# General Plan Enhancement Initial Study

for the City of Avenal | January 22, 2018












PLACEWORKS

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Prepared By:

PLACEWORKS

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# 1. Introduction

This document is an Initial Study for the General Plan Enhancement project (project or proposed project) prepared by the City of Avenal (City) to determine if the project may have a significant effect on the environment. Under the California Environmental Quality Act (CEQA), if a proposed project is to be carried out by a nongovernmental person or entity, public agency, such as a City or County, shall act as the Lead Agency with responsibility for preparing a Negative Declaration or an EIR for the project. Pursuant to Section 15051 of the CEQA Guidelines, the City is the Lead Agency for the proposed project.

The proposed project would replace the City's existing General Plan 2025 with General Plan 2035, amend the Zoning Code, and add a series of stand-alone Sustainability Implementation Programs to address recent changes in State law. The stand-alone Sustainability Implementation Programs include an Economic Development Plan, an Active Transportation & Safe Routes to School Plan, and a Water Management Plan. No specific construction-level development is proposed and no physical changes to the environment would directly result from adoption and implementation of the proposed project.

## 1.1 INITIAL STUDY

Pursuant to Section 15063 of the CEQA Guidelines,[1] an Initial Study is a preliminary environmental analysis that is used by the lead agency as a basis for determining what form of environmental review is required for a project. The CEQA Guidelines require that an Initial Study contain a project description, description of environmental setting, identification of environmental effects by checklist or other similar form, explanation of environmental effects, discussion of mitigation for significant environmental effects, evaluation of the project's consistency with existing and applicable land use controls, and the name of persons who prepared the study.

## 1.2 TIERING PROCESS

The CEQA concept of "tiering" refers to the evaluation of general environmental matters in a broad program-level EIR, with subsequent focused environmental documents that implement the program. This Initial Study incorporates by reference the discussions in the City's General Plan 2025 Environmental Impact Report (State Clearinghouse Number 2005041102) (General Plan 2025 EIR) that was certified by the City of Avenal in 2005.[2] The analysis in this Initial Study concentrates on proposed General Plan Enhancement project (i.e., proposed project). CEQA and the CEQA Guidelines encourage the use of tiered environmental documents to reduce delays and excessive paperwork in the environmental review

[1] The CEQA Guidelines are found in California Code of Regulations, Title, 14, Sections 15000 *et seq*.

[2] City of Avenal, General Plan Update Environmental Impact Report (State Clearinghouse Number 2005041102), 2005.

process. This is accomplished in tiered documents by eliminating repetitive analyses of issues that were adequately addressed in the program EIR and by incorporating those analyses by reference.

Section 15168(d) of the State CEQA Guidelines provides for simplifying the preparation of environmental documents on individual parts of the program by incorporating by reference analyses and discussions that apply to the program as a whole. Where an EIR has been prepared or certified for a program or plan, the environmental review for a later activity consistent with the program or plan should be limited to effects that were not analyzed as significant in the prior EIR or that are susceptible to substantial reduction or avoidance (CEQA Guidelines Section 15152[d]).

This Initial Study is tiered from the General Plan 2025 EIR in accordance with Sections 15152 and 15168 of the CEQA Guidelines and Public Resources Code Section 21094. The General Plan 2025 EIR is a program EIR that was prepared pursuant to Section 15168 of the CEQA Guidelines. The *General Plan 2005-2025* (General Plan 2025) is a comprehensive long-range plan for the physical development of the city and serves as the basis for all planning-related decisions made by City staff, the Planning Commission, and the City Council through the buildout horizon year 2025. The General Plan 2025 EIR analyzes full implementation of uses and physical development proposed under the General Plan 2025, and it identifies measures to mitigate the significant adverse program-level and cumulative impacts associated with that growth.

By tiering from the General Plan 2025 EIR, the analysis presented in Chapter 5, Environmental Analysis, of this tiered Initial Study relies on the General Plan 2025 EIR for the following:

- a discussion of general background and setting information for environmental topic areas,
- overall growth-related issues,
- issues that were evaluated in sufficient detail in the General Plan 2025 EIR for which there is no significant new information or change in circumstances that would require further analysis,
- assessment of cumulative impacts, and
- mitigation measures adopted and incorporated into the General Plan 2025.

This Initial Study evaluates the potential environmental impacts of the proposed project with respect to the General Plan 2025 EIR to determine what level of additional environmental review, if any, is appropriate.

## 1.3 REPORT ORGANIZATION

This initial Study is organized into the following chapters:

Chapter 1: Introduction. This chapter provides an introduction and overview of the Initial Study document.

Chapter 2: Initial Study Checklist. This chapter summarizes pertinent information for the proposed project, including the lead agency contact information, proposed project location, and General Plan and Zoning designations.

Chapter 3: Project Description. This chapter describes the location and setting of the proposed project, along with its principal components, as well as a description of the policy setting and implementation process for the proposed project.

Chapter 4: General Plan EIR Consistency Analysis. This chapter describes the consistency of the proposed project with the General Plan EIR.

Chapter 5: Environmental Analysis and Findings. Making use of the CEQA Guidelines Appendix F, Energy Conservation, and Appendix G, Environmental Checklist, this chapter identifies and discusses anticipated impacts from the proposed project, providing substantiation of the findings made. The chapter concludes with the determination, based on the analysis contained in this Initial Study, that a Mitigated Declaration is appropriate for the proposed project.

Chapter 6: Report Preparation. This chapter presents a list of City, other agencies, and consultant team members that contributed to the preparation of the Initial Study.

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# 2. Initial Study Checklist

| | | |
|---|---|---|
| 1. | **Title:** | General Plan Enhancement |
| 2. | **Lead Agency Name and Address:** | City of Avenal<br>Community Development Department<br>919 Skyline Boulevard<br>Avenal, CA 93204 |
| 3. | **Contact Person and Phone Number:** | Fernando Santillan, Director<br>Community Development Department<br>(559) 386-5782 |
| 4. | **Location:** | City of Avenal |
| 5. | **Project Sponsor's Name and Address:** | City of Avenal<br>Community Development Department<br>919 Skyline Boulevard<br>Avenal, CA 93204 |
| 6. | **General Plan Land Use Designations:** | City-wide (various locations) |
| 7. | **Zoning:** | City-wide (various locations) |
| 8. | **Description of Project:** | See Project Description in Chapter 3 |
| 9. | **Surrounding Land Uses and Setting:** | See Project Description in Chapter 3 |
| 10. | **Other Required Approvals:** | See Project Description in Chapter 3 |

11. **Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?:** The City of Avenal received a formal request from the Santa Rosa Rancheria Tachi Yokut Tribe and the Torres Martinez Desert Cahuilla Indians in 2016. The City sent a written notice providing details of the project to both tribal groups, in addition to the tribal groups listed on the Native American Heritage Commission contact list. At the time of this publication, the City had not received a response to the formal notification nor a request to initiate the consultation process for this particular project.

## INITIAL STUDY CHECKLIST

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

Determination:
On the basis of this initial evaluation:

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

☑ I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the City. 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 (EIR) will be prepared.

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

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

| | |
|---|---|
| Signature | Date |
| Printed Name | Title |

# 3. Project Description

This chapter of the Initial Study describes the proposed General Plan Enhancement project (project or proposed project). The proposed project replaces the City's existing General Plan 2025 with General Plan 2035, amends the Zoning Code, and adds a series of stand-alone Sustainability Implementation Programs to address recent changes in State law. These targeted updates will serve to enhance Avenal's existing long-range planning efforts and reduce the environmental footprint of the community. The stand-alone Sustainability Implementation Programs include an Economic Development Plan, an Active Transportation & Safe Routes to School Plan, and a Water Management Plan.

While the General Plan and Zoning Code will regulate future development, transportation improvements, and other physical changes, no specific construction-level development is proposed and no physical changes to the environment would directly result from adoption and implementation of the proposed project. Accordingly, this Initial Study assesses potential impacts at a programmatic level. Any specific construction-level projects allowed or encouraged as a result of, or affected by the adoption and implementation of the proposed project, will be subject to project-level review in accordance with the California Environmental Quality Act (CEQA), as needed.

## 3.1 PROJECT BACKGROUND

### 3.1.1 SUSTAINABLE COMMUNTIES PLANNING GRANT AND INCENTIVE PROGRAM

In 2014, the City of Avenal was awarded funding from the Sustainable Communities Planning Grant and Incentives (SCPGI) Program. The SCPGI Program is funded by Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, and the River and Coastal Protection Bond Act of 2006. The City received this grant from the California Strategic Growth Council to enhance the City's existing General Plan, particularly concerning improvements to increase the City's sustainability. The City used the awarded grant funds to update the General Plan, make targeted amendments to the Zoning Code, and develop a series of Sustainability Implementation Programs that will facilitate the implementation of the General Plan's goals and policies and allow Avenal to become a more sustainable community. In addition, the General Plan Enhancement and Sustainability Implementation Programs will facilitate consistency between the City's planning documents and Kings County Regional Climate Action Plan and the San Joaquin Valley Blueprint.

### 3.1.2 AVENAL GENERAL PLAN 2005-2025 AND ENVIRONMENTAL IMPACT REPORT

General Plan 2025, adopted in 2005, contains goals, objectives, and policies that provide an overall framework for development through 2025. At full buildout, General Plan 2025 would result in 433 additional acres of land designated for residential use, 30 additional acres of land designated for commercial use, and 134 additional acres of land designated for industrial use. The City certified the Environmental Impact Report (EIR) (State Clearinghouse # 2005041102) for General Plan 2025 in 2005.

As described above, adoption and implementation of the General Plan Enhancement would update General Plan 2025, amend the Zoning Code, and add a series of stand-alone Sustainability Implementation Programs. These targeted updates would serve to improve consistency between planning documents, promote economic development, increase sustainability, reduce greenhouse gas emissions, and encourage multi-modal transportation options. Since much of the analysis from the General Plan 2025 EIR is still relevant, this Initial Study references the General Plan 2025 EIR in order to allow for a focused analysis of the changes that would result from the adoption and implementation of the proposed project.

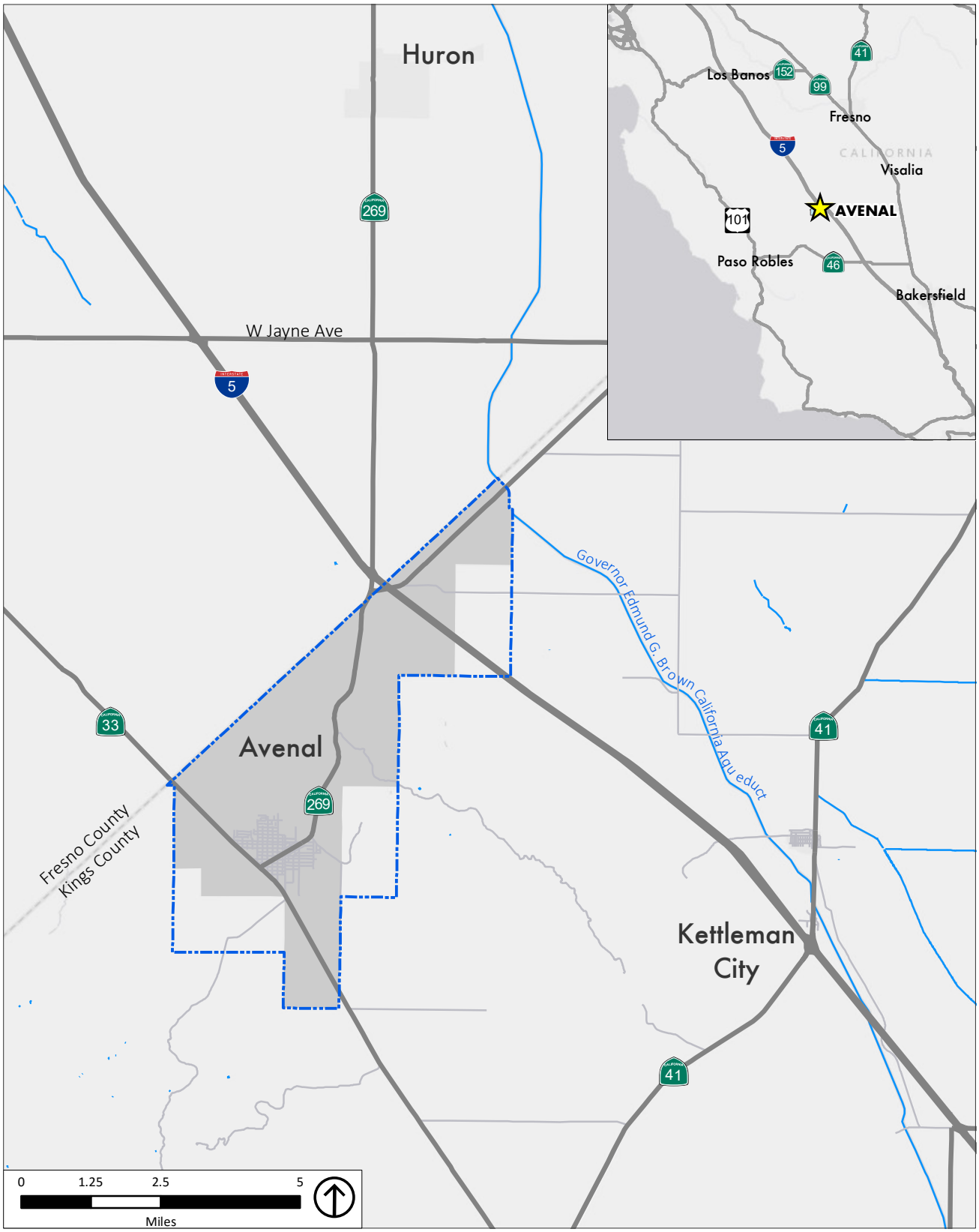
### 3.1.3 PLANNING PROCESS

The City has undertaken a community-based planning process to ensure that all proposed planning documents reflect the community's values and priorities. The process relied upon feedback and direction from a series of community workshops, public meetings, stakeholder interviews, and online outreach programs. A Citizen Advisory Committee (CAC) was established to represent a range of community stakeholders and interests. In addition, school workshops and travel surveys were conducted to collect information from students and parents.

### 3.1.4 REGIONAL LOCATION AND SETTING

The city of Avenal is situated within California's San Joaquin Valley in western Kings County. Figure 3-1 shows Avenal's regional location and vicinity, including its relation to some of the surrounding communities in the area. The City is generally bounded by the California Aqueduct to the north, 33rd Avenue to the east, Tehama Avenue to the south, and 39th Avenue Alignment to the west. The city of Fresno is located approximately 58 miles to the north, the city of Hanford is located approximately 33 to the northeast, and Kettleman City is located approximately 18 miles to the southeast. The primary access routes to Avenal include California State Route 33 and Interstate 5 from the north and south. California State Route 269, which begins at State Route 33, traverses through the center of Avenal.

The city of Avenal was incorporated as a General Law City in 1979 and has rich local history linked to oil and agriculture. The city is located on the Kettleman Plain which lies between the Kettleman Hills to the north and east, and the Kreyenhagan Hills to the south and west.




Source:ESRI, 2017; City of Avenal, 2017; PlaceWorks, 2017.

City Limits  Study Area

Figure 3-1
Regional Location and Vicinity

## 3.1.5 PROJECT STUDY AREA

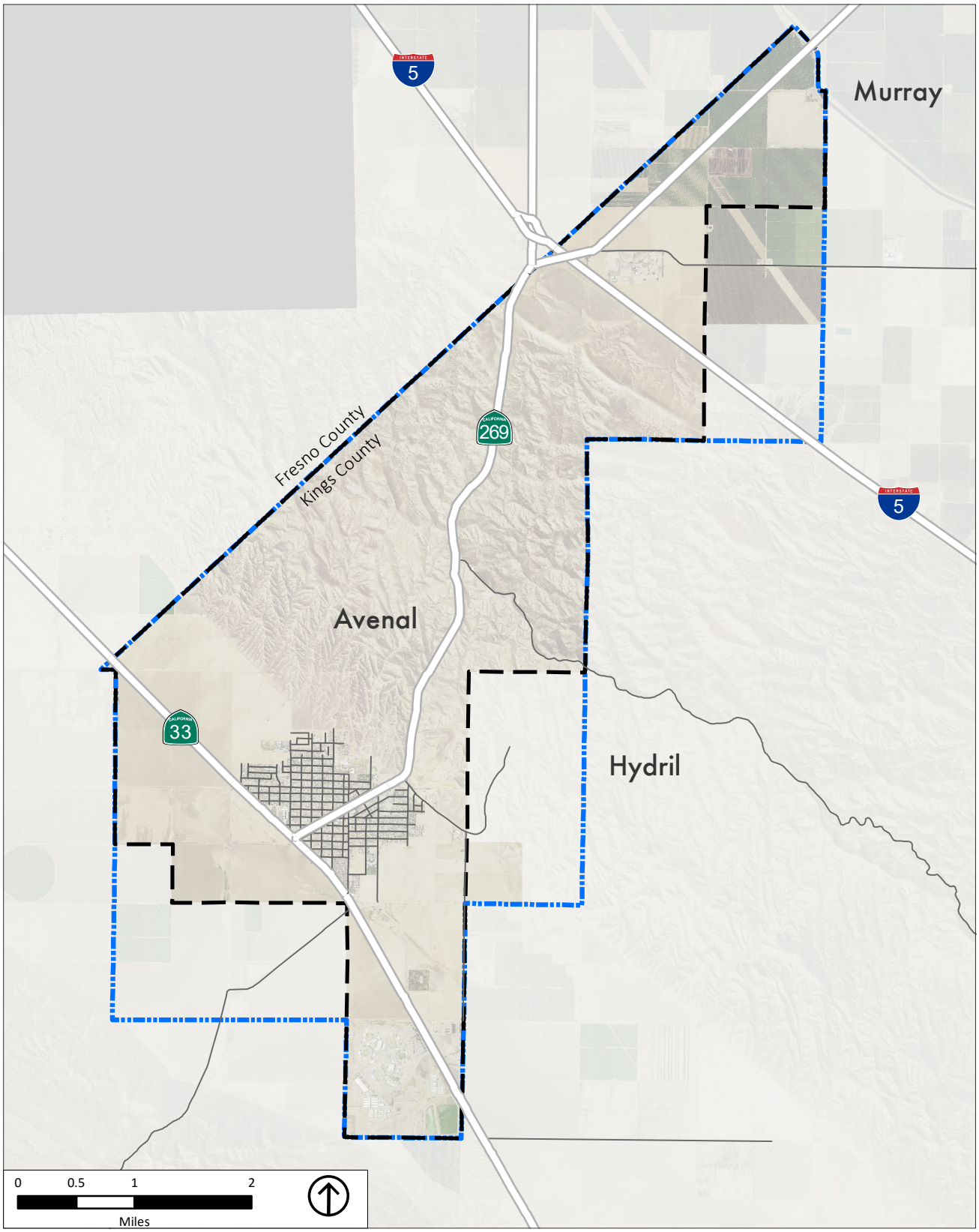
The proposed project includes updates to General Plan 2025. The proposed updates would extend the planning horizon to 2035. As such, this Initial Study includes an evaluation of the proposed project as it relates to the city-wide buildout potential anticipated under General Plan 2025. Because the State of California encourages cities to look beyond their borders when undertaking the sort of comprehensive planning required of a General Plan, the study area consists of all the land within the city of Avenal and its 2035 Sphere of Influence (SOI) (where the City maintains a role in land use and transportation decisions through future annexations of unincorporated areas) and encompasses 25.6 square miles. These boundaries are shown in Figure 3-2 and described below.

### 3.1.5.1 SPHERE OF INFLUENCE

The SOI is a boundary that identifies land that the City may annex in the future, and for which urban services, if available, could be provided upon annexation. Under State law, the SOI is established by the Kings County Local Agency Formation Commission (LAFCo) with input from the City. The purpose of the SOI is to identify areas where urban development can be best accommodated over the time frame of the General Plan in an orderly and efficient manner. General Plan 2025 identified a Primary and Secondary SOI to accommodate future growth. The proposed project would maintain these same boundaries. While the City does not have jurisdiction over land within the SOI, designating an SOI sets precedence for ensuring that the City is able to comment on development proposed for lands within the SOI prior to annexation and to begin planning for future development of the area. Establishment of this boundary is necessary to determine which governmental agencies can provide services in the most efficient way to the people and property in the area. Unincorporated areas adjacent to Avenal fall under the planning, land use, and regulatory jurisdiction of Kings County. The City does not propose to annex any of these areas as part of this project.

### 3.1.5.2 CITY LIMIT

The city limit encloses an area approximately 19.5 square miles of which 2.5 square miles is urbanized. The City has primary authority over land use and other governmental actions within this area. As shown on Figure 3-3, existing land uses include a mix of residential, agricultural, commercial, industrial, and public uses, including Avenal State Prison. As with many towns in the San Joaquin Valley, the land surrounding the city limit is dominated by open space and agricultural uses.

