

AGENDA

ORANGE COVE PLANNING COMMISSION MEETING

TUESDAY, OCTOBER 19, 2021

MEETING AT 6:30 P.M.

**Orange Cove Council Chambers
633 6th Street, Orange Cove, CA 93646**

LIVE MEETING

TELECONFERENCE

(CALL 720-740-9780 ACCESS CODE 1060550#)

**Coy Weldon, Chairman
Planning Commissioners**

Rev. Rick Applegarth- Vicky Alvarado - Rick E. Alonso - Charles Lopez

A. Call to Order/Welcome

Planning Commissioner and Staff
Flag Salute by Chairman Weldon

B. Confirmation of Agenda

(Materials regarding an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 633 6th Street, Orange Cove, CA 93646 during normal business hours.)

C. Consent Calendar:

1. Planning Commission Minutes of July 20, 2021

D. Administration

2. **SUBJECT:** PUBLIC HEARING - Martinez Tract Map No. 6365

Recommendation: Planning Commission to consider approving the following:

1. Adopt PC Resolution No. 2021-23 Approving a Mitigated Negative Declaration: Mitigated Monitoring, and Reporting program for the Martinez Tentative Subdivision Tract Map No. 6365 (Yanez Construction) subject to the following amendment (s) and conditions (s)
2. Adopt PC Resolution No. 2021-24 Approving an application for a Tentative Subdivision Tract Map No. 6365 located on the North side of Martinez Street, West of Anchor Avenue (APN:378030-41) Subject to the "Conditions of Approval"

E. Adjournment

Public Comment: Members of the public shall have an opportunity to address the City Council concerning this matter.

ADA Notice: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (559) 626-4488 ext. 214. Notification 48 hours prior to the meeting will enable the city to make arrangements to ensure accessibility to this meeting.

Documents: Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at front counter at City Hall and at the Orange Cove Library located at 815 Park Blvd., Orange Cove, CA during normal business hours. In addition, most documents are posted on City's website at cityoforange Cove.com.

NOTICE

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the public entity conducting the hearing at, or prior to, the public hearing. (Government Code Section 65009.)

STATEMENT ON RULES OF DECORUM AND ENFORCEMENT

The Brown Act provides that members of the public have a right to attend public meetings, to provide public comment on action items and under the public forum section of the agenda, and to criticize the policies, procedures, or services of the city or of the acts or omissions of the city council. The Brown Act also provides that the Planning Commission has the right to exclude all persons who willfully cause a disruption of a meeting so that it cannot be conducted in an orderly fashion.

During a meeting of the Orange Cove Planning Commission, there is a need for civility and expedition in the carrying out of public business in order to ensure that the public has a full opportunity to be heard and that the Commissioners has an opportunity to conduct business in an orderly manner. The following is provided to place everyone on notice of the rules of decorum and enforcement.

GENERAL RULES OF DECORUM

While any meeting of the Planning Commission is in session, the following rules of decorum shall be observed:

1. All remarks shall be addressed to the Planning Commission as a whole and not to any single member, unless in response to a question from a member of the City Council.
2. A person who addresses the Planning Commission under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct (i) which is likely to provoke others to violent or riotous behavior, (ii) which disturbs the peace of the meeting by loud and unreasonable noise, (iii) which is irrelevant or repetitive, or (iv) which disrupts, disturbs, or otherwise impedes the orderly conduct of any Planning Commission meeting.
3. A person, other than members of the Planning Commission and the person who has the floor, shall not be permitted to enter into the discussion unless requested by the Chairman to speak.
4. Members of the Planning Commission may not interrupt a person who has the floor and is making public comments. Members of the Planning Commission shall wait until a person completes his or her public comments before asking questions or commenting. The

Chairman shall then ask the Planning Commissioners if they have comments or questions.

5. No person in the audience at a Planning Commission meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Planning meeting.

ENFORCEMENT OF DECORUM RULES

While the Planning Commission is in session, all persons must preserve order and decorum. A person who addresses the Planning Commission under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct which is likely to provoke others to violent or riotous behavior, which disturbs the peace of the meeting by loud and unreasonable noise, which is irrelevant or repetitive, or which disrupts, disturbs, or otherwise impedes the orderly conduct of any Planning meeting.

The Chairman or other presiding officer shall request that a person who is breaching the rules of decorum cease such conduct. If after receiving such a warning, the person persists in breaching the rules of decorum, the Chairman or other presiding officer may order the person to leave the City Council meeting. If such person does not leave, the Chairman or presiding officer may request any law enforcement officer who is on duty at the meeting as sergeant-at-arms to remove the person from the Council Chambers. In the event there is no one from law enforcement present, the Chairman or presiding officer may direct the City Manager to contact law enforcement.

In accordance with the Point of Order Rule 4.6, the majority of the Planning Commission may overrule the Chairman if the majority of the Planning Commission believes the Chairman or other presiding officer is not applying the rules of decorum appropriately.

MINUTES

ORANGE COVE PLANNING COMMISSION MEETING

TUESDAY, JULY 20, 2021

MEETING AT 6:30 P.M.

**Orange Cove Council Chambers
633 6th Street, Orange Cove, CA 93646**

LIVE MEETING

TELECONFERENCE

888-204-5987

Access Code: 8166599#

Coy Weldon, Chairman

Planning Commissioners

Rev. Rick Applegarth- Vicky Alvarado - Rick E. Alonso - Charles Lopez

A. Call to Order/Welcome

Planning Commissioner present Coy Weldon and Vicky Alvarado
Charles Lopez on the phone

Planning Commissioner absent: Applegarth and Alonso

Staff present: City Clerk June V. Bracamontes and Planner Shun Patlan

Flag Salute by Chairman Weldon

B. Confirmation of Agenda

(Materials regarding an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 633 6th Street, Orange Cove, CA 93646 during normal business hours.)

C. Consent Calendar:

1. Planning Commission Minutes of February 16, 2021

Upon the motion by Chairman Coy Weldon and seconded by Member Vicky Alvarado, Commissioners approved the Consent Calendar as presented.

Yes: Weldon, Alvarado, Lopez'
No: None
Absent: Applegarth, Alonso
Abstain: None

D. Administration

2. **SUBJECT:** Booth Ranch -- Site Plan Review No. 2021-01

Recommendation: Staff recommends the Planning Commission to approve the attached Resolution No. 2021-22 Approving the Site Review No. 2021-01 for Booth Ranch No. 2 Expansion subject to proposed Conditions of Approval

Upon the motion by Member Alvarado and seconded by Chairman Weldon, Planning Commissioners approved Resolution No. 2021-22 Approving the Site Review No. 2021-01 for Booth Ranch No. 2 Expansion subject to proposed Conditions of Approval as presented.

Yes: Weldon, Alvarado, Lopez'
No: None
Absent: Applegarth, Alonso
Abstain: None

E. Adjournment

Planning Meeting was adjourned at 6:45 p.m.

Respectfully submitted:

Juno V. Bracamontes, City Clerk



Meeting Date:9/21/21

Agenda Item:

Planning Commission Meeting

REPORT TO: City of Orange Cove Planning Commission

REPORT FROM: Shun Patlan/Planning Department

AGENDA ITEM: Martinez Tentative Tract Map No. 6365

ACTION REQUESTED: ☐ Ordinance ☒ Resolution ☐ Motion ☐ Recieve/File

RECOMMENDED ACTION BY PLANNING COMMISSION

1. Staff recommends the Planning Commission adopt PC Resolution 2021- ~~23~~ Approving A Mitigated Negative Declaration And A Mitigated Monitoring And Reporting Program For The Martinez Tentative Subdivision Tract Map No. 6365 (Yanez Construction) Subject To The Following Amendment(s) And Condition(s):
2. Staff Recommends The Planning Commission Adopt PC Resolution 2021-~~24~~ Approving An Application For A Tentative Subdivision Tract Map No. 6365 Located On The North Side Of Martinez Street, west Of Anchor Avenue (APN: 378-030-41, Subject To The "Conditions of Approval"

EXECUTIVE SUMMARY

The applicant, Yanez Construction (Efrain Yanez), is seeking approval of a tentative subdivision map containing (18) lots and located on the northside of Martinez Street, west of Anchor Avenue in Orange Cove. This planning application constitutes a "project" under the California Environmental Quality Act (CEQA). The application is as follows:

The proposed tentative subdivision map proposes 18 residential lots situated on a cul-de-sac street, which measures approximately 423 feet in length. Said street tees into Martinez Street. The proposed subdivision is located in the southeast quadrant of the City of Orange Cove.

The subject property is within the planning area of the Orange Cove General Plan, which designates the property as medium density residential. The proposed project is consistent with this land use designation, and the development standards of the R-1-6 District. The Environmental Impact Report (EIR) prepared

for the Orange Cove General Plan discussed the impacts associated with urbanization and residential development, and adopted a "Statement of Overriding Consideration". For this particular project, staff has filed a Mitigated Negative Declaration on the proposed tentative subdivision map. The Mitigated Negative Declaration is a finding that the project will mitigate any potentially significant impacts below the level of significance, and therefore that there are no significant impacts beyond the environmental impacts discussed in the EIR prepared for the Orange Cove General Plan.

Staff received a comment letter from the San Joaquin Valley Air Pollution Control District dated September 8, 2021. The comment letter is herein attached.

FINANCIAL INFORMATION

FISCAL IMPACT:

- | | |
|------------------------------|--------|
| 1. Is There a Fiscal Impact? | Yes |
| 2. Is It Currently Budgeted? | Yes |
| 3. If Budgeted, Which Line? | Varies |

PRIOR ACTION / REVIEW

Approval of the Orange Cove General Plan, Land Use Element which details policy and design guidelines for the subject property as well as surrounding properties. City staff has worked with project engineers through a number of iterations of the tentative subdivision map to achieve compliance with the Orange Cove Zoning Ordinance.

BACKGROUND

Location: The subject property is located on the north side of Martinez Street, between Anchor Ave and Lopez Lane in Orange Cove. The APN is 378-030-41 (3.725 acres).

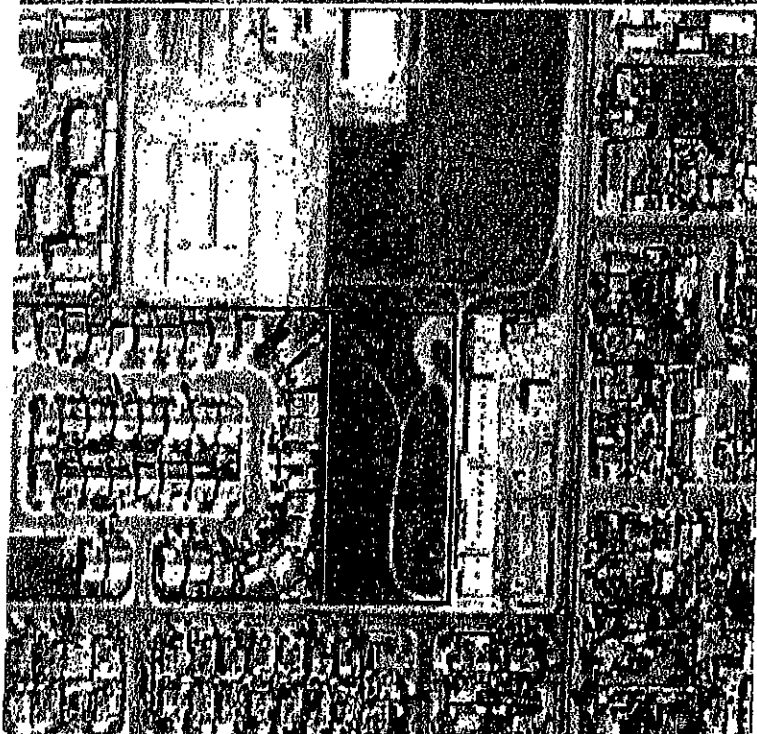
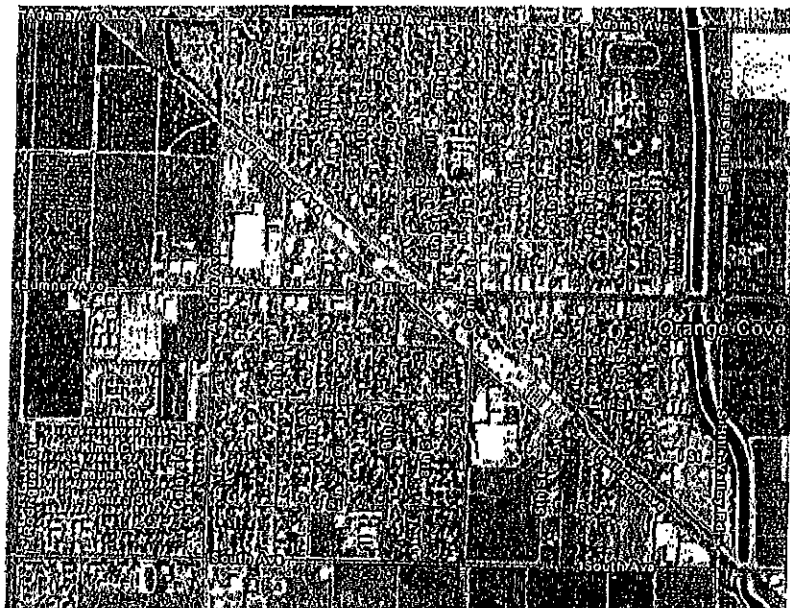
Request: The proposed tract map proposes (18) single-family residential lots with a 6,000 square foot lot minimum.

