncertain at this time and will be noticed in the future.

All upcoming regular and special Planning Commission and City Council meetings will also be accessible online at www.youtube.com/c/cityoflemoore.

Persons having comments or concerns about the proposed project are encouraged to attend or submit public comments by e-mail to: planning@lemoore.com. Emailed comments must be received by 4:30 p.m. on the day of the hearing to be entered into the record. In the subject line of the e-mail, please state your name and the item you are commenting on. Persons unable to email comments may send them via USPS mail or another courier to the City of Lemoore, Attn: City Clerk, 711 W. Cinnamon Drive, Lemoore CA 93245. Mailed comments must be received by 4:30 p.m. on the day of the hearing to be entered into the record.

Project Name

Maverik Gas Station and Industrial Park Project

Project Location

The project site is a 20.5-acre property located on the northeast corner of South 19th Avenue and West Iona Avenue in the City of Lemoore, Kings County, CA. The project site is on Assessor's Parcel Numbers (APN) 023-310-012-000 and 023-210-011-000 within Section 10, Township 19S, Range 20E, Mount Diablo Base and Meridian (MDB&M).

Project Description

The project requests a Zone Change/General Plan Amendment from Mixed Use to Regional Commercial for an approximately 4.13-acre portion of the site and approval of a Conditional Use Permit to allow for the construction and development of a gas station/mini-mart. The project would include an 8,952-square-foot building with fuel canopies for gas and diesel pumps. In the future, a fast-food restaurant with a drive-through lane would be developed. Development of the gas station/mini-mart is anticipated to occur over a six-month period.

The remaining easterly portion of the site would change from Mixed Use to Light Industrial to allow for the development of an industrial park to accommodate future compatible uses. The site would be divided into 23 separate lots with the approval of a subdivision map. The size of the buildings is not known, but based on the proposed lot sizes, it can be assumed up

to 100,000 square feet of buildings can be developed. Additional improvements include the development of a retention basin on the north end of the property.

As mandated by the California Environmental Quality Act (CEQA), the public review period for this document was 20 days (CEQA Section 15073[a]). The public review period began on April 7, 2023, and ended on May 8, 2023. For further information, please contact Jaymie Brauer at 661-616-2600 or jaymie.brauer@qkinc.com.

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MITIGATED NEGATIVE DECLARATION

As Lead Agency under the California Environmental Quality Act (CEQA), the City of Lemoore reviewed the project described below to determine whether it could have a significant effect on the environment because of its development. In accordance with CEQA Guidelines Section 15382, "[s]ignificant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

Project Name

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Development of the gas station/mini-mart is anticipated to occur over a six-month period. Construction equipment will vary and includes the following:

- Excavators/earth-moving equipment.
- Depending on the foundation system, auger rig or pile-driving rig.
- All-terrain forklifts.
- A man/material hoist.
- Truck cranes.
- Concrete trucks.
- Dump trucks.

- Street sweepers/water trucks for dust control.
- Construction delivery trucks (typically box trucks of flat beds).
- Small tools (generators, light plants, compactors, air compressors).

Entitlements

In order for the project to be constructed, approval of the following actions is required:

- Zone Change and General Plan Amendment – Mixed Use to Regional Commercial and Light Industrial.
- Conditional Use Permit.
- Subdivision Map.
- Major Site Plan Review.

The project also proposes to rezone and subdivide the eastern portion of the site; however, no development is planned for these parcels at this time. The project analyzed in the IS/MND accounts for general industrial uses as allowed in the Lemoore Zoning Code; however, the future proposed development on these parcels may require additional environmental review.

Mailing Address and Phone Number of Contact Person

Nathan Olson, City Manager
Phone: (559) 924-6744
711 W. Cinnamon Drive
Lemoore, CA

Findings

As Lead Agency, the City finds that the project will not have a significant effect on the environment. The Initial Study (IS) (see *Section 3 - Environmental Checklist*) identified one or more potentially significant effects on the environment, but revisions to the project have been made before the release of this Mitigated Negative Declaration (MND) or mitigation measures would be implemented that reduce all potentially significant impacts to less-than-significant levels. The City further finds that there is no substantial evidence that this project would have a significant effect on the environment.

Mitigation Measures Included in the Project to Avoid Potentially Significant Effects

MITIGATION MEASURE(S)

MM BIO-1: Prior to ground-disturbing activities, a qualified wildlife biologist shall conduct a biological clearance survey between 14 and 30 days prior to the onset of construction.

The clearance survey shall include walking transects to identify the presence of San Joaquin kit fox, burrowing owl, nesting birds, and other special-status species. The preconstruction survey shall be walked by no greater than 30-foot transects for 100 percent coverage of the project and a 50-foot buffer, where feasible. If no evidence of special-status species is detected, no further action is required except measures BIO-4 through BIO-6 shall be implemented.

MM BIO-2: The following avoidance and minimization measures shall be implemented during all phases of the project to reduce the potential for impact from the project. They are modified from the *U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered SJKF Prior to or During Ground Disturbance* (USFWS 2011, Appendix F).

a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction or project site.

b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds shall not exceed 20 miles per hour (mph) within the project site.

c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the project site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted and USFWS and CDFW shall be consulted.

d. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW have been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.

e. No pets, such as dogs or cats, shall be permitted on the project sites to prevent harassment, mortality of kit foxes, or destruction of dens.

f. Use of anti-coagulant rodenticides and herbicides in project sites shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe labels and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation, as well as additional project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.

g. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative shall be identified during the employee education program and their name and telephone number shall be provided to the USFWS.

h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a SJKF during project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and R4CESA@wildlifeca.gov.

i. All sightings of the SJKF shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.

j. Any project-related information required by the USFWS or questions concerning the above conditions, or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone: (916) 414-6620 or (916) 414-6600.

k. New sightings of SJKF should be reported to the CNDDB.

MM BIO-3: Within 14 days prior to the start of project ground-disturbing activities, a pre-activity survey with a 500-foot buffer shall be conducted by a qualified biologist knowledgeable in the identification of these species and approved by the CDFW. If dens/burrows that could support any of these species are discovered during the pre-activity survey conducted under MM BIO-1, the avoidance buffers outlined below should be established. No work would occur within these buffers unless the biologist approves and monitors the activity.

San Joaquin Kit Fox:

- Potential or Atypical den – 50 feet
- Known den – 100 feet
- Natal or pupping den – 500 feet, unless otherwise specified by CDFW

MM BIO-4: If construction is planned outside the nesting period for raptors (other than burrowing owl) and migratory birds (February 15 to August 31), no mitigation shall be required. If construction is planned during the nesting season for migratory birds and raptors, a preconstruction survey to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet and all other migratory bird nests shall be avoided by 250 feet. Avoidance buffers may be reduced if a qualified onsite monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affecting the breeding behaviors of the resident birds. Because nesting birds can establish new nests or produce a second or even third clutch at any time during the nesting season, nesting bird surveys shall be repeated every 30 days as construction activities are occurring throughout the nesting season.

No construction or earth-moving activity shall occur within a non-disturbance buffer until it is determined by a qualified biologist that the young have fledged (left the nest) and have attained sufficient flight skills to avoid project construction areas. Once the migratory birds or raptors have completed nesting and the young have fledged, disturbance buffers will no longer be needed and may be removed, and monitoring may cease.

MM BIO-5: A qualified biologist shall conduct a preconstruction survey on the project site and within 500 feet of its perimeter, where feasible, to identify the presence of the western burrowing owl. The survey shall be conducted between 14 and 30 days prior to the start of construction activities. If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent with those included in the CDFW *Staff Report on Burrowing Owl Mitigation* (CDFG 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 250 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the California Burrowing Owl Consortium (1993) and the California Department of Fish and Wildlife (2012). During the breeding season (February 1 through August 31), a 500-foot (minimum) buffer zone shall be maintained unless a qualified biologist verifies through noninvasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

In addition, impacts to occupied burrowing owl burrows shall be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: (1) the birds have not begun egg laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting Sites	April 1 – Aug 15	200 m	500 m	500 m
Nesting Sites	Aug 16 – Oct 15	200 m	200 m	500 m
Nesting Sites	Oct 16 – Mar 31	50 m	100 m	500 m

MM BIO-6: Prior to ground-disturbance activities, or within one week of being deployed at the project site for newly hired workers, all construction workers at the project site shall attend a Construction Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.

The Construction Worker Environmental Awareness Training and Education Program shall be presented by the biologist and shall include information on the life histories of special-status wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of "take" under the Endangered Species Act, measures the project operator is implementing to protect the species, reporting requirements, specific measures that each worker must employ to avoid take of the species, and penalties for violation of the Act. Identification and information regarding special-status or other sensitive species with the potential to occur on the project site shall also be provided to construction personnel. The program shall include:

- An acknowledgment form signed by each worker indicating that environmental training has been completed.
- A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgment forms, shall be maintained onsite for the duration of construction activities.

MM CUL-1: Prior to the issuance of building permits, a qualified archeologist shall conduct a cultural resource survey of the project site. If prehistoric or historic-era cultural materials are encountered as a result of the survey, the qualified archeologist shall make recommendations and take further measures to avoid impacts on cultural resources. These measures can include avoidance, testing, and evaluation or data recovery excavation.

MM CUL-2: Prior to any ground disturbance, the applicant shall offer interested tribes the opportunity to provide a Native American Monitor during ground-disturbing activities during construction. Tribal participation would be dependent upon the availability and interest of the tribe.

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 long-term preservation. Documentation for the work shall be provided in accordance with applicable cultural resource laws and guidelines.

MM CUL-3: If requested, prior to any ground disturbance, a surface inspection of the site shall be conducted by a Tribal Monitor. The Tribal Monitor shall monitor the site during initial grading or ground-disturbance activities. The Tribal Cultural Staff shall provide preconstruction briefings to supervisory personnel and any excavation contractor, which will include information on potential cultural material finds and, on the procedures, to be enacted if resources are found. Tribal participation would be dependent upon the availability and interest of the tribe.

If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation. Implementation of the mitigation measure would ensure that the proposed project would not cause a substantial adverse change in the significance of a historical resource.

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.

MM CUL-4: If human remains are discovered during construction 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 the discovery of human remains, at the direction of the county coroner.

MM GEO-1: If the proposed development will disturb an area of one or more acres, 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:

- Stockpiling and disposing of demolition debris, concrete, and soil properly.
- 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.

Evidence of the approved SWPPP shall be submitted to the Lead Agency.

MM GEO-2: 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 another appropriate facility regarding any discoveries of paleontological resources.

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 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.

MM NSE-1: During construction, the contractor shall implement the following measures:

a. All stationary construction equipment on the project site shall be located so that noise-emitting objects or equipment face away from any potential sensitive receptors.
b. The construction contractor shall ensure that all construction equipment is equipped with manufacturer-approved mufflers and baffles. During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
c. Construction activities shall take place during daylight hours, when feasible.

MM NSE-2: Prior to the issuance an occupancy permit for the first building permit(s), the proposed light industrial zoned parcels abutting residential zone districts along the eastern property line shall be screened with a minimum six-foot masonry wall or similar solid wall.

MM NSE-3: No materials related to an industrial operation shall be stored within the yard setback to a height of more than six feet within 25 feet of property lines adjacent to the residential zone district.

MM TRA-1: Prior to the issuance of building permits for the commercial development and subsequent industrial development, the developer and any future developer shall pay its pro rata share for:

- Signalization of the 19th Avenue and Iona Avenue intersection based on 49.7 percent.

SECTION 1 - INTRODUCTION

1.1 - Overview

The project proposes the development of a 20.5-acre property located on the northeast corner of West Iona Avenue and South 19th Avenue. The project proposes to construct and operate a gas station/mini-mart on a portion of the property. In the future, a fast-food restaurant with a drive-through lane would be developed. In addition, a portion of the project site will be subdivided to allow for the future construction and operation of light industrial uses.

1.2 - CEQA Requirements

The City of Lemoore is the Lead Agency for this project pursuant to the CEQA Guidelines (Public Resources Code Section 15000 et seq.). The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see *Section 3 – Initial Study*) provides analysis that examines the potential environmental effects of the construction and operation of the project. Section 15063 of the CEQA Guidelines requires the Lead Agency to prepare an IS to determine whether a discretionary project will have a significant effect on the environment. A Mitigated Negative Declaration (MND) is appropriate when an IS has been prepared and a determination can be made that no significant environmental effects will occur because revisions to the project have been made or mitigation measures will be implemented that reduce all potentially significant impacts to less-than-significant levels. The content of an MND is the same as a Negative Declaration, with the addition of identified mitigation measures and a Mitigation Monitoring and Reporting Program (MMRP) (see Section 6 – *Mitigation Monitoring and Reporting Program*).

Based on the IS, the Lead Agency has determined that the environmental review for the proposed application can be completed with an MND.

1.3 - Impact Terminology

The following terminology is used to describe the level of significance of project environmental impacts.

- A finding of "no impact" is appropriate if the analysis concludes that the project would not affect a topic area in any way.
- An impact is considered "less than significant" if the analysis concludes that it would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered "less than significant with mitigation incorporated" if the analysis concludes that it would cause no substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by the proponent.
- An impact is considered "potentially significant" if the analysis concludes that it could have a substantial adverse effect on the environment.

1.4 - Document Organization and Contents

The content and format of this IS/MND is designed to meet the requirements of CEQA. The report contains the following sections:

- *Section 1 – Introduction:* This section provides an overview of CEQA requirements, intended uses of the IS/MND, document organization, and a list of regulations that have been incorporated by reference.
- *Section 2– Project Description:* This section describes the project and provides data on the site's location.
- *Section 3 – Environmental Checklist:* This section contains the evaluation of 21 different environmental resource factors contained in Appendix G of the CEQA Guidelines. Each environmental resource factor is analyzed to determine whether the proposed project would have an impact. One of four findings is made which include: no impact, less-than-significant impact, less than significant with mitigation, or significant and unavoidable. If the evaluation results in a finding of significant and unavoidable for any of the 21 environmental resource factors, then an Environmental Impact Report will be required.
- *Section 4 – References:* This section contains a full list of references that were used in the preparation of this IS/MND.
- *Section 5- Preparers*
- *Section 6- Mitigation Monitoring and Reporting Program* (RESERVED)

1.5 - Incorporated by Reference

The following documents and/or regulations are incorporated into this IS/MND by reference:

- City of Lemoore General Plan.
- City of Lemoore Municipal Code.
- City of Lemoore Development Standards.
- City of Lemoore 2015 Urban Water Management Plan.
- 2015 Kings County Emergency Operations Plan.
- Kings County General Plan.
- Title 24 Building Code.

SECTION 2 - PROJECT DESCRIPTION

2.1 - Project Location

The project site is a 20.5-acre property located on the northeast corner of South 19th Avenue and West Iona Avenue in the City of Lemoore, Kings County, CA (Figures 2-1 and 2-2). The project site is on Assessor's Parcel Numbers (APN) 023-310-012-000 and 023-210-011-000 within Section 10, Township 19S, Range 20E, Mount Diablo Base and Meridian (MDB&M).

2.2 - Surrounding Land Uses

The project is within city limits and is classified as Mixed Use. The site is shown in the Lemoore General Plan within the Planning Area and within Urban Growth Boundary and designates the project site as Mixed Use.

The project site is located in a developing area in the City of Lemoore. Surrounding land uses include residential, commercial, and undeveloped land to the east, the interchange of State Route (SR) 198 at South 19th Avenue to the north, commercial uses to the west, and industrial uses to the south.

2.3 - Project Environment

The project site is currently undeveloped. Fire service would be served by the Lemoore Fire Department located at 210 Fox Street in Lemoore. Police service would be served by the City of Lemoore Police Department located at 657 Fox Street in Lemoore. Sanitation/garbage collection will be provided by a local waste hauler. Water and sewer service will be provided by the City.

2.4 - Proposed Project

The project requests a Zone Change/General Plan Amendment from Mixed Use to Regional Commercial for an approximately 4.13-acre portion of the site and approval of a Conditional Use Permit to allow for the construction and development of a gas station/mini-mart. The project would include an 8,952-square-foot building with fuel canopies for gas and diesel pumps (Figure 2-3). In the future, a fast-food restaurant with a drive-through lane would be developed.

The remaining easterly portion of the site would change from Mixed Use to Light Industrial to allow for the development of an industrial park to accommodate future compatible uses. The site would be divided into 23 separate lots with the approval of a subdivision map (Figure 2-4). The size of the buildings is not known, but based on the proposed lot sizes, it can be assumed up to 100,000 square feet of buildings can be developed. Additional improvements include the development of a retention basin on the north end of the property.

Development of the gas station/mini-mart is anticipated to occur over a six-month period. Construction equipment will vary over the course of development and include the following:

- Excavators/earth-moving equipment.
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- Concrete trucks.
- Dump trucks.
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The project includes no known development of the industrial park at this time. The project analyzed in the IS/MND accounts for general industrial uses as allowed by the Lemoore Zoning Code; however, the future proposed development on these parcels may require additional environmental review.