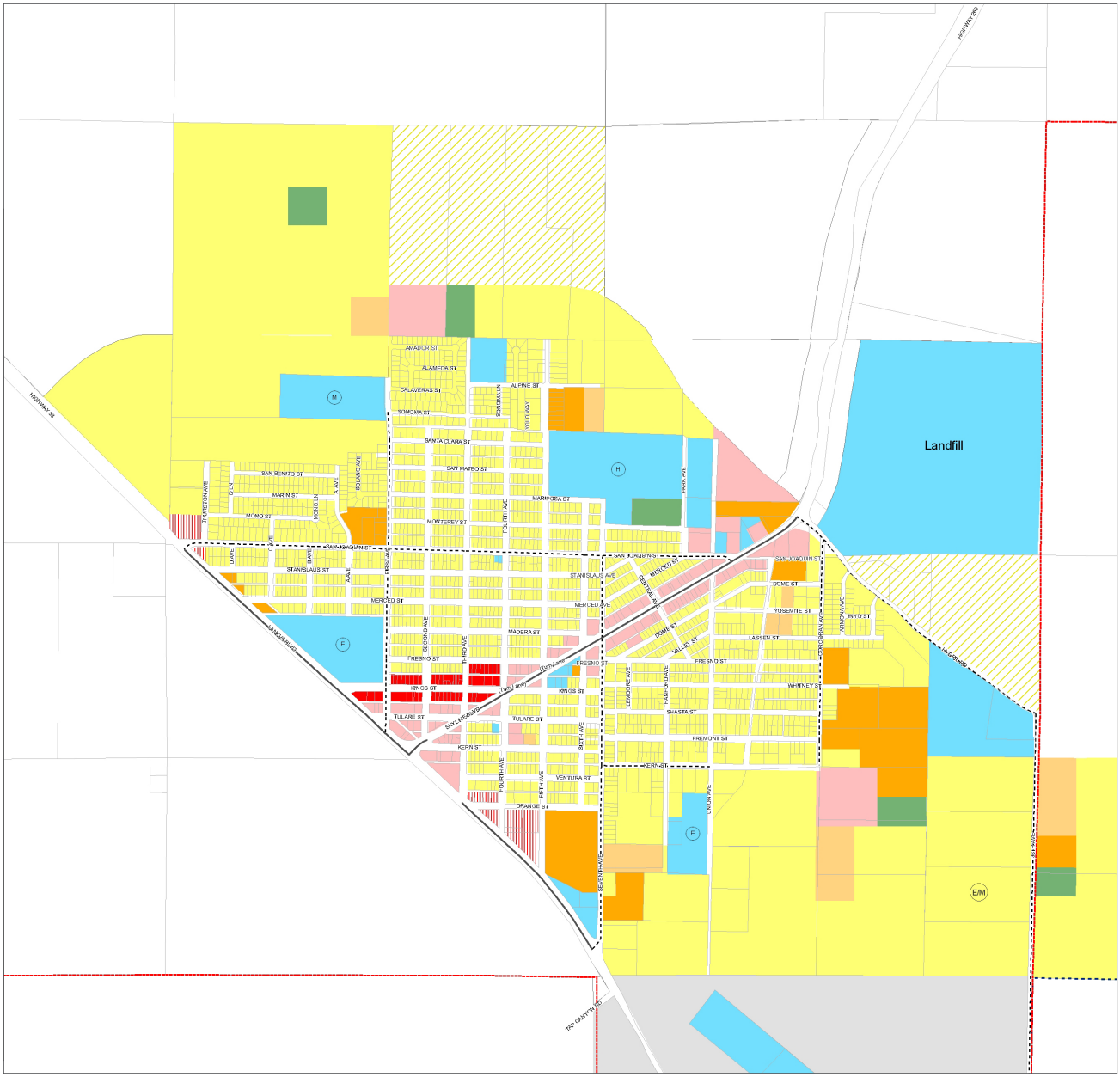



Source:ESRI, 2017; City of Avenal, 2017; Kings County, 2008; PlaceWorks, 2017.

Study Area City Limits

Figure 3-2
Planning Boundaries

## PROJECT DESCRIPTION




Source: City of Avenal General Plan Land Use and Circulation Map, 2011.

0 860 1,720
Scale (Feet)

**City Limits**
- City Limits
- Planning Area/SOI

**Land Use**
- Residential Estate
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Highway Commerical
- Community Commercial
- Downtown Commercial
- Service Commercial
- Park
- Agriculture / Open Space
- Industrial
- Public Facility
- State Prison

**Roadways**
- Arterial
- Interstate
- Major Collector

**Future Schools**
- Middle School
- High School
- Elementary School

School Locations are Approximate

Figure 3-3
General Plan 2025 Land Use and Circulation Map

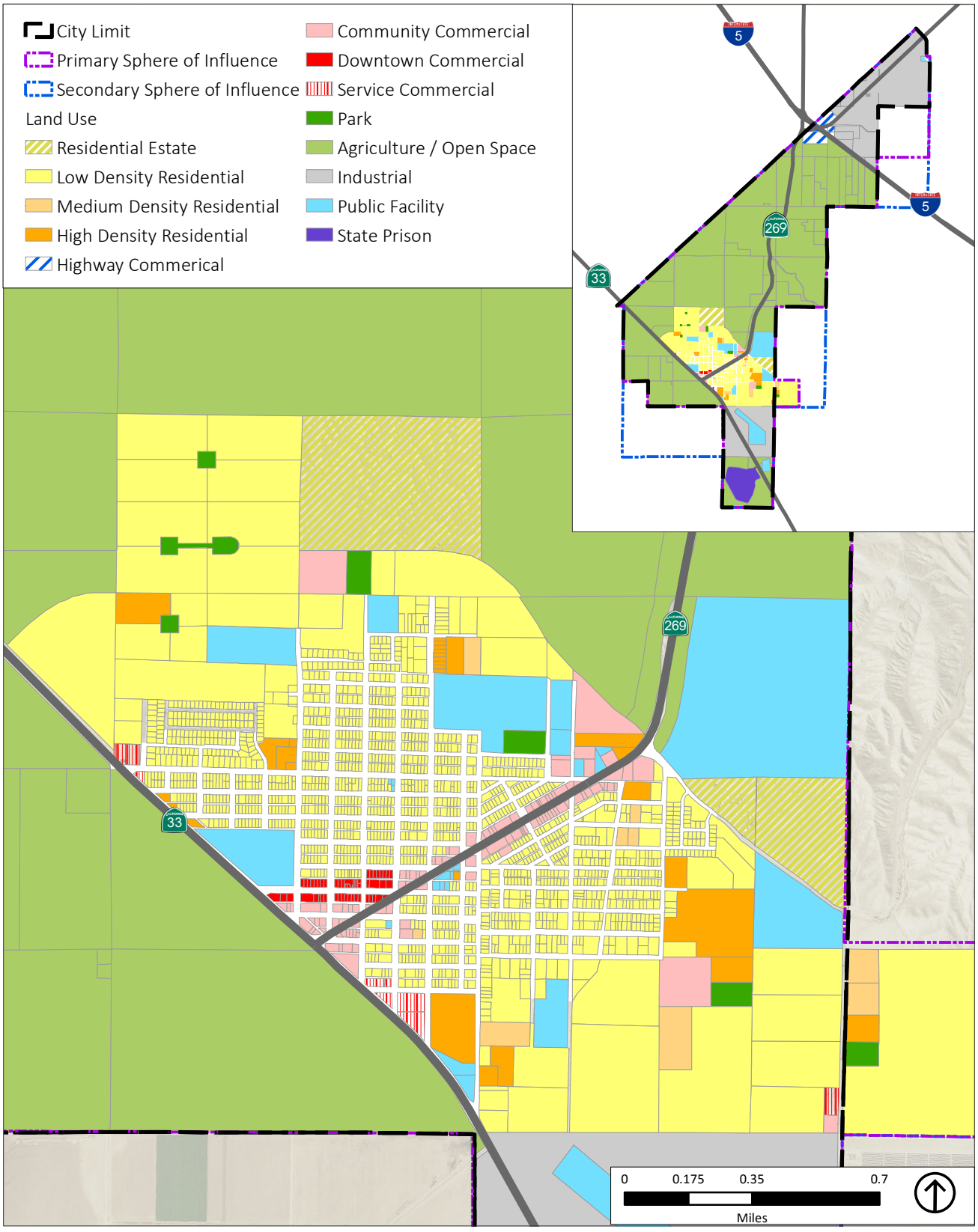
# 3.2 PROJECT COMPONENTS

The General Plan Enhancement project replaces General Plan 2025 with General Plan 2035, amends the Zoning Code, and adds a series of stand-alone Sustainability Implementation Programs. These components are described in detail below and can be accessed on the City's website (http://www.avenalgeneralplan.org/documents/).

## 3.2.1 GENERAL PLAN 2035 UPDATE

The City assessed General Plan 2025 to determine opportunities to enhance efforts related to sustainability, address emerging trends, and comply with recent State legislation subsequent to the adoption of General Plan 2025. The assessment resulted in the reorganization of both the content and structure of General Plan 2025 Elements, revisions to existing policies, several new policies, and revisions to General Plan 2025 Land Use and Circulation Map, as shown on Figure 3-4. Adoption and implementation of the General Plan 2035 would replace the current General Plan 2025. However, the proposed General Plan 2035 would not result in physical changes to the environment or facilitate additional growth beyond what was analyzed in the General Plan 2025 EIR. The substantive updates made as part of the proposed General Plan 2035 are summarized below:

- Reorganizing Elements to include goals, policies, and actions to provide a more streamlined approach and eliminate repetitiveness.
- Updated the Economic Development Element to include long-term goals and policies, and a strategic action plan per the recommendations in the proposed Economic Development Plan.
- Integrated the Urban Boundary and Community Design Elements into the Land Use Element
- Provided updated Land Use designation definitions to encompass the full range of designations used on the land use map.
- Updated the Land Use map to reflect existing uses.
- Relocated specific language about site development standards to the Zoning Code.
- Combined the Noise and Safety Element and updated policies to comply with flood control (Assembly Bill (AB) 162, Senate Bill (SB) 5, AB 70, and AB 156) and fire hazard impacts (SB 1241).
- Incorporated new policies throughout the document to address climate change and greenhouse gas (GHG) emissions (AB 32; SB 375), climate change adaptation (SB 379), 2030 GHG emissions target (SB 32), Complete Streets Act (AB 1358), Tribal Consultation (SB 18), and Planning for Healthy Communities Act (SB 1000).




Source:ESRI, 2017; City of Avenal, 2017; PlaceWorks, 2017.

Figure 3-4
Proposed General Plan 2035 Land Use Map

## 3.2.2 ZONING ORDINANCE AMENDMENTS

The proposed amendments to the Zoning Ordinance are intended to create a more succinct, user-friendly document, to bring the Zoning Ordinance into conformance with the past General Plan 2025 update and the proposed General Plan 2035 update and State regulations, and to respond to current issues that the current Ordinance does not address. The proposed amendments do not change the City's existing zoning map and zoning districts, and would not result in additional growth beyond what is allowed under the existing Zoning Ordinance. The proposed Zoning Code amendments are summarized below:

- Updated Table 9-1 and Section 9.19-22(g) to encourage the installation of commercial and residential solar energy systems and facilitate temporary retail/pop-up shops and other local entrepreneur opportunities.
- Revised Table 9-3-1 to require conditional use permits for child-care services for eight or more children within residential Zoning Districts.
- Revised Sections 9.10.13, 9.60.08, 9.73.18, and Table 17-7 to establish maintenance and design standards, access, and clarify ownership.
- Revised Section 9.10.14 to update animal keeping regulations and ensure animals are kept in a safe sanitary environment.
- Updated Sections 9.11.14 and 9.12.14 to facilitate electric charging stations in large multi-family residential developments.
- Updated Chapter 9.69 to be consistent with State law requirements for medical cannabis.

## 3.2.3 SUSTAINABILITY IMPLEMENTATION PROGRAMS

### 3.2.3.1 ECONOMIC DEVELOPMENT PLAN

The Economic Development Plan (EDP) is a stand-alone document that provides an overall assessment of how current national and regional economic trends influence Avenal's ability to foster economic and employment growth. The EDP includes a series of recommendations to promote economic vitality, foster workforce development, create sustainable long-term jobs, and improve community access to educational and training programs. As described above, the EDP also includes policy recommendations for amending the Economic Development Element. In addition, the EDP provides a Strategic Action Plan that includes a list of economic development projects and programs to support business attraction and retention, infrastructure improvements, increased tourism, labor force development, and economic development.

### 3.2.3.2 ACTIVE TRANSPORTATION & SAFE ROUTES TO SCHOOL PLAN

The Avenal Active Transportation and Safe Routes to School Plan (AT/SRTS Plan) is a stand-alone document that provides an assessment of existing pedestrian and bicycle facilities in the city of Avenal. The purpose of the AT/SRTS Plan is to guide the development of bicycle, pedestrian, safe routes to school, and trail facilities in the city of Avenal in order to encourage multi-modal transportation options. The AT/SRTS Plan includes goals, policies, and actions that establish a framework for the implementation of the AT/SRTS

Plan. The AT/SRTS Plan also includes recommended improvements for all modes of travel, a list of programs to enhance walking and bicycling environments, an implementation plan, and design guidelines. Proposed pedestrian improvement projects include new high-visibility crosswalks, restriping of existing crosswalks, and installation of flashing beacons and calming measures to improve safety and visibility, as shown on Figure 3-5. Proposed bicycle improvements projects include road maintenance, expanded bikeway network, new recreational multi-use paths/trails, and bicycle amenities, as shown on Figure 3-6.

## PROJECT DESCRIPTION




Figure 3-5
Proposed Pedestrian Improvement Projects

## PROJECT DESCRIPTION




Figure 3-6
Proposed Bicycle Improvement Projects

#### 3.2.3.3 WATER MANAGEMENT PLAN

The City receives water from the San Luis Canal, which is part of the State and Federal Water Project that supplies water to the west side of the San Joaquin Valley. On November 20, 1969, the City entered into a long-term contract with the Bureau of Reclamation for up to 3,500 acre-feet of Central Valley Project (CVP) water annually. As of 2014, the City's allotment was reduced to 2,534 acre-feet per year. According to the Bureau of Reclamation, the City is required to prepare and implement a Water Management Plan every 5 years. The purpose of the Water Management Plan (WMP) is to manage, conserve, and enhance existing water supplies. The proposed WMP is organized into five chapters and includes a detailed inventory of existing surface and groundwater supplies, source water quality monitoring practices, water uses within the City, and treated wastewater use. The WMP also provides a comprehensive list of best management practices (BMPs) for urban contractors and utility operations that promote water conservation and efficient water management practices. Implementation of these BMPs will ensure that the City has adequate water supplies to meet the need of current and future residents. The WMP also includes a list of suggested educational programs that are designed to reach the youngest water users at an early age and enforce the need for water conservation as a life-long behavior.

## 3.3 REQUIRED PERMITS AND APPROVALS

The proposed project would be adopted solely by the City. Future development will need to conform to applicable Zoning district development and design standards, and be consistent with General Plan goals and policies. Depending on the proposal, a project may be exempt from CEQA review because a CEQA exemption applies or the approval is ministerial,[1] or a project may require further environmental review and subsequent analysis in a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report. Projects may be ministerial, requiring no discretionary action or may require review and approval by the Community and Economic Development Director, Planning Commission, and/or the City Council, and other agencies as needed. Building permits will be required for all structures.

[1] Projects that are ministerial, which means that they do not require any discretionary review, are not subject to CEQA (CEQA Section 21080). Building permits will be required for all structures.

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# 4. General Plan EIR Consistency Analysis

The City of Avenal certified the Environmental Impact Report (EIR) (State Clearinghouse # 2005041102) for General Plan 2025 in 2005. General Plan 2025, the City's current General Plan until and unless the proposed project is approved, contains goals, objectives, and policies that provide an overall framework for development through 2025. At full buildout, General Plan 2025 would result in the development of 1,946 new households and could generate up to 16,039 persons. As discussed in Chapter 1, Introduction, of this Initial Study, this analysis relies on the General Plan 2025 EIR in order to allow for a focused analysis of the changes that would result from the adoption and implementation of the proposed project, which includes updates and revisions to General Plan 2025 in order to create the proposed General Plan 2035.

## 4.1 GENERAL PLAN AND GENERAL PLAN EIR CONSISTENCY

In order to determine if the proposed project in consistent with the General Plan 2025 EIR, the following questions must be answered:

- Is the proposed project consistent with the development potential projected in the General Plan 2025 and General Plan 2025 EIR?
- Are the changes to population associated with the proposed project consistent within the scope of the General Plan 2025 EIR population projections?
- Is the proposed project within the scope of the cumulative analysis in the General Plan 2025 EIR?

The following discussion describes the proposed project's relationship to and consistency with development projections, population projections, and cumulative impacts analyses contained in the General Plan 2025 and General Plan 2025 EIR.

### 4.1.1 DEVELOPMENT PROJECTIONS

The General Plan 2025 EIR evaluated a maximum development potential of 1,946 new households by the year 2025. The proposed General Plan 2035 would not result in physical changes to the environment or facilitate additional growth beyond the 1,946 new households that were analyzed in the General Plan 2025 EIR. Therefore, the proposed General Plan 2035 would not increase development to levels that would exceed those assumed in the General Plan and analyzed in the General Plan EIR.

### 4.1.2 GENERAL PLAN LAND USE MAP

The Land Use Map identifies the locations in the city where specific types of land uses may occur. As shown on Figure 4-1, the General Plan 2035 Land Use and Circulation Map includes the following designations within the City's urbanized area:

- **Residential Estate:** This designation is intended to provide opportunities for residential dwellings in conjunction with small-scale farming and animal husbandry or in a semi-rural setting. The maximum population density allowed is 6 persons per acre, and the maximum net density is two dwelling units per gross acre.
- **Low Density Residential**: This designation is intended to encourage comprehensively planned Low Density Residential development. The maximum population density allowed for dwellings in this designation is 21 persons per acre, and net densities range from between 2 to 10 dwelling units per net acre.
- **Medium Density Residential:** Allows residential dwellings on corner lots in single-family zones located at Local/Collector and/or Collector/Collector intersections where they can be provided in conformance with the provisions of the Low Density Residential designation, and within areas designated for infill development where they can be made to be consistent with adjacent properties through the Planned Development (PD) process and conditional zoning. This designation applies to residential neighborhoods primarily characterized by duplex, triplex and four-plex development for in-fill or new development and permits a maximum of 50 units in one contiguous development on sites ranging from between 3.5 to 5 acres.
- **High Density Residential:** This designation applies to land along Arterial and Collector corridors within the city, and is intended to allow residential dwellings according to the following criteria:
  - Arterial intersections – 100-unit maximum on sites ranging from 3.5 to 5 acres;
  - Arterial/collector intersections – 75-unit maximum on sites ranging from 2 to 5 acres;
  - Mid-block arterials – 50-unit maximum on sites ranging from 1 to 3 acres;
  - Downtown – at in-fill locations; and
  - Evaluate consistency and compatibility with adjacent properties based on issues including but not limited to: adjacent zoning, adjacent land use, proposed building mass, and the adequacy of public facilities available to the site.

  The maximum population density allowed is 58 persons per acre, and net densities range from between 15 to 29 dwelling units per net acre.
- **Highway Commercial:** The Highway Commercial designation applies to the area located adjacent to Interstate 5 and is intended to provide convenience, entertainment and hospitality uses that serve tourists and other travelers arriving by car. Typical uses include convenience stores 7,00 square feet or less, restaurants (e.g., drive-in and drive-through fast food, sit-down with full bar using less than 25 percent gross of floor area), hotels and motels, golf courses and driving ranges, gift and outlet stores, gas stations, parking structures/lots, and rest areas. The minimum lot size is 7,500 square feet, except when combined with a cluster district. The maximum height allowed is 35 feet or two stories, although structures up to 65 feet may be conditionally permitted.
- **Community Commercial:** This designation allows larger shopping centers and districts serving regional visitors and that provide a wider range of goods than service commercial districts. Typical uses include convenience or specialty food stores 7,000 square feet or less, grocery stores larger than 40,000 square feet, and restaurants with a full bar using less than 25 percent of gross floor area, retail shops

and non-retail services such as banks, salons, and offices, and community centers and other public facilities. The minimum lot size is 6,000 square feet, except when combined with a cluster district. The height limit is 35 feet or two stories, although structures up to 65 feet may be conditionally permitted.

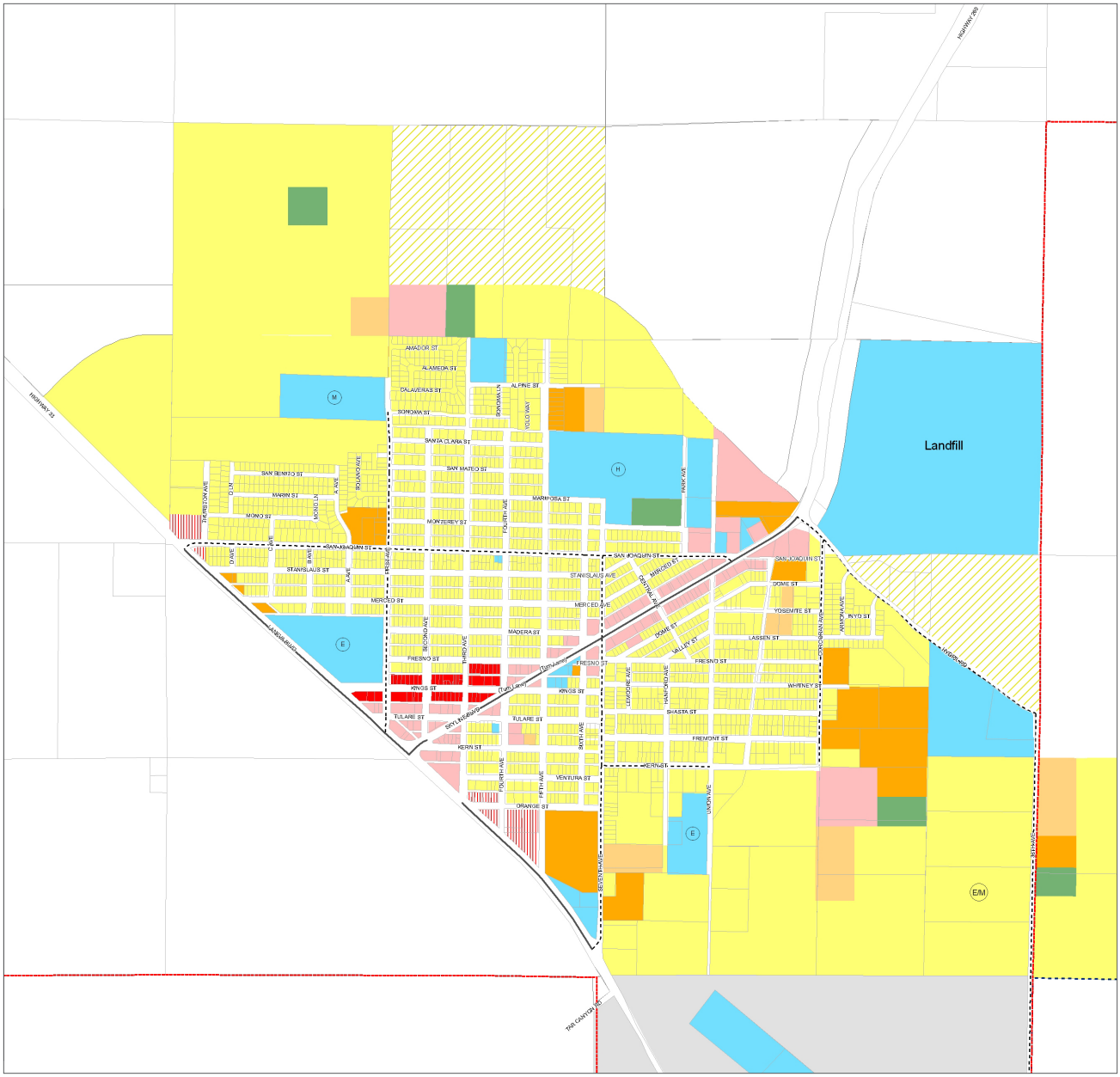
- Downtown Commercial: This designation is intended to provide street-front retail shops, offices, entertainment and public uses that serve residents and visitors within the downtown area. Typical uses include banks, salons, health and fitness clubs, art galleries and museums, specialty food stores, nightclubs and restaurants, bed and breakfasts/hotels/motels, movie theaters, as well as community centers and parks. There is no minimum lot size within this designation. The maximum height allowed is 35 feet, or two stories.
- Service Commercial: This designation is intended to accommodate a variety of retail, office/warehousing/storage and small manufacturing facilities that provide citywide and regional services. Typical uses include banks, small convenience stores, restaurants, medical offices and clinics, retail and repair shops, as well as some manufacturing and assembly uses, and transportation and telecommunications-related facilities. The minimum lot size is 6,000 square feet. The maximum height allowed is 35 feet or two stories, although structures up to 65 feet may be conditionally permitted.
- Mixed-Use: This designation is intended to encourage a mixture of employment-generating uses and residences in the southeastern portion of the city near 36th Avenue and Salem Avenue. The maximum population density allowed is 58 persons per acre, and net densities range from between 15 to 29 dwelling units per net acre. Densities in excess of 20 units per acre will be reviewed on a case-by-case basis and may be approved through the PD process where measurable community benefit is demonstrated, such as affordable housing units or parks and recreation infrastructure, and where infrastructure, including mass transit facilities, is available (or can be made available) to accommodate impacts of increased density. The height limit is 35 feet or two stories, although structures up to 65 feet may be permitted with a CUP.
- Park/Open Space: The primary purpose of the Park and Open Space designation is to provide public access to active and passive recreation and other public facilities. Typical uses include public parks and playgrounds, community centers and swimming pools, athletic fields, golf courses and driving ranges, as well as zoos and fairs, public facilities such as schools, museums, and public agency facilities, and wildlife or nature preserves. There is no minimum lot size within this designation. The height limit is 35 feet or two stories, although structures up to 65 feet may be permitted with a CUP.
- Agriculture: The purpose of the Agriculture designation is to preserve land for agricultural use such as row crops, orchards, raising of livestock, beekeeping dairying, nursery stock, flower growing, ancillary residential uses, solar and wind energy electric generators, and oil or gas exploration and production. The minimum parcel size ranges from 5 to 160 acres depending on the zoning designation (Intensive Ag or Exclusive Ag). One single-family residential unit is permitted per parcel, as well as farmworker housing.
- Industrial: The Industrial designation allows a variety of warehouse, manufacturing, service commercial and other employment-generating uses. There is no minimum lot size, and a maximum height of 75 feet is applied to light manufacturing uses. In addition to light industrial uses permitted, typical heavy manufacturing uses include machine or raw materials manufacturing and assembly, food processing and recycling facilities, as well as mineral exploration.

