

Attachment A

Notice of Preparation

NOTICE OF PREPARATION

To: State Clearinghouse
PO Box 3044/ 1400 Tenth St
Sacramento CA 95814

From: County of Tulare – RMA
5961 S Mooney Blvd
Visalia CA 93277

Date: December 4, 2018

Subject: Notice of Preparation of a Draft Environmental Impact Report and Scoping Meeting

Project Title: Woodville Landfill Expansion

Project Applicant: County of Tulare

Project Location: Approximately 3.60 miles N/E of Woodville, CA;
APNs 196-030-011, -012, and -006; and 196-040-006 (as expansion area);
APNs 196-040-002, -003, -004, and -005 (existing landfill area)
Section/Township/ Range: Portion of S35 & 36/T20S/R25E and
S25 & 26/T20S/R25E MDB&M


Tulare County Resource Management Agency (RMA) will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit(s) or other approval(s) for the project. In addition, please provide us with contact information of the person(s) in your agency that we may contact during the CEQA process.


The project description, location, and the potential environmental effects are contained in the attached materials.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

A scoping meeting is scheduled for **Thursday, December 13, 2018 at 11:00 a.m.** in the Main Conference Room of the Tulare County Resource Management Agency at the address shown above.

Please direct your response to Hector Guerra, Chief Environmental Planner at the address shown above. He may be contacted by e-mail at hguerra@co.tulare.ca.us or by telephone at 559-624-7121.

Signature:  Date: 11/30/18 Title: Chief Environmental Planner
Hector Guerra

Signature:  Date: 11/30/18 Title: Environmental Assessment Officer/
Reed Schenke, P.E. RMA Director

PROJECT DESCRIPTION: The full Project description, location, and identification of potential environmental effects are contained in the attached materials. In accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), the County of Tulare Resource Management Agency (RMA) will be preparing an Environmental Impact Report (EIR) to evaluate the environmental effects associated with the expansion of the existing 160-acre Woodville landfill by 240 acres. Combined, the landfill would encompass an area of approximately 400 acres. The currently unused portion of the existing landfill is vacant, unproductive land, while the proposed Project expansion area is predominantly under agriculturally productive row crops. This proposed Project is designed to anticipate and meet the demands/needs of increases in projected solid waste disposal of the County for the next 55 years.

As noted earlier, the Woodville Landfill Expansion EIR will analyze the landfill's expansion to approximately 400 total acres. Expanded operations include the following substantial modifications to the landfill:

- Expand the Woodville landfill northeast of the existing Waste Management Unit-1 (WMU-1) landfill site to two contiguous parcels of approximately 80-acres each located east of the existing landfill. The inclusion of the northeast 160 acres (formerly known as the Hanni property) will be designated as future WMU-3.
- Expand the Woodville landfill to a contiguous approximately 70-acre parcel north of the existing landfill.
- Relocate the landfill entrance scale and scale house, landfill gas flare, and operations facilities to the northernmost 70-acre parcel designated for operations.
- Include the northwest 10-acre parcel (APN 196-03-010, formerly known as the Thompson Property) for the Borrow/ Operations area, and possibly include a staff office (approximately 5,000 square feet) and composting facility (less than 50,000 cubic tons annually).
- Utilize approximately 80 unused acres of the currently permitted landfill disposal area in the southern portion of the landfill as WMU-2.
- Change operation floor from 282 feet above mean sea level (MSL) to approximately 270 feet above MSL in WMU-2 and WMU-3.
- Increase the permitted landfill capacity by approximately 14.0 million cubic yards for an overall capacity of the Woodville landfill to approximately 27.5 million cubic yards. The additional WMUs will be designated Class III landfill units and would extend the anticipated landfill closure date by 55 years (to approximately Year 2074).

As indicated earlier, the landfill would expand usage of approximately 320 acres beyond its current, active area and would extend its life for another 55 years. It is anticipated that daily

tonnage received, number of vehicles entering/exiting, landfill operations equipment, water usage, ancillary uses, etc., will not increase or decrease.

In addition to the proposed Project as described above, the Project is anticipated to maintain the current days and hours of operation (that is, 7:00 A.M. - 4:00 P.M., Monday through Friday; 8:00 A.M. - 4:00 P.M. Saturdays). It would be closed New Years Day, Memorial Day, July 4th, Labor Day, Thanksgiving, and Christmas. Daily tons per day are approximately 900 tons per day (tpd) although the site is permitted for 1,078 tpd. It is possible that tpd may increase or decrease following completion of an update to the Solid Waste Management Plan. Daily vehicles per day (vpd) are approximately 350 vpd, although the site is permitted for 489 vpd. It is possible that vpd may increase or decrease following completion of an update to the Solid Waste Management Plan. Approximately 1,700 pounds/day are transported to the Woodville and Visalia Landfills sites daily. Currently, approximately seventy percent (70%) is transported to Visalia (1,190 tpd) and 30% (510 tpd) is transported to Teapot Dome. Teapot Dome Landfill will be closed and the solid waste it receives would be transported to Woodville Landfill. All Tulare County landfills divert tires, metal, wood/green waste, C&D, and mattresses. Current regulation AB 939 requires 50% diversion of waste within the County's jurisdiction (i.e., unincorporated areas). AB 341 sets a "policy goal" of 75% diversion by 2020, but is not mandated. SB 383, which will be rolled-out in phases, targets organic waste going into landfills and will take effect on January 1, 2022. If composting is added to the operations, organic vegetative waste (e.g., wood, leaf and lawn clippings, tree trimmings, paper products, and food wastes) would be used as composting stock derived from incorporated and unincorporated areas. The public will continue to have access to Woodville Landfill (this is accounted for in the expected daily tonnage). The entrance/exit to access/egress the site will remain on Road 152, but will be relocated farther to the north than its present location. The majority of traffic would likely arrive from Avenue 192 or State Route 137. Minor traffic volumes are also anticipated to enter Road 152 from Avenues 208 and 224 (Bardsley Avenue).

Figures included in this Notice:

- Figure 1 – Regional and Vicinity Location
- Figure 2 - Existing Site Conditions
- Figure 3 – Proposed Site Layout Plan
- Figure 4 - Planned Unit 3 Final Landform Grades
- Figure 5 – Cross Sections

Potential Approvals Required:

The following agencies may have jurisdiction/interests concerning the proposed Project:

- California Department of Fish and Wildlife
- California Department of Forestry and Fire Protection (Cal Fire)
- California Department of Transportation (Caltrans)
- California Department of Toxic Substances Control
- California Department of Resources and Recycling and Recovery (Cal Recycle)

December 4, 2018
Notice of Preparation and Scoping Meeting
Woodville Landfill Expansion Project EIR

City of Porterville
City of Tulare
County of Tulare Health and Human Services Agency
County of Tulare Resource Management Agencies (Planning Branch, Public Works)
County of Tulare Solid Waste Department
Regional Water Quality Control Board
San Joaquin Valley Unified Air Pollution Control District
U.S. Fish and Wildlife Service
U.S. Army Corps of Engineers

If you require additional information related to this notice, please contact:

Hector Guerra, Chief Environmental Planner
hguerra@co.tulare.ca.us or at (559) 624-7121

Figure 1 - Regional and Vicinity Location

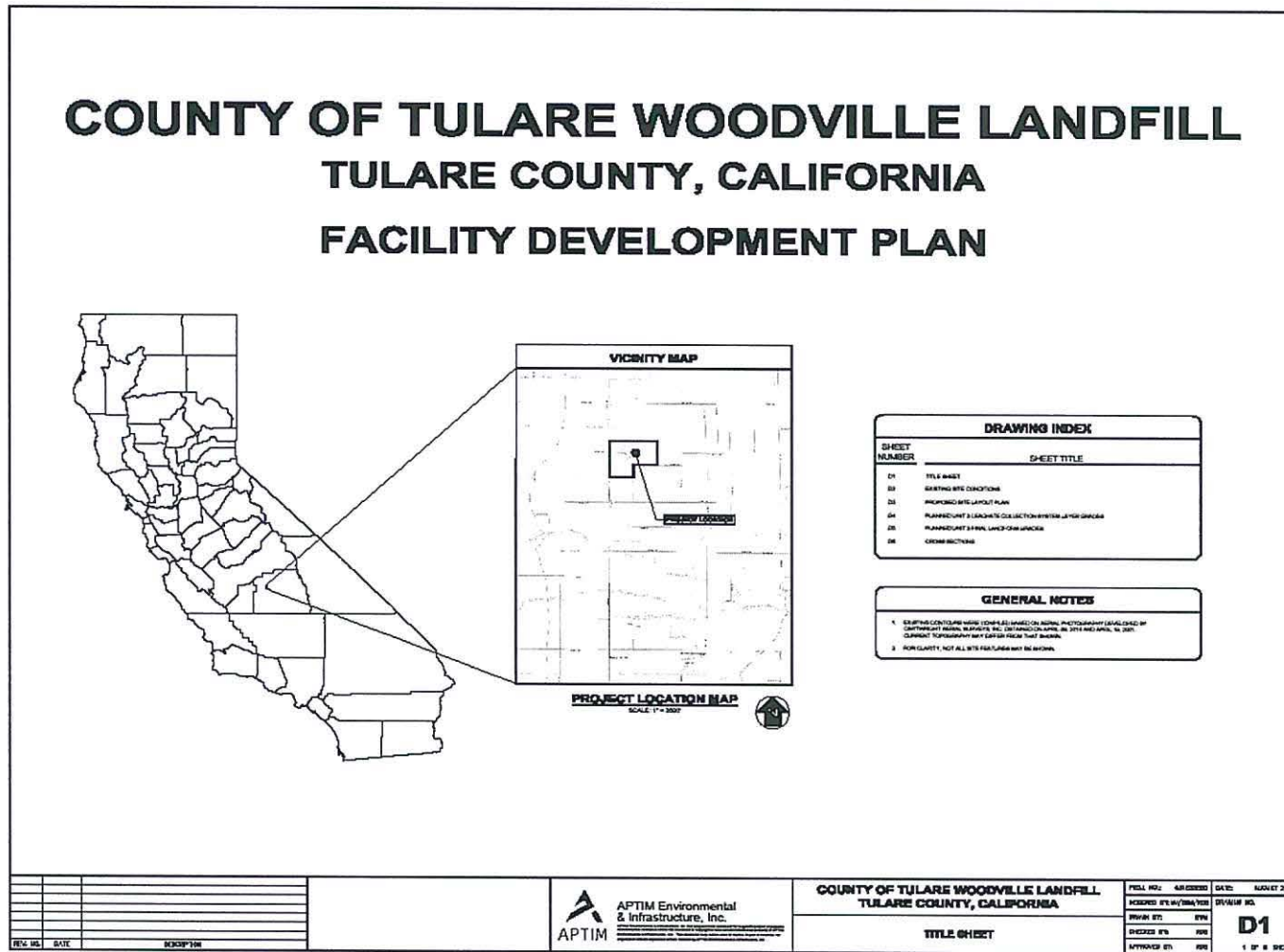
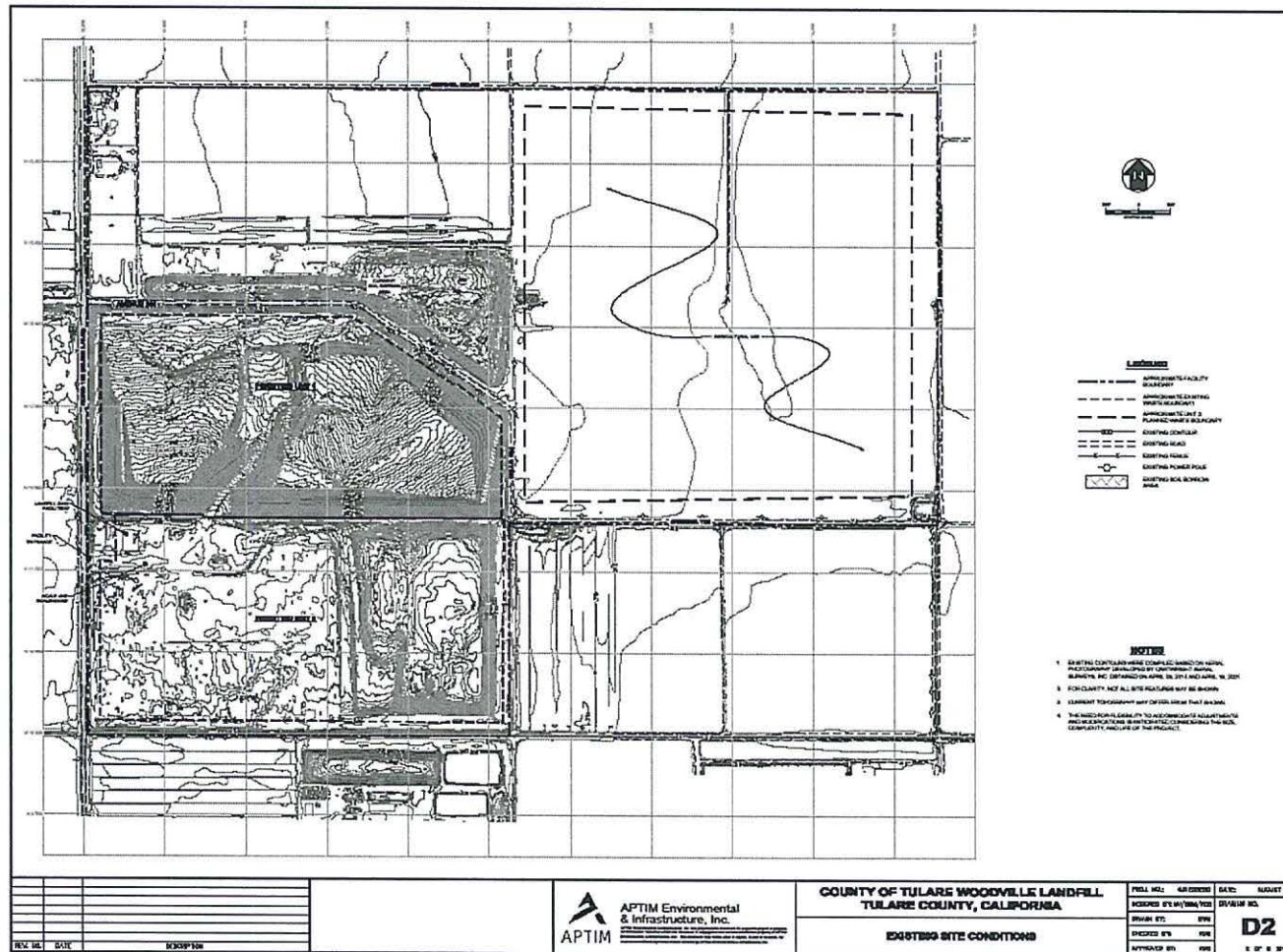


Figure 2 - Existing Site Conditions



APTIM Environmental
& Infrastructure, Inc.



Figure 4 – Planned Unit 3 Final Landform Grades

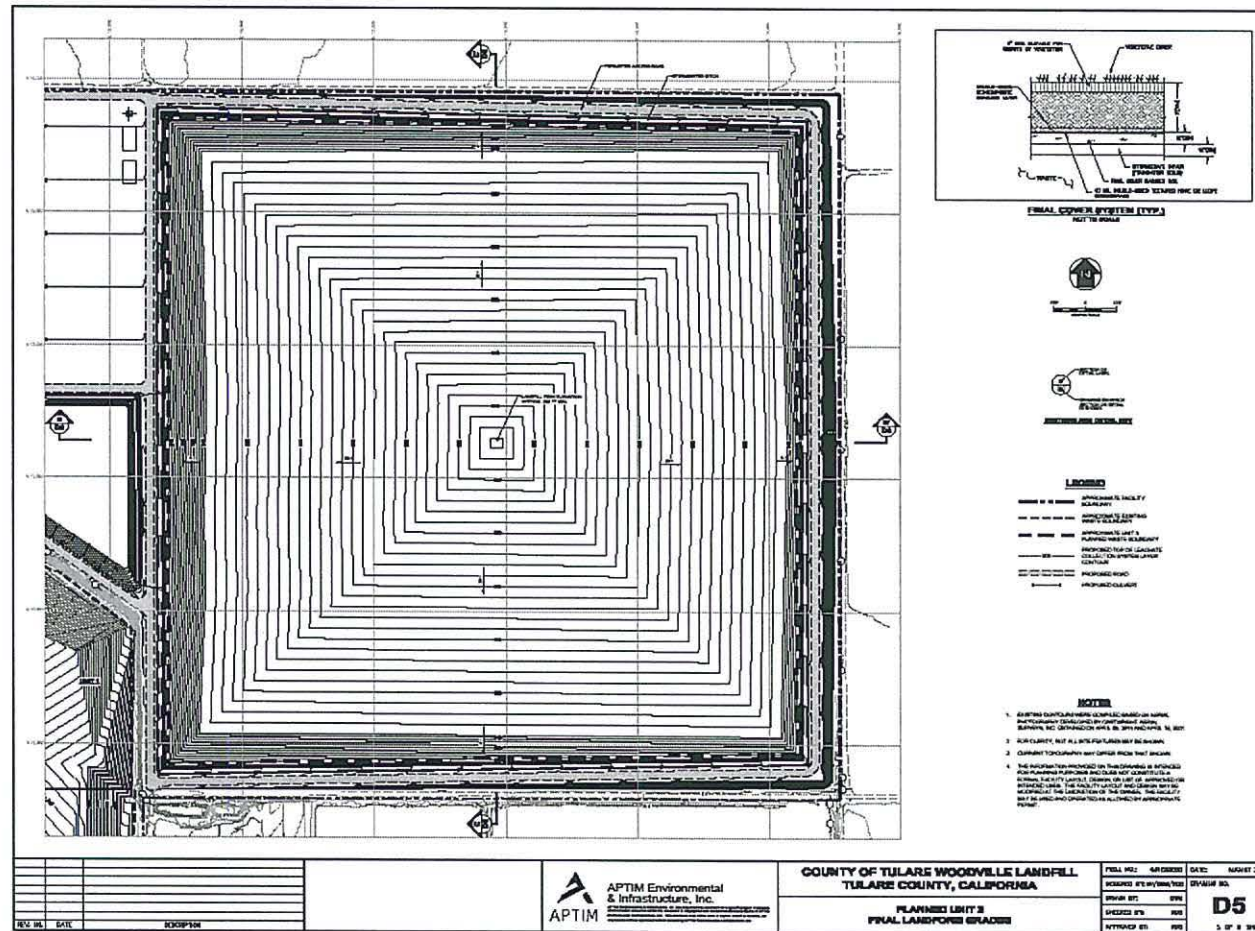
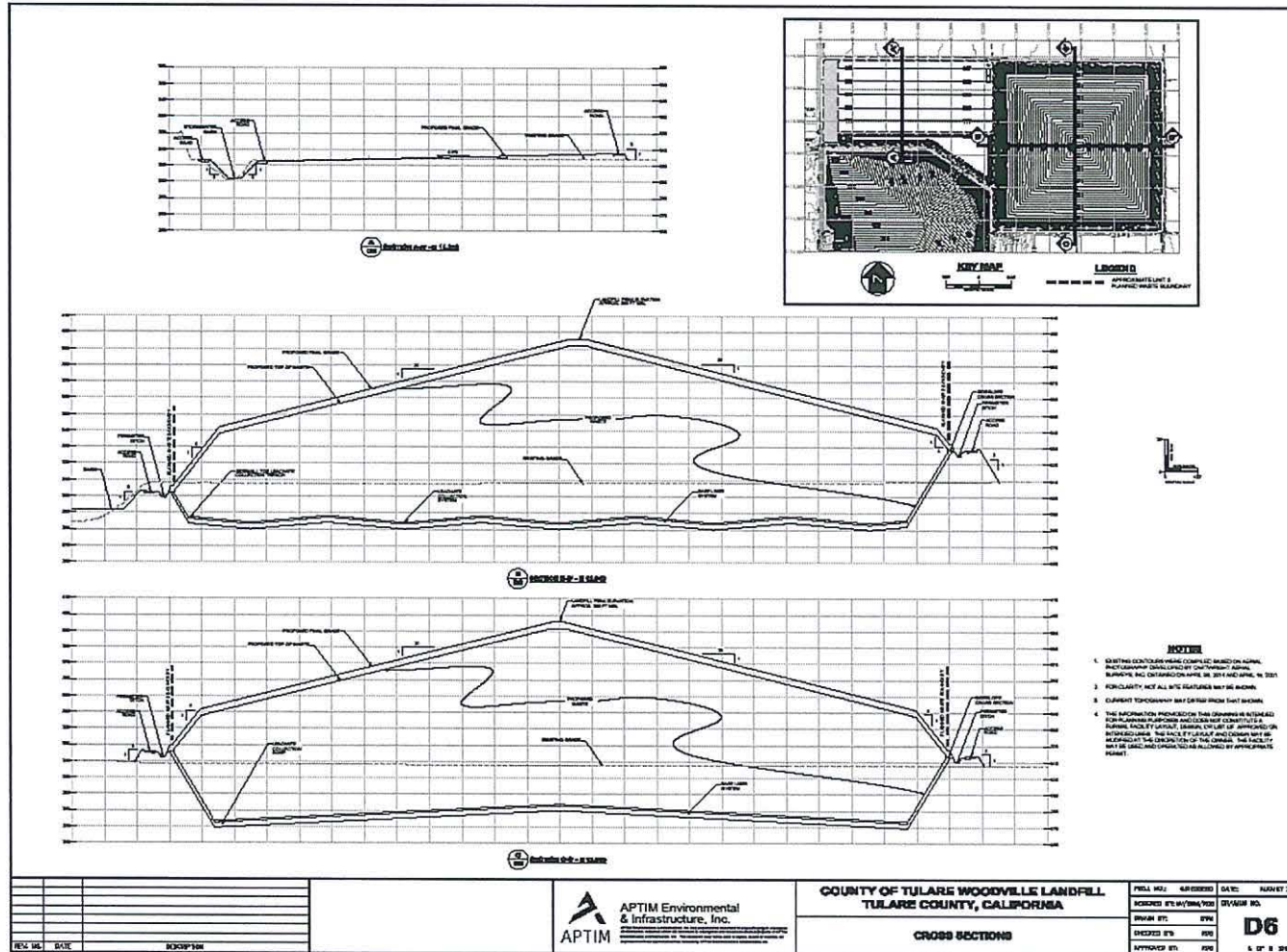


Figure 5 – Cross Sections



PROJECT LOCATION AND SETTING

The Project site is located entirely within an unincorporated area of Tulare County and would result in an approximately 400-acre footprint. The Project site is located east of Road 152 between Avenues 208 and 224 (Bardsley Avenue), approximately 3.5 miles north of the unincorporated community of Woodville, and approximately five miles east of the City of Tulare. The existing Woodlake Landfill is an approximately 160-acre facility comprised of a 57-acre unlined Class III waste management unit (WMU) and one 8-acre lined Class III WMU, both of which are situated on Assessor's Parcel Numbers 196-040-003 and 196-040-004 (collectively known as WMU-1). The site also includes an 80-acre parcel to the south, designated as a future, Class III WMU or, WMU-2. Tulare County proposes to expand the facility for operations and the discharge of municipal solid waste on two units, WMU-2 and WMU-3. The entrance/exit to access/egress the site will remain on Road 152, but will be relocated farther to the north than its present location. The majority of traffic would likely arrive from Avenue 192 or State Route 137. Minor traffic volumes are also anticipated to travel on Road 152 from Avenues 208 and 224 (Bardsley Avenue) to access the landfill. The two nearest state highways that provide direct regional access to the proposed Project site are State Route 137 (located approximately 3.5 miles north of the site) and State Route 190 (located approximately 8.5 miles south of the site). SR 99 is approximately 5.5 miles west of the site but does not have direct access/connectivity to Road 152.

As noted earlier, the purpose of the proposed Project is to accommodate the landfill needs of Tulare County for an approximate 55-year lifespan (i.e., Year 2074 before projected capacity is reached).

DESCRIPTION OF PROPOSED FACILITIES

As indicated earlier, the proposed Project contains a build-out "footprint" for the proposed expansion of approximately 400 acres. In addition to the waste management units, the landfill Project will also include other components as follows:

- Relocated landfill entrance scale and scale house;
- Landfill gas flare and operations facilities;
- Composting facility (less than 50,000 cubic tons annually); and
- Possibly include a staff office (approximately 5,000 square feet).

POTENTIAL ENVIRONMENTAL EFFECTS

The EIR will evaluate, among other things, the probable direct and cumulative environmental impacts associated with expansion and operation of the Woodville Landfill Project as described below. Mitigation measures will be recommended, where feasible, to mitigate potentially significant impacts. The proposed Project will be evaluated on its own merits, resource specific

facts, and determinations; therefore, a site specific environmental document will be prepared. The following issues are proposed for analysis in the EIR:

Aesthetics

The Project is located in a remote, rural area; it is unlikely that its maximum height of 396' mean sea level elevation would result in obstruction of views. Project site lighting would not likely have the potential to cause lighting and glare impacts as it is in a rural area that would operate only during daylight hours and would not include any evening operations. An on-site, single-story, 5,000 square foot staff office may ultimately be constructed. The EIR will provide an assessment of Project impacts to visual resources, as well as lighting and glare impacts.