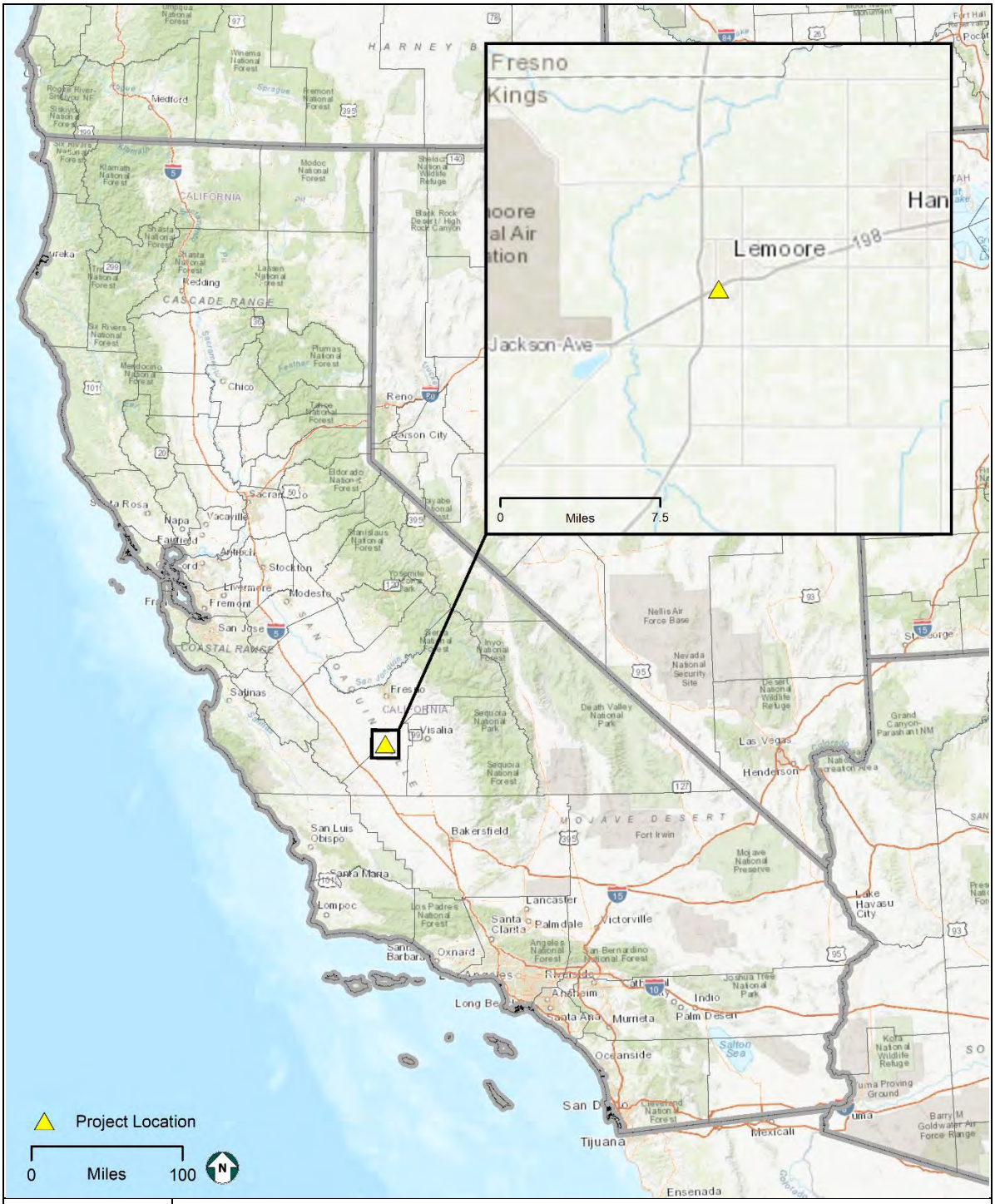

Figure 2-1
Regional Location

Figure 2-2
Project Site

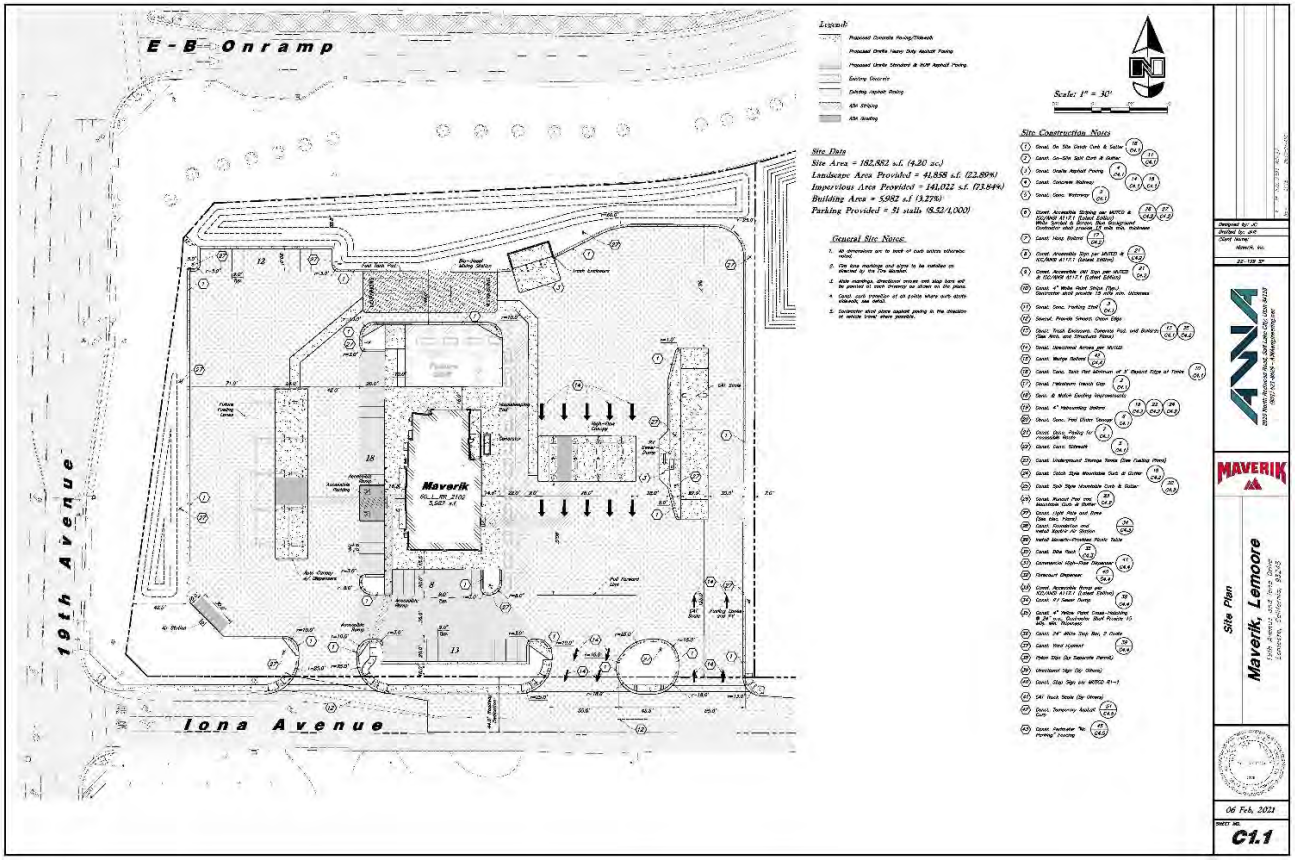

Figure 2-3
Site Plan – Gas Station and Mini-Mart

Figure 2-4
Site Plan – Industrial Park

SECTION 3 - EVALUATION OF ENVIRONMENTAL IMPACTS

3.1 - Environmental Checklist and Discussion

1. **Project Title:**

   Maverik Gas Station and Industrial Park Project

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

   City of Lemoore
   711 W. Cinnamon Drive
   Lemoore, CA 93245

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

   Nathan Olson, City Manager
   Phone: (559) 924-6744

4. **Project Location:**

   The project site is located on the northeast corner of South 19th Avenue and West Iona Avenue in the City of Lemoore, Kings County, CA. The project site is on Assessor's Parcel Numbers (APN) 023-310-012-000 and 023-210-011-000 within Section 10, Township 19S, Range 20E, MDB&M.

5. **Proposed General Plan Designation/Zone District:**

   Regional Commercial and Light Industrial

6. **Current General Plan/Zone District:**

   Mixed Use

7. **Description of Project:**

   See *Section 2.4 – Proposed Project*.

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

   See *Section 2.3 – Surrounding Land Uses* and Figure 2-3.

9. **Other Public Agencies Whose Approval May be Required:**

- San Joaquin Valley Air Pollution Control District (SJVAPCD)
- Regional Water Quality Control Board (RWQCB)

10. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?**

In compliance with SB 18 and AB 52, the Native American Heritage Commission (NAHC) conducted a search of its Sacred Lands File to identify previously recorded sacred sites or cultural resources of special importance to tribes and provide contact information for local Native American representatives who may have information about the project area. A Sacred Lands File Request was also completed by the Native American Heritage Commission (NAHC) on March 15, 2023. Outreach letters were sent to the tribal organizations on the NAHC-provided contact list, with follow-up emails sent.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code Section 21082.3(c) contains provisions specific to confidentiality.

3.2 - Environmental Factors Potentially Affected:

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

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

3.3 - Determination

On the basis of this initial evaluation:

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

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

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

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

☐ I find that although the proposed project could have a significant effect on the environment because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable

standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Nathan Olson — *April 7, 2023*

Nathan Olson, City Manager — Date

3.4 - Evaluation of Environmental Impacts

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

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

4. "Negative Declaration: "Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less-Than-Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

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

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

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a

previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

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

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.1 - AESTHETICS					
Would the project:					
a.	Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c.	In a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d.	Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion

Impact #3.4.1a – Would the project have a substantial adverse effect on a scenic vista?

The site is located within an area consisting of residential, commercial, and industrial uses. The site is currently undeveloped and the topography is generally flat.

A scenic vista is a viewpoint that provides a distant view of highly valued natural or man-made landscape features for the benefit of the general public. Typical scenic vistas are locations where views of rivers, hillsides, and open space areas can be obtained as well as locations where valued urban landscape features can be viewed in the distance. The City of Lemoore 2030 General Plan Community Design Element requires those scenic vistas to the Coalinga Mountains, other natural features, and landmark buildings to be maintained (City of Lemoore, 2008).

The project would have no impact to a scenic vista.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

Impact #3.4.1b – Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

There are no listed State scenic highways within or near the City of Lemoore, nor are there scenic highways in Kings County (California Department of Transportation, 2023). The closest eligible scenic highway is a portion of SR 198, southwest of SR 33, which is approximately 28 miles west of the project site.

There are no natural features or landmark buildings within the vicinity of the project site, nor would it impede views of the Coalinga Mountains or other natural features. Further, the project does not include the removal of trees determined to be scenic or of scenic value, the destruction of rock outcroppings, or the degradation of any historic building. The project will not result in development that is substantially different than surrounding land uses. Therefore, impacts to scenic resources would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant***.

Impact #3.4.1c – In a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The proposed project is located in an undeveloped area that is becoming more urbanized with surrounding industrial, residential, and commercial uses. The project would be visible to passing motorists driving along SR 198, South 19th Avenue, and West Iona Avenue. Because of its proximity to the SR 198 interchange at South 18th Avenue, the site is a logical location for the development of a regional commercial use. Although the project's appearance will change the visual character of the site, it will be similar in character to the existing commercial and industrial developments in the vicinity and along the SR 198 corridor. Development of the gas station/mini-mart and future development of the light industrial portion of the site will be in compliance with the City's Municipal Code for development and would result in a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.1d – Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

CONSTRUCTION

Construction of the proposed project would be temporary and occur during daytime hours, typically from 7:00 a.m. to 6:00 p.m. Any lighting used during construction would be directed downward and shielded to focus illumination on the desired work areas only and prevent light spillage onto adjacent properties. Because lighting used to illuminate work areas would be shielded, focused downward, and turned off by 6:00 p.m., the potential to affect any residents adversely is minimal. Increased truck traffic and the transport of construction materials to the project site could temporarily increase glare conditions during construction. However, this increase in glare would be minimal. Therefore, the construction of the proposed gas station/mini-mart and eventual development of the proposed industrial area would not create a new source of substantial glare that would affect daytime views in the area.

OPERATION

The exterior streetlights and building lighting will be designed to minimize reflective glare and light scatter, as required by City Municipal Codes and development standards regarding outdoor lighting (e.g., Code 9-5B-4- Outdoor Lighting) and street lighting. These requirements would substantially reduce potential nuisances from light or glare. The project will comply with applicable local development standards. The project site is located in an area predominantly developed with commercial/industrial uses and is bounded by the SR 198/South 18th Avenue interchange. Therefore, the proposed project would not create significant new sources of substantial light or glare that would adversely affect day or nighttime views in the area. Therefore, the project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.2 - AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	☐	☐	☐	☒
b.	Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	☒
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d.	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion

Impact #3.4.2a – Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?

The proposed project is currently zoned for mixed use commercial uses. CEQA uses the California Department of Conservation Division of Land Resource Protection's Farmland

Mapping Project (FMMP) categories of "Prime Farmland," "Farmland of Statewide Importance," and "Unique Farmland" to define "agricultural land" for the purposes of assessing environmental impacts (PRC Section 21060.1(a)).

According to the Department of Conservation's Farmland Mapping and Monitoring Program (FMMP), the project site is classified as vacant and disturbed land. Therefore, the project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project would result in no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact.*

Impact #3.4.2b – Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

See response to Impact #3.4.2a.

The project site is not zoned for agriculture and is not subject to a Williamson Act contract. Based on almost 30 years of available aerial imagery, the property has never been farmed. None of the adjacent or surrounding properties are zoned for agricultural or under cultivation, and therefore, would not conflict with any current Williamson Act contracted land in the vicinity. The construction of the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract, and there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2c – Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

See Impact #3.4.2b. The Public Resources Code Section 12220(g) and Section 4526 defines "Forest land" as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for the management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. There are no forest lands identified on the project site

or within its vicinity; therefore, there would be no conflict with or impacts to zoning for forest land or timber land. The project will have no impact on land designated for forest land or timberland use. The proposed project will have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2d – Would the project result in the loss of forest land or conversion of forest land to non-forest use?

See discussion of Impact #3.4.2a–c above.

The proposed project will have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2e – Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?

See discussion of Impact #3.4.2a–c above.

The project site is located within the city limits and is surrounded by developed urban uses. As noted, the project does not result in the conversion of agricultural or forest land. The project does not involve other changes in the existing environment that would result in additional conversion of Farmland to nonagricultural use or conversion of forest land to non-forest uses. The proposed project will have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.3 - AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a.	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?	☐	☐	☒	☐
c.	Expose sensitive receptors to substantial pollutant concentration?	☐	☐	☒	☐
d.	Result in other emissions (such as those leading to odor) adversely affecting a substantial number of people?	☐	☐	☒	☐

.

Discussion

The analysis below is based on an Air Quality Impact Assessment (AQIA) prepared for the project (Trinity Consultants, 2023). The AQIA is included in this document as Appendix A.

Impact #3.4.3a – Would the project conflict with or obstruct implementation of the applicable air quality plan?

The project is located within the San Joaquin Valley Air Basin (SJVAB), which is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The U.S. Environmental Protection Agency (EPA) established the National Ambient Air Quality Standards (NAAQS) to protect the health, safety, and welfare of the public. NAAQS have been established for ozone(O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter with a diameter of 10 micrometers or less (PM_{10}), particulate matter with a diameter of 2.5 micrometers or less ($PM_{2.5}$), and lead (Pb). California has also adopted the California Ambient Air Quality Standards (CAAQS) for the above criteria air pollutants with more stringent standards and the addition of hydrogen sulfide (H_2S). Table 3.4.3-1 provides the NAAQS and CAAQS criteria pollutant thresholds. If the air basin exceeds the threshold, then a designation of nonattainment is given. Table 3.4.3-2 provides the designation/classification for Kings County.

Table 3.4.3-1
NAAQS and CAAQS Standards

Pollutant	Averaging Time	NAAQS Concentration	CAAQS
O_3	8-hour	0.070 ppm (137 µg/m^3)	0.070 ppm (137 µg/m^3)
	1-hour	-	0.09 ppm (180 µg/m^3)
CO	8-hour	9 ppm (10 µg/m3)	9 ppm (10 µg/m3)
	1-hour	35 ppm (40 µg/m3)	20 ppm (23 µg/m3)
NO_2	Annual Average	53 ppb (100 µg/m3)	0.030 ppm (57 µg/m3)
	1-hour	100 ppb (188.68 µg/m3)	0.18 ppm (339 µg/m3)
SO_2	3-hour	0.5 ppm (1,300 µg/m3)	-
	24-hour	0.14 ppm (365 µg/m3)	0.04 ppm (105 µg/m3)
	1-hour	75 ppb (196 µg/m3)	0.25 ppm (655 µg/m3)
PM_{10}	Annual Arithmetic Mean	-	20 µg/m3
	24-hour	150 µg/m3	50 µg/m3
$PM_{2.5}$	Annual Arithmetic Mean	12 µg/m3	12 µg/m3
	24-hour	35 µg/m3	-
Sulfates	24-hour	-	25 µg/m3
Pb	Rolling Three-Month Average	0.15 µg/m3	-
	30 Day Average	-	1.5 µg/m3
H_2S	1-hour		0.03 ppm (42 µg/m3)
Vinyl Chloride	24-hour		0.010 ppm (26 µg/m3)
Visibility Reducing particles	8-hour (1000 to 1800 PST)		In 1989, CARB converted both the general statewide 10-mile visibility standards and the Lake Tahoe 30-mile visibility standard to instrumental equivalents

Source: Appendix A
Notes: ppm = parts per million ppb = parts per billion mg/m3 = milligrams per cubicmeter µg/m3 = micrograms per cubicmeter

Table 3.4.3-2
SJVAB Attainment Status

Pollutant	NAAQS	CAAQS
O_3 1-hour	No Federal Standard	Nonattainment/Severe
O_3 8-hour	Nonattainment/Extreme	Nonattainment
PM_{10}	Attainment	Nonattainment
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment/Unclassified	Attainment/Unclassified
NO_2	Attainment/Unclassified	Attainment
SO_2	Attainment/Unclassified	Attainment
Pb	No Designation/Classification	Attainment
H_2S	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particulates	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment

Source: Appendix A

In order to maintain consistency with CEQA, the SJVAPCD adopted guidelines to assist applicants in complying with the various requirements. The SJVAPCD as part of their guidelines, established specific CEQA air quality thresholds as presented in Table 3.4.3-3.