## GENERAL PLAN EIR CONSISTENCY ANALYSIS

- Public Facility: This designation applies to land used by public or quasi-public agencies and organizations, including charitable organizations, schools, libraries, museums, and fire or police stations. This designation also allows for agricultural uses such as crop fields, and recreational uses that include horse stables, athletic fields, golf courses, trails, parks and playgrounds. Allowed residential uses include mobile homes and single family dwellings. Public facilities that provide utilities, such as transmission lines, water storage and wind driven electrical generators, are allowed. There is no minimum lot size, and the height limit is 35 feet or two stories.
- State Prison: This designation applies to the Avenal State Prison facility located in the southern portion of the city, southwest of State Route 33.

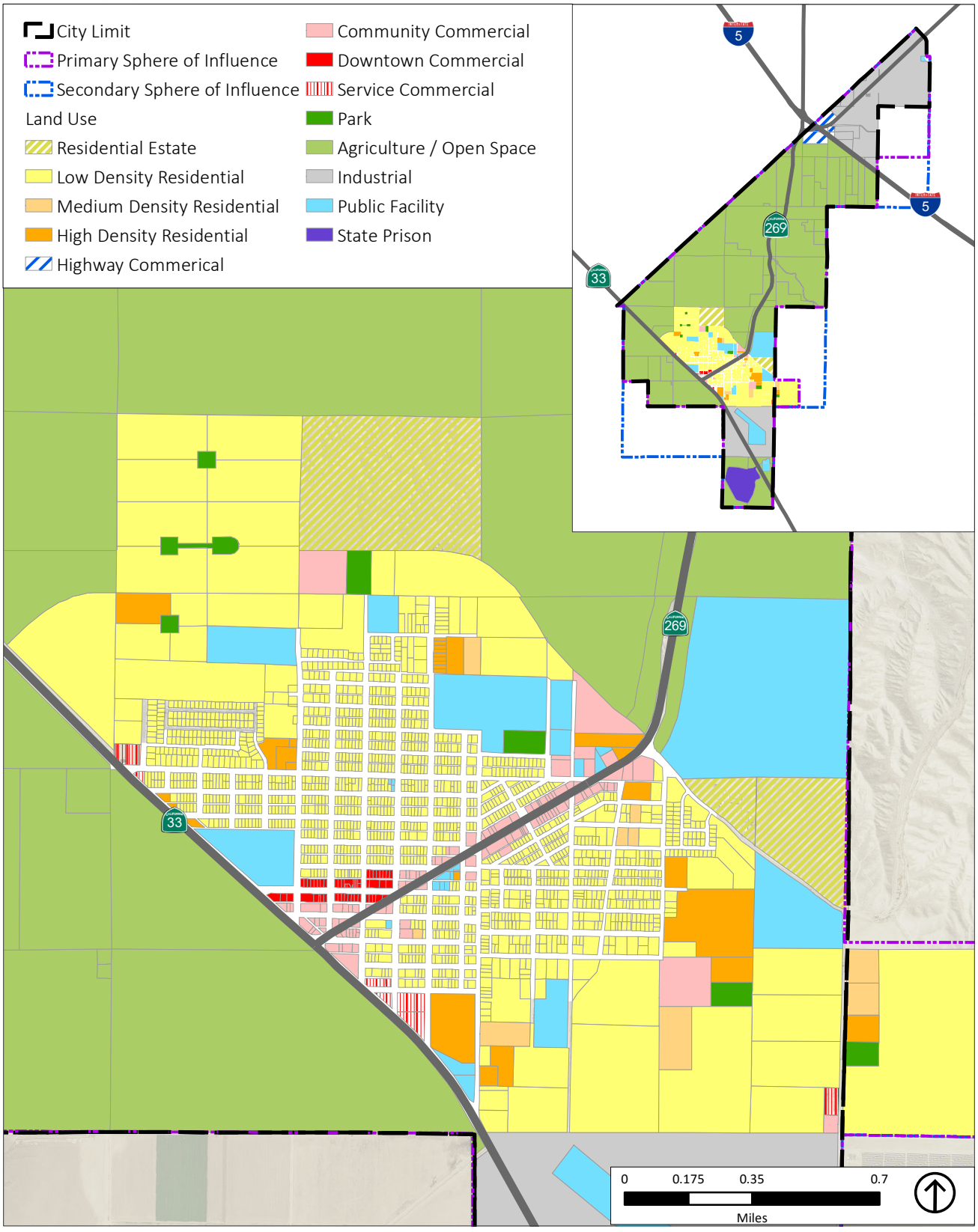
The proposed General Plan 2035 Land Use Map is consistent with the aforementioned land use designations and does not propose new land uses beyond the urbanized area of the City. However, as shown on Figure 4-2, the proposed General Plan 2035 Land Use map does propose a slight reconfiguration of land uses in the northwest corner of the City. As shown in Figure 4-3, the proposed changes would occur in two locations labeled Site 1 and Site 2. On Site 1, the proposed General Plan 2035 Land Use map would redesignate the small Medium Residential parcel to Low Density Residential, redesignate the small Low Density Residential parcel to High Density Residential, and rearrange the Park/Open Space land use designations to accommodate future pocket parks instead of one large park in the center, in order to reflect a different possible arrangement of residential uses within this residentially-designated area. On Site 2, the proposed General Plan 2035 Land Use map would redesignate a small Medium Residential parcel to Community Commercial and Service Commercial in order to reflect an existing use already in place on the site. The proposed changes to the General Plan 2025 Land Use and Circulation Map would not result in physical changes to the environment or facilitate additional growth beyond what was analyzed in the General Plan 2025 EIR.

## GENERAL PLAN EIR CONSISTENCY ANALYSIS



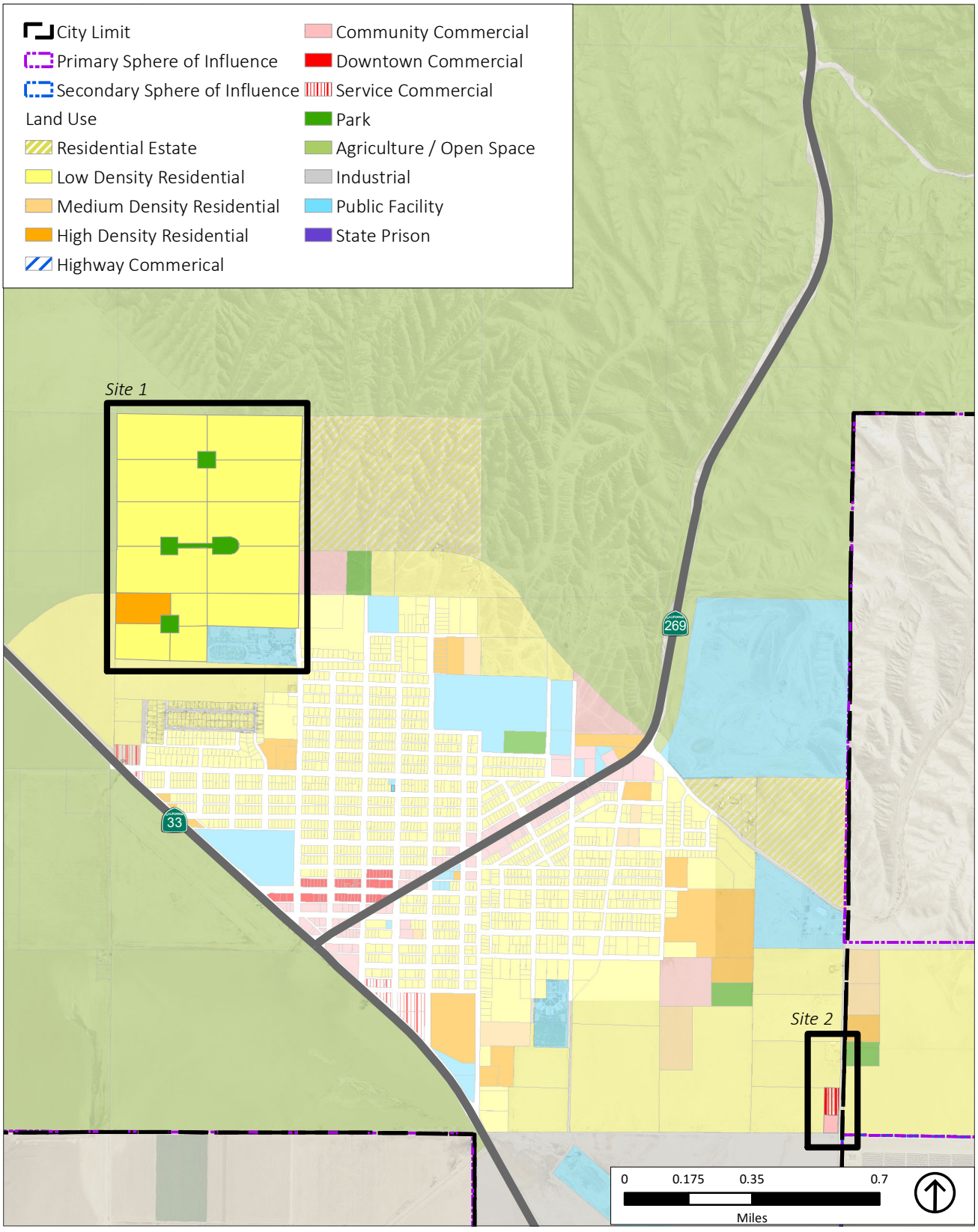

Source: City of Avenal General Plan Land Use and Circulation Map, 2011.

Figure 4-1
General Plan 2025 Land Use and Circulation Map




Source:ESRI, 2017; City of Avenal, 2017; PlaceWorks, 2017.

Figure 4-2
Proposed General Plan 2035 Land Use Map




Source:ESRI, 2017; City of Avenal, 2017; PlaceWorks, 2017.

Figure 4-3
Proposed Land Use Updates

### 4.1.3 POPULATION PROJECTIONS

The General Plan 2025 estimated that the population in the City of Avenal could increase to 16,039 persons by the year 2025 based on the 2000 Census average household size of 4.14. As of 2016, the population in Avenal is estimated at 12,466 persons with an average household size of 4.07. The proposed General Plan 2035 estimates that Avenal's population will be 16,050 by the year 2035. Although the estimated population for the proposed project is slightly higher than the total that was analyzed in the General Plan 2025 EIR, the proposed project would not result in physical changes to the environment or facilitate additional growth beyond the estimated 1,946 new households that were analyzed in the General Plan 2025 EIR. Therefore, the project is within the population projections considered in the General Plan 2025 EIR.

### 4.1.4 CUMULATIVE ANALYSIS

In addition to evaluating the environmental effects directly associated with projected General Plan 2025 development, the General Plan 2025 EIR evaluated the cumulative effects using the summary of projections approach provided for in CEQA Guidelines Section 15130(b)(1)(B). The General Plan 2025 EIR took into account growth from the General Plan within Avenal city boundary and Sphere of Influence (SOI), in combination with projected growth in the rest of Kings County and the surrounding region. As provided for by CEQA Guidelines Section 15130, the cumulative context considered in the General Plan EIR varies, depending on the nature of the issue being studied, to best assess each issue's geographic extent. For example, the cumulative impacts on water and air quality can be best analyzed within the boundaries of the affected resources, such as water bodies and air basins. For other cumulative impacts, such as hazard risks, traffic, and the need for new public service facilities, the cumulative impact is best analyzed within the context of the population growth and associated development that are expected to occur in the region or the public service providers' jurisdiction. As discussed in Sections 4.1.1 through 4.1.3 above, the proposed project is within the scope of the proposed General Plan 2025 development examined in the General Plan 2025 EIR. Therefore, the proposed project would incrementally contribute to, but would not exceed, the cumulative impacts analyses included in the General Plan 2025 EIR.

## 4.2 CONCLUSION

The proposed project is consistent with the assumptions used in the General Plan 2025 EIR.

# 5. Environmental Analysis

## 5.1 DISCUSSION OF ENVIRONMENTAL EVALUATION

Items identified in each section of the environmental checklist below are discussed following that section. Required mitigation measures are identified where necessary to reduce a projected impact to a level that is determined to be less than significant.

## 5.2 SOURCES

All documents cited in this analysis and used in its preparation are hereby incorporated by reference into this Initial Study. Copies of documents referenced herein are available for review at the City of Avenal Community Development Department, 919 Skyline Boulevard, Avenal, CA 93204.

## 5.3 ENVIRONMENTAL ANALYSIS AND FINDINGS

### I. Aesthetics

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant | No Impact |
|---|---|---|---|---|
| a) Have a substantial adverse effect on a scenic vista? | ❒ | ❒ | ■ | ❒ |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway? | ❒ | ❒ | ❒ | ■ |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | ❒ | ❒ | ■ | ❒ |
| d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? | ❒ | ❒ | ■ | ❒ |

#### General Plan 2025 EIR

Section 3.1, Aesthetics, of the General Plan 2025 EIR, addresses the impacts to visual resources associated with the proposed General Plan 2025, and impacts were found to be less than significant.

## Discussion

*a) Would the proposed project have a substantial adverse effect on a scenic vista?*

Potential future development permitted under the proposed project would have the potential to affect scenic vistas and/or scenic corridors if new or intensified development blocked views of areas that provide or contribute to such vistas. Potential effects could include blocking views of a scenic vista/corridor from specific publically accessible vantage points or the alteration of the overall scenic vista/corridor itself.

Scenic vistas are generally interpreted as long-range views of a specific scenic feature (e.g., open space lands, mountain ridges, bay, or ocean views). Scenic views in Avenal include views of the Kettleman Hills to the east and northeast, and the Kreyenhagen Hills to the west. The existing General Plan 2025 does not designate official scenic vistas.

The proposed revisions to the General Plan enhance sustainability opportunities, address emerging trends, and comply with recent State legislation subsequent to the adoption of the General Plan 2025. Revisions related to aesthetics include proposed Policy NR-4.1, which would require future development to minimize visual impacts to scenic resources including views of the surrounding hillsides from the public right-of-way. There are no proposed changes related to building heights that would have the potential to block or obstruct a scenic resource. The proposed amendments are primarily editorial to create a more succinct, user-friendly document, to bring the Zoning Ordinance into conformance with the General Plan, and to update the content to comply with recent State legislation. The proposed amendments do not change the City's existing zoning map and zoning districts, and would not result in additional growth beyond what is allowed under the existing Zoning Ordinance.

The proposed Economic Development Plan (EDP) would promote the expansion and creation of non-residential uses in the Study Area. However, future potential development would occur in already built areas or areas currently designated for development, and none of the proposed revisions would result in height increases with the potential to block or obstruct a view. The Active Transportation & Safe Routes to School Plan (AT/SRTS Plan) recommends some physical improvements that enhance the pedestrian and bicycle network in Avenal. Proposed improvements include multi-use paths/trails along the periphery of the City within the existing right-of-way and in unpaved areas west of State Route 269. The proposed multi-use paths/trails under the AT/SRTS Plan would provide recreational opportunities for residents and would not result in development that would obstruct views to the surrounding hillsides. The Water Management Plan (WMP) does not propose physical changes with the potential to significantly affect public views of scenic vistas.

Potential future development permitted under the proposed project would be restricted to the existing built environment or areas currently designated for development, and none of the proposed revisions would result in height increases with the potential to block or obstruct a view. Potential future development would be subject to the development standards in the Avenal Zoning Ordinance, including those related to the design, size, and siting of commercial buildings, parking, and signage. Furthermore, implementation of proposed General Plan Policy NR-4.1, which would require future development to minimize visual impacts to scenic resources including views of the surrounding hillsides from the public right-of-way, would further protect views of scenic vistas. Accordingly, the proposed project would not be

expected to significantly alter scenic viewsheds and overall impacts to scenic corridors and vistas within the city would be *less than significant.*

In addition, should any of the recommendations of the proposed project be implemented, projects that are subject to the California Environmental Quality Act (CEQA) would be required to undergo separate environmental review and impacts to scenic vistas would be mitigated when feasible.

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

A scenic road can be defined as a highway, road, drive, or street that provides opportunities for the enjoyment of natural and human-made scenic resources, in addition to its transportation function. Scenic roads direct views to areas of exceptional beauty, natural resources or landmarks, or historic or cultural interest. According to the California Department of Transportation (Caltrans) Scenic Highway Program, there are no State-designated or eligible scenic routes located within Avenal.[1] In addition, the proposed General Plan 2035 does not designate any scenic roads or highways in the Study Area. Therefore, *no impact* to a State scenic highway or any locally designated scenic roadway would occur as a result of adoption and implementation of the proposed project.

*c) Would the proposed project substantially degrade the existing visual character or quality of the site and its surroundings?*

Located in southern San Joaquin Valley, Avenal is characterized by a mixture of residential, agriculture, commercial, industrial, and public uses, including Avenal State Prison. Avenal is a rural city with a small town atmosphere, surrounded by level, open land and gently rolling hills. Urbanized areas within the current city limit are characterized by distinct residential neighborhoods, the downtown business district, parks and schools, and open space. The periphery of the city is largely characterized by agricultural and industrial areas.

As discussed in Criterion (a) of this section, potential future development permitted as a result of the proposed project would be restricted to the existing built environment in areas were development either already occurs or is currently permitted. Potential future development would be required to comply with development standards set forth in the City's Municipal Code to ensure that it would conform to standards of the specific zoning district to prevent adverse impacts to adjacent properties and enhance the appearance of the neighborhood and community. Additionally, implementation of the following proposed General Plan 2035 policies and actions would serve to preserve and enhance the visual character of the city:

- Policy LU-6.4 directs the City to require buildings on a site to be visually linked through architectural style, colors and materials, signage, landscaping, design details such as light fixtures, and the use of arcades, trellises or other open structures.

[1] California Department of Transportation (Caltrans), California Scenic Highway Mapping System, Kings County, http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/, accessed October 24, 2017.

- Action LU-6.4A directs the City to develop design measures to buffer residential development from non-residential land uses. These measures will, at a minimum, include setbacks; roadways; community waterways; landscaping; and landforms such as berms, fences and walls.
- Policy LU-6.5 directs the City to require new development to provide a transition from the height of adjacent structures to the maximum height of new development.
- Policy LU-6.6 directs the City to discourage second story views to adjacent residential land areas.
- Policy LU-6.7 directs the City to ensure that tall dominating structures be broken up by creating horizontal emphasis through the use of trim, awnings, eaves or other ornamentation, and the use of complementary colors.

Compliance with the existing development standards and implementation of the General Plan policies listed in Criterion (a) of this section would protect the existing visual character or quality of the city and its surroundings. The aforementioned proposed policies and the site plan review permit process would maintain and enhance the visual character of the city. Accordingly, future development permitted under the proposed project would result in a *less-than-significant* impact to visual character.

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

Any growth in Avenal would result in increased urban development in areas that are currently developed or where development is currently permitted, which may increase sources for light and glare. Common sources of light and glare are advertising signs, streetlights, and light or reflective surfaces of buildings. Future development could contribute to a cumulative light and glare impact. However, future projects would be required to comply with existing regulations regarding light and glare including Section 9.79.06(H) of the Avenal Zoning Ordinance, which requires exterior lighting fixtures to be shielded to avoid light from spilling to adjacent properties. Additionally, proposed General Plan 2035 Policy NR-4.2, which directs the City to minimize obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary, would further protect exposure to light and glare. Accordingly, the proposed project would not result in excessive light and glare, and overall impacts would be *less than significant*.