Agriculture and Forestry Resources

According to the 2016 California Department of Conservation Map, the majority of the existing site is classified as "Urban and Built-Up Land" (on approximately 105 acres of the currently active landfill areas) and as "Non-Agricultural Land" (on approximately 55 acres of the inactive, southerly portion of the landfill). Expansion areas include "Farmland of Statewide Importance" (on approximately 160 acres), "Prime Farmland" (on approximately 50 acres), "Farmland of Statewide Importance" (on approximately 20 acres), and "Semi-Agricultural/Rural Commercial Lands" (on approximately 10 acres). The 240-acre expansion area is currently in agricultural production (through the use of recycled dairy water used for irrigation) that supports the growth of row crops (e.g., wheat, corn, alfalfa) used as feed for the adjacent dairies. Therefore, the proposed Project's direct and indirect impacts on agricultural resources will be analyzed in the EIR.

Air Quality and Greenhouse Gas Emissions

As this proposed Project is site specific, the EIR will describe regional and local air quality in the vicinity of the proposed Project site and evaluate impacts to air quality associated with Project operations. The proposed Project's estimated air emissions will be compared to emissions thresholds of the San Joaquin Valley Unified Air Pollution Control District. The EIR will describe existing air quality conditions within the San Joaquin Valley Air Basin and will evaluate the proposed Project's potential air quality impacts. The EIR will also include a discussion of greenhouse gas emissions and the proposed Project's contribution to potential cumulative impacts on global climate.

Biological Resources

The proposed Project site has been and remains actively disturbed as a result of daily landfill operations/activities. According to information contained in the 1996 Woodville Solid Waste Disposal Site EIR (1996 EIR), a Special Status Species; specifically, burrowing owl, could occur on the existing site as potential nesting sites (in the form of ground squirrel burrows) were found in the existing Project footprint. As such, a mitigation measure was adopted to reduce impacts to less than significant. The site is also within the range of special status plants. Therefore, it is

anticipated that a site-specific biological reconnaissance of the proposed Project site will be conducted. The proposed Project's potential to affect biological resources will be analyzed in the EIR.

Cultural Resources

There are no visibly identifiable or recognizable cultural resources within the proposed Project expansion areas. Although no cultural/archaeological resources were discovered on the existing site as indicated in the 1996 EIR, it is possible that cultural/archaeological resources could be discovered as new excavations occur on the expanded areas. Paleontological resources have previously been discovered on the existing site. Mitigation measures were included in the 1996 EIR for cultural and paleontological resources, as such, this DEIR will include an analysis of the proposed Project's potential to affect cultural resources.

Geology/Soils and Mineral Resources

Implementation of the proposed Project could result in impacts related to soil erosion, soil stability characteristics, and shrink/swell potential of site soils, as applicable. Although analyzed in the 1996 EIR (and found to be less than significant) an updated analysis will be conducted to evaluate potential site-specific impacts related to geology, soils, and mineral resources.

Hazards and Hazardous Materials

There are no known hazards and hazardous materials located within the proposed Project site. As a Class III facility, the landfill will not receive or result in the handling or storage of hazardous materials. The operation of landfill equipment could result in accidental spillage of gasoline, diesel, hydraulic, transmission or break fluids, and oil during normal, daily operations. As such, the EIR will evaluate the potential for the proposed Project to result in, or be affected by, impacts associated with hazards and hazardous materials.

Hydrology/Water Quality

FEMA FIRM maps indicate that the proposed Project area is outside of the 100-Year and 500-Year Flood Zones and is also located outside of a Dam Failure Inundation Area. The EIR will analyze the proposed Project's effect on the hydrology, water quality, and water supply resources.

Land Use/Planning

The EIR will describe the proposed Project's potential effects on existing and planned land uses. As indicated in the 1996 EIR, and as currently planned, the landfill site land uses do not conflict with the Tulare County General Plan designations or zoning classifications. The County's General Plan designates the existing and proposed expansion areas as Agricultural and it is zoned AE-40 (Exclusive Agriculture-40 Acre minimum). The proposed Project site is not located within any Urban Development Boundary or Urban Area Boundary. The EIR will provide a

discussion of relevant local plans and policies because conflicts could potentially result in environmental impacts.

Noise

The 1996 EIR described the Project's operational and traffic-associated noise levels and concluded that impacts were less than significant. This EIR will compare these levels to applicable noise thresholds to determine whether the Project would result in a significant noise impact. As such, the EIR will evaluate the potential effects from the proposed landfill expansion.

Population/Housing

The EIR will evaluate the Project's effect on population and housing in the local area based on estimations of Project employment and distribution of the employees by place of residence.

Public Services

The EIR will evaluate the Project's potential to create an adverse impact on local fire and police protection services, parks, and schools.

Recreation

Although unlikely due to the nature of the proposed Project, the increase in use of parks and other recreational facilities near the vicinity of the Project will be analyzed in the EIR.

Transportation/Traffic

The 1996 EIR concluded that the existing landfill's impact on regional and local transportation facilities was not significant. At the time of preparation of the 1996 EIR, SR 137 did not include signalization at Roads 140 or 152 (Road 152 ultimately leads to direct access/egress of the Woodville Landfill). Traffic volumes are not anticipated to increase beyond permitted daily volumes; rather, the lifespan of the landfill will be expanded by an additional 55 years (to Year 2074) without an increase in permitted tonnage or vehicles. Traffic patterns will likely change as a result of closure of Teapot Dome Landfill. When Teapot Dome Landfill is closed its daily solid waste will be transported to Woodville Landfill, as such, changes to traffic patterns and volumes will be analyzed (for example, along SR 190 and SR 137). An analysis will be conducted to determine if any substantial increases in volume or changes in patterns would occur as a result of the proposed expansion project.

Tribal Cultural Resources

A search of the Southern San Joaquin Valley Information Center California Historical Resources Information System (CHRIS) will be conducted. A Sacred Land File (SLF) Search will be submitted to the Native American Heritage Commission (NAHC) and any tribes listed by the NAHC will receive consultation notices pursuant to the requirements of AB 52. Depending

upon responses from tribal consultation, a cultural resources evaluation may be prepared for this Project. The EIR will examine the proposed Project's potential to affect Tribal cultural resources.

Utilities/Service Systems and Energy

The proposed Project will not require extension/connection to urban services such as potable water service, wastewater treatment, and stormwater drainage. However, the EIR will analyze drainage, water, wastewater, natural gas, and electrical systems and the proposed Project's impact on these systems.

GROWTH INDUCEMENT

The proposed Project will not likely result in the potential for growth inducement resulting from expansion of the landfill. Regardless of likelihood or unlikelihood, the EIR will include an analysis on employment and economic activity.

CUMULATIVE IMPACTS

The EIR will discuss the incremental contribution of the proposed Project to cumulative effects of other past, current, and planned and reasonably foreseeable Projects in the vicinity.

ALTERNATIVES EVALUATED IN THE EIR

In accordance with the CEQA Guidelines Section 15126.6, the EIR will describe a reasonable range of alternatives to the proposed Project that are capable of meeting most of the proposed Project's objectives, but would avoid or substantially lessen any of the significant effects of the proposed Project. The EIR will also identify any alternatives that were considered but rejected by the Lead Agency as infeasible and briefly explain the reasons why. The EIR will also provide an analysis of the No Project Alternative.

OPPORTUNITY FOR PUBLIC COMMENT

Interested individuals, groups, and agencies may provide to the County of Tulare Resource Management Agency, Planning Branch, written comments on topics to be addressed in the EIR for the proposed Project. Because of time limits mandated by state law, comments should be provided no later than **5:00 p.m. January 3, 2019**. Agencies that will need to use the EIR when considering permits or other approvals for the proposed Project should provide the name of a staff contact person. Please send all comments to:

**Hector Guerra, Chief Environmental Planner
Tulare County Resource Management Agency
Economic Development and Planning Branch
5961 South Mooney Boulevard
Visalia, CA 93277-9394
via e-mail at: HGuerra@co.tulare.ca.us, via telephone: 559-624-7121**

Attachment B

Final Environmental Impact Report

COUNTY OF TULARE
RESOURCE MANAGEMENT AGENCY



5961 South Mooney Boulevard
Visalia, CA 93277

Woodville Disposal Site

Final Environmental Impact Report
SCH# 2018121007

June 2021

Prepared by:
County of Tulare Resource Management Agency
Economic Development and Planning Branch
Environmental Planning Division

**Woodville Disposal Site Expansion
Final Environmental Impact Report (SCH# 2018121007)**

These attached documents complete the Final Environmental Impact Report (FEIR) for the above referenced project.

- I. Responses to Comments (Chapter 10 of the FEIR)
- II. Mitigation Monitoring and Reporting Program (Chapter 8 of the FEIR)
- III. Errata (Corrections made to pages of the Draft EIR)
- IV. Findings of Fact

I. Chapter 10 Responses to Comments

INTRODUCTION & RESPONSE TO COMMENTS

Chapter 10

INTRODUCTION

The Draft Environmental Impact Report (Draft EIR or DEIR or EIR) for the Woodville Disposal Site Project (Project) was made available for public review and comment for a period of 45 days starting on April 16, 2021, and ending on May 31, 2021. The purpose of this document is to present public comments and responses to comments received on the Project's Draft EIR (SCH # 2018121007).

Individual responses to each of the comment letters received regarding the Draft EIR are included in this chapter. Comments that do not directly relate to the analysis in this document (i.e., that are outside the scope of this document) will be considered.

In order to provide commenters with a complete understanding of the comment raised, the County of Tulare Resource Management Agency (RMA), Planning Branch staff prepared a comprehensive response regarding particular subjects. These comprehensive responses provide some background regarding an issue, identify how the comment was addressed in the Draft EIR, and provide additional explanation/elaboration while responding to a comment. In some instances, these comprehensive responses have also been prepared to address specific land use or planning issues associated with the proposed Project, but unrelated to the EIR or environmental issues associated with the proposed Project.

Comments received that present opinions regarding the Project that are not associated with environmental issues or raise issues that are not directly associated with the substance of the EIR are noted without a detailed response.

REVISIONS TO THE PROJECT

Revisions and clarifications to the DEIR made in response to comments and information received on the DEIR are indicated by strikeout text (e.g. ~~strikeout~~), indicating deletions, and underline text (e.g. underline), indicating additions. Corrections of typographical errors that have been made throughout the document are not indicated by strikeout or underline text. The specific revisions and clarifications are included as Errata pages within this Final EIR (FEIR).

PUBLIC REVIEW OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

Consistent with the California Environmental Quality Act (CEQA), the potential environmental effects of the Woodville Disposal Site Project have been analyzed in a Draft EIR (SCH# 2018121007) dated April 2021. Consistent with Section 15205 of the State CEQA Guidelines, the Draft EIR for the Woodville Disposal Site Plant Project is subject to a public review period.

Section 21091(e) of the Public Resources Code specifies a minimum 30-day shortened review period for an EIR; however, if an EIR is submitted to the State Clearinghouse for review, the review period shall be a minimum of 45-days. Pursuant to CEQA Guidelines and approval by the Office of Planning and Research (OPR), State Clearinghouse and Planning Unit (SCH), the County of Tulare provided a 45-day review period.

Woodville Disposal Site Project Draft EIR was distributed to responsible and trustee agencies, other affected agencies/departments/branches within the County of Tulare and RMA, interested parties, and all parties who requested a copy of the Draft EIR in accordance with Section 21092 of the *California Public Resources Code*. As required by CEQA, a Notice of Availability (NOA) for the Draft EIR was published in the *Sun-Gazette* (a newspaper of general circulation) on April 16, 2021.

During the 45-day review period, the Draft EIR and technical studies were also made available at the following location:

Tulare County Resource Management Agency, 5961 South Mooney Blvd., Visalia, CA 93277, (559) 624-7000, (Monday – Thursday: 9:00 am to 4:30 pm) and (Friday: 9:00 am to 11:00 am).

In addition, the DEIR was posted on the Tulare County website during the review period at: <https://tularecounty.ca.gov/rma/index.cfm/projects/planning-projects/environmental-documents/woodville-landfill-expansion-project/>.

Due to the COVID-19 crisis restrictions, the Draft EIR was not made available at any Tulare County public library.

RELEVANT CEQA SECTIONS (SUMMARY)

Following is a summary of CEQA Guidelines Sections 15088-15384, et. seq. The complete CEQA Guidelines can be accessed at:

[https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I95DAA A70D48811DEBC02831C6D6C108E&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I95DAA A70D48811DEBC02831C6D6C108E&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default))

Section 15088. Evaluation of and Response to Comments.

- (a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response...
- (b) The lead agency shall provide a written proposed response... to a public agency on comments made by that public agency at least 10 days prior to certifying...
- (c) The written response shall describe the disposition of significant environmental issues raised... In particular, the major environmental issues raised when the Lead Agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail...

Section 15088.5. Recirculation of an EIR Prior to Certification.

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification;
- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR; and
- (c) A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.

Section 15089. Preparation of Final EIR.

- (a) The Lead Agency shall prepare a final EIR before approving the project. The contents of a final EIR are specified in Section 15132 of these Guidelines.

Section 15090. Certification of the Final EIR.

- (a) Prior to approving a project, the lead agency shall certify that:
 - (1) The final EIR has been completed in compliance with CEQA;
 - (2) The final EIR was presented to the decision making body ...and that the decision making body reviewed and considered the information contained in the final EIR prior to approving the project; and
 - (3) The final EIR reflects the lead agency's independent judgment and analysis.

Section 15091. Findings.

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.

Section 15092. Approval.

- (b) A public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either:
 - (1) The project as approved will not have a significant effect on the environment, or
 - (2) The agency has
 - (A) Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and
 - (B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.

Section 15093. Statement of Overriding Considerations.

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Section 15095. Disposition of a Final EIR.

The lead agency shall:

- (a) File a copy of the final EIR with the appropriate planning agency of any city, county, or city and county where significant effects on the environment may occur.
- (b) Include the final EIR as part of the regular project report which is used in the existing project review and budgetary process if such a report is used.
- (c) Retain one or more copies of the final EIR as public records for a reasonable period of time.
- (d) Require the applicant to provide a copy of the certified, final EIR to each responsible agency.

Section 15151. Standards for Adequacy of an EIR.

An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

Section 15364. Feasible.

"Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, and environmental, legal, social, and technological factors.

Section 15384. Substantial Evidence.

"Substantial evidence"... means enough relevant information and reasonable inferences that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.

RESPONSES TO COMMENTS

COMMENT LETTERS RECEIVED ON THE DRAFT EIR

The County of Tulare received four (4) written comments on the Draft EIR (see Attachments 2 through 5). In addition, any correspondence or conversations regarding comments from the public are also provided in this document. Each comment letter is also numbered. For example, comment letter 1 is from the California Department of Transportation, May 13, 2021.

Consistent with Section 15132 of the CEQA Guidelines, the following is a list of persons, organizations, and public agencies that submitted comments regarding the Draft EIR received as of close of the public review period on May 31, 2021.

Oral comments were received from or conversations occurred with the following individuals:

None were received.

Comments from Federal, State, or County Agencies:

- | | |
|-------------------------|--|
| <i>Comment Letter 1</i> | <i>California Department of Transportation (Caltrans), May 13, 2021 (See Attachment 2)</i> |
| <i>Comment Letter 2</i> | <i>San Joaquin Valley Unified Air Pollution Control District (Air District), May 26, 2021 (See Attachment 3)</i> |
| <i>Comment Letter 3</i> | <i>California Department of Resources Recycling and Recovery (CalRecycle), May 28, 2021 (See Attachment 4)</i> |
| <i>Comment Letter 4</i> | <i>Tulare County Health & Human Services Agency. Public Health Branch, June 10, 2021 (See Attachment 5)</i> |

Confirmation from State of California, Office of Planning and Research, State Clearinghouse Unit, April 16, 2021 (See Attachment 6) that EIR process was completed per CEQA Guidelines.

Comments from adjacent property owners or other interested parties:

None were received.

In addition to the comment letters received, this chapter concludes with a list of agencies, tribes, and other interested persons whom were notified during the Notice of Preparation process and/or received a copy of the NOA for the Draft EIR.

The reader is reminded that the County strictly adheres to and depends upon substantial evidence in drawing conclusions in regards to CEQA documents. Therefore, the County relies on the definition of substantial evidence as provided in CEQA Guidelines Section 15384. (Substantial Evidence) which states: "'Substantial evidence'...means enough relevant information and reasonable inferences that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before

the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.” As such, the County also expects commenters such as public agencies, public entities, or other interested persons/parties to also adhere with the substantial evidence definition as provided in CEQA Guidelines Section 15384.

COMPREHENSIVE LIST OF RESPONSES

Comment Letter 1: California Department of Transportation (Caltrans), May 13, 2021

Comment Subject 1: “Caltrans concurs with the conclusions of the TIS and DEIR and determined that the Project will have minimal impacts to the State Highway System, specifically SR 137.”

Response 1: No response is necessary as Caltrans has explicitly stated that “Caltrans concurs with the conclusions of the TIS and DEIR and determined that the Project will have minimal impacts to the State Highway System, specifically SR 137.”

Comment Letter 2: San Joaquin Valley Unified Air Pollution Control District (Air District), May 26, 2021

Comment Subject 1: Reducing Air Quality Impacts from Construction Activities. To further reduce impacts from construction-related exhaust emissions and activities, the District recommends using the cleanest reasonably available off-road construction practices (i.e.; eliminating unnecessary idling) and fleets, as set forth in §2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 Code of Federal Regulations be used to reduce Project related impacts from construction related exhaust emissions.

Response: The County makes every effort to use the most efficient, non-emitting equipment at the County’s landfills. Cost constraints only allows the County to replace, retrofit, modernize, etc., a limited amount of equipment annually.

Comment Subject 2: District Rule and Regulations. The District issues permits for many types of air pollution sources and regulates some activities not requiring permits. A project subject to District rules and regulation would reduce its impacts on air quality through compliance with regulatory requirements. In general, a regulation is a collection of rules, each of which deals with a specific topic. Here are a couple of example, Regulation II (Permits) deals with permitting emission sources and includes rules such as District permit requirements (Rule 2010), New and Modified Stationary Source Review (Rule 2201), and implementation of Emission Reduction Credit Banking (Rule 2301). The listed rules is neither exhaustive nor exclusive.

Response: The County is receptive to acquiring applicable Air District permits and implementing District rules and regulations. For example, the Draft EIR non-exhaustive list includes the Air District’s Regulation VII, Rule 2010, Rule 2520, Rule 3135, Rule 4101, rule 4102, rule 4311, Rule 4566, Rule 4601, Rule 4641. Lists. As such, we look forward to receiving District guidance to enable us to comply with applicable District rules and regulations.

Comment Subject 2a: District Rule 9510 (Indirect Source Review). Per District Rule 9510 (Indirect Source Review) section 4.4.3, a development project on a facility whose primary functions are subject to District Rule 2201 or District Rule 2010 are exempt from the requirements of the rule. The District has reviewed the information provided and has determined that the primary functions of this Project are subject to District Rule 2201 (New and Modified Stationary Source Review Rule) or District Rule 2010 (Permits Required). As a result, District Rule 9510 requirements and related fees do not apply to the Project referenced above.

Response: We appreciate the Air District's comment that Rule 9510 will not apply as the Project is subject to District Rule 2201 (New and Modified Stationary Source Review Rule) or District Rule 2010 (Permits Required).

Comment Subject 3: District Comment Letter. The District recommends that a copy of the District's comments be provided to the Project proponent.

Response: We will provide a copy of the Air District's comments to the County's Solid Waste Department as recommended.

Comment Letter 3: California Department of Resources Recycling and Recovery (CalRecycle) May 28, 2021

Comment Subjects: Following is a summary of CalRecycle's comments subjects: Project description; composting; JTD; SWFP/site drawing; define operation floor; elevation of cells; grading plan; Local Enforcement Agency; CEQA-related.

Comment Subject: Project description.

Response: Comment noted. CalRecycle reiterated the Project description accurately.

Comment Subject: Composting.

Response: The tonnage will be no more than 100,000 Cubic tons annually. This is just a max volume based on space we have for design capacity. The design is not complete or permitted, we only have land set aside for potential future use of a composting facility. This will not be new tonnage, it will be source separated tonnage so it will not exceed the permitted tons per day. It is unknown at this time what proposed feedstocks, type of composting process, and any daily tonnage limits would be for the composting component of this Project. As such, prior to initiation of composting activities, it is likely that an additional CEQA document (ranging from a categorical exemption to a negative/mitigated negative declaration) will be prepared and the new CEQA document will tier-off this EIR after it is certified. The County appreciates CalRecycle's guidance on the CEQA requirements for compost activities and will prepare the appropriate CEQA document consistent with that guidance.

Comment Subject: JTD.

Response: The Solid Waste Department is currently updating the permit/JTD and anticipated completion of this process by the end of the June 2021.

Comment Subject: SWFP/site drawing.

Response: There are 160 acres is the total acreage for units 1 and 2. 152.5 acres are used for actual waste placement while the balance (7.5 acres) are used for drainage. There will be 160 additional acres used for waste placement and an additional 80 acres used for borrow/operations area. The 400 acres is the ***total*** [emphasis added] for all of those parts. A Map is included in the attachment to this chapter.

Comment Subject: Define operation floor.

Response: The operation floor will be the elevation at which the landfill liner is placed.

Comment Subject: Elevation of cells.

Response: These cells will be lined so the Max elevation should be 393 feet MSL.

Comment Subject: Grading plan.

Response: There will not be any change to the final grading plan; as such, there is no need to include any changes in the Final EIR.

Comment Subject: Local Enforcement Agency.

Response: We acknowledge that Tulare County Department of Health Services, Division of Environmental Health is the Local Enforcement Agency (LEA) for Tulare County and will be responsible for providing regulatory oversight of solid waste handling activities, including inspections and permitting.

Comment Subject: CEQA-related.

Response: We acknowledge CalRecycle's encouragement that the lead agency (RMA of Tulare County) fulfill all aspects of CEQA relative to this Project. As a sidebar, to our knowledge, Tulare County is the only county throughout California that prepares and completes environmental impact reports. As such, we are confident that all components are dutifully fulfilled including providing CEQA documents, public notices, Notices of Determination, etc. In addition to receiving public notification of any public hearing regarding the Project, CalRecycle will also be receiving our response to comments within the 10-day requirement as provided in the CEQA Guidelines.

Comment Letter 4: Tulare County Health & Human Services Agency, Environmental Services Division (TCEHSD) June 18, 2021

Comment Subject 1: Tulare County Local Enforcement Agency concurs with CalRecycle's comments.

Response: Comment noted. Also, please see the response to CalRecycle's comments (and attached comment letter).

Comment Subject 2: In addition to clarifying the limit of material that can be processed each year, amount received each day, and storage capacity on-site, please clarify the length of time compost feed stock will be stored before it is processed?

Response: It is anticipated that compost feed stock will be stored consistent with CalRecycle guidance when composting operations begin.

Comment Subject 3: Implementation of the proposed project will require a revision to the existing SWFP. The revised SWFP will require action by Tulare County Local Enforcement Agency per CCR Title 27 section 21570.

Response: Comment noted, the Solid Waste Department will comply with CCR Title 27 section 21570 and forward the SWFP to the Tulare County Local Enforcement Agency as indicated.

Comment Subject 4: If the hotel will feature preparation, storage, packaging and/or serving food at the retail level, then the operation may be subject to requirements found in the California Retail Food Code. Under these requirements, plans shall be submitted to the TCEHSD, for review.

Response: Comment noted. The Applicant is aware and will be required to comply with TCEHSD requirements for preparation, storage, packaging and/or serving food at the retail level that may be subject to requirements found in the California Retail Food Code(s) as required by TCEHSD.

Comment Subject 5: If a recreational pool will be part of the development plans, the site may be subject to regulations for pool construction and operation (Health & Safety Code Sections 115920-116068). Under these requirements, plans shall be submitted to the TCEHSD, for review.

Response: The Project will include a recreational swimming pool; as such, the applicant will be required to construct and operate the pool per Health & Safety Code Sections 115920-116068 and also submit plans to the TCEHSD for review.