Table 3.4.3-3
SJVAPCD CEQA Thresholds of Significance

Criteria Pollutant	Significance Threshold	
	Construction	Operational
CO	100 tons/yr	100 tons/yr
NOx	10 tons/yr	10 tons/yr
ROG	10 tons/yr	10 tons/yr
SOx	27 tons/yr	27 tons/yr
PM_{10}	15 tons/yr	15 tons/yr
$PM_{2.5}$	15 tons/yr	15 tons/yr

Source: Appendix A

Therefore, if a project were to generate criteria pollutants below significance thresholds adopted by the SJVAPCD, the project would be considered to result in a less-than-significant impact and in compliance with adopted SJVAPCD rules and regulations.

Short-term construction activities related to the project were estimated in CalEEMod utilizing default CalEEMod construction equipment lists for the proposed project's land use type. SJVAPCD required measures were applied to the short-term project emissions and included water exposure to the site three times per day and the reduction of vehicle speeds

to less than 15 miles per hour. Table 3.4.3-4 depicts the unmitigated and mitigated construction emissions resulting from project construction.

Table 3.4.3-4
Construction Project Emissions

Emissions Source	Pollutant (tons/year)					
	ROG	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Unmitigated						
2023 Construction Emissions	0.14	0.83	0.94	0.00	0.08	0.06
2024 Construction Emissions	0.73	1.99	2.28	0.00	0.32	0.17
2025 Construction Emissions	0.20	0.00	0.00	0.00	0.00	0.00
Mitigated						
2023 Construction Emissions	0.14	0.83	0.94	0.00	0.06	0.05
2024 Construction Emissions	0.73	1.99	2.28	0.00	0.21	0.12
2025 Construction Emissions	0.20	0.00	0.00	0.00	0.00	0.00
Significance Threshold	**10**	**10**	**100**	**27**	**15**	**15**
Is Threshold Exceeded After Mitigation	No	No	No	No	No	No

Source: Appendix A

As shown in Table 3.4.3-4, the estimated short-term construction-related emissions for criteria pollutants are anticipated to be minimal and would not exceed adopted SJVAPCD significance threshold levels during any given construction year and would result in a less-than-significant impact.

Long-term emissions are caused by operational mobile, area, and energy sources. Long-term emissions would include fugitive dust emissions and exhaust emissions. PM_{10} emissions typically are generated from vehicular traffic associated with the project site. The SJVAPCD's Regulation VIII establishes required controls to reduce and minimize fugitive dust emissions. The following SJVAPCD Rules and Regulations would apply to the proposed project to reduce fugitive dust emissions:

- Rule 4102 – Nuisance – prohibits a facility from posing as a nuisance to surrounding receptors and can impose penalties for nuisance issues such as dust, smoke, excess emissions, etc. Compliance with this rule ensures that the area around the project site will not be adversely impacted by such issues.
- Regulation VII – Fugitive PM_{10} Prohibitions – a series of regulations to reduce and/or eliminate the generation of PM that can adversely impact visibility as well as the health and safety of people onsite or in the vicinity of the project.
    - Rule 8011 – General Requirements – this rule is to reduce ambient concentrations of fine particulate (PM_{10}) by requiring actions to prevent, reduce, or mitigate anthropogenic (human-caused) fugitive dust emissions.
    - Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities - restricts generation of airborne dust and visibility impacts from these activities. Places limit on opacity and equipment operation under certain adverse weather conditions.

- Rule 8041 – Carryout and Trackout - requires that equipment and vehicles leaving the construction site control the amount of dirt, soil, or mud that is tracked offsite and onto public roadways. This helps eliminate or minimize dust generation and opacity degradation
- Rule 8051 – Open Areas - limits fugitive dust from open areas, i.e., areas on a construction site that are not actively being constructed upon but may generate wind-blown dust.

Table 3.4.3-5 below depicts the calculated post-project operational emissions as calculated in CalEEMod. Mitigation measures implemented with CalEEMod include the use of clean landscape equipment.

Table 3.4.3-5
Operational Emissions

Emissions Sources	Pollutant (tons/year)					
	ROG	NOx	CO	SOx	PM_{10}	$PM_{2.5}$
Unmitigated Operational Emissions						
Area Emissions	0.50	0.00	0.00	0.00	0.00	0.00
Energy Emissions	0.01	0.13	0.11	0.00	0.01	0.01
Mobile Emissions	3.04	3.69	17.79	0.03	2.46	0.68
Total	**3.56**	**3.82**	**17.90**	**0.03**	**2.47**	**0.69**
Mitigated Operational Emissions						
Area Emissions	0.50	0.00	0.00	0.00	0.00	0.00
Energy Emissions	0.01	0.13	0.11	0.00	0.01	0.01
Mobile Emissions	3.04	3.69	17.79	0.03	2.46	0.68
Total	**3.56**	**3.82**	**17.90**	**0.03**	**2.47**	**0.69**
SJVAPCD Threshold	**10**	**10**	**100**	**27**	**15**	**15**
Is Threshold Exceeded after Mitigation?	No	No	No	No	No	No

Source: Appendix A

As shown in Table 3.4.3-5, the proposed project would not exceed the established SJVAPCD criteria pollutant thresholds.

Further SJVAPCD rules and regulations would be applicable to the project and would include:

- Regulation VIII – PM_{10} reduction measures.
- GAMAQI measures to reduce equipment exhaust.
- Rule 4601 – Architectural Coatings.
- Rule 4641 – Construction and Pavement of Roads and Parking Areas within the Project Area.

Based on the regulatory compliance stated above and analysis conducted in the prepared Air Quality Impact Analysis (Trinity Consultants, 2023), this project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.3b – Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

See discussion of Impact #3.4.3a above.

Based on the analysis and estimated criteria pollutant generation made in the prepared AQIA, the short-term construction and long-term operational criteria pollutants would be generated in concentrations lower than significance thresholds adopted by the SJVAPCD (Trinity Consultants, 2023) as shown in Table 3.4.3-4 and 3.4.3-5. Therefore, the project will result in a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.3c – Would the project expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are defined as areas where young children, chronically ill individuals, the elderly, or people who are more sensitive than the general population reside. Schools, hospitals, nursing homes, and daycare centers are locations where sensitive receptors would likely reside. There are residential receptors bordering the project site to the south and the east. Per the prepared AQIA, there are 17 sensitive receptors located within two miles of the project site. The P.W. Engvall Elementary School is approximately 0.51 miles north.

GAMAQI recommends that lead agencies consider situations wherein a new or modified source of hazardous air pollutants (HAPs) is proposed for a location near an existing residential area or other sensitive receptors when evaluating potential impacts related to HAPs. Typical sources of HAPs include diesel trucks or permitted sources such as engines, boilers, or storage tanks. To predict potential health risks to the population attributable to emissions of HAPs from the proposed project, ambient air concentrations were predicted with dispersion modeling to arrive at an estimate of individual carcinogenic risk that might occur as a result of continuous exposure over a 70-year lifetime. Similarly, predicted

concentrations were used to calculate non-cancer chronic and acute hazard indices, which are the ratios of expected exposure to acceptable exposures. SJVAPCD has set the level of significance for carcinogenic risk at 20 in one million, which is understood as the possibility of causing 20 additional cancer cases in a population of one million people. The level of significance for chronic and acute non-cancer risk is a hazard index of one. Table 3.4.3-6 depicts the potential maximum impacts predicted to result from the project.

Table 3.4.3-6
Potential Maximum Impacts Predicted by HARP2

	Value
Excess Cancer Risk – Total	**1.95E-05**
Construction	1.28E-05
Operations	6.73E-06
Chronic Hazard Index – Max	**1.69E-02**
Construction	1.25E-02
Operations	1.69E-02
Acute Hazard Index – Max	**4.52E-02**
Operations	4.52E-02

Source: Appendix A

As shown in Table 3.4.3-6 above, the maximum predicted cancer risk for the proposed project is 1.95E-05, the maximum chronic non-cancer hazard index is 1.69E-02, and the maximum acute hazard index is 4.52E-02. The potential risk attributable to the proposed project is below the significance threshold established by SJVAPCD and therefore is determined to result in a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.3d – Would the project result in emissions (such as those leading to odors) adversely affecting a substantial number of people?

See discussion in Impact #3.4.3c above.

The SJVAPCD GAMAQI states that analysis for generators and receivers should be conducted to assess odor impacts.

- Generators – projects that would potentially generate odorous emissions proposed to locate near existing sensitive receptors or other land uses where people may congregate.

- Receivers – residential or other sensitive receptor projects or other projects built to attract people locating near existing odor sources.

SJVAPCD identifies some common types of facilities that have been known to produce odors in the SJVAB such as wastewater treatment facilities, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing plants, fiberglass manufacturing, paint/coating operations, food processing facilities, feed lot/dairy, and rendering plants (SJVAPCD, 2015). These can be used as a screening tool to qualitatively assess a project's potential to adversely affect area receptors.

Because the project is not a use listed in the GAMAQI as a source that would create objectionable odors, the project and anticipated activities are not expected to be a source of objectionable odors.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

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

Discussion

A biological survey was conducted to determine whether there are sensitive biological resources that might be adversely affected by the proposed project. The evaluation is based on existing site conditions, the potential for sensitive biological resources to occur on and in the vicinity of the project site, and any respective impacts that could potentially occur.

Reviews of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (California Department of Fish and Wildlife, 2023), the California Native Plant Society's Rare Plant Program Inventory (California Native Plant Society, 2023), and the United States Fish and Wildlife Service's Information for Planning and Consultation online tool (US Fish and Wildlife Service, 2023) was conducted to identify special-status plant and wildlife species with the potential to occur within the project site and vicinity (the *Lemoore* 7.5" USGS quadrangle, where the project site is situated, and the surrounding eight quadrangles and a 10-mile radius). Information on the potential presence of wetlands and waters was obtained from the National Wetlands Inventory (NWI), National Hydrography Database (NHD), and the Federal Emergency Management Agency (FEMA). Information regarding the presence of Critical Habitat in the project vicinity was obtained from the United States Fish and Wildlife Service's Critical Habitat Mapper database (USFWS, 2023b). The results of the database inquiries were subsequently reviewed to evaluate the potential for the occurrence of special-status species and other sensitive biological resources known to occur on or near the project site prior to conducting the biological survey.

A biological reconnaissance survey of the project site and a 50-foot Biological Study Area (BSA) was conducted in January 2023. The purpose of the survey was to determine the locations and extent of sensitive plant communities and habitats, determine the potential for the occurrence of special-status plant and wildlife species, and identify other sensitive biological resources within the BSA. Meandering pedestrian transects were walked through the BSA to achieve 100 percent visual coverage, with the aid of binoculars in areas that were inaccessible. Protocol surveys for specific special-status plant or wildlife species were not conducted because it was determined by the biologists that no such surveys were warranted due to the lack of suitable habitat and the disturbed condition of the project site. Locations of any observed sensitive biological resources were documented using the ArcGIS Collector application installed on an iPad. Photographs were taken to document the existing landscape and sensitive biological resources. Detailed notes of plant and wildlife species and site conditions observed were taken while conducting the survey.

General Site Conditions

Most of the surrounding land has been developed for urban use. The SR 198 interchange at South 18th Avenue borders the property to the north. The project site is heavily disturbed, was disked within the last one to two years, and is vegetated by non-native grasses and herbs. Non-native grasses included Bermuda grass (*Cynodon dactylon*), Mediterranean grass (*Schismus arabicus*), and common herbs of red-stem filaree (*Erodium cicutarium*) and fiddleneck (*Amsinckia sp.*) being most common. The wildlife species observed during the survey were typical of urban and non-native grassland habitats. There was no wetland, riparian, or other sensitive habitat types, special-status plants, or wildlife species present on the project site during the time of the survey.

There were eight plant species, seven bird species, and one mammal species identified during the survey, either through direct observation or by the presence of diagnostic sign (Table 3.4.4-1). All of these species are common to the area and none of these species are listed under the Federal or California Endangered Species Acts.

Table 3.4.4-1
List of Plant and Wildlife Species Observed on the Project Site

Scientific name	Common name
Plants	
Amsinckia sp.	fiddleneck
Bromus rubens	red brome
Cynodon dactylon	Bermuda grass
Eriogonum fasciculatum	California buckwheat
Erodium cicutarium	red-stem filaree
Lactuca serriola	prickly lettuce
Salsola kali	Russian thistle
Scismus arabicus	Mediterranean grass
Wildlife	
Carduelis psaltria	lesser goldfinch
Corvus brachyrhynchos	American crow
Corvus corax	common raven
Falco sparverius	American kestrel
Sturnella sp.	meadow lark
Sylvilagus audubonii	desert cottontail*
Zenaida macroura	mourning dove
Zonotrichia leucophrys	white-crowned sparrow

*Indicates sign (e.g., tracks, scat, burrow, or den) was observed.

Impact Analysis

Impact #3.4.4a – Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

The literature search indicated that there is potential for several special-status species to be present on or in the vicinity of the project. An evaluation of each of the potential special-status species, which included habitat requirements, the likelihood of required habitat to occur within the BSA, and a comparison to the California Natural Diversity Database (CNDDB), California Native Plant Society (CNPS), and United States Fish and Wildlife Service's Information for Planning and Consultation (IPaC) records was conducted. The results of this evaluation concluded that seven plant species and 21 wildlife species with special status have a reasonable potential to occur on or near the project.

Special-Status Species

SPECIAL-STATUS PLANT SPECIES

Based on the survey and database queries, there are seven special-status plant species that have the potential to occur within the subject quadrangle and eight surrounding quadrangles: brittlescale (*Atriplex depressa*), recurved larkspur (*Delphinium recurvatum*), alkali sink goldfields (*Lasthenia chrysantha*), Panoche peppergrass (*Lepidium jaredii ssp. album*), mud nama (*Nama stenocarpa*), California alkali grass (*Puccinellia simplex*), and Sanford's arrowhead (*Sagittaria sanfordii*). There are only CNDDB records for four of the seven special-status plant species within 10 miles of the BSA.

The project site has historically consisted of non-native grasses and ruderal vegetation with marginal disturbance from surrounding development. The adjacent land has been historically disturbed by residential, urban, and industrial development. None of the sensitive-plant species were observed during the survey, although the survey was not conducted during the blooming periods of any of the species. All project activities will be restricted to previously disturbed areas that would not support special-status plant species. Thus, no protective measures for special-status plant species are warranted.

SENSITIVE WILDLIFE SPECIES

Based on the database queries there were 21 special-status wildlife species that were identified as having the potential to occur within the subject quadrangle and eight surrounding quadrangles. Nineteen of these species were eliminated from consideration due to the lack of suitable habitat. Delta smelt (*Hypomesus transpacificus*), giant garter snake (*Thamnophis gigas*), western pond turtle (*Emys marmorata*), vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardi*), western ridged mussel (*Gonidea angulata*), and western spadefoot (*Spea hammondii*) are dependent upon water bodies and/or vernal pools, which are not present within the BSA. There were no CNDDB records for delta smelt, vernal pool fairy shrimp, or vernal pool tadpole shrimp in the nine-quad database query.

Swainson's hawk (*Buteo swainsoni*) is unlikely to forage or nest within the BSA or immediate vicinity. There is a sub-minimal prey base (e.g., small rodents) and no suitable foraging habitat (e.g., alfalfa fields) located in the general vicinity of the BSA. No suitable nesting habitat (e.g., large trees) is present in the nearby vicinity that is adjacent to suitable foraging habitat. Hoary bat (*Lasiurus cinereus*) roosts in the dense foliage of medium to large trees, typically in forests, which are not present on or near the Project. There are no elderberry shrubs (*Sambucus sp.*) in the BSA so the valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) would not be present. San Joaquin tiger beetle (*Cicindela tranquebarica joaquinensis*) is highly associated with sandy soils, which are not present in the BSA.

The monarch butterfly (*Danaus plexippus*) requires milkweed plants for reproduction and large stands of trees for overwintering, neither of which were observed in the BSA. There is

no suitable nesting or foraging habitat for black-crowned night heron (*Nycticorax nycticorax*), tricolored blackbird (*Agelaius tricolor*), western snowy plover (*Charadrius alexandrinus nivosus*), or yellow-headed blackbird (*Xanthocephalus xanthocephalus*), which require wetlands, marshes, dry lakes, or sandy beaches. There are no burrows suitable for blunt-nosed leopard lizard (*Gambelia sila*) or California glossy snake (*Arizona elegans occidentalis*). No kangaroo rat burrows were observed during the survey and the BSA does not support habitat suitable for Fresno kangaroo rat (*Dipodomys nitratoides exilis*) or Tipton kangaroo rat (*D. n. nitratoides*).