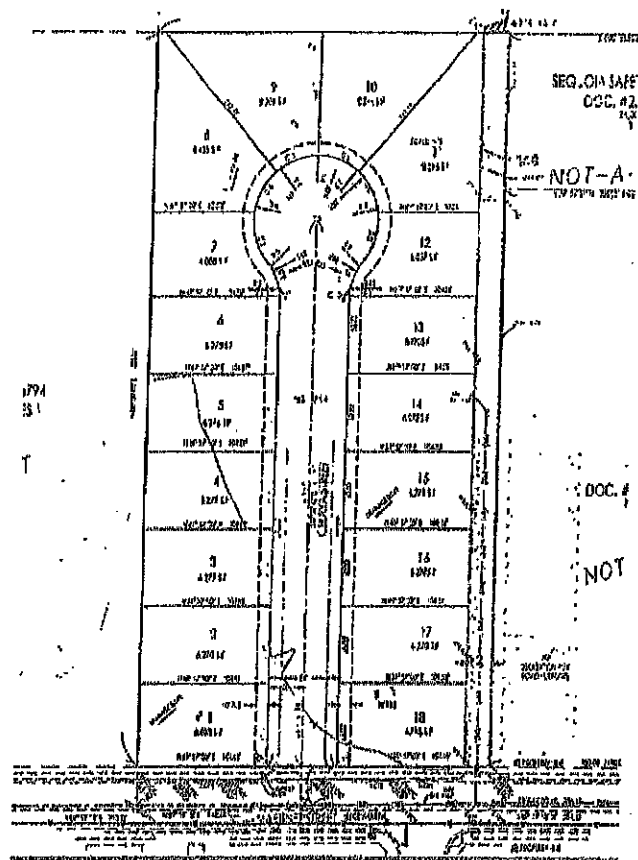
Staff is being proactive in exhausting avenues in which affordable housing and down payment assistance can be made available to residents of the City of Orange Cove. Staff efforts include:

*Conversations with the developer and exploring available programs with the developer for said down payment assistance.

* Staff is working with Moses Stites and his staff at the Fresno Council of Governments on researching any available grants programs.

*Staff has filed and awaiting notification on a (CDBG) Grant in the amount of \$500,00.00 for down payment assistance. Notification(s) are to be announced soon.





The average lot size in the proposed subdivision is 6,769 square feet with the largest being over 8,000 square feet. The larger lots in the proposed subdivision lie at the end of the cul-de-sac, and have curved frontages. There are two corner lots in the proposed subdivision, these require a 65-foot frontage width in addition to other requirements imposed on all other lots.

The right-of-way width of the proposed interior street is 56 feet with a curb-to-curb width of 46 feet. The cul-de-sac has a length of approximately 423 feet from the center of the cul-de-sac to the intersection with Martinez Street.

The subdivision will be provided with water by the city. The City's water system is reliant on surface water from the Friant-Kern Canal. This surface water is treated by the City's Water Department, which is responsible for treating, monitoring, and distributing. The City has ample water capacity to serve 18 additional single-family lots, contingent on the adherence with the State Water Resources Control Board (SWRCB) standards dictated by Compliance Order No. 03_23_17R_001_A1.

The Orange Cove wastewater treatment facility has ample capacity to treat the effluent generated by 18 single-family homes. The type of effluent - residential wastewater - will not create treatment issues for the plant, unlike certain types of industrial effluents.

Stormwater runoff will be conveyed to one of Orange Cove's nearby storm drainage basins. A grading and drainage plan that will be submitted by the developer will determine the exact location and means by which the storm water will be managed.

Zoning: The site is currently zoned at R-1-6. Surrounding zoning is as follows:

North: General Commercial
South: Medium Density Residential
East: Central Commercial and Public Facilities
West: Medium Density Residential

Development standards for R-1-6 district are as follows:

Lot Area: Minimum of 6,000 feet.
Lot Width: Interior lots have a minimum width of 60 feet, corner lots have a minimum width of 65 feet, and curved lots have a minimum width of 40 feet.
Lot Depth: Lots facing local streets have a minimum depth of 100 feet.
Front Yard Setback: Minimum of 20 feet.
Side Yard Setback: Interior lots have a minimum side yard of 5 feet. Corner lots have a minimum of 10 feet for side yards abutting a street.
Rear Yard Setback: Minimum of 20 feet.
Lot Coverage: Maximum lot area covered by buildings or structures is 40%.
Population Density: Minimum 12,000 square feet of lot area per dwelling unit.
Building Height: Maximum two stories, or 30 feet in height.

Land Use: The site is currently vacant. Surrounding land uses are as follows:

North: Vacant lot
South: Single-family residential neighborhood
East: Shopping center with grocery store and restaurant.
West: Single-family residential neighborhood.

The Orange Cove Subdivision Review Committee met to review the proposed subdivision map and discuss conditions necessary to serve the subject site. Conditions of approval have been incorporated into the resolution recommending approval of Tract No. 6365 and are as follows:

General:

1. The applicant shall enter into a Subdivision Agreement with the City if the final map is recorded prior to the completion of the off-site improvements.
2. The applicant shall pay all fees and charges as required by existing ordinances and schedules.
3. All water well(s) and septic systems that served the subject property shall be abandoned pursuant to City, County, and State standards.

Tentative Map:

4. Applicant shall submit a revised tentative subdivision map that is consistent with the Orange Cove Zoning Ordinance. The revised map shall be reviewed and approved by the City Planner prior to applying for a final map.

Circulation:

5. Applicant shall furnish and install street name signage within the subdivision conforming to City of Orange Cove standards.
6. Applicant shall comply with minimum 43' curb-to-curb and 53' right-of-way radii standards for the cul-de-sac center.

Air Quality:

7. Applicant shall adhere to best management practices during construction regarding the Air District's fugitive dust rules to ensure the project does not violate the District's standards for dust emissions, pursuant to Regulation VIII, Fugitive PM 10 Prohibitions of the San Joaquin Valley Air Pollution Control District Rules and Regulations.
8. Applicant shall adhere to all energy conservation regulations for residential dwellings contained in the California Green Building Standards Code (Title 24).

Geology and Soils:

9. Applicant shall ensure that all structures be built consistent with Zone II seismic standards of the Uniform Building Code.

Water:

10. Applicant shall install minimum 8-inch water mains throughout the subdivision to provide domestic and fire water service to the project, including installation of fire hydrants. All applicable water connection fees shall be paid.
11. All new residential development is required to include water meters to reduce water consumption.

Sewer:

12. Applicant shall provide sewer mains and service facilities as directed by the City Engineer and pay all applicable fees.

Grading and Drainage:

13. Applicant shall prepare and submit a Grading and Site Improvement Plan for proposed on-site improvements for review and approval by the City Engineer. Applicant shall obtain a Grading and Site Improvement Permit once plans are approved.

14. Applicant shall obtain a NPDES permit from the Regional Water Quality Control Board. The plan shall provide for the mitigation of soil erosion from the project site during the construction and warranty periods and be submitted to the City prior to the start of construction or ground-disrupting activities.
15. As part of the mitigation measures for soil erosion, the applicant shall be responsible for street sweeping during the one-year warranty period.

Park / Aesthetics:

16. A landscaping and irrigation plan shall be prepared and submitted for review by the City Engineer for proposed on-site and off-site (within the City right-of-way) landscaping. Landscape and irrigation features shall be low water consumption designs consistent with AB 1881 and Orange Cove municipal ordinances. The applicant shall install front yard landscaping and automated irrigation in all front yards.
17. Applicant shall perform landscape maintenance within the street right-of-way for a period of one-year after acceptance of the tract improvements by the City Council. Maintenance includes all irrigation system repairs and replacement of stressed or dead vegetation.
18. Applicant shall comply with all regulations imposed by the creation of a landscaping and lighting district, which will be formed to maintain landscape features on the proposed subdivision.

Schools:

19. The development will be required to pay school impact fees in order to offset the cost of educational resources generated by the proposed project.

Utilities:

20. All existing overhead utilities adjacent to the subdivision shall be undergrounded, including transformers.
21. All electric, cable television, telephone, internet, etc. services shall be provided to the subdivision and shall be undergrounded.
22. Applicant shall provide a street light plan for review and approval by the City Engineer. Streetlights shall be LED and be provided by the developer and maintained by the City.
23. Applicant shall work with PG&E for the preparation of a utility plan, subject to the review and approval by the City Engineer prior to the approval of the improvement plans and prior to the start of construction. All work shall be completed such that no street surface needs to be reopened in order to be serviced.

Irrigation:

24. Any irrigation facilities, private or otherwise, shall be relocated outside of the street right of way, except at street crossings. Any irrigation lines that must remain in service shall be reconstructed with rubber gasket and reinforced concrete pipe.

Cultural Resources:

25. Applicant must comply with CEQA requirements regulating disturbance of subsurface cultural and historical resources that may be discovered during earthmoving activities, pursuant to Public Resources Code §21083.2 and §21084.1

26. Should any human remains be discovered during any part of the development process, the Fresno County Coroner must be notified immediately.

Wildfire:

27. Consistent with requirements of the local fire district, the applicant will be responsible for plowing down of dry vegetation on the subject property while land is fallow to reduce fuel and decrease risk of wildfire.

Environmental Review:

28. Mitigation Measures listed in the Mitigated Negative Declaration will be monitored and reported on in a manner consistent with the Mitigation Monitoring and Reporting Program submitted with the environmental review, pursuant to §21081.6 of the Public Resources Code and §15097 of the CEQA Guidelines.

Defense and Indemnification:

29. Applicant agrees to and shall defend, indemnify, and hold harmless the City of Orange Cove ("City"), and its officials, city council members, planning commission members, officers, employees, representatives, agents, contractors, and legal counsel (collectively, "City Parties") from and against all claims, losses, judgments, liabilities, causes of action, expenses and other costs, including litigation, an award of attorney's fees, and damages of any nature whatsoever made against or incurred by the City Parties including, without limitation, an award of attorney fees and costs to the person, organization, or entity or their respective officers, agents, employees, representatives, legal counsel, arising out of, resulting from, or in any way in connection with, the City's act or acts leading up to and including approval of any environmental document and/or granting of any land use entitlements or any other approvals relating to Tentative Map No. 6365, Martinez ("Tentative Map"). Applicant's obligation to defend, indemnify, and hold harmless specifically including, without limitation, any suit or challenge by any third party against the City which challenges or seeks to set aside, void or annul the legality or adequacy of any environmental document or determination, including, without limitation, any environmental document prepared by the City or at the direction of the City and approved by the City for the approval of any land use entitlements or other approvals related to the Tentative Map.
30. Applicant agrees its obligations to defend, indemnify and hold the City, and the City Parties harmless shall include, without limitation, the cost of preparation of any administrative record by the City, City staff time, copying costs, court costs, the costs of any judgments or awards against the City Parties of damages, losses, litigation costs, or attorney's fees arising out of a suit or challenge contesting the adequacy of any City act or acts leading up to and including any approval of any environmental document or determination, land use entitlements or any other approvals related to the Tentative Map, and the costs of any settlement representing damages, litigation costs and attorney's fees to be paid to other parties arising out of a suit or challenge contesting the adequacy of any

City act or acts leading up to and including any approval or any other approvals related to the Tentative Map.

31. Applicant agrees the City may, at any time, require the Applicant to reimburse the City for attorney fees, costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of any suit or challenge. Such attorney fees shall include any and all attorney fees incurred by the City from its legal counsel, Tuttle & McCloskey, and any special legal counsel retained by the City. Applicant shall reimburse City within thirty (30) days of receipt of an itemized written invoice from City. Failure of the Applicant to timely reimburse the City shall be considered a material breach of the conditions of approval for the Tentative Map.
32. Applicant shall comply with and shall require all contractors to comply with all prevailing wage laws, rules and regulations applicable to any work to be performed as a result of approval of the Tentative Map (collectively "Subdivision Work"). Applicant shall be solely responsible for making any and all decisions regarding whether any portion or aspect of the Subdivision Work, including, without limitation, any form of reimbursement by the City to the Applicant or any contractor, will require the payment of prevailing wages. Further, Applicant will be solely responsible for the payment of any claims, fines, penalties, reimbursements, payments, and the defense of any actions that may be initiated against Applicant or any contractor as a result of failure to pay prevailing wages.
33. The Applicant shall defend, indemnify, and hold harmless the City Parties, from and against any and all claims, damages, losses, judgements, liabilities, causes of action, expenses and other costs, including, without limitation, litigation costs and attorney's fees, arising out of, resulting from, or in any way in connection with any violation or claim of violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the Subdivision Work. Applicant's obligation to defend, indemnify and hold City Parties harmless specifically includes, but is not limited to, any suit or administrative action against the City Parties which claims a violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the Subdivision Work.
34. The Applicant agrees its obligations to defend, indemnify and hold the City Parties harmless, shall include without limitation, City staff time, copying costs, court costs, the costs of any judgements or awards against the City Parties for damages, losses, litigation costs, or attorney's fees arising out of any violation or claim of violation of any prevailing wage law, rule, or regulation applicable to any portion or aspect of the Subdivision Work and costs of any settlement representing damages, litigation costs and attorney's fees to be paid to other parties arising out of any such proceeding or suit.
35. Applicant agrees the City may, at any time, require the Applicant to reimburse the City for costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of any suit proceeding regarding violation of any prevailing wage law, rule or regulation. Such attorney fees shall include any and all attorney fees incurred

by the City from its legal counsel, Tuttle & McCloskey, and any special legal counsel retained by the City. Applicant shall reimburse the City within thirty (30) days of receipt of an itemized written invoice from the City. Failure of the Applicant to timely reimburse the City shall be considered a material violation of the conditions of approval of the Tentative Map.