PROJECT SUMMARY

The Solid Waste Department is proposing to expand the existing 160-acre footprint by 240-acres, for a total footprint of 400-acres in western Tulare County on County-owned land. The proposed Project includes the expansion of the existing 160-acre Woodville landfill by 240 acres. Combines, the landfill would encompass an area of approximately 400 acres. The currently unused portion of the existing landfill is vacant, unproductive land, while the proposed Project expansion area is predominately under agriculturally productive row crops. The proposed Project is designed to anticipate and meet the demands/needs of increases in project solid waste disposal of the County for the next 55 years. It is anticipated that daily tonnage received, number of vehicles entering/exiting, landfill operations equipment, water usage, ancillary uses, etc., will not increase or decrease;

The proposed Project site is in western Tulare County, located approximately 12 miles southeast of the City of Visalia, seven miles southeast of the City of Tulare, and 13 miles northwest of the City of Porterville at the intersection of Avenue 200 and Road 152 (see Figure 2-1). The landfill address is 19800 Road 152, Tulare, CA 93274. The site lies within the Cairns Corner USGS 7.5 Minute Quadrangle and within Sections 25, 26, 35 and 36, Township 20 South, Range 25 East, MDB&M;

The proposed Project will include the following substantial modifications to the existing landfill (see Figure 2-3):

- Expand the Woodville landfill northeast of the existing Waste Management Unit-1 (WMU-1) landfill site to two contiguous parcels of approximately 80-acres each located east of the existing landfill. The inclusion of the northeast 160 acres (formerly known as the Hanni Property) will be designated as future WMU-3.
- Expand the Woodville landfill to a contiguous approximately 70-acre parcel north of the existing landfill.
- Relocate the landfill entrance scale and scale house, landfill gas flare, and operations facilities to the northernmost 70-acre parcel designated for operations.
- Include the northwest 10-acre parcel (APN 196003-010, formerly known as the Thompson Property) for the Borrow/Operations area, and possibly include a staff office (approximately 5,000 square feet) and composting facility (less than 50,000 cubic tons annually).
- Utilize approximately 80 unused acres of the currently permitted landfill disposal area in the southern portion of the landfill as WMU-2. WMU-2 slopes will be graded at 3H:1V with a maximum slope height of 28 feet.
- Change operation floor from 282 feet above mean sea level (MSL) to approximately 270 feet above MSL in the WMU-2 and WMU-3.
- Increase the permitted landfill capacity by approximately 14.0 million cubic yards for an overall capacity of the Woodville landfill to approximately 27.5 million cubic yards. The additional WMUs will be designated Class III landfill units and would extend the anticipated landfill closure date by 55 years (to approximately Year 2074).

LOCAL REGULATORY CONTEXT

The Tulare County General Plan Update 2030 was adopted on August 28, 2012. As part of the General Plan, a Background Report and an EIR were also prepared. The General Plan Background Report contained contextual environmental analysis for the General Plan. The Housing Element for 2015 was certified by State of California Department of Housing and Community Development on November 2, 2015, and adopted by the Tulare County Board of Supervisors on November 17, 2015.

SCOPE AND METHODOLOGY

The County of Tulare has determined that a project level EIR fulfills the requirements of CEQA and is the appropriate level evaluation to address the potential environmental impacts of the proposed project. A project level EIR is described in Section 15161 of the State CEQA Guidelines as one that examines the environmental impacts of a specific development project. A project level EIR must examine all phases of the project, including planning, construction, and operation.

This document addresses environmental impacts to the level that they can be assessed without undue speculation (CEQA Guidelines Section 15145). This *Final Environmental Impact Report* (FEIR) acknowledges this uncertainty and incorporates these realities into the methodology to evaluate the environmental effects of the Project, given the uncertainty of future market demand. The degree of specificity in an EIR corresponds to the degree of specificity of the underlying activity being evaluated (CEQA Guidelines Section 15146). Also, the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project (CEQA Guidelines Sections 15151 and 15204(a)).

CEQA Guidelines Section 15002(a) specifies that, “[t]he basic purposes of CEQA are to:

- (1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- (2) Identify ways that environmental damage can be avoided or significantly reduced.
- (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- (4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.”¹

CEQA Guidelines Section 15002(f) specifies that, “[a]n Environmental Impact Report (EIR) is the public document used by the governmental agency to analyze the significant environmental effects of a proposed project, to identify alternatives, and to disclose possible ways to reduce or avoid the possible environmental damage.

¹ CEQA Guidelines Section 15002(a)

- (1) An EIR is prepared when the public agency finds substantial evidence that the project may have a significant effect on the environment...
- (2) When the agency finds that there is no substantial evidence that a project may have a significant environmental effect, the agency will prepare a "Negative Declaration" instead of an EIR..."²

Pursuant to CEQA Guidelines Section 15021 Duty to Minimize Environmental Damage and Balance Competing Public Objectives:

- “(a) CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible.
- (1) In regulating public or private activities, agencies are required to give major consideration to preventing environmental damage.
 - (2) A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment.
- (b) In deciding whether changes in a project are feasible, an agency may consider specific economic, environmental, legal, social, and technological factors.
- (c) The duty to prevent or minimize environmental damage is implemented through the findings required by Section 15091.
- (d) CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian. An agency shall prepare a statement of overriding considerations as described in Section 15093 to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment.”³

² Ibid. Section 15002 (f).

³ Op. Cit., Section 15021.

IDENTIFICATION OF POTENTIALLY SIGNIFICANT IMPACTS

CEQA Guidelines Section 15002(h) addresses potentially significant impacts, to wit, “CEQA requires more than merely preparing environmental documents. The EIR by itself does not control the way in which a project can be built or carried out. Rather, when an EIR shows that a project could cause substantial adverse changes in the environment, the governmental agency must respond to the information by one or more of the following methods:

- (1) Changing a proposed project;
- (2) Imposing conditions on the approval of the project;
- (3) Adopting plans or ordinances to control a broader class of projects to avoid the adverse changes;
- (4) Choosing an alternative way of meeting the same need;
- (5) Disapproving the project;
- (6) Finding that changes in, or alterations, the project are not feasible.
- (7) Finding that the unavoidable, significant environmental damage is acceptable as provided in Section 15093.”⁴ (See Chapter 7)

This *Final EIR* identifies potentially significant impacts that would be anticipated to result from implementation of the proposed Project. Significant impacts are defined as a “substantial or potentially substantial, adverse change in the environment” (Public Resources Code Section 21068). Significant impacts must be determined by applying explicit significance criteria to compare the future Plan conditions to the existing environmental setting (CEQA Guidelines Section 15126.2(a)).

The existing setting is described in detail in each resource section of Chapter 3 of this document and represents the most recent, reliable, and representative data to describe current regional conditions. The criteria for determining significance are also included in each resource section in Chapter 3 of this document.

CONSIDERATION OF SIGNIFICANT IMPACTS

Pursuant to CEQA Guidelines Section 15126.2(a), “[a]n EIR shall identify and focus on the significant effects of the proposed project on the environment. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical

⁴ Op. Cit. Section 15002(h).

changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the project might cause or risk exacerbating by bringing development and people into the area affected. For example, the EIR should evaluate any potentially significant direct, indirect, or cumulative environmental impacts of locating development in areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas), including both short-term and long-term conditions, as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas.”⁵

As the Project will have no significant and unavoidable effects; a Statement of Overriding Considerations is not necessary or required as part of this Final EIR.

MITIGATION MEASURES

CEQA Guidelines Section 15126.4 specifies that:

- “(1) An EIR shall describe feasible measures which could minimize significant adverse impacts, including where relevant, inefficient and unnecessary consumption of energy.
- (A) The discussion of mitigation measures shall distinguish between the measures which are proposed by project proponents to be included in the project and other measures proposed by the lead, responsible or trustee agency or other persons which are not included but the lead agency determines could reasonably be expected to reduce adverse impacts if required as conditions of approving the project. This discussion shall identify mitigation measures for each significant environmental effect identified in the EIR.
 - (B) Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures shall not be deferred until some future time. The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project’s environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will be considered, analyzed, and potentially incorporated in the mitigation measure. Compliance with a regulatory permit or other similar process may be identified as mitigation if compliance would result in implementation of measures that would be reasonably expected, based on substantial evidence in the record, to reduce the significant impact to the specified performance standards.
 - (C) Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant. Examples of energy conservation measures are provided in Appendix F.
 - (D) If a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation

⁵ Op. Cit. Section 15126.2(a).

measure shall be discussed but in less detail than the significant effects of the project as proposed. (*Stevens v. City of Glendale* (1981) 125 Cal.App.3d 986.)

- (2) Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments. In the case of the adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design.
- (3) Mitigation measures are not required for effects which are not found to be significant.
- (4) Mitigation measures must be consistent with all applicable constitutional requirements, including the following:
 - (A) There must be an essential nexus (i.e. connection) between the mitigation measure and a legitimate governmental interest. *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987); and
 - (B) The mitigation measure must be "roughly proportional" to the impacts of the project. *Dolan v. City of Tigard*, 512 U.S. 374 (1994). Where the mitigation measure is an ad hoc exaction, it must be "roughly proportional" to the impacts of the project. *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854.
- (5) If the lead agency determines that a mitigation measure cannot be legally imposed, the measure need not be proposed or analyzed. Instead, the EIR may simply reference that fact and briefly explain the reasons underlying the lead agency's determination."⁶

ORGANIZATION OF THE EIR

With the exception of Chapter 10, Response to Comments, the EIR consists of the following sections:

EXECUTIVE SUMMARY

The Executive Summary Chapter summarizes the analysis in the Final Environmental Impact Report.

CHAPTER 1

Provides a brief introduction to the Environmental Analysis required by the California Environmental Quality Act (CEQA).

CHAPTER 2

Describes the proposed Project. The chapter also includes the objectives of the proposed Project. The environmental setting is described and the regulatory context within which the proposed Project is evaluated is outlined.

⁶ Op. Cit. Section 15126.4.

CHAPTER 3

Includes the Environmental Analysis in response to each Checklist Item contained in Appendix G of the CEQA Guidelines. Within each analysis the following is included:

Summary of Findings

Each chapter notes a summary of findings.

Introduction

Each chapter begins with a summary of impacts, pertinent CEQA requirements, applicable definitions and/or acronyms, and thresholds of significance.

Environmental Setting

Each environmental factor analysis in Chapter 3 outlines the environmental setting for each environmental factor. In addition, methodology is explained when complex analysis is required.

Regulatory Setting

Each environmental factor analysis in Chapter 3 outlines the regulatory setting for that resource.

Project Impact Analysis

Each evaluation criteria is reviewed for potential Project-specific impacts.

Cumulative Impact Analysis

Each evaluation criteria is reviewed for potential cumulative impacts.

Mitigation Measures

Mitigation Measures are proposed as deemed applicable.

Conclusion

Each conclusion outlines whether recommended mitigation measures will, based on the impact evaluation criteria, substantially reduce or eliminate potentially significant environmental impacts. If impacts cannot be mitigated, unavoidable significant impacts are identified.

Definitions/Acronyms

Some sub-chapters of Chapter 3 have appropriate definitions and/or acronyms.

References

Reference documents used in each chapter are listed at the end of each sub-chapter.

CHAPTER 4

Summarizes the cumulative impacts addressed in Chapter 3.

CHAPTER 5

Describes and evaluates alternatives to the proposed Project. The proposed Project is compared to each alternative, and the potential environmental impacts of each are analyzed.

CHAPTER 6

Evaluates or describes CEQA-required subject areas: Economic Effects, Social Effects, and Growth Inducement.

CHAPTER 7

Evaluates or describes CEQA-required subject areas: Environmental Effects That Cannot be Avoided, Irreversible Impacts, and Statement of Overriding Considerations.

CHAPTER 8

Provides a Mitigation Monitoring and Reporting Program that summarizes the environmental issues, the significant mitigation measures, and the agency or agencies responsible for monitoring and reporting on the implementation of the mitigation measures.

CHAPTER 9

Outlines persons preparing the EIR and sources utilized in the Analysis.

CHAPTER 10

Contains the Response to Comments received on the Draft EIR during the 45-day review period.

APPENDICES

Following the main body of text in the EIR, several appendices and technical studies have been included as reference material.

ENVIRONMENTAL REVIEW PROCESS

Pursuant to CEQA Guidelines Section 15082, the Notice of Preparation (NOP) for the Proposed Project was circulated for review and comment December 4, 2018 and circulated for a 30-day comment period ending January 3, 2019. Tulare County RMA received five comment letters on the NOP. Comments were received from the following agencies, individuals, and/or organizations:

- California Department of Resources Recycling and Recovery, dated December 31, 2018;
- California Department of Transportation District 6, dated December 31, 2018;
- California Department of Fish and Wildlife Region 4, dated December 27, 2018;
- Native American Heritage Commission, dated December 17, 2018; and
- San Joaquin Valley Unified Air Pollution Control District, dated December 17, 2018.

A copy of the NOP is included in Appendix “G”, along with copies of letters received in response to the NOP.

Consistent with CEQA Guidelines Section 15103, “Responsible and Trustee Agencies, and the Office of Planning and Research shall provide a response to a Notice of Preparation to the Lead Agency within 30 days after receipt of the notice. If they fail to reply within the 30 days with either a response or a well justified request for additional time, the lead agency may assume that none of those entities have a response to make and may ignore a late response.”⁷

A scoping meeting was noticed in the Notice of Preparation and submitted to the OPR/SCH and sent to Responsible and Trustee agencies. The scoping meeting was held on December 13, 2018. No comments were received during this meeting. Appendix “H” of the Draft EIR contains a copy of the NOP process including: the NOP that was submitted to the OPR/SCH and agencies, and the written comments that were received on the NOP.

Section 15093 of the CEQA Guidelines requires decision-makers to balance the benefits of a proposed project against any unavoidable adverse environmental effects of the project. If the benefits of the project outweigh the unavoidable adverse environmental effects, then the decision-makers may adopt a statement of overriding considerations, finding that the environmental effects are acceptable in light of the project's benefits to the public.

As noted in CEQA Guidelines Section 15105, a Draft EIR that is submitted to the State Clearinghouse shall have a minimum review period of 45 days, unless a shortened review period is granted by the OPR/SCH. Consistent with CEQA Guidelines Section 15087, the Draft EIR was circulated publicly for a comment period beginning on April 16, 2021. Following completion of the 45-day public review period ending on May 31, 2021, RMA staff prepared responses to comments and a Final EIR has been completed. The Final EIR was forwarded to the Tulare County Board of Supervisors for review for certification of the Final EIR for the Woodville Disposal Site (Landfill) Expansion Project or for denial of the Project. If the Board of Supervisors approves the Project, a Notice of Determination will then be filed with the County of Tulare County Clerk and forwarded to the OPR/SCH.

⁷ CEQA Guidelines, Section 15103

ORGANIZATIONS CONSULTED

Appendix “H” of the Draft EIR contains the NOP process, which includes a listing of all of the agencies receiving the NOP. Attachment 1 of this Final EIR includes a table identifying the recipients of NOA.

Attachment 1

Notice of Availability Tracking Table

**NOTICE OF AVAILABILITY OF ENVIRONMENTAL IMPACT REPORT
WOODVILLE DISPOSAL SITE EXPANSION (SCH# 2018121007)**

AGENCY / ENTITY	DOCUMENTS SENT						DELIVERY METHOD				COMMENTS RECEIVED
	Electronic				Hard Copy		Hand Delivered / Interoffice	E-mail	FedEx	US Mail	
	Electronic Submittal Form	NOC	NOA	DEIR	NOA	DEIR					
AVAILABILITY OF PUBLIC VIEWING											
Tulare County Website: http://tularecounty.ca.gov/rma/index.cfm/projects/planning-projects/environmental-documents/woodville-landfill-expansion-project/											
Tulare County Resource Management Agency 5961 S. Mooney Blvd. Visalia, CA 93277-9394					X	X	4/16/21				
STATE CLEARINGHOUSE (Agencies below were marked with “X” on the NOC)	X	X	X	X			4/16/21 direct upload				
• Department of Fish and Wildlife Region #4											
• Department of Forestry & Fire Protection											
• Department of Resources and Recycling and Recovery											See below.
• Department of Transportation – District #6											See below.
• Department of Toxic Substances Control											
• Regional Water Quality Control Board – District #5F											
FEDERAL AGENCIES											
U.S. Army Corps of Engineers Sacramento District 1325 J Street, Room 1350 Sacramento, CA 95814-2922					X					4/7/21	
U.S. Fish and Wildlife Service Sacramento Fish & Wildlife Office 2800 Cottage Way, Room W-2605 Sacramento, CA 95825-1846					X					4/7/21	
STATE & REGIONAL AGENCIES											
CA Air Resources Board PO Box 2815 Sacramento, CA 95812					X					4/7/21	
CA Dept. of Fish and Wildlife Region 4 – Central Region 1234 E. Shaw Avenue Fresno, CA 93710 JVANCE@dfg.ca.gov Craig.Bailey@wildlife.ca.gov Jennifer.Giannetta@wildlife.ca.gov					X					4/7/21	
CA Dept. Forestry & Fire Protection 1234 E. Shaw Ave Fresno CA 93710					X					4/7/21	

**NOTICE OF AVAILABILITY OF ENVIRONMENTAL IMPACT REPORT
WOODVILLE DISPOSAL SITE EXPANSION (SCH# 2018121007)**

AGENCY / ENTITY	DOCUMENTS SENT						DELIVERY METHOD				COMMENTS RECEIVED
	Electronic				Hard Copy		Hand Delivered / Interoffice	E-mail	FedEx	US Mail	
	Electronic Submittal Form	NOC	NOA	DEIR	NOA	DEIR					
CA Dept Resources Recycling & Recovery P.O. Box 4025 Sacramento, CA 95812 joy.isaacson@calrecycle.ca.gov					X					4/7/21	5/28/21, comments received from Joy Isaacson, Environmental Scientist
CA Dept of Toxic Substances Control P.O. Box 806 Sacramento, CA 95812-0806					X					4/7/21	
CA Dept. of Transportation, District 6 1352 W. Olive Ave P.O. Box 12616 Fresno, CA 93778-2616 david.deel@dot.ca.gov michael.navarro@dot.ca.gov					X					4/7/21	5/13/21, comments received from David Deel, Associate Transportation Planner
Native American Heritage Commission 1550 Harbor Blvd, Suite 100 West Sacramento, CA 95691 nahc@nahc.ca.gov					X					4/7/21	
Regional Water Quality Control Board Region 5 – Central Valley Attn: Doug Patteson, Supervising Water Resource Control Engineer 1685 E Street Fresno, CA 93706 Doug.Patteson@waterboards.ca.gov					X					4/7/21	
State Water Resources Control Board P.O. Box 100 Sacramento, CA 95812					X					4/7/21	
San Joaquin Valley APCD Permit Services – CEQA Division 1990 E. Gettysburg Ave. Fresno, CA 93726 CEQA@valleyair.org					X					4/7/21	5/26/21, comments received from John Stagnaro, Program Manager and Brian Clements, Director of Permit Services
LOCAL AGENCIES											
Tulare County Health & Human Services Agency Environmental Health Department Attn: Allison Shuklian 5957 S. Mooney Blvd Visalia, CA 93277 AShuklia@tularehhsa.org					X		4/7/21				6/10/21, comments received from Jessica Gocke, Supervising Environmental Health Specialist

**NOTICE OF AVAILABILITY OF ENVIRONMENTAL IMPACT REPORT
WOODVILLE DISPOSAL SITE EXPANSION (SCH# 2018121007)**

AGENCY / ENTITY	DOCUMENTS SENT						DELIVERY METHOD				COMMENTS RECEIVED
	Electronic				Hard Copy		Hand Delivered / Interoffice	E-mail	FedEx	US Mail	
	Electronic Submittal Form	NOC	NOA	DEIR	NOA	DEIR					
Tulare County Resource Management Agency 5961 S. Mooney Blvd. Visalia, CA 93277 Fire Division – gportillo@co.tulare.ca.us Public Works Division – hbeltran@co.tulare.ca.us ; jwong@co.tulare.ca.us					X		4/7/21				
Tulare County Solid Waste Attn: Jonah Trevino 5955 S. Mooney Blvd. Visalia, CA 93277 jtrevino@tularecounty.ca.gov					X		4/7/21				
City of Porterville Attn: John D. Lollis, City Manager 291 N. Main Street Porterville, CA 93257 mgr-office@ci.porterville.ca.us					X					4/7/21	
City of Porterville Community Development Attn: Julie Phillips, Manager 291 N. Main Street Porterville, CA 93257 planning@ci.porterville.ca.us					X					4/7/21	
City of Tulare Attn: Willard Epps, Interim City Manager 411 E. Kern Avenue Tulare, CA 93274 wepps@tulare.ca.gov					X					4/7/21	
City of Tulare Attn: Josh McDonnell, Community & Economic Development Director 411 E. Kern Avenue Tulare, CA 93274 jmcdonnell@tulare.ca.gov					X					4/7/21	

Attachment 2

Comments Received from the California Department of
Transportation (Caltrans), May 13, 2021
and
County Response to Comments



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277.
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock Economic Development and Planning
Reed Schenke Public Works
Sherman Dix Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

June 18, 2021

SENT VIA EMAIL

David Deel, Associate Transportation Planner
California Department of Transportation
1352 W. Olive Ave.
P.O. Box 12616
Fresno, CA 93778-2616

Subject: Response to Comments – WOODVILLE DISPOSAL SITE (LANDFILL EXPANSION), SCH# 2018121007

Dear Mr. Deel:

Thank you for providing Department of Transportation (Caltrans) letter response (dated May 13, 2021) regarding the Draft Environmental Impact Report (DEIR) for the Woodville Disposal Site (Landfill Expansion) Project, State Clearinghouse #2018121007.

The County of Tulare (County) acknowledges and recognizes Caltrans' authority and expertise regarding transportation issues relative to the proposed project. Based on your comment letter and other comment letters received from other agencies, the County has responded to the comments and in some cases made revisions to the project environmental documents. The following is the County of Tulare Resource Management Agency (RMA) response to your letter (attached for your ease of reference). The Final EIR (see below for website link) also includes RMA's response to your comments (below) as well as the revisions to the project environmental documents.

Our response will be brief as Caltrans stated at Item 6 of Caltrans' comment letter that, "Caltrans concurs with the conclusions of the TIS and DEIR and determined that the Project will have minimal impacts to the State Highway System, specifically SR 137."

Response: *No response is necessary as Caltrans has explicitly stated that "Caltrans concurs with the conclusions of the TIS and DEIR and determined that the Project will have minimal impacts to the State Highway System, specifically SR 137."*

The project will be heard before the Tulare County Board of Supervisors on June 29, 2021 for consideration of certifying the Final EIR and approving the project. The Final EIR will be available beginning June 18, 2021 at the following website:

<https://tularecounty.ca.gov/rma/index.cfm/projects/planning-projects/environmental-documents/woodville-landfill-expansion-project/>.

In closing, we sincerely appreciate the Caltrans' comments which will be useful toward ensuring that the proposed Project complies with Caltrans regulations and with the California Environmental Quality Act.

If you have any questions regarding the above, please contact me at (559) 624-7121.

Best Regards,



Hector Guerra, Chief
Environmental Planning Division

Attachment: Caltrans comment letter dated May 13, 2021

cc: file

**DEPARTMENT OF TRANSPORTATION
DISTRICT 6 OFFICE**

1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 981-1041
FAX (559) 488-4088
TTY 711
www.dot.ca.gov



Making Conservation
a California Way of Life

May 13, 2021

06-TUL-137-22.32
TIS/DEIR
WOODVILLE LANDFILL EXPANSION
SCH # 2018121007
GTS: [#20491](#)

SENT VIA EMAIL

Mr. Hector Guerra
Chief Environmental Planner
Tulare County Resource Management Agency
5961 S Mooney Blvd.
Visalia, CA 93277

Dear Mr. Guerra:

Thank you for the opportunity to review the Traffic Impact Study (TIS) and the Draft Environmental Impact Report (DEIR) for the Woodville Landfill Expansion. The project proposes to expand the existing 160-acre Woodville landfill, to approximately 400-acres and increase the life of the Project site for the next 55 years until 2074. The Project is designed to meet the increased need for solid waste disposal in the Tulare County for the next 55 years. The Project site is located at 19800 Road 152, Tulare, CA 93274, approximately 3.5 miles south of State Route (SR) 137, 7 miles north of SR 190, and approximately 8 miles east of SR 99.

Caltrans provides the *following comments* consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. A Traffic Impact Study (TIS) dated August 2019, was completed and included in the Draft Environmental Impact Report (DEIR). The TIS states that the *existing* site operations generate approximately 350 vehicles per day, although the site is permitted for 489 vehicles per day.
2. Table 2-2 of the TIS shows that the 95th percentile queues for existing conditions of the northbound left lane, eastbound right lane, and westbound left lane of the SR 137 and SR 63 intersection, exceed the existing storage length. Although, Table 3-3 of the TIS shows that the project would not exacerbate the queues at the SR 137 intersections with SR 63, Road 140, and Road 152.
3. The DEIR states that amount of daily solid waste received, and number of vehicles entering/exiting will not increase or decrease with the Project expansion. The Project is expected to generate 490 trips per day (a trip is defined as a two-way trip).

4. The DEIR indicates the Project will have an estimated average of 12,250 vehicle miles traveled (VMT). The estimated VMT is derived from the trip length from the project site to the Visalia Landfill and has been assumed to be 25 miles per trip. The project's VMT would result in contribution of approximately 0.1150% of all daily VMT in Tulare County, based on the averaged 10,650,825 daily VMT in all Tulare County. Also, the project's VMT would result in contribution of approximately 0.3918% of daily heavy-duty truck VMT in Tulare County, based on the averaged 3,127,189 daily heavy-duty truck VMT in all Tulare County. The DEIR states that waste materials from the City of Tulare will be transported to Project's site rather than the Visalia Landfill site, effectively reducing the VMT.
5. The DEIR concludes that although operations at the Woodville site will be expanded, the project would provide an overall reduction in VMT for solid waste disposal.
6. Caltrans concurs with the conclusions of the TIS and DEIR and determined that the Project will have minimal impacts to the State Highway System, specifically SR 137.