The remaining two species resulting from the database queries have the potential to occur within the project site and vicinity: burrowing owl (*Athene cunicularia*) and San Joaquin kit fox (*Vulpes macrotis mutica*). Nesting birds protected by the Federal Migratory Bird Treaty Act (MBTA) may also be present during the breeding season.

San Joaquin Kit Fox

San Joaquin kit fox, a Federally Endangered and State Threatened species, has the potential to occur in the habitat surrounding the project, but is unlikely to den within the project footprint, although it could pass through as a transient. The nearest CNDDB record for the species is from 2002 and approximately 3.2 miles northwest of the BSA, documenting one San Joaquin kit fox that was observed in a fallow agricultural field during a spotlighting effort (EONDX 66434). The non-native grassland provides only marginal denning habitat for the species and there were minimal small mammal burrows, so the natural prey base is likely limited. However, San Joaquin kit foxes are known to adapt well to urban, residential, and industrial areas and scavenge anthropogenic foods, located to the east, south, and west of the BSA. No known or potential kit fox dens or any sign of the species were observed during the survey.

Because the project supports only minimal habitat and is a small area, the development of the project area would not result in a significant loss of habitat for the species. If the species were to be present during construction activities, individual San Joaquin kit foxes could be injured or killed, or normal reproductive or foraging behaviors could be affected.

Burrowing Owl

Burrowing owl (*Athene cunicularia*), a CDFW Species of Special Concern, has a very low potential to occur within the project. The nearest CNDDB record is approximately 6.1 miles west of the project, where an active burrow was observed during routine surveys at the Lemoore Naval Air Station in 2000 (EONDX 77779). There were no suitable burrows observed in the BSA, and it supports only marginal foraging habitat, but the species is known to inhabit the region.

Because the project supports only marginal habitat for burrowing owl and is a small area, development of the project area would not result in a significant loss of habitat for the species. If the species were to be present during construction activities, individual burrowing

owls could be injured or killed, or normal reproductive or foraging behaviors could be affected.

Nesting Migratory Birds

Migratory bird species are protected under the Federal MBTA. No active or inactive bird nests were observed during the survey, which was conducted outside of the typical avian breeding season (February 1 – September 30). The project and surrounding vicinity provide minimal suitable nesting habitat for a variety of bird species, which may nest in tree branches and cavities, shrubs, man-made structures, and directly on the ground. If nesting migratory birds are in the vicinity of the project during construction activities, individual birds could be injured or killed, or normal reproductive or foraging behaviors could be affected.

CONCLUSION

The project footprint occurs upon non-native grassland that has been disked one to two years ago. The project and surrounding areas support mainly non-native grasses with scattered urban ruderal and ornamental species in the nearby commercial, industrial, and residential areas.

No special-status plant or wildlife species or their sign were observed during the survey.

It is very unlikely that any special-status plant species occur in the project area or in the vicinity due to historic disturbance, disking, and high volume of local traffic. No minimization, avoidance, or mitigation measures related to special-status plants is warranted.

There is a potential for special-status or protected wildlife species that could be impacted by project activities. Mitigation Measures MM BIO-1 through MM BIO-6, as provided below, would protect, avoid, and minimize impacts to these special-status wildlife species. When implemented, these measures would reduce impacts to these species to levels that are less than significant.

Through implementation of the mitigation measures listed below, impacts of the proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service. Therefore, the project will have a less-than-significant impact with the incorporation of mitigation measures.

MITIGATION MEASURE(S)

MM BIO-1: Prior to ground-disturbing activities, a qualified wildlife biologist shall conduct a biological clearance survey between 14 and 30 days prior to the onset of construction.

The clearance survey shall include walking transects to identify the presence of San Joaquin kit fox, burrowing owl, nesting birds, and other special-status species. The preconstruction

survey shall be walked by no greater than 30-foot transects for 100 percent coverage of the project and a 50-foot buffer, where feasible. If no evidence of special-status species is detected, no further action is required except measures BIO-4 through BIO-6 shall be implemented.

MM BIO-2: The following avoidance and minimization measures shall be implemented during all phases of the project to reduce the potential for impact from the project. They are modified from the *U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered SJKF Prior to or During Ground Disturbance* (USFWS 2011, Appendix F).

a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction or project site.

b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds shall not exceed 20 miles per hour (mph) within the project site.

c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the project site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted and USFWS and CDFW shall be consulted.

d. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW have been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.

e. No pets, such as dogs or cats, shall be permitted on the project sites to prevent harassment, mortality of kit foxes, or destruction of dens.

f. Use of anti-coagulant rodenticides and herbicides in project sites shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe labels and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation, as well as additional project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.

g. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative shall be identified during the employee education program and their name and telephone number shall be provided to the USFWS.

h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a SJKF during project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and R4CESA@wildlifeca.gov.

i. All sightings of the SJKF shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.

j. Any project-related information required by the USFWS or questions concerning the above conditions, or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone: (916) 414-6620 or (916) 414-6600.

k. New sightings of SJKF should be reported to the CNDDB.

MM BIO-3: Within 14 days prior to the start of project ground-disturbing activities, a pre-activity survey with a 500-foot buffer shall be conducted by a qualified biologist knowledgeable in the identification of these species and approved by the CDFW. If dens/burrows that could support any of these species are discovered during the pre-activity survey conducted under MM BIO-1, the avoidance buffers outlined below should be established. No work would occur within these buffers unless the biologist approves and monitors the activity.

San Joaquin Kit Fox:

- Potential or Atypical den – 50 feet
- Known den – 100 feet
- Natal or pupping den – 500 feet, unless otherwise specified by CDFW

MM BIO-4: If construction is planned outside the nesting period for raptors (other than burrowing owl) and migratory birds (February 15 to August 31), no mitigation shall be required. If construction is planned during the nesting season for migratory birds and raptors, a preconstruction survey to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet and all other migratory bird nests shall be avoided by 250 feet. Avoidance buffers may be reduced if a qualified onsite monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affecting the breeding behaviors of the resident birds. Because nesting birds can establish new nests or produce a second or even third clutch at any time during the nesting season, nesting bird surveys shall be repeated every 30 days as construction activities are occurring throughout the nesting season.

No construction or earth-moving activity shall occur within a non-disturbance buffer until it is determined by a qualified biologist that the young have fledged (left the nest) and have attained sufficient flight skills to avoid project construction areas. Once the migratory birds or raptors have completed nesting and the young have fledged, disturbance buffers will no longer be needed and may be removed, and monitoring may cease.

MM BIO-5: A qualified biologist shall conduct a preconstruction survey on the project site and within 500 feet of its perimeter, where feasible, to identify the presence of the western burrowing owl. The survey shall be conducted between 14 and 30 days prior to the start of construction activities. If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent with those included in the CDFW *Staff Report on Burrowing Owl Mitigation* (CDFG 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 250 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the California Burrowing Owl Consortium (1993) and the California Department of Fish and Wildlife (2012). During the breeding season (February 1 through August 31), a 500-foot (minimum) buffer zone shall be maintained unless a qualified biologist verifies through noninvasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

In addition, impacts to occupied burrowing owl burrows shall be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: (1) the birds have not begun egg laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting Sites	April 1 – Aug 15	200 m	500 m	500 m
Nesting Sites	Aug 16 – Oct 15	200 m	200 m	500 m
Nesting Sites	Oct 16 – Mar 31	50 m	100 m	500 m

MM BIO-6: Prior to ground-disturbance activities, or within one week of being deployed at the project site for newly hired workers, all construction workers at the project site shall attend a Construction Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.

The Construction Worker Environmental Awareness Training and Education Program shall be presented by the biologist and shall include information on the life histories of special-status wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of "take" under the Endangered Species Act, measures the project operator is implementing to protect the species, reporting requirements, specific measures that each worker must employ to avoid take of the species, and penalties for violation of the Act. Identification and information regarding special-status or other sensitive species with the potential to occur on the project site shall also be provided to construction personnel. The program shall include:

- An acknowledgment form signed by each worker indicating that environmental training has been completed.
- A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgment forms, shall be maintained onsite for the duration of construction activities.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant with mitigation incorporated.***

Impact #3.4.4b – Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The database queries identified one sensitive natural community, the Valley Sink Scrub with the potential to occur in the vicinity of the project. The nearest and only CNDDB occurrence of Valley Sink Scrub is approximately 2.8 miles southwest of the project (EONDX 16344). This sensitive natural community, or any other sensitive natural community, was not observed during the survey and the BSA is highly disturbed. The BSA is not located within a river or an area that encompasses a river or potential floodplain and does not contain nor is near any riparian habitat. The proposed project would not have a substantial impact to any riparian habitat or other sensitive natural community.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.4c – Would the project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The United States Army Corps of Engineers (USACE) has regulatory authority over the Clean Water Act (CWA), as provided for by the EPA. The USACE has established specific criteria for the determination of wetlands based on the presence of wetland hydrology, hydric soils, and hydrophilic vegetation. There are no federally protected wetlands or vernal pools that occur within the project.

Wetlands, streams, reservoirs, sloughs, and ponds typically meet the criteria for federal jurisdiction under Section 404 of the CWA and State jurisdiction under the Porter-Cologne Water Quality Control Act. Streams and ponds typically meet the criteria for State jurisdiction under Section 1602 of the California Fish and Game Code.

The NWI and NHD did not identify any features within the BSA. The biological survey did not identify any other features on or near the project that would meet the criteria for either federal or State jurisdiction. Accordingly, there are no wetlands or Waters of the U.S. occurring on the project site. There would be no impact to federally or State protected wetlands or waterways as a result of the proposed project. Therefore, the project would have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.4d – Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Wildlife migratory corridors are described as a narrow stretch of land that connects two open pieces of habitat that would otherwise be unconnected. These routes provide shelter and sufficient food supplies to support wildlife species during migration. Movement corridors generally consist of riparian, woodlands, or forested habitats that span contiguous acres of undisturbed habitat and are important elements of resident species' home ranges.

The project falls within the Pacific Flyway, a significant migratory route encompassing the West Coast of North America, but the project represents a very small land acreage within this territory and does not support any significant migratory stopover habitat. The proposed project and surrounding area do not occur within a known terrestrial migration route, significant wildlife corridor, or linkage area as identified by the Essential Habitat Connectivity Project (Spencer, W.D., et al, 2010). The survey conducted for the project did not provide evidence of a wildlife nursery or important migratory habitat being present on the project site. Migratory birds and raptors could use habitat on and near the project for foraging and/or as stopover sites during migrations or movement between local areas.

The project will not restrict, eliminate, or significantly alter a wildlife movement corridor, wildlife core area, or Essential Habitat Connectivity area, either during construction or after the project has been constructed. Project construction will not substantially interfere with wildlife movements or reduce breeding opportunities.

The proposed project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Therefore, the project's impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.4e – Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project is subject to the City of Lemoore General Plan (City of Lemoore 2008), which includes a conservation and open space chapter. This chapter provides guidance on the protection of listed plant and wildlife species, wetlands, and other sensitive biological resources. The project will implement mitigation measures such as those listed above (MM BIO-1 through BIO-6) to be consistent with the goals and policies of the General Plan. Therefore, the implementation of the proposed project would have no conflict related to any adopted local policies or ordinances protecting biological resources.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.4f – Would the project conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan?

The project is not located within any Natural Community Conservation Plan or any other local, regional, or State Conservation Plan. With mitigation, the proposed project would not conflict with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan. There would be no impact related to the project.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.5 - CULTURAL RESOURCES

Would the project:

a.	Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?	☐	☒	☐	☐
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	☐	☒	☐	☐
c.	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Discussion

The analysis below is based on a cultural resource records search (QK, 2023) found in Appendix B of this document.

Impact #3.4.5a – Would the project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?

The City of Lemoore 2030 General Plan states there are currently no buildings or structures listed in the National Register of Historic Places or as California Historic Landmarks. However, there are 37 sites listed as having local historic significance located within the downtown district (City of Lemoore, 2008). The project site is not in close proximity to downtown Lemoore, and none of these identified historic resources would be impacted by the project.

In accordance with SB 18 and AB 52, a NAHC Sacred Land Files records search was requested. A positive response from the NAHC was received on March 15, 2023, which is included in Appendix B of this document.

A records search of site files and maps was conducted at the Southern San Joaquin Valley Archaeological Information Center, California State University, Bakersfield(#23-078). The results indicated that approximately 11 acres of the northwest portion of the subject property had been surveyed for cultural resources. One historical resource had been recorded on the property near its southern boundary. This was a wooden dairy barn dating to the early decades of the 20th century. According to a site record (P-16-000197) prepared by Caltrans historic property evaluators, the barn was judged ineligible for listing on State or federal registers (QK, 2023). The site was viewed by aerial imagery, and a site visit confirmed that the barn is no longer extant on the property.

Nine additional cultural resource studies had been conducted within a half-mile of the project site. One historic period cultural resource, a single-family residence (P-16-000269) has been recorded within one half-mile of the project. This resource will not be impacted by the project. No prehistoric cultural resources have been identified within a half-mile radius of the site.

However, there is still a possibility that unknown historical or archaeological materials may be exposed during construction. Grading and trenching, as well as other ground-disturbing actions, have the potential to damage or destroy these previously unidentified and potentially significant cultural resources within the project area, including historical or archaeological resources. Disturbance of any deposits that have the potential to provide significant cultural data would be considered a significant impact. To reduce the potential impacts of the project on cultural resources, the following measures are recommended. Mitigation Measure MM CUL-1 would require that a qualified archeologist conduct a cultural resource assessment survey of the project site prior to the issuance of grading or building permits. MM CUL-2 would require consultation with interested tribal groups to determine the need for a tribal monitor or the long-term curation of artifacts if found on the site. MM CUL-3 requires that a tribal monitor be present to conduct a surface inspection of the site prior to construction activities and also be present during initial grading and construction activities. This ensures that a qualified individual is present to identify and address cultural resources prior to and during project construction and reduce potential adverse impacts on cultural resources. Additionally, MM CUL-4 provides the implementation of procedure should human remains be unearthed during project construction. With implementation of MM CUL-1 through MM CUL-4, impacts to cultural resources would be less than significant.

MITIGATION MEASURE(S)

MM CUL-1: Prior to the issuance of building permits, a qualified archeologist shall conduct a cultural resource survey of the project site. If prehistoric or historic-era cultural materials are encountered as a result of the survey, the qualified archeologist shall make recommendations and take further measures to avoid impacts on cultural resources. These measures can include avoidance, testing, and evaluation or data recovery excavation.

MM CUL-2: Prior to any ground disturbance, the applicant shall offer interested tribes the opportunity to provide a Native American Monitor during ground-disturbing activities during construction. Tribal participation would be dependent upon the availability and interest of the tribe.

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 long-term preservation. Documentation for the work shall be provided in accordance with applicable cultural resource laws and guidelines.

MM CUL-3: If requested, prior to any ground disturbance, a surface inspection of the site shall be conducted by a Tribal Monitor. The Tribal Monitor shall monitor the site during initial grading or ground-disturbance activities. The Tribal Cultural Staff shall provide

preconstruction briefings to supervisory personnel and any excavation contractor, which will include information on potential cultural material finds and, on the procedures, to be enacted if resources are found. Tribal participation would be dependent upon the availability and interest of the tribe.

If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation. Implementation of the mitigation measure would ensure that the proposed project would not cause a substantial adverse change in the significance of a historical resource.

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.

MM CUL-4: If human remains are discovered during construction 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 the discovery of human remains, at the direction of the county coroner.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant with mitigation incorporated.***

Impact #3.4.5b – Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

See discussion of Impact #3.4.5a above.

MITIGATION MEASURE(S)

Implement MM CUL-1 through MM CUL-4.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.5c – Would the project disturb any human remains, including those interred outside of formal cemeteries?

Human remains are not known to exist within the project area, nor is there a known cemetery located onsite or in the vicinity. However, construction would involve earth-disturbing activities, and it is still possible that human remains may be discovered, possibly in association with archaeological sites. MM CUL-4 has been included in the unlikely event that human remains are found during ground-disturbing activities. Impacts would be less than significant with implementation of mitigation.

MITIGATION MEASURE(S)

Implement MM CUL-4.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

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

Discussion

The following analysis is based on project data provided by the applicant, the AQIA (Trinity Consultants, 2023), and available energy resource consumption data.

Impact #3.4.6a – Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

The proposed project would involve the use of energy during construction and operation. Energy use during the construction phase would be in the form of fuel consumption (e.g., gasoline and diesel fuel) to operate heavy equipment, light-duty vehicles, and machinery. The long-term operation of the proposed includes electricity and natural gas service to power internal and exterior building lighting, and heating and cooling systems. In addition, the increase in vehicle trips associated with the project would increase fuel consumption within the City.

Electricity service for the proposed project would be provided by Pacific Gas and Electric Company (PG&E). The PG&E and State of California 2021 power mix is detailed in Table 3.4.6-1. Energy usage by sector is outlined in Table 3.4.6-2.

PG&E also maintains approximately 42,141 miles of gas distribution pipelines and 6,438 miles of gas transmission pipelines (PG&E, 2021). Table 3.4.6-3 below presents natural gas consumption by sector for PG&E in 2021.