Conclusions:

Subdivision: The subdivision is consistent with City of Orange Cove's Zoning Ordinance and Construction Standards, and the applicant has submitted the required information and applications to be considered for approval of the revised tentative subdivision map received by the City. The proposed lots all exceed 6,000 square feet with the largest over 8,000 square feet, arranged along a cul-de-sac with 18 total parcels. The project is consistent with the Orange Cove General Plan and represents a logical extension of the urbanized part of the city.

Environmental Review: The "project" consists of the application for a tentative subdivision map. A mitigated negative declaration has been prepared for this project. Staff made the finding that there is a potentially significant impact to utilities and service systems, specifically water supply, which has been reduced to a less than significant level with the incorporation of mitigation measures detailed in the MND. Further, the EIR prepared for the Orange Cove General Plan thoroughly discussed the impacts of urbanization and residential development. The City adopted a "Statement of Overriding Consideration" regarding the EIR prepared for the Orange Cove General Plan.

ATTACHMENTS

1. Tract No. 6365 Map, Martinez
2. Aerial Imagery depicting subject property.
3. Initial Study, Notice of Intent, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program for Martinez Subdivision Project
4. Comment letter dated September 8, 2021 from the San Joaquin Valley Air Pollution Control District

RESOLUTION NO. 2021 -23

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE COVE
ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION
MONITORING AND REPORTING PROGRAM FOR THE MARTINEZ SUBDIVISION
PROJECT LOCATED ON THE NORTH SIDE OF MARTINEZ STREET WEST OF ANCHOR
AVENUE.**

WHEREAS, an application has been filed by the project applicant Yanez Construction (Hfrain Yanez) to tentatively subdivide a 3.725 acre lot within the City of Orange Cove for eighteen single-family residential parcels on the subject property currently identified as Assessor's Parcel Number 378-030-41; and,

WHEREAS, pursuant to the California Public Resources Code §21067 and the State CEQA Guidelines (Cal. Code of Regs., tit. 14 §15000 et seq.) section 15051, the City of Orange Cove is the lead agency for the proposed project; and,

WHEREAS, an Initial Study was prepared for the project pursuant to State CEQA Guidelines §15063; and,

WHEREAS, on the basis of the Initial Study, which concluded that the project would have potentially significant impacts but that those impacts could be reduced to less than significant levels with implementation of the proposed mitigation measures, the City determined that a Mitigated Negative Declaration ("MND") should be prepared for the Project pursuant to Public Resources Code sections 21664.5 and 21080(c), and the State CEQA Guideline section 15070 et seq.; and,

WHEREAS, on August 11 2021, staff distributed for public review copies of a proposed MND prepared for the Project pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code §21000 et seq.). The MND identified potentially significant but mitigatable impacts relating to the issue area of Public Utilities; and,

WHEREAS, the 20-day public comment period for the MND spanned from August 11, 2021 to August 31, 2021 pursuant to Public Resources Code §21091(b); and,

WHEREAS, the City received one comment letter from the San Joaquin Valley Air Pollution Control District dated September 8, 2021.

WHEREAS, the City has endeavored to take all steps and impose all conditions necessary to ensure that impacts to the environment would not be significant; and,

WHEREAS, notice was duly given that the Planning Commission of the City of Orange Cove would hold the public hearing on September 21, 2021; and,

6. The Mitigation Measure(s), including the Reporting and Monitoring Program, adopted for the proposed project shall be fully complied with as specified in this Resolution and in the Mitigation Monitoring and Reporting Program. The measures shall be included as conditions of required permit action. Compliance would result in potential impact reduced to a less than significant level of impact and there would be no residual impacts from the proposed project. Proposed mitigation for impacts is as follows:

USS - 4: Sufficient Water Supply of Existing Entitlements - The current assessment by the SWRCB is that the supply of water in Orange Cove is insufficient to support pending annexations on the grounds that the residential dwellings intended for these projects will exceed the capacity of Orange Cove to reliably supply users under maximum demand conditions. This finding implies that the addition of residential dwellings within the city will strain water demands. The SWRCB requires the identification of a groundwater source, and plans for wells and above ground storage (elevated tanks) facilities must be considered to mitigate the impacts of securing additional entitlements from the Friant-Kern canal. In addition, the proposed project will be required to implement best practices regarding landscape features to reduce the water demands generated by the landscaping in the proposed project. Detailed mitigation measures are as follows:

Measure USS-4.A: Before initiation of construction or ground-disturbing activities associated with the project, the City shall require compliance with all SWRCB requests and standards pursuant of Compliance Order No. 03_23_17R_001.

Measure USS-4.B: If compliance with the SWRCB is contingent on implementation of plans related to water supply, then this project must incorporate all applicable aspects of those plans as mitigation measures in order to keep impacts to a less than significant level.

Measure USS-4.C: To the maximum extent feasible, limit use of turf or water intensive landscape features present on lots in the proposed project, and encourage use of drought-tolerant vegetation, gravels, and other hardscape features.

The foregoing resolution was adopted upon a motion by commissioner _____, commissioner _____ seconded the motion at a regular meeting of the Orange Cove Planning Commission on the 21st of September, 2021, and carried by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor

City Clerk



San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT



September 8, 2021

Shun Patlan
City of Orange Cove
633 Sixth Street
Orange Cove, CA 93646

**Project: Notice of Intent to Adopt a Mitigated Negative Declaration for the
Martinez Subdivision project.**

District CEQA Reference No: 20210873

Dear Mr. Patlan:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Mitigated Negative Declaration (MND) for the project referenced above from the City of Orange Cove (City). The project consists of the subdivision of a 3.725 acre site into a 18 single-family residential lots ranging from 6,057 square-feet to 8,435 square feet (Project). The Project is located at the intersection of Martinez Street and Anchor Avenue, in Orange Cove, CA (APN 378-030-41). The District offers the following comments:

1) Clean Lawn and Garden Equipment in the Community

Since the Project consists of residential development, gas-powered residential lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment.

More information on the District CGYM program and funding can be found at:
<http://www.valleyair.org/grants/cgym.htm>
and <http://valleyair.org/grants/cgym-commercial.htm>.

Shirley Stretch
Executive Director/Air Pollution Control Officer

Northern Region
4800 Entomias Way
Rindge, CA 95360-0710
Tel: (209) 687-0400 FAX: (209) 667-0478

Central Region (Main Office)
1050 E. Goldsboro Avenue
Fresno, CA 93720-0244
Tel: (509) 230-0000 FAX: (509) 230-0001

Southern Region
34048 Noyes Court
Bakersfield, CA 93308-0725
Tel: (805) 302-0000 FAX: (805) 302-6506

www.valleyair.org www.healthyairliving.com

2) Solar Deployment in the Community

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

3) Charge Up! Electric Vehicle Charger

To support further installation of electric vehicle charging equipment and development of such infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of this incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District suggests that the City and Project proponent consider the feasibility of installing electric vehicle chargers for this Project.

Please visit www.valleyair.org/grants/chargeup.htm for more information.

4) District Rules and Regulation

The District issues permits for many types of air pollution sources and regulates some activities not requiring permits. A project subject to District rules and regulation would reduce its impacts on air quality through compliance with regulatory requirements. In general, a regulation is a collection of rules, each of which deals with a specific topic. Here are a couple of examples. 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 list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

4a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201

requires that new and modified stationary sources of emissions mitigate their emissions using best available control technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits.

Prior to commencing construction on any permit-required equipment or process, a finalized Authority to Construct (ATC) must be issued to the Project proponent by the District. For further information or assistance, the project proponent may contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

4b) District Regulation VIII (Fugitive PM10 Prohibitions)

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

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

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

Information about District Regulation VIII can be found online at:

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

4c) Other District Rules and Regulations

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

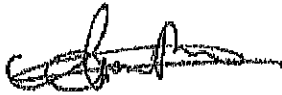
5) District Comment Letter

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

If you have any questions or require further information, please contact Harout Sagherian by e-mail at Harout.Sagherian@valleyair.org or by phone at (559) 230-5860.

Sincerely,

Brian Clements
Director of Permit Services

A handwritten signature in black ink, appearing to read 'Brian Clements', with a horizontal line extending from the end of the signature.

For Mark Montelongo
Program Manager

RESOLUTION NO. 2021 - 24

A RESOLUTION BEFORE THE PLANNING COMMISSION, CITY OF ORANGE COVE, STATE OF CALIFORNIA APPROVING AN APPLICATION FOR A TENTATIVE SUBDIVISION MAP NO. 6365, A REQUEST TO SUBDIVIDE 3.725 ACRES INTO EIGHTEEN NUMBERED LOTS LOCATED WITHIN THE R-1-6 (SINGLE-FAMILY RESIDENTIAL, MINIMUM 6,000 SQUARE FOOT LOT SIZE) ZONE. THE PROJECT SITE IS LOCATED ON THE NORTH SIDE OF MARTINEZ STREET, WEST OF ANCHOR AVENUE (APN: 378-030-41).

WHEREAS, the Martinez Tentative Subdivision Map No. 6365 is a request submitted by Yanez Construction (Efrain Yanez), to subdivide 3.725 acres into eighteen numbered lots located within the R-1-6 (Single-family Residential, 6,000 square foot lot size) zone. The project site is located on the north side of Martinez Street, west of Anchor Avenue, (APN: 378-030-41); and,

WHEREAS, The Planning Commission, after duly published notice held a public hearing before said Commission on September 21, 2021; and,

WHEREAS, The Planning Commission finds the tentative subdivision map in accordance with Chapter 16.20 of the Subdivision Ordinance of the City of Orange Cove, based on the evidence contained in the staff report and testimony presented at the public hearing; and,

WHEREAS, the Planning Commission finds that the project will not have a significantly adverse impact on the environment, and the lead agency has prepared environmental review documents pursuant to the California Environmental Quality Act (CEQA); and,

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission approves the proposed tentative subdivision map based on the following specific findings and based on the evidence presented:

1. That the proposed location and layout of the Martinez Tentative Subdivision Map No. 6365, its improvement by design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed Martinez Tentative Subdivision Map No. 6365, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The project site shares a border with existing residential development.
3. That the site is physically suitable for the proposed tentative subdivision map. The Martinez Tentative Subdivision Map No. 6365 is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
4. That the proposed Martinez Tentative Subdivision Map No. 6365, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access

14. Applicant shall provide sewer mains and service facilities as directed by the City Engineer and pay all applicable fees.

Grading and Drainage:

15. Applicant shall prepare and submit a Grading and Site Improvement Plan for proposed on-site improvements for review and approval by the City Engineer. Applicant shall obtain a Grading and Site Improvement Permit once plans are approved.
16. Applicant shall obtain a NPDES permit from the Regional Water Quality Control Board. The plan shall provide for the mitigation of soil erosion from the project site during the construction and warranty periods and be submitted to the City prior to the start of construction or ground-disrupting activities.
17. As part of the mitigation measures for soil erosion, the applicant shall be responsible for street sweeping during the one-year warranty period.

Park / Aesthetics:

18. A landscaping and irrigation plan shall be prepared and submitted for review by the City Engineer for proposed on-site and off-site (within the City right-of-way) landscaping. Landscape and irrigation features shall be low water consumption designs consistent with AB 1881 and Orange Cove municipal ordinances. The applicant shall install front yard landscaping and automated irrigation in all front yards, ideally limiting turf.
19. Applicant shall perform landscape maintenance within the street right-of-way for a period of one-year after acceptance of the tract improvements by the City Council. Maintenance includes all irrigation system repairs and replacement of stressed or dead vegetation.
20. Applicant shall comply with all regulations imposed by the creation of a landscaping and lighting district, which will be formed to maintain landscape features on the proposed subdivision.

Schools:

21. The development will be required to pay school impact fees in order to offset the cost of educational resources generated by the proposed project.