If you have any other questions, please call me at (559) 981-1041.

Sincerely,



DAVID DEEL
Associate Transportation Planner
Transportation Planning – South

Attachment 3

Comments Received from San Joaquin Valley Unified Air
Pollution Control District (Air District), May 26, 2021
and
County Response to Comments



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277.
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock Economic Development and Planning
Reed Schenke Public Works
Sherman Dix Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

June 18, 2021

SENT VIA EMAIL

Brian Clements, Director of Permit Services
San Joaquin Valley Air Pollution Control District
1990 E. Gettysburg Ave.
Fresno, CA 93726-0244

Subject: Response to Comments – WOODVILLE DISPOSAL SITE (LANDFILL EXPANSION),
SCH# 2018121007

Dear Mr. Clements:

Thank you for providing the San Joaquin Valley Air Pollution Control District (Air District) letter response (dated May 26, 2021) regarding the Draft Environmental Impact Report (DEIR) for the Woodville Disposal Site (Landfill Expansion) Project, State Clearinghouse #2018121007.

The County of Tulare (County) acknowledges and recognizes the Air District's authority and expertise regarding air quality issues relative to the proposed project. Based on your comment letter and other comment letters received from other agencies, the County has responded to the comments and in some cases made revisions to the project environmental documents. The following is the County of Tulare Resource Management Agency (RMA) response to your letter (attached for your ease of reference). The Final EIR (see below for website link) also includes RMA's response to your comments (below) as well as the revisions to the project environmental documents.

Comment Subject 1: Reducing Air Quality Impacts from Construction Activities. To further reduce impacts from construction-related exhaust emissions and activities, the District recommends using the cleanest reasonably available off-road construction practices (i.e.; eliminating unnecessary idling) and fleets, as set forth in §2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 Code of Federal Regulations be used to reduce Project related impacts from construction related exhaust emissions.

Response: *The County makes every effort to use the most efficient, non-emitting equipment at the County's landfills. Cost constraints only allows the County to replace, retrofit, modernize, etc., a limited amount of equipment annually.*

Comment Subject 2: District Rule and Regulations. The District issues permits for many types of air pollution sources and regulates some activities not requiring permits. A project subject to District rules and regulation would reduce its impacts on air quality through compliance with regulatory requirements. In general, a regulation is a collection of rules, each of which deals with a specific topic. Here are a couple of example, Regulation II (Permits) deals with permitting emission sources and includes rules such as District permit requirements (Rule 2010), New and Modified Stationary Source

Review (Rule 2201), and implementation of Emission Reduction Credit Banking (Rule 2301). The listed rules is neither exhaustive nor exclusive.

Response: *The County is receptive to acquiring applicable Air District permits and implementing District rules and regulations. For example, the Draft EIR non-exhaustive list includes the Air District's Regulation VII, Rule 2010, Rule 2520, Rule 3135, Rule 4101, rule 4102, rule 4311, Rule 4566, Rule 4601, Rule 4641. Lists. As such, we look forward to receiving District guidance to enable us to comply with applicable District rules and regulations.*

Comment Subject 2a: District Rule 9510 (Indirect Source Review). Per District Rule 9510 (Indirect Source Review) section 4.4.3, a development project on a facility whose primary functions are subject to District Rule 2201 or District Rule 2010 are exempt from the requirements of the rule. The District has reviewed the information provided and has determined that the primary functions of this Project are subject to District Rule 2201 (New and Modified Stationary Source Review Rule) or District Rule 2010 (Permits Required). As a result, District Rule 9510 requirements and related fees do not apply to the Project referenced above.

Response: *We appreciate the Air District's comment that Rule 9510 will not apply as the Project is subject to District Rule 2201 (New and Modified Stationary Source Review Rule) or District Rule 2010 (Permits Required).*

Comment Subject 3: District Comment Letter. The District recommends that a copy of the District's comments be provided to the Project proponent.

Response: *We will provide a copy of the Air District's comments to the County's Solid Waste Department as recommended.*

The project will be heard before the Tulare County Board of Supervisors on June 29, 2021 for consideration of certifying the Final EIR and approving the project. The Final EIR will be available beginning June 18, 2021 at the following website:

<https://tularecounty.ca.gov/rma/index.cfm/projects/planning-projects/environmental-documents/woodville-landfill-expansion-project/>

In closing, we sincerely appreciate the Air District's comments which will be useful toward ensuring that the proposed Project complies with Air District regulations and with the California Environmental Quality Act.

If you have any questions regarding the above, please contact me at (559) 624-7121.

Best Regards



Hector Guerra, Chief
Environmental Planning Division

Attachment: Air District comment letter dated May 26, 2021

Cc: File

May 26, 2021

Hector Guerra
County of Tulare
Resource Management Agency
5961 S Mooney Blvd
Visalia, CA, 93277

Project: Draft Environmental Impact Report - Woodville Landfill Expansion

District CEQA Reference No: 20210367

Dear Mr. Guerra:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) for the project referenced above from the County of Tulare (County). The project consists of expansion of an existing Landfill operation that would encompass an area of approximately 400 acres (Project). The Project is located at 19800 Road 152, in Tulare, CA (APN 196-040-029). The District offers the following comments:

1) Reducing Air Quality Impacts from Construction Activities

To further reduce impacts from construction-related exhaust emissions and activities, the District recommends using the cleanest reasonably available off-road construction practices (i.e. eliminating unnecessary idling) and fleets, as set forth in §2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 Code of Federal Regulations be used to reduce Project related impacts from construction related exhaust emissions.

2) District Rules and Regulation

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

Samir Sheikh

Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95358-8718
Tel: (209) 557-8400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-8081

Southern Region
34948 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

Modified Stationary Source Review (Rule 2201), and implementation of Emission Reduction Credit Banking (Rule 2301).

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

2a) District Rule 9510 (Indirect Source Review)

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

Per District Rule 9510 (Indirect Source Review) section 4.4.3, a development project on a facility whose primary functions are subject to District Rule 2201 or District Rule 2010 are exempt from the requirements of the rule. The District has reviewed the information provided and has determined that the primary functions of this Project are subject to District Rule 2201 (New and Modified Stationary Source Review Rule) or District Rule 2010 (Permits Required). As a result, District Rule 9510 requirements and related fees do not apply to the Project referenced above.

3) District Comment Letter

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

If you have any questions or require further information, please contact Regine Letim by e-mail at regine.letim@valleyair.org or by phone at (559) 230-5892.

Sincerely,

Brian Clements
Director of Permit Services



For John Stagnaro
Program Manager

BC: RL

Attachment 4

Comments Received from California Environmental
Protection Agency. California Department of Resources
Recycling and Recovery (CalRecycle), May 28, 2021
and
County Response to Comments



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277.
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock	Economic Development and Planning
Reed Schenke	Public Works
Sherman Dix	Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

June 18, 2021

SENT VIA EMAIL

Joy Isaacson, Environmental Scientist
Department of Resources Recycling and Recovery
Waste Permitting, Compliance & Mitigation Division
Permitting & Assistance Branch – South Unit
1001 "I" Street
Sacramento, CA 95812
P.O. Box 4025

Subject: Response to Comments – WOODVILLE DISPOSAL SITE (LANDFILL EXPANSION), SCH# 2018121007

Dear Ms. Isaacson:

Thank you for providing Department of Resources Recycling and Recovery (CalRecycle) email (dated May 28, 2021) and letter response (dated May 28, 2021) regarding the Draft Environmental Impact Report (DEIR) for the Woodville Disposal Site (Landfill Expansion) Project, State Clearinghouse #2018121007.

The County of Tulare (County) acknowledges and recognizes CalRecycle's authority and expertise regarding transportation, storage, and use of recycled materials relative to the proposed project. Based on your comment letter and other comment letters received from other agencies, the County has responded to the comments and in some cases made revisions to the project environmental documents. The following is the County of Tulare Resource Management Agency (RMA) response to your letter (attached for your ease of reference). The Final EIR (see below for website link) also includes RMA's response to your comments (below) as well as the revisions to the project environmental documents. It is noted that Mr. Jonah Trevino, Environmental Coordinator, Tulare County Solid Waste Department contributed to responses to CalRecycle's comments.

Comment Subjects: Following is a summary of CalRecycle's comments subjects: Project description; composting; JTD; SWFP/site drawing; define operation floor; elevation of cells; grading plan; Local Enforcement Agency; CEQA-related.

Comment Subject: Project description.

Response: No comment, CalRecycle reiterated the Project description accurately.

Comment Subject: Composting.

Response: The tonnage will be no more than 100,000 Cubic tons annually. This is just a max volume based on space we have for design capacity. The design is not complete or permitted, we only have land set aside for potential future use of a composting facility. This will not be new tonnage, it will be source separated tonnage so it will not exceed the permitted tons per day. It is unknown at this time what proposed feedstocks, type of composting process, and any daily tonnage limits would be for the composting component of this Project. As such, prior to initiation of composting activities, it is likely that an additional CEQA document (ranging from a categorical exemption to a negative/mitigated negative declaration) will be prepared and the new CEQA document will tier-off this EIR after it is certified. The County appreciates CalRecycle's guidance on the CEQA requirements for compost activities and will prepare the appropriate CEQA document consistent with that guidance.

Comment Subject: JTD.

Response: The Solid Waste Department is currently updating the permit/JTD and anticipated completion of this process by the end of the June 2021.

Comment Subject: SWFP/site drawing.

Response: There are 160 acres is the total acreage for units 1 and 2. 152.5 acres are used for actual waste placement while the balance (7.5 acres) are used for drainage. There will be 160 additional acres used for waste placement and an additional 80 acres used for borrow/operations area. The 400 acres is the **total** [emphasis added] for all of those parts. A Map is included in the attachment to this chapter.

Comment Subject: Define operation floor.

Response: The operation floor will be the elevation at which the landfill liner is placed.

Comment Subject: Elevation of cells.

Response:

Comment Subject: Grading plan.

Response: There will not be any change to the final grading plan; as such, there is no need to include any changes in the Final EIR.

Comment Subject: Local Enforcement Agency.

Response: We acknowledge that Tulare County Department of Health Services, Division of Environmental Health is the Local Enforcement Agency (LEA) for Tulare County and will be

responsible for providing regulatory oversight of solid waste handling activities, including inspections and permitting.

Comment Subject: CEQA-related.

Response: We acknowledge CalRecycle's encouragement that the lead agency (RMA of Tulare County) fulfill all aspects of CEQA relative to this Project. As a sidebar, to our knowledge, Tulare County is the only county throughout California that prepares and completes environmental impact reports. As such, we are confident that all components are dutifully fulfilled including providing CEQA documents, public notices, Notices of Determination, etc. In addition to receive public notification of any public hearing regarding the Project, CalRecycle will also be receiving our response to comments within the 10-day requirement as provided in the CEQA Guidelines.

The project will be heard before the Tulare County Board of Supervisors on June 29, 2021 for consideration of certifying the Final EIR and approving the project. The Final EIR will be available beginning June 18, 2021 at the following website:

<https://tularecounty.ca.gov/rma/index.cfm/projects/planning-projects/environmental-documents/woodville-landfill-expansion-project/>

In closing, we sincerely appreciate CalRecycle's comments which will be useful toward ensuring that the proposed Project complies with CalRecycle regulations and with the California Environmental Quality Act.

If you have any questions regarding the above, please contact me at (559) 624-7121.

Best Regards,









Hector Guerra, Chief
Environmental Planning Division

Attachment: CalRecycle comment letter dated May 28, 2021

cc: Jessica Gocke, Tulare County LEA
file

Woodville Landfill

Legend

-  Borrow/Operations Area 80 Acres
-  County Owned Property
-  Expansion WMU-2 80 Acres
-  Future WMU-3 160 Acres
-  WMU-1 72.5 Acres
-  Woodville Landfill





May 28, 2021

Mr. Hector Guerra, Chief Environmental Officer
County of Tulare Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277

**Subject: Draft Environmental Impact Report for the Woodville Landfill Expansion
Project, SWIS No. 54-AA-0008, Tulare County
SCH# 2018121007**

Dear Mr. Guerra:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

PROJECT DESCRIPTION

The Tulare County Resource Management Agency, acting as Lead Agency, has prepared and circulated a Draft Environmental Impact Report (DEIR) in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project.

The proposed Woodville Landfill Expansion (proposed project) is located at 19800 Road 152 within the unincorporated area of Tulare County. The project site is approximately 3.5 miles north of the City of Woodville, and 5 miles east of the City of Tulare, between Roads 208 and 224. The project site is approximately 525 acres, and the site is currently zoned Exclusive Agriculture. The site is surrounded by agricultural operations, dairies, and a few residential homes.

The proposed project is designed to expand the current Woodville Disposal Site/Landfill to meet the anticipated projected solid waste disposal needs in Tulare County for the next 55 years. As stated in the DEIR, the proposed project would: increase the total acreage from 160 acres to 400 acres, a 240 acre increase that would be the combination of inclusion of parcels from the east, north, northwest, and south; relocation of the scale house, gas flare, and operations facilities; changes to the operation floor; an increase in overall design capacity from 13.1 million cubic yards to 27.5 million cubic yards; and the addition of a composting activity that would process up to 50,000 cubic tons per year of organic material including food waste. Hours of operation, daily tonnage, and traffic volume are anticipated to remain the same.

COMMENTS

CalRecycle prepared a comment letter for the Notice of Preparation dated December 31, 2018. Below are additional comments based on the proposed project as described in the DEIR. Please ensure the comments are addressed throughout all sections of the DEIR.

Composting Facility: the project description ranges from 50,000 cubic tons annually to 100,000 cubic tons annually, with one statement of 4,000 tons per month/136 tons per day. Please clarify the limit of material that can be processed each year, amount received each day, and design capacity for the volume of material that may be stored on-site (including feedstock, processed material, material composting, finished compost, etc.) Please clarify the units for the amount of material that will be processed each year, is it cubic yards per year or tons per year (DEIR references cubic tons)?

Will the facility receive additional daily tonnage to accommodate the composting activity? Will the landfill receive more than the current permitted tons per day?

Please see CalRecycle's guidance on the CEQA requirements for compost activities:
<https://www.calrecycle.ca.gov/swfacilities/permitting/ceqa/documents/guidance/compost>

The EIR will need to include, but not limited to, all proposed feedstocks, type of composting process, and any daily tonnage limits. Please see Permitting Compostable Material Handling Facilities and Operations:
<https://www.calrecycle.ca.gov/SWFacilities/Permitting/FacilityType/Compost/>

The EIR includes the November 2015 JTD for the facility. This JTD will need to be updated after the CEQA process is complete to reflect all of the proposed changes. Closure and Cost Estimates will need be updated as well.

The current SWFP has a permitted total acreage of 525 acres and disposal acreage of 152.5 acres. The proposed project would allow an expansion from 160 acres to 400 acres. It is not clear what the 160 acres and 400 acres reference. Please clarify what the proposed expansion would allow. Would the proposed project allow an expansion in the permitted overall acreage or the permitted disposal acreage or both?

Please clarify and include a drawing of the currently permitted total area of 525 acres and the 152.5 disposal acres in relation to the proposed total site acreage and proposed disposal acreage.

The project description states that the proposed project would, "change [the] operation floor from 282 feet above mean sea level (MSL) to 270 feet MSL for WMU-2 and WMU-3." Please describe and define the "operation floor."

The current permitted maximum elevation for the unlined WMU is 371 feet MSL and 393 feet MSL for lined WMU cells. Please clarify the overall maximum elevation for all cells. Will there be any increase or decrease in the permitted maximum elevation for any of the cells?

Does the proposed project include a change in the final grading plan? Please include any elevation changes associated with final cover when calculating maximum elevation. The EIR should evaluate any potential impacts associated with an increase in final elevation and/or change to the final grading plan.

Implementation of the proposed project will require a revision to the existing SWFP. The revised SWFP will require action by CalRecycle. As a responsible agency, CalRecycle will be required to make a consistency finding with CEQA to support its action on the revised SWFP.

Solid Waste Regulatory Oversight

The Tulare County Department of Health Services, Division of Environmental Health is the Local Enforcement Agency (LEA) for Tulare County and responsible for providing regulatory oversight of solid waste handling activities, including inspections and permitting. Please contact the LEA, Jessica Gocke at (559) 624-7400 to discuss the regulatory requirements for the proposed project.

CONCLUSION

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the environmental document and hopes that this comment letter will be useful to the Lead Agency preparing the DEIR and in carrying out their responsibilities in the CEQA process.

CalRecycle staff requests copies of any subsequent environmental documents, public notices, and any Notices of Determination for this proposed project. CalRecycle requests being noticed of the date, time, and location of any public hearings regarding the proposed project at least 10 days in advance of the date of the approval of the proposed project by the decision making body.

If you have any questions regarding these comments, please contact me at (916) 341-6772 or joy.isaacson@calrecycle.ca.gov.

Sincerely,



Joy Isaacson

Woodville Expansion Project
SCH# 2018121007
May 28, 2021
Page 4 of 4

Environmental Scientist
Permitting & Assistance Branch
Waste Permitting, Compliance & Mitigation Division

cc: Jessica Gocke, Tulare County LEA

Attachment 5

Comments Received from Tulare County Health and Human
Services Agency, Environment Health Services Division,
June 10, 2021
and
County Response to Comments



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277 .
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock Economic Development and Planning
Reed Schenke Public Works
Sherman Dix Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

June 18, 2021

Jessica Gocke, Supervising Environmental Health Specialist
Tulare County Health & Human Services Agency
5957 S. Mooney Blvd.
Visalia, CA 93277

SENT VIA EMAIL

Subject: Response to Comments – Woodville Disposal Site (SCH# 2018121007)

Dear Ms. Gocke:

Thank you for providing the Tulare County Environmental Services Division (TCEHSD) letter response (dated June 10, 2021) regarding the Draft Environmental Impact Report (DEIR) for the Three Rivers Hampton Inn & Suites Project, State Clearinghouse #2018121007.

The County of Tulare (County) acknowledges and recognizes TCEHSD authority and expertise regarding environmental health related issues relative to the proposed project. Based on your comment letter and other comment letters received from other agencies, the County has responded to the comments and in some cases made revisions to the project environmental documents. The following is the County of Tulare Resource Management Agency (RMA) response to your letter (attached for your ease of reference). The Final EIR (see below for website link) also includes RMA's response to your comments (below) as well as the revisions to the project environmental documents.

Comment Subject 1: Tulare County Local Enforcement Agency concurs with CalRecycle's comments.

Response: *Comment noted. Also, please see the response to CalRecycle's comments (and attached comment letter).*

Comment Subject 2: In addition to clarifying the limit of material that can be processed each year, amount received each day, and storage capacity on-site, please clarify the length of time compost feed stock will be stored before it is processed?

Response: *It is anticipated that compost feed stock will be stored consistent with CalRecycle guidance when composting operations begin.*

Comment Subject 3: Implementation of the proposed project will require a revision to the existing SWFP. The revised SWFP will require action by Tulare County Local Enforcement Agency per CCR Title 27 section 21570.

Response: *Comment noted, the Solid Waste Department will comply with CCR Title 27 section 21570 and forward the SWFP to the Tulare County Local Enforcement Agency as indicated.*

Comment Subject 4: If the hotel will feature preparation, storage, packaging and/or serving food at the retail level, then the operation may be subject to requirements found in the California Retail Food Code. Under these requirements, plans shall be submitted to the TCEHSD, for review.

Response: *Comment noted. The Applicant is aware and will be required to comply with TCEHSD requirements for preparation, storage, packaging and/or serving food at the retail level that may be subject to requirements found in the California Retail Food Code(s) as required by TCEHSD.*

Comment Subject 5: If a recreational pool will be part of the development plans, the site may be subject to regulations for pool construction and operation (Health & Safety Code Sections 115920-116068). Under these requirements, plans shall be submitted to the TCEHSD, for review.

Response: *The Project will include a recreational swimming pool; as such, the applicant will be required to construct and operate the pool per Health & Safety Code Sections 115920-116068 and also submit plans to the TCEHSD for review.*

The project will be heard before the Tulare County Board of Supervisors on June 29, 2021 for consideration of certifying the Final EIR and approving the project. The Final EIR will be available beginning June 18, 2021 at the following website:

<https://tularecounty.ca.gov/rma/index.cfm/projects/planning-projects/environmental-documents/woodville-landfill-expansion-project/>

In closing, we sincerely appreciate TCEHSD's comments which will be useful toward ensuring that the proposed Project complies with TCEHSD requirements/standards and with the California Environmental Quality Act.

If you have any questions regarding the above, please contact me at (559) 624-7121.

Very Best Regards,



Hector Guerra, Chief
Environmental Planning Division

Attachment: Tulare County Environmental Health Services Division comment letter dated June 10, 2021

Cc: File



**TULARE COUNTY
HEALTH & HUMAN SERVICES AGENCY**

Timothy W. Lutz, MBA
Agency Director

Nilsa Gonzalez • Public Health Branch Deputy Director • Environmental Health Director

June 10, 2021

Mr. Hector Guerra, Chief Environmental Officer
County of Tulare Resource Management Agency
5961 S. Mooney Blvd.
Visalia CA 93277

**Re: Draft Environmental Impact Report for the Woodville Landfill Expansion Project,
SWIS No. 54-AA-0008, Tulare County
SCH#2018121007**

Dear Mr. Guerra:

Tulare County Local Enforcement Agency has had the opportunity to review the Draft Environmental Impact Report for the Woodville Landfill Expansion Project, SWIS no. 54-AA-00008/SCH#201821007.

After review of the Project and CalRecycle's comments in a letter dated May 28, 2021; Tulare County Local Enforcement Agency concurs with CalRecycle's comments and has the additional following comments and questions:

- In addition to clarifying the limit of material that can be processed each year, amount received each day, and storage capacity on-site, please clarify the length of time compost feed stock will be stored before it is processed?
- Implementation of the proposed project will require a revision to the existing SWFP. The revised SWFP will require action by Tulare County Local Enforcement Agency per CCR Title 27 section 21570.

If you have any questions regarding these comments, please contact me at (559) 624-7428 or jgocke@tularecounty.ca.gov

Sincerely,

A handwritten signature in cursive script that reads "Jessica Gocke".

Jessica Gocke, DPA, REHS
Supervising Environmental Health Specialist

Attachment 6

OPR Email Confirmation and CEQAnet Printout

From: [Mikayla Vaba](#)
To: [Jessica R Willis](#)
Subject: SCH Number 2018121007
Date: Friday, April 16, 2021 3:39:50 PM

Hello,

Your project is published and is available for review. Please note the review 'start' and 'end' period. You can use the "navigation" and select "published document" to view your project and any attachments on CEQAnet.

Closing Letters: The State Clearinghouse (SCH) would like to inform you that at this time, our office has transitioned from providing close of review period acknowledgement on your CEQA environmental document. During the phase of not receiving notice on the close of review period, comments submitted by state agencies at the close of review period (and after) are available on CEQAnet.

Please visit: <https://ceqanet.opr.ca.gov/Search/Advanced>

- Type in the SCH# of your project
 - If filtering by "Lead Agency"
 - Select the correct project
 - Only State Agency comments will be available in the "attachments" section.

Note: Refer to the **bold and highlighted agencies**.

Mikayla Vaba
State Clearinghouse
(916) 445-0613

To view your submission, use the following link.