Table 3.4.6-1
PG&E and the State of California 2021 Power Mix

Energy Resource	PG&E Power Mix	California-Wide Power Mix
Eligible Renewable	31%	33%
Biomass & Biowaste	*3%*	*3%*
Geothermal	*3%*	*5%*
Small Hydroelectric	*1%*	*1%*
Solar	*16%*	*13%*
Wind	*8%*	*11%*
Coal	0%	3%
Large Hydroelectric	10%	12%
Natural Gas	16%	37%
Nuclear	43%	9%
Other	0%	0%
Unspecified [1]	0%	5%
Total	**100%**	**100%**

Source: (PG&E, 2021)
[1] Electricity from transactions that are not traceable to the specific generation source

Table 3.4.6-2
Electricity Consumption in PG&E Service Area (2021)

Agricultural and Water Pump	Commercial Building	Commercial Other	Industry	Mining and Construction	Residential	Total Streetlight	Usage
7,446	26,009	3,869	9,958	1,764	29,229	310	78,587

Source: (California Energy Commission, 2021)
Note: All usage is expressed in millions of kWh (GWh).

Table 3.4.6-3
Natural Gas Consumption in PG&E Service Territory (2021)

Agricultural and Water Pump	Commercial Building	Commercial Other	Industry	Mining and Construction	Residential	Total Usage
52	834	50	1,428	223	1,876	4,467

Source: (California Energy Commission, 2021)
Note: All usage expressed in Millions of Therms

In 2005, Kings County consumed 1,286 million kWh of electricity. Non-residential users were responsible for about 75 percent of all electricity consumption in the County, and users overall (residential and non-residential) consumed an average of 8,858 kWh per capita (City of Lemoore, 2010).

The proposed project's estimated energy usage calculated using CalEEMod and shown in the CalEEMod output files in Appendix A is summarized and compared to statewide usage in

Table 3.4.6-4. As shown in 3.4.6-4, the proposed project would make a minimal contribution to statewide energy consumption in these categories.

Table 3.4.6-4
Estimated Project-Related Energy Usage

Land Use	Energy Type	Energy Usage	Annual StateWide Energy Use	Project % of StateWide Energy
Gas Station/Mini-Mart/Fast Food Restaurant w/ Drive Thru	Natural Gas (kBTU/yr)	666,341	-	-
	Electricity (kWh/yr)	135,092	-	-
Light Industrial	Natural Gas (kBTU/yr)	1,986,300	-	-
	Electricity (kWh/yr)	881,100	-	-
Total Energy Usage	Natural Gas (kBTU/yr)	**2,652,641**	**189,082,861,453** (California Energy Commission, 2021)	**0.0014%**
	Electricity (kWh/yr)	**1,016,192**	**280,738,000,000** (California Energy Commission, 2021)	**0.00036%**

Source: Appendix A

The construction and operation of the project would comply with all applicable federal, State, and local regulations regulating energy usage. The project will implement Title 24 Energy Efficiency Standards and CalGreen Code requirements for new construction that may include rooftop solar, double-pane windows, electric vehicle charging, LED lights, low-flow toilets, faucets drip irrigation, and the use of drought-tolerant landscaping to increase water conservation.

The project would comply with the SJVAPCD requirements regarding the limitation of vehicle idling, and the use of fuel-efficient vehicles and equipment, to the extent feasible. Energy-saving strategies will be implemented where possible to further reduce the project's energy consumption, during the construction phase. Strategies being implemented include those recommended by the California Air Resources Board (CARB) that may reduce both the project's energy consumption, including diesel anti-idling measures, light-duty vehicle technology, usage of alternative fuels such as biodiesel blends and ethanol, and heavy-duty vehicle design measures to reduce energy consumption. As such, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant.***

Impact #3.4.6b – Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

See Impact #3.4.6a.

The proposed project would be in compliance with all applicable federal, State, and local regulations regulating energy usage. The project will comply with Title 24 Energy Efficiency Standards and CalGreen Code requirements for double-pane windows, electric vehicle charging, LED lights, low-flow toilets, and faucets to increase water conservation. Energy would also be indirectly conserved through water-efficient landscaping requirements consistent with the City's adopted Water Efficient Landscaping Ordinance with the use of drip irrigation and drought-tolerant landscaping.

Stringent solid waste recycling requirements applicable to both project construction and operation would reduce energy consumed in solid waste disposal. In summary, the project will implement all mandatory federal, State, and local conservation measures, and project design features, and voluntary energy conservation measures will further reduce energy demands. Therefore, the project will not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Project-related impacts are less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant.***

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

Discussion

Impact #3.4.7a(i) – Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

According to the City of Lemoore 2030 General Plan, there are no known major fault systems within Lemoore (City of Lemoore, 2008). The greatest potential for geologic disaster in the City is posed by the San Andres Fault, which is located approximately 60 miles west of the Kings County boundary line within Monterey County.

The project site is not located within an Alquist-Priolo earthquake fault zone (California Department of Conservation, 2023). There are no active fault traces in the project vicinity. Accordingly, the project area is not within an earthquake fault zone.

The General Plan contains a number of policies that would minimize impacts relating to the rupture of a known fault. Development of the proposed gas station/mini-mart and the future industrial area would adhere to all applicable policies of the General Plan and California Building Code for accepted structural standards and minimize the risk of loss, injury, or death. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7a(ii) – Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

See response to Impact #3.4.7a.

Secondary hazards from earthquakes include ground shaking/rupture. Since there are no known faults within the immediate area, ground shaking/rupture from surface faulting, seiches, and landslides would not impact the area. Liquefaction potential (sudden loss of shear strength in saturated cohesionless soil) should be low since groundwater occurs below 180 feet (RMA Geoscience, 2023). Lastly, deep subsidence problems may be low to moderate according to the conclusions of the Five County Seismic Safety Element. However, there are no known occurrences of structural or architectural damage due to deep subsidence in the Lemoore area. While such seismic shaking would be less severe than an earthquake that

originates at a greater distance from the project site, the side effects could potentially be damaging to buildings and supporting infrastructure. The project is required to design commercial and industrial buildings and associated infrastructure to withstand substantial ground shaking in accordance with all applicable State laws and applicable codes included in the California Building Code (CBC) Title 24 for earthquake construction standards and building standards code including those relating to soil characteristics (California Building Standards Commission, 2022). The project shall adhere to all applicable local and State regulations to reduce any potentially significant impacts to structures resulting from strong seismic ground shaking at the project site. Therefore, project impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant***.

Impact #3.4.7a(iii) - Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

See discussion of Impacts #3.4.7a(i) and a(ii) above.

The potential magnitude/geographic extent of expansive liquefaction erosion was deemed 'negligible' and its significance 'low' throughout the City (City of Lemoore, 2021). Liquefaction is possible in local areas during a strong earthquake or other seismic ground shaking, where unconsolidated sediments coincide with a high-water table. However, the groundwater occurs below 90 feet which means liquefaction potential would be low. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant.***

Impact #3.4.6a(iv) – Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

See Impact #3.4.6a(ii).

The land is relatively flat with no significant topological features. As such, there is no potential for rock falls and landslides to impact the project in the event of a major earthquake, as the area has no dramatic elevation changes.

The site's topography would not change substantially as a result of project development since the site is essentially flat in nature with no surrounding slopes, and it is not considered to be prone to landslides. The project would not expose people or structures to potential substantial adverse effects from landslides. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact.***

Impact #3.4.7b – Would the project result in substantial soil erosion or the loss of topsoil?

Construction activities associated with the proposed project will disturb surface vegetation and soils during construction and would expose these disturbed areas to erosion by wind and water. To reduce the potential for soil erosion and loss of topsoil, the project would comply with the State Water Resources Control Board's (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit (No. 2012-0006-DWQ) during construction. Under the NPDES, the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) are required for construction activities that would disturb an area of one acre or more. A SWPPP must identify potential sources of erosion or sedimentation as well as identify and implement Best Management Practices (BMPs) that ensure reduce erosion. Typical BMPs intended to control erosion include sandbags, retention basins, silt fencing, street sweeping, etc. The project includes the development of a retention basin in the northeast portion of the site to maintain stormwater onsite as required by the City.

Mitigation Measure MM GEO-1 requires the approval of a SWPPP to comply with the NPDES General Construction Permit. The project will comply with all the grading requirements as outlined in Title 24 and Appendix J of the California Building Code (UpCodes, 2022). The project is not expected to result in substantial soil erosion or the loss of topsoil with the incorporation of Mitigation Measure MM GEO-1.

Once constructed, the project will have both impermeable surfaces as well as permeable surfaces. Impermeable surfaces would include roadways, driveways, parking lots, and building sites. Permeable surfaces would include any landscaped areas and open spaces. As noted above, the project will include the installation of a retention basin and stormwater will be directed to the basin.

Overall, the development of the project would not result in conditions where substantial surface soils would be exposed to wind and water erosion. Therefore, impacts would be less than significant with the incorporation of MM GEO-1.

MITIGATION MEASURE(S)

MM GEO-1: If the proposed development will disturb an area of one or more acres, 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:

- Stockpiling and disposing of demolition debris, concrete, and soil properly.
- 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.

Evidence of the approved SWPPP shall be submitted to the Lead Agency.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.7c – Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?

See discussion in Impacts #3.4.7a(iii) and 3.4.7a(iv) above

As previously discussed, the site soils are considered stable in that there is not a potential of onsite or offsite landslides, lateral spreading, subsidence, or collapse. As discussed in Impact #3.4.7a(iii), the project site soils have a low overall potential for significant liquefaction to occur at the site. All structures would be subject to all IBC and CBC earthquake construction standards, including those relating to soil characteristics. Additionally, the site is not located near any areas with a sufficient slope that could result in offsite landslides. Moreover, the project will be designed by an engineer to resist potential side-effects of spreading, subsidence, liquefaction, or collapse.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant.***

Impact #3.4.7d – Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

See Impacts #3.4.7b and c.

Expansive clay soils are subject to shrinking and swelling due to changes in moisture content over the seasons. These changes can cause damage or failure to foundations, utilities, and pavements. During periods of high moisture content, expansive soils under foundations can heave and result in structures lifting. In dry periods, the same soils can collapse and result in the settlement of structures.

There are two types of soil found within the project site, these are Grangeville sandy loam and Lemoore sandy loam (Natural Resources Conservation Service, 2023). Generally, clay soils are considered to be expansive in nature, while loam and sandy soils drain well, which makes them non-expansive. Given that the soils are sandy loams, they would not be expansive. There are no other known soil types adjacent to the project site. The project would comply with all applicable safety regulations and building codes. Therefore, there would be less-than-significant impacts.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant.***

Impact #3.4.7e – Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?

Refer to *Section 3.4.19 - Utilities and Service Systems*.

The proposed project does not include the development or use of septic tanks or alternative wastewater disposal systems as the project would connect to the City's existing sewer system. Future development of the industrial zoned parcels would be subject to review and permit by the City of Lemoore and require connection to City services. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.7f – Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The project intends to use undisturbed land; all construction will be conducted within the footprint of the existing campus. There are no unique geological features or known fossil-bearing sediments expected to be in the vicinity of the project site. However, there remains the possibility for previously unknown, buried paleontological resources or unique geological sites to be uncovered during subsurface construction activities. Therefore, this would be a potentially significant impact. However, MM GEO-2, requires that if unknown paleontological resources are discovered during construction activities, work within a 25-foot buffer would cease until a qualified paleontologist determined the appropriate course of action. With implementation of MM GEO-2, the project will have a less-than-significant impact.

MITIGATION MEASURE(S)

MM GEO-2: 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 another appropriate facility regarding any discoveries of paleontological resources.

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 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.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.8 - GREENHOUSE GAS EMISSIONS

Would the project:

a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b.	Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion

Analysis of greenhouse gases (GHG) is based on the AQIA prepared for the project (Trinity Consultants, 2023), which is included in Appendix A of this document.

Impact #3.4.8a – Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The project would generate GHGs from electricity use and the combustion of gasoline/diesel fuels, each of which is regulated near the top of the supply-chain. As such, each citizen of California (including the operator of the project) will have no choice but to purchase electricity and fuels produced in a way that is acceptable to the California market. Thus, project GHG emissions will be consistent with the relevant plan (i.e., AB 32 Scoping Plan). The project would meet its fair share of the cost to mitigate the cumulative impact of global climate change because SHP is purchasing energy from the California market. Thus, the project would have a less-than-significant impact on applicable GHG reduction plans.

Several new laws and executive orders were adopted that require additional reductions in years after 2020. For instance, Senate Bill 32 requires that GHG emissions be 40 percent less than 1990 levels by 2030. More drastic still, Senate Bill 100 which was signed by the Governor recently requires 100 percent zero-carbon electricity by 2045. On the day SB 100 was signed into law, the Governor also signed Executive Order B-55-18 which commits California to total, economy-wide carbon neutrality by 2045 (Trinity Consultants, 2023).

The SJVAPCD does not have thresholds or guidance regarding the significance of GHG emissions. However, South Coast Air Quality Management District (South Coast AQMD), adopted an Interim GHG Significance Threshold. For these reasons, project GHG emissions levels presented in Table 3.4.8-1 are primarily for disclosure purposes because impact analysis for the project follows the approach certified by South Coast. The approach used by

South Coast AQMD to assess GHG impacts recognizes that consumers of electricity and transportation fuels are, in effect, regulated by requiring providers and importers of electricity and fuel to participate in the GHG Cap-and-Trade Program and other programs (e.g., low carbon fuel standard, renewable portfolio standard, etc.). Each such sector-wide program exists within the framework of AB 32 and its descendant laws the purpose of which is to achieve GHG emissions reductions consistent with the AB 32 Scoping Plan.

The construction and operation of this project will result in GHG emissions. The project as a whole is not expected to generate GHGs either directly or indirectly that may have a significant impact on the environment. The project's GHG emissions are primarily from mobile source activities and are shown in Table 3.4.8-1.

Table 3.4.8-1
Estimated Annual Greenhouse Gas Emissions (MT/Year)

	CO_2 Emissions	CH_4 Emissions	N_2O Emissions	CO_2e Emissions
Construction Emissions				
Total	528.97	0.12	0.01	533.80
Operational Emissions				
Area Emissions	0.00	0.00	0.00	0.00
Energy Emissions	235.58	0.02	0.00	237.35
Mobile Emissions	2,620.50	0.26	0.22	2,693.67
Water Emissions	33.70	1.99	0.00	83.50
Waste Emissions	20.09	0.80	0.02	45.73
Total Project Operational Emissions	2,909.87	3.07	0.25	3,060.25
Annualized Construction Emissions	17.63	0.00	0.00	17.79
Project Emissions	**2,909.87**	**3.07**	**0.25**	**3,060.25**

Source: (Trinity Consultants, 2023)

Because climate change is a global issue, a development project like the proposed project, on an individual basis, does not have a reasonable potential to result in a measurable significant impact on global warming or climate change. However, the project would contribute to cumulative GHG emissions that cumulatively result in environmental and health effects associated with climate change across California, the country, and the world. The project's emissions would only be a very small fraction of the statewide GHG emissions. Regardless, given the position of the legislature in AB32 which states that global warming poses serious detrimental effects, and the requirements of CEQA for the Lead Agency to determine if a project would have a cumulatively considerable contribution, the effect of the project's CO_2 contribution may be considered cumulatively considerable. The strategies currently being implemented by CARB can help in reducing the project's GHG emissions and are summarized below:

- Vehicle Climate Change Standards – AB 1493 (Pavley required the State to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light-duty trucks. Regulations were adopted by CARB in September 2004.
- Diesel Anti-Idling - In July 2004, CARB adopted a measure to limit diesel-fueled retail motor vehicle idling to five minutes or less.
- Other Light-Duty Vehicle Technology – New standards would be adopted to phase in beginning in the 2017 model year.
- Alternative Fuels: Biodiesel Blends – CARB would develop regulations to require the use of one percent to four percent biodiesel displacement of California diesel fuel.
- Alternative Fuels: Ethanol – Increased use of ethanol fuel.
- Heavy-Duty Vehicle Emission Reduction Measures – Increased efficiency in the design of heavy-duty vehicles and an educational program for the heavy-duty vehicle sector.

Any further feasible emissions reductions would be accomplished through CARB regulations adopted pursuant to AB 32. Overall, the impacts to occur during the construction would be short-term and temporary in nature. As there are no current significance thresholds to quantify construction emissions and because construction-related impacts are considered temporary they are, therefore, generally considered less than significant. In addition, the construction and operation of the proposed project would still have to comply with the SJVAPCD's regulations and requirements as discussed in the air quality section.

The project will not result in the emissions of hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), or sulfur hexafluoride (SF_6), the other gases identified as GHG in AB32. The proposed project will be subject to any regulations developed under AB32 as determined by CARB. Therefore, it is anticipated that the project will not generate significant long-term GHG emissions over its lifetime, and impacts would be less than significant for GHG emission impacts.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant***

Impact #3.4.8b – Would the project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

See response to Impact #3.4.8a.

The analysis above takes into account the cumulative nature of the energy industry and recognizes that consumers of electricity and diesel fuel are in effect regulated by higher-level emissions restrictions on the producers of these energy sources. Therefore, the project's contribution to cumulative global climate change impacts would not be cumulatively

considerable. The proposed project is not expected to result in significant GHG emissions and would not conflict with State GHG emission reduction goals.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

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

Discussion

Analysis in this section is based on the Phase I Environmental Site Assessment (ESA) prepared for the project (RMA Geoscience, 2023), which is included in Appendix C of this document.

Impact #3.4.9a –Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Construction

Project construction-related activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction-related activities. As such, these materials could expose human health or the environment to undue risks associated with their use and no significant impacts will occur during construction activities.

