

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF CERTIFY AND)
ADOPT ENVIRONMENTAL IMPACT) Resolution No. 2021-0503
REPORT FOR THE THREE RIVERS)
HAMPTON INN AND SUITES PROPOSED)
PROJECT)

WHEREAS, on February 20, 2020, the Applicant filed with Tulare County Resource Management Agency ("RMA") an application for an Environmental Impact Report (EIR) to allow the construction and operation of a 105-guest room hotel pursuant to Section 65905 of Government Code and regulations contained in Section 16 of Tulare County Ordinance No. 352, the Zoning Ordinance; and

WHEREAS, the proposed site for the Three Rivers Hampton Inn and Suites Project encompasses approximately 2.80 acres of land located on Tulare County Assessor Parcel Number (APN) 068-080-010 along California State Route 198 within the Three Rivers Urban Development Boundary. The proposed Project is an allowed use under the current C-2-MU-SC (General Commercial-Mixed Use-Scenic Corridor Combining Zone). The Project site is located within the Kaweah USGS 7.5 Minute Topographic Quadrangles, within Section 26, Township 17 South, Range 28 East; the coordinates of the proposed Project site are North 35° 25' 27.31" N, West 118° 54' 55.84".

WHEREAS, an Initial Study was prepared for this Project and the RMA determined that the preparation of EIR was appropriate due to local concerns of potential significant environmental impacts that could be caused by implementing the Project; and

WHEREAS, the Board is the decision-making body of the lead agency for the consideration of the EIR and the MMRP prepared for the proposed Project; and

WHEREAS, the Notice of Preparation ("NOP") of a Draft Environmental Impact Report ("Draft EIR") for the Project was distributed by the RMA and circulated for a 30-day public review period beginning on November 2, 2020, and ending on December 2, 2020; and

WHEREAS, a scoping meeting was duly noticed and held on Thursday, November 5, 2020, at 1:30 P.M. in the Main Conference Room of the RMA at 5961 S. Mooney Blvd., Visalia, CA 93277; and

WHEREAS, no comments were received during said scoping meeting; and

WHEREAS, the existing conditions described in the Draft EIR reflect the physical environmental conditions in existence at the time the NOP was distributed; and

WHEREAS, the RMA received twelve (12) comment letters on the NOP for the Draft EIR. Four (4) comments were received from Responsible and/or Trustee Agencies: Native American Heritage Commission, San Joaquin Valley Unified Air Pollution Control District, California Department of Fish and Wildlife, California Department of Transportation, State of Tule River Tribe. Eight (8) comment letters were received from interested parties: Soapy Mulholland, Shivon Lavelly, Jenny Matsumoto, Greg and Laurie Schwaller, Cindy Howell (Three Rivers Community Service District); Julianna Seligman (The Kaweah Coalition); and two from Delores Lucero (Friends of Three Rivers). These comments are found in Appendix "G" of the Draft EIR; and

WHEREAS, technical studies were prepared by consultants and the Draft EIR was prepared by RMA Staff pursuant to the California Environmental Quality Act ("CEQA") and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970 ("State CEQA Guidelines") including an evaluation of existing resources and potential Project-related impacts, and the proposed mitigation measures to reduce any potential impacts to a less than significant level; and reviewed and approved for public review by the County's Environmental Assessment Officer; and

WHEREAS, on March 8, 2021, pursuant to CEQA and State CEQA Guidelines, Tulare County electronically submitted the Notice of Completion and Environmental Document Transmittal document and the Draft EIR (State Clearinghouse #2020110016) to the State Clearinghouse to be mailed to affected public agencies and interested parties, indicating a 45-day review period commencing on March 8, 2021, and ending on April 22, 2021, pursuant to CEQA, Public Resources Code Section 21000, and State and Agency Guidelines adopted pursuant thereto; and