<https://ceqasubmit.opr.ca.gov/Document/Index/44836/2>

Woodville Disposal Site

Summary

SCH Number	2018121007
Lead Agency	Tulare County
Document Title	Woodville Disposal Site
Document Type	EIR - Draft EIR
Received	4/16/2021
Present Land Use	Landfill

Document Description	<p>The Project consist of the expansion of the existing 160-acre Woodville landfill by 240 acres. Combined, the landfill would encompass an area of approximately 400 acres. The currently un-used portion of the existing landfill is vacant, unproductive land, while the proposed Project expansion area is predominantly under agriculturally productive row crops. This proposed Project is designed to anticipate and meet the demands/needs of increases in projected solid waste disposal of the County for the next 55 years. The Project includes the following modifications:</p> <ul style="list-style-type: none">Expand the Woodville landfill northeast of the existing Waste Management Unit-1 (WMU-1) landfill site to two contiguous parcels of approximately 80-acres each located east of the existing landfill. The inclusion of the northeast 160 acres (formerly known as the Hanni property) will be designated as future WMU-3.Expand the Woodville landfill to a contiguous approximately 70-acre parcel north of the existing landfill.Relocate the landfill entrance scale and scale house, landfill gas flare, and operations facilities to the northernmost 70-acre parcel designated for operations.Include the northwest 10-acre parcel (APN 196-03-010, formerly known as the Thompson Property) for the Borrow/ Operations area, and possibly include a staff office (approximately 5,000 square feet) and composting facility (less than 50,000 cubic tons annually).Utilize approximately 80 unused acres of the currently permitted landfill disposal area in the southern portion of the landfill as WMU-2.Change operation floor from 282 feet above mean sea level (MSL) to approximately 270 feet above MSL in WMU-2 and WMU-3.Increase the permitted landfill capacity by approximately 14.0 million cubic yards for an overall capacity of the Woodville landfill to approximately 27.5 million cubic yards. The additional WMUs will be designated Class III landfill units and would extend the anticipated landfill closure date by 55 years (to approximately Year 2074).
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Contact Information	Hector Guerra, Chief Environmental Planner Tulare County Resource Management Agency Lead/Public Agency 5961 S. Mooney Blvd. Visalia, CA 93277 Phone : (559) 624-7121 hguerra@tularecounty.ca.gov
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Location

Coordinates	36°8'54.44"N 119°13'57.7"W
Cities	Woodville
Counties	Tulare
Regions	Countywide Unincorporated
Cross Streets	Avenue 200 & Road 152
Total Acres	400
Parcel #	196-030-006, -011, -012; 196-040-001, 002, -003, -004, -005, -006; 196-070-11 (196-030-014 & 196
Waterways	Hutchinson Ditch
Township	20 S
Range	25 E

Notice of Completion

Review Period Start	4/16/2021
Review Period End	6/1/2021
Development Type	Other (Solid Waste Disposal (Landfill) Site Expansion)
Local Action	Use Permit
Project Issues	<div>Aesthetics Agriculture and Forestry Resources Air Quality Biological Resources Cultural Resources Cumulative Effects Drainage/Absorption Energy Flood Plain/Flooding Geology/Soils Greenhouse Gas Emissions Growth Inducement Hazards & Hazardous Materials Hydrology/Water Quality Land Use/Planning Mandatory Findings of Significance Mineral Resources Noise Population/Housing Public Services Recreation Schools/Universities Septic System Sewer Capacity Solid Waste Transportation Tribal Cultural Resources Utilities/Service Systems Vegetation Wetland/Riparian Wildfire</div>
Reviewing Agencies	<div>California Air Resources Board (ARB) California Department of Conservation (DOC) California Department of Fish and Wildlife, Central Region 4 (CDFW) California Department of Forestry and Fire Protection (CAL FIRE) California Department of Parks and Recreation California Department of Water Resources (DWR) California Governor's Office of Emergency Services (OES) California Native American Heritage Commission (NAHC) California Natural Resources Agency California Regional Water Quality Control Board, Central Valley Fresno Region 5 (RWQCB) California State Lands Commission (SLC) Central Valley Flood Protection Board Department of Toxic Substances Control Office of Historic Preservation Sierra Nevada Conservancy State Water Resources Control Board, Division of Drinking Water State Water Resources Control Board, Division of Water Quality California Department of Transportation, District 6 (DOT) California Department of Resources Recycling and Recovery</div>

Attachments

Draft Environmental Docu...	<div>NOA_OPR Notice_Woodville Landfill PDF 132 K</div> <div>Woodville Landfill DEIR PDF 120418 K</div> <div>Woodville Landfill_Summary_Form PDF 194 K</div>
Notice of Completion [NO...	<div>NOC_Woodville Landfill PDF 1059 K</div>
State Comment Letters [C...	<div>2018121007_CalRecycle Comment PDF 95 K</div> <div>2018121007_DOT Comment PDF 220 K</div>

Disclaimer: The Governor's Office of Planning and Research (OPR) accepts no responsibility for the content or accessibility of these documents. To obtain an attachment in a different format, please contact the lead agency at the contact information listed above. You may also contact the OPR via email at state.clearinghouse@opr.ca.gov or via phone at (916) 445-0613. For more information, please visit OPR's Accessibility Site.

II. Chapter 8

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program Chapter 8

This Draft Mitigation Monitoring and Reporting Program (MMRP) has been prepared in compliance with State law and based upon the findings of the Draft Environmental Impact Report (EIR) for the proposed Project. The MMRP lists mitigation measures recommended in the draft EIR for the proposed Project and identifies monitoring and reporting requirements.

The CEQA Public Resources Code Section 21081.6 requires the Lead Agency decision making body is going to approve a project and certify the EIR that it also adopt a reporting or monitoring program for those measures recommended to mitigate or avoid significant/adverse effects of the environment identified in the EIR. The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation. The MMRP is to contain the following elements:

- **Action and Procedure.** The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
- **Compliance and Verification.** A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when and by whom and compliance will be monitored and reported and to whom it will be report. As necessary the reporting should indicate any follow-up actions that might be necessary if the reporting notes the impact has not been mitigated.
- **Flexibility.** The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon the recommendations by those responsible for the MMRP. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program

Table 8-1 presents the Mitigation Measures identified for the proposed Project in this EIR. Each Mitigation Measure is identified by the impact number. For example, 4-1 would be the first Mitigation Measure identified in the Biological analysis of the draft EIR.

The first column of **Table 8-1** identifies the Mitigation Measure. The second column, entitled “Monitoring Timing/Frequency,” identifies the time the Mitigation Measure should be initiated and the frequency of the monitoring that should take place to assure the mitigation is being or has been implemented to achieve the desired outcome or performance standard. The third column, “Action Indicating Compliance,” identifies the requirements of compliance with the Mitigation Measure. The fourth column, “Monitoring Agency,” names the party ultimately

Draft Environmental Impact Report
Woodville Disposal Site Project
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responsible for ensuring that the Mitigation Measure is implemented. The fifth column, “Person/Agency Conducting Monitoring/Reporting” names the party/agency/entity responsible for verification that the Mitigation Measure has been implemented. The last three columns will be used by the Lead Agency (County of Tulare) to ensure that individual Mitigation Measures have been complied with and monitored.

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**Table 8-1
Mitigation Monitoring and Reporting Program**

Table 8-1 Mitigation Monitoring and Reporting Program							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
BIOLOGICAL RESOURCES							
3.4-1. (Avoidance). In order to avoid impacts to nesting birds, construction will occur, where possible, outside the nesting season, or between September 16 and January 31.	Prior to start of construction.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable.	County of Tulare Planning Department	Field survey by a qualified Biologist.			
3.4-2. (Pre-construction surveys). If construction must occur during the nesting season (February 1-September 15), a qualified biologist will conduct pre-construction surveys for active bird nests within 10 days of the onset of project initiation Nest surveys will encompass the project site and adjacent lands within 250 feet for migratory birds and 500 feet for raptors. Inaccessible portions of the survey area will be scanned with binoculars or spotting scope, as appropriate. If no active nests are found within the survey area, no further mitigation is required.	Prior to start of construction.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable.	County of Tulare Planning Department	Field survey by a qualified Biologist.			
3.4-3. (Establish Buffers). If active nests are found within the survey areas a qualified biologist will establish appropriate no-disturbance buffers based on species tolerance of human disturbance, baseline levels of disturbance, and barriers that may separate the nest from construction disturbance. These buffers will remain in place until the breeding season has ended or until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.	Prior to and during construction-related activities. On-going.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable.	County of Tulare Planning Department	Qualified biologist.			

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Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
3.4-4. (Take Avoidance Survey). A take avoidance survey for burrowing owls will be conducted by a qualified biologist between 14 and 30 days prior to the start of construction. This take avoidance survey will be conducted according to methods described in the Staff Report on Burrowing Owl Mitigation (CDFG 2012). The survey area will include all suitable habitat on and within 200 meters of project impact areas, where accessible.	Prior to construction-related activities. On-going.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable.	County of Tulare Planning Department	Qualified biologist.			
3.4-5. (Avoidance of Active Nests and Roosts). If project activities are undertaken during the breeding season (February 1-August 31) and active nest burrows are identified within or near project impact areas, a 200-meter disturbance-free buffer will be established around these burrows. During the non-breeding season (September 1 - January 31), resident owls occupying burrows in or near project impact areas will be avoided through the establishment of a 50-meter disturbance-free buffer or passively relocated to alternative habitat as described below. Smaller buffer areas during the non-breeding season may be implemented with the presence of a qualified biological monitor during all activities occurring within 50 meters of occupied burrows. Buffers will remain in place for the duration of project activities occurring within the vicinity of burrowing owl activity.	Prior to and during construction-related activities. On-going.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable.	County of Tulare Planning Department	Qualified biologist.			
3.4-6. (Passive Relocation of Resident Owls). During the non-breeding season (September 1-January 31), resident owls occupying burrows in project impact areas may be passively relocated to alternative habitat. This activity would be conducted in accordance with a	Prior to construction-related activities. On-going.	Retention of professional biologist/ongoing monitoring/ submittal of	County of Tulare Planning Department	Qualified biologist.			

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**Table 8-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
relocation plan prepared by a qualified biologist. Passive relocation may include one or more of the following elements: 1) establishing a minimum 50-foot buffer around all active burrowing owl burrows, 2) removing all suitable burrows outside the 50-foot buffer and up to 50 meters outside of the impact areas as necessary, 3) installing one-way doors on all potential owl burrows within the 50-foot buffer, 4) leaving one-way doors in place for 48 hours to ensure owls have vacated the burrows, and 5) removing the doors and excavating the remaining burrows within the 50-foot buffer.		Report of Findings, if applicable.					
3.4-7. (HCP Measures). All HCP protection measures relating to SJKF shall be implemented for the additional 160 acres of proposed landfill expansion outside the HCP boundaries; with the exception of den destruction, which would require consultation with the USFWS and CDFW before such an activity could be conducted outside the HCP boundaries.	Prior to construction-related activities. On-going.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable.	County of Tulare Planning Department	Qualified biologist.			
CULTURAL RESOURCES							
3.5-1. In the event that historical, archaeological or paleontological resources are discovered during site excavation, the County shall require that grading and construction work on the Project site be immediately suspended until the significance of the features can be determined by a qualified archaeologist or paleontologist. In this event, the specialists shall provide recommendations for measures necessary to protect any site determined to contain or constitute an	Prior to and during construction-related activities (e.g. cell excavating, storm water retention, etc.).	Approval by Tulare County RMA	County of Tulare Planning Department	Qualified archaeologist or paleontologist.			

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<p style="text-align: center;">Table 8-1 Mitigation Monitoring and Reporting Program</p>							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recover, excavation analysis, and curation of archaeological or paleontological materials. County staff shall consider such recommendations and implement them where they are feasible in light of Project design as previously approved by the County.							
3.5-2. The project proponent shall avoid and minimize impacts to paleontological resources. If a potentially significant paleontological resource is encountered during ground disturbing activities, all construction within a 100-foot radius of the find shall immediately cease until a qualified paleontologist determines whether the resources requires further study. The project proponent shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The paleontologist shall notify the Tulare County Resource Management Agency and the project proponent of the procedures that must be followed before construction is allowed to resume at the location of the find. If the find is determined to be significant and the Tulare County Resource Management Agency determines avoidance is not feasible, the paleontologist shall design and implement a data recovery plan consistent with applicable standards. The plan shall be submitted to the Tulare County Resource Management Agency for review and approval. Upon approval, the plan shall be incorporated into the project.	Prior to and during construction-related activities (e.g. cell excavating, storm water retention, etc.).	Approval by Tulare County RMA	County of Tulare Planning Department	Qualified archaeologist or paleontologist.			

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**Table 8-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
<p>3.5-3. Consistent with Section 7050.5 of the California Health and Safety Code and (CEQA Guidelines) Section 15064.5, if human remains of Native American origin are discovered during project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). In the event of the accidental [that is, unanticipated] discovery or recognition of any human remains in any location other than a dedicated cemetery; the following steps should be taken:</p> <ol style="list-style-type: none"> 1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: <ol style="list-style-type: none"> a. The Tulare County Coroner/Sheriff must be contacted to determine that no investigation of the cause of death is required; and b. If the coroner determines the remains to be Native American: <ol style="list-style-type: none"> i. The coroner shall contact the Native American Heritage Commission within 24 hours. ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the 	Prior to and during construction-related activities (e.g. cell excavating, storm water retention, etc.).	Approval by Tulare County RMA, Tulare County Coroner/Sheriff	County of Tulare Planning Department, Tulare County Coroner/Sheriff	Qualified archaeologist or paleontologist.			

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**Table 8-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
<p>deceased Native American.</p> <p>iii. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or</p> <p>2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <p>a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.</p> <p>b. The descendant fails to make a recommendation; or</p> <p>c. The landowner or his authorized representative rejects the recommendation of the descendent.</p>							

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Table 8-1 Mitigation Monitoring and Reporting Program							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
TRANSPORTATION/TRAFFIC							
TRA 3.17-1 Recommended Intersection Improvements							
3.17-1.a. SR 63 at SR 137. Recommended improvements to achieve acceptable levels of service: <ul style="list-style-type: none">Cumulative Year 2040 No Project and Plus Project scenarios:<ul style="list-style-type: none">Widen the northbound approach to 2 left turn lanes, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 left turn and 1 right turn)Widen the southbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 through lane)Widen the eastbound approach to 2 left turn lanes, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 left turn)Widen the westbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 right turn) <p>The improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet the existing Measures of Effectiveness (MOE) of the intersection.</p>	TBD following consultation with Caltrans.	Payment of Fees TBD following consultation with Caltrans.	Tulare County Planning Department & Caltrans	Tulare County Planning Department			

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**Table 8-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
3.17-1.b. Road 140 at SR 137. Recommended improvements to achieve acceptable levels of service: <ul style="list-style-type: none"> Cumulative Year 2040 No Project and Plus Project scenarios: <ul style="list-style-type: none"> Widen the eastbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 through lane and 1 right turn) Widen the westbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 through lane and 1 right turn) <p>The improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet the existing Measures of Effectiveness (MOE) of the intersection. It should be noted that SR 137 between SR 63 and the City of Lindsay is planned to be widened from 2 to 4-lanes. The project is listed in the TCAG 2018 RTP Financially Unconstrained Project list.</p>	TBD following consultation with Caltrans.	Payment of Fees TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			
3.17-1.c. Road 152 at SR 137. Recommended improvements to achieve acceptable levels of service: <ul style="list-style-type: none"> Cumulative Year 2040 No Project and Plus Project scenarios: <ul style="list-style-type: none"> Widen the eastbound approach to 1 left turn lane and 2 through lanes with a shared right (adding 1 through lane) Widen the westbound approach to 1 left 	TBD following consultation with Caltrans.	TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			

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<p style="text-align: center;">Table 8-1 Mitigation Monitoring and Reporting Program</p>							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
<p>turn lane and 2 through lanes (adding 1 through lane)</p> <p>The improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet Caltrans' acceptable LOS standard of 'C'. It should be noted that SR 137 between SR 63 and the City of Lindsay is planned to be widened from 2 to 4-lanes. The project is listed in the TCAG 2018 RTP Financially Unconstrained Project list.</p>							
<p>3.17-1.d. Road 192 at SR 190. Recommended improvements to achieve acceptable levels of service:</p> <ul style="list-style-type: none"> • Cumulative Year 2040 No Project and Plus Project scenarios: <ul style="list-style-type: none"> ○ Widen the northbound approach to 1 left turn lane, 1 through lane, and 1 right turn lane (adding 1 left turn lane and 1 right turn) ○ Widen the southbound approach to 1 left turn lane and 1 through lane with a shared right (adding 1 left turn lane) ○ Widen the eastbound approach to 1 left turn lane and 1 through lane with a shared right (adding 1 left turn lane) ○ Widen the westbound approach to 1 left turn lane, 1 through lane, and 1 right turn lane (adding 1 left turn lane and 1 right turn) <p>The improvements identified above for the Cumulative</p>	TBD following consultation with Caltrans.	TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			

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Table 8-1 Mitigation Monitoring and Reporting Program							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
Year 2040 No Project and Plus Project scenarios are sufficient to meet Caltrans' acceptable LOS standard of 'C'							
3.17-1.e. Rockford Road at SR 190. Recommended improvements to achieve acceptable levels of service: <ul style="list-style-type: none"> Cumulative Year 2040 No Project and Plus Project scenarios: <ul style="list-style-type: none"> Installation of a four-way stop; <u>or</u> Installation of a traffic signal; <u>or</u> Installation of a roundabout <p>The Four-Way Stop controlled intersection improvement identified above for the Cumulative Year 2040 No Project is sufficient to meet Caltrans' acceptable LOS standard of 'C'. The Four-Way Stop would achieve LOS 'D' under the Cumulative Year 2040 Plus Project scenario. The Traffic Signal and Roundabout controlled intersection improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet Caltrans' acceptable LOS standard of 'C'.</p>	TBD following consultation with Caltrans.	TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			
TRA 3.17-2 Recommended Road Segment Improvements							
3.17-2.a. SR 137 between SR 63 and Road 140. Recommended improvements to achieve acceptable levels of service: <ul style="list-style-type: none"> Cumulative Year 2040 No Project and Plus Project scenarios: 	TBD following consultation with Caltrans.	TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			

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<p style="text-align: center;">Table 8-1 Mitigation Monitoring and Reporting Program</p>							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
<ul style="list-style-type: none"> ○ Widen the eastbound travel lane from 1 to 2 lanes (adding 1 travel lane) ○ Widen the westbound travel lane from 1 to 2 lanes (adding 1 travel lane) <p>The improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet Caltrans' acceptable LOS standard of 'C'. It should be noted that SR 137 between SR 63 and the City of Lindsay is planned to be widened from 2- to 4-lanes. The project is listed in the TCAG 2018 RTP Financially Unconstrained Project list.</p>							
TRIBAL CULTURAL RESOURCES							
18-1. In the event that historical, archaeological or paleontological resources are discovered during site excavation, the County shall require that grading and construction work on the Project site be immediately suspended until the significance of the features can be determined by a qualified archaeologist or paleontologist. In this event, the property owner shall retain a qualified archaeologist/paleontologist to provide recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recover, excavation analysis, and curation of archaeological or paleontological materials. County staff shall consider such recommendations and implement them where they are feasible in light of Project design as previously approved by the County.	Prior to and during construction-related activities (e.g. cell excavating, storm water retention, etc.).	Approval by Tulare County RMA	County of Tulare Planning Department	Qualified archaeologist or paleontologist.			

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**Table 8-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
<p>18-2. Consistent with Section 7050.5 of the California Health and Safety Code and (CEQA Guidelines) Section 15064.5, if human remains of Native American origin are discovered during Project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:</p> <ol style="list-style-type: none"> 1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: <ol style="list-style-type: none"> a. The Tulare County Coroner/Sheriff must be contacted to determine that no investigation of the cause of death is required; and b. If the coroner determines the remains to be Native American: <ol style="list-style-type: none"> i. The coroner shall contact the Native American Heritage Commission within 24 hours. ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. 	During Construction. Daily or as needed throughout the construction period if suspicious resources are discovered.	Tulare County Planning Department, Tulare County Coroner/Sheriff	Tulare County Planning Department, Tulare County Coroner/Sheriff	A qualified archaeologist shall document the results of field evaluation and shall recommend further actions that shall be taken to mitigate for unique resource or human remains found, consistent with all applicable laws including CEQA.			

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**Table 8-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
<p>iii. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or</p> <p>2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <p>a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.</p> <p>b. The descendant fails to make a recommendation; or</p> <p>c. The landowner or his authorized representative rejects the recommendation of the descendent.</p>							

III. Errata and Change Made to the EIR

ERRATA AND AFFECTED AND CORRECTED PAGES OF THE EIR

TYPOGRAPHICAL CORRECTIONS

Revisions and clarifications to the DEIR are indicated by strikeout text (e.g. ~~strikeout~~), indicating deletions, and underline text (e.g. underline), indicating additions. Corrections of typographical errors (such as punctuation, capitalization, spelling, general formatting, etc.) have been made throughout the document and are not included in the summary below.

The following clarifications regarding Mitigation Measures are included as indicated by strikeout/underline text, and are summarized below.

1. Biological Resources Mitigation Measure Number 3.4.7:

- a. **Chapter 3.4, page 3.4-16:** For consistency with the format of all other biological resources mitigation measures, a mitigation identifier has been added as follows:

3.4-7 (HCP Measures) All HCP protection measures relating to SJKF shall be implemented for the additional 160 acres of proposed landfill expansion outside the HCP boundaries; with the exception of den destruction, which would require consultation with the USFWS and CDFW before such an activity could be conducted outside the HCP boundaries.

- b. **MMRP, page 8.5:** The mitigation number for Mitigation Measure 3.4-7 was inadvertently not included in the MMRP. It has been revised as follows. (See Attachment A)

3.4-7 (HCP Measures) All HCP protection measures relating to SJKF shall be implemented for the additional 160 acres of proposed landfill expansion outside the HCP boundaries; with the exception of den destruction, which would require consultation with the USFWS and CDFW before such an activity could be conducted outside the HCP boundaries.

2. Transportation Mitigation Measure Numbers 3.7-1.a through 3.7-1.e and 3.7-2.a:

- a. **MMRP, pages 8-9 through 8-13:** For consistency with the format of other mitigation measures in the MMRP, the measure identifier for Measure Numbers 3.7-1.a through 3.7-1.e and 3.7-2.a have been edited to remove the “TRA” before the number. (See Attachment A) Note, the measures included Chapter 3.17 Transportation/Traffic have not been modified.

- b. **MMRP, pages 8-9 and 8-12:** Headers have been added to the MMRP to clearly indicate that Mitigation Measures 3.7-1.a through 3.7-1.e are to mitigate impacts at intersections and Mitigation Measure 3.7-2a is to mitigate impacts on road segments. (See Attachment A)

CHANGES MADE IN RESPONSE TO COMMENTS RECEIVED

No errata was identified in the written comments received.

OTHER CHANGES AND CORRECTIONS

Other than the revisions and clarification identified above, no other changes were made to the EIR.

ATTACHMENT A

CHANGES TO THE MMRP

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Note, only those sections of the MMRP with revisions are included below.