Transportation, storage, use, and disposal of hazardous materials during construction activities will be required to comply with applicable federal, State, and local statutes and regulations. Transportation of hazardous materials is regulated by the U.S. Department of Transportation and Caltrans. Additionally, the City's routes that have been designated for hazardous materials transport would be used. Any hazardous waste or debris that is generated during the construction of the proposed project would be collected and transported away from the site and disposed of at an approved offsite landfill or another such facility. In addition, sanitary waste generated during construction would be managed through the use of portable toilets, which would be located at reasonably accessible onsite locations.

Operation of the proposed facilities would involve the routine use and storage of hazardous materials, which includes storage of gasoline in the project's underground fuel storage tanks (UST), as well as delivery of gasoline and subsequent refilling of the tanks. Gasoline is considered a hazardous waste, and therefore, the installation and operation of underground fuel storage tanks are regulated by a variety of State and local agencies.

Development of the gas station/mini-mart would include the installation of UST which would be regulated by the State Water Resources Control Board (SWRCB) and Kings County Department of Public Health, which is the Certified Unified Program Agency (CUPA). The installation and operation of UST will be in compliance with local and State regulations related to UST and hazardous materials. Therefore, the construction of the gas station/mini-mart would not create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Development of uses associated with the industrial park portion of the project site would be subject to the same regulations and permitting standards as noted above.

Operation

The California Environmental Protection Agency (CalEPA) oversees the statewide implementation of the Hazardous Materials Business Plan (HMBP), which aims to prevent or minimize harm to public health and safety, and the environment from the release or threatened release of hazardous material. The minimum reporting quantities for hazardous materials is 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet for compress gas. If a business handles hazardous materials at or in excess of the minimum thresholds, a HMBP is required to be prepared and approved by the State and local jurisdictions. The project developer/operator will be required to submit information to the California Environmental Reporting System (CERS), Kings County Department of Public Health, and the City of Lemoore regarding the use and storage of hazardous materials. Both the proposed gas station/mini-mart and future industrial uses would be subject to the HMBP requirements if they handle hazardous materials in excess of minimum reporting quantities.

Based on the analysis above, project construction and operation are not anticipated to result in significant impacts as a result of the transportation, use, or disposal of hazardous materials. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.9b – Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

See Impact #3.4.9a.

The preparation of the Phase I ESA included a site reconnaissance of the subject property, a review of historical documents related to land use, and a database search of federal, State, and local regulatory agencies. Historical land use was determined that by 1927, the subject property was occupied with agricultural land, and by 1994 the subject property appeared to be vacant land (RMA Geoscience, 2023). A review of federal, State, and local databases indicated that the subject site is not listed on any database. The Phase I ESA concluded that no Recognized Environmental Conditions (REC) in connection to the subject site were found.

There are no active Geologic Energy Management Division (CalGEM) identified oil or gas fields in the project vicinity, and there are no known existing or historical oil wells on the project site (CalGEM, 2023). As such, it is not expected that any wells would be impacted by the project.

Hazardous materials handling on the project site during construction activities may result in soil and groundwater contamination from accidental spills. The proposed gas station/mini-mart, construction would be required to prepare and implement a SWPPP as required per MM GEO-1.

As discussed under response Impact #3.4.9a, the project would involve the routine use and storage of hazardous materials, which includes storage of gasoline in UST, as well as delivery of gasoline and subsequent refilling of the tanks. As such, the installation and operation of underground fuel storage tanks are regulated by a variety of State and local agencies. The project will comply with the applicable regulations and codes during operation, and the impacts would be less than significant.

In addition, construction and operational activities will also be required to comply with the California Fire Code to reduce the risk of potential fire hazards. The City's Fire Department will be responsible for enforcing provisions of the Fire Code and will review project plans and specs prior to the issuance of building permits. The proposed project is not anticipated to create a significant hazard to the public or the environment and impacts would be less than significant.

MITIGATION MEASURE(S)

Implementation of MM GEO-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.9c – Would the project emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

P.W. Engvall Elementary School is approximately 0.51 miles north, and Lemoore Union Elementary School is approximately 0.67 miles northeast of the project site.

Construction of the project would require the use of minimal hazardous materials and require implementation of BMPs when handling any hazardous materials, substances, or waste. As noted in Impact #3.4.3a–b, emissions of criteria pollutants during construction and operational activities are expected to be less than significant.

Operation of the project is anticipated to follow State and local requirements for the handling and disposal of hazardous materials as outlined in Impact #3.4.9a–b. Future development and operation of industrial uses would be subject to similar development and operation practices as noted above. The development of the gas station/mini-mart and future industrial uses would be more than one-quarter mile of a school and would, therefore, result in less-than-significant impacts.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.9d – Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

There are no REC identified on the property, and the property is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and the Department of Toxic Substances Control (RMA Geoscience, 2023). Therefore, there would be a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.9e – For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Naval Air Station Lemoore (NAS Lemoore) runways are located approximately nine miles to the west of the project site. The project is not within the identified Air Installations Compatible Use Zones and would not conflict with military operations (Department of the Navy, 2010).

There are no public airports within two miles of the project site. The closest public airport is the Hanford Municipal Airport, located approximately nine miles east of the project. The project is not within an airport land use compatibility plan area. The construction and operation of the project would not result in the generation of noise levels beyond those that exist in the surrounding area. Therefore, the project would not expose people residing or working in the project area to excessive noise levels due to proximity to an airport, and there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

Impact #3.4.9f –Would the project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

The 2015 Kings County Emergency Operations Plan (EOP) establishes emergency procedures and policies and identifies responsible parties for emergency response in the County and includes the incorporated City of Lemoore (Kings County, 2015). The EOP includes policies that would prevent new development from interfering with the emergency response of evacuation plans.

The General Plan also provides guidance to City staff in the event of extraordinary emergency situations associated with natural disasters and technological incidents (City of Lemoore, 2008). The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities.

The proposed gas station/mini-mart and future industrial development would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, the project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant.***

Impact #3.4.9g – Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The majority of the City is considered to have either little or no threat or a moderate threat of wildfire. Only one percent of the area within Lemoore city boundaries currently has a high threat of wildfire. Wildfire hazard present in the City should decrease as vacant parcels become developed (City of Lemoore, 2008).

The project site is in an unzoned area of the Kings County Fire Hazard Severity Zone Map Local Responsibility Area (LRA) (California Department of Forestry and Fire Protection, 2007). However, Cal Fire has determined that portions of the City of Lemoore are categorized

as a moderate fire hazard severity zone in the LRA. The project site is not located within proximity of a wildland area.

Project-related activities at the project site are not expected to increase the risk of wildfires. The General Plan includes policies that would protect the project and the community from fire dangers. These include the enforcement of fire codes during project-related activities. In addition, developers are required to pay impact fees that offset the impact of development on public services, such as fire protection.

The Lemoore City Fire Department, located approximately one mile away, would provide fire protection services to the project. The project will comply with all applicable State and local building standards as required by local fire codes, as well as impact fees to support additional fire protection services. The project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant***.

3.4.10 - HYDROLOGY AND WATER QUALITY

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

Discussion

Impact #3.4.10a – Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

See Impact #3.4.9a–b. Project construction would cause a ground disturbance that could result in soil erosion or siltation and subsequent water quality degradation offsite, which is a potentially significant impact. Construction-related activities would also involve the use of materials such as vehicle fuels, lubricating fluids, solvents, and other materials that could result in a polluted runoff, which is also a potentially significant impact. Construction activities involving soil disturbance, excavation, cutting/filling, stockpiling, and grading activities could result in increased erosion and sedimentation to surface waters. However, the potential consequences of any spill or release of these types of materials are generally minimal due to the localized, short-term nature of such releases. The volume of any spills would likely be relatively small because the volume in any single vehicle or container would generally be anticipated to be less than 50 gallons.

Accidental spills or disposal of potentially harmful materials used during construction could possibly wash into and pollute surface water runoff. Mitigation Measure MM GEO-1 requires the preparation and implementation of a SWPPP to comply with the Construction General Permit requirements. With implementation of MM GEO-1, the proposed project would not violate any water quality standards or waste discharge requirements, and construction-related impacts are less than significant.

Once constructed, the project would drain water into the existing City sewer system and would not degrade surface or groundwater quality and impacts would be less than significant. In addition to compliance for preparation of a SWPPP, a HMBP shall be completed and submitted to the State and local jurisdiction for the gas station/mini-mart related to the UST. Any future industrial uses that handle or store hazardous materials at or in excess of minimum reporting thresholds will also be required to comply with these regulations. The HMBP would provide for emergency response plans and procedures to be followed in the event of a reportable release or threatened release of a hazardous material. With implementation of MM GEO-1, operational impacts would be less than significant.

MITIGATION MEASURE(S)

Implementation of Mitigation Measure MM GEO-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.10b – Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The water purveyor for the project is the City of Lemoore. The City has adopted an Urban Water Management Plan (UWMP) (City of Lemoore, 2017). This document is a planning tool that was created to help generally guide the actions of urban water suppliers in successfully preparing for potential water supply disruptions and issues. It provides a framework for long-term water planning and informs the public of a supplier's plans for long-term resource planning that ensures adequate water supplies for existing and future demands.

The City currently utilizes local groundwater as its sole source of municipal water supply. The City's municipal water system extracts its water supply from underground aquifers via six active groundwater wells within the city limits. The City maintains four ground-level storage reservoirs within the distribution system, with a total capacity of 4.4 million gallons (MG) (City of Lemoore, 2017). The groundwater basin underlying the City is the Tulare Lake Basin as defined in the Department of Water Resources Bulletin 118 for construction and operation would come from the City of Lemoore's existing water system. Per the City's 2015 UWMP, the City's existing system has a total supply capacity of 21,674,000 gallons per day with an average day demand of 8,769,000 gallons (City of Lemoore, 2017).

According to the City's UWMP, projected water use for 2025 was determined to increase up to 123 MG for commercial uses and 1,098 MG for industrial uses. By the year 2040, the projected water use is anticipated to be 203 MG for commercial uses and 1,812 MG for industrial uses. Assuming an average water demand of 820 gallons per day per acre (gpda) for regional commercial and 610 gpda for light industrial uses, the estimated water use resulting from the project would be approximately 3,386.6 gallons per day (gpd) for the proposed 4.13-acre regional commercial site and approximately 9,168.3 gpd for the proposed 15.03-acre industrial area that does not include the 1.34-acre basin located in the northern portion of the project site. Therefore, once constructed, the proposed gas station/mini-mart could result in an estimated water demand of 1.24 MG per year (3.8 acre-feet/year (afy)). The anticipated water demand for the proposed industrial uses at full buildout would be approximately 10.2 afy (3.35 MG/year). As noted, the estimated water demand for potential light industrial uses is average at the full building; however, the development would occur incrementally as the light industrial portion would not be developed all at once. The City's anticipated groundwater supplies were determined to be sufficient to meet all demands through the year 2040, even under multiple dry-year drought conditions (City of Lemoore, 2017). Therefore, the project will have a less-than-significant impact related to groundwater demand.

Water would be used for purposes of dust control during grading and construction as well as for minor activities such as the washing of construction equipment and vehicles. Water demands generated by the project during the construction phase would be temporary and not substantial. It is anticipated that groundwater supplies would be adequate to meet construction water demands generated by the project without depleting the underlying aquifer or lowering the local groundwater table. Therefore, project construction and full buildout would not deplete groundwater supplies and impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.10c(i) – Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or offsite?

The project site is relatively flat and would require minimal grading. The topography of the site would not appreciably change because of grading activities. The site does not contain any blue-line water features, including streams or rivers. The rate and amount of surface runoff is determined by multiple factors, including the following: topography, the amount and intensity of precipitation, the amount of evaporation that occurs in the watershed, and the amount of precipitation and water that infiltrates to the groundwater. The proposed project would alter the existing drainage pattern of the site, which would have the potential to result in erosion, siltation, or flooding onsite or offsite. The disturbance of soils onsite during construction could cause erosion, resulting in temporary construction impacts. In addition, the placement of permanent structures onsite could affect drainage in the long-term. Impacts from construction and operation are discussed below.

As discussed in Impact #3.4.10(a) above, potential impacts on water quality arising from erosion and sedimentation are expected to be localized and temporary during construction. Construction-related erosion and sedimentation impacts as a result of soil disturbance would be less than significant after implementation of a SWPPP (MM GEO-1) and BMPs required by the NPDES. A retention basin is also proposed at the northern end of the proposed industrial park area and would be developed in accordance with City development standards for basins. No existing drainages or other water bodies are present on the project site, and therefore, the proposed project would not change the course of any such drainages.

Once constructed, the project would contain areas of impervious surfaces that would reduce the rate of percolation at the site, but areas of open space and the proposed retention basin will allow for the percolation of stormwater to recharge the aquifer, or the water would be directed into the City's existing stormwater sewer system. The project would comply with applicable City development standards and codes. Therefore, the project would have a less-than-significant impact on drainage patterns and would not cause substantial erosion or siltation on or off the site.

MITIGATION MEASURE(S)

Implementation of MM GEO-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.10c(ii) – Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite?

No drainages or other water bodies are present on the project site and therefore, development of the site would not change the course of any such drainages that may potentially result in onsite or offsite flooding. Water would be used during the temporary construction phase of the proposed project (e.g., for dust suppression). However, any water used for dust control would be mechanically and precisely applied and generally infiltrate or evaporate instead of running off the site.

The project site is flat, and grading would be minimal. The topography of the site would not change because of grading activities, and it does not contain any water features, streams, or rivers. The potential for the construction of the proposed project to alter existing drainage patterns would be minimized through compliance with the preparation of a SWPPP (MM GEO-1). With implementation of such measures, the project would not substantially increase the amount of runoff in a manner that would result in flooding onsite or offsite. Impacts would be reduced to less-than-significant levels.

MITIGATION MEASURE(S)

Implementation of MM GEO-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated.*

Impact #3.4.10c(iii) – Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Please see Impacts #3.4.9a–b and #3.4.10a–c above.

The project would comply with all applicable State and City codes and regulations. The retention basin will be constructed based on engineering calculations to ensure that once operational, the project does not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, the project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage

systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

MITIGATION MEASURE(S)

Implementation of MM GEO-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated .*

Impact #3.4.10c(iv) – Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?

As discussed above in Impact #3.4.10a through c(iii), the project site does not have a stream, river, or other water feature.

The project would develop the site with facilities that would add areas of impervious surfaces and thus increase the rate and amount of potential runoff. This increase in runoff would be accommodated by the stormwater control project design feature that has been developed for the project to minimize impacts to existing drainage patterns of the area such that a substantial increase in the rate or volume of surface runoff and resultant flooding would not occur. The proposed retention basin would decrease surface runoff rates such that flooding onsite or offsite would not occur. Therefore, associated impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.10d – Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The project site is not located near the ocean or a steep topographic feature (i.e., mountain, hill, bluff, etc.). Additionally, there is no body of water within the vicinity of the project site. The proposed project's inland location makes the risk of tsunami highly unlikely. The probability of a seiche occurring in the City is also considered negligible.

As shown in Figure 3.4.10-1, the project is not located within a FEMA 100-year floodplain as mapped on a federal flood hazard boundary or flood insurance rate map, or other flood hazard delineation map.

The project site is located approximately 45 miles from the Pine Flat Dam, which is managed by the U.S. Army Corps of Engineers. In the case of dam failure, flood waters would not reach the City for hours. The extremely low probability of dam failure, the large volume of flood water available for dilution of potential pollutants, and the relatively long warning period to prepare indicate that inundation due to dam failure would not have a significant impact on the project (City of Lemoore, 2008).

There is no potential for inundation of the project site by seiche. Therefore, the project would not contribute to inundation by seiche, tsunami, or mudflow.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant.***

Impact #3.4.10e – Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Please see Impact #3.4.10b above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant***.