Whereas, the Notice of Availability of Draft Environmental Impact Report was duly published in the Exeter Sun-Gazette (a newspaper of general circulation in Tulare County) on March 2, 2021, mailed to interested parties on March 5, 2021, posted on the Tulare County RMA website, made available for public review at the Tulare County Resource Management Agency, 5961 South Mooney Blvd., Visalia, CA, and mailed to affected public agencies on March 8, 2021, for public review, with a review period commencing on Monday, March 8, 2021, and ending on Thursday, April 22, 2021; and

WHEREAS, a total of twenty-six (26) written comments regarding the Draft EIR were received. Five (5) comment letters were received from Responsible/Trustee Agencies: California Department of Transportation (Caltrans), Tulare County Fire Department, Tulare County Health & Human Services Agency, Three Rivers Community Service District, and San Joaquin Valley Unified Air Pollution Control District (Air District). Twenty-one (21) total comment letters were received by the public/interested parties. Comments received in this comments/correspondence have been addressed in the Response to Comments section (Chapter 10) of the Final Environmental Impact Report; and

WHEREAS, on or about June 18, 2021, after due consideration thereof written responses to the timely public comments were duly sent to the commenting public agencies and interested parties in a manner that public agencies and interested parties

received it at least 10 days before action taken (see Attachments 2 through 19 of the FEIR); and

WHEREAS, through a good faith and substantial analysis of potential environmental impacts from the Project in the EIR, RMA staff found, and the Board agrees, that the proposed Project, without mitigation, could have a significant effect on six (6) environmental resources: Air Quality; Biological Resources; Cultural Resources; Geology and Soils; Greenhouse Gases; and Tribal Cultural Resources. The twenty-four (24) Mitigation Measures identified in the EIR, and included in the MMRP, reduce these potential impacts to these resources to less than significant; and therefore, the EIR and MMRP were the appropriate level of environmental review under CEQA for the Project; and

WHEREAS, the Board finds that the RMA has conducted the necessary investigations (including environmental review of this matter); prepared a written staff report; and based on substantial evidence, submitted the EIR for the consideration of, and action by, the Board; and

WHEREAS, the Final EIR for the Three Rivers Hampton Inn and Suites Project consists of the following information: the Draft EIR (including the technical appendices and incorporated herein by reference); comments and recommendations received on the Draft EIR; a list of persons, organizations, and public agencies commenting on the Draft EIR; the responses of the RMA to comments and recommendations received on the Draft EIR (including responses to significant environmental points raised in the review and consultation process); and any information added by the Board; and

WHEREAS, on June 16, 2021, a public notice of Final EIR availability and of the Tulare County Board of Supervisors scheduled June 29, 2021, public hearing on the Final EIR, was published in the Sun-Gazette (a newspaper of general circulation in Tulare County) and mailed to all Responsible Agencies, interested groups, organizations, and persons, including all persons and agencies that had commented on the Draft EIR; and

WHEREAS, on June 29, 2021, at 9:30 AM the Board held a duly noticed public hearing on the Three Rivers Hampton Inn and Suites Project in the Board of Supervisors Chambers (located at 2800 W. Burrell Avenue, Visalia, CA 93291) where there was opportunity for public testimony to be received on the proposed Project; and

WHEREAS, at the June 29, 2021, public hearing the Board received a report presented by RMA Staff that included recommendations; and

WHEREAS, at the meeting of the Board public testimony was received and recorded from; and

WHEREAS, on June 29, 2021, after the conclusion of public testimony the Board closed the public hearing; deliberated; and adopted this Resolution; and

WHEREAS, in order to approve the Three Rivers Hampton Inn and Suites Project this Board is required to make the following findings and certifications with regards to the

California Environmental Quality Act: (1) The Final Environmental Impact Report prepared for this Project is adequate; (2) feasible and reasonable alternatives were evaluated and found not to be superior to the approved Project; (3) the Final EIR has been completed in compliance with CEQA; (4) the Final EIR reflects the Board's independent judgment; and (5) the Board reviewed and considered the information in the Final EIR before approving the Project; and