# II. Agricultural and Forestry Resources

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ❒ | ❒ | ■ | ❒ |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ❒ | ❒ | ■ | ❒ |

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | ❒ | ❒ | ❒ | ■ |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | ❒ | ❒ | ❒ | ■ |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or of conversion of forest land to non-forest use? | ❒ | ❒ | ■ | ❒ |

## General Plan 2025 EIR

Section 3.2, Agriculture, of the General Plan 2025 EIR, addresses the impacts to agricultural resources associated with the proposed General Plan 2025. Impacts related to prime farmland conversion, conflict with a Williamson Act Contract, and non-prime farmland conversion were found to be significant and require the City to implement Mitigation Measures 3.2.2.1 and 3.2.2.2. Implementation of Mitigation Measure 3.2.2.2 was found to reduce impacts related to conflicts with a Williamson Act Contract to a less than significant level. However, impacts related to farmland conversion were found to be significant and unavoidable.

## Discussion

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

The California Natural Resources Agency is charged with restoring, protecting, and maintaining the State's natural, cultural, and historical resources. Within it, the State Department of Conservation (DOC) provides technical services and information to promote informed land use decisions and sound management of the State's natural resources. The DOC manages the Farmland Mapping and Monitoring Program (FMMP), which supports agriculture throughout California by developing maps and statistical data for analyzing land use impacts to farmland. The Study Area contains approximately 3,621 acres of Prime Farmland, 187 acres of Unique Farmland, and 10,504 acres of Grazing land. As shown on Figure 5-1, these farmlands of concern are located west of the urbanized City along State Route 33 and east of Interstate 5.

The proposed revisions to the General Plan enhance sustainability opportunities, address emerging trends, and comply with recent State legislation subsequent to the adoption of the General Plan 2025.

Revisions related to agricultural uses include the following proposed policies, In which serve to preserve land for agricultural uses:

- Policy NR-2.1 directs the City to discourage land use activities that are not compatible with agriculture within the Agriculture/Open Space designation.
- Policy NR-2.2 directs the City to prohibit the premature conversion of agricultural lands where agricultural preserves are present.
- Policy NR-2.3 directs the City to require new development to minimize potential conflicts with adjacent agricultural operations through the incorporation of adequate buffers, setbacks, and project design measures to protect surrounding agriculture and minimize conflicts.

The proposed amendments are primarily editorial to create a more succinct, user-friendly document, to bring the Zoning Ordinance into conformance with the General Plan, and to update the content to comply recent State legislation. The proposed amendments do not change the City's existing zoning map and zoning districts, and would not result in additional growth beyond what is allowed under the existing Zoning Ordinance.

The EDP proposes additional regulation and guidance for new development, but does not include policies that would convert agricultural land to non-agricultural uses. The AT/SRTS Plan includes recommendations to improve the pedestrian and bicycle network in Avenal but does not propose any land use changes. Similarly, the WMP does not propose physical changes with the potential to significantly alter agricultural lands.

Potential future development permitted under the proposed project would be restricted to the existing built environment or areas currently designated for development, and none of the proposed revisions would convert farmlands of concern to non-agricultural uses. Implementation of the proposed General Plan 2035 policies listed above would further protect agricultural resources to the maximum extent practicable. Accordingly, impacts to farmland would be *less than significant*.

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

The California Land Conservation Act of 1965, also known as the Williamson Act, conserves agricultural and open space lands through property tax incentives and voluntary restrictive land use contracts administered by local governments under State regulations. Private landowners voluntarily restrict their land to agricultural and compatible open space uses under minimum ten-year rolling term contracts, with counties and cities also acting voluntarily. There are approximately 4,027 acres of prime farmland and 2,887 acres of non-prime farmland under Williamson Act contracts located within the Study Area. As shown on Figure 5-2, these lands are located north, east, south, and west of the urbanized portion of Avenal.

As discussed under Criterion (b) of this section, the potential future development permitted under the proposed project would be restricted to the existing built environment or areas currently designated for development, and none of the proposed revisions would convert additional agricultural lands to non-agricultural uses. Therefore, adoption and implementation of the proposed project would not contribute

to further conflicts with existing zoning for agricultural use or a Williamson Act contract beyond those already identified. Implementation of proposed General Plan Policy NR-2.2, which directs the City to prohibit the premature conversion of agricultural lands where agricultural preserves are present, would further protect agricultural lands. Accordingly, impacts to farmland would be *less than significant*

*c) Would the proposed 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))?*

There are currently no lands within the City of Avenal zoned for or currently featuring timber production.[2] Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland and *no impact* would occur.

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

According to the California Department of Forestry and Fire Protection, there are no significant forestry resources in the Study Area.[3] Therefore, the project would not result in the loss of forest land or conversion of forest land to non-forest use and *no impact* would occur.

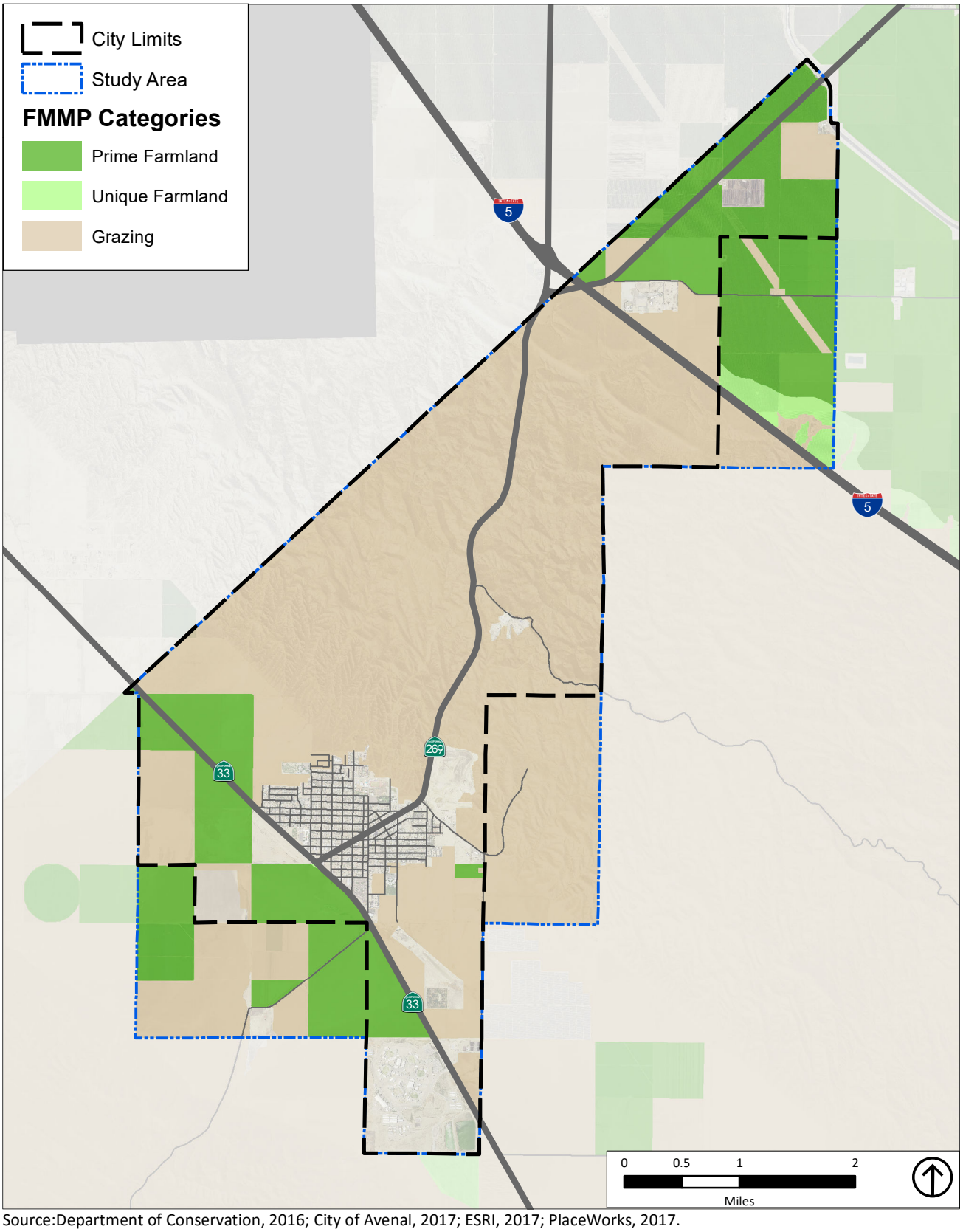
*e) Would the proposed project involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or of conversion of forest land to non-forest use?*

As discussed under Criterion (a) of this section, no part of the proposed project would alter the land use regulations pertaining to any parcels in the Study Area and, therefore, would not convert agricultural or forestry resources to non- agricultural or non- forest use. The proposed EDP would encourage the expansion and creation of commercial and industrial uses in the city, which could put pressure on agricultural uses to be converted to non-agricultural uses. However, future development would be required to be consistent with the proposed General Plan 2035 policies listed under Criterion (a) of this section, which serve to protect agricultural land in the Study Area. Additionally, the Kings County Right to Farm Ordinance would adequately protect agricultural land uses from nuisance complaints filed by adjacent non- agricultural uses.[4] Compliance with existing regulations and proposed policies would serve to minimize the proposed project's impact on agricultural resources to the maximum extent practicable and impacts would be *less than significant* impact.

[2] City of Avenal, Zoning Map, https://cityofavenal.com/DocumentCenter/View/731, accessed October 24, 2017.

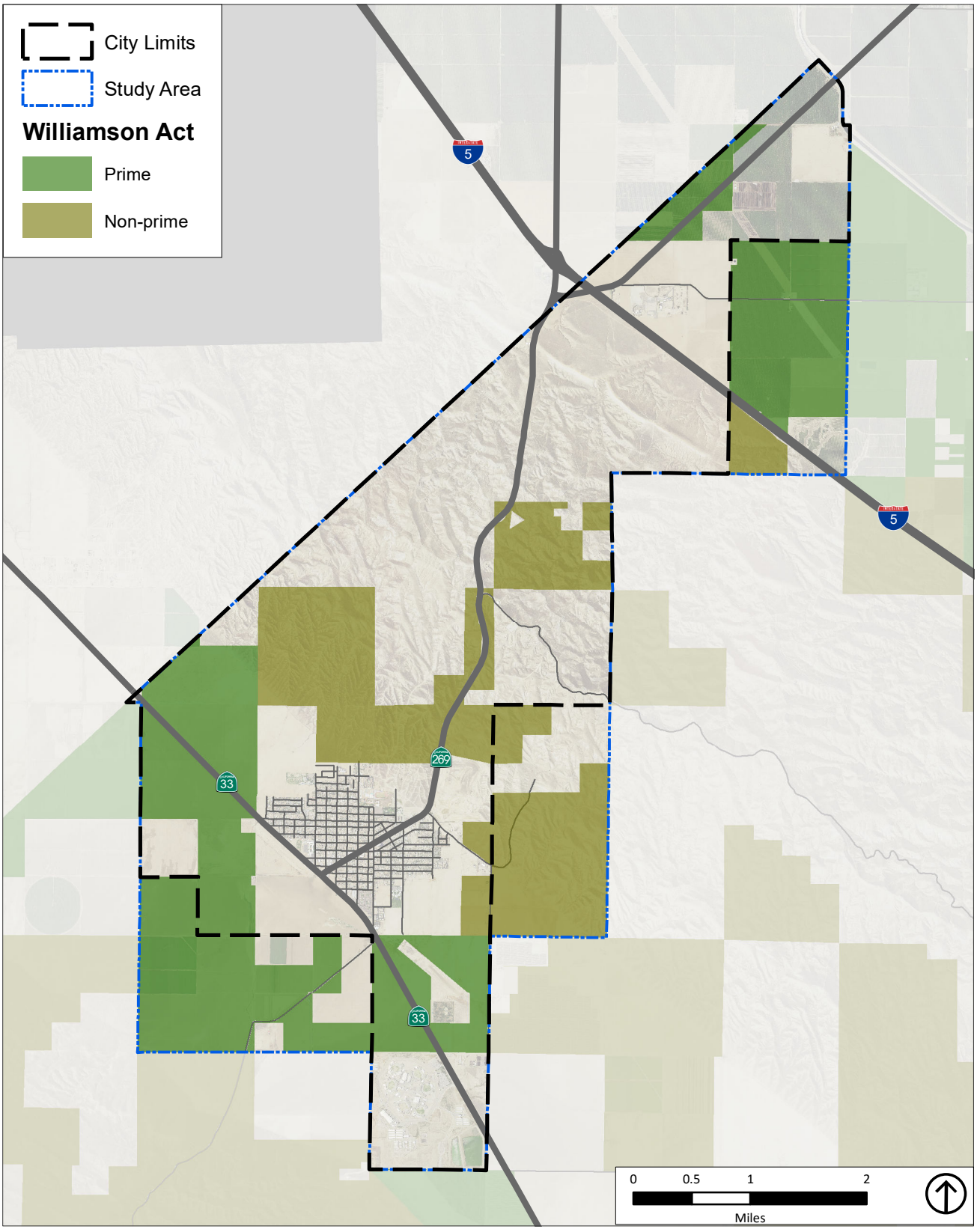
[3] California Department of Forestry and Fire Protection, Fire and Resource Assessment Program, The Management Landscape, http://frap.fire.ca.gov/data/frapgismaps/pdfs/landscapesmap.pdf, accessed October 24, 2017.

[4] Kings County, 1996. Right to Farm Ordinance, Ordinance Number 546.1.




Source:Department of Conservation, 2016; City of Avenal, 2017; ESRI, 2017; PlaceWorks, 2017.

Figure 5-1
Important Farmlands Parcels




Source:ESRI, 2017; California Department of Conservation, 2015; City of Avenal, 2017; PlaceWorks, 2017.

Figure 5-2
Williamson Act Parcels

# III. Air Quality

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | ❒ | ❒ | ■ | ❒ |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | ❒ | ❒ | ■ | ❒ |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project area is in non-attainment under applicable federal or State ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | ❒ | ❒ | ■ | ❒ |
| d) Expose sensitive receptors to substantial pollutant concentrations? | ❒ | ❒ | ■ | ❒ |
| e) Create objectionable odors affecting a substantial number of people? | ❒ | ❒ | ■ | ❒ |

## General Plan 2025 EIR

Section 3.3, Air Quality, of the General Plan 2025 EIR, addresses air quality impacts associated with the proposed General Plan 2025. Impacts related to obstruction or implementation of an air quality plan, violation of air quality standards, cumulative increases of criteria pollutants and impact to sensitive receptors were found to be significant and require the City to implement Mitigation Measures 3.3.2.1 and 3.3.2.2. Implementation of Mitigation Measure Mitigation Measures 3.3.2.1 would reduce the impact related to increases in pollutant levels resulting from increased vehicular traffic by requiring future projects to incorporate as many clean alternative energy features as possible and encourage alternate modes of travel; however, the impact was found to be significant and unavoidable at the program level. Implementation of Mitigation Measure 3.2.2.2 would reduce impacts of dust and emissions generated by construction activities to a less-than-significant level by requiring future projects to comply with the San Joaquin Valley Air Pollution Control District's (SJVAPCD) control measures for construction emissions.

## Discussion

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

In addition to State and federal regulations, the SJVAPCD has produced a variety of plans and control measures meant to protect and improve air quality in Avenal and the surrounding area. These include plans concentrated on carbon monoxide reduction; emissions inventories for area sources, point sources, mobile source and natural sources; health risk reduction; ozone standards, including attainment with the

United States Environmental Protection Agency's (US EPA) 1-hour and 8-hour standards; and particulate matter reduction.

An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a nonattainment area. The main purpose of an air quality plan is to bring the area into compliance with the requirements of federal and state air quality standards. A consistency determination plays an important role in local agency project review by linking local planning and individual projects to the air quality plan. Projects are consistent with air quality plan if they are consistent with the existing land use plans used to forecast emissions. In general, zoning changes, specific plans, general plan amendments and similar land use plan changes that do not increase dwelling unit density, vehicle trips, or increase vehicle miles traveled (VMT) are deemed to be consistent with the air quality plan.

As described previously in this Initial Study, the proposed project represents changes at the policy level and does not include any specific construction-level projects. The proposed project does not increase development potential beyond what was studied in the General Plan 2035 EIR.

The proposed General Plan 2035 includes policies and actions in the Air Quality element that would help reduce mobile-source air pollutant emissions as follows:

- Policy AQ-1.1 directs the City to promote development that is compatible with air quality standards.
- Action AQ-1.1A directs the City to develop mitigation measures to minimize stationary and area source emissions, as part of the development review process.
- Action AQ-1.1C directs the City to minimize direct and indirect emissions of air contaminants by locating air pollution point sources in areas designated for industrial and establishing buffer zones with residential and other sensitive receptor site plans to separate those uses from highways, arterials, hazardous material locations, and other sources of air pollution or odor.
- Policy AQ-1.3 directs the City to encourage alternative modes of transportation, including pedestrian, bicycle, and transit usage.
- Action AQ-1.3A directs the City to develop strategies to minimize the number and length of vehicle trips.

The proposed zoning amendments do not change the City's existing zoning map and zoning districts, and would not result in additional growth beyond what is allowed under the existing Zoning Ordinance. There are no proposed changes related to density or intensity that would have the potential to generate new sources of air quality pollutants above what was previously analyzed. The AT/SRTS Plan proposes improvements to the pedestrian and bicycle network to encourage walking and biking in Avenal and encouraging alternate modes of travel, which has the potential to reduce pollutants generated from automobile use. The EDP includes policies to encourage non-residential development in Avenal, but would not alter the land use regulations pertaining to any parcels in the Study Area and, therefore, would not generate additional new pollutants beyond what was evaluated in the General Plan 2025 EIR.

The General Plan 2025 EIR found that the additional development associated with buildout of the General Plan would increase criteria air pollutants in an area that is currently designated as a non-attainment area, and a significant and unavoidable impact was expected to result.[5] Since the proposed project would not alter the regulation of land uses, the proposed project would not alter the General Plan 2025 EIR's analysis. Moreover, implementation of the proposed General Plan 2035 policies listed above would further ensure consistency with the air quality plan. Therefore, the proposed project would not conflict with the SJVAPCD air quality plans and would have a *less-than-significant* impact.

*b) Would the proposed project violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

As discussed under Criterion (a) in this section, the proposed project would not violate air quality standards or contribute to an existing air quality violation beyond what was analyzed in the General Plan 2025 EIR. Therefore, a *less than significant impact* would result.

*c) Would the proposed project result in a cumulatively considerable net increase of any criteria pollutant for which the project area is in non-attainment under applicable federal or State ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

The SJVAPCD is designated nonattainment for $O_3$ and $PM_{2.5}$ under the California and National Ambient Air Quality Standards (AAQS) and nonattainment for $PM_{10}$ under the California AAQS.[6] As discussed above, the General Plan 2025 EIR found that the additional development associated with buildout of the General Plan would increase criteria air pollutants in an area that is currently designated as a non-attainment area, and a significant and unavoidable impact was expected to result.[7]

The proposed project would result in changes at the policy level and does not include specific development proposals. Thus, the proposed project would not directly result in any criteria air pollutant emissions. The proposed the proposed General Plan 2035 policies and actions listed in Criterion (a) in this section, would help reduce mobile-source air pollutant emissions. Additionally, the proposed AT/SRTS Plan recommends pedestrian and bicycle improvements that would have the potential to reduce vehicle trips and increase pedestrian and biking activities, which would improve air quality in Avenal.

Potential future construction would be subject to SJVAPCD's Rule 9510, Indirect Source Review, and Regulation VIII, Fugitive $PM_{10}$ Prohibitions.[8] The indirect source review rule requires mitigation and/or emission offsets for construction activities. Regulation VIII requires developers and construction contractors to develop dust control plans and implement measures to reduce emissions during

[5] City of Avenal, 2005. General Plan Update Draft Environmental Impact Report (State Clearinghouse Number 2005041102), pages 3-28 to 3-34.

[6] San Joaquin Valley Air Pollution Control District. Ambient Air Quality Standards & Valley Attainment Status, 2017. http://www.valleyair.org/aqinfo/attainment.htm; California Air Resources Board, 2015. Area Designations Maps: State and National, December. http://www.arb.ca.gov/desig/adm/adm.htm, accessed on November 9, 2017

[7] City of Avenal, 2005. General Plan Update Draft Environmental Impact Report (State Clearinghouse Number 2005041102), pages 3-28 to 3-34.

[8] San Joaquin Valley Air Pollution Control District, Current District Rules and Regulations, http://www.valleyair.org/rules/1ruleslist.htm, accessed November 3, 2017.

construction. Construction work that is performed in accordance with the SJVAPD's rules and regulations, and implements construction air pollutant control measures would not be expected to result in significant air quality impacts. Compliance with these regulations is set forth in the General Plan 2025 Mitigation Measure 3.3.2.2, [9] which future projects would be required to comply. In addition, the proposed General Plan 2035 Policy AQ-1.4 directs the City to evaluate new development based on the SJVAPD's *Guide for Assessing and Mitigating Air Quality Impacts* and require new construction activities to comply with the standard and optional PM - 10 control measures as set forth by the *Guide* . Future projects that would be subject to CEQA review would determine whether their emissions would be in excess of State or federal AAQS. The proposed project, a policy-level document, would not alter land use regulations in a way that would generate additional emissions in excess of those identified in the General Plan 2025 EIR. Therefore, impacts to air quality from implementation of the proposed project would be *less than significant*.

*d) Would the proposed project expose sensitive receptors to substantial pollutant concentrations?*

The proposed project does not alter any land uses that would expose sensitive receptors to substantial pollutant concentrations in the long-term (operational). During the construction of potential future development sensitive receptors could be exposed to particulate matter from construction vehicle exhaust and dust stirred up as a result of construction activities. The General Plan 2025 EIR found that, while a potentially significant impact existed with respect to construction emissions related to buildout of the General Plan 2025 (Impact #3.3.2.2 from the General Plan 2025 EIR), compliance with the SJVAPCD's required regulations pursuant to Mitigation Measure 3.3.2.2 would mitigate this impact to a less-than-significant level.[10] In addition, the proposed General Plan 2035 Policy AQ-1.4 directs the City to evaluate new development based on the SJVAPD's *Guide for Assessing and Mitigating Air Quality Impacts* and require new construction activities to comply with the standard and optional PM - 10 control measures as set forth by the *Guide* .Implementation of the proposed project would not result in new development potential above what was evaluated in the General Plan 2025 EIR. Adherence to Mitigation Measure 3.3.2.2 in the General Plan 2025 EIR would reduce construction emissions to an acceptable level and would not expose sensitive receptors to substantial pollutants. Therefore, impacts would be *less than significant*.