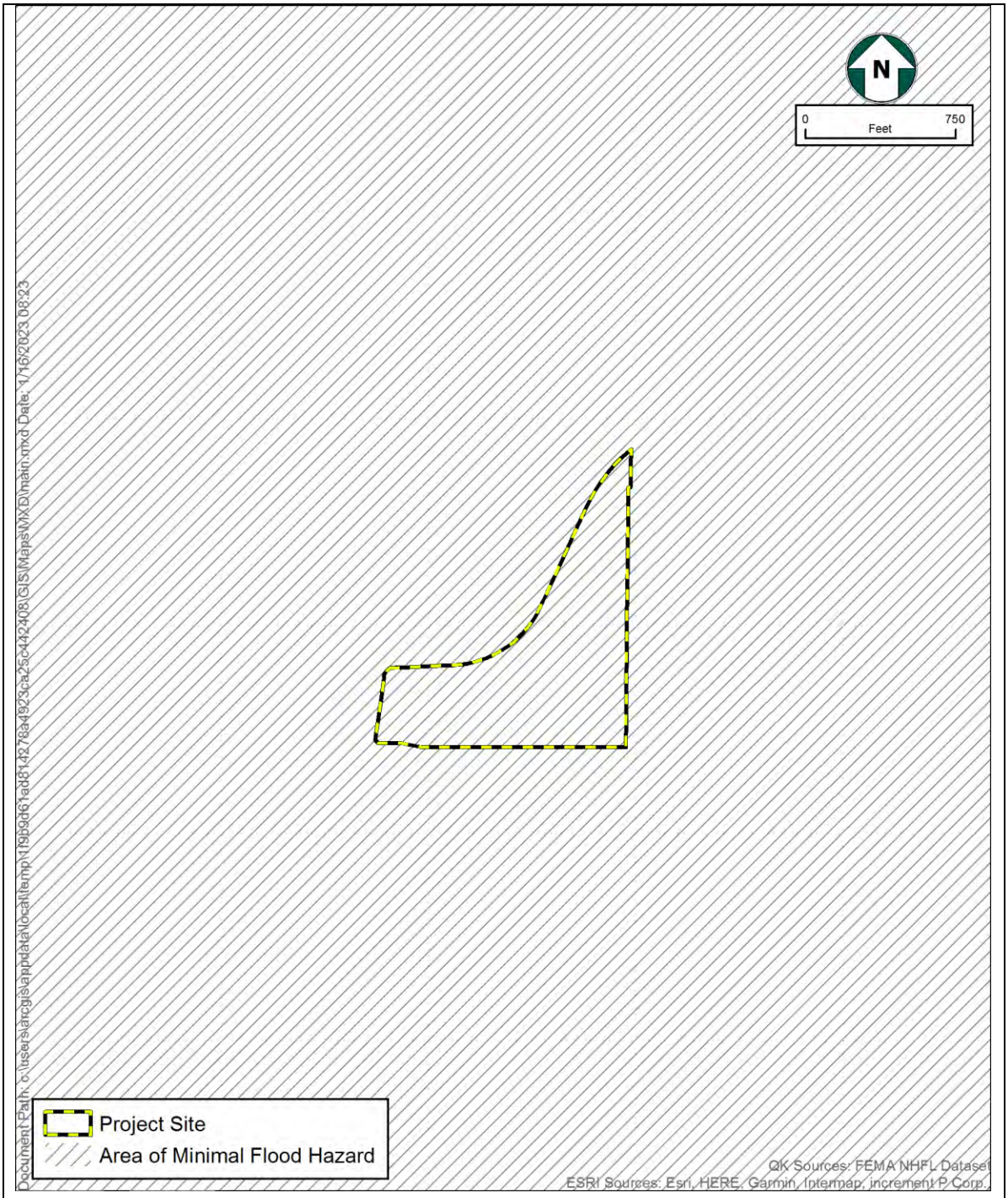

Figure 3.4.10-1
100-Year Floodplain

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.11 - LAND USE AND PLANNING

Would the project:

a.	Physically divide an established community?	☐	☐	☐	☒
b.	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

Discussion

Impact #3.4.11a – Would the project physically divide an established community?

There is existing residential development to the east and commercial and industrial land uses to the west and south; SR 198 is to the north. The project will not physically divide an established community. There would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

Impact #3.4.11b – Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The project requests approval of a General Plan Amendment/Zone Change, a Conditional Use Permit, and a Subdivision Map to allow for the development of the gas station/mini-mart on the western portion of the site and future industrial uses on the eastern portion of the site. With the approval of the associated entitlements, the proposed uses would be consistent with the proposed land use designation. The project would also comply with the pertinent development standards and criteria such as height limitations and setbacks as designated in City's Municipal Code.

General Plan policies found in the Land Use Element and other elements of the City of Lemoore General Plan were reviewed and did not identify any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. There would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

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

Discussion

Impact #3.4.12a – Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

The California Department of Conservation, Geological Survey classifies lands into Mineral Resource Zones (MRZs) based on guidelines adopted by the California State Mining and Geology Board, as mandated by the Surface Mining and Reclamation Act of 1974. These MRZs identify whether known or inferred significant mineral resources are present in areas. Lead agencies are required to incorporate identified MRZs resource areas delineated by the State into their General Plans.

The City of Lemoore and the surrounding area have no mapped mineral resources and no regulated mine facilities (City of Lemoore, 2008). Additionally, per the California Department of Conservation – Geologic Energy Management Division (CalGEM), the project site is not within a CalGEM-recognized oilfield. The project design does not include mineral extraction. The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State and would therefore have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.12b – Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

See Impact #3.4.12a above. The project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan and would therefore have no impact.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.13 - NOISE				
Would the project result in:				
a. Exposure of persons to, or generate, noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	☐	☒	☐	☐
b. Exposure of persons to or generate excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion

Impact #3.4.13a – Would the project result in exposure of persons to, or generate, noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?

Land uses deemed sensitive receptors include schools, hospitals, rest homes, and long-term care and mental care facilities, which are considered to be more sensitive to ambient noise levels than others. The nearest sensitive land uses include residential homes bordering the site to the east.

Stationary noise sources can also influence the population, and unlike mobile, transportation-related noise sources, these sources generally have a more permanent and consistent impact on people. These stationary noise sources involve a wide spectrum of uses and activities, including various industrial uses, commercial operations, agricultural production, school playgrounds, high school football games, HVAC units, generators, lawn maintenance equipment, and swimming pool pumps.

The City of Lemoore 2030 General Plan Section 8.6-Noise provides land use compatibility for community noise environment thresholds for low density single-family residential acceptable up to 70 dB (City of Lemoore, 2008).

During the construction phase of the project, noise-generating activities will be present, however, they will be temporary in nature and any machinery used as a part of the

construction of the project will be muffled. Construction activities would be temporary in nature and are anticipated to occur during normal daytime working hours. Implementation of the Mitigation Measure NSE-1 will further reduce the temporary noise impacts from construction-related activities to levels that will not exceed the thresholds established in the City of Lemoore 2030 General Plan.

Operation of the proposed gas station/mini-mart would generate noise levels in a similar fashion to the existing gas station directly west of the site and is not anticipated to exceed noise thresholds established by the General Plan. However, the development of industrial uses along the eastern boundary near existing residences could generate higher noise levels. General Plan Policy SN-I-40 requires developers to mitigate noise impacts of new development on adjacent properties as a condition of approval through appropriate means, including screening and controlling noise sources, increased setbacks for noise sources from adjacent dwellings, and using open space, building orientation and design, landscaping and running water to mask sounds. Development of the light industrial area would be subject to the City Municipal Codes and includes minimum front and rear yard setbacks. A minimum of 25 feet for the rear yard setback will be required for the proposed light industrial zoned lots (City of Lemoore, 2021). The residential development to the east is separated from the adjacent project site by an approximately 20-foot-wide utility easement. The residences are further set away from the project property by backyards, therefore providing an additional noise attenuation buffer from the proposed industrial park.

Additionally, commercial, industrial, and multi-family zone districts shall be screened from abutting residential zone districts by masonry walls or similar solid walls with a minimum height of six feet. The inclusion of development of a minimum six-foot wall is included as a mitigation measure to further buffer and reduce noise generated from potential industrial uses. Additional requirements under the City of Lemoore's Municipal Code for further noise buffering would be applicable for circumstances related to industrial equipment use and would ensure that industrial uses would not exceed established noise thresholds.

Activities that could be expected to generate noise include cars entering and exiting the development, as well as mechanical systems related to heating, ventilation, and air conditioning systems, or industrial equipment. This noise would be similar to those generated by the nearby existing industrial development and would not be of a level that exceeds thresholds with implementation of Mitigation Measure NSE-2, NSE-3, and compliance with applicable development standards for the development of industrial uses abutting residential uses. NSE-2 will require the installation of a masonry or solid wall to buffer noise between proposed light industrial uses, and NSE-3 would prohibit the storage of materials in excess of six feet within the building setbacks to ensure storage and equipment activities do not generate noise in excess of City threshold.

Therefore, these increases in ambient noise are considered less than significant and consistent with applicable standards.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant with mitigation incorporated***.

MITIGATION MEASURE

MM NSE-1: During construction, the contractor shall implement the following measures:

a. All stationary construction equipment on the project site shall be located so that noise-emitting objects or equipment face away from any potential sensitive receptors.
b. The construction contractor shall ensure that all construction equipment is equipped with manufacturer-approved mufflers and baffles. During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
c. Construction activities shall take place during daylight hours, when feasible.

MM NSE-2: Prior to the issuance of an occupancy permit for the first building permit(s), the proposed light industrial zoned parcels abutting residential zone districts along the eastern property line shall be screened with a minimum six-foot masonry wall or similar solid wall.

MM NSE-3: No materials related to an industrial operation shall be stored within the yard setback to a height of more than six feet within 25 feet of property lines adjacent to the residential zone district.

Impact #3.4.13b – Would the project result in exposure of persons to or generate excessive groundborne vibration or groundborne noise levels?

The proposed project is expected to create temporary groundborne vibration as a result of the construction activities (during site preparation and grading). According to the U.S. Department of Transportation, Federal Railroad Administration, vibration is sound radiated through the ground. The rumbling sound caused by the vibration is called groundborne noise. The ground motion caused by vibration is measured as particle velocity in inches per second and is referenced as vibration decibels (VdB). The background vibration velocity level in residential areas is usually around 50 VdB. A list of typical vibration-generating equipment is shown in Table 3.4.13-1. However, the project does not propose to use this specific equipment. The table is meant to illustrate typical levels of vibration for various pieces of equipment.

The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people.

Table 3.4.13-1
Different Levels of Groundborne Vibration

Vibration Velocity Level	Equipment Type
94 VdB	Vibratory roller
87 VdB	Large bulldozer
87 VdB	Caisson drilling
86 VdB	Loaded trucks
58 VdB	Small bulldozer

Source: (Federal Transit Administration, 2006)
Note: 25 feet from the corresponding equipment.

The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations (Federal Highway Administration (FHWA), U.S. Department of Transportation, 2017). In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 inch/second) appears to be conservative even for sustained pile driving. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between the vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. The typical vibration produced by construction equipment is illustrated in Table 3.4.13-2.

Table 3.4.13-2
Typical Vibration Levels for Construction Equipment

Equipment	Reference peak particle velocity at 25 feet (inches/second)[1]	Approximate peak particle velocity at 100 feet (inches/second)[2]
Large Bulldozer	0.089	0.011
Loaded Trucks	0.076	0.010
Small Bulldozer	0.003	0.000
Auger/drill Rigs	0.089	0.011
Jackhammer	0.035	0.004
Vibratory Hammer	0.070	0.009
Vibratory Compactor/roller	0.210	0.026

Notes:
1 – Federal Transit Administration, Transit Noise and Vibration Impact Assessment Guidelines, May 2006. Table 12-2.
2 – Calculated using the following formula: PPV equip = PPVref x (25/D)1.5
where: PPV (equip) = the peak particle velocity in in/sec of the equipment adjusted for the distance PPV (ref) = the reference vibration level in in/sec from Table 12-2 of the FTA Transit Noise and Vibration Impact Assessment Guidelines D = the distance from the equipment to the receiver

As indicated in Table 3.4.13-2 based on the FTA data, vibration velocities from typical heavy construction equipment that would be used during project construction range from 0.076 to

0.210 inch-per-second peak particle velocity (PPV) at 25 feet from the source of activity. With regard to the project, groundborne vibration would be generated during site clearing and grading activities onsite facilitated by implementation of the proposed project. As demonstrated in Table 3.4-13-2, vibration levels at 25 feet would range from 0.003 to 0.210 PPV. Therefore, the anticipated vibration levels would not exceed the 0.2 inch-per-second PPV significance threshold during construction at the nearest receptors, which is approximately 50 feet to the east of the proposed industrial uses.

Typical outdoor sources of perceptible groundborne vibration are construction equipment and traffic on rough roads. For example, if a roadway is smooth, the groundborne vibration from traffic is rarely perceptible.

Typically, groundborne vibration generated by construction activity attenuates rapidly with distance from the source of the vibration. Therefore, vibration issues are generally confined to distances of less than 500 feet (U.S. Department of Transportation, 2005). Potential sources of temporary vibration during the construction of the proposed project would be minimal and would include the transportation of equipment to the site.

Construction activity would include various site preparation, grading, fabrication, and site cleanup work. Construction would not involve the use of equipment that would cause high groundborne vibration levels such as pile-driving or blasting. Once constructed, the proposed project would not have any components that would generate high vibration levels. Thus, the construction and operation of the proposed project would not result in any vibration, and impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.13c – For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

There are no public airports within two miles of the project site. The NAS Lemoore runways are located nine miles west of the project site. The closest public airport is the Hanford Municipal Airport, also located approximately nine miles west of the project. The project is not within an airport land use compatibility plan area (Department of the Navy, 2010). Therefore, the project would not expose people residing or working in the project area to excessive noise levels. Therefore, there would be no impact.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

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

Discussion

Impact #3.4.14a – Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

According to the U.S. Census Bureau, estimates of the City's population was 26,631 in 2021 (U.S. Census Bureau, 2021). The City anticipates an annual increase in population, with an estimated population of 34,719 in 2025 and 47,115 by 2035 (City of Lemoore, 2017).

The City's General Plan goals include providing appropriately located areas for a broad range of employment-generating uses to strengthen the City's economic base and provide employment opportunities for residents to achieve a jobs-housing balance. The project intends to develop a gas station/mini-mart and light industrial uses within an area that has generally been utilized for similar commercial and industrial uses. Construction of the project would be of short duration and likely be completed by construction workers residing in the City or the surrounding area; they would not require new housing.

It is anticipated that the jobs created by these businesses will be filled by existing residents of the City or nearby towns. It is unlikely these jobs would attract a large influx of new residents that would require increased City services. The project would not induce substantial population growth in an area, either directly or indirectly.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.14b – Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

The project site is undeveloped with no structures and no displacement of existing housing would occur. Therefore there would be no impacts.

The proposed project would not require the demolition of any housing, as the project site is currently undeveloped. Therefore, there would be no need to construct replacement housing elsewhere. There would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact.*

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.15 - PUBLIC SERVICES

Would the project:

a.	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services:				
	i. Fire protection?	☐	☐	☒	☐
	ii. Police protection?	☐	☐	☒	☐
	iii. Schools?	☐	☐	☒	☐
	iv. Parks?	☐	☐	☒	☐
	v. Other public facilities?	☐	☐	☒	☐

Discussion

Impact #3.4.15a(i) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – fire protection?

The closest station to the project site is located at 210 Fox Street, approximately one mile north of the project site. The proposed project will comply with Title 24 of the California Building Code and local development standards. Additional provisions under the City's adopted Fire Code including an approved water system capable of supplying required fire flow for fire protection purposes may be required by the City.

Development of the project will increase the need for fire protection services and expand the service area and response times of the local City Fire Department. By incorporating the fire standards and the required design features in the project design, fire protection services will be required to provide coverage for both the gas station/mini-mart and future industrial

uses. Because the project will increase both the need and the demand for fire protection services in the City, the project will comply with adopted City municipals for fire requirements, which can include the requirement of impact fee payment and provision of fire suppression equipment, which would reduce impacts to fire protection to less-than-significant levels.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.15a(ii) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – police protection?

The City's police station is located at 657 Fox Street, approximately 1.2 miles north of the project site. The proposed project would be located adjacent to residential subdivisions that are served by the City police station. The project may result in environmental impacts related to acceptable service ratios, response times, or other performance objectives specific to police protection services, and expanded police coverage may be required. The project proposes a gas station/mini-mart and industrial development in a previously undeveloped location, which will increase the need for police services. However, the project will pay appropriate development fees based on the adopted fee calculations and is responsible for constructing any infrastructure needed to serve the project. Impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.15a(iii) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response

The project intends to develop a new gas station/mini-mart and future light industrial development. The Project does not result in a change in population where the need for governmental facilities including school sites is necessary to maintain acceptable service

ratios and response times. The project will not result in the need for the provision of new or physically altered governmental facilities.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.15a(iv) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – parks?

The project is within the boundaries of the Lemoore Parks and Recreation District. The proposed project does not include uses that would increase the use of park and recreation facilities in the area. The City presently owns and maintains seven parks. The nearest park to the site is Kings Lions Complex, approximately 300 feet north. The project does not significantly affect park and recreation facilities. Impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.15a(v) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – other public facilities?

Community facilities are the network of public and private institutions that support the civic and social needs of the population. They offer a variety of recreational, artistic, and educational programs and special events. New community facilities are not specifically sited on the General Plan Land Use Diagram. Small-scale facilities are appropriately sited as integral parts of neighborhoods and communities, while existing larger-scale facilities are generally depicted as public/semi-public land use, as appropriate (City of Lemoore, 2008).

Other public facilities include libraries, refuse pick-up, and other services. All jurisdictions collect planning and building fees as well as impact fees for new development, as necessary.

Property owners would also pay property taxes, some of which are used to pay for improvements to other City services and facilities. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

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

Discussion

Impact #3.4.16a – Would the project Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

See Impact #3.4.15a(ii) above.

The proposed project does not include use that would increase the use of park and recreation facilities in the area. The proposed project will not result in the physical deterioration of existing parks or recreational facilities. With the payment of the development impact fees, there would be a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.16b – Would the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

See Impact #3.4.15a above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

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

Discussion

A Traffic Impact Study (TIS) was prepared for this project (Ruettgers and Schuler, 2023) and is included in Appendix D.

Impact #3.4.17a – Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Transit

The Kings Area Rural Transit (KART) operates two transit routes in Lemoore. Route 12, KART Transit Center to Skyline and Union, has stops at Bush and Belle Haven and West Hills College (WHC). The route operates Monday through Friday with three a.m. and two p.m. stops starting around 8:10 a.m. and stopping at 5:00 p.m. Route 20, KART Transit Center to WHC, likewise, has stops at Bush and Belle Haven and WHC. This route operates Monday through Friday from approximately 6:10 a.m. to 10:40 a.m. with 30-minute headways. The project construction and operation will not create any delays or closures to the transit system.