Table 8-1 Mitigation Monitoring and Reporting Program							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
BIOLOGICAL RESOURCES							
3.4-7. (HCP Measures). All HCP protection measures relating to SJKF shall be implemented for the additional 160 acres of proposed landfill expansion outside the HCP boundaries; with the exception of den destruction, which would require consultation with the USFWS and CDFW before such an activity could be conducted outside the HCP boundaries.	Prior to construction-related activities. On-going.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable.	County of Tulare Planning Department	Qualified biologist.			
TRANSPORTATION/TRAFFIC							
<i>TRA 3.17-1 Recommended Intersection Improvements</i>							
3.17-1.a. SR 63 at SR 137. Recommended improvements to achieve acceptable levels of service: <ul style="list-style-type: none">Cumulative Year 2040 No Project and Plus Project scenarios:<ul style="list-style-type: none">Widen the northbound approach to 2 left turn lanes, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 left turn and 1 right turn)Widen the southbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 through lane)Widen the eastbound approach to 2 left turn lanes, 2 through lanes, and 1 right turn	TBD following consultation with Caltrans.	Payment of Fees TBD following consultation with Caltrans.	Tulare County Planning Department & Caltrans	Tulare County Planning Department			

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**Table 8-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
<p>lane with overlap phasing (adding 1 left turn)</p> <ul style="list-style-type: none"> Widen the westbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 right turn) <p>The improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet the existing Measures of Effectiveness (MOE) of the intersection.</p>							
<p>TRA-3.17-1.b. Road 140 at SR 137. Recommended improvements to achieve acceptable levels of service:</p> <ul style="list-style-type: none"> Cumulative Year 2040 No Project and Plus Project scenarios: <ul style="list-style-type: none"> Widen the eastbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 through lane and 1 right turn) Widen the westbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 through lane and 1 right turn) <p>The improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet the existing Measures of Effectiveness (MOE) of the intersection. It should be noted that SR 137 between SR 63 and the City of Lindsay is planned to be widened from 2 to 4-lanes. The project is listed in the TCAG 2018 RTP Financially Unconstrained Project list.</p>	TBD following consultation with Caltrans.	Payment of Fees TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			

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**Table 8-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
<p>TRA-3.17-1.c. Road 152 at SR 137. Recommended improvements to achieve acceptable levels of service:</p> <ul style="list-style-type: none"> Cumulative Year 2040 No Project and Plus Project scenarios: <ul style="list-style-type: none"> Widen the eastbound approach to 1 left turn lane and 2 through lanes with a shared right (adding 1 through lane) Widen the westbound approach to 1 left turn lane and 2 through lanes (adding 1 through lane) <p>The improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet Caltrans' acceptable LOS standard of 'C'. It should be noted that SR 137 between SR 63 and the City of Lindsay is planned to be widened from 2 to 4-lanes. The project is listed in the TCAG 2018 RTP Financially Unconstrained Project list.</p>	TBD following consultation with Caltrans.	TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			
<p>TRA-3.17-1.d. Road 192 at SR 190. Recommended improvements to achieve acceptable levels of service:</p> <ul style="list-style-type: none"> Cumulative Year 2040 No Project and Plus Project scenarios: <ul style="list-style-type: none"> Widen the northbound approach to 1 left turn lane, 1 through lane, and 1 right turn lane (adding 1 left turn lane and 1 right turn) Widen the southbound approach to 1 left turn lane and 1 through lane with a shared right (adding 1 left turn lane) 	TBD following consultation with Caltrans.	TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			

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**Table 8-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
<ul style="list-style-type: none"> ○ Widen the eastbound approach to 1 left turn lane and 1 through lane with a shared right (adding 1 left turn lane) ○ Widen the westbound approach to 1 left turn lane, 1 through lane, and 1 right turn lane (adding 1 left turn lane and 1 right turn) <p>The improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet Caltrans' acceptable LOS standard of 'C'</p>							
<p>TRA—3.17-1.e. Rockford Road at SR 190. Recommended improvements to achieve acceptable levels of service:</p> <ul style="list-style-type: none"> • Cumulative Year 2040 No Project and Plus Project scenarios: <ul style="list-style-type: none"> ○ Installation of a four-way stop; <u>or</u> ○ Installation of a traffic signal; <u>or</u> ○ Installation of a roundabout <p>The Four-Way Stop controlled intersection improvement identified above for the Cumulative Year 2040 No Project is sufficient to meet Caltrans' acceptable LOS standard of 'C'. The Four- Way Stop would achieve LOS 'D' under the Cumulative Year 2040 Plus Project scenario. The Traffic Signal and Roundabout controlled intersection improvements identified above for the Cumulative Year 2040 No</p>	TBD following consultation with Caltrans.	TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			

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Table 8-1 Mitigation Monitoring and Reporting Program							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
Project and Plus Project scenarios are sufficient to meet Caltrans' acceptable LOS standard of 'C'.							
<u>TRA 3.17-2 Recommended Road Segment Improvements</u>							
<p>TRA 3.17-2 Recommended Road Segment Improvements</p> <p>TRA 3.17-2.a. SR 137 between SR 63 and Road 140. Recommended improvements to achieve acceptable levels of service:</p> <ul style="list-style-type: none"> • Cumulative Year 2040 No Project and Plus Project scenarios: <ul style="list-style-type: none"> ○ Widen the eastbound travel lane from 1 to 2 lanes (adding 1 travel lane) ○ Widen the westbound travel lane from 1 to 2 lanes (adding 1 travel lane) <p>The improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet Caltrans' acceptable LOS standard of 'C'. It should be noted that SR 137 between SR 63 and the City of Lindsay is planned to be widened from 2- to 4-lanes. The project is listed in the TCAG 2018 RTP Financially Unconstrained Project list.</p>	TBD following consultation with Caltrans.	TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			

IV. Findings of Fact

FINDINGS OF FACT
Woodville Disposal Site (Landfill Expansion) Project
Tulare County, California
State Clearinghouse Number 2018121007
June 29, 2021

CEQA FINDINGS

CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
WOODVILLE DISPOSAL SITE (LANDFILL EXPANSION) PROJECT AS BEING IN
COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; ADOPTING
PROJECT FINDINGS; ADOPTING A MITIGATION MONITORING PLAN; AND
APPROVING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THIS PROJECT

I

INTRODUCTION

The Tulare County Board of Supervisors (“Board”) of the County of Tulare (“County”) intends to approve this Project identified as the Woodville Disposal Site (Landfill Expansion). The proposed Project site is in western Tulare County, located approximately 12 miles southeast of the City of Visalia, seven miles southeast of the City of Tulare, and 13 miles northwest of the City of Porterville at the intersection of Avenue 200 and Road 152. The landfill address is 19800 Road 152, Tulare, CA 93274. The site lies within the Cairns Corner USGS 7.5 Minute Quadrangle and within Sections 25, 26, 35 and 36, Township 20 South, Range 25 East, MDB&M;

The proposed Project will include the following substantial modifications to the existing landfill:

- Expand the Woodville landfill northeast of the existing Waste Management Unit-1 (WMU-1) landfill site to two contiguous parcels of approximately 80-acres each located east of the existing landfill. The inclusion of the northeast 160 acres (formerly known as the Hanni Property) will be designated as future WMU-3.
- Expand the Woodville landfill to a contiguous approximately 70-acre parcel north of the existing landfill.
- Relocate the landfill entrance scale and scale house, landfill gas flare, and operations facilities to the northernmost 70-acre parcel designated for operations.
- Include the northwest 10-acre parcel (APN 196003-010, formerly known as the Thompson Property) for the Borrow/Operations area, and possibly include a staff office (approximately 5,000 square feet) and composting facility (less than 50,000 cubic tons annually).
- Utilize approximately 80 unused acres of the currently permitted landfill disposal area in the southern portion of the landfill as WMU-2. WMU-2 slopes will be graded at 3H:1V with a maximum slope height of 28 feet.
- Change operation floor from 282 feet above mean sea level (MSL) to approximately 270 feet above MSL in the WMU-2 and WMU-3.
- Increase the permitted landfill capacity by approximately 14.0 million cubic yards for an overall capacity of the Woodville landfill to approximately 27.5 million cubic yards. The additional WMUs will be designated Class III landfill units and would extend the anticipated landfill closure date by 55 years (to approximately Year 2074).

To approve this Project, the Board must consider and take action on the Final Environmental Impact Report (Final EIR), Mitigation Monitoring and Reporting Program (MMRP), and Findings of Fact (FOF) applicable to the Project. The Board is the final decision-making body with respect to the Final EIR, MMRP and FOF. In the context of the California Environmental Quality Act ("CEQA"), the County is the "lead agency".

II

CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT FOR THE WOODVILLE DISPOSAL SITE (LANDFILL EXPANSION)PROJECT

The Board hereby certifies and finds that it has considered the information presented in the Final EIR and other relevant evidence to determine compliance with CEQA, and the State CEQA Guidelines. The Board further certifies and finds that prior to taking action on the Project; the Board independently reviewed and considered the information contained in the Final EIR and other relevant evidence presented thereto. Accordingly, based on the Board's exercise of its independent judgment when reviewing and considering the Final EIR, and other relevant evidence presented thereto, the Board further certifies and finds that the Final EIR required for the Project is adequate, and has been prepared and completed in compliance with CEQA and the State CEQA Guidelines.

III

FINDINGS REQUIRED CONCERNING ENVIRONMENTAL IMPACTS UNDER CEQA

The recitals contained in the accompanying Resolution have been independently reviewed and considered by the Board, are found to be true, and are hereby adopted in support of approval of the Project.

CEQA requires that certain findings be made with respect to significant environmental impacts, Mitigation Measures, and alternatives. To satisfy this requirement, the Board hereby adopts and incorporates by reference the Woodville Disposal Site (Landfill Expansion) Project Environmental Impact Report (EIR), which includes the Final EIR, the Draft EIR, and the Technical Appendices thereto, the Comments to the Draft EIR, and the Responses to Comments and related appendices thereto.

In approving these findings, the Board has independently reviewed, considered, and relied on (1) the information contained in the EIR and appendices thereto; (2) the various reports (both oral and written) provided by County Staff to the Board; (3) the information submitted during the public comment period; and (4) other evidence contained in the public record. In doing so, the Board finds and declares that the factual discussion and analysis contained in the EIR, the staff reports, and other evidence in the Public Record of Proceedings provide a sufficient basis for approval of the Project pursuant to CEQA.

A. Environmental Impacts and Mitigation Measures

As to the potentially significant environmental impacts identified in the EIR, the Board finds that: Project changes or alterations and mitigation measures have been required in, or incorporated into the Project that mitigate, avoid, or substantially lessen the significant environmental impacts identified in the EIR to a less than significant level;

1. Project Impacts.

Consistent with Public Resource Code Section 21081 and Guidelines Sections 15091 through 15093 (including Public Resources Code Section 21061.1 and Guidelines Section 15364 relating to the definition of “feasibility”), the Board hereby makes various findings relating to the significant effects identified in the Final EIR for the Project.

a. Impact 3.1 Aesthetics – a), c), and d) Scenic Vista, Visual Character, and Light and Glare; respectively

Pursuant to the discussion in Sections 3.1 a), c), and d) of the Final EIR, there will be a less than significant impact to the visual character of a scenic vista, degrade the visual quality, or create a new source of substantial light or glare within the Project's vicinity. The Board concurs in this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the Project will not cause a significant impact to the environment involving scenic vista because i) there are no scenic vistas on the proposed Project site or in the vicinity; ii) the Project site will not degrade the character or quality to the Project site or to the properties near and around the Project site and; iii) other than potential daylight reflecting from facility or equipment windows, no other sources of glare (such as light reflecting off highly polished surfaces). The Board further finds and declares that project design features and compliance with applicable height limitations specified in the County of Tulare Zoning Ordinance will minimize Project related visual impacts to a less than significant level.

In support of this finding, evidence is contained in the Final EIR and in the Public Record of Proceedings that the Project would not result in a significant impact to the visual character of the scenic vista, or degrade the visual quality within the Project's vicinity, or create a new source of substantial light or glare from the Project. Therefore, the Project will have a less than significant impact with mitigation.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

b. Impact 3.1 Aesthetics – b) Scenic Resources

Pursuant to the discussion in Section 3.1 b) of the Final EIR, there will be less than significant impact to the scenic resources resulting from the Project. State Route (SR) 180 is the nearest Officially Designated State Scenic Highway approximately 40 miles north of the proposed

Project site. State Route 198, approximately 12 miles north of the proposed Project site, is described as an Eligible State Scenic Highway – Not Officially Designated by Caltrans. The Tulare County General Plan 2030 Update also lists a series of Scenic County Routes; however, none are in the proposed Project vicinity. The Board concurs in this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that mitigation measures are not required to mitigate or substantially lessen any impact to scenic resources within the Project site. As such, no mitigation measures are necessary or required.

In support of this finding, evidence is contained in the Final EIR and in the Public Record of Proceedings that the Project would not result in any impact to scenic resources within the Project site. The evidence indicates that no mitigation measures are necessary or required to mitigate any potential Project related scenic resources impact would be less than significant.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

c. Impact 3.2 a) and b) Agricultural Land and Forestry Resources

Pursuant to the discussion in Section 3.2 a) and b) of the Final EIR, there will be less than significant impacts to the surrounding environment involving the loss of farmland. Approximately 41 percent of the expansion area is mapped as Farmland of Statewide Importance while approximately 59 percent is mapped as Prime Farmland. However, the Prime Farmland areas are intensely irrigated; without irrigation, the areas would not be classified as such. Also, the Project would result in the conversion of 0.00038%, 0.00030%, and 0.00027% of Prime Farmland, Farmland of Statewide Importance, and All Important Farmland; respectively, within Tulare County. The need to provide additional landfill space was accounted for and analyzed in the Tulare County General Plan Update Recirculated EIR. At the time of certification/adoption of Recirculated EIR, it was unknown where any future new or landfill expansion would occur. The Recirculated EIR contains mitigation measures that anticipated expansion of landfill areas and diversion (e.g., recycling and composting) to meet Tulare County's needs. As the County owned the land adjacent to the Woodville Landfill, it was determined that expansion would be suitable. As such, this Project would ultimately convert an area dedicated to interim agricultural uses until such time that additional landfill area is needed. Also, the expansion would allow Woodville Landfill to provide solid waste disposal space for an additional 55 years. Unless implemented, the County would have to acquire land which could ultimately result in the conversion of other Important Farmland as landfills are typically located in generally remote locations. Further, the finished compost product would provide a benefit as the compost can be applied as a soil amendment at agricultural operations and is consistent with Tulare County General Plan policy PFS-5.3 Solid Waste Reduction (in this case green waste) through composting resulting in a reusable product. Further, approximately 125 acres of the proposed site expansion area, identified as Area V and lying west of the existing landfill, currently has a Williamson Act Contract in cancellation. The remainder of the Project site does not have a Williamson Act contract. Additionally, the proposed Project is an allowable use as specified in the Tulare County Zoning

Ordinance, Chapter 16 Variances and Special Uses – Waste and refuse disposal sites. As such, there would be a Less Than Significant Impact with existing zoning or a Williamson Act Contract. The Board concurs in this analysis.

Accordingly, based on substantial evidence in the Final EIR, the Public Record of Proceedings, the Board finds and declares that the Project will not cause a significant impact to the environment involving the loss of farmland because: (i) the County owns the land, would not have to purchase additional land to accommodate future landfill needs, and resultants benefits of finished compost for agricultural purposes; and (ii) the Project site does not have a Williamson Act contract nor will it impact adjacent Williamson Act contract lands.

d. Impact 3.2 Agricultural Land and Forestry Resources – c) through e) conflict with Forest land zoning, Loss or Conversion of Forest land, Conversion of Farmland to non-agricultural or non-forest land use

Pursuant to the discussion in Section 3.2 c) through e) of the Final EIR, there will be no impacts to the surrounding environment involving Forest land zoning, Loss or Conversion of Forest land, Conversion of Farmland to non-agricultural or non-forest land use the loss of farmland as (i) the Project site contains no lands zoned or identified as forest land or timberland; (ii) the Project site is not located within a forest land zone and; (iii) there is no potential for the proposed Project to result in the conversion of surrounding agricultural uses or forest land to non-agricultural uses or non-forest uses. Therefore, the Project will have no impact on agricultural lands without implementation of mitigation.

In support of this finding, evidence is contained in the Final EIR, the Tulare County General Plan, and the Public Record of Proceedings that the proposed Project will have a less than significant impact involving Agricultural Land and Forestry Resources.

Thus, the Project will have a no impact without mitigation. There is no evidence to the contrary in the Public Record of Proceedings.

e. Impact 3.3 Air Quality – a) Air Quality Plans

Pursuant to the discussion in Section 3.3 a) of the Final EIR, there will be no impact to air quality plans.

Accordingly, based on the Final EIR, Technical Appendices (Appendix “A” of the Draft EIR), Comments, Response to Comments, and other substantial evidence in the Public Record of Proceedings, the Board finds and declares that the Project will not cause a significant impact to the environment involving air quality because verification of compliance is performed by the San Joaquin Valley Unified Air Pollution Control District (“SJVAPCD” or “Air District”) through inspections.

In support of this finding, evidence is contained in the Final EIR and in the Public Record of Proceedings that the Project is subject to typical compliance with applicable Air District rules

and regulations that are sufficient to reduce impacts to a level considered less than significant. No mitigation measures are necessary or required.

Thus, there is no impact. There is no evidence to the contrary in the Public Record of Proceedings.

f. Impact 3.3 Air Quality – b) through d) Violate Quality Standards, Cumulative Net Increase of Criteria Pollutants; Exposure Risks

Pursuant to the discussion in Section 3.3 a) of the Final EIR, there will be a no impact to air quality plans.

Accordingly, based on the Final EIR, Technical Appendices (Appendix “A” of the Draft EIR), Comments, Response to Comments, and other substantial evidence in the Public Record of Proceedings, the Board finds and declares that the Project will not cause a significant impact to the environment involving air quality because (i) annual emission rates of PM10, PM2.5, VOC (ROG), NOx, CO, and SO2 for proposed Project operations are below the thresholds of significance as established by the SJVAPCD, (ii) the Project will be required to receive applicable permits from the Air District and comply with applicable standards and rules/regulations; (iii) the Project will not cumulatively increase the impact to other sensitive receptors; and (iv) the Best Available Control Technologies (BACT) utilized by the proposed Project will not create objectionable odors. As such, no mitigation measures are necessary or required.

g. Impact 3.4 Biological Resources – a) Habitat Modification on Candidate, Sensitive or Special Status Species

Pursuant to the discussion in Section 3.4 a) of the Final EIR, the proposed Project will result in a less than significant impact to candidate, sensitive, or special status species resulting from the Project. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “B” of the Draft EIR), Response to Comments, and the Public Record of Proceedings, the Board finds and declares that an investigation of the site concluded that Mitigation Measures would, in the event of occurrence, mitigate Project related species impact to a less than significant level.

Mitigation to reduce the impact(s) are set forth in Mitigation Measures: 3.4-1 through 3.4-4 to protect raptors and migratory birds (i.e., Swainson’s hawk, tricolored blackbird, loggerhead shrike, and other migratory bird); Mitigation Measures 3.4-5 through 3.4-6 to protect burrowing owl; and Mitigation Measure 3.4-7 to protect San Joaquin kit fox; and are hereby adopted for this Project. These Mitigation Measures shall be incorporated into this Project, and it shall be the responsibility of the Applicant to implement the Mitigation Measures. The Code Enforcement Division of the Resource Management Agency (RMA) shall monitor compliance with these Mitigation Measures and shall enforce these conditions pursuant to their enforcement powers allowed by law and the Mitigation Monitoring and Reporting Program adopted for this Project. Therefore, the Project will have a less than significant impact.

In support of this finding, evidence in the Final EIR, Technical Appendices (Appendix “B” of the Draft EIR), Comments received, Response to Comments, and the Public Record of Proceedings that Mitigation Measures 3.4-1 through 3.4-7 would reduce potential impacts to less than significant.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

h. Impact 3.4 Biological Resources – b), c), e), and f) Adverse Effect on Riparian Habitat, Adverse Effect on Federally Protected Wetlands, Interference with Native Resident or Migratory Fish, Policy Conflict, Conflict with Local Ordinances, or Habitat Conservation Plan

Pursuant to the discussion in Sections 3.4 b) through f) of the Final EIR, there will be no impact to riparian habitat, federally protected wetlands, policy conflicts, or confliction with habitat conservation plans. The Board concurs with this analysis.

Accordingly, based on the Final EIR, Technical Appendices (Appendix “B” of the Draft EIR, Response to Comments, and other substantial evidence in the Public Record of Proceedings, the Board finds and declares an investigation of the site concluded that the Project will not cause a significant impact to the environment involving biological resources because (i) the proposed Project does not result in loss of habitat, (ii) there was no wetland habitat identified at the proposed Project site, (iii) the proposed Project does not impact federally protected wetlands, (iv) there will be no impacts to policies or ordinances relating to biological resources, and v) none of the species outlined in the Recovery Plan for Upland Species in the San Joaquin Valley were identified on the Project site. As such, mitigation measures are not necessary or required to avoid, mitigate, or substantially lessen any impact(s) to these biological resources that might result from the adoption of this Project.

In support of this finding, evidence is contained in the Final EIR and the Public Record of Proceedings that impacts are less than significant. No mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

i. Impact 3.5 Cultural Resources – a), through d) Adverse change of a Historical Resource; Archaeological Resource; Paleontological, or Disturb Human Remains

Pursuant to the discussion in Sections 3.5 a) through d) of the Final EIR, the proposed Project has the potential to result in no impact to a less than significant impact to the environment from disturbance of cultural or historic resources, paleontological, and skeletal remains. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “C” of the Draft EIR), Response to Comments, and the Public Record of Proceedings, the Board finds and declares that an investigation of the site concluded that Mitigation Measures 3.5-1 through 3.5-3 would, in the event of occurrence, mitigate Project related cultural impacts to a less than significant level.

In support of this finding, evidence is contained in the Final EIR, Technical Appendices, Response to Comments, and the Public Record of Proceedings that there could be a disturbance or destruction of cultural, historical paleontological resources resulting from construction-related activities associated with the Project, Mitigation Measures 3.5-1 through 3.5-3 would reduce potential impacts to less than significant. Further, as there is no recorded evidence of archeological find(s) at the Project site, in the unlikely event that human remains are discovered, Section 7050.5 of the California Health and Safety Code and (CEQA Guidelines) Section 15064.5 would be implemented. Therefore, the Project will have a less than significant impact.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

j. Impact 3.6 Energy – a) and b) Energy Consumption and Energy Plans

Pursuant to the discussion in Sections 3.6 a) – b) of the Final EIR, the proposed Project will not result in a significant impact to the environment involving energy. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, applicable Technical Appendices, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that the proposed Project will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation; nor will it conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, the Project will have a less than significant impact.

In support of this finding, evidence is contained in the Final EIR, Technical Appendices, Response to Comments, and the Public Record of Proceedings that the Project would require (i) 0.0015 percent of Tulare County’s and 0.000083 percent of SCE’s total 2018 electricity demands, (ii) Project operations demand of natural gas which would account for 0.0025 percent of Tulare County’s and 0.000078 percent of SoCal Gas’ total 2018 gas demands for the County for the County, (iii) and use less than 1% use of gasoline and diesel fuels of the entire State’s vehicle fuel demand supply. Therefore, the Project will have a less than significant impact.

Thus, there is a less than significant impact. There is no relevant evidence to the contrary in the Public Record of Proceedings.

k. Impact 3.7 Geology and Soils – a) i) through iii) Seismic Activity

Pursuant to the discussion in Section 3.7 a) of the Final EIR, the proposed Project will result in a less than significant impact to the environment involving seismic effects. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “D” of the Draft EIR), Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that an investigation of the site found that the proposed Project will not cause a significant impact related to exposure of people or structures to earthquake faults, seismic shaking, and ground failure including liquefaction. In addition, the proposed Project would not cause a significant impact related to the loss of topsoil, unstable soils, expansive soils, and soils incapable of supporting septic tanks. No mitigation measures are necessary or required.

In support of this finding, evidence is contained in the Final EIR, Technical Appendices, Response to Comments, and the Public Record of Proceedings that the proposed Project will not cause a significant impact related to exposure of people or structures to earthquake faults, seismic shaking, and ground failure including liquefaction. No mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

l. Impact 3.7 Geology and Soils – a) iv) Landslides

Pursuant to the discussion in Section 3.7 b) of the Final EIR, there will be no significant impact to the environment involving landslides. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “D” of the Draft EIR), Response to Comments, and the Public Record of Proceedings, the Board finds and declares that an investigation of the site found that there are no substantial slopes on or near the proposed Project site. The topography of the site is relatively flat. the NRCS Web Soil Survey Report in Appendix E indicates that all soils found at the site have a representative slope rating of 0-2.0 percent. Potential for on or off-site landslides or lateral spreading is very low based on topography of the site. As noted in the JTD, “The site is not located in an area of rapid geologic change, as defined by Title 27 CCR, Section 20164. Such areas include those subject to alteration of the ground surface through landslides.

In support of this finding, evidence is contained in the Final EIR, Technical Appendices, Response to Comments, and the Public Record of Proceedings that the proposed Project will not cause a significant impact to landslides. No mitigation measures are necessary or required.

Thus, there is a no impact. There is no evidence to the contrary in the Public Record of Proceedings.

m. Impact 3.7 Geology and Soils – b) through d) Soil Erosion or Loss of Topsoil, Unstable Soil, Expansive Soil

Pursuant to the discussion in Section 3.7 b) through d) of the Final EIR, there will be a less than significant impact to the environment involving erosion or loss of topsoil, unstable soil, or expansive soil. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “D” of the Draft EIR), Response to Comments, and the Public Record of Proceedings, the Board finds and declares that an investigation of the site found that due to the lack of slope and high water-permeability of these soils; the site has little potential for erosion (as noted in the JTD that the site is not located in an area of rapid geologic change, as defined by Title 27 CCR, Section 20164 such areas include those subject to alteration of the ground surface through landslides, subsidence, liquefaction, and faulting); and the Project site is not located on expansive soil. Thus, mitigation measures for soil erosion or loss of topsoil, unstable soil, or expansive soil are not necessary or required.

In support of this finding, evidence is contained in the Final EIR, Technical Appendices, Response to Comments, and the Public Record of Proceedings that the proposed Project will not cause a significant impact to erosion or loss of topsoil, unstable soil, or expansive soil. While impacts are anticipated to be less than significant, the Clean Water Act (CWA) and the Central Valley Regional Water Quality Control Board (CVRWQCB) require a Stormwater Pollution Prevention Plan (SWPPP) to be developed by a qualified engineer or erosion control specialist and implemented before construction begins. As a result of these efforts, loss of topsoil, unstable soil, and substantial soil erosion during the construction and operations are not anticipated. Therefore, the Project would result in a less than significant impact. No mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

n. Impact 3.7 Geology and Soils – e) Inadequate Soils for Septic Tanks or Wastewater Disposal

Pursuant to the discussion in Section 3.7 e) of the Final EIR, there will be no impact involving unsuitable soils for domestic waste disposal. There would be no use of septic or alternative wastewater disposal systems. The Board concurs in this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “D” of the Draft EIR), Response to Comments, and the Public Record of Proceedings, the Board finds and declares that an investigation of the site indicated the presence of an existing, functional on-site septic system. The Project will have no impact nor require connection or expansion to an existing water treatment system. Therefore, no mitigation is necessary or required.

In support of this this finding, and with no anticipated impacts, the Project will have no impact involving septic or waste water systems. No mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

o. Impact 3.8 Greenhouse Gas Emissions – a) and b) Generation of Greenhouse Gas Emissions; Conflict with Applicable Plan, Policy, or Regulation

Pursuant to the discussion in Section 3.8 a) – b) of the Final EIR, the proposed Project would result in less than significant direct and indirect impacts to climate change resulting from Greenhouse Gas (GHG) Emissions. Mitigation measures are not required to reduce these impacts to less than significant. The Board concurs in this analysis.

Accordingly, based on substantial evidence in the Final EIR, and the Public Record of Proceedings, the Board finds and declares that the Project will not have any significant impact involving greenhouse gas either directly or indirectly with the use of electrical stationary equipment. Therefore, the impact is less than significant without mitigation measures.