Utilities:

22. All existing overhead utilities adjacent to the subdivision shall be undergrounded, including transformers.
23. All electric, cable television, telephone, internet, etc. services shall be provided to the subdivision and shall be undergrounded.
24. Applicant shall provide a street light plan for review and approval by the City Engineer. Streetlights shall be LED and be provided by the developer and maintained by the City.
25. Applicant shall work with PG&E for the preparation of a utility plan, subject to the review and approval by the City Engineer prior to the approval of the improvement plans and prior to the start of construction. All work shall be completed such that no street surface needs to be reopened in order to be serviced.

Irrigation:

26. Any irrigation facilities, private or otherwise, shall be relocated outside of the street right of way, except at street crossings. Any irrigation lines that must remain in service shall be reconstructed with rubber gasket and reinforced concrete pipe.

Cultural Resources:

34. Applicant agrees the City may, at any time, require the Applicant to reimburse the City for attorney fees, costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of any suit or challenge. Such attorney fees shall include any and all attorney fees incurred by the City from its legal counsel, Tuttle & McCloskey, and any special legal counsel retained by the City. Applicant shall reimburse City within thirty (30) days of receipt of an itemized written invoice from City. Failure of the Applicant to timely reimburse the City shall be considered a material breach of the conditions of approval for the Tentative Map.
35. Applicant shall comply with and shall require all contractors to comply with all prevailing wage laws, rules and regulations applicable to any work to be performed as a result of approval of the Tentative Map (collectively "Subdivision Work"). Applicant shall be solely responsible for making any and all decisions regarding whether any portion or aspect of the Subdivision Work, including, without limitation, any form of reimbursement by the City to the Applicant or any contractor, will require the payment of prevailing wages. Further, Applicant will be solely responsible for the payment of any claims, fines, penalties, reimbursements, payments, and the defense of any actions that may be initiated against Applicant or any contractor as a result of failure to pay prevailing wages.
36. The Applicant shall defend, indemnify, and hold harmless the City Parties, from and against any and all claims, damages, losses, judgements, liabilities, causes of action, expenses and other costs, including, without limitation, litigation costs and attorney's fees, arising out of, resulting from, or in any way in connection with any violation or claim of violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the Subdivision Work. Applicant's obligation to defend, indemnify and hold City Parties harmless specifically includes, but is not limited to, any suit or administrative action against the City Parties which claims a violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the Subdivision Work.
37. The Applicant agrees its obligations to defend, indemnify and hold the City Parties harmless, shall include without limitation, City staff time, copying costs, court costs, the costs of any judgements or awards against the City Parties for damages, losses, litigation costs, or attorney's fees arising out of any violation or claim of violation of any prevailing wage law, rule, or regulation applicable to any portion or aspect of the Subdivision Work and costs of any settlement representing damages, litigation costs and attorney's fees to be paid to other parties arising out of any such proceeding or suit.
38. Applicant agrees the City may, at any time, require the Applicant to reimburse the City for costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of any suit proceeding regarding violation of any prevailing wage law, rule or regulation. Such attorney fees shall include any and all attorney fees incurred by the City from its legal counsel, Tuttle & McCloskey, and any special legal counsel retained by the City. Applicant shall reimburse the City within thirty (30) days of receipt of an itemized written invoice from the City. Failure of the Applicant to timely reimburse the City shall be considered a material violation of the conditions of approval of the Tentative Map.

39. The owner/developer shall provide security cameras on the site with the design as owner/developers expense, specifications and placement location(s) as approved by the Orange Cove Police Department.
40. The owner developer agrees to pay all actual costs for processing all application(s) as invoiced by the City of Orange cove.

The foregoing resolution was adopted upon a motion by Commissioner _____, Commissioner _____ seconded the motion at a regular meeting of the Orange Cove Planning Commission on the 21st of September, 2021, and carried by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chairperson

City Clerk

Mid-Valley Times

1130 G Street

Reedley CA

(559) 638-2244

(Booked as per the 100 of County Cases July)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

Notice of Public Hearing

Martinez Tentative Tract Map No. 6365

City of Orange Cove

CASE NO.

DECLARATION OF PUBLICATION
(2019.5 C.C.P.)

STATE OF CALIFORNIA

STATE OF CALIFORNIA

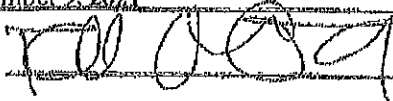
County of Fresno

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the MID - VALLEY TIMES a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of July 4, 2019, Case Number 19CECG01981; that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

September 9, 2021

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

on September 9, 2021



CITY OF ORANGE COVE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Orange Cove has conducted an Initial Study for the following proposed project:

Martinez Tentative Tract Map No. 6365 - APN 670-030-41

Notice is hereby given that the Orange Cove Planning Commission will hold a public hearing to consider adopting a Mitigated Negative Declaration and Mitigated Monitoring/Reporting Program for the proposed Martinez Subdivision Tract Map 6365 on September 21, 2021, or as soon thereafter as possible. A second public hearing will be held before the Orange Cove City Council on October 18, 2021, or as soon thereafter as possible to be held at the City Council chambers located at 633 6th Street, Orange Cove, Ca. 93646.

The project consists of:

A Tentative Tract Map (TTM 6365) to create (18) Single Family Residential lots, approximately 3.725 acres. The project will consist of subdividing a 3.725 acre site located at the northwest corner of the intersection of Martinez Street and Anchor Avenue into (18) single family residential lots to allow construction of (16) medium density detached residential dwellings.

A draft Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act in order to address potential environmental impacts. The Draft Mitigated Negative Declaration and accompanying Initial Study are available for public review and comment at Orange Cove City Hall, 633 6th Street, Orange Cove, CA. 93646, and also available at the City's website: <http://cityoforangecove.com/>

All interested parties should present their views before or at the public hearing. Before any court challenge of Planning Commission decisions, you are required to appeal the decision to the City Council no later than the time period provided under the City's Municipal Code. In addition, you may be limited to raising only those issues you or somebody else raised at the public hearing described in this notice, or in correspondence delivered to the City Clerk at, or prior to, the public hearing. Staff reports will be available at least three days prior to the hearing at Orange Cove City Hall located at 633 6th Street, Orange Cove, CA. Questions regarding this notice should be directed to June Bradenon-les, City Clerk at 559-626-4488 Ext.214.

September 9, 2021

E20211000120192



FILED

AUG 11 2021

TIME
3:30 PM

FRESNO COUNTY CLERK

By *[Signature]* DEPUTY

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

TO: Agencies, Organizations, and Interested Parties.

SUBJECT: Notice of Intent to Adopt a Mitigated Negative Declaration for the Martinez Subdivision project.

NOTICE IS HEREBY GIVEN that the City of Orange Cove, as lead agency under the California Environmental Quality Act (CEQA), has prepared a Mitigated Negative Declaration (MND) and supporting Initial Study for the Martinez Subdivision project and is providing public notice in compliance with Title 14, Chapter 3, §15072 and §15073 of the California Code of Regulations, as amended.

The City has prepared this Notice of Intent to Adopt a MND to provide an opportunity for input from public agencies, organizations, and interested parties on the environmental analysis addressing the potential effects of the proposed project.

PROJECT TITLE: Martinez Subdivision

PROJECT LOCATION: The 3.725 acre project site is located northwest of the intersection of Martinez Street and Anchor Avenue, in the southwest quadrant of the city. The site is south of a vacant lot, east and north of medium and high density residential dwellings, and west of central commercial retail space.

PROJECT DESCRIPTION: The proposed project is a planning application for a tentative subdivision map permit to subdivide a 3.725 acre site located on Martinez Street into 18 single-family residential lots to allow for the construction of 18 medium density detached residential dwellings at a density of 0.207 acres per lot. The 18 proposed lots range from 6,057 square-feet to 8,435 square-feet, with the lot graded from back of lot to front of lot, north to south, along the same grade as the natural hydrology. The proposed right-of-way would be 56 feet wide and connect to Martinez Street.

PUBLIC REVIEW: The MND is available for a 20-day public review period beginning August 11, 2021 and ending August 31, 2021. Copies of the MND are available for review on the City's website at cityoforange Cove.com.

AGENCY/ PUBLIC COMMENTS: Written comments on the MND for the proposed project must be received no later than August 31, 2021. Send comments by mail to City of Orange, 633 Sixth Street, Orange Cove, Ca. 93646/Attention: Shun Patlan or by email at shun@cityoforange Cove.com. If you

E202110000192

require additional information please contact Tristan Suire at (774) 364-2856 or Shun Patlan at (559) 626-4488, Ext 217

PUBLIC HEARING: The Orange Cove Planning Commission will consider this item tentatively planned for September 21, 2021 or as soon thereafter as possible. Hearing will be held at the City Council Chambers at October 13, 2021

To confirm the date and time of the meetings and for additional information concerning the proposed project, please check the City's website cityoforange Cove.com.



State of California - Department of Fish and Wildlife
2021 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 763.5a (REV. 01/01/21) Previously DFG 763.5a

RECEIPT NUMBER:
E202110000192
STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

| | | |
|--|----------------------------------|--------------------|
| LEAD AGENCY CITY OF ORANGE COVE | LEAD AGENCY EMAIL | DATE 08/11/2021 |
| COUNTY/STATE AGENCY OF FILING FRESNO COUNTY | DOCUMENT NUMBER E202110000192 | |
| PROJECT TITLE MARTINEZ SUBDIVISION | | |

| | | |
|---|-------------------------|--------------------------------|
| PROJECT APPLICANT NAME CITY OF ORANGE COVE | PROJECT APPLICANT EMAIL | PHONE NUMBER (774) 384-2066 |
| PROJECT APPLICANT ADDRESS 633 SIXTH ST | CITY ORANGE COVE | STATE CA |
| | | ZIP CODE 93646 |

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

| | | | |
|--|------------|----|------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,445.25 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,480.25 | \$ | 0.00 |
| <input checked="" type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,171.25 | \$ | 0.00 |

☐ Exempt from fee

☐ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

| | | | |
|---|----------|----|------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$860.00 | \$ | 0.00 |
| <input type="checkbox"/> County documentary handling fee | \$50.00 | \$ | 0.00 |
| <input type="checkbox"/> Other | | \$ | 0.00 |

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ 0.00

SIGNATURE

X

Dakota Thurston

AGENCY OF FILING PRINTED NAME AND TITLE

Dakota Thurston Deputy Clerk



State of California - Department of Fish and Wildlife
2021 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 763.6a (REV. 01/01/21) Previously DFG 763.6a

RECEIPT NUMBER:

E202110000192

STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

| | | |
|-------------------------------|-------------------|-----------------|
| LEAD AGENCY | LEAD AGENCY EMAIL | DATE |
| CITY OF ORANGE COVE | | 08/11/2021 |
| COUNTY/STATE AGENCY OF FILING | | DOCUMENT NUMBER |
| FRESNO COUNTY | | E202110000192 |
| PROJECT TITLE | | |
| MARTINEZ SUBDIVISION | | |

| | | |
|---|--|---|
| PROJECT APPLICANT NAME | PROJECT APPLICANT EMAIL | PHONE NUMBER |
| CITY OF ORANGE COVE | | (774) 364-2336 |
| PROJECT APPLICANT ADDRESS | CITY | STATE |
| 633 SIXTH ST | ORANGE COVE | CA |
| | | ZIP CODE |
| | | 93846 |
| PROJECT APPLICANT (Check appropriate box) | | |
| <input checked="" type="checkbox"/> Local Public Agency | <input type="checkbox"/> School District | <input type="checkbox"/> Other Special District |
| <input type="checkbox"/> State Agency | <input type="checkbox"/> Private Entity | |

CHECK APPLICABLE FEES:

| | | | |
|--|------------|----|------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,445.25 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,480.25 | \$ | 0.00 |
| <input checked="" type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,171.25 | \$ | 0.00 |

☐ Exempt from fee

☐ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

| | | | |
|---|----------|----|------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | 0.00 |
| <input type="checkbox"/> County documentary handling fee | \$50.00 | \$ | 0.00 |
| <input type="checkbox"/> Other | | \$ | 0.00 |

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ 0.00

SIGNATURE

X

Dakota Thurston
Dakota Thurston

AGENCY OF FILING PRINTED NAME AND TITLE

Dakota Thurston Deputy Clerk

Notice of Determination

Appendix D

To: County Clerk
County of Fresno
2221 Kern Street,
Fresno, CA 94721

From: Contract City Planners,
C & S, 1002 West Main Street,
Visalia, CA, 93291
(559) 734 - 8737

Subject: Filing of Notice of Determination in compliance with Section 21108 and 21152 of the Public Resources Code.

Project Title: Martinez Subdivision

Project Applicant: Brian Yanez

Project Location: The subject property is located on the north side of Martinez Street, between Anchor Avenue and Lopez Lane in Orange Cove. The APN is 378-030-41 (3.725 acres).

Project Description: The applicant has applied for a 3.725 acre tentative subdivision map that proposed 18 single-family residential lots at a density of 0.207 acres per lot.

This is to advise that the lead agency has approved the above described project on _____ and has made the following determinations regarding the above described project.