*e) Would the proposed project create objectionable odors affecting a substantial number of people?*

The General Plan 2025 EIR found that there are no components of the General Plan 2025 which would generate objectionable odors and a less-than-significant impact was anticipated to result.[11] Implementation of the proposed project would not affect this analysis because it does not propose any land use changes that would introduce incompatible uses in proximity to one another resulting in a potential odor-related impact (e.g., new residential near industrial or agricultural lands). In addition, the proposed General Plan 2035 includes Action AQ-1.1C, which would direct the City to establish buffer

[9] City of Avenal, 2005. General Plan Update Draft Environmental Impact Report (State Clearinghouse Number 2005041102), pages 3-28 to 3-34.

[10] City of Avenal, 2005. General Plan Update Draft Environmental Impact Report (State Clearinghouse Number 2005041102), pages 3-28 to 3-34.

[11] City of Avenal, 2005. General Plan Update Draft Environmental Impact Report (State Clearinghouse Number 2005041102), page I-3.

zones (e.g., setbacks, landscaping) within residential and other sensitive receptor site plans to separate those uses from highways, arterials, hazardous material locations, and other sources of air pollution or odor. Potential future development as a result of the proposed project could result in the emission of minor odors produced by construction vehicles, materials, and equipment during the construction period. The odors would be minimal, temporary, and mitigated when feasible.

Since land use regulations would not be changed in a way that would modify this analysis, and implementation of proposed Action AQ-1.1C would reduce potential impacts, a *less-than-significant* impact would result with respect to objectionable odors associated with implementation of the proposed project.

# IV. Biological Resources

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)? | ❒ | ❒ | ■ | ❒ |
| 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 (CDFW) or United States Fish and Wildlife Service (USFWS)? | ❒ | ❒ | ■ | ❒ |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | ❒ | ❒ | ■ | ❒ |
| 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? | ❒ | ❒ | ❒ | ■ |

## General Plan 2025 EIR

Section 3.4, Biological Resources, of the General Plan 2025 EIR, addresses potential impacts to biological resources associated with the proposed General Plan 2025. Impacts related to sensitive natural communities and the movement of native species were found to be less than significant. The General Plan 2025 EIR concluded no impact with respect to federally protected wetlands or conflicts with habitat conservation plan. However, impacts related to habitat modification were found to be potentially significant and require the City to implement Mitigation Measure 3.4.2.1. Implementation of Mitigation Measure 3.4.2.1 would reduce impacts to a less than significant level requiring future projects to prepare biological reconnaissance surveys for all development projects proposed on vacant or agricultural properties prior to project approval, and pre-constructions surveys conducted by a qualified biologist no less than 14 days and no more than 30 days prior to any construction related activities.

## Discussion

*a) Would the proposed 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 (CDFW) or United States Fish and Wildlife Service (USFWS)?*

Special-status species are plants and animals that are legally protected under the State and/or federal endangered species acts (ESAs) or other regulations, as well as other species that are considered rare enough by the scientific community and trustee agencies to warrant special consideration, particularly with regard to protection of isolated populations, nesting or denning locations, communal roosts and other essential habitat. Special-status species receive varying degrees of legal protection under both the State and/or federal ESAs, and the CEQA. The United States Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NOAA Fisheries), and California Department of Fish and Wildlife (CDFW) share responsibility for protection and management of natural resources. Species with legal protection under the ESAs often represent major constraints to development, particularly when they are wide-ranging or highly sensitive to habitat disturbance and where proposed development would result in a "take" (i.e., harm or damage in some manner) of these species. If a listed species may be affected by proposed development, the lead agency must comply with State and/or federal law (depending on the species), which may require consultation with the USFWS, National Marine Fisheries Service (NOAA Fisheries), and/or CDFW.

As shown on Figure 5-3 special-status plant and animal species known or expected to occur within the Study Area include American badger (*Taxidea taxus*), blunt-nosed leopard lizard (*Gambelia sila),* Lemmon's jewelflower *(Caulanthus coulteri var. lemmonii),* Nelson's antelope squirrel (*Ammospermophilus nelsoni*), prairie falcon (*Falco mexicanus*), San Joaquin kit fox (*Vulpes macrotis mutica),* San Joaquin Pocket Mouse *(Perognathus inornatus inornatus),* San Joaquin whipsnake (*Masticophis flagellum ruddocki*), San Joaquin wollythread (*Monolopia congdonii),* tricolored blackbird (*Agelaius tricolor*), Tulare grasshopper mouse (*Onychomys torridus tularensis*).[12]

[12] California Department of Fish and Wildlife, 2016. California Natural Diversity Database in Shape File Format, April.

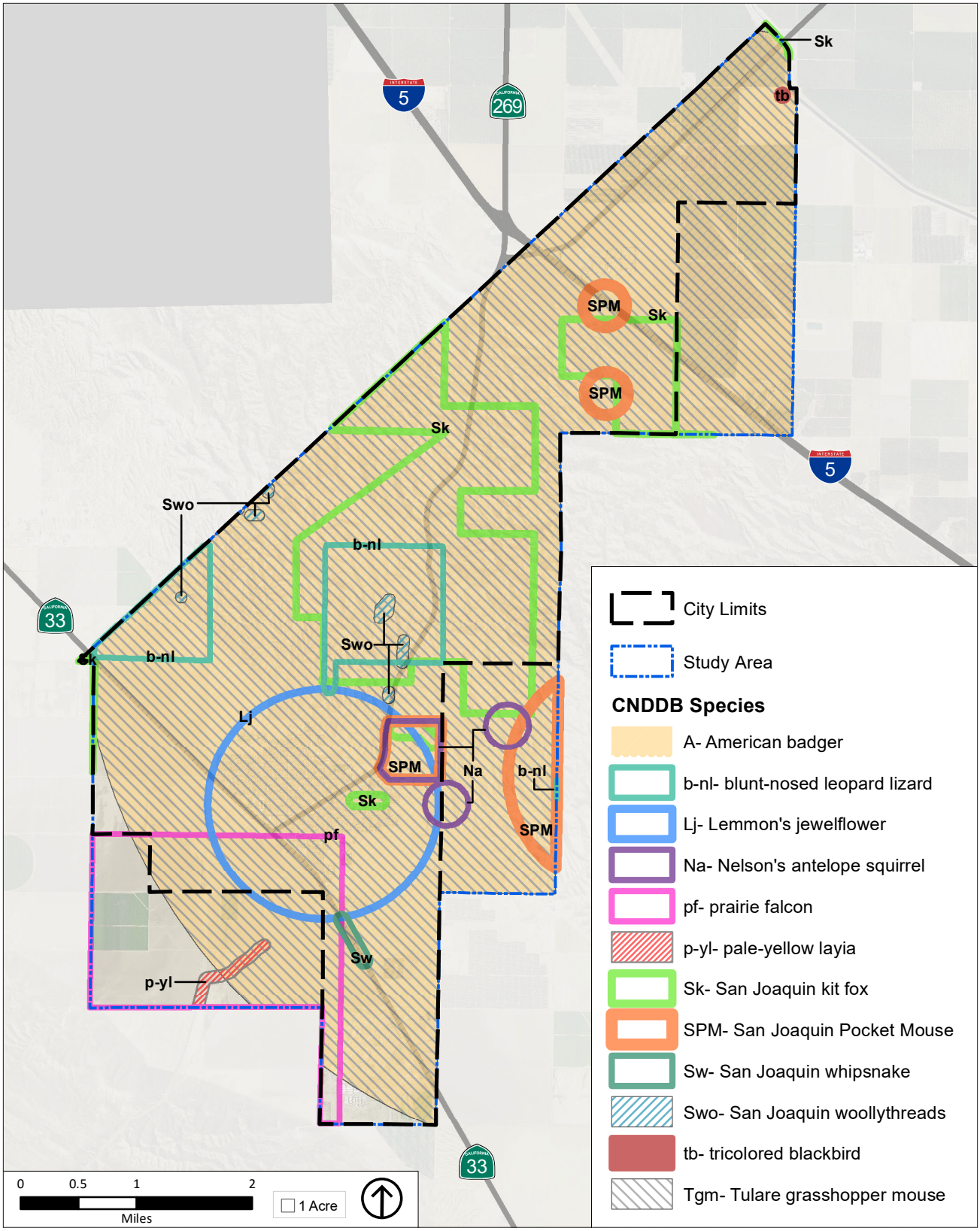
The proposed revisions to the General Plan enhance sustainability opportunities, address emerging trends, and comply with recent State legislation subsequent to the adoption of the General Plan 2025. Revisions related to biological resources include the following proposed General Plan 2035 policies, which would serve to protect special-status species:

- Policy NR-1.11 directs the City to require new development to meet all federal, State, and regional regulations for habitat and species protection.
- Policy NR-1.12 directs the City to support and participate in local and regional attempts to restore and maintain viable habitat for endangered plant and animal species, and wetlands.
- Policy NR-1.13 directs the City to require mitigation of potential impacts on special-status plant and animal species based on a policy of no-net-loss of habitat value.
- Policy NR-1.15 directs the City to require design developments projects to retain mature trees wherever possible. Where tree removal cannot be avoided, require tree replacement or suitable mitigation.

The proposed zoning amendments are primarily editorial to create a more succinct, user-friendly document, to bring the Zoning Ordinance into conformance with the General Plan, and to update the content to comply recent State legislation. The proposed amendments do not change the City's existing zoning map and zoning districts, and would not result in additional growth beyond what is allowed under the existing Zoning Ordinance. The proposed EDP would promote the expansion and creation of non-residential uses in the Study Area. However, future potential development would occur in already built areas or areas currently designated for development. The AT/SRTS Plan recommends improvements that enhance the pedestrian and bicycle network in Avenal in currently developed areas of the Study Area. The Water Management Plan (WMP) does not propose physical changes with the potential to significantly affect biological resources.

The proposed project is a policy-level document and does not propose any construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Any future potential development would occur in already built areas or areas currently designated for development. Furthermore, implementation of the proposed General Plan 2035 policies would protect biological resources, including special-status species.

Additionally, potential future projects that are subject to CEQA would be required to undergo project-specific environmental review and implement mitigation measures to protect special-status as necessary. Accordingly, impacts to special-status species would be *less than significant*.




Source: ESRI, 2017; California Department of Fish and Wildlife, 2017; City of Avenal, 2017; PlaceWorks, 2017.

Figure 5-3
Known Occurrences of Special Status Species

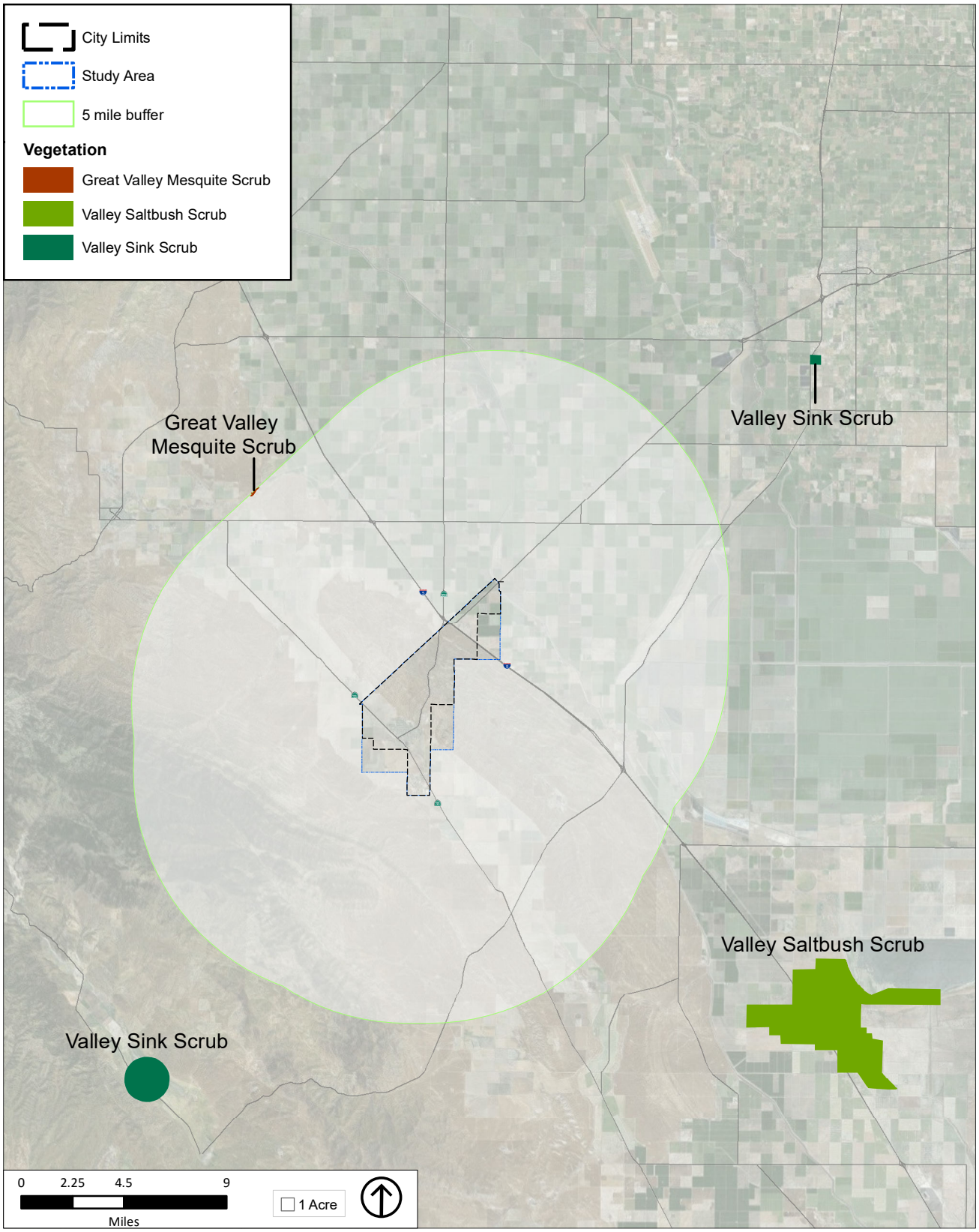
*b) Would the proposed project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?*

As previously discussed the proposed project is a policy-level document and does not propose any construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Any future potential development would occur in already built areas or areas currently designated for development. As shown on Figure 5-4, there are no sensitive natural communities known to occur within the Study Area.

Wetlands and other waters protected under the federal Clean Water Act and the State's Porter-Cologne Water Quality Control Act are under the jurisdiction of the United States Army Corps of Engineers (USACE) and the Central Valley Regional Water Quality Control Board (CWRWQB). Federal and State regulations require avoidance of impacts to the extent feasible, and compensation for unavoidable losses of jurisdictional wetlands and waters. Furthermore, the proposed General Plan 2035 Policy NR-1.10 directs the City to avoid impacts to riparian areas in order to preserve natural habitat, and Policy NR-1.11 directs the City to require new development to meet all federal, State, and regional regulations for habitat and species protection. Accordingly, *no impact* would occur to riparian and wetland habitats as a result of potential future development under the proposed project.

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

As discussed under Criterion (b) of this section, there are no wetland areas located in the Study Area (see Figure 5-4). The proposed project is a policy-level document and does not propose and construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Any future potential development would occur in already built areas or areas currently designated for development. The proposed General Plan 2035 Policy NR-1.10 directs the City to avoid impacts to riparian areas in order to preserve natural habitat, and Policy NR-1.11 directs the City to require new development to meet all federal, State, and regional regulations for habitat and species protection. Accordingly, *no impact* would occur.




Source: ESRI, 2017; California Department of Fish and Wildlife, 2017; City of Avenal, 2017; PlaceWorks, 2017.

Figure 5-4
Vegetation

*d) Would the proposed 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?*

The Kettleman Hills, natural land, and farm lands located within the Study Area serve as migration corridors for various species.[13] The proposed General Plan 2035 includes policies and actions that limit urban development in natural areas and seek to preserve the natural habitat within the Study Area as follows:

- Action LU-2.1A directs the City to identify and use natural and man-made edges, such as local roadways, as urban development limits for growth.
- Policy LU-2.2 directs the City to prioritize development of vacant, underdevelopment, and/or redevelopable land within the boundaries of the existing developed area and where urban services are or can be made available.
- Policy LU-2.3 directs the City to discourage new or expanded urban development in King's County or Fresno County outside of the City's Sphere of Influence.
- Policy LU-2.4 directs the City to guide the timing, type, and location of growth to preserve resource lands, protect natural features and open space, and encourage the use of active transportation and public transit.
- Policy NR-1.11 directs the City to require new development to meet all federal, State, and regional regulations for habitat and species protection.
- Policy NR-1.13 directs the City to require mitigation of potential impacts on special-status plant and animal species based on a policy of no-net-loss of habitat value.

The proposed project is a policy-level document and does not propose any construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Any future potential development would occur in already built areas or areas currently designated for development. Implementation of the proposed General Plan 2035 policies that limit urban development in natural areas and seek to preserve the natural habitat within the Study Area would protect wildlife corridors and movement. Accordingly, impacts would be *less than significant*.

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

The proposed project is a policy-level document intended to revise the General Plan to enhance sustainability opportunities, address emerging trends, and comply with recent State legislation subsequent to the adoption of the General Plan 2025. Additionally, the proposed zoning amendments are primarily editorial to create a more succinct, user-friendly document, to bring the Zoning Ordinance into conformance with the General Plan. The proposed EDP, AT/ARTS Plan, and the WMP do not include

[13] City of Avenal, 2005. General Plan Update Draft Environmental Impact Report (State Clearinghouse Number 2005041102), page 3-43.

policies that affect biological resources, but rather includes a series of recommendations to promote economic stability, improve bicycle and pedestrian access, and manage, conserve, and enhance existing water supplies, respectively. Implementation of the proposed General Plan 2035 policies that limit urban development in natural areas and seek to preserve the natural habitat within the Study Area would protect biological resources. Therefore, a *less-than-significant* impact would occur.

*f) Would the proposed 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?*

There are no Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or State Habitat Conservation Plans applicable in the vicinity of the Study Area. Therefore, *no impact* would result in this respect.

# V. Cultural Resources

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? | ❒ | ❒ | ■ | ❒ |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? | ❒ | ❒ | ■ | ❒ |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ❒ | ❒ | ■ | ❒ |
| d) Disturb any human remains, including those interred outside of dedicated cemeteries? | ❒ | ❒ | ■ | ❒ |

## General Plan 2025 EIR

Section 3.5, Cultural Resources, of the General Plan 2025 EIR, addresses potential impacts to cultural resources associated with the proposed General Plan 2025. The General Plan 2025 EIR concluded no impact with respect to known archaeological resources, paleontological resources, and disturbance of human remains. Impacts related to a historical resource as defined by Section 15064.5 were found to be potentially significant and require the City to implement Mitigation Measure 3.5.2.1. Implementation of Mitigation Measure 3.5.2.1 would reduce impacts to a less-than-significant level by requiring all earth-moving activity in the specific construction area to cease in the event that a previously undocumented cultural resource, paleontological resource, and human remains are discovered. Per Mitigation Measure 3.5.2.1, if construction activities result in modifications to historic features as reported by the Central California Information Center an historic analysis of such modification shall be prepared, including consultation with the State Historic Preservation office.

## Discussion

*a) Would the proposed project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?*

The types of cultural resources that meet the definition of historical resources under CEQA Section 21084.1 generally consist of districts, sites, buildings, structures, and objects that are significant for their traditional, cultural, and/or historical associations. Under CEQA, both prehistoric and historic-period archaeological sites may qualify based on historical associations.[14] As such, the two main historical resources that are subject to impact, and that may be impacted by implementation of the proposed project, are historical archaeological deposits and historical architectural resources. Impacts to archaeological resources are discussed under Criterion (b) of this section.

Avenal's history dates back to 1850, when American settlers arrived in the area and established settlements east and south of the existing urbanized portion of the City. Accordingly, there are numerous buildings within the Study Area that appear to be more than 50 years old and could qualify as historical architectural resources.

As discussed above, the General Plan 2025 EIR found that there are no components of the General Plan 2025 that would have a substantial adverse effect on historical resources and a less-than-significant impact was anticipated to result. The proposed project is a policy-level document and does not propose and construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Any future potential development would occur in already built areas or areas currently designated for development.

The proposed General Plan 2035 includes Policy NR-5.1 in the Conservation, Natural Resources, and Recreation element, which directs the City to encourage the preservation and/or adaptive reuse of historic sites, structures and landscapes. The proposed zoning amendment, EDP, AT/SRTS Plan, and the WMP do not include policy recommendations with the potential to affect historic resources. Since land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed Policy NR-5.1 would protect historic resources, impacts would be *less than significant*.

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

The Cultural Resources Records search prepared for the General Plan 2025 EIR found no evidence of archaeological, paleontological, unique geological feature, or human remains in the Study Area.[15] However, ground disturbing activities such as site preparation, grading, and excavating associated with future development could potentially expose previously undiscovered buried archaeological resources.

[14] California Code of Regulations (CCR), Title 14, Chapter 3, Section 15064.5(c), Determining the Significance of Impacts on Historical and Unique Archaeological Resources.

[15] City of Avenal, 2005. General Plan Update Background Report, pages 1-50 to 1-53.

Adherence to General Plan 2025 EIR Mitigation Measure 3.5.2.1 would reduce potential impacts from potential future development to a less-than-significant level.[16]

The proposed project is a policy-level document and does not propose any construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Any future potential development would occur in already built areas or areas currently designated for development. The proposed General Plan 2035 Policy NR-5.2 directs the City to require construction to stop immediately if cultural resources, including tribal, archaeological or paleontological resources, are uncovered during grading or other on-site excavation activities, until appropriate mitigation is implemented. The proposed zoning amendment, EDP, AT/SRTS Plan, and the WMP do not include policy recommendations with the potential to affect unknown archeological resources. Since land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed Policy NR-5.2 would protect archeological resources, impacts would be *less than significant*.