WHEREAS, this Board has reviewed the Final EIR in its entirety, and has determined that the document reflects the independent judgment of the County; and

WHEREAS, this Board is required, pursuant to CEQA, to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant project-related environmental effects; and

WHEREAS, this Board has determined, for reasons set forth in Chapter 5 of the EIR, that the No Build/No Project Alternative; Alternative Project Site Alternative; and Reduced (25%) Project Alternative, as described in the Final EIR, are either not environmentally preferable, are infeasible (e.g., they fail to fully meet the Project objectives), or are neither environmentally preferable nor feasible; and

WHEREAS, this Board is required by Public Resources Code Section 21081.6, subdivision (a), to adopt a mitigation monitoring and reporting program, found in Chapter 8 of the Final EIR, to ensure that the mitigation measures adopted by the County are carried out; and

WHEREAS, because the adopted mitigation measures have mitigated or avoided all identified significant environmental effects associated with the Project, CEQA does not require this Board to adopt a Statement of Overriding Considerations.

Resolution of the Tulare County Board of Supervisors ("Board") certifying and adopting the Final Environmental Impact Report ("Final EIR") (SCH# 2020110016), the Findings of Fact ("FOF"), and Mitigation Monitoring and Reporting Program ("MMRP") for the proposed Three Rivers Hampton Inn and Suites ("Project"), as requested by Ineffable Hospitality, Inc. ("Applicant"), 6473 E. Hatch Rd., Hughson, CA 95326, to allow the construction and operation of a 105-guest room, 3-story hotel and associated site improvements including: managers office, meeting room, in-house food preparation and breakfast area, and other typical hotel facilities (such as in-house and guest laundry, fitness center, various storage closets, etc.) an outdoor swimming pool and cabana building, a 108-stall parking lot (of which six stalls will be handicap accessible stalls), a septic tank with filter and dripline system, a new domestic well, and on-site storm drainage.

The Board further finds that after considering all the evidence presented, the permitting, building, establishment, maintenance, and operation of the proposed Three Rivers Hampton Inn and Suites Project, as mitigated, will not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

The Board, on June 29, 2021, after considering all the evidence presented and based on substantial evidence, hereby:

1. Held a Public Hearing at 9:30 a.m. or shortly thereafter; and
2. Certified the Environmental Impact Report, Findings of Fact, and Mitigation Monitoring and Reporting Program as the correct level of environmental review for the Three Rivers Hampton Inn and Suites Proposed Project, located at 40758 Sierra Drive in Three Rivers; and
3. Adopted the Environmental Impact Report, Findings of Fact, and Mitigation Monitoring, and Reporting Program prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines per Section 15164(b), for the Three Rivers Hampton Inn and Suites Proposed Project; and
4. Approved the attached Resolution to certify and adopt the Environmental Impact Report, Findings of Fact, and Mitigation Monitoring, and Reporting Program prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines per Section 15164(b), for the Three Rivers Hampton Inn and Suites Proposed Project; and
5. Authorized the Environmental Assessment Officer, or designee, to sign and file the Notice of Determination with the County Clerk.

NOW, THEREFORE, BE IT RESOLVED as follows:

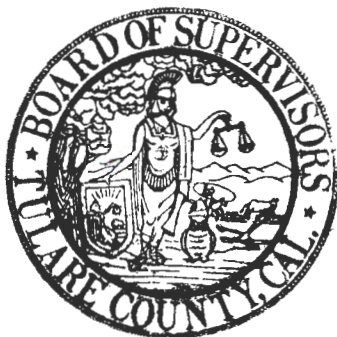
THE FOREGOING RESOLUTION WAS ADOPTED ON MOTION OF SUPERVISOR VANDER POEL, SECONDED BY SUPERVISOR VALERO, AT AN OFFICIAL MEETING HELD ON JUNE 29, 2021, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS MICARI, VANDER POEL, SHUKLIAN, VALERO AND TOWNSEND

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE



ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY:


Deputy Clerk