1. The project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval for this project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was not adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Mitigated Negative Declaration and responses and record of project approval is available to the General Public at: _____

Signature (Public Agency) _____

Title: _____

Date: _____

Date Received for filing at OPR: _____

MITIGATION MONITORING AND REPORTING PROGRAM

CITY OF ORANGE COVE

MARTINEZ SUBDIVISION PROJECT

Section 21081.6 of the Public Resources Code and Section 15097 of the CEQA Guidelines require adoption of a Mitigation Monitoring or Reporting Program for all projects for which an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND) has been prepared, pursuant of AB 3180 enacted January 1, 1989.

The Mitigation Monitoring and Reporting Program (MMRP) describes the procedures for implementation of the mitigation measures adopted for the proposed project as identified in the Initial Study and MND. The proposed MMRP will be considered by the City of Orange Cove prior to the adoption of the MND. The MMRP will be in place through all phases of the proposed project, including design, construction, and operation as applicable. The City is responsible for administering the MMRP activities or delegating them to staff, other departments, consultants, or contractors. The City will also ensure that monitoring is documented through required reports and any potential shortcomings are promptly corrected. Tracking compliance will be the responsibility of the designated environmental monitor. Impacts that require mitigation measures are as follows:

| <u>Potentially Significant Impact</u> | <u>Less Than Significant with Mitigation</u> | <u>Less Than Significant Impact</u> | <u>No Impact</u> |
|---|--|---|------------------|
| | | | |

Utilities and Social Services ---

Would the project:

1. Have sufficient water supplied available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

☐☒☐☐

Sources: Tentative Tract Map Application filed by Afrain Yanez, Letter from State Water Resources Control Board Dated 5/27/21 regarding Compliance Order No. 03_23_17R_001_A1, Initial Study prepared for the Martinez Subdivision Project.

Finding of Fact: The project will have a less than significant impact with incorporation of mitigation measures.

Discussion: The proposed project will be connected to the city's water system. The city water supply originates from Millerton Lake, the surface waters of which are conveyed via the Friant-Kern Canal, which is then treated at the city's water treatment plant in order to meet State Drinking Water Standards. From the plant it is transmitted to residents, businesses, and industry in the city.

The State Water Resources Control Board (SWRCB) first issued the City of Orange Cove a Compliance Order in February of 2017, and then again in June of 2020, for failure to ensure that sufficient water was available to adequately, dependably, and safely supply all users in the city under maximum demand conditions. This is because the Friant-Kern Canal is periodically shut down for extended time periods during winter months for maintenance. Therefore, the City must address the need to develop an alternative source of supply to meet the demands on the system during future maintenance shutdowns.

The City of Orange Cove has submitted two applications to the SWRCB Division of Financial Assistance (DFA), to fund construction of two new package water treatment plants, which will replace the existing aging plant. The completion of this application and construction will take several years, however it is an imperative to providing sufficient water supplies. The second application is to fund a planning project to develop additional sources of water, to date the application has not been deemed complete by the DFA.

The current assessment by the SWRCB is that the supply of water in Orange Cove is insufficient to support pending annexations on the grounds that the residential dwellings intended for these projects will exceed the capacity of Orange Cove to reliably supply users under maximum demand conditions. This finding implies that the addition of residential dwellings within the city will strain water demands. This additional strain has the potential to lead to expanded entitlements on water to supplement supply, and therefore the following measures must be incorporated into the project to ensure less than significant impact.

Mitigation: The completion of the two aforementioned DFA applications and subsequent compliance with SWRCB standards will secure the water supply needed to reliably service the project. If the SWRCB requires the identification of a groundwater source, then plans for wells and above ground storage (elevated tanks) facilities must be considered to mitigate the impacts of securing additional entitlements from the Friant-Kern canal. In addition, the proposed project will be required to implement best practices regarding landscape features to reduce the water demands generated by the landscaping in the proposed project.

USS-4 The following measures shall be implemented:

Measure USS-4.A: Before initiation of construction or ground-disturbing activities associated with the project, the City shall require compliance with all SWRCB standards pursuant of Compliance Order No. 03_23_17R_001.

Measure USS-4.B: If compliance with the SWRCB is contingent on implementation of plans related to water supply, then this project must incorporate all applicable aspects of those plans as mitigation measures in order to keep impacts to a less than significant level.

Measure USS-4.C: To the maximum extent feasible, limit use of turf or water intensive landscape features present on lots in the proposed project, and encourage use of drought-tolerant vegetation, gravels, and other hardscape features.

Monitoring and Reporting:

Enforcement Agency- Contract City Engineers (A&M Consulting Engineers) or applicable monitoring consultant.

Monitoring Frequency- Prior to submission of site plan review. Prior to initiation of construction or ground-disturbing activities, and ongoing during construction.

Compliance Action- Project Permit Compliance Review, to be conducted at the discretion of the enforcement agency.



Draft Mitigated Negative Declaration

Martinez Subdivision

Tentative Subdivision Map No. _____

City File No.

The contract city planners have reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on the environment" is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

NAME OF PROJECT: Martinez Street Subdivision.

PROJECT FILE NUMBER:

PROJECT LOCATION AND ASSESSORS PARCEL NUMBER: The subject property is located on the northwest of intersection of Martinez Street and Anchor Avenue, in the southwest quadrant of the city. The Assessor's Parcel Number (APN) is 378-030-41, containing approximately 3.7 acres. The property is located in Section 14, of Township 15 South and Range 24 East, M.D.B.&M.

PROJECT DESCRIPTION: The proposed project is a planning application for a tentative subdivision map permit to subdivide a 3.725 acre site into 18 single-family residential lots at a density of 0.207 acres per lot.

APPLICANT CONTACT INFORMATION:

Efrain Yanez, General Contractor / Owner
Yanez Construction
42931 Rd. 52, Reedley, CA. 93654

FINDING: In accordance with the California Environmental Quality Act (CEQA), the City of Orange Cove has prepared an Initial Study to determine whether the proposed project may have any significant adverse effect on the environment. The Initial Study and Proposed Mitigated Negative Declaration reflect the independent judgement of the contract city planner and city staff. On the basis of the Initial Study, the City of Orange Cove hereby finds:

The proposed project will not have a significant adverse impact on the environment. The project has incorporated specific provisions and mitigation measures to reduce potential impacts to less than significant levels.

The attached Initial Study and mitigation measure provide the foundation and reasons for preparing a Mitigated Negative Declaration (MND) for this project.

PROPOSED MITIGATION MEASURES:

The following Mitigation Measures are extracted from the Initial Study. These measures are designed to avoid or minimize potentially significant impacts, thereby reducing them to an insignificant level. A Mitigation Monitoring and Reporting Program (MMRP) is an integral part of project implementation pursuant to AB 3180, passed in 1988, and ensures that mitigation is properly implemented by the City and

the implementing agencies. The MMRP will describe actions required to implement the appropriate mitigation for each CEQA category including identifying the responsible agency, program timing, and program monitoring requirements. Based on the analysis and conclusions of the Initial Study, the impacts of the proposed project would be mitigated to less-than-significant levels with the implementation of the mitigation measures presented below.

XVII. UTILITIES AND SERVICE SYSTEMS

Discussion: The proposed project will be connected to the city's water system. The city water supply originates from Millerton Lake, the surface waters of which are conveyed by the Friant-Kern Canal, which is then treated to meet State Drinking Water Standards, and finally transmitted to residents, businesses, and industry in the city. The State Water Resources Control Board (SWRCB) issued the City of Orange Cove a Compliance Order first in February of 2017, and then again in June of 2020, for failure to ensure that sufficient water was available to adequately, dependably, and safely supply all users under maximum demand conditions. This is because the Friant Kern Canal is periodically shut down for extended time periods during winter months for maintenance such as herbicide application. Therefore the City must address the need to develop an alternative source of supply to meet the demands on the system during foreseeable Friant Kern shutdowns.

The City of Orange Cove has submitted two applications to the SWRCB Division of Financial Assistance (DFA) with regards to providing adequately reliable water supply. The first is to fund construction of two new package surface water treatment plants to replace the existing aging plants. The completion of this application and construction will take several years, however it is an imperative to providing sufficient treatment infrastructure. The second is to fund a planning project to develop additional source capacity, however the application has not been deemed complete by the DFA.

The current assessment by the SWRCB that the supply of water in Orange Cove is insufficient to support annexations on the grounds that the residential dwellings intended for these projects will exceed the capacity of Orange Cove to reliably supply users under maximum demand conditions, implies that the addition of residential dwellings within the city will similarly strain water demands. This has the potential to lead to expanded entitlements on water to supplement supply, and therefore the following measures must be incorporated into the project to ensure less than significant impact.

Mitigation Measure USS-4: The completion of the two aforementioned DFA applications and subsequent compliance with SWRCB standards will secure the water supply needed to reliably ensure that the project will not require new resources or entitlements. If the SWRCB requires the identification of additional groundwater source capacity, then plans for aquifer recharge and recovery systems, water tower infrastructure, or other capacity increasing practices must be considered to mitigate the impacts of potentially acquiring additional water supply resources.

USS-4 The following measures shall be implemented:

Measure USS-4.A: Before initiation of construction or ground-disturbing activities associated with the project, the City shall require compliance with all SWRCB standards pursuant of

Compliance Order No. 03_23_17R_001, evidenced by the completion and submission of two (2) pending applications with the DFA.

Measure USS-4.B: If compliance with the SWRCB is contingent on implementation of plans related to water supply, then this project applicants must incorporate during buildout all applicable aspects of those plans as mitigation measures in order to keep impacts to a less than significant level.

Measure USS-4.C: To the maximum extent feasible, limit use of turf or water intensive landscape features present on all lots in the proposed project, and encourage use of drought resistant vegetation, gravels, and other xeriscaped landscape features.

PUBLIC REVIEW PERIOD:

Before 5:00 P.M. on _____ ending date, any person may:

1. Review the Draft Mitigated Negative Declaration as an informational document only; or
2. Submit written comments regarding the information, analysis, and mitigation measures in the Draft MND. Before the MND is adopted, planning staff will prepare written responses to any comments, and revise the Draft MND, as necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND.

Circulated On: _____

Adopted On: _____

Circulation Period: _____

3.0 DISCUSSION OF POTENTIAL ENVIRONMENTAL IMPACTS

This section of the Initial Study analyzes potential impacts of the proposed project. For each topic issue a determination of the magnitude of the impact is made via checklist, and then the impact is analyzed and discussed. Where appropriate, mitigation measures are identified that will reduce or eliminate an impact.

| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|-----------|
|--------------------------------------|---|------------------------------------|-----------|

I. AESTHETICS

Would the project:

1. Have a substantial
adverse effect on a
scenic vista

☐☐☒☐

Discussion: The project will have an impact on the visual environment due to the construction of homes and subsequent loss of open space. The loss of three acres of open space in a predominantly urban area is not deemed significantly impactful. Further, this "potential to degrade scenic resources" is acknowledged in the Final EIR prepared for the Orange Cove General Plan. The Orange Cove City Council adopted a "Statement of Overriding Consideration" when the Final EIR was certified.

2. Substantially damage
scenic resources, including
but not limited to, trees,
rock outcroppings, and
historic buildings within
a state scenic highway?

☐☐☐☒

| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|
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Discussion: There are not any significant scenic resources on the subject property including trees, rock outcroppings, and historic buildings.

3. Substantially degrade the existing visual character or quality of the site and its surroundings?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project will be consistent with the visual character of the adjacent neighborhoods to the south and west, as well as being within a half mile walking distance to both the elementary school to the southeast, and the central commercial district of Park Boulevard to the northeast. Given the subject property is within Orange Cove's city limits, and zoned for medium density residential uses, it is likely that the plot will be further developed for residential purposes within the next five years. This is consistent with and discussed further in the Land Use Element of the Orange Cove General Plan.

4. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The new sources of light that will be introduced into the area will be street lighting that will be installed when the subdivision is constructed, as well as lighting from the homes themselves including interior and porch lighting. In general, this lighting will only illuminate the ground directly below the light standards. The addition of lighting to the street-lined areas of the community is typical of parcels transitioning from vacant to residential.

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| Potentially Significant <u>Impact</u> | Less Than Significant with <u>Mitigation</u> | Less Than Significant <u>Impact</u> | No <u>Impact</u> |
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II. AGRICULTURE AND FOREST RESOURCES --

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

Would the project:

1. Convert Prime Farmland,

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project will urbanize approximately 3.7 acres of land that was previously used as a vacant lot. However the California Department of Conservation includes the property as "Farmland of Local Importance". Despite this designation, there are no contracts in place to maintain the land in agriculture. Further, the environmental impact of this urbanization was acknowledged in the EIR prepared for the Orange Cove General Plan. A "Statement of Overriding Consideration" was adopted for this environmental document when the Final EIR was certified by the Orange Cove City Council.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| 2. Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The proposed subdivision is not under an agricultural preserve contract nor will the project adversely impact existing agricultural operations in the immediate area since land on three sides of the subject property is currently urbanized. None of the properties adjacent to the proposed subdivision are zoned for agriculture.