*c) Would the proposed project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

As discussed above under Criterion (a), the Cultural Resources Records search prepared for the General Plan 2025 EIR, found no evidence of paleontological resources or unique geological features in the Study Area.[17] However, there is a possibility that future ground disturbing activities could cause damage to, or destruction of, previously undiscovered paleontological resources or unique geologic features. Adherence to the General Plan 2025 EIR Mitigation Measure 3.5.2.1 would reduce potential impacts to a less-than-significant level.[18] In addition, the proposed General Plan 2035 includes Policy NR-5.2 that directs the City to require construction to stop immediately if cultural resources, including tribal, archaeological or paleontological resources, are uncovered during grading or other on-site excavation activities, until appropriate mitigation is implemented. Since, as previously described, land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed Policy NR-5.2 would protect paleontological resources, impacts would be *less than significant*.

*d) Would the proposed project disturb any human remains, including those interred outside of dedicated cemeteries?*

Similar to discussions under Criteria (a) and (b) in this section, the Cultural Resources Records search prepared for the General Plan 2025 EIR, found no evidence of human remains in the Study Area.[19] However, there is a possibility that future ground disturbing activities could cause damage to, or destruction of, previously undiscovered human remains. Any human remains encountered during ground-

[16] City of Avenal, 2005. General Plan Update Draft Environmental Impact Report (State Clearinghouse Number 2005041102), pages 3-47 and 3-48.
[17] City of Avenal, 2005. General Plan Update Background Report, pages 1-50 to 1-53.
[18] City of Avenal, 2005. General Plan Update Draft Environmental Impact Report (State Clearinghouse Number 2005041102), pages 3-47 and 3-48.
[19] City of Avenal, 2005. General Plan Update Background Report, pages 1-50 to 1-53.

disturbing activities would be subject to federal, State, and local regulations to ensure no adverse impacts would occur. California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98 and the California Code of Regulations Section 15064.5(e) (CEQA), mandate procedures of conduct following the discovery of human remains. Adherence to the General Plan 2025 EIR Mitigation Measure 3.5.2.1 would reduce potential impacts to a less-than-significant level.[20] Since, as previously described, land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed Policy NR-5.2 would protect human remains, impacts would be *less than significant*.

# VI. Tribal Cultural Resources

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| a) Cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:<br>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<br>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 Resource Code Section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resource Code Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance to a California Native American tribe. | ❒ | ❒ | ■ | ❒ |

## General Plan 2025 EIR

The General Plan 2025 EIR was certified prior to the enactment of Assembly Bill 52 (AB 52) which requires the CEQA lead agency to begin consultation with a California Native American Tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if the Tribe requests in writing, to be informed by the lead agency through formal notification of the proposed projects in the area.

[20] City of Avenal, 2005. General Plan Update Draft Environmental Impact Report (State Clearinghouse Number 2005041102), pages 3-47 and 3-48.

## General Plan 2035

As part of the planning process for the General Plan 2035 the City sent a letter to the California Native American Heritage Commission (NAHC), per Senate Bill 18, seeking information from the sacred lands files, which track Native American cultural resources, and the names of Native American individuals and groups that would be appropriate to contact regarding this project. The NAHC replied with a letter dated September 2017, in which they indicated that the sacred land file has no information about the presence of Native American cultural resources in the immediate project area, and provided a list of Native American contacts (groups and individuals) who may have information regarding known and recorded sites. Letters were also sent to the following contacts:

- Kings River Choinumni Farm Tribe
- Santa Rosa Indian Community of the Santa Rosa Rancheria
- Table Mountain Rancheria of California
- Wuksache Indian Tribe/Eshom Valley Band

In response to AB 52, the City received a formal request from the Santa Rosa Rancheria Tachi Yokut Tribe and the Torres Martinez Desert Cahuilla Indians in 2016. The City sent a written notice providing details of the project to both tribal groups, in addition to the tribal groups listed on the Native American Heritage Commission contact list. At the time of this publication, the City had not received a response to the formal notification nor a request to initiate the consultation process for this particular project. Nonetheless, the evaluation of potential impacts to TCRs is addressed below.

## Discussion

*a) Would the proposed 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 Resource Code Section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resource Code Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance to a California Native American tribe?*

AB 52 amended California Government Code Section 65352.3 to require the CEQA lead agency to begin consultation with a California Native American Tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if the Tribe requests in writing, to be informed by the lead agency through formal notification of the proposed projects in the area. The consultation is required before the determination of whether a negative declaration, mitigated negative declaration, or EIR is required. In addition, AB 52 includes time limits for certain responses regarding consultation. Information shared by

tribes as a result of AB 52 consultation shall be documented in a confidential file, as necessary, and made part of a lead agencies administrative record. In response to AB 52, the City of Avenal has not received any request from any Tribes in the geographic area with which it is traditionally and culturally affiliated with or otherwise to be notified about projects in the City of Avenal.

A tribal cultural resource (TCR) is defined under AB 52 as a site, feature, place, cultural landscape that is geographically defined in terms of size and scope, sacred place, and object with cultural value to a California Native American tribe that are either included or eligible for inclusion in the California Register of Historic Resources or included a local register of historical resources, or if the City of Avenal, acting as the lead agency, supported by substantial evidence, chooses at its discretion to treat the resource as a TCR.

As discussed above under Criteria (b) and (d) in Section V, Cultural Resources, no known archeological resources, ethnographic sites or Native American remains are located in the Study Area. As discussed under Criterion (b) of Section V, adherence to the General Plan 2025 EIR Mitigation Measure 3.5.2.1 would reduce impacts to unknown archaeological deposits, including TCRs, to a less-than-significant level. As discussed under Criterion (d) of Section V, compliance with General Plan 2025 EIR Mitigation Measure 3.5.2.1 and State and federal regulations would reduce the likelihood of disturbing or discovering human remains, including those of Native Americans. In addition, proposed General Plan 2035 Policy NR-5.3 directs the City to continue to consult with tribes as required by California Government Code Section 65352.3 to accommodate tribal concerns about new development or policy changes, and Policy NR-5.4 directs the City to protect tribal cultural resources in Avenal, including natural land formations, sacred sites, culturally significant plants and habitats, and evidence of human habitation before European settlement. Since, as previously described, land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed Policy NR-5.2 would protect human remains and Policy NR-5.3 would ensure tribal consultation as required by California Government Code Section 65352.3, impacts would be *less than significant*.

# VII. Geology and Soils

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:<br>i) Strong seismic ground shaking?<br>ii) Seismic-related ground failure, including liquefaction?<br>iii) Landslides, mudslides or other similar hazards? | ❒ | ❒ | ■ | ❒ |
| b) Result in substantial soil erosion or the loss of topsoil? | ❒ | ❒ | ■ | ❒ |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral | ❒ | ❒ | ■ | ❒ |

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| spreading, subsidence, liquefaction or collapse? | | | | |
| d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code, creating substantial risks to life or property? | ❒ | ❒ | ■ | ❒ |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater? | ❒ | ❒ | ■ | ❒ |

## General Plan 2025 EIR

Section 3.6, Geology and Soils, of the General Plan 2025 EIR, addresses potential impacts to geological resources associated with the proposed General Plan 2025. Impacts related to unstable and expansive soils and faults and ground shaking were found to be less than significant. The General Plan 2025 EIR concluded no impact with respect to ground failure, liquefaction, landslides, soil erosion or use of septic systems.

## Discussion

*a) Would the proposed project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: i) Strong seismic ground shaking? ii) Seismic-related ground failure, including liquefaction? iii) Landslides, mudslides or other similar hazards?*

The City of Avenal is located in a seismically active area and there is potential for seismic activity in the Study Area. No active or potentially active faults have been mapped within the City of Avenal and the Study Area does not lie within a State-designated Alquist-Priolo Earthquake Fault Zone.[21] The lack of mapped active and potentially active faults notwithstanding, the Study Area could be subjected to strong ground shaking during an earthquake on a nearby fault such as the thrust fault to the east along the Kettleman Hills anticline and the San Andreas Fault to the southwest.[22] However, the safety risk to people resulting from seismic activity would be significantly decreased by mandatory adherence to all relevant building codes, including the California Building Code (CBC) requirements, adopted by reference in the Avenal Municipal Code.

The proposed project is a policy-level document and does not propose any construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Any future potential development would occur in already built

[21] State of California Department of Conservation (DOC), CGS Information Warehouse: Regulatory Maps, http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps, accessed October 26, 2017.

[22] State of California Department of Conservation (DOC), Fault Activity Map, http://maps.conservation.ca.gov/cgs/fam/, accessed October 26, 2017.

areas or areas currently designated for development. The proposed General Plan 2035 includes the following policies pertaining to seismic safety:

- Policy SAF-7.1 directs the City to limit uses on lands with geologic hazards, but allow uses on previously urbanized lands with proper mitigation. Keep development in hazardous areas to a minimum by encouraging low-density, low-intensity uses, and the types of uses least disruptive to the soil and vegetative cover.
- Policy SAF-7.2 directs the City to require site preparation in hazardous areas to be designed to achieve long-term geologic stability.
- Policy SAF-7.3 directs the City to require structures to be designed and constructed above and beyond the applicable engineering and building standards, where such measures are deemed necessary from available geologic and engineering data.
- Policy SAF-7.4 directs the City to require structures to be designed and constructed to resist minor earthquakes without damage, resist moderate earthquakes without structural damage, and resist major earthquakes of the intensity or severity of the strongest experienced in California without collapse.
- Policy SAF-7.6 directs the City to prohibit development on known active landslides and limit development in areas where such development might initiate sliding or be affected by sliding on adjacent parcels.

The proposed zoning amendment, EDP, AT/SRTS Plan, and the WMP do not include policy recommendations with the potential to exacerbate hazards associated with seismic events. Since land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed General Plan policies listed above would minimize the effects from seismic events, impacts would be *less than significant*.

*b) Would the proposed project result in substantial soil erosion or the loss of topsoil?*

The proposed project is a policy-level document and does not propose any construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Any future potential development would occur in already built areas or areas currently designated for development. As discussed under Criterion (a) in this section, adherence to the regulatory framework, including the CBC, and subsequent environmental review of physical construction projects that implement the proposed project would serve to adequately minimize any potential impacts with respect to substantial soil erosion or the loss of topsoil. As a result, impacts would be *less than significant*.

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

As discussed under Criterion (a) in this section, subsequent development projects which implement the proposed project would be required to adhere to all regulations pertaining to construction, including the CBC and Building Regulations, of the Avenal Municipal Code. In addition, the California Geologic Society, in

implementing the CA Seismic Hazards Mapping Program, has not identified any seismically induced landslide hazard zones in the Study Area.[23] Therefore, adherence to the existing regulatory framework would be adequate to reduce any potential impacts to a *less-than-significant* level.

*d) Would the proposed project be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code, creating substantial risks to life or property?*

As discussed under Criterion (c), subsequent development projects which implement the proposed project would be required to adhere to all regulations pertaining to construction, including the CBC and Building Regulations, of the Avenal Municipal Code. In addition, proposed General Plan 2035 includes Policy SAF-7.10 which directs the City to require geotechnical investigations on all projects in unstable areas, including areas of expansive soils, prior to construction to insure that the potential hazards are identified and can be properly mitigated. Therefore, adherence to the existing regulatory framework would be adequate to reduce any potential impacts to a *less-than-significant* level.

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

As stated throughout this Initial Study, any future potential development would occur in already built areas or areas currently designated for development. None of the potential future development under the proposed project would involve the construction of septic tanks or any alternative waste water disposal system. Additionally, the proposed General Plan 2035 includes Policy PSF-1.9 which directs the City to require existing and new business, residents, and industries to connect to the City's water and sewer system. Accordingly, no impact would occur.

# VIII. Greenhouse Gas Emissions

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

## General Plan 2025 EIR

The General Plan 2025 EIR was certified prior to the enactment of SB 97 which requires a lead agency to prepare a greenhouse gas emission analysis as part of the CEQA document.

[23] State of California Department of Conservation (DOC), CGS Information Warehouse: Landslides, http://maps.conservation.ca.gov/cgs/informationwarehouse/, accessed October 26, 2017.

## Discussion

*a) Would the proposed project generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?*

The proposed project seeks to promote practices that would reduce GHG emissions in accordance with Assembly Bill 32, Senate Bill 32, and Senate Bill 375. The AT/SRTS Plan, WMP, and Zoning Ordinance amendments would not result in direct or indirect population or employment increases. Therefore, these plans would not generate additional GHG emissions. Furthermore, the AT/SRTS Plan would serve to reduce vehicle trips by improving the pedestrian and bicycle network and encouraging alternate modes of travel. The EDP includes policies that would encourage the development of non-residential uses in areas already designated for such uses. As such, there would not be any additional GHG emissions that would result from the proposed project. In addition, the proposed General Plan 2035 Policy CIR-2.1 directs the City to design new roadways and retrofit existing roadways to encourage travel by walking, bicycling, and riding transit. Any future developments would be subject to statewide measures to reduce GHG emissions. While some GHG emissions would result from construction activities associated with implementation of the proposed project, these construction activities would be temporary. Therefore, with respect to the generation of GHG emissions, a *less-than-significant* impact would result.

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

The City of Avenal does not have a standalone GHG reduction plan. The cities of Avenal and Hanford, with grant facilitation by Kings County Association of Governments, participated in a collaborative planning effort to develop a Regional Climate Action Plan. The Final Regional Climate Action Plan was accepted by the City of Avenal on May 8, 2014.[24]

This Plan identified cost-effective measures to reduce greenhouse gas emissions. To meet the target of 15 percent below 2005 levels by 2020 (or 889,783 MT CO2e in 2020), the region will need to reduce its GHG emissions by 11 percent (or 110,559 MT CO2e) below the adjusted forecast through implementation of measures identified in the CAP. Collectively, the measures identified in the CAP have the potential to reduce GHG emissions within the region by 114,408 MT CO2e by 2020. This would bring 2020 emissions to 885,934 MT CO2e, which meets and slightly exceeds the necessary GHG reductions to meet the target.[25]

The proposed project is consistent with the approved CAP. For example, by recommending improvements to the transportation network which would increase the ease of travel for pedestrians and cyclists, project implementation has the potential to reduce the number of vehicle trips and thereby reduce GHG emissions. Implementation of the proposed project would not change land use designations and would

[24] Kings County Association of Governments, Climate Change, http://www.kingscog.org/climate, accessed on December 23, 2017

[25] Kings County Association of Governments, Regional Climate Action Plan pamphlet, accessed online at http://www.kingscog.org/vertical/sites/%7BC427AE30-9936-4733-B9D4-140709AD3BBF%7D/uploads/CAPInfoBrochure.pdf,December 23, 2017

not increase development potential in Avenal beyond what was previously considered. Therefore, implementation of the proposed project would not conflict with the approved CAP and would not obstruct the attainment of the goals associated with the reduction of GHG emissions.

# IX. Hazards and Hazardous Materials

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? | ❒ | ❒ | ■ | ❒ |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ❒ | ❒ | ■ | ❒ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school? | ❒ | ❒ | ■ | ❒ |
| d) Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, 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) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | ❒ | ❒ | ■ | ❒ |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ❒ | ❒ | ■ | ❒ |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | ❒ | ❒ | ■ | ❒ |

## General Plan 2025 EIR

Section 3.7, Hazards and Hazardous Materials, of the General Plan 2025 EIR, addresses potential impacts to hazards and hazardous materials associated with the proposed General Plan 2025. Impacts related to the creation of a hazard, hazardous emissions, and hazardous emissions site were found to be less than

significant. The General Plan 2025 EIR concluded no impact with conflicts with a public airport or private airstrip, or conflicts with an adopted emergency plan.

## Discussion

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

The proposed project is a policy-level document and does not propose any construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Potential future development in Avenal that could involve the transport of hazardous materials would be required to adhere to State and federal regulations of hazardous materials, as well as to existing City hazardous materials regulations in the Avenal Zoning Ordinance, would help reduce the exposure to hazardous materials. According to Section 9.30.01, a conditional use permit is required for any industrial use that utilizes or processes liquids or solids that are obnoxious or are hazardous. Additionally, Section 9.30.11, requires a 10 foot landscape easement between industrial zoning districts that abut any residential land use designation.

The proposed General Plan 2035 includes the following policies which would serve to prevent injury and damage from the release of hazardous materials:

- Policy SAF-3.1 directs the City to limit the location of hazardous material producers and users to areas in the community that will not negatively impact residential areas.
- Policy SAF-3.2 directs the City to require producers and users of hazardous materials in Avenal to conform to all State and federal regulations regarding the production, disposal, and transportation of these materials.
- Policy SAF-3.3 directs the City to work with the county, State, agribusiness and agricultural worker organizations to ensure that agricultural use of pesticides and fertilizers do not negatively affect public health and safety.
- Policy SAF-3.4 directs the City to require site assessment for hazardous and toxic soil contamination prior to approving development, based on land use history and when deemed necessary.

Since land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed General Plan policies listed above would minimize the effects from hazardous materials, impacts would be *less than significant*.

*b) Would the proposed 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?*

As described under Criterion (a), the proposed project does not include construction or operation of facilities that would have the potential to emit hazardous emissions or handle hazardous or acutely

hazardous materials. There could be short term construction-related impacts from future development projects. However, any impacts associated with the implementation of the proposed project would be subject to the Avenal Zoning Ordinance. Since land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed General Plan policies listed above under Criterion (a) in this section would minimize the effects from hazardous materials, impacts would be *less than significant*.

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

The proposed project is a policy-level document and does not propose any construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Any future potential development would occur in already built areas or areas currently designated for development. As described under Criterion (a), future development would be subject to State and federal regulations of hazardous materials, as well as to existing City hazardous materials regulations in the Avenal Zoning Ordinance that reduce the exposure to hazardous materials. Since land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed General Plan policies listed above under Criterion (a) in this section would minimize the effects from hazardous materials, impacts would be *less than significant*.

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

The proposed project is a policy-level document and does not propose and construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Any future potential development would occur in already built areas or areas currently designated for development and no sites with previously identified hazards materials would change as a result of the proposed project. There is one hazardous material site, as defined by Government Code Section 65962.5, within the Study Area. This site, located on the corner of Union Street and Kern Street, consists of an approximately 12-acre site that was previously used for dry crop farming of wheat and barley. A preliminary environmental assessment completed in June 2000 found that the soils samples contained concentrations of organochloride pesticides and metals below the approved detection limits.[26] Potential future development on this site would be subject to existing federal and State regulations.

Since land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed General Plan Policy SAF-3.4 directs the City to require site assessment for hazardous and toxic soil contamination prior to approving development, based on land use history and when deemed necessary would minimize the effects from

26 California Department of Toxic Substances Control (DTSC), EnviroStor, http://envirostor.dtsc.ca.gov/public, accessed October 30, 2017.

hazardous materials. In addition, the US EPA provides oversight and supervision for site investigations and remediation projects, and has developed land disposal restrictions and treatment standards for the disposal of certain hazardous wastes. US EPA oversight, combined with the implementation of the proposed General Plan 2035, would result in a *less than significant* impact.

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

There are no public airports within the Study Area; accordingly the proposed project would have *no impact* in this respect.

*f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

The Avenal Airport is located in the southwest portion of the Study Area along State Route 33. None of the potential physical changes that are expected to result from the proposed project would have any impact on the Avenal Airport. Therefore, the proximity of the airport to the Study Area would not result in a safety hazard for people residing or working in the Study Area. Accordingly, a *less-than-significant* impact would result.

*g) Would the proposed 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. The proposed project includes the following policies that would prevent new projects from interfering with emergency response of evacuation plans:

- Policy SAF-1.1 directs the City to coordinate responses with nearby local and regional agencies in the event of a local or regional natural or manmade disaster.
- Action SAF-1.1 A directs the City to maintain emergency preparedness, including evacuation procedures, to address potential natural and manmade hazards, and to develop these procedures in coordination with Kings County's emergency operations plans.
- Action SAF-1.1B directs the City to continue to enforce and participate in updates to the Kings County Multi-Jurisdictional Multi-Hazard Mitigation Plan as periodically updated.
- Action SAF-1.1C directs the City to develop programs to support vulnerable populations during and in advance of emergency events, including ensuring that vulnerable individuals are aware of ongoing or pending emergency situations, have sufficient supplies of vital items such as food and medicine, and are able to evacuate to safe locations as needed.
- Action SAF-1.1F directs the City to work with emergency service providers to implement post-disaster recovery plans to return public services to a state of normalcy, address ongoing hazard-specific mitigations, and assist community members in recovering from disasters.

- Policy SAF-1.2 directs the City to require development projects within the city address all environmental hazards, including potential flooding and impacts from agricultural practices.

The proposed project is a policy-level document and does not propose any construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Any future potential development would occur in already built areas or areas currently designated for development. Since land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed General Plan policies listed above would support rather the implementation of the EOP, impacts would be *less than significant*.