Bike

Per the City of Lemoore 2030 General Plan, the project site is located approximately 0.5 miles west of the nearest existing bike path located along Golf Links Drive. The construction and operation of the project would not interfere with the bike lane.

Roadways

The City of Lemoore has an adopted level of service standard of LOS "C" or better. Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities.

The project trip generation and design hour volumes shown in Table 3.4.17-1 were estimated using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition.

Table 3.4.17-1
Project Trip Generation

Land Use			Daily Trips			AM Peak Hour Trips			PM Peak Hour Trips	
ITE Code	Development Type	Variable	ADT Rate	ADT	Rate	IN Split Trips	OUT Split Trips	Rate	In Split Trips	OUT Split Trips
934	Fast-food Restaurant w/Drive-thru	2.87 1,000 sq. ft. gross floor area (GFA)	467.48	1,342	44.61	51% 65	49% 63	33.03	52% 49	48% 46
945	Convenience Market/Gas Station	20 Vehicle Fueling Positions	345.75	6,915	31.6	50% 316	50% 316	26.9	50% 269	50% 269
950	Truck Stop	5 Vehicle Fueling Positions	224	1,120	13.97	49% 34	51% 36	15.42	53% 41	47% 36
110	General Light Industrial	70 1,000 sq. ft. GFA	Eq	314	Eq	88% 45	12% 6	Eq	14% 4	86% 27
150	Warehousing	30 1,000 sq. ft. GFA	Eq	86	Eq	77% 21	23% 6	Eq	29% 8	72% 22
Subtotal				9,776		481	427		371	400
Reductions										
Capture				469		21	21		18	18
Pass-by				1,407		62	62		54	53
Total				7,900		398	344		299	329

Source: Appendix D

Table 3.4.17-2 below depicts the intersection LOS for both AM and PM peak hours. As depicted in Table 3.4.17-2 below, the LOS on the southbound 19th Avenue and Iona Avenue intersection would operate below a LOS "C" level.

Table 3.4.17-2
Intersection Level of Service

Intersection		Control Type	2023	2023+Project	2043	2043+ Project	2043+Project w/Mitigation
19th Avenue & SR 198 WB Ramps	AM	Signal	B	B	B	B	-
	PM		B	B	B	B	-
19th Avenue SR 198 EB Ramps	AM	Signal	B	C	B	C	-
	PM		C	C	C	C	-
19th Avenue & Iona Avenue	AM	NB	B	B	C	C	-
		SB	B	D (31.9)	C	F (233.8)	-
		Signal					C
	PM	NB	B	B	C	C	-
		SB	B	E (35.5)	F (134.5)	F (>300)	-
		Signal					C

Notes: Intersection delay in seconds per vehicle is shown in parentheses
Source: Appendix D

As shown in Table 3.4.17-2, with the development of near-term projects and the proposed project, the intersections at 19th Avenue and Iona Avenue would operate below an acceptable level of service. It is anticipated that these intersections would also operate below LOS D in the year 2043. The remaining intersections within the scope of the study are anticipated to operate at acceptable levels of service during the peak hour.

To mitigate the intersection that is projected to operate below the appropriate adopted level of service standard, MM TRA-1 should be implemented. As determined in the TIS, the implementation of a traffic signal at the 19th Avenue and Iona Avenue intersection would allow the intersection to operate at an acceptable LOS.

MITIGATION MEASURE(S)

MM TRA-1: Prior to the issuance of building permits for the commercial development and subsequent industrial development, the developer and any future developer shall pay its pro rata share for:

- Signalization of the 19th Avenue and Iona Avenue intersection based on 49.7 percent.

The pro rata share for signalization of the 19th Avenue and Iona Avenue intersection, for each phase of development associated with the project, shall be determined by the City of Lemoore and shall be paid prior to the issuance of building permits.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant with mitigation incorporated***.

Impact #3.4.17b – Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

The State of California Governor's Office of Planning and Research document entitled *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory; TA) provides guidance for determining a project's transportation impacts based on VMT. Under CEQA, lead agencies have the authority to establish their own VMT significance thresholds and analysis methodologies or rely on thresholds and methodologies recommended by other agencies, provided such guidelines are supported by substantial evidence. The City of Lemoore has not developed or adopted a VMT policy, so the VMT analysis for the prepared TIS was conducted following OPR technical advisory recommendations.

According to OPR TA recommendations, land development with mixed uses may be analyzed either based on individual project land uses or the project's dominant land use. The dominant project land use in terms of trip generation is the convenience market/gas station which will generate approximately 9,377 daily trips, whereas the proposed industrial uses would generate approximately 400 daily trips. Therefore, the convenience market/gas station was analyzed as the dominant use. According to OPR TA, stores with less than 50,000 square feet of floor space may be presumed to create a less-than-significant VMT impact since such "local-serving" retail developments typically provide closer shopping destinations resulting in shorter trip lengths (Ruettgers and Schuler, 2023). Therefore, consistent with OPR guidelines, project-related traffic would not result in a significant transportation impact related to VMT and would not be inconsistent with CEQA Guidelines, Section 15064.3, subdivision (b).

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant.***

Impact #3.4.17c – Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The project will be designed to the current City of Lemoore development standards and safety regulations. All-access points from public right-of-way will be constructed to comply

with the City and Caltrans regulations, and design and safety standards of Chapter 33 of the California Building Codes (CBC) and the guidelines of Title 24 in order to create safe and accessible roadways.

Vehicles exiting the development will be provided with a clear view of the roadway without obstructions. Landscaping associated with the entry driveways could impede such views if improperly installed. Specific circulation patterns and roadway designs will incorporate all applicable safety measures to ensure that hazardous design features or inadequate emergency access to the site or other areas surrounding the project area would not occur.

Therefore, with the incorporated design features and all applicable rules and regulations, the project will have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.17d – Would the project result in inadequate emergency access?

See the discussion in Impact #3.4.9f.

State and City Fire Codes establish standards by which emergency access may be determined. The proposed project would have to provide adequate unobstructed space for fire trucks to turn around. The proposed project site would have adequate internal circulation capacity, including entrance and exit routes to provide adequate unobstructed space for fire trucks and other emergency vehicles to gain access and to turn around. The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.18 - TRIBAL CULTURAL RESOURCES

Would the project:

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	☐	☒	☐	☐
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Discussion

Impact #3.4.18a(i) – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

Please see Impacts #3.4.5a, #3.4.5b, and #3.4.5c above.

In accordance with SB 18 and AB 52, a NAHC Sacred Land Files records search was requested. A positive response from the NAHC was received on March 15, 2023, which is included in Appendix B of this document. The lead agency also sent out early consultation letters to the appropriate tribal groups as listed in the NAHC list. To date, no comments have been received from a tribal representative.

It was determined with the implementation of Mitigation Measures MM CUL-1 through MM CUL-3, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources.

MITIGATION MEASURE(S)

Implement MM CUL-1 through MM CUL-3.

LEVEL OF SIGNIFICANCE

Impact would be ***less than significant with mitigation incorporated.***

Impact #3.15.17a(ii) - Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Please see Impacts #3.4.5a, #3.4.5b, and #3.4.5d above.

With implementation of Mitigation Measures MM CUL-1 through MM CUL-3, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is a resource determined by the Lead Agency, in its discretion and supported by substantial evidence, be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

MITIGATION MEASURE(S)

Implement MM CUL-1 through MM CUL-3.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant with mitigation incorporated.***

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

Discussion:

Impact #3.4.19a – Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

The proposed project will require construction infrastructure to connect to the existing utility infrastructure. This will include water, wastewater, and stormwater drainage connections, all of which would be constructed to meet City development standards. Additionally, the project will include connections for electric power, natural gas, and telecommunications facilities. The installation of this infrastructure will not require any

major upsizing or other offsite construction activities that would cause a significant impact. The new infrastructure would be connected to existing infrastructure that is adjacent to the project site. Electrical, natural gas, and telecommunications facilities would be placed by the individual serving utilities; these entities already have in place safety and siting protocols to ensure that the placement of new utilities to serve new construction would not have a significant effect on the environment.

See Section #3.4.10- *Hydrology and Water Quality* for a discussion of water services wastewater disposal. The project will not require the construction of new water or wastewater treatment facilities. Water usage for dust control during construction-related activities will be minimal due to the small footprint and short duration of construction-related activities of the proposed project.

The proposed project would be subject to the payment of any applicable connection charges and/or fees and extension of services in a manner that is compliant with the Lemoore standards, specifications, and policies. All applicable local, State, and federal requirements and Best Management Practices will be incorporated into the construction and operation of the project. Impacts would be considered less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant.***

Impact #3.4.19b – Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

See Impact #3.4.10b.

Once constructed, the proposed gas station/mini-mart could result in an estimated water demand of 1.24 MG per year (3.8 acre-feet/year (afy)). The anticipated water demand for the proposed industrial uses at full buildout would be approximately 10.2 afy (3.35 MG/year).

As noted, the estimated water demand for potential light industrial uses is average at the full building which would occur incrementally as the light industrial portion would not be developed all at once. The City's anticipated groundwater supplies were determined to be sufficient to meet all demands through the year 2040, even under multiple dry-year drought conditions (City of Lemoore, 2017). Therefore, the project will have a less-than-significant impact related to groundwater demand.

Water would be used for purposes of dust control during grading and construction as well as for minor activities such as the washing of construction equipment and vehicles. Water

demands generated by the project during the construction phase would be temporary and not substantial. It is anticipated that groundwater supplies would be adequate to meet construction water demands generated by the project without depleting the underlying aquifer or lowering the local groundwater table. Therefore, project construction and full buildout would not deplete groundwater supplies and impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.19c – Would the project result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

The project will connect to the existing City sewer system. The generation of wastewater and water would be consistent with the City's requirements. The proposed increase in water and wastewater usage at the project site is not anticipated to require the construction of new water or wastewater treatment facilities or the expansion of existing facilities. Impacts would be less than significant.

The project will connect to the existing storm drain lines. The site engineering and design plans for the proposed project would be required to implement BMPs, comply with requirements of the City Building and Development Standards, and comply with the NPDES General Permit during construction. Implementation of MM GEO-1 would reduce impacts to less than significant.

Therefore, the project would not require or result in the construction of new stormwater drainage facilities or the expansion of existing facilities.

MITIGATION MEASURE(S)

Implementation of MM GEO-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated.*

Impact #3.4.19d – Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Implementation of the proposed project would result in the generation of solid waste on the site, which would increase the demand for solid waste disposal. During construction, these

materials, which are not anticipated to contain hazardous materials, would be collected and transported away from the site to an appropriate disposal facility.

Solid waste disposal for Lemoore is managed by Kings Waste and Recycling Authority (KWRA). The City's PWD Refuse Division is responsible for solid waste collection services. The majority of the City's solid waste is taken to the Kettleman Hills non-hazardous landfill facility, owned by Chemical Waste Management (CWMI). The facility is located south of Lemoore and has an available capacity of 15.6 million cubic yards as of 2020 (Cal Recycle , 2020). KWRA is currently studying the future needs of solid waste services, including building a new landfill to be operated by CWMI near the existing site. The County has a 25-year contract with CWMI to handle its solid waste until 2023 (City of Lemoore, 2008).

The project, in compliance with federal, State, and local statutes and regulations related to solid waste, would dispose of all waste generated onsite at an approved solid waste facility. The project does not, and would not conflict with federal, State, or local regulations related to solid waste. The proposed project would be served by a landfill with the sufficient permitted capacity to accommodate the project's solid waste disposal needs in compliance with federal, State, and local statutes and regulations related to solid waste. Therefore, the project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.19e – Would the project comply with federal, State, and local management and reduction statutes and regulations related to solid waste?

See discussion for Impact #3.4.19d.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

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

Discussion:

Impact #3.4.20a – Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

See Impact #3.4.9g regarding emergency response.

The project is located south of SR 198 and east of SR 41 in an area planned for industrial and commercial uses. Access for emergency vehicles to the site would be maintained throughout the construction period. The project would not interfere with any local or regional emergency response or evacuation plans because the project would not result in a substantial alteration to the circulation system.

The City has established emergency response and evacuation plans based on the Lemoore Emergency Operations Plan. Impacts related to fire hazards and emergency response plans would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.20b – Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire?

Wildfire hazard data for the Lemoore Planning Area, which includes the project, is provided by the California Department of Forestry and Fire Protection, as summarized in Table 3.4.20-1. The majority of the City is considered to have either little or no threat or a moderate threat of wildfire. Only one percent of the Planning Area currently has a high threat of wildfire. Wildfire hazard present in the Planning Area should decrease as vacant parcels become developed.

Table 3.4.20-1
Existing Wildfire Hazards

Fire Hazards	Acreage	Percent of City Area
Little or No Threat	5,648	46
Moderate	6,494	53
High	85	1
Very High	0	0
Total	**12,227**	**100**

The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels, and fuel moisture contents), and topography (degree of slope). Steep slopes contribute to fire hazards by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point.

Per the 2007 Fire Hazard Severity Zones in the LRA map, the project site and surrounding area are not identified as being in a fire hazard severity zone (California Department of Forestry and Fire Protection, 2007). The site is located in an area that is predominately urban with some ongoing industrial and commercial activities, which is not considered a significant risk of wildlife. There are no other factors of the project or the surrounding area that would exacerbate wildfire risks, and thereby expose project occupants to pollutant

concentration from a wildfire or the uncontrolled spread of a wildfire. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.20c – Would the project, require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines?

See Impacts #3.4.20a and b above.

The project includes connection of the project with City infrastructure (water, sewer, electrical power lines, and storm drainage) required to support the proposed gas station/mini-mart. The project site is surrounded by existing and future urban development. The development of the gas station/mini-mart and future development of light industrial uses would be constructed in accordance with all local, State, and federal regulations regarding power lines and other related infrastructure, as well as fire suppression requirements. Therefore, the project would not exacerbate fire risk or result in temporary or ongoing impacts to the environment, and impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.20d – Would the project, expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The project site is not located near the ocean or a steep topographic feature (i.e., mountain, hill, bluff, etc.). Additionally, there is no body of water within the vicinity of the project site. The project is not located within a FEMA 100-year floodplain.

Landslides include rockfalls, deep slope failure, and shallow slope failure. Factors such as geological conditions, drainage, slope, vegetation, and others directly affect the potential for landslides. The project site is relatively flat; therefore, the potential for a landslide in the project site is essentially non-existent. Impacts would be less than significant.

Therefore, the project will not expose people or structures to risks of flooding, landslides, runoff, slope instability, or drainage changes.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

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

Discussion:

Impact #3.4.21a – Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

As evaluated in this IS/MND, the proposed project would not substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory. Mitigation measures have been included to lessen the significance of

potential impacts. Similar mitigation measures would be expected of other projects in the surrounding area, most of which share similar cultural paleontological and biological resources. Consequently, the incremental effects of the proposed project, after mitigation, would not contribute to an adverse cumulative impact on these resources. Therefore, the project would have a less-than-significant impact with mitigation incorporated.

MITIGATION MEASURE(S)

Implement MM BIO-1 through MM BIO-6; MM CUL-1 through MM CUL-3; and GEO-2.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant with mitigation incorporated.***

Impact #3.4.21b - Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

As described in the impact analyses in Sections 3.4.1 through 3.4.20 of this IS/MND, any potentially significant impacts of the proposed project would be reduced to a less-than-significant level following the incorporation of the mitigation measures. All planned projects in the vicinity of the proposed project would be subject to review in separate environmental documents and required to conform to the City of Lemoore General Plan, zoning, mitigate for project-specific impacts, and provide appropriate engineering to ensure the development meets applicable federal, State and local regulations and codes. As currently designed, and in compliance with the recommended mitigation measures, the proposed project would not contribute to a cumulative impact. Thus, the cumulative impacts of past, present, and reasonably foreseeable future projects would be less-than-cumulatively considerable.

MITIGATION MEASURE(S)

Implement MM BIO-1 through MM BIO-6, MM CUL-1 through MM CUL-3, MM GEO-1, MM GEO-2, MM NSE-1 through MM NSE-3, and MM TRA-1.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant with mitigation incorporated.***

Impact #3.4.21c - Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?

All of the project's impacts, both direct and indirect, that are attributable to the project were identified and mitigated to a less-than-significant level. The project will have the appropriate engineering to ensure the development meets applicable federal, State, and local regulations and codes. Thus, the cumulative impacts of past, present, and reasonably foreseeable future projects would be less-than-cumulatively considerable. Therefore, the proposed project

would not either directly or indirectly cause substantial adverse effects on human beings because all potentially adverse direct impacts of the proposed project are identified as having no impact, less-than-significant impact, or less-than-significant impact with mitigation incorporated.

MITIGATION MEASURE(S)

Implement MM BIO-1 through MM BIO-6, MM CUL-1 through MM CUL-3, MM GEO-1, MM GEO-2, MM NSE-1 through MM NSE-3, and MM TRA-1.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant with mitigation incorporated***.

SECTION 4 - REFERENCES

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- Steve Brandt– City Planner

5.2 - Technical Assistance

QK

- Jaymie L. Brauer – Project Manager
- Thomas Kobayashi– Lead Technical Writer

SECTION 6 - MITIGATION MONITORING AND REPORTING PROGRAM

APPENDIX A

AIR QUALITY IMPACT ANALYSIS

APPENDIX B

CULTURAL RESOURCE RECORDS SEARCH

APPENDIX C

PHASE I ENVIRONMENTAL SITE ASSESSMENT

APPENDIX D

TRAFFIC IMPACT STUDY