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)) or timberland (as defined in Public Resources Code §4526)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The subject property is not zoned for forestry and is not forested.

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The subject property is not forested, and the proposed project would not impact forested lands.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------------|---|-------------------------------------|--------------------------|
| 5. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion: The project will result in the conversion of vacant farmland to non-farmland uses. The impact of this conversion was discussed in the EIR prepared on the Orange Cove General Plan. A "Statement of Overriding Consideration" was approved for the EIR, which acknowledged the environmental impact of converting farmland to non-farmland uses. Further, the subject property is not currently zoned nor used for agricultural or forested uses.

III. AIR QUALITY

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

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project will have little if any impact on the Air District's Quality Plan. The project will not generate enough emissions to cause the Air District to exceed thresholds established by the SJVAPCD for ozone precursors and CO₂. The project will generate the following trips:

18 single-family units x 9.55 trips per household = 172 trips per day

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| Potentially Significant <u>Impact</u> | Less Than Significant with <u>Mitigation</u> | Less Than Significant <u>Impact</u> | No <u>Impact</u> |
|---|--|---|---------------------|

These trips can be converted to peak morning and evening trips. The single-family residential homes will generate 14 trips per peak morning hour and 17 trips per peak evening hour.

All of these residential trips will utilize one collector street, Martínez Street, which borders the subject site on the south, running east to west, and connecting to Anchor Avenue, a major thoroughfare. By virtue of the parcel size and shape, a cul-de-sac is the only reasonably appropriate design layout for the proposed project, and therefore shall have no through traffic by definition. Traffic wishing to travel east and west will use Martínez Street to access South Avenue by way of Rodríguez Street, accessing the citrus farms to the east and residential communities to the west. Traffic wishing to travel north and south can use Martínez Street to access Anchor Avenue, which leads toward downtown and eventually out of the city to the north, and past schools and a community center and open space to the south. Given that peak hour trips are low and the abundance of intersections nearby to the subject property, it is very unlikely that any one intersection near the proposed project will be adversely impacted. Further, because the subdivision is within half of a mile of an elementary school, a grocery store, a church, and retail, many people are expected to walk to these destinations rather than drive.

While the air emissions generated by the project will add to the Air Basin's already nonattainment status for certain pollutants including ozone (both one and eight-hour measurements), PM 10, and PM 2.5, the project is not deemed significant by the Air Quality District because it does not meet certain emissions thresholds.

In the case of the Martínez project the sensitive receptors adjacent to the project include residents who live in the single-family dwellings both to the west and south. Most of the emissions that could have an adverse impact on the health of the nearby residents will stem from the operation of motor vehicles. The amount of emissions (pollutants) generated by this project over time (buildout of the project will occur for up to a period of three years) will depend on the number of trips entering and exiting the project site as well as the types of vehicles and their driving speed.

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| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
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Therefore, because of the above findings and conditions in the San Joaquin Valley that clearly dominate the air quality in the Valley such as climate change, topography, air inversions, wildfires, agricultural spraying, discing, pruning, harvesting, land leveling, trucking, etc.; and emissions flowing from the north end of the Valley towards the south, the purpose of requiring a Health Risk Screening/Assessment for this project is unnecessary and unreasonable.

There are situations where such an assessment would be warranted. Examples would include a land-use decision where an agricultural chemical company, fossil fuel refinery, dump site, or manufacturing operations that was generating a significant volume of toxic air emissions was being proposed adjacent to residential development, a school or hospital. This project does not fall into any of these categories. For this reason air quality analysis provides sufficient information to show that the long-term operation of the project will not have an adverse impact on the health or well-being of the residents who live nearby.

Further, using the VMT screening tool provided by the Fresno Council of Governments (COG), the projected VMT/capita for the proposed project is 9.4. This is below the most stringent 15% threshold based on Orange Cove's regional average which is 10.2 VMT per capita. Therefore no additional VMT analysis is required for the proposed project.

The urbanization of this area of Orange Cove and its impact on air quality were discussed in the Final EIR that was certified by the Orange Cove City Council. The City Council adopted a "Statement of Overriding Consideration" when the Final EIR was certified.

2. Violate any air quality

standard or contribute



substantially to an existing

or projected air quality

violation?

| | | | |
|---|--|---|---------------------|
| Potentially Significant <u>Impact</u> | Less Than Significant with <u>Mitigation</u> | Less Than Significant <u>Impact</u> | No <u>Impact</u> |
|---|--|---|---------------------|

Discussion: The project will not violate any air quality standards nor will it exceed the Air District's emissions thresholds causing the project to be deemed significant. Air emissions will be generated during the construction phase of the project, but the Air District's fugitive dust rules (Regulation VIII, Fugitive PM 10 Prohibitions) will ensure that the project will not violate any of the District's standards for dust emissions.

3. Result in a cumulatively
considerable net increase ☐ ☐ ☒ ☐
of any criteria pollutant
for which the project region
is in nonattainment under
an applicable federal or state
ambient air quality standard
(including releasing emissions
which exceed quantitative
thresholds for ozone
precursors)?

Discussion: The proposed project will not generate significant criteria pollutants for which the region is in nonattainment, nor will emissions exceed thresholds established by the SJVAPCD for ozone precursors. The impact for urban development within the project area on air quality was discussed in the EIRs prepared for the Orange Cove General Plan, and a "Statement of Overriding Consideration" was adopted for the Final EIR.

4. Expose sensitive receptors
to substantial pollution ☐ ☐ ☐ ☒
concentrations?

Discussion: Residents that will live in the proposed project area will not be exposed to any substantial pollution concentrations. The lots north of the project site are largely vacant and zoned for general commercial uses (disqualifying uses that would potentially

| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
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significantly increase concentrations of pollutants), likewise to the east there are central commercial and public facility spaces occupied by a supermarket, retail and an ambulance service dispatch building. To the south and west are single-family homes.

5. Create objectionable odors

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project is not expected to result in odors that will affect residents on or adjacent to the site. The construction of the subdivision will not create any odors that will be obnoxious to surrounding residents. Further, long-term use of the subject site for residential uses is not expected to produce objectionable odors.

IV. BIOLOGICAL RESOURCES ---

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Has a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project will not have an adverse impact on special status species on plants or animals. The subject property is vacant and given the history of the community, may have been once used for agriculture. The likelihood of sensitive species

| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
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inhabiting the site is remote, given cultural practices associated with farming including soil disruption and compaction, spraying, irrigating, and discing.

2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: There are no riparian woodland corridors that exist within or adjacent to the subject property, nor are there any sensitive natural communities within the subject area or nearby. The territory is currently fallow and any native habitat was removed in favor of the vacant lot, which has now overgrown with weeds.

3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
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Discussion: The subject property does not contain a wetland as defined by Section 404 of the Clear Water Act. Further, the territory does not contain any soil types that are associated with wetlands (hydrophytic soils).

4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- | | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project will not impede the migration of fish or wildlife species. The territory is currently fallow and does not contain any channels, woodland, shrubland, or other wildlife corridors or nursery sites.

5. Conflict with any local policy or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no local policies or ordinances in the City of Orange Cove protecting biological resources.

6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan,
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
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or other approved local, regional,
or state habitat conservation plan?

Discussion: There are no adopted habitat conservation plans that apply to the project area.

V. CULTURAL RESOURCES --

Would the project:

1. Cause a substantial adverse change in the significance of a historical resource as defined in Cal. Code Regs. tit. 14 §15064.5? ☐ ☐ ☒ ☐

Discussion: There are no historical structures on the site nor has the site been identified by the Southern San Joaquin Valley Archaeological Information Center as a site that contains a historic resource. The subject property has no structures on the site, and no historical use of the site could be identified. Therefore, the proposed project will not have an adverse impact on historical resources according to the EIRs prepared for the Orange Cove General Plan. A "Statement of Overriding Consideration" was adopted for the Final EIR.

2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Cal. Code Regs. tit. 14 §15064.5? ☐ ☐ ☒ ☐

Discussion: Although there are no known archaeological resources located within the subject territory, the proposed project could result in the disturbance of subsurface archaeological resources during excavation and/or grading of the land. However the

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| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
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discovery of this type of resource is not especially likely given the lack of previously discovered archaeological resources on adjacent developed land.

If during the development of the property archaeological or historical resources are uncovered, the developer must comply with the requirements of CEQA that regulate archaeological and historical resources (Public Resources Code §21083.2 and §21084.1).

3. Directly or indirectly destroy

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Although there are no known paleontological resources located in the study area, the proposed project does have the potential to directly or indirectly destroy a paleontological resource. If any cultural or paleontological materials are uncovered during project activities, work in the area shall halt until a professional cultural resources's evaluation and/or data recovery excavation can be planned and implemented.

4. Disturb any human remains,

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The placement of the subject property and lack of evidence of human remains in surrounding developments suggests that it is unlikely that any human remains exist within the subject territory. However, should any human remains be discovered during excavation, grading, construction, or any other part of the development process, the Fresno County Coroner must be notified immediately. *(The Coroner has two working days to examine the remains and 24 hours to notify the Native American Heritage Commission [NAHC] if the remains are Native American. The most likely descendants then have 24 hours to recommend proper treatment or disposition of the remains following the NAHC guidelines).*

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| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
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VI. GEOLOGY AND SOILS --

Would the project:

Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

1. Rupture of a known earthquake fault, as delineated in the most recent Alquist Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
Refer to Division of Mines and Geology Special Publication 42.

| | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: While Orange Cove is located in an area that is subject to ground shaking from earthquakes, the distance to faults that will be the likely cause of ground movement is sufficient so that potential impacts are reduced. The City of Orange Cove requires that all new structures be built within the city consistent with Zone II seismic standards of the Uniform Building Code.

2. Strong seismic ground shaking?

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|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: With incorporation of Zone II seismic standards, as required by the City of Orange Cove, the potential for significant impacts on residential and commercial development due to seismic ground shaking will be minimal.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| 3. Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The San Joaquin loam soils located throughout the project are not subject to liquefaction or other seismic-related ground failure.

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| 4. Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project area occupies level ground (0-3% slope) and therefore potential for landslides is remote.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 5. Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project area occupies level ground and the project area soils are composed primarily of San Joaquin loam which has few erosive qualities. Therefore, potential for soil erosion or loss of topsoil is remote.

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off- site landslide, lateral spreading, subsidence, liquefaction, or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

| Potentially Significant <u>Impact</u> | Less Than Significant with <u>Mitigation</u> | Less Than Significant <u>Impact</u> | No <u>Impact</u> |
|---|--|---|---------------------|
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Discussion: Soils on the project site (almost entirely San Joaquin loam) are considered stable. Further, the project area as well as surrounding territory occupies level ground, no more than 3% slope, and therefore the potential for unstable conditions and the subsequent risk of collapse or failure is remote, and less than significant.

7. Be located on expansive soil,
as defined in Table 18-1-B ☐ ☐ ☐ ☒
on the Uniform Building Code
(1994), creating substantial
risks to life or property?

Discussion: The subject property is not located on any expansive soils.

8. Have soils incapable of
adequately supporting ☐ ☐ ☐ ☒
the use of septic tanks or
alternative wastewater
disposal systems where
sewers are not available for
the disposal of wastewater?

Discussion: The proposed subdivision will be required to connect to the city's sewer and wastewater systems when residential construction commences.

VII. GREENHOUSE GAS EMISSIONS –

Would the project:

1. Generate greenhouse gas
emissions, either directly ☐ ☐ ☒ ☐
or indirectly, that may have

| | | | |
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| Potentially Significant <u>Impact</u> | Less Than Significant with <u>Mitigation</u> | Less Than Significant <u>Impact</u> | No <u>Impact</u> |
|---|--|---|---------------------|

a significant impact on
the environment?

Discussion: Greenhouse Gas (GHG) emissions are emissions of various types of gases that are known to be causing an increase in global temperatures and by proxy impacting climate patterns. Scientists recognize GHGs resulting from human activities, particularly the use of machinery that burns fossil fuels for power, as the primary cause of climate change and its subsequent negative environmental consequences. Key greenhouse gases include carbon dioxide, methane, nitrous oxides, and hydrofluorocarbons (HFCs).

Greenhouse gas emissions will occur primarily during the construction of the project and when motorized vehicles are operated - each mile traveled (VMT) will generate GHGs. Additionally the operation of heating and cooling equipment and gas range appliances installed in residential uses will lead to the cumulative production of GHGs.

The volume of GHGs generated by 3.7 acres of single-family residential land uses, is insignificant when compared to emissions generated by the City of Orange Cove or the San Joaquin Valley as a whole. Due to energy conservation regulations (Title 24) implemented throughout the State, motorized vehicles gradually becoming more fuel efficient, installation of solar panels on single-and multi- family residential dwellings, residential development's move toward all electric homes and away from the use of natural gas, and the incorporation of pedestrian friendly design features as per the Orange Cove General Plan, residential dwellings of today will generate less GHG emissions than dwellings that were built as recently as a decade ago. For these reasons, the project will not result in a significant release of GHG emissions when compared to the carbon budget of Orange Cove or the San Joaquin Valley as a whole.