*h) Would the proposed project expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped fire threat potential throughout California.[27] CAL FIRE ranks fire threat based on the availability of fuel and the likelihood of an area burning (based on topography, fire history, and climate). The rankings include no fire threat, moderate, high, and very high fire threat. As shown in Figure 5-5, the Study Area is designated by CAL FIRE as having a high fire threat along the northeastern border of the urbanized area of the City and moderate fire threat in the open space areas.[28] The proposed General Plan 2035 includes policies that would protect the community from fire dangers. Specifically:

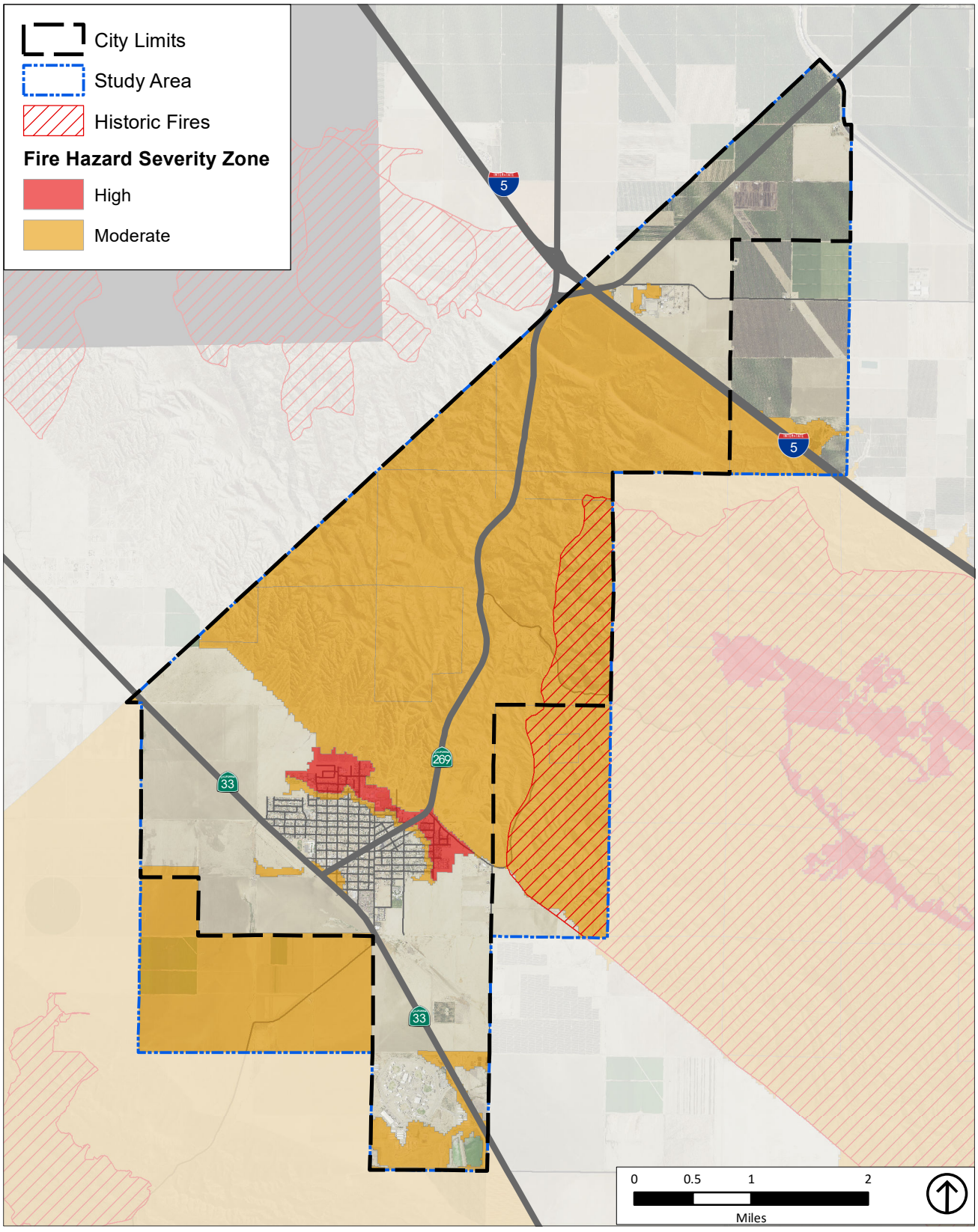
- Policy SAF-2.1 directs the City to maintain an effective and well-trained Fire Department that will protect the community from fire dangers.
- Policy SAF-2.2 directs the City to coordinate fire protection services with Kings County and neighboring communities, including following the Kings County Multi-Jurisdictional Multi-Hazard Mitigation Plan and consideration of mutual aid and instant aid agreements, to ensure the maximum level of protection for all residences, commercial establishments, and industries within the planning area.
- Policy SAF -2.3 directs the City to maintain a fire service response goal for the urbanized area of Avenal of five minutes from "tone-out" to arrival on scene.
- Policy SAF-2.4 directs the City to require development to meet required fire standards, particularly in regard to essential public facilities.
- Policy SAF-2.5 directs the City to encourage the installation of fire safety devices in all residences and require such installation at the time of original construction, remodeling or expansion.

[27] California Department of Forestry and Fire Protection (CAL FIRE), http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones_development.php, accessed November 2, 2017.

[28] California Department of Forestry and Fire Protection (CAL FIRE), http://frap.fire.ca.gov/webdata/maps/kings/fhszs_map.16.pdf, accessed November 2, 2017.

- Policy SAF-2.6 directs the City to require built-in fire protection systems (i.e. sprinklers) for all new buildings, excluding single-family units, located outside of a maximum response time of five minutes or a maximum travel distance of two miles from the nearest fire station.
- Policy SAF-2.7 directs the City to ensure that new development provides for adequate fire equipment access and, where appropriate, includes the use of fire-resistant landscaping and building materials.

Adherence to the aforementioned proposed General Plan 2035 polices in combination with the low relative fire risk would serve to minimize the risk of wildland fires in the Study Area. Therefore a *less-than-significant* impact would result.




Source: CAL FIRE, 2017; ESRI, 2017; City of Avenal, 2017; PlaceWorks, 2017.

Figure 5-5
Wildfire Hazard Severity Zones and Historic Fires

# X. Hydrology and Water Quality

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| a) Violate any water quality standards or waste discharge requirements? | ❒ | ❒ | ■ | ❒ |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a significant lowering of the local groundwater table level? | ❒ | ❒ | ■ | ❒ |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | ❒ | ❒ | ■ | ❒ |
| d) 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 which would result in flooding on- or off-site? | ❒ | ❒ | ■ | ❒ |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems? | ❒ | ❒ | ■ | ❒ |
| f) Otherwise substantially degrade water quality? | ❒ | ❒ | ■ | ❒ |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | ❒ | ❒ | ❒ | ■ |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | ❒ | ❒ | ■ | ❒ |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | ❒ | ❒ | ■ | ❒ |
| j) Inundation by seiche, tsunami, or mudflow? | ❒ | ❒ | ❒ | ■ |

## General Plan 2025 EIR

Section 3.8, Hydrology and Water Quality, of the General Plan 2025 EIR, addresses potential impacts to hydrology and water quality associated with the proposed General Plan 2025. Impacts related to depletion of groundwater, water quality standards, existing drainage, stormwater runoff exceeding the system, and the exposure of people or structures to a risk of flooding and seiche, tsunami, and mudflow inundation were found to be less than significant. The General Plan 2025 EIR concluded no impact with respect to the degradation of water quality.

## Discussion

*a) Would the proposed project violate any water quality standards or waste discharge requirements?*

The proposed project largely represents changes in policy and does not contain any specific development projects. The AT/SRTS Plan proposes improvements to the pedestrian and bicycle network to encourage walking and biking in Avenal. The EDP includes policies to encourage non-residential development in Avenal. Similarly, the WMP and Zoning Ordinance amendments provide additional regulation and guidance for new development, but would not generate any specific development projects that would have the potential to violate water quality standards or waste discharge requirements. In addition, the proposed General Plan 2035 includes the following policies and actions which serve to protect water quality:

- Policy NR-1.6 directs the City to maintain and improve water quality in a way that provides public and environmental health benefits.
- Action NR-1.6A directs the City to continue to monitor the City's water resources on a regular basis to test for bacteriological and toxic chemical components, in order to protect human health.
- Policy NR-1.9 directs the City to consult with appropriate regional, State, and federal agencies to monitor water quality and address local sources of groundwater and soil contamination, including possible underground storage tanks, septic tanks, and industrial uses, as necessary, to achieve State and federal water quality standards.
- Policy LU-8.8 directs the City to encourage industries which demonstrate minimum air and water quality impacts, and greenhouse gas reductions, and prohibit air and water quality impacts which cannot be offset, in order to achieve a high-quality natural environment which cannot be offset.

Since land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed General Plan policies listed above would minimize the effects of water pollution, impacts would be *less than significant*.

*b) Would the proposed project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a significant lowering of the local groundwater table level?*

The proposed project is a policy-level document and does not propose any construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Any future potential development would occur in already built areas or areas currently designated for development and would not require additional long-term groundwater supplies and thus, would not have an impact on groundwater supplies or groundwater recharge. The City of Avenal does not pump water to supplement the water supply due to its high concentration of sulfate, nitrates, and sodium. However, the City does pump a variable amount of groundwater from an existing City well to provide irrigation water for the Avenal Sports Complex. In addition, the proposed General Plan 2035 includes the following polices that would serve to protect groundwater supplies in the City of Avenal:

- Policy NR-1.1 directs the City to protect aquifer recharge features and areas of important aquifers from degradation of water quality and reduction of recharge.
- Policy NR-1.2 directs the City to allow for adequate groundwater recharge by developing storm pond and retention basins where feasible. In some areas these ponds or basins can be incorporated into recreational areas or used as wildlife habitat areas.
- Policy NR-1.7 directs the City to encourage new and substantially retrofitted development to incorporate natural drainage strategies, to the greatest extent feasible, in order to reduce stormwater runoff, improve infiltration to replenish groundwater sources, reduce localized flooding, and reduce pollutants close to their source.
- Policy NR-1.9 directs the City to consult with appropriate regional, State, and federal agencies to monitor water quality and address local sources of groundwater and soil contamination, including possible underground storage tanks, septic tanks, and industrial uses, as necessary, to achieve State and federal water quality standards.

Since land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed General Plan policies listed above would protect groundwater, impacts would be *less than significant*.

*c) – d) Would the proposed 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 which would result in substantial erosion or siltation on- or off-site or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

The proposed project is a policy-level document and does not propose any construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Any future potential development would occur in already built areas or areas currently designated for development. Consequently, the proposed project would not involve the alteration of the course of an existing stream or river.

The proposed General Plan 2035 includes Policy SAF-2.17 which directs the City to prohibit new development in natural drainage channels and in flood zones through existing City site plan review procedures, and Policy LU-9.3 which directs the City to consider the use of permeable paving and natural drainage swales for new industrial development. Additionally, the proposed General Plan 2035 includes the following policies and actions which serve to prevent flooding:

- Policy LU-12.4 directs the City to limit development of sensitive or constrained lands (i.e., hillsides, floodpains, and steep slopes).
- Policy SAF-2.12 directs the City to require new residential development, including mobile homes, to be constructed so that the lowest floor is at least 12 inches above the 100-year flood level.
- Policy SAF-2.15 directs the City to implement FEMA regulations and design guidelines to address 100-year flood events, and require adequate storm drainage facilities to prevent flooding within the community.

- Action SAF-2.15A directs the City to identify and review on an annual basis areas of the city that may accommodate floodwater for purposes of groundwater recharge and stormwater management.
- Policy SAF-2.16 directs the City to monitor changes in flood frequency and intensity, and revise design guidelines in response to changes in flood-prone areas.
- Policy SAF-2.17 directs the City to prohibit new development in natural drainage channels and in flood zones through existing City site plan review procedures.

The proposed WMP includes best management practices to manage, conserve, and enhance existing water supplies. Furthermore, future projects would be subject to General Construction Permit regulations issued by the State Water Resources Control Board (SWRCB) to prevent impacts from water runoff. Adherence to existing policies and regulations would ensure that project implementation would not result in substantial erosion of siltation. Since land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed General Plan policies listed above as well as best management practices in the WMP would minimize runoff, impacts related to erosion and flooding would be less than significant.

*e) Would the proposed project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems?*

As stated throughout this Initial Study, the proposed project does not introduce new development potential beyond what was previously analyzed in the General Plan 2025 EIR. Subsequently, no new impact would occur. Potential future projects in Avenal are subject to Section 9.64.19 of the Avenal Municipal Code, which requires project applicants to implement stormwater best management practices into the landscape and grading design plans. The proposed General Plan 2035 also includes Policy NR-1.7 which directs the City to encourage new and substantially retrofitted development to incorporate natural drainage strategies, to the greatest extent feasible, in order to reduce stormwater runoff, and Policy SAF-2.15 which directs the City to implement FEMA regulations and design guidelines to address 100-year flood events, and require adequate storm drainage facilities to prevent flooding within the community.

Since land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed General Plan policies listed above would minimize runoff, impacts related to stormwater capacity would be *less than significant*.

*f) Would the proposed project otherwise substantially degrade water quality?*

The proposed project largely represents changes in policy and does not contain any specific development projects. As previously discussed under Criterion (a) in this section, the proposed General Plan 2035 includes policies and actions to protect water quality in the Study Area. In addition, the proposed WMP includes best management practices to manage, conserve, and enhance existing water supplies. These guidelines and proposed General Plan 2035 policies would ensure project implementation does not substantially degrade water quality. Therefore, impacts would be *less than significant*.

*g) – h) Would the proposed project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, or place structures within a 100-year flood hazard area which would impede or redirect flood flows?*

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, southern and northern portions of the Study Area are within the 100-year flood hazard area.[29] Any future potential development as a result of the proposed project would occur in already built areas or areas currently designated for development. Therefore, the proposed project does not introduce new development potential to the areas designated with a 100-year flood hazard. In addition, the proposed project does not introduce new housing to Avenal; therefore, *no impact* would result.

The proposed General Plan 2035 includes the following policies to prevent hazards related to flooding:

- Policy SAF-2.12 directs the City to require new residential development, including mobile homes, to be constructed so that the lowest floor is at least 12 inches above the 100-year flood level.
- Policy SAF-2.13 directs the City to require non-residential development to be anchored and flood-proofed to prevent damage from the 100-year flood, alternatively, elevated to at least 12 inches above the 100-year flood level.
- Policy SAF-2.14 directs the City to continue to participate in the National Flood Insurance Program. To this end, ensure that City regulations are in full compliance with standards adopted by the Federal Emergency Management Agency.
- Policy SAF-2.15 directs the City to implement FEMA regulations and design guidelines to address 100-year flood events, and require adequate storm drainage facilities to prevent flooding within the community.
- Policy SAF-2.16 directs the City to monitor changes in flood frequency and intensity, and revise design guidelines in response to changes in flood-prone areas.
- Policy SAF-2.17 directs the City to prohibit new development in natural drainage channels and in flood zones through existing City site plan review procedures.
- Policy SAF-2.18 directs the City to prohibit development of essential public facilities, including hospitals, health care facilities, and emergency centers, outside of flood hazard zones.
- Policy SAF-2.19 directs the City to continue to cooperate with Kings County and other nearby jurisdictions to coordinate responsibilities for flood protection.

Since land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed General Plan policies listed above would minimize the effects of flooding hazards, impacts would be *less than significant.*

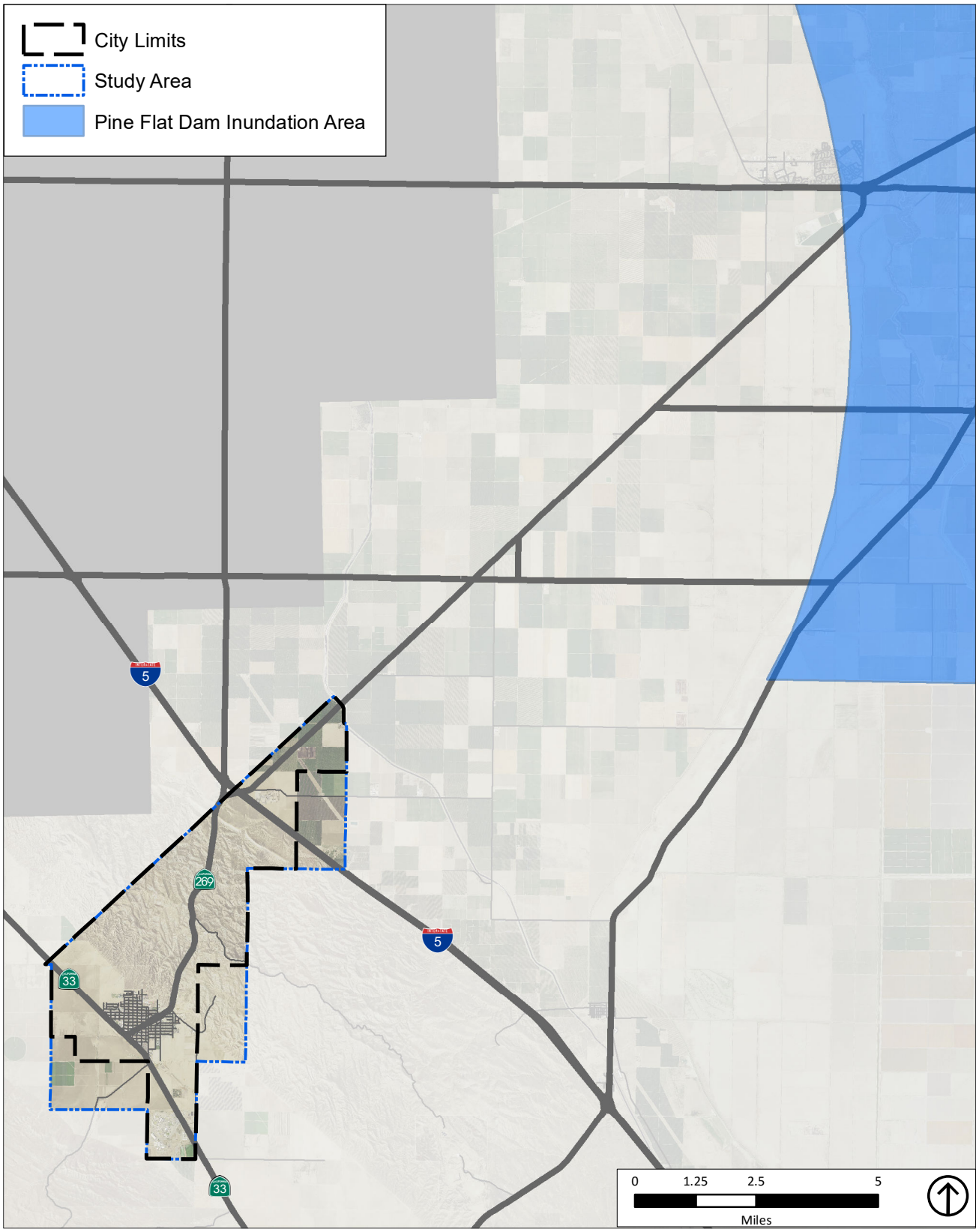
[29] Federal Emergency Management Agency (FEMA), 2016. Flood Insurance Rate Map.

*i) Would the proposed project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

As shown on Figure 5-6, the city of Avenal is not located within a dam inundation zone. In addition, as discussed under Criterion (h) in this section, the proposed General Plan 2035 includes policies that serve to protect Avenal residents and structures form flooding risks. Therefore, a *less-than-significant* impact would occur.

*j) Would the proposed project be inundation by seiche, tsunami, or mudflow?*

The City of Avenal is located in western Kings County and is not near an ocean, lake, or other body of water. Accordingly, Avenal is not subject to inundation by seiche or tsunami. Additionally, given the flat topography of the urbanized portion of the City, mudflow is not a threat. Therefore, *no impact* would occur.




Source: Federal Emergency Management System (FEMA), 2016; ESRI, 2017; City of Avenal, 2017; PlaceWorks, 2017.

Figure 5-10
Dam Inundation Areas

# XI. Land Use and Planning

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| a) Physically divide an established community? | ❒ | ❒ | ❒ | ■ |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | ❒ | ❒ | ❒ | ■ |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | ❒ | ❒ | ❒ | ■ |

## General Plan 2025 EIR

Section 3.9, Land Use and Planning, of the General Plan 2025 EIR, addresses potential impacts to land use and planning associated with the proposed General Plan 2025. The General Plan 2025 EIR concluded no impact with respect to the division of an established community, conflict with a habitat or natural community conservation plan, or conflict with applicable plans, policies, and regulations.

## Discussion

*a) Would the proposed project physically divide an established community?*

Under the proposed project, the existing land use pattern would continue unchanged. The project does not propose new types of land uses within the city limits or SOI, nor does it propose construction or features which could physically divide a community. The proposed General Plan 2035 Policy LU-2.1 directs the City to provide for an orderly and efficient transition from rural to urban land uses, and Policy LU-2.6 directs the City to provide for orderly growth and development patterns through the designation of growth boundaries to be phased over time. Additionally, implementation of the AT/SRTS Plan would serve to increase connectivity in Avenal with improved bicycle and pedestrian infrastructure. The proposed EDP, and the WMP do not include policies that would divide the existing community, but rather includes a series of recommendations to promote economic stability and manage, conserve, and enhance existing water supplies, respectively. Therefore, *no impact* would occur.

*b) Would the proposed project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

The proposed General Plan 2035 would be the primary long-range planning document for the City of Avenal. Once adopted, it would supersede the existing General Plan 2025. Upon project approval, the EDP and Zoning Ordinance amendments would be in conformance with the proposed General Plan 2035, once

adopted. The AT/SRTS Plan and WMP do not include provisions that would be in conflict with any land use plan, policy, or regulations of an agency with jurisdiction over the project. Therefore, *no impact* would occur.

*c) Would the proposed project conflict with any applicable habitat conservation plan or natural community conservation plan?*

There are no applicable habitat conservation plans or natural community conservation plans in the vicinity of the Study Area. Therefore, *no impact* would occur.

# XII. Mineral Resources

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

## General Plan 2025 EIR

Section 3.10, Mineral Resources, of the General Plan 2025 EIR, addresses potential impacts to mineral resources and mining operations associated with the proposed General Plan 2025. The General Plan 2025 EIR concluded no impact with respect to the loss of availability of known valuable mineral resources or to a locally important mineral resource recovery site.

## Discussion

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

The California Department of Conservation, Geological Survey classifies lands into Aggregate and 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.[30] The State has not

[30] Public Resources Code (PSC), Division 2, Geology, Mines, and Mining, Chapter 9, Surface Mining and Reclamation Act of 1975, Article 4, State Policy for the Reclamation of Mined Lands, Section 2762(a)(1).

identified any mineral resources within the Avenal Planning Area. Therefore, *no impact* to mineral resources would result.

However, oil and gas resources have been identified in and extracted from portions of the Planning Area. Oil and gas production began in the Avenal region in the early 1900s. The petroleum reserves are located within Tertiary sedimentary rocks of the San Joaquin, Temblor, and Kreyenhagen formations. The principal active petroleum resource fields include the Kettleman Middle and North Dome, which are partially within Avenal's City limits. This area contains active, idle and abandoned oil and gas wells, and abandoned non-producing ("dry") exploratory wells. The California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) maintains records of the location and details of construction and abandonment of all oil and gas wells. Although significant volumes of oil and gas have been produced in the past, overall production has been in decline within Kings County for the last 40 years.[31]

The proposed General Plan 2035 Policy NR-7.3 directs the City to encourage the development of oil and gas energy sources provided that they do not degrade environmental quality. Implementation of this policy would support continued environmentally responsible extraction of oil and gas resources.

In addition, oil and gas extraction is an allowed use within the Agriculture designation, which is the designation applied to the Kettleman Middle and North Dome area. Therefore, *no impact* to oil and gas resources would occur.