Accordingly, based on substantial evidence in the Final EIR, applicable Technical Appendix (Appendix “A” of the Draft EIR), Response to Comments, and the Public Record of Proceedings, the Board finds and declares that the Project will not have any significant impact involving GHG emissions either directly or indirectly as the Project is consistent with the applicable strategies of the State’s 2017 Scoping Plan Update, the San Joaquin Valley Unified Air Pollution Control District Policy (“*Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as Lead Agency*”), the Tulare County Climate Action Plan, and contributes to their implementation in terms of compliance with regulations related to motor vehicles, fuels, and electricity used by the Project. Also, the Project will comply with all Air District and CalRecycle requirements. Cumulative GHG emissions would be reduced as VMT is reduced thereby resulting in a GHG emissions reduction benefit. the impact. As such, is. less than significant without mitigation measures. Lastly, the Project’s objectives and components do not conflict with the goals of AB 32 and GHG reduction. Therefore, the Project is consistent with the aforementioned plans, policies, and regulations resulting in a less than significant impact.

In support of this finding, as noted earlier, the proposed Project is consistent with State, Air District, and Tulare County goals and strategies for reducing GHG emissions; therefore, the Project would result in a less than significant impact. No mitigation measures are necessary or required.

Thus, there would be a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

p. Impact 3.9 Hazards and Hazardous Materials – a) through c) Create a Hazard through Transport, Use, or Disposal of Hazardous Materials; Create a Hazard to the Public or Environment; Hazardous Materials, Substances, or Waste near a School.

Pursuant to the discussion in Sections 3.9 a) - d) of the Final EIR, the Project would result in a less than significant impact to the environment through reasonably foreseeable upset and

accident conditions involving the release of hazardous materials into the environment. Construction and operation of the Project would require equipment that utilizes insignificant amounts hazardous materials. Also, the nearest school is greater than ¼ mile northwest of the site and the site is not listed on a list of hazardous materials site compiled pursuant to Government Code Section 65962.5 (Cortese List site). The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that the proposed Project will not result in 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.

In support of this finding, the evidence contained in the Final EIR and the Public Records of Proceedings, the proposed would implement standard construction Best Management Practices (BMPs) to reduce the potential for and clean-up in the unlikely event of spills or leaks of construction-related fuels and other hazardous materials. The evidence indicates that the storage, transport, and use of these materials would comply with Local, State, and Federal regulatory requirements and implementation of Tulare County General Plan policies would ensure that impacts from the handling, storage, transport, or accidental release of hazardous materials are less than significant.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

- q. Impact 3.9 Hazards and Hazardous Materials – d) through g) Hazard Materials on Site; Within or Near a Public or Public Use Airport; Interfere with an Adopted Emergency Response or Evacuation Plan; Emergency Response Evacuation; Wildland Fires

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that the proposed Project will not result in 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; there will not be any impact involving airport land use plans and it would not result in excessive noise or a safety hazard; there will not be any impact involving an emergency response or evacuation plan and wildland fires.

In support of this finding, the evidence indicates that the storage, transport, and use of these materials would comply with Local, State, and Federal regulatory requirements and implementation of Tulare County General Plan policies would ensure that impacts from the handling, storage, transport, or accidental release of hazardous materials are less than significant.

- r. Impact 3.10 Hydrology and Water Quality – a) through c i) - iii), and e) Water Quality Standards or Waste Discharge Requirements; Substantially Deplete Groundwater Supplies Or Interfere Substantially With Groundwater; Alter the

Existing Drainage Pattern; Conflict or Obstruct Implementation of a Water Quality Control Plan or Sustainable Groundwater Management Plan

Pursuant to the discussion in Section 3.10 a) of the Final EIR, there will be a less than significant impact to groundwater quality standards or waste discharge requirements; water groundwater supplies; existing drainage patterns; will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The Board concurs in this analysis.

Accordingly, based on substantial evidence contained in the Final EIR, Technical Appendices (see Appendices “F” and “G” of the Draft EIR), Response to Comments, and the Public Record of Proceedings, the Board finds and declares that an investigation of the site did not find that the Project would violate any water quality standards or waste discharge requirements; would not result in significant impact involving depletion of groundwater supplies; would not significant impact existing drainage patterns; and will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, no mitigation is necessary or required.

In support of this finding, evidence is contained in the Final EIR and the Public Record of Proceedings that the proposed Project will be required to comply with the all requirements of the Regional Water Quality Control Board. Further, the proposed Project will be required to comply with the JTD and all requirements of CalRecycle, the Regional Water Quality Control Board, and Tulare County Health Services Division (TCHSD) rules/regulations, orders, permit requirements regarding groundwater and drainage. Lastly, as the County of Tulare does not have an adopted water quality control plan or sustainable groundwater management plant, the Project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Thus, there will a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

s. Impact 3.10 Hydrology and Water Quality – d) Flood Hazard, Tsunami, or Seiche Zone Risks

Pursuant to the discussion in Section 3.10. d) of the Final EIR, there will not be any significant impact involving flooding. The Project site is not located by the ocean, near a lake shore, or in areas of steep slopes. As such, it can reasonably be concluded that the Project would result in no impact. The Board concurs in this analysis.

Accordingly, based on substantial evidence contained in the Draft EIR, Technical Appendices (See Appendix “G” of the Draft EIR), Response to Comments, Final EIR, and the Public Record of Proceedings, the Board finds and declares that an investigation of the site found that the Project will not have any impact related to this resource; therefore, no Mitigation Measures are necessary or required.

In support of this finding, evidence is contained in the Final EIR and the Public Record of Proceedings that the proposed Project is not located by the ocean, near a lake shore, or in areas of steep slopes. Therefore, there will be no impact and no mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

t. Impact 3.11 Land Use and Planning – a) Physically Divide an Established Community

Pursuant to the discussion in Sections 3.11 a) of the Final EIR, there will a no impact caused by the division of an established community. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the Project will have no impact, and thus, no mitigation is necessary or required.

In support of these findings, the evidence indicates that the Project site is located in the eastern portion of Tulare County, approximately six miles southeast of the City of Tulare. The Project is located at the intersection of Avenue 200 and Road 152. The site does not currently divide any established communities nor would the proposed project. The site not within an Urban Development Boundary or Urban Area Boundary. The site is designated as Valley Agricultural in the Rural Valley Lands Plan for Tulare County. There are no aspects of the site or the proposed project that would result in the division of an established community.

Thus, there is no impact. There is no evidence to the contrary in the Public Record of Proceedings.

u. Impact 3.11 Land Use and Planning –b) Conflict with a Conservation Plan

Pursuant to the discussion in Sections 3.11 b) of the EIR, there will a less than significant impact from conflict with a land use or conservation plan. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the Project will have no impact or a less than significant impact, and thus, no mitigation is necessary or required.

In support of these findings, the evidence contained in Table 3.11-1 General Plan Consistency Analysis summarizes the proposed Project's consistency with all applicable objectives, goals, and policies of the Tulare County General Plan. Because Tulare County is located in the Central Valley and does not border a coastline, the Project could not possibly impact a local coastal program. Lastly, there are no conservation plans applicable to the Project area or species that reside therein. Accordingly, there is a less than significant impact and no mitigation measures are necessary or required.

Thus, there is less than significant. There is no evidence to the contrary in the Public Record of Proceedings.

- v. Impact 3.12 Mineral Resources – a) and b) Loss of availability of Statewide or Local Mineral Resource; Loss of availability of Resource Recovery Site

Pursuant to the discussion in Section 3.12 a) and b) of the Final EIR, the proposed Project would result in no impact to mineral resources of local, regional, or statewide value or importance. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the Project will cause no impact involving the loss or availability of known mineral resources. Therefore, no mitigation is necessary or required.

In support of this finding, the evidence indicates that the proposed Project does not include a mining operation and is not located in a known mineral resource zone. As specified in the Final EIR, certain policies applicable to mineral resources are contained in the Tulare County General Plan to promote compatible development near known mineral resource zones. These policies are designed to conserve and protect known mineral resources, such as the ones found on the proposed Project site. Accordingly, there would be no impact. No mitigation measures are necessary or required.

Thus, there is no impact. There is no evidence to the contrary in the Public Record of Proceedings.

- w. Impact 3.13 Noise – a) through e) Excess of Noise; Substantial Temporary or Permanent Noise Increase; Excess Vibration, Groundborne Noise; or Substantial Permanent Increase in Ambient Noise Levels; or Substantial Temporary or Periodic Increase in Ambient Noise Levels

Pursuant to the discussion in Sections 3.13 a) through e) of the Final EIR, there will be a less than significant impact involving noise. The Board concurs in this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, and Technical Appendices (see Appendix “E” of the Draft EIR), the Board finds and declares that the Project will not (i) expose persons to noise levels in excess of standards, (ii) substantial temporary or permanent noise increase, (iii) expose people to excessive groundborne vibration or noise levels, (iv) permanent increase in ambient noise levels, or (v) substantial temporary or periodic increase in ambient noise levels. Distance to the nearest noise receptor (in excess of 1,500 feet), daily operational hours (7:00 a.m. to 5:00 p.m.), and compliance with applicable Tulare County General Plan policies (e.g., HS-8.11 Peak Noise Generators) would minimize noise from the project site. Therefore, the Project will have a less than significant impact.

In support of this finding, the evidence in the Final EIR, the Public Record of Proceedings, Technical Appendices (see Appendix “E” of the Draft EIR), indicates that noise and vibration volumes would not significantly impact nearby receptors as the Project will not exceed County

noise standards resulting in less than significant impacts from Project-related construction and operational activities.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

x. Impact 3.13 Noise – f) and g) Airport Land Use Plan; Public Airport or Private Airstrip Noise

Pursuant to the discussion in Section 3.13 c) of the Final EIR, the proposed Project would result in a less than significant impact from exposure to excessive airport noises. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Draft EIR, and other evidence in the Public Record of Proceedings, and Technical Appendices (see Appendix “E” of the Draft EIR), the Board finds and declares that the Project will not expose persons to excessive airport noise and will result in no impact involving an airport land use plan within two miles of a public airport, or locate persons within the vicinity of an operating airstrip. As such, no mitigation measures are necessary or required.

In support of this finding, the evidence indicates that the Project is not located within an airport land use plan, is not within two miles of an airport, and is not in the vicinity of a private airstrip. The nearest public or public use airport to the project site is Mefford Field Airport located approximately 5.3 miles west of the Project site. The Project lies outside of the aircraft noise contours established in the Tulare County Comprehensive Airport Land Use Plan. As such, the Project would result in no exposure to people working at the Project site; the Project does not include any residential opportunities where persons would be exposed to airport-related or private airstrip-related noise. Therefore, there would be no impact related to this resource. Accordingly, there is no impact and mitigation measures are not necessary or required.

Thus, there is no impact. There is no evidence to the contrary in the Public Record of Proceedings.

y. Impact 3.14 Population and Housing – a) and b) Induce Substantial Unplanned Population Growth or Displace Existing Housing

Pursuant to the discussion in Section 3.14 a) and b) of the Final EIR, there will be no impact to the environment involving induced substantial unplanned population growth or displacement of existing housing. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the Project will have a less than significant impact to population and housing, and thus, no mitigation is necessary or required.

In support of this finding, the evidence indicates that the Project will not encourage additional population growth in this rural area of the County. No dwellings on the Project site or

rural homes in the surrounding area will be relocated, built, or demolished as a result of the Project. Accordingly, there will be no impact on population or housing conditions in the Project area vicinity. No mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

z. Impact 3.14 Population and Housing – c) Displace Substantial Numbers of People, Necessitating the Construction of Replacement Housing Elsewhere

Pursuant to the discussion in Section 3.14 c) of the Final EIR, there will be no impact to the environment resulting in displacement of a substantial number of people, necessitating the construction of replacement housing. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the Project will have a less than significant impact to displacement of a substantial number of people, and thus, no mitigation is necessary or required.

In support of this finding, the evidence indicates that the Project will not encourage additional population growth in this rural area of the County. There are no existing houses on the proposed Project site expansion area and as such, no people will be displaced as a result of Project implementation. Accordingly, there will be no impact on displacement of a substantial number of people in the Project area. No mitigation measures are necessary or required.

aa. Impact 3.14 Public Services – a) – Fire Protection, Police Services, Schools, Parks, or Other

Pursuant to the discussion in Section 3.14 a) of the Final EIR, there will be no impact to less than significant impacts to the environment involving public services. The Board concurs in this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the Project will not cause a significant impact to public services, and thus, mitigation is not necessary or required.

In support of this finding, the evidence indicates that construction or operation of the Project will have a less than significant impact on the County's Fire Department as the Project does not increase the service area for the Tulare Fire Station #25 (the nearest station to the site; approximately five miles northwest). The proposed Project is within the service area of the Tulare County Sheriff's Department. The Project consists primarily of service facilities that do not typically require on-going or routine police service calls. The Project is not anticipated to increase local population that brings new families with school-aged children to the region. As the Project does not contain a new residential component that would result in an increase to the local population, it will not impact parks. No other public facilities would be impacted by the Project.

Accordingly, a less than significant impact would occur on fire or police services, parks, school services, or other public facility in the Project area vicinity. As such, there will be a less than significant impact on Public Services. Therefore, mitigation measures are not necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

bb. Impact 3.16 Recreation a) and b) Recreational Facilities

Pursuant to the discussion in Sections 3.16 a) and b) of the Final EIR, there will be no impact to recreational facilities within the Project's vicinity. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the Project will not cause any impact to recreational facilities within the Project's vicinity and thus, no mitigation is necessary or required.

In support of this finding, the evidence indicates that no new housing is included as part of the proposed Project and it does not include new recreational facilities or the expansion of recreational facilities. The nearest County owned/operated park (Woodville Community Park) is located in the unincorporated community of Woodville , approximately four linear miles southeast of the site.

Thus, there will be no impact on existing recreation facilities. There is no evidence to the contrary in the Public Record of Proceedings.

cc. Impact 3.17 Transportation – a) Conflict with a Program Plan, Ordinance or Policy Addressing the Circulation System, Including Transit, Roadway, Bicycle and Pedestrian Facilities

Pursuant to the discussion in Section 3.17 a) of the Final EIR, the Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities and the Project would result in a less than significant impact with implementation of mitigation measures. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “F” of the Draft EIR), Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that an investigation confirmed that the Project-related impacts will be less than significant with the adoption and implementation of mitigation measures.

In support of this finding, evidence is contained in the Final EIR, Traffic Impact Study (included in Appendix “F” of the Draft EIR), and other evidence in the Public Record of Proceeding. The Project impact analysis identifies trip generation, intersection and roadway capacity, and traffic signal warranting to arrive at the conclusion that the study intersections are expected to operate at acceptable levels of service with the proposed Project and interchange

reconstruction through the year 2040. Mitigation is set forth in Mitigation Measures: 3.17-1, which will ensure the Project's contribution (i.e., equitable share) of roadway improvements, and 3.17-2, regarding maintaining levels of service. Therefore, the Project will result in a less than significant impact with mitigation.

Thus, the Project will result in a less than significant impact with mitigation. There is no evidence to the contrary in the Public Record of Proceedings.

dd. Impact 3.17 Transportation/Traffic – b) Consistent with CEQA Guidelines Section 15064.3

Pursuant to the discussion in Section 3.17 b) of the Final EIR, there will be a less than significant impact in regard to consistency with CEQA Guidelines Section 15064.3. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix "F" of the Draft EIR), Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that an investigation confirmed that the Project will be less than significant. Therefore, that the Project is consistent with CEQA Guidelines section 15064.3.

In support of this finding, the evidence is contained in the Final EIR, Traffic Impact Study (included in Appendix "F" of the Draft EIR), and other evidence in the Public Record of Proceeding. Further, the analysis contained in Chapter 3.17 shows an overall decrease in vehicle miles travelled (VMT) by approximately 15 miles/day/vehicle as the distance travelled from the Cities of Tulare, Exeter, Farmersville rather than travelling to Visalia Landfill. The evidence indicates that the Project would be less than significant. Mitigation Measures 3.17-1 and 3.17-2 would ensure the Project's contribution (i.e., equitable share) of roadways and levels of service without because the overall distance travelled by solid waste disposal trucks to Woodville Landfill versus Visalia Landfill is shorter.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

ee. Impact 3.17 Transportation and Traffic – c) Sharp Curves or Dangerous Intersections or Incompatible Uses

Pursuant to the discussion in Section 3.17 c) of the EIR, there will be a less than significant impact with regards to sharp curves or dangerous intersections, or incompatible uses by this Project. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix "F" of the Draft EIR), Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that an investigation confirmed that the Project will have a less than significant impact to sharp curves or dangerous intersections, or incompatible uses.

In support of this finding, the evidence indicates that the proposed Project will not create any new design features on-site. It is not anticipated that there will be an increase in the volume of vehicles accessing the site also, the same types of vehicles (heavy-duty haul trucks and personal vehicles) will continue to access/egress the site. The proposed new site access/egress point is located at a sufficient distance from any intersection to allow for safe vehicular access/egress to and from the site. No mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

ff. Impact 3.18 Tribal Cultural Resources – a) and b) Listed California Register of Historical Resources; Resources Significant to a California Native American Tribe

Pursuant to the discussion in Section 3.18 a) and b) of the Final EIR, there will be a less than significant impact with mitigation, as appropriate, to Listed Historical Resources and Significant Tribal Cultural Resources by this Project. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “C” of the Draft EIR), Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that an investigation confirmed that the Project will not cause a significant impact to Listed Historical Resources and Significant Tribal Cultural Resources with the implementation of mitigation as appropriate.

Mitigation is set forth in Mitigation Measures 3.18-1 and 3.18-2. Such mitigation is hereby adopted for this Project. All Mitigation Measures shall be implemented by the County of Tulare, or the County Environmental Assessment Officer, as appropriate. Monitoring shall be the responsibility of the RMA.

In support of this finding, evidence is contained in the Final EIR, Technical Appendices (included in Appendix “C” of the Draft EIR), and other evidence in the Public Record of Proceeding. The Project impact analysis identifies no tribal or archaeological resources within the Project site. As an abundance of caution, and if necessary, the implementation of Mitigation Measures 3.18-1 and 3.18-2 would result in less than significant impacts.

As such, there would be a less than significant impact with mitigation. There is no evidence to the contrary in the Public Record of Proceedings.

gg. Impact 3.19 Utilities and Service Systems – a) and b) Exceed Wastewater Treatment of the applicable Regional Water Quality Control Board; Relocation or Construction of New or Expanded Water, Wastewater Treatment or Storm Drainage, Electric Power, Natural Gas, or Telecommunications Facilities

Pursuant to the discussions found in Section 3.19 a) of the Final EIR, there will be a less than significant impact involving water, wastewater treatment or storm drainage, electric power, natural gas, or telecommunications facilities. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “E” of the Draft EIR), Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that an investigation confirmed that the Project will not exceed RWQCB wastewater requirement, it will not require the construction or expansion of new water or wastewater treatment facilities, and that the Project will have adequate electric power, natural gas, or telecommunications facilities. Also, the Project would include construction of new storm water drainage facilities on-site. The Project is currently connected to an existing electricity source, it will not require natural gas service, and has existing telecommunications capabilities on-site.

In support of this finding, the evidence indicates that the Project will not discharge liquid waste to a wastewater treatment facility or result in a new or an expansion of a public storm water drainage facility. There is an existing septic system and water well on the site with adequate service capacities. As necessary, the Project will comply with County and Regional Water Quality Control Board requirements. Therefore, the Project has a less than significant impact. No mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

hh. Impact 3.19 Utilities and Service Systems – b) Sufficient Water Supplies

Pursuant to the discussions found in Section 3.19 b) of the Final EIR, the Project will have sufficient water supplies available to serve the Project. As such, there will be a less than significant impact. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “E” in the Draft EIR), Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that an investigation confirmed that the Project will have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years.

In support of this finding, the evidence indicates on-site water wells are available to meet the water demand for the Project. As noted earlier, the intent of the Project is to increase the use of the landfill by 55 years. Therefore, there is sufficient water supplies available to serve the Project and reasonably foreseeable future development (i.e., extended lifetime of the landfill) during normal, dry and multiple dry years. As such, a less than significant impact related to this Checklist Item will occur.

As such, there would be a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

ii. Impact 3.19 Utilities and Service Systems – c) Adequate Wastewater Capacity

Pursuant to the discussions found in Section 3.19 c) of the Final EIR, the Project will use its own on-site septic tank and leach field for disposal of wastewater. As such, there will be no impact. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “E” in the Draft EIR), Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that an investigation confirmed that the Project will rely on an on-site septic tank and leach field for disposal of wastewater generated by employees with sufficient capacity to meet wastewater needs of the proposed use. Therefore, the Project will not result in wastewater and it will not require new or expanded wastewater treatment.

In support of this finding, the evidence indicates than a proposed septic system will be designed to be adequate to treat the wastewater needs of the proposed use. The proposed Project will include the addition of a new septic tank and leach field which will be reviewed by the Tulare County Health and Human Services Agency, Health Services Division, to accommodate wastewater generated. The proposed Project would also comply with applicable sections of the 2015 Tulare County JTD, Woodville Landfill [Disposal Site] (included in Appendix “G” of this Draft EIR), Regional Water Quality Control Board, CalRecycle, or other agency’s rules, regulations, permits, etc. As such, no impact related to need for expanding or requiring new wastewater treatment will occur. Thus, there would be no impact.

As such, there would be no impact. There is no evidence to the contrary in the Public Record of Proceedings.

jj. Impact 3.19 Utilities and Service System – d) Generate Excess Solid Waste

Pursuant to the discussions found in Section 3.19 d) of the Final EIR, there will be a less than significant no impact as the Project will serve as an improvement upon the existing solid waste disposal capabilities of the Woodville Landfill. The proposed Project would also comply with applicable sections of the 2015 Tulare County JTD, Woodville Landfill (Disposal Site) (included in Appendix “G” of this Draft EIR), Regional Water Quality Control Board, CalRecycle, or other agency’s rules, regulations, permits, etc. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that the Project will result in a less than significant impact to landfill facilities as it will not generate excess solid waste, that it is intended to receive solid waste for the next 55 years, and it includes composting to further reduce the green waste stream.

In support of this finding, the evidence indicates that the proposed Project does not consist of any elements that would exceed the permitted capacity of such facilities or lead to the improper disposal of waste materials. There would be no impact as a result of this Project. No mitigation measures are necessary or required. Furthermore, the Project would have a net benefit regarding

solid waste as the Project would increase the lifespan of the Landfill by another 55 years and it will reduce the green waste stream by including composting activities.

As such, there will be a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

kk. Impact 3.19 Utilities and Service System –e) Comply with Federal, State, and Local Management and Reduction Statutes and Regulations

Pursuant to the discussions found in Section 3.19 e) of the Final EIR, the proposed Project is an expansion of a solid waste facility to meet solid waste disposal needs of Tulare County for the next 55 years and it will comply with applicable sections of the 2015 Tulare County JTD, Woodville Landfill [Disposal Site] (included in Appendix “G” of this Draft EIR) Regional Water Quality Control Board, CalRecycle, or other federal, state and local agency’s rules, regulations, permits, etc., relating to solid waste disposal management and reduction statutes and regulation related to solid waste. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that the Project will result in no impact to applicable law and policy, and applicable federal, state, and local management and reduction statutes and regulations related to solid waste.

In support of this finding, the evidence indicates that the proposed Project does not consist of any elements that would exceed the permitted capacity of such facilities or lead to the improper disposal of waste materials. There would be no impact as a result of this Project. No mitigation measures are necessary or required. Furthermore, the Project would have a net benefit regarding solid waste as the Project would increase the lifespan of the Landfill by another 55 years and it will reduce the green waste stream by including composting activities.

As such, there will be no impact. There is no evidence to the contrary in the Public Record of Proceedings.

ll. Impact 3.20 Wildfire - a) Impair an Adopted Emergency Response Plan or Emergency Evacuation Plan

Pursuant to the discussions found in Section 3.19 e) of the Final EIR, the Project will not impair an adopted emergency response plan or evacuation plan. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that the Project will result in no impact to an adopted emergency response plan or evacuation plan.

In support of this finding, the evidence indicates that the Project’s location does not lend itself to wildfire risk as it is not within a fire hazard severity zone, as identified by CalFire. The

landfill expansion area (including composting operations) is not located in or near state responsibility areas. The landfill and proposed expansion area (including composting operations) are located on the Valley floor in a predominantly rural, agricultural area on relatively flat land (i.e., 0-2% slopes). Additionally, it lacks dense vegetation which would serve as wildfire fuel. Emergency response plans or emergency evacuation plans would not be impaired. There would be no impact as a result of this Project. No mitigation measures are necessary or required.

mm. Impact 3.20 Wildfire - b) through d) Exacerbate Wildfire Risks; Require the Installation or Maintenance of Associated Infrastructure; Expose People or Structures to Significant Risks

Pursuant to the discussion in Section 3.20 b) - d) of the Final EIR, there will not be a significant impact in regards to Wildfire. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that the Project will have no impact due to wildfires.

In support of this finding, the evidence indicates that the Project location does not lend itself to wildfire risk. Due to the nature of the landfill expansion area (including composting operations), it would not exacerbate wildfire risks, nor would it expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, it would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment, and it would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. The Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; it Project is located on the Valley floor in on relatively flat land (i.e., 0-2% slopes), as such it is/is not located in an area where landslides or post-fire slope instability would occur; the Project would provide its own infrastructure, including fire breaks the site is not crossed by any rivers, streams, canals, or irrigation ditches. As such, it is not at risk of downstream flooding; and the final grading of the site should control the drainage pattern of the site to a stormwater retention pond.