2. Conflict with any applicable

plan, policy, or regulation of ☐
an agency adopted for the
purpose of reducing the
emissions of greenhouse gases?

☐

☒

☐

| | | | |
|--------------------------------------|---|------------------------------------|--------------|
| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|

Discussion: The Orange Cove General Plan does not have any plans, policies, or regulations pertaining to the regulation of greenhouse gas emissions; however, design standards contained in the General Plan do attempt to create a pedestrian and cyclist-friendly living environment thereby promoting walking and biking and less dependence on single occupancy motorized vehicles. Further, recent updates to the Uniform Building Code will increase the "R" Factor (resistance to the conductive flow of heat; insulation factor) in the walls of the residential dwellings that will be constructed after January 1, 2017. Finally, all residential units constructed after January 1, 2020, will be required to install solar panels on the residential unit prior to occupancy.

VIII. HAZARDS AND HAZARDOUS MATERIALS --

Would the project:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

| | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project will not involve the transport, use or disposal of hazardous materials.

2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | |
|--------------------------------------|---|------------------------------------|--------------|
| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|

the environment?

Discussion: The project does not involve the handling, storage, transportation or disposal of hazardous materials.

3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substance, or waste within one-quarter mile of an existing or proposed school?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project does not involve the handling, storage, transportation, or disposal of hazardous materials. Further, there are no existing or proposed schools within one-quarter mile of the subject property.

4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is not included on any list of known hazardous materials sites compiled pursuant to Government Code §65962.5

5. For a project located within an airport land use plan or,
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|
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where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing in or working in the project area?

Discussion: The subject area is not adjacent to a public or public use airport, nor is it within two miles of any airport.

6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The subject area is not adjacent nor in the vicinity of a private airstrip.

7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project will not impair implementation nor physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed project is not adjacent to a roadway, highway, or freeway that serves as a major route for the movement of emergency vehicles. Should these types of vehicles utilize Martinez Street or the planned interior street within the subdivision, traffic exiting the subdivision would be restricted from entering these roadways until emergency vehicles have cleared the intersections along these roadways.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------------|---|-------------------------------------|--------------------------|
| 8. Expose people or structures to a significant loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion: There are no wildlands adjacent to urbanized areas or intermixed with residences. However, the subject property has a vacant lot directly to the north which is fallow but populated by weeds. Orange Cove receives an average annual rainfall of 12.33 inches, over fewer than 50 precipitation days each year on average. This lack of precipitation coupled with Fresno County's designation of the months of May through November as the wildfire season, creates a situation in which the grass to the north may become a fire hazard as it dries, compounded by the major collector road to the east. The likelihood of exposure of the subject property to a wildland fire remains low. Further the local fire district requires that vacant lots within the city must be plowed down during the wildfire season, mitigating the source of fuel and therefore maintaining a less than significant impact.

IX. HYDROLOGY AND WATER QUALITY

Would the project:

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: There will be no discharge of runoff into any surface or subsurface waters. Stormwater runoff will be diverted to drop inlets throughout the subdivision and this runoff will be diverted into a nearby storm water basin.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------------|---|-------------------------------------|--------------------------|
| 2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion: The development will utilize treated water from the Friant-Kern Canal. The city now requires water meters for all new residential development. This metering will serve to reduce water consumption in addition to outside water regulations mandated by the State.

| | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. Substantially alter the existing drainage pattern of the site or area, including through alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off- site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

| | | | |
|--------------------------------------|---|------------------------------------|--------------|
| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|

Discussion: The project area's drainage patterns will not be significantly altered. All of the drainage that emanates from the project site will be diverted to Orange Cove's storm drainage system through a series of drop inlets and storm drainage pipes.

4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project area's drainage patterns will not be significantly altered. All surface runoff will be transported by means of gutters, drop inlets, and storm drainage pipes to Orange Cove's system of storm drainage ponds.

5. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: All stormwater runoff will be retained in Orange Cove's stormwater retention basins. This basin system has the capacity to accommodate the additional runoff that will be generated by the proposed subdivision. Residential uses do not typically provide additional sources of polluted runoff.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------------|---|-------------------------------------|--------------------------|
| 6. Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion: No aspect of the proposed project is expected to degrade water quality. No water from the site will enter any adjacent surface water systems and therefore risk of water quality degradation is markedly reduced.

| | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 7. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: There is no housing placed within a 100-year flood hazard area of any kind. To this end there is also no housing existing within a 500-year flood hazard zone, and the subject property is entirely without flood hazards of any kind. This territory occupies an area between the Alta East Branch Channel to the west, and the Friant-Kern Canal to the east, however even at its closest point the subject property is over a mile from either aqueduct. Both of these waterways are subject to high levels of artificial channelization, and their cement lined banks exacerbate flooding potential, as does the even grade of the land. However, due to subsidence and drought the flows of both canals are expected to decrease in coming years, so too decreasing the potential for flooding.

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 8. Place within a 100-year flood hazard area structures that would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|
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Discussion: None of the subject property is within a 100-year flood hazard zone.

9. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam? ☐ ☐ ☐ ☒

Discussion: The project site is not located downstream from a major dam, nor any levees, and therefore is not at risk of being flooded due to the failure of a levee or dam.

10. Inundation by seiche, tsunami, or mudflow? ☐ ☐ ☐ ☒

Discussion: The project is located over 120 miles inland from the Pacific Ocean, the closest source of tsunami, and there are no major inland water bodies within several miles capable of producing a seiche, and the even grade of the surrounding land in tandem with the content of surrounding soils present no reasonable risk of a mudflow.

X. LAND USE AND PLANNING --

Would the project:

1. Physically divide an established community? ☐ ☐ ☐ ☒

Discussion: The proposed project will not physically divide any established Orange Cove neighborhood. The subject property is located in the southwest quadrant of the city, and represents a logical extension of the urbanized part of the community.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| 2. Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The project site is not subject to any habitat or natural community conservation plans.

XI. MINERAL RESOURCES --

Would the project:

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The site is not known to harbor mineral resources that would be valuable to the region. The site is not adjacent to a river floodplain, which is an area that typically supports sand and gravel resources.

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|
|--------------------------------------|---|------------------------------------|--------------|

Discussion: The site is not known to harbor mineral resources that would be locally important, nor are there any plans for mineral resource recovery sites on the subject property.

XII. NOISE --

Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project will not generate any excessive noise, nor will it expose persons to excessive noise levels. Due to the surrounding land uses (general and central commercial, public facilities, and residential) that the site is bound by, the likelihood of future residents being exposed to excessive noise levels is remote.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. Exposure of persons to or generation of excessive ground borne vibration or ground noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: There are no significant ground borne vibrations produced in the project area or in the surrounding properties.

3. A substantial permanent

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------------|---|-------------------------------------|--------------------------|
| increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion: The proposed project will not increase ambient noise levels on lands adjacent to the subject property. The transition of the subject properties from fallow land to single-family residential development may temporarily increase ambient noise levels during construction, however these noise levels will be short-lived. The ambient noise produced by the proposed residential project will be at the same levels of existing ambient noise in the immediate area.

4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Construction activities associated with residential development create very little noise compared to construction associated with commercial or industrial development. During the construction of homes, roads, infrastructure, and parks, noise beyond ambient levels will be generated, however this increase in noise levels will only occur during day-time hours and will only last for the period of time that it takes to complete the proposed subdivision project. These are the same periodic increases in ambient noise already present without the proposed project, as the adjacent collector street, Anchor Avenue, less than 500 feet away, serves as a major thoroughfare, producing ample noise from traffic.

5. For a project located within an airport land use plan or,
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------------|---|------------------------------------|--------------|
| mineral resource that where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working the project area to be exposed to excessive noise levels? | | | | |

Discussion: The project site is not within an airport land use plan, nor within 2 miles of a public airport and therefore will not be subjected to any noise generated by air traffic.

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. For a project within a vicinity of a private mineral resource that airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is not located within the vicinity of any private airstrips.

XIII. POPULATION AND HOUSING --

Would the project:

| | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

| | | | |
|---|--|---|---------------------|
| Potentially Significant <u>Impact</u> | Less Than Significant with <u>Mitigation</u> | Less Than Significant <u>Impact</u> | No <u>Impact</u> |
|---|--|---|---------------------|

(for example, through extension
of roads or other infrastructure)?

Discussion: The project is not considered to be growth-inducing but growth-accommodating. Some households will relocate within Orange Cove to take advantage of the newer housing that will be provided by the project while other households that need additional bedrooms will move into these units. The construction of 18 new single-family dwellings will support approximately 72 persons (18 single-family residential units x four persons per household = 72 persons). Data from the California Department of Finance from between 2011-2021 states that there were 2,314 housing units in the city. In addition the current population estimates for the City of Orange Cove put the number of people at 9,581. Compared to this data, the proposed project is deemed to be an insignificant growth inducing project.

The growth inducing impacts associated with the adoption of the Orange Cove General Plan were discussed in the EIR prepared for the General Plan. A "Statement of Overriding Considerations" was approved when the EIR was certified by the Orange Cove City Council.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There is no existing housing on the subject property.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | |
|--------------------------------------|---|------------------------------------|--------------|
| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|

Discussion: There are no dwelling units, informal housing, or transient populations on subject property to displace.

XIV. PUBLIC SERVICES --

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:

Fire protection? ☐ ☐ ☒ ☐

Discussion: The project will receive fire protection services from the Orange Cove Fire District, which is headquartered in Orange Cove. The project site is located about a mile away from the fire department, which is within the 5-minute response time of the station. Fire hydrants will be installed throughout the project site as a condition of approval. Also, fire sprinklers are required to be installed in all new residential units. The project will have a less than significant impact on fire protection services in Orange Cove. No mitigation measures are required.

Police protection? ☐ ☐ ☒ ☐

Discussion: The project will receive police protection from the Orange Cove Police Department, headquartered in central Orange Cove. The project site is located about a mile away from the police station thereby ensuring that police services can be provided to the site within a 5-minute response time. The project will have a less than significant impact on police protection services in Orange Cove. No mitigation measures are required.

Schools? ☐ ☐ ☒ ☐

| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|
|--------------------------------------|---|------------------------------------|--------------|

Discussion: The project is located within the Kings Canyon Unified School District. The project will generate approximately 0.75 school aged children per residential unit - 14 school-aged children. The project will have a less than significant impact on schools in Kings Canyon Unified School District because the development will be required to pay school impact fees, which will assist in the expansion of Orange Cove's schools and the average daily attendance (ADA) generated by these students will pay for additional teachers should they be required. No mitigation measures are required.

| | | | | |
|--------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project will not have a significant impact on parks in the community. Each residential unit will be required to pay a park impact fee, which will finance the purchase and construction of parks as needed. No mitigation measures are required.

| | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project will not adversely impact other public facilities in the community.

XV. RECREATION --

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

| | | | |
|--------------------------------------|---|------------------------------------|--------------|
| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|

Discussion: There may be a slight increase in the number of persons using local parks, however the proposed subdivision will pay park impact fees, which will preempt the project's impact on Orange Cove's park system.

2. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed residential project will pay park impact fees, the long-term maintenance of the landscaping within the subdivision will be the responsibility of a landscaping and lighting district, which the city typically imposes on new subdivisions.

XVI. TRANSPORTATION/TRAFFIC

Would the project:

1. Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation systems, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths,
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

| | | | |
|--------------------------------------|---|------------------------------------|--------------|
| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|

and mass transit?

Discussion: A less than significant impact is expected, the subject territory, when fully developed, will generate:

18 single-family units x 9.55 trips per household = 172 trips per day

These trips can be converted to peak morning and evening trips. The single-family residential homes will generate 14 trips per peak morning hour and 17 trips per peak evening hour.

All of these residential trips will utilize one local street, Martinez Street, which borders the subject site to the south, running east to west, and connecting to Anchor Avenue, a major collector. By virtue of the parcel size and shape, a cul-de-sac is the only reasonably appropriate design layout for the proposed project, and therefore shall have no through traffic. Traffic wishing to travel east and west will use Martinez Street to access South Avenue by way of Rodriguez Street, accessing the citrus groves to the east and residential developments to the west. Traffic wishing to travel north and south can use Martinez Street to access Anchor Avenue, which leads toward downtown and eventually out of the city to the north, and past schools and a community center and open space to the south. Given that peak hour trips are so low and the abundance of intersections nearby to the subject property, it is unlikely that any one intersection that is near or within the proposed project will be adversely impacted. Further, because the subdivision is within half of a mile of an elementary school, a grocery store, a church, and retail, many people are expected to walk to these destinations rather than drive thereby reducing VMT generated by subdivision residents.

2. Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards

☐
☐
☒
☐

| | Potentially Significant <u>Impact</u> | Less Than Significant with <u>Mitigation</u> | Less Than Significant <u>Impact</u> | No <u>Impact</u> |
|---|---|--|---|---------------------|
| established by the county congestion management agency for designated roads or highways? | | | | |

Discussion: The traffic generated by the project is not expected to conflict with Fresno County's Congestion Management Program because of the low traffic volumes that will be added to local streets. The County's Management Program generally focuses on major roadways that cross the county, not local Orange Cove streets.

3. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project will not affect air traffic patterns.

4. Substantially increase hazards due to a design feature (e.g., sharp curves, or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project will not have an adverse impact on the level of service (LOS) of Martinez Street, Anchor Avenue, or Celaya Street, which are the existing streets surrounding the property. There are no design hazards present in the project that would substantially increase hazards, and the additional traffic from the proposed residential development will not cause a significant impact on the surrounding or interior roadways.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| 5. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The project will not conflict with any policies, plans, or programs, supporting alternative transportation.

XVII. UTILITIES AND SERVICE SYSTEMS --

Would the project:

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project will generate approximately one hundred gallons of effluent per day per person. The average population of a single residential unit is estimated to be approximately four persons per residential unit, or a total population of 72 persons (18 single family residential units x four persons per household = 72 persons). Therefore the project will generate about 7,200 gallons per day of wastewater.

The Orange Cove Wastewater Treatment Facility (WWTF) was originally designed to treat 1.0 million gallons per day (mgd) of waste effluent. Recently, the WWTF was expanded to have a capacity of 3.0 mgd. This increase in capacity can easily accommodate the increase in effluent flow generated by the project. The plant's expansion was in response to a Notice of Violation issued by the California Regional Water Quality Control Board (order No. 89-064) on December 17, 1998.

| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|
|--------------------------------------|---|------------------------------------|--------------|

In addition to the City increasing the plant's treatment capacity it also converted the wastewater treatment plant from a tertiary treatment plant to an advanced secondary treatment plant, which reduced the operational complexity and costs for the plant. This conversion required modifications to equipment in the plant (e.g., headworks, pumps, screens, etc.) and construction of improvements that supported the new or modified equipment.

2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The Orange Cove Wastewater Treatment Facility (WWTF) was originally designed to treat 1.0 million gallons per day (mgd), however now has a capacity of 3.0 mgd. This increase in capacity will likely accommodate the increase in effluent flow generated by the project. The estimated effluent generated by the project after development is 0.0072 mgd, or less than 1% of the expanded capacity of the WWTF. Therefore no new construction of wastewater treatment facilities will be required as a result of the proposed project.

3. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which would
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

| | | | |
|--------------------------------------|---|------------------------------------|--------------|
| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|

cause significant
environmental effects?

Discussion: The proposed subdivision is designed to channel stormwater runoff into the subdivisions gutter system, which will then be conveyed to a local stormwater retention basin. The project will not have a significant environmental effect on the City's stormwater drainage system.

4. Have sufficient water supplied available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- | | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion: The proposed project will be connected to the city's water system. The city water supply originates from Millerton Lake, the surface waters of which are conveyed via the Friant-Kern Canal, which is then treated at the city's water treatment plant in order to meet State Drinking Water Standards. From the plant it is transmitted to residents, businesses, and industry in the city.

The State Water Resources Control Board (SWRCB) issued the City of Orange Cove a Compliance Order in February of 2017, and then again in June of 2020, for failure to ensure that sufficient water was available to adequately, dependably, and safely supply all users in the city under maximum demand conditions. This is because the Friant-Kern Canal is periodically shut down for extended time periods during winter months for maintenance. Therefore, the City must address the need to develop an alternative source of supply to meet the demands on the system during future shutdowns.

The City of Orange Cove has submitted two applications to the SWRCB Division of Financial Assistance (DFA), to fund construction of two new package water treatment

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| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|

plants, which will replace the existing aging plant. The completion of this application and construction will take several years, however it is an imperative to providing sufficient water supply. The second application is to fund a planning project to develop additional sources of water, to date the application has not been deemed complete by the DFA.

The current assessment by the SWRCB is that the supply of water in Orange Cove is insufficient to support annexations on the grounds that the residential dwellings intended for these projects will exceed the capacity of Orange Cove to reliably supply users under maximum demand conditions, this finding implies that the addition of residential dwellings within the city will strain current water demands. This additional strain has the potential to lead to expanded entitlements on water to supplement supply, and therefore the following measures must be incorporated into the project to ensure less than significant impact.

Mitigation: The completion of the two aforementioned DFA applications and subsequent compliance with SWRCB standards will secure the water supply needed to reliably service the project. If the SWRCB requires the identification of a groundwater source, then plans for wells and above ground storage (elevated tanks) facilities must be considered to mitigate the impacts of securing additional entitlements from the Friant-Kern canal. In addition, the proposed project will be required to implement best practices regarding landscape features to reduce the water demands generated by the landscaping in the proposed project.

USS-4 The following measures shall be implemented:

Measure USS-4.A: Before initiation of construction of the project, the City shall require compliance with all SWRCB standards pursuant of Compliance Order No. 03_23_17R_001.

Measure USS-4.B: If compliance with the SWRCB is contingent on implementation of plans related to water supply, then this project must incorporate all applicable aspects of those plans as mitigation measures in order to keep impacts to a less than significant level.

| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
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Measure USS-4.C: To the maximum extent feasible, limit use of turf or water intensive landscape features present on lots in the proposed project, and encourage use of drought-tolerant vegetation, gravels, and other hardscape features.

5. Result in a determination

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The Orange Cove Wastewater Treatment Facility (WWTF) was originally designed to treat 1.0 million gallons per day (mgd), however now it has a capacity of 3.0 mgd. This increase in capacity will easily accommodate the increase in effluent generated by the project. The estimated effluent generated by the project after development is 0.0072 mgd, or less than 1% of the expanded capacity of the WWTF. Therefore the addition of the proposed project's projected effluent demand will not significantly impact the wastewater treatment facility.

6. Be served by a landfill

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The City of Orange Cove Contracts with Mid-Valley for solid waste collection and recycling services. The proposed project will be integrated into Mid-Valley pick up routes, which already include adjoining properties.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| 7. Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: All construction waste and waste produced by the maintenance of the completed project will be recycled and disposed of properly, pursuant of the Resource Conservation and Recovery Act (RCRA) as well as state and local regulations.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Does the project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------------|---|------------------------------------|--------------|
| means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | | | | |

3. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?
- | | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

CHECKLIST PREPARED BY:

Tristan J. Suire, contract city planner

6/14/2021

INITIAL ENVIRONMENTAL STUDY

1.0 PROJECT OVERVIEW

BACKGROUND

Applicant: Yanez Construction - Efrain Yanez, 42931 Rd. 52, Reedley, CA 93654

Engineer: AW Engineering - Allen Williams, 724 N. Ben Maddox Way, Ste. A, Visalia, CA 93292

Location:

The subject property is located northwest of the intersection of Martinez Street and Anchor Avenue, in the southwest quadrant of the city. The APN for the subject property is 378-030-41, containing approximately 3.725 acres. The property is located in Section 14, of Township 15 South and Range 24 East, M.D.B.&M.



Request:

The applicant has applied for a 3.725 acre tentative subdivision map that proposed 18 single-family residential lots at a density of 0.207 acres per lot.

Staff has determined that the subject property is within the planning area of the Orange Cove General Plan, and that the proposed subdivision will meet development standards for the R-1-6 District.

Zone:

The subject property is zoned R-1-6 (Medium Density Residential) district by the City of Orange Cove. The proposed subdivision is consistent with this district's requirements.

General Plan:

The Orange Cove General Plan designates the property as "medium density" residential.

Site:

The subject property is currently vacant. No original use could be found for the subject property; however it is assumed that agriculture once occupied the site. The California Department of Conservation has the subject property classified as "Farmland of Local Importance".

Surrounding land uses and zoning are as follows:

- North: Vacant and general commercial use (small office with a parking lot).
- East: Commercial retail space with parking lot.
- West: Single-family residential dwellings.
- South: Single-family residential dwellings.

Water:

Water including hydrants will be provided to the site by the City of Orange Cove, consistent with the city's Water Master Plan.

Sewer:

The City of Orange Cove will provide wastewater collection and treatment. The developer will be required to install a sewage collection system consistent with the city's Sewer Master Plan.

Storm Drainage:

Storm water management is provided by the City of Orange Cove through a system of curbs and gutters, drop inlets, storm water lines and retention basins. All storm water emanating from the subject property will be diverted to the adjacent to-be-constructed curb and gutter system. This stormwater will flow to a nearby stormwater retention basin.

Police and Fire Services:

Police protection and fire suppression will be provided by the City of Orange Cove.

2.0 CITY OF ORANGE COVE

Orange Cove is an agricultural service community with strong ties to the citrus industry. Forty percent of the city's labor force in 2000 was employed in agriculture, and in data collected between 2012-2016, 59% of the population identified as blue collar laborers. Orange Cove lies in the "citrus belt" of Fresno County along the east side of the San Joaquin Valley at the base of the Sierra foothills.

Population

Orange Cove's population has shown a steady increase between 1970 and 2010, however population growth has leveled off in the past decade between 2011 and 2021. According to the State Department of Finance, Orange Cove's population decreased to 9,581 on 1/1/2021, from 10,273 on 1/1/2019.

Table 1: Population Growth Trends

| Year | Population | Num. Change | Percent Change | Avg. Ann. Growth |
|-------------|-------------------|--------------------|-----------------------|-------------------------|
| 1970 | 3,392 | - | - | - |
| 1980 | 4,062 | 670 | 20% | 2.0% |
| 1990 | 6,543 | 2,481 | 61% | 6.1% |
| 2000 | 7,722 | 1,179 | 18% | 1.8% |
| 2010 | 11,049 | 3,327 | 43% | 4.3% |
| 2019(est.) | 10,273 | -776 | -7% | -0.8% |
| 2021(est.) | 9,581 | -692 | -7% | -3.5% |

Source: 1990, 2000, and 2020 US Census Bureau, California Department of Finance.

For the purpose of preparing Orange Cove's General Plan, population projections were developed representing low, medium and high estimates for the years 2012 and 2025. The forecasted medium population in 2012 was 12,081, the actual recorded population was 10,205. Likewise, the forecasted medium population in 2025 is 19,618, which is likely to be high given current rates of population growth and the fact that the population would need to more than double in the next five years to meet this projection. Orange Cove's population is now following the General Plan's low population projections. The other 14 cities in Fresno County have also tapered off from their population projections, with the exceptions of the Cities of Clovis and Fowler, which have both maintained positive population growth between 2010 and 2020. Orange Cove's growth rate is now among the bottom five of cities in the county.

Income

The median household income for Orange Cove in 1990 was \$15,888. The median income rose to \$22,525 in 2000, and again rose slightly to \$25,677 as of 2019. By comparison, Fresno County's median household income in 2019 was \$53,969, and the State of California's was \$75,235. There is a widening disparity between the increase in median household income in Orange Cove and that of the county and state.

In 1990, Orange Cove ranked 1st among California cities in lowest per capita income, at \$4,385. Over two decades later in 2014 it ranked 7th among California cities in lowest per capita income, at \$9,734. The data from the Fresno County Council of Governments (COG) further details recent changes in income. The American Community Survey concluded in 2014 that the median family income was \$25,030, with 53% of the population below poverty level, and over 70% of children under 18 below poverty level. Fortunately the most recent data from the US census suggests that only 9.5% of all persons in Orange Cove are in poverty, representing a marked improvement.

Employment

Orange Cove's main employer is agriculture, with over 40% of its residents working in packinghouses, fields, in agriculture-related industries such as equipment maintenance, trucking, or farm labor. One of, if not the largest single employer based in Orange Cove, is the Orange Cove-Sanger Citrus Association, which purports to employ approximately 100 people in the city. The next largest industry is manufacturing, employing about 10% of the population, followed by healthcare, with 9.6% of city residents. The city's workforce also includes persons working in the following sectors; retail, wholesale, administration, public service, and education.

Age

The median age of residents in Orange Cove is 23.6 years. The average household size is 4.39 persons per unit. The greatest percentage of the city's population in selected age groups are those that occupy the under 18 years of age category, at 39.9% of the total population. The next largest age groups are 25-44 years of age, at 26.4% of the population, and 45-64 years of age, at 15.8%. Finally, 12.3% of the population is 18-24 years of age, and only 5.7% is 65 years of age or older.

The above age data can be used to forecast trends in the community, however it is important to note that it is collected from the 2010 census, and in the past decade population growth in Orange Cove has leveled off. The first trend is a slight decline in school-aged children, which may impact the city's schools and employment rates. The second is the disproportionate amount of younger households, 44 years of age and under at 66.3%, to older households 45 years of age and older at 33.8%. This relates both to the labor force, which is young enough to endure strenuous labor associated with the agriculture industry, and to housing, which must be able to accommodate the large population of young families.

Ethnicity

The ethnic profile of the population of Orange Cove, currently and historically, is primarily made up of people identifying as Hispanic. The 2019 Census Bureau data states that 95% of the population of Orange Cove identifies as Hispanic, a four percent increase from 91% in 2000. This corresponds with a drop in the population that identifies as white only from 7% in 2000 to 3.4% in 2019. There is also 1% of the population each identifying as Black or African American, and two or more ethnicities, respectively.