## XIII. Noise

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | ❒ | ❒ | ■ | ❒ |
| b) Exposure of persons to or generation of excessive groundborne vibration or ground borne noise levels? | ❒ | ❒ | ■ | ❒ |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | ❒ | ❒ | ■ | ❒ |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | ❒ | ❒ | ■ | ❒ |

[31] Kings County General Plan EIR, pages 4.6-11 and 4.6-13 https://www.countyofkings.com/home/showdocument?id=5897. Accessed online November 29, 2017

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | ❒ | ❒ | ❒ | ■ |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | ❒ | ❒ | ■ | ❒ |

## General Plan 2025 EIR

Section 3.11, Noise, of the General Plan 2025 EIR, addresses potential impacts related to noise associated with the proposed General Plan 2025. Impacts related to noise levels in excess of standards were found to be less than significant. The General Plan 2025 EIR concluded no impact with respect noise levels from a public or private airport. Impacts related to groundborne noises and increases in ambient noise levels in the project vicinity were found to be potentially significant and require the City to implement Mitigation Measures 3.11.2.1 and 3.11.2.3. Implementation of Mitigation Measure 3.11.2.1 would reduce impacts to a less-than-significant level by requiring City to review new public and private development proposals to determine conformance with the noise related policies and requiring projects to prepare and acoustical analysis. Mitigation Measure 3.11.2.3 would reduce impacts to a less-than-significant level by requiring projects to limit construction activities to the hours between 7:00 a.m. and 9:00 p.m. on weekdays, and between 8:00 a.m. and 9:00 p.m. on Saturday and Sunday.

## Discussion

*a) Would the proposed project expose people to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

The proposed project is a policy-level document and does not propose any construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Accordingly, the proposed General Plan 2035, EDP, AT/SRTS Plan, WMP, and Zoning Ordinance amendments would not add any new sources of noise. Furthermore, implementation of the pedestrian and bicycle network improvements outlined in the AT/SRTS Plan has the potential to reduce vehicle trips and vehicular noise by encouraging alternate modes of travel. To ensure future development does not lead to increase in ambient noise, the proposed General Plan 2035 includes the following policies to avoid noise impacts:

- Policy SAF-5.1 directs the City to prevent incompatible land uses from encroaching upon existing or planned noise-producing uses.
- Policy SAF-5.2 directs the City to prevent noise producing uses from encroaching upon existing or planned noise-sensitive uses.

- Policy SAF-5.3 directs the City to require effective mitigation measures be incorporated into the design of residential projects to reduce exterior noise levels to 65 dB Ldn (or CNEL) or less and 45 dB Ldn (or CNEL) or less within interior living spaces within 65 dB Ldn existing or future noise contours.
- Policy SAF-5.4 directs the City to require all City-purchased equipment and vehicles purchased to comply with noise level performance standards consistent with the best available noise reduction technology.
- Policy SAF-5.5 directs the City to encourage noise control primarily through thoughtful site design methods. Secondarily, encourage noise control through the use of artificial noise barriers.
- Policy SAF-5.6 directs the City to require an acoustical analysis prior to the approval of a proposed development in a noise impacted area (defined as greater than 65 dB Ldn (or CNEL) at the exterior of the building), or the development of an industrial, commercial or other noise generating land use in or near an area containing existing or planned noise sensitive land uses.
- Policy SAF-5.8 directs the City to regulate noise created by temporary activities such as construction, required services, or special events through the Municipal Code. Limit temporary noise to the shortest duration possible and limited to time periods that will have the least possible adverse impact on surrounding land uses.

Since, as previously described, land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed policies listed above would ensure noise future development does not lead to increase in ambient noise levels, impacts would be *less than significant*.

*b) Would the proposed project expose people to or generation of excessive groundborne vibration or ground borne noise levels?*

Construction operations can generate varying degrees of ground vibration, depending on the construction procedures and equipment. Operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source.

As discussed under Criterion (a) of this section, the EDP, AT/SRTS Plan, WMP, and Zoning Ordinance amendments would not add any new sources of noise. Potential future development under the proposed project would be required to comply with Section 5-18.02 of the Avenal Municipal Code, which prohibits unnecessary noise or sounds within any residential and non-residential zone. In addition, the aforementioned policies listed under Criterion (a) of this section in the proposed General Plan 2035 would prevent or reduce the potential for exposure of residents and visitors to excessive groundborne vibration or noise levels. Adherence to the regulatory framework and implementation of the proposed General Plan 2035 policies listed under Criterion (a) of this section would ensure impacts would be *less than significant* level.

*c) Would the proposed project create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

As discussed under Criterion (a) in this section, the proposed project would not result in a substantial permanent increase in ambient noise levels. Therefore, impacts would be *less than significant*.

*d) Would the proposed project create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

As discussed under Criterion (a) in this section, the proposed project is a policy-level document and does not propose any construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. Construction of potential future development resulting from project implementation could temporarily increase the ambient noise environment in the vicinity of each future development project, potentially affecting existing and future sensitive uses in the vicinity. All future development would be required to comply with Section 5-18.02 of the Avenal Municipal Code which prohibits unnecessary noise or sounds within any residential and non-residential zone. Furthermore, the proposed General Plan 2035 includes Policy SAF-5.6 which directs the City to require an acoustical analysis prior to the approval of a proposed development in a noise impacted area (defined as greater than 65 dB Ldn (or CNEL) at the exterior of the building), or the development of an industrial, commercial or other noise generating land use in or near an area containing existing or planned noise sensitive land uses, and Policy SAF-5.8 which directs the City to regulate noise created by temporary activities such as construction, required services, or special events through the Municipal Code. Adherence to the existing regulatory framework and implementation of the proposed General Plan 2035 policies would prevent or reduce construction-related noise impacts to a *less-than-significant* level.

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

There are no public airports within the Study Area; accordingly the proposed project would have *no impact* in this respect.

*f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

As discussed above in Section IX, Hazards and Hazardous Materials, the Avenal Airport is located in the southwest portion of the Study Area along State Route 33. The proposed project would not change existing land use designations within the airport zone, nor affect airport operations, and, therefore, would not increase noise levels experienced by existing residents in the vicinity of the Avenal airport. In addition, the proposed General Plan 2035 includes Policy SAF-5.1, which directs the City to prevent incompatible land uses from encroaching upon existing or planned noise-producing uses. As a result, impacts would be *less-than-significant*.

# XIV. Population and Housing

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

## General Plan 2025 EIR

Section 3.12, Population and Housing, of the General Plan 2025 EIR, addresses potential impacts related to population and housing associated with the proposed General Plan 2025. Impacts related to growth inducement or displacement of housing were found to be less than significant. The General Plan 2025 EIR concluded no impact with respect to the displacement of people.

## Discussion

*a) Would the proposed 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)?*

The proposed project includes General Plan 2035, which would replace the City's existing General Plan, AT/SRTS Plan, WMP, EDP, and Zoning Ordinance amendments. These policy documents do not include specific development projects and therefore would not result in direct population growth. The policy documents included in the proposed project provide a policy framework that would enable the City to accommodate growth that is already projected to occur in a way that minimizes the physical impacts of the growth. The proposed project would be considered to have a potential impact on population and housing if it would induce substantial population growth. Implementation of the proposed project would not result in increased development potential beyond what was previously analyzed in the General Plan 2025 EIR. Implementation of the proposed project would not affect this analysis. In addition, the proposed project does not make any changes to the City's adopted General Plan land use and zoning maps, which guide the amount, location, and type of population growth in Avenal. Accordingly, project implementation would not result in the extension of roads or any other infrastructure with the potential to induce substantial population growth that is not planned and managed through the policy documents themselves. Therefore, *no impact* would result in this respect.

*b) – c) Would the proposed project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere, displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

The proposed project does not entail specific development projects and would not displace housing or people, necessitating the construction of replacement housing elsewhere. Future development allowed under the proposed General Plan 2035 would include additional residential development on residentially-designated parcels in and adjacent to existing neighborhoods. In general, housing and population would be expected to increase under the proposed project, rather than decrease. Therefore, *no impact* would occur in this respect.

# XV. Public Services

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| Fire protection? | ❒ | ❒ | ■ | ❒ |
| Police protection? | ❒ | ❒ | ■ | ❒ |
| Schools? | ❒ | ❒ | ■ | ❒ |

## General Plan 2025 EIR

Section 3.13, Public Services, of the General Plan 2025 EIR, addresses potential impacts related to public services associated with the proposed General Plan 2025. Impacts related to fire services, police services, recreational services, and schools were found to be less than significant.

## Discussion

*a) Would the proposed project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services including, fire and police protection, schools, parks and libraries?*

As discussed above in Section XIV, Population and Housing, the proposed project would not entail direct or indirect population growth that would increase demand for public services. The proposed project is a policy-level document and does not propose and construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. As such, there would not be an additional demand on public services. Therefore, *no impact* would result from the proposed project with respect to public services.

# XVI. Recreation

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

## General Plan 2025 EIR

Section 3.14, Recreation, of the General Plan 2025 EIR, addresses potential impacts related to recreational facilities associated with the proposed General Plan 2025. Impacts related to recreational facilities were found to be less than significant.

## Discussion

*a) Would the proposed 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?*

As discussed above in Section XIV, Population and Housing, the proposed project would not result in any direct or indirect growth. Accordingly, the proposed project would not directly increase the number of potential users of the recreation network in Avenal. Therefore, the proposed project would have a *less-than-significant* impact to existing parks and recreation facilities.

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

As discussed above in Section XIV, Population and Housing, the proposed project would not entail direct or indirect population growth that would increase demand for public services. The proposed project is a policy-level document and does not propose any construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. As such, there would not be an additional demand on recreational services. In addition, potential future development would be required to undergo separate environmental review. Therefore, *no impact* would occur.

# XVII. Transportation and Circulation

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | ❒ | ❒ | ❒ | ■ |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | ❒ | ❒ | ❒ | ■ |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | ❒ | ❒ | ❒ | ■ |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ❒ | ❒ | ❒ | ■ |
| e) Result in inadequate emergency access? | ❒ | ❒ | ❒ | ■ |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | ❒ | ❒ | ❒ | ■ |

## General Plan 2025 EIR

Section 3.15, Transportation and Traffic, of the General Plan 2025 EIR, addresses potential impacts related to traffic generation associated with the proposed General Plan 2025. Impacts related to inadequate emergency access and inadequate parking were found to be less than significant. The General Plan 2025 EIR concluded no impact with respect changes in air traffic patterns and conflicts with policies supporting alternative transportation. Impacts related to increases in traffic and exceedance of established level of service standards were found to be potentially significant and require the City to implement Mitigation Measures 3.15.2.1 and 3.15.2.2. Implementation of Mitigation Measure 3.15.2.1 would reduce impacts to a less-than-significant level by requiring roadway improvements and install traffic signals at select intersections. Implementation of Mitigation Measure 3.15.2.2 would reduce impacts to a less-than-significant level by requiring roadway improvements as outlined in Mitigation Measure 3.15.2.1.

## Discussion

*a) Would the proposed project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*

The proposed project will have no new effect on the circulation system of Avenal as it will not increase development potential and would not directly or indirectly result in population growth. As such, implementation of the proposed project would not conflict with any applicable plan, ordinance or policy which establishes measures of effectiveness for the performance of the circulation system. Potential future development permitted as a result of the proposed project will allow for development where existing development occurs or is otherwise permitted. The proposed General Plan 2035 Circulation Element guides the development of the transportation system in Avenal and is the plan that establishes measures for the effectiveness of the circulation system. It includes policies that would serve to ensure safe and efficient travel for all modes of transportation. Specifically Policy CIRC-1.1 directs the City to maintain a roadway level of service (LOS) of C or better on local streets and Minor Collectors, and LOS of D or better for Collector and Arterial streets, unless improvements necessary to achieve LOS C would create unsafe conditions for pedestrians, cyclists, people with disabilities, and/or transit users. Consequently, impacts would be *less than significant*.

*b) Would the proposed project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*

As described under Criterion (a) of this section, the City of Avenal is not within a TMA and is not required to prepare a CMP. Therefore, *no impact* would result in this respect.

*c) Would the proposed project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

As discussed above, the Avenal Airport is located within the Study Area. However, none of the components of the proposed project would result in a change to air traffic patterns, including either an increase in traffic levels or a change in location that would result in substantial safety risks. Therefore, *no impact* would result in this respect.

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

The proposed project does not entail specific development projects that would substantially increase hazards due to a design feature. The proposed improvements outlined in the AT/SRTS Plan would serve to enhance the connectivity and safety of the bicycle and pedestrian network, and the proposed General Plan 2035 includes policies that would serve to enhance the roadway network for all modes of travel. Specifically Policy CIRC-6.1 would require physical safety improvements, such as re-paving, striping, signage, signals, lighting, and/or widening, at locations with the highest accident rates. Therefore, the proposed project would not substantially increase hazards, and *no impact* would result in this respect.

*e) Would the proposed project result in inadequate emergency access?*

The proposed project does not entail specific development projects that would have inadequate emergency access. The proposed General Plan 2035 includes Policy CIRC-2.2, which directs the City to preserve access for emergency vehicles, ensures that the City's program for emergency transportation services is coordinated with other local and regional jurisdictions and incorporates updated procedures and programs as appropriate. Accordingly, *no impact* would result in this respect.

*f) Would the proposed project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?*

The AT/SRTS Plan includes roadway improvements to enhance the connectivity and safety of the bicycle and pedestrian network in Avenal including new high-visibility crosswalks, installation of flashing beacons and calming measures to improve safety and visibility, expanded bikeway network, and new recreational multi-use paths/trails. In addition, the proposed General Plan 2035 includes the following policies that would encourage alternate modes of travel and promote safety for all uses:

- Policy CIRC-5.10 directs the City to require facilities for safe bicycle and pedestrian circulation in all new City projects and private development projects, following the design guidelines contained in the Active Transportation/Safe Routes to School (AT/SRTS) Plan, including short- and long-term bicycle parking facilities and internal bicycle and pedestrian routes, and require a maintenance plan for these facilities.
- Policy CIRC-5.11 directs the City to improve and expand the City's bikeway network to provide improved bicycle connectivity throughout the city based on the network and improvements identified in the AT/SRTS Plan. Accommodate cyclists on these identified streets by reconfiguring the street wherever possible.

- Policy CIRC-7.1 directs the City to incorporate features such as bus shelters, bus stops, and park and ride lots into the design of public and private development projects.
- Policy CIRC-7.5 directs the City to prioritize public transportation systems that are responsive to the needs of the commuter, seniors, people with disabilities, and disadvantaged communities.

Adherence to the aforementioned policies and project components would serve enhance the public transit, bicycle, and pedestrian facilities. Accordingly, project implementation would not eliminate any transit stop, or interfere with any bicycle, transit, or pedestrian facility. Therefore, *no impact* would result in this respect.

## XVIII. Utilities and Service Systems

| Would the proposed project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|---|---|---|---|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | ❒ | ❒ | ■ | ❒ |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ❒ | ❒ | ■ | ❒ |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ❒ | ❒ | ■ | ❒ |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | ❒ | ❒ | ■ | ❒ |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | ❒ | ❒ | ■ | ❒ |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | ❒ | ❒ | ■ | ❒ |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | ❒ | ❒ | ■ | ❒ |
| h) Result in a substantial increase in natural gas and electric service demands requiring new energy supply facilities and distribution infrastructure or capacity enhancing alternations to existing facilities? | ❒ | ❒ | ■ | ❒ |

## General Plan 2025 EIR

Section 3.16, Utilities and Service Systems, of the General Plan 2025 EIR, addresses potential impacts related to utilities and service systems associated with the proposed General Plan 2025. Impacts related to water supply, landfill capacity, and storm drainage facilities were found to be less than significant. The General Plan 2025 EIR concluded no impact with respect wastewater capacity and compliance with federal, State, and local solid waste regulations.

## Discussion

*a) Would the proposed project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

The Central Valley Regional Water Quality Control Board (CWRWQB) is the applicable Regional Water Quality Control Board for the Study Area. Wastewater treatment requirements for the Avenal wastewater treatment facility are set forth in CWRWQB Order Number 5-00-231 issued by the CWRWQB in 2000.[32] Discharges to sanitary sewers from industrial land uses and food service establishments are regulated so as not to damage the wastewater treatment facility. The EDP, AT/SRTS Plan, WMP, and Zoning Ordinance amendments do not have the potential to result in direct or indirect population growth which would increase wastewater flows. However, future development facilitated by the proposed project would be subject to discharge limits and other regulations, including Title 6, Sanitation and Health, of the Avenal Municipal Code which includes provisions regulating discharges to City sewers. In addition, the proposed General Plan 2035 Policy PSD-1.11 directs the City to require industrial sewage pretreatment for dischargers that have high biological treatment demands. Therefore, the proposed project would have a *less-than-significant* impact with respect to an exceedance of wastewater treatment requirements of the applicable CWRWQB.

*b) Would the proposed project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

The proposed project does not have the potential to result in direct or indirect population growth which would increase wastewater flows. The proposed project is a policy-level document and does not propose and construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. As such, there would not be an additional demand on the wastewater system beyond what was previously analyzed. In addition, the WMP includes best management practices to manage, conserve, and enhance existing water supplies. The proposed General Plan 2035 also includes Action PSF-1.12C, which directs the City to implement conditions of approval with each development to assure that the necessary sewer collection facility is in place and/or wastewater treatment plant capacity is available prior to issuance of a building permit, and Policy PSF-1.13 which directs the City to monitor treatment plant operations and consider the related

[32] California Regional Water Quality Control Board (RWQCB), Central Valley Region, Order Number 5-00-231, https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/kings/5-00-231.pdf, accessed November 6, 2017.

effects of land use changes when evaluating plan amendments. Accordingly, impacts would be *less than significant.*

*c) Would the proposed project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

The proposed project is a policy-level document and does not propose and construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR. The potential increases in impervious surfaces resulting from potential future development would not have the potential to increase the demand on the existing stormwater drainage facilities beyond what was identified in the General Plan EIR. None of the proposed changes to the Zoning Ordinance would affect existing regulations that apply to the construction of new stormwater drainage facilities or the expansion of existing facilities. The increase in impervious surface resulting from potential future development would not be beyond what the General Plan 2025 EIR anticipated and analyzed. In addition, the proposed General Plan 2035 Policy NR-1.7 directs the City to encourage new and substantially retrofitted development to incorporate natural drainage strategies, to the greatest extent feasible, in order to reduce stormwater runoff, improve infiltration to replenish groundwater sources, reduce localized flooding, and reduce pollutants close to their source. Therefore, impacts would be *less than significant* impact.

*d) Would the proposed project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

The proposed project is a policy-level document and does not propose and construction-level development, nor does the proposed project introduce any new development potential beyond what was identified in the General Plan 2025 EIR which would increase the need for water. The WMP includes best management practices to manage, conserve, and enhance existing water supplies. The proposed General Plan 2035 also includes the following policies to ensure adequate water supplies are available to serve existing and future development:

- Policy NR-1.4 directs the City to continue to enforce the provisions of the Amended Water Use Policy in order to ensure the City maintains an adequate supply of water.
- Policy NR-1.5 directs the City to encourage water conserving fixtures and appliances in new and existing development.
- Policy PSF-1.12 directs the City to require all development to have an adequate water supply. Require significant discretionary projects to demonstrate adequate long-term and sustainable water supplies by preparing a verified water supply assessment.

Since, as previously described, land use regulations would not be changed in a way that would increase impacts above what was analyzed in the General Plan 2025 EIR, and implementation of proposed policies listed above would ensure an adequate water supply, impacts would be *less than significant*.

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

As discussed above in Section XIV, Population and Housing, the proposed project would not induce population growth beyond what was analyzed in the General Plan 2025 EIR. Moreover, as discussed under Criteria (b) of this section, the proposed project would not significantly increase the amount of wastewater produced in the Study Area. Therefore, implementation of the proposed project would not impact the provision of wastewater treatment. Therefore, a *less-than-significant* impact would result.

*f) – g) Would the proposed project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs, or comply with federal, state, and local statutes and regulations related to solid waste?*

As discussed above in Section XIV, Population and Housing, the proposed project would not induce population growth beyond what was analyzed in the General Plan 2025 EIR. Therefore, the proposed project does not have the potential to result in direct or indirect population growth which would increase solid waste disposal. In addition, the proposed General Plan 2035 Policy PSF-2.10 directs the City to maintain innovative solid waste service and programs to reduce generation of solid waste and put less trash in landfills, and Policy PSF-2.11 directs the City to increase the effectiveness of existing recycling programs through public awareness and educational campaigns. Therefore, the proposed project would be in compliance with federal, State, and local solid waste regulations and would not generate new solid waste and impacts would be *less than significant*.

*h) Would the proposed project result in a substantial increase in natural gas and electric service demands requiring new energy supply facilities and distribution infrastructure or capacity enhancing alternations to existing facilities?*

The Study Area is served by existing PG&E distribution systems that would provide natural gas and electricity services. As discussed above, the proposed project would not result in new growth potential beyond what was analyzed in the General Plan 2025 EIR. Implementation of the proposed project would not affect this analysis. Accordingly, impacts would be *less than significant*.

# XIX. Mandatory Findings of Significance

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

## Discussion

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

As noted in Section IV, Biological Resources, Section V, Cultural Resources, and Section VI, Tribal Cultural Resources, the proposed project would not result in the degradation of fish or wildlife species, or eliminate important examples of California history or prehistory. Therefore, a *less-than-significant* impact would occur.

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

The proposed project would not have adverse impacts that are individually limited, but cumulatively considerable. Implementation of the recommendations contained in AT/SRTS Plan would serve to improve the pedestrian and bicycle network. The best management practices outlined in the WMP would serve to

manage, conserve, and enhance existing water supplies, and the policies in the proposed General Plan 2035 would serve to enhance efforts related to sustainability. Therefore, the project has the potential to result in positive rather than negative impacts within the Study Area. Accordingly, a *less-than-significant* impact would occur.

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

As discussed throughout this document, the proposed project would not have any environmental effects that would adversely affect humans either directly or indirectly. Implementation of the proposed project would have the potential to benefit the health and safety of the residents residing within the Study Area. Therefore, a *less-than-significant* impact would occur.

# 6. Report Preparation

This Initial Study was prepared by the following agency representatives and consultants.

## 6.1 AGENCY REPRESENTATIVES

### 6.1.1 LEAD AGENCY

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### 6.1.2 PRIME CONSULTANT

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## REPORT PREPARATION

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January 22, 2018

PLACEWORKS