As such, there will be a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

nn. Impact 3.21 a) Mandatory Findings of Significance: Wildlife Species or Historical Impacts

Pursuant to the discussion in Section 3.21 a) of the Final EIR, there will be less than significant impacts to wildlife species or historical resources by this Project with implementation of Mitigation Measures 3.4-1 thru 3.4-4 in regard to wildlife species, and Mitigation Measures 3.18-1 and 3.18-2 in regard to historical resources. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendices “B” and “C” in the Draft EIR), Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that with Mitigation Measures 3.4-1 thru 3.4-4, and Mitigation Measures 3.18-1 and 3.18-2, the Project will not cause a significant impact involving wildlife species or historical resources.

In support of this finding, the evidence indicates that the site of the proposed Project is an intensely disturbed landscape (due to intense farming and on-going landfill-related activities) devoid of natural habitat, wetlands, has limited foraging areas, or movement corridors thus minimizing the potential for impacts to biological species. No cultural resources were identified within ½ mile of the Project site; however, in order to address the potential of cultural resources being unearthed as a result of Project-related ground excavation, Mitigation Measures 3.18-1 and 3.18-2 were added in the unlikely event that archaeological or paleontological resources, or human remains are unearthed during Project-related ground excavation.

oo. Impact 3.21 b) Cumulative Impacts

See Section IV Cumulative Impacts below.

pp. Impact 3.21 c) (Substantial Adverse Effects)

Pursuant to the discussion in Section 3.21 c) of the Final EIR, the proposed Project would not result in any impacts to human beings beyond what has already been analyzed in Chapters 3.1 through 3.20. There are no significant environmental adverse effects from this Project to human beings.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that there are no significant environmental adverse effects from this Project to human beings.

In support of this finding, the evidence indicates that the Project would not result in any impacts to human beings beyond what has already been analyzed in Chapters 3.1 to 3.20, and thus there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

IV

CUMULATIVE IMPACTS

CEQA Guidelines Section 15130(a) requires that an EIR discuss the cumulative impacts of a Project when the Project’s incremental effect is “cumulatively considerable,” meaning that the Project’s incremental effects are considerable when viewed in connection with the effects of past, current, and probable future Projects. A consideration of actions included as part of a cumulative impact scenario can vary by geographic extent, time frame, and scale. They are defined according to environmental resource issue and the specific significance level associated with potential

impacts. CEQA Guidelines 15130(b) requires that discussions of cumulative impacts reflect the severity of the impacts and their likelihood of occurrence. The CEQA Guidelines note that the cumulative impacts discussion does not need to provide as much detail as is provided in the analysis of Project-only impacts and should be guided by the standards of practicality and reasonableness and focus on the cumulative impact to which the identified other Projects contribute rather than the attributes of other Projects which do not contribute to the cumulative impacts.

A. Biological Impacts

Pursuant to the discussion in Section 3.4 a) through f) of the Final EIR, the Project will cause a less than cumulatively significant impact to biological resources. The Board concurs with this analysis. Accordingly, based on substantial evidence in the Public Record of Proceedings, the Board finds and declares that the mitigations required in Mitigation Measures 3.4-1 through 3.4-7 will lessen any significant impacts to cumulative biological resources. The cumulative impact relating to biological resources will be reduced to a level of insignificance. The Board further finds that there are specific economic, legal/public policies, social, or other considerations which make infeasible any further Mitigation Measures or Project alternatives.

In support of this finding, the evidence indicates that the direct impacts are not significant with the implementation of Mitigation Measures 3.4-1 through 3.4-7, as contained in section 3.4 of the Draft EIR and evidenced in the “*Woodville Landfill Expansion Project in Tulare County, California.*” (included in Appendix “B” of the Draft EIR). As such, the adopted Mitigation Measures will assure that any cumulative biological impacts are mitigated to a level of less than significant.

B. Cultural and/or Tribal Cultural Resources

Pursuant to the discussion in Section 3.18 a) through c) of the Final EIR, the construction related component of the Project may cause a potentially cumulatively significant impact to cultural resources. The Board concurs with this analysis. Accordingly, based on substantial evidence in the Public Record of Proceedings, the Board finds and declares that the mitigation required in Mitigation Measures 3.5-1 through 3.5-3 and 3.18-1 and 3.18-2 will lessen any significant impacts to cumulative cultural resources. The cumulative impact relating to cultural resources will be reduced to a level of insignificance. The Board further finds that there are specific economic, legal/public policies, social, or other considerations which make infeasible any further Mitigation Measures or Project alternatives.

In support of this finding, the evidence indicates that there is no recorded evidence of archeological sites at the Project site. The adopted Mitigation Measures will assure that any Native American burial sites or unidentified skeletal remains encountered are either avoided, treated in accordance with the recommendations of the most likely descendant, or relocated, and will assure that any historical or cultural resources are properly evaluated, thereby reducing this impact to a less than significant level. With implementation of Mitigation Measures 3.18-1 and 3.18-2, and evidence in the “*Archaeological Survey Report for a Proposed 240 Acre Expansion of the Woodville Landfill Tulare County, California January 2019*” (included in Appendix “C” of the Draft EIR), potential

cumulative impacts related to tribal cultural resources will be reduced to a level considered less than significant.

Pursuant to the discussion in Section 3.5 c) of the Final EIR, the Project site is located on soil that could potentially contain paleontological resources. Although it cannot conclusively be demonstrated that no subsurface paleontological resources are present, the impacts would be reduced to less than significant impacts with mitigation. To reduce the Project's impact to less than significant, Mitigation Measure 3.5-2 would be implemented in the unlikely event paleontological resources are encountered. The Board concurs with this analysis. Therefore, there will be less than significant impacts to the environment involving paleontological resources.

Accordingly, based on substantial evidence in the Final EIR, applicable Technical Appendices, Response to Comments, Final EIR, and the Public Record of Proceedings, the Board finds and declares that an investigation of the site indicates the potential presence of paleontological resources based on the soil types of the site. However, in the unlikely event of encountering paleontological resources, implementation of mitigation measures would reduce the impacts to less than significant.

C. Transportation – Conflict with Applicable Plan, Ordinance or Policy Establishing Measures of Effectiveness for the Performance of the Circulation System.

Pursuant to the discussion in Sections 3.17 a) through f) of the Final EIR, the Project will result in a less than significant cumulative impact to transportation resources and the existing circulation system. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Public Record of Proceedings, the Board finds and declares that the mitigation required in Mitigation Measures 3.17-1 and 3.17-2 will lessen any significant cumulative impacts to the Transportation resource. The cumulative impact relating to Performance of the Circulation System will be reduced to a level of insignificance. The Board further finds that there are specific economic, legal/public policies, social, or other considerations which make infeasible any further Mitigation Measures or Project alternatives.

In support of this finding, evidence is contained in the Draft EIR, Traffic Impact Study (included in Appendix "F" of the Draft EIR), and other evidence in the Public Record of Proceeding. The Project impact analysis identifies trip generation, intersection and roadway capacity, and traffic signal warranting to arrive at the conclusion that the study intersections are expected to operate at acceptable levels of service with the proposed Project through the year 2040. Implementation of Mitigation Measures 3.17-1 and 3.17-2, as evidenced in the "*Traffic Impact Study, Proposed Concrete and Asphalt Batch Plant*" (included in Appendix "F" of the Draft EIR), would ensure the Project's contribution (i.e., equitable share) of roadway improvements and contribution (i.e., proportional share) of roadway maintenance would result in a less than significant cumulative impact to the existing circulation system and transportation resource.

D. Conclusion

In further support of the foregoing discussion, the County of Tulare will assure that the Applicant (in this case the Tulare County Solid Waste Department) complies with Mitigation Measures (including project design features as conditions of approval) contained in the Mitigation Monitoring and Reporting Program.

V

GROWTH INDUCING IMPACTS

Pursuant to the discussion in Chapter 6 of the EIR and consistent with Public Resources Code Section 21100(b)(5) and CEQA Guidelines Section 15126.2(b), the Board finds and declares that there are no direct growth-inducing impacts resulting from this Project.

Based on substantial evidence in the EIR and the Public Record of Proceedings, the Board finds and declares that the Project will not cause a significant growth inducing impact, and as such, no mitigation is necessary or required. There is no evidence to the contrary in the Public Record of Proceedings.

In support of this finding, the evidence indicates that the development of the Project is unlikely to result in or contribute to population growth inducement because the Project will not result in a significant increase in employment, population, or demand for housing in the area. For these reasons, the Project is not anticipated to result in growth inducement. Therefore, the operation of the proposed Project would not result in new growth in the area relating to the potential population increase.

The Project does not include new homes, and will result in employment of approximately 20 employees. It will not be necessary to recruit higher skilled person beyond the Project and it is anticipated that the most of the new employees will be current residents within or near the Visalia-Tulare-Goshen communities.

The proposed Project will not induce population growth because of the relative size of the growth. The Project site is located in a rural area and will not induce new residential construction or new business creation. As such, the proposed Project does not have the potential to induce significant growth in Tulare County.

VI

SIGNIFICANT AND UNAVOIDABLE IMPACTS OF THE PROJECT

Pursuant to the discussion in Chapter 7 of the Draft EIR and Chapter 10 of the Final EIR, and consistent with Public Resources Code Section 21100(b)(2)(A) and the State CEQA Guidelines Section 15126.2(b), the Board finds and declares that there are no significant environmental impacts that cannot be avoided.

In support of this finding, the evidence indicates that there are no significant environmental impacts. There are no feasible Mitigation Measures that are necessary or required, other than those required and adopted for this Project that could further reduce these impacts to a level of less than significant.

As there are no significant and unavoidable environmental impacts, the Project is proposed and approved to enable the Applicant to achieve the basic Project objectives; including: (1) to establish and operate an economically viable and competitive Project in compliance with applicable laws and regulations; (2) to optimally utilize available land resources; and (3) to mitigate environmental impacts to the extent feasible. In addition, alternative designs or locations that would possibly achieve these objectives would not reduce the identified cumulative impacts to a level of less than significant. Feasible Mitigation Measures have been required for this Project, and with the imposition of feasible Mitigation Measures, there will be no cumulative environmental impacts that remain significant and unavoidable.

VII

ANALYSIS OF ALTERNATIVES

In connection with alternatives, CEQA and the State CEQA Guidelines require that an EIR provide a reasonable range and discussion of alternatives (Public Resources Code Sections 21002, 21002.1; Guidelines Section 15126.6).

A. Alternatives

The project proponent is pursuing expansion of the Woodville Disposal Site (Landfill Expansion) as follows: 1) Increase the permitted landfill capacity by approximately 14 million cubic yards. The additional WMUs will be designated Class III landfill units and would extend the anticipated landfill closure date to Year 2075; 2) Change operation floor from 282' above mean sea level (MSL) to approximately 270' above MSL in WMU-2 and WMU-3; 3) Relocate the landfill entrance scale and scale house, landfill gas flare and operations facilities to the northernmost 70-acre parcel designated for operations; 4) Allow for potential facility offices and a composting facility on the designated parcel (likely in the Borrow/Operation area); 5) Include an option to develop composting capabilities/facility on site (likely in the Borrow/Operations area) and; 6) The option to include a staff office facility onsite. This will be a fully functional Solid Waste staff office and will be contained in the Borrow/Operations area.

The basic objectives of the Project, as described in the EIR, are to increase total landfill capacity by approximately 14 million cubic yards beyond currently permitted levels, which would allow disposal at the landfill to continue for approximately 55 years; continue to provide a waste disposal location that is environmentally sound and cost-effective; continue waste diversion programs (for example, composting and recycling) that are critically important for landfill users to achieve state-mandated diversion requirements; allow the County to maximize the use of a local resource for waste disposal, thus minimizing hauling distances and related environmental impacts and; allow for further development of disposal and diversion options, such as alternative technologies, for landfill users.

CEQA requires that an EIR analyze a reasonable range of alternatives. (Public Resources Code Sections 21102, 21002.1 and Guidelines Section 15126.6.) The alternatives to the Project that were considered in the EIR are described as:

- Alternative 1: No Build / No Project
- Alternative 2: Alternative Site
- Alternative 3: Reduced (50%) Project

The comparison of various factors was considered in Chapter 5 of the EIR. Tables 5.1 and 5.2 (below) of the EIR (made a part hereof) provide matrices that compares the environmental impacts of differing Project Alternatives against the Project.

The Proposed Project is the Preferred Alternative. The proposed Alternatives were analyzed based on six evaluation criteria, which include each of the Project objectives and the assessment of the potential environmental impacts. The relative environmental impacts associated with each of the Alternatives, as compared to the proposed Project, are summarized in Table 5-1. A matrix comparing the Evaluation Criteria and Project objectives as they pertain to each Alternative is provided in Table 5-2 as contained in Chapter 5 of the Draft EIR.

Table 5-1 is a matrix comparing each Alternative's and the Preferred Alternative's abilities to achieve the Evaluation Criteria.

Table 5-1 Alternatives Evaluation			
	Alternative 1 Project	Alternative 2 Alternate Site	Alternative 3 Reduced (50%) Project
1. Project Specific Elements	No	Some	Yes (short-term)/No (long-term)
2. Project Objectives	No	Some	Yes (short-term)/No (long-term)
3. Minimize Costs	No	No	Yes (short-term)/No (long-term)
4. Operational Efficiency	No	No	Yes (short-term)/No (long-term)
5. Reduce Significant Impacts	Yes	Unknown	Yes (short-term)/No (long-term)
6. Physical Feasibility	No	Some	Yes (short-term)/No (long-term)

Table 5-2 compares environmental impacts associated with each of the alternatives presented compared to the Preferred Alternative.

Table 5-2
Impacts of Alternatives Compared to the Proposed Project

Impact Topic	Alternative 1 No Project		Alternative 2 Alternate Site	Alternative 3 Reduced (50%) Project	
	Short-Term ¹	Long-Term ²		Short-Term ¹	Long-Term ²
Aesthetics	less	similar	unknown-to-more	similar	similar
Agriculture and Forestry Resources	less	less	similar-to-more	similar	similar-to-unknown
Air Quality	less	more	similar-to-more	less	similar-to-more
Biological Resources	less	less	unknown-to-more	similar	similar-to-unknown
Cultural Resources	less	less	unknown-to-more	less	similar-to-unknown
Energy	less	more	unknown-to-more	less	similar-to-more
Geology and Soils	less	more	unknown	less	similar-to-unknown
Greenhouse Gas Emissions	less	more	unknown-to-more	less	similar-to-more
Hazards and Hazardous Materials	less	more	unknown-to-more	less	similar-to-unknown
Hydrology and Water Quality	less	more	unknown-to-more	less	unknown
Land Use and Planning	less	more	unknown-to-more	similar	similar-to-unknown
Mineral Resources	less	similar	unknown	similar	unknown
Noise	less	similar	unknown-to-more	less	similar-to-unknown
Population and Housing	less	similar	unknown	less	similar-to-unknown
Public Services	less	similar	unknown-to-more	less	similar-to-unknown
Recreation	less	similar	similar	similar	similar-to-unknown
Transportation	less	more	unknown-to-more	less	similar-to-more
Tribal Cultural Resources	less	unknown	unknown-to-more	similar	similar-to-unknown
Utilities and Service Systems	less	similar	unknown-to-more	less	similar-to-unknown
Wildfire	less	similar	unknown	similar	similar
Mandatory Findings of Significance	less	similar	unknown-to-more	less	similar-to-unknown

Notes: 1 – Short-term = Within 14 years; i.e., 1/2 of the assumed 28-year term, if area/capacity reduced by 50%.

2 – Long-term = 15-28 years; if area/capacity reduced by 50%.

B. Environmentally Superior Alternative

CEQA requires that, in addition to the analysis of individual Alternatives, the Alternatives must be ranked according to which Alternatives have the lesser environmental effects. This ranking is shown above in Tables 5-1 & 5-2.

Alternative 1: No Project Alternative. The No Project Alternative would avoid all potential construction- and operations-related impacts related to air quality, biological resources, cultural resources, greenhouse gas emissions, noise, and traffic resulting from the proposed Project and each of the other Alternatives identified earlier in the short term. However, the No Project Alternative would not meet any of the Project objectives or project-specific elements. The No Project Alternative would eventually adversely affect the County's objective of providing/maintaining sufficient and an affordable solid waste disposal site in the long term by not allowing expansion of the Woodville Landfill to occur. The pending closure of Teapot Dome Landfill (in 2022) would exacerbate solid waste landfill space needs and possibly require those haulers using Teapot Dome Landfill to transport their solid waste material to Visalia Landfill. Impacts associated with air quality, energy, greenhouse gas emissions, transportation (traffic), and utilities and service systems would likely be equal to or greater than the proposed Project in the short-term (that is, until Woodville Landfill reaches its capacity) and greater in the long term to agricultural, air quality, biological, cultural, energy, geology/soils (paleontology), greenhouse gas emissions, transportation (traffic and vehicle miles travelled), tribal cultural, and utilities and service systems. Consideration of the No Project Alternative being the environmentally superior alternative would require the judgment of whether in balance, eliminating or avoiding certain impacts is of greater benefit environmentally than avoiding certain other impacts. Therefore, this Alternative would not meet the criteria as the Environmentally Superior Alternative.

Alternative 2: Alternate Site. It is unknown if the environmental impacts associated with this Alternative would be less than the proposed Project because it would be speculative to evaluate an unsecured alternate site. This is primarily due to the fact that the applicant (the County) does not have control of an alternate site. However, as noted earlier, landfill cell construction and operation at an alternate site would result in environmental impacts that are likely equal to or greater than the proposed Project. The majority of Project impacts are also likely to occur at an alternate site. Therefore, impacts associated with air quality, agriculture, biology, cultural, energy, geology/soils (paleontological resources), greenhouse gas emissions, transportation (traffic), tribal cultural, and utilities and service systems could likely be equal to or greater than the proposed Project. If an alternate site acquisition were viable, the County would have to re-initiate the application and environmental review process as a new project. Various engineering and technical studies would need to be completed. The time requirements for these activities would reduce the ability of the Applicant to accommodate projected landfill capacity demand in a timely manner compared to the proposed Project. As such, this alternative would be the most complex, costly, and time-consuming alternative to implement. Therefore, Alternative 2 is not superior to the proposed Project and is not considered a viable alternative.

Alternative 3: Reduced (50%) Project. As noted earlier, under Alternative 3, the proposed Project would be permitted for only 50% of the proposed capacity. Operations would essentially be the same as the proposed Project except that capacity would be substantially reduced. Most of the

environmental issues associated with Alternative 3 would be similar to those of the proposed Project. Alternative 3, however, involves reduced landfill capacity, tons of solid waste, and importantly, lifespan. After the assumed 28-year lifespan of the landfill is exhausted, it remains uncertain what impacts would occur as it is uncertain if future expansion would occur at the site or if a new location would be selected for landfilling purposes. In the short-term (within 14 years; i.e., ½ of the assumed 28-year term), all environmental impacts under the Reduced Project Alternative would be less than the Proposed Project. Ultimately (and likely eventually), in the long-term (15-28 years), a change in reduced area and lifespan could result in new or delayed impacts to the following resources be affected: agricultural, air quality, biological, cultural, energy, geology/soils (paleontology), greenhouse gas emissions, transportation (traffic and vehicle miles travelled), tribal cultural, and utilities and service systems. Apart from the No Project Alternative, Alternative 3 Reduced (50%) Project would be the Environmentally Superior alternative because it would result in less adverse physical impacts to the environment as noted above. However, the Reduced (50%) Project does not meet all of the County's Project objectives, particularly with regard to the County's goal to minimize solid waste disposal costs and expanding and utilizing an existing landfill for the next 55 years.

The comparative analysis indicates that Alternative 3 is the Environmentally Superior Alternative as it would result in reduced significant impacts. However; it does not meet all of the evaluation criteria and importantly, it would not meet the economic objectives of the Project. Table 5-2 contains a comparison of each Alternative's and the proposed Project's abilities to achieve the Project objectives and reduce environmental impacts.

The Board finds that the Applicant/project proponent is required to undertake Mitigation Measures (including some in the form of project design features as conditions of approval). These Measures are restrictive and are applied to the Project as described in the Draft and Final EIR. Thus, it is in the public interest for the County to advance socially desirable, necessary and enlightened progress, which is both environmentally and economically sound. In light of the foregoing discussion, and when balancing these interests, the Board finds and concludes that these considerations and benefits are deemed to be substantial, that the Project will not cause a significant or unavoidable environmental impact, and that the Project should be approved.

The Board finds and concludes that there are No Environmental Impacts That Cannot Be Avoided and there are no irreversible impacts; therefore, a Statement of Overriding Considerations is not necessary. The Project's merits and objectives are discussed in the Project Description and are found to be consistent with the intent of Tulare County 2030 General Plan.

The EIR is available at Tulare County Resource Management Agency at 5961 South Mooney Boulevard, Visalia, California 93277 (Telephone No. (559) 624-7000). The custodian for these documents and other materials is Mr. Hector Guerra, Chief Environmental Planner, Environmental Planning Division.

Attachment C

Notice of Determination

NOTICE OF DETERMINATION

Fee Exempt per Government Code Section 6103

To: ☒ Tulare County Clerk
 Room 105, Courthouse
 221 South Mooney Blvd.
 Visalia, CA 93291

☐ Office of Planning and Research
 1400 Tenth Street, Room 121
 Sacramento, CA 95814

Lead Agency: Tulare County Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277
(559) 624-7000
Attn: hguerra@tularecounty.ca.gov
jwillis@tularecounty.ca.gov

DATE RECEIVED FOR FILING AT TULARE COUNTY CLERK'S OFFICE

Applicant(s): Tulare County Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277
(559) 624-7000

Subject: **Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code**

Project Title: Woodville Disposal Site (Landfill) Expansion Project

State Clearinghouse Number: 2018121007

Contact Person: Hector Guerra **Telephone Number:** 559-624-7121

Project Location: The Project site is located within the existing Woodville Landfill boundaries at 19800 Road 152, Tulare, CA 93274 (County APNs 196-030-006, -011, -012; 196-040-001, 002, -003, -004, -005, -006; 196-070-11 (196-030-014 & 196-040-029). The landfill is located approximately 12 miles southeast of the City of Visalia, seven miles southeast of the City of Tulare, and 13 miles northwest of the City of Porterville at the intersection of Avenue 200 and Road 152. The site lies within the Cairns Corner USGS 7.5 Minute Quadrangle and within Sections 25, 26, 35 and 36, Township 20 South, Range 25 East, MDB&M.

Project Description: The proposed Project includes the expansion of the existing 160-acre Woodville Disposal Site (or Woodville Landfill or landfill) by 240 acres; combined, the landfill would encompass an area of approximately 400 acres. The Project is designed to anticipate and meet the demands/needs of increases in project solid waste disposal of the County for the next 55 years by increasing permitted by approximately 14.0 million cubic yards for overall capacity of approximately 27.5 million cubic yards. It is anticipated that daily tonnage received, number of vehicles entering/exiting, landfill operations equipment, water usage, ancillary uses, etc., will not increase or decrease. The existing landfill is permitted to accept 1,078 tons per day and 489 vehicles per day; the Project is not seeking any changes to these permitted volumes. The entrance/exit to access/egress the site will remain on Road 152, but will be relocated farther north than its present location. The proposed Project is anticipated to maintain the current days of operation 7:00 a.m. – 4:00 p.m., Monday through Friday; and 8:00 a.m. – 4:00 p.m. on Saturdays (when the landfill is open to the public and closed to haulers). It will be closed New Year's Day, Thanksgiving, and Christmas.

This is to advise that the **TULARE COUNTY BOARD OF SUPERVISORS**, as ☒ Lead Agency ☐ Responsible Agency, has approved the above-described project on _____, and has made the following determinations regarding the above-described project:

1. The project [☐ will ☒ will not] have a significant adverse impact on the environment.
2. ☒ A Final Environmental Impact Report, ☐ Mitigated Negative Declaration, ☐ Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures [☒ were ☐ were not] made a condition of approval of this project.
4. A Mitigation Monitoring and Reporting Plan [☒ was ☐ was not] adopted for this project.
5. A Statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provision of CEQA.

This is to certify that the environmental document and record of project approval is available to the General Public and may be examined at: Tulare County Resource Management Agency, 5961 S Mooney Blvd., Visalia CA 93277.

By: _____ Date: _____
Hector Guerra, Chief Environmental Planner

By: _____ Date: _____
Reed Schenke, Director and Environmental Assessment Officer

☒ Signed by Lead Agency
☐ Signed by Applicant

Date received for filing at OPR: _____

Cc: California. Dept. of Fish & Game, 1416 Ninth St., 12th Floor, Sacramento, CA 95814

Note: Authority cited: Section 21083, Public Resource Code; Reference: Sections 21108, 21152 and 21167, Public Resource Code.

NOTICE OF DETERMINATION

Fee Exempt per Government Code Section 